

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Kaye Howerton, Executive Director, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B11-5.003 Requirements for Reactivation of an Inactive License.

(1) through (3) No change.

(4) Inactive status licensees applying for active status at the time of license renewal must pay the license renewal fee, any applicable reactivation fees and, if applicable, the delinquency fee and the fee to change licensure status as set forth in Rule 64B11-5.006, F.A.C.

(5) Inactive status licensees applying for active status at any time other than at the time of licensure renewal must pay the difference between the inactive status renewal fee and the active status renewal fee as set forth in Rule 64B11-5.006, F.A.C.

Specific Authority 456.036(4), ~~455.714~~, 468.204 FS. Law Implemented 456.036(4), 468.219(2), 468.221 FS. History—New 4-17-95, Formerly 59R-64.020, Amended.

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Library and Information Services

RULE TITLE:

Library Grant Programs

RULE NO.:

1B-2.011

PURPOSE AND EFFECT: The proposed amendment revises the guidelines and forms for the Library Services and Technology Act Grant and the State Aid to Libraries Grant.

SUMMARY: Library Services and Technology Grant (LSTA): The proposed amendment revises the forms and guidelines to streamline and clarify the requirement for grant application and reporting.

State Aid to Libraries Grant: The proposed amendment revises the Annual Statistical Report Form for Public Libraries (Form # DLIS/SA07) and removes the requirement for submission of a financial audit as part of the application documents.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 257.14, 257.191, 257.24, 257.41(2), 240.5186 FS.

LAW IMPLEMENTED: 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.191, 257.192, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40-42 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW: (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD).

TIME AND DATE: 9:00 a.m., February 19, 2001

PLACE: Board Room, State Library of Florida, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Barratt Wilkins, Director, Division of Library and Information Services, R. A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250, (850)487-2651, Suncom 277-2651

THE FULL TEXT OF THE PROPOSED RULE IS:

1B-2.011 Library Grant Programs.

(1) through (2) No change.

(a) The State Aid to Libraries Grant Guidelines and Application, (Form DLIS/SA01), effective 4-1-98, Amended _____ which contain guidelines and application forms, State Aid to Libraries Grant Application – Single County Library (Form DLIS/SA02), effective 4-1-98; State Aid to Libraries Grant Application – Single County or Participating Library (New) (Form DLIS/SA02a), effective 4-1-98; State Aid to Libraries Grant Application – Multicounty County Library (Form DLIS/SA03), effective 4-1-98; State Aid to Libraries Grant Application – Multicounty Library (New) (Form DLIS/SA03a), effective 4-1-98; State Aid to Libraries Grant Application – County Participating in a Multicounty County Library (Form DLIS/SA04), effective 4-1-98; and State Aid to Libraries Grant Application – County Participating in a Multicounty Library (New) (Form DLIS/SA04a), effective 4-1-98; State Aid to Libraries Grant Application – Certification of Credentials – Single Library Administrative Head (Form DLIS/SA05), effective 4-1-98; State Aid to Libraries Grant Application – Summary Financial Report (Form DLIS/SA06), effective 4-1-98; Annual Statistical Report Form for Public Libraries (Form DLIS/SA07), effective 4-1-98, Amended _____.

(b) through (c) No change.

(d) The Library Services and Technology Act Grant Guidelines and Application, effective 4-1-98, Amended 2-14-99 which contain instructions and applications (Form # DLIS/LSTA01), effective 4-1-98, Amended 2-14-99, Amended 4-4-00, Amended 12-18-00, Amended _____; Mid Year Report (Form #DLIS/LSTA02), effective 2-14-99,

Amended 4-4-00, Amended 12-18-00, Amended _____; and Annual Report (Form # DLIS/LSTA03), effective 4-4-00, effective 12-18-00, Amended _____.

(e) through (4) No change.

Specific Authority 257.14, 257.191, 257.24, 257.41(2) FS. Law Implemented 240.5185, 257.12, 257.15, 257.16, 257.17, 257.171, 257.172, 257.18, 257.19, 257.191, 257.195, 257.21, 257.22, 257.23, 257.24, 257.25, 257.40-.42 FS. History—New 1-25-93, Amended 7-17-96, 4-1-98, 2-14-99, 4-4-00, 12-18-00, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Marian Deeney

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Barratt Wilkins, Director, Division of Library and Information Services, and Katherine Harris, Secretary of State

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 31, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 9, 2001

DEPARTMENT OF INSURANCE

Division of State Fire Marshal

RULE CHAPTER TITLE: RULE CHAPTER NO.:
The Florida Fire Prevention Code 4A-60

RULE TITLES: RULE NOS.:
Title 4A-60.001
Scope 4A-60.002

Standards of the National Fire Protection Association, NFPA 1, the Fire Prevention Code, Adopted 4A-60.003

Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Adopted 4A-60.004

Publications Added to NFPA 1 and NFPA 101 4A-60.005

Manufactured and Prototype Buildings 4A-60.006

Enforcement of the Florida Fire Prevention Code 4A-60.007

Exceptions Applicable to Broward County 4A-60.008

Effective Date 4A-60.009

PURPOSE AND EFFECT: The purpose of this rule chapter is to adopt National Fire Protection Association (NFPA) Publication 1, and NFPA Publication 101, with amendments, as directed by Chapters 98-287 and 2000-141, Laws of Florida. The effect of this rule chapter will be to have in place the Florida Fire Prevention Code which shall be applicable throughout the State of Florida, unless changed by a local government as provided by law.

SUMMARY: Adopts National Fire Protection Association 1, the Fire Prevention Code, and National Fire Protection Association Publication 101, the Life Safety Code, with amendments; adopts additional National Fire Protection Association publications; Adopts procedures and specifications for manufactured buildings; provides for the

enforcement of the Florida Fire Prevention Code; adopts separate standards in NFPA 1 and NFPA 101 which relate solely to Broward County.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS:

(a) A GOOD FAITH ESTIMATE OF THE NUMBER OF INDIVIDUALS AND ENTITIES LIKELY TO BE REQUIRED TO COMPLY WITH THE RULE, TOGETHER WITH A GENERAL DESCRIPTION OF THE TYPES OF INDIVIDUALS LIKELY TO BE AFFECTED BY THE RULE.

All counties, municipalities, and fire control districts; all persons engaged in fire prevention and firesafety inspections; all contractors, builders, carpenters, electricians, plumbers, architects, engineers, and any other person involved in the business of building structures; all fire sprinkler contractors, fire extinguisher and preengineered systems licensees, permittees and other persons in related fields; and anyone engaged in any business that involves fire prevention.

(b) A GOOD FAITH ESTIMATE OF THE COST TO THE AGENCY, AND TO ANY OTHER STATE AND LOCAL GOVERNMENT ENTITIES, OF IMPLEMENTING AND ENFORCING THE PROPOSED RULE, AND ANY ANTICIPATED EFFECT ON STATE OR LOCAL REVENUES.

There will not be any additional cost to the agency to administer and enforce these rules. Since these rules are displacing the codes previously adopted by local governments, there also should not be any additional costs to local government entities. Likewise, there is no anticipated effect on state or local revenues.

(c) A GOOD FAITH ESTIMATE OF THE TRANSACTIONAL COSTS LIKELY TO BE INCURRED BY INDIVIDUALS AND ENTITIES, INCLUDING LOCAL GOVERNMENT ENTITIES, REQUIRED TO COMPLY WITH THE REQUIREMENTS OF THE RULE. AS USED IN THIS PARAGRAPH, "TRANSACTIONAL COSTS" ARE DIRECT COSTS THAT ARE READILY ASCERTAINABLE BASED UPON STANDARD BUSINESS PRACTICES, AND INCLUDE FILING FEES, THE COST OF OBTAINING A LICENSE, THE COST OF EQUIPMENT REQUIRED TO BE INSTALLED OR USED OR PROCEDURES REQUIRED TO BE EMPLOYED IN COMPLYING WITH THE RULE, ADDITIONAL OPERATING COSTS INCURRED, AND THE COST OF MONITORING AND REPORTING.

There is only one significant area of transactional costs foreseen by these rules. Owners of existing high-rise buildings that do not have sprinkler systems will have twelve years to install sprinkler systems or engineered life safety systems. Estimates of the cost vary greatly depending on the area of the state, the company providing the estimate, the amount of work to be done, and many other factors. It is impossible to determine with any precision the amount that it will cost;

however, there is agreement that in some cases the costs could be significant. The legislation mandating these requirements is clear, however, and it is the position of the Department that the costs simply cannot be avoided. There are no other estimated transactional costs for any other area such as filing fees, costs of obtaining a license, or procedures required to be employed in complying with the rules.

(d) AN ANALYSIS OF THE IMPACT ON SMALL BUSINESSES AS DEFINED BY S. 288.703, F.S., AND AN ANALYSIS OF THE IMPACT ON SMALL COUNTIES AND SMALL CITIES AS DEFINED BY S. 120.52, F.S.

There is no estimated impact on small counties or small cities, as defined.

(e) ANY ADDITIONAL INFORMATION THAT THE AGENCY DETERMINES MAY BE USEFUL.

None.

(f) IN THE STATEMENT OR REVISED STATEMENT, WHICHEVER APPLIES, A DESCRIPTION OF ANY GOOD FAITH WRITTEN PROPOSAL SUBMITTED UNDER PARAGRAPH (1)(A) AND EITHER A STATEMENT ADOPTING THE ALTERNATIVE OR A STATEMENT OF THE REASONS FOR REJECTING THE ALTERNATIVE IN FAVOR OF THE PROPOSED RULE.

Thus far, no good faith written proposals for alternatives have been offered.

SPECIFIC AUTHORITY: 633.01, 633.0215, 633.025 FS.

LAW IMPLEMENTED: 633.01, 633.0215, 633.025 FS.

IF REQUESTED IN WRITING WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

TIME AND DATE: 9:00 a.m., March 5, 2001

PLACE: Hurston Building, South Tower Conference Rooms A&B, 400 West Robinson Street, Orlando, Florida

TIME AND DATE: 9:00 a.m., March 6, 2001

PLACE: Room 116, Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0342, (850)413-3620

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Department at least 5 calendar days before the program by contacting Millicent King, (850)413-3619.

THE FULL TEXT OF THE PROPOSED RULES IS:

4A-60.001 Title.

This rule chapter shall be known, and may be cited, as the Florida Fire Prevention Code.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History-New

4A-60.002 Scope.

(1) Except as noted in this section, this rule chapter applies to all buildings and structures throughout the state, including each building and structure located in each municipality, county, and special district with firesafety responsibilities.

(2) This rule chapter does not apply to:

(a) Those buildings and structures subject to the uniform firesafety standards under Section 633.022, Florida Statutes.

(b) State owned and state leased buildings and structures within the meaning of Sections 633.022 and 633.085, Florida Statutes.

(c) Buildings and structures subject to the minimum firesafety standards adopted pursuant to Section 394.879, Florida Statutes.

(d) Any county or municipality which has adopted an amendment which complies fully with subsection (10) of Section 633.0215, Florida Statutes (2000), but only to the extent of such amendment.

(3) National Fire Protection Association (NFPA) 1, the Fire Prevention Code, NFPA 101, the Life Safety Code, as adopted and incorporated herein, and the additions, deletions, and other modifications to NFPA 1 and NFPA 101 contained in this rule chapter constitute the Florida Fire Prevention Code, pursuant to and by authority of Sections 57, 58, and 59, Chapter 98-287, Laws of Florida.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History-New

4A-60.003 Standards of the National Fire Protection Association, NFPA 1, the Fire Prevention Code, Adopted.

(1) Except as specifically modified by statute or by these rules, NFPA 1, the Fire Prevention Code, 2000 edition, is hereby adopted and incorporated herein by reference and shall take effect on the effective date of this rule as a part of the Florida Fire Prevention Code.

(2) NFPA 1 is hereby modified in the following respects:

(a) The following language is added to Subdivision 1-4.12:

Approval of the fire department accessibility and all tests for fire alarm, detection, and suppression systems, smoke evacuation systems, and life safety systems shall be conducted prior to final structural inspection and issuance of a certificate of occupancy. Rejections of any of the above provisions must include specific reference, in writing, to the code section upon which the rejection is based.

(b) The following language is added to Subdivision 1-16.16:

1. Subdivision 1-16.16 The authority having jurisdiction shall have the authority to issue permits for the following operations within the jurisdiction:

2. Subdivisions (1) through (36) No change.

3. Subdivision (37) Carnivals. Exception: Any portion of a carnival within the jurisdiction of the Department of Agriculture and Consumer Services.

4. Subdivision (38) Combustible Materials. Storage in any building or upon any premises in excess of 2,500 cubic feet in gross volume of combustible empty, packing cases, pallets, boxes, barrels, or similar containers, or rubber tires, or baled cotton, rubber, or cork, or similar combustible materials.

5. Subdivision (39) Combustible Metals. Melting, casting, heat treatment, machining, or grinding at more than 10 pounds of Class D metals per workday.

6. Subdivision (40) Dry-Cleaning. Dry cleaning by use of cleaning solvents, cleaning fluids or cleaning solutions.

7. Subdivision (41) Motion Picture Filming Using Special Effects. For all "on location" commercial filming using special effects or pyrotechnics.

8. Subdivision (42) Hazardous Materials. To store, handle, or use any hazardous materials. To construct, install, repair, abandon, remove, place temporarily out-of-service, close or substantially modify a storage facility for handling of hazardous materials.

9. Subdivision (43) Spraying or Dipping. For spraying or dipping operations.

10. Subdivision (44) Places of Assembly.

11. Exception: Places of assembly used solely for religious worship.

(c) The following language is added to Subdivision 3-5.2: At least one elevation of each building shall be accessible to the fire department. Required fire lanes shall be provided with the inner edge of the roadway no closer than 10 feet and no further than 30 feet from the building. Such lanes shall have a surface designed to accommodate fire apparatus with a minimum weight of 32 tons.

(d) The following language is added to Subdivision 3-5.3: Buildings having ramps or other elevated roadways shall have posted weight limit signs.

(e) Subdivision 3-5.4 is changed to read: 3-5.4 Fire lanes shall be marked with freestanding signs with the wording, "NO PARKING FIRE LANE BY ORDER OF THE FIRE DEPARTMENT." Such signs shall be 12 inches by 18 inches with a white background and red letters and shall be a maximum of seven feet in height from the roadway to the bottom part of the sign. The signs shall be within sight of the traffic flow and be a maximum of 60 feet apart.

(f) New Subdivision 3-5.5.1 is created to read: 3-5.5.1 The fire official may require gated subdivisions or developments to provide the fire department access through the use of remote transmitters, specific codes, key system, or other appropriate devices as determined by the fire official.

(g) New Subdivision 3-5.6 is created to read:

1. Subdivision 3-5.6.1 No person shall place or keep any post, fence, vehicle, growth, vegetation, trash or storage of other materials that would obstruct a fire hydrant or fire

protection appliance and hinder or prevent its immediate use by fire department personnel. Such fire hydrant or fire protection appliance shall be maintained readily visible at all times.

2. Subdivision 3-5.6.2 Fire hydrants and fire protection appliances shall be kept accessible to the fire department at all times. The following clearances shall be maintained for all fire hydrants and fire protection appliances.

3. Subdivision 3-5.6.2.1 Hydrants – Clearances of seven and one half feet (7'-6") in front of and to the sides of the fire hydrant, with a four feet (4') clearance to the rear of the hydrant.

4. Subdivision 3-5.6.2.2 Fire Protection Appliances – Clearances of seven and one half feet (7'-6") in front of and to the sides of the appliances.

5. Exception: These dimensions may be reduced by approval of the authority having jurisdiction.

6. Subdivision 3-5.6.2.3 Fire department connections shall be identified by a sign that states "No Parking, Fire Department Connection" and shall be designed in accordance with Florida Department of Transportation standards for information signage.

7. Exception: Existing signs when approved by the authority having jurisdiction.

(h) The following paragraph is added to Subdivision 3-7.1:

1. Numerals shall be not less than three inches in height for residential buildings, structures, or portions thereof, and at least six inches in height for all other buildings, structures, or portions thereof. Where address identification is required by the authority having jurisdiction on other elevations of buildings, structures, or portions thereof, such numerals shall be not less than three inches in height for residential and at least six inches in height for all other buildings, structures, or portions thereof.

2. Exception: Existing numbers when approved by the authority having jurisdiction.

(i) New Subdivision 4-9.1.1 is created to read: 4-9.1.1 There shall be no storage above any component of the means of egress unless it is on a separate floor or mezzanine constructed in accordance with the Florida Building Code.

(j) Subdivision 7-3.2.21.2.2 is changed to read: 7-3.2.21.2.2 Each existing high rise building shall be required to be protected by an approved, automatic sprinkler system or equipped with an engineered life safety system, approved by the authority having jurisdiction, not later than 12 years after the adoption of the Florida Fire Prevention Code.

(k) The following language is added to Subdivision 7-7.3.1.4: When not connected to a fire alarm system, fire alarm notification appliances shall not be used as duct detector visual or audible signal devices.

(l) Subdivision 13-3.3.3 of NFPA 1 applies prospectively only. Existing installations may remain in place subject to the approval of the authority having jurisdiction.

(m) The following language is added to Subdivision 16-10.7.3:

1. Subdivision 16-10.7.3 Doors shall be equipped with panic hardware. Doors shall be unlocked during operations.

2. Exception No. 1: Trailers, semitrailers, or metal shipping containers that are not normally occupied. (1124;4.2.3.1)

3. Exception No. 2: Within buildings or structures also used for other purposes in which seasonal retailers sell sparklers at retail from June 20 through July 5 and from December 10 through January 2 of each year. [Section 791.01(7), Florida Statutes]

4. Exception No. 3: In buildings or structures where novelties and trick noisemakers as defined in [Section 791.101(4)(c)], Florida Statutes, are offered for retail sale.

(n) The following language is added to Subdivision 16-10.7.5:

1. 16-10.7.5 Consumer fireworks, except for sparklers, novelties, and trick noisemakers as defined in Section 791.101(4)(b) and (c), Florida Statutes, stored in a building that is also used for other purposes shall be stored in a room or area used exclusively for the storage of consumer fireworks. Interior walls of such room shall have a minimum fire-resistance rating of 1-hour with doors having a 45-minute fire-resistance rating.

2. Exception: When acceptable to the authority having jurisdiction, noncombustible materials shall be permitted to be stored in the same room or area with consumer fireworks. (1124; 4.2.4.1).

(o) New Subdivision 16-10.7.5.1 is created to read: 16-10.7.5.1 Sparklers shall be stored or kept for sale in accordance with Chapter 791.055, F.S.

(p) Subdivision 29-2.3.2 is changed to read:

1. Where underground water mains and hydrants are to be provided they shall be installed, completed, and in service prior to construction work.

2. Exception: Completion of the water mains and hydrants may be on an alternate schedule established by the authority having jurisdiction.

(3) The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History--New

4A-60.004 Standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, Adopted.

(1) Except as specifically modified by statute or by these rules, NFPA 101, the Life Safety Code, 2000 edition, is hereby adopted and incorporated herein by reference and shall take effect on the effective date of this rule as a part of the Florida Fire Prevention Code.

(2) NFPA 101 is hereby modified in the following respects:

(a) The following portions of Section 3.3, GENERAL DEFINITIONS, are added or changed to read as follows:

1. Subdivision 3.3.197.6 Structure, Open-Air Parking.

a. Subdivision (1) A structure used for the parking or storage of motor vehicles that have:

(I) Subdivision (a) At least 50% of the clear height between floors shall be open to the atmosphere for the full length of at least two exterior walls, excluding required stair and elevator walls and structural columns. Interior wall lines and column lines shall be at least 20% open and uniformly distributed, or

(II) Subdivision (b) The exterior walls of the structure shall have uniformly distributed openings on two or more sides totaling no less than 40% of the building perimeter. The area of such openings in the exterior walls on each level shall be at least 20% of the total perimeter wall area of each level. Interior wall lines and column lines shall be at least 20% open and uniformly distributed.

b. Subdivision (2) The distance from any point on any floor level to an open exterior wall facing on a street, or to other permanently maintained open space at least 20 ft. (6096 mm) wide extending full width to a street, shall not exceed 200 ft. (61 m).

c. Subdivision (3) Garages within 10 ft. (3048 mm) of a common property or building line shall be provided with an enclosure wall along the line of not less than 1-hour fire resistance without openings therein, except door openings meeting the requirements of 8.2.3.2.3 shall be permitted.

2. Subdivision 3.3.214 Fireblocking. Barriers installed to resist the movement of flame and gases to other areas of a building through small-concealed passages in building components such as floors, walls and stairs.

(b) The following portions of Section 5.3, RETAINED PRESCRIPTIVE REQUIREMENTS, are changed to read as follows:

1. Subdivision 5.3.1 Systems and Features. All fire protection systems and features of the building shall comply with applicable NFPA standards for those systems and features.

2. Subdivision 5.3.2 Means of Egress. The design shall comply with the following requirements in addition to the performance criteria of Section 5.2 and the methods of Sections 5.4 through 5.8:

a. Subdivision (1) Changes in level in Means of Egress – 7.1.7.

b. Subdivision (2) Guards – 7.1.8.

c. Subdivision (3) Doors – 7.2.1.

d. Subdivision (4) Stairs – 7.2.2.

e. Exception: The provisions of 7.2.2.6.2, shall be exempted.

f. Subdivision (5) Ramps – 7.2.5.

g. Exception: The provisions of 7.2.5.6.1 shall be exempted.

h. Subdivision (6) Fire Escape Ladders – 7.2.9.

i. Subdivision (7) Alternating Tread Devices – 7.2.11.

j. Subdivision (8) Capacity of Means of Egress – 7.3.

k. Subdivision (9) Impediments to Egress – 7.5.2.

l. Subdivision (10) Illumination of Means of Egress – 7.8.

m. Subdivision (11) Emergency Lighting – 7.9.

n. Subdivision (12) Marking of Means of Egress – 7.10.

(c) The following portions of Subdivision 6.1.14, Mixed Occupancies, are changed to read as follows:

1. 6.1.14.2 Applicable Requirements. Where a mixed occupancy classification occurs, the means of egress facilities, construction, protection, and other safeguards shall comply with the most restrictive life safety requirements of the occupancies involved.

2. Exception:* Where incidental to another occupancy, buildings used as follows shall be permitted to be considered part of the predominant occupancy and subject to the provisions of this code that apply to the predominant occupancy:

a. Subdivision (a) Portions of buildings used as accessory offices or for customary nonhazardous uses necessary for transacting the principal business in storage and industrial occupancies need not be separated from the principal use. Industrial occupancies producing, using or storing low hazard products in accordance with Subdivision 6.2.2 need not be considered mixed occupancies.

b. Subdivision (b) The following uses need not be separated by fire resistant construction from the occupancies to which they are accessory:

(I) Subdivision (1) A kitchen in an assembly occupancy does not constitute a mixed occupancy.

(II) Subdivision (2) Assembly uses having a floor area of not over 750 sq. ft. (70 m²), are incidental to another occupancy, and have an occupant load less than 50 shall be classified as part of the other occupancy.

(III) Subdivision (3) Administrative and clerical offices and similar rooms which, in area per story, do not exceed 25% of the story area of the major use provided the classification of hazard of contents is low or ordinary in accordance with Subdivision 6.2.2.

(IV) Exception to (3): Accessory uses in industrial and storage occupancies as otherwise provided in 6.1.14.2(a).

(V) Subdivision (4) Rooms or spaces used for customary storage of nonhazardous materials in assembly, business, educational, industrial, mercantile, hotel and dormitory, and apartment occupancies which in aggregate do not exceed one-third of the major occupancy floor area in which they are located. Protection from hazards shall be as otherwise provided in the specific occupancy chapter.

(VI) Subdivision (5) In a mercantile occupancy, portions of buildings which are less than 3,000 sq. ft. used as accessory small businesses to and open for business simultaneously with the principal retail sales occupant.

(VII) Exception to (5): Item (5) shall not apply to separation walls between tenants and malls in covered mall buildings.

(VIII) Subdivision (6) A 1-hour occupancy separation in accordance with 8.2.3 shall be permitted in assembly rooms greater than 750 sq. ft. (70 m²) but less than 2,000 sq. ft. (186 m²) in area when all of the following are met:

(A) Subdivision (a) The occupant content does not exceed 300 persons calculated in accordance with 7.3.1.

(B) Subdivision (b) The assembly room does not constitute the major occupancy classification of the building.

(C) Subdivision (c) The assembly room is not associated with a high or ordinary hazard occupancy.

(D) Subdivision (d) The assembly room is not associated with a kitchen.

(E) Subdivision (e) The assembly room is not a theater or restaurant.

(d) The following portions of Section 7.1 General, are changed to read as follows:

1. Subdivision 7.1.3.2.1 Exception No. 3: One-hour enclosures in accordance with 29.2.2.1.2, and 31.2.2.1.2 shall be permitted as an alternative.

2. Subdivision 7.1.5 No change, but add:

Exception No. 3: If any room has a ceiling which is furred or dropped down to conceal items such as duct work, piping, or structural members, the prescribed ceiling height is required in two-thirds of the area of the room, but in no case shall the height of the furred or dropped ceiling be less than 7 ft. (2134 mm).

3. Subdivision 7.1.7.1 Changes in level in means of egress shall be achieved either by a ramp or a stair where the elevation difference exceeds 21 in. (53.3 cm). Changes in elevation in exit access corridors, exits, and exit discharge of 12 in. (305 mm) or less shall be by a ramp.

4. Subdivision 7.1.7.2* Changes in level in means of egress in excess of 12 in. (305 mm) shall be achieved either by a ramp or by a stair complying with the requirements of 7.2.2. The presence and location of ramped portions of walkways

shall be readily apparent. The tread depth of such stair shall be not less than 13 in. (33 cm), and the presence and location of each step shall be readily apparent.

(e) The following portions of 7.2, MEANS OF EGRESS COMPONENTS, are changed to read as follows:

1. Subdivision 7.2.1.2.3 Minimum Width. No change, but add:

2. Exception No. 1: In existing buildings, the existing door leaf width shall be not less than 28 in. (71 cm).

3. Exception No. 2: This requirement shall not apply as otherwise provided in Chapters 22 and 23.

4. Exception No. 3: A power-operated door leaf located within a two-leaf opening shall be exempt from the minimum 32-in. (81-cm) single-leaf requirement in accordance with Exception No. 2 to 7-2.1.9.

5. Exception No. 4: This requirement shall not apply to revolving doors as provided in 7.2.1.10.

(f) Subdivision 7.2.1.5 Locks, Latches, and Alarm Devices, is changed to read as follows:

1. Subdivision 7.2.1.5.1 Doors shall be arranged to be opened readily from the egress side whenever the building is occupied. Locks, if provided, shall not require the use of a key, a tool, or special knowledge or effort for operation from the egress side.

2. Exception No. 2: Exterior doors shall be permitted to have key-operated locks from the egress side, provided that the following criteria are met:

a. Subdivision (e) When unlocked, the door or both leaves of the pair must be free.

b. Subdivision (f) The main exit door is a single door or one pair of doors.

3. Subdivision 7.2.1.6 Special Locking Arrangements.

4. Subdivision 7.2.1.6.2 Access-Controlled Egress Doors. Where permitted in Chapters 11 through 42, entrance doors in the means of egress and entrance doors to tenant spaces shall be permitted to be equipped with an approved entrance and egress access control system, provided that the following criteria are met.

5. Subdivision 7.2.1.14 Horizontal Sliding Doors. Horizontal sliding doors shall be permitted in means of egress, provided that the following criteria are met:

a. Subdivisions (1) through (3): No change.

b. Subdivision (4) The door is operable with a force not more than 15 lbf (67 N) when a force of 250 lbf (1110 N) is applied perpendicularly to the door adjacent to the operating device, unless the door is an existing horizontal sliding exit access door serving an area with an occupancy load of fewer than 50.

c. Subdivision (5) The door assembly complies with the fire protection rating and, where rated, is self-closing or automatic closing by means of smoke detection in accordance with 7.2.1.8, and is installed in accordance with NFPA 80, Standard for Fire Doors and Fire Windows.

d. Subdivision (6) The door shall be power operated and shall be capable of being operated manually in the event of power failure.

e. Subdivision (7) The door assembly shall have an integrated standby power supply.

f. Subdivision (8) The door assembly power supply shall be electrically supervised.

(g) The following portions of Subdivision 7.2.2, Stairs, are changed to read as follows:

1. Subdivision 7.2.2.1 General. Stairs used as a component in the means of egress shall conform to the general requirements of Section 7.1 and to the special requirements of this subsection.

2. Exception No. 3: Stairways, not a part of the required means of egress, providing access from the outside grade level to the basement in, rooming houses, rectories, and parsonages shall be exempt from 7.2.2 when the maximum height from the basement finished floor level to grade adjacent to the stair does not exceed 8 ft. (2438 mm) and the grade level opening to the stair is covered by hinged doors or other approved means.

3. Subdivision 7.2.2.2 Dimensional Criteria.

4. Subdivision 7.2.2.2.3.4 Within dwelling units, guest rooms and guest suites, and existing building and mezzanines of less than 250 sq. ft. where the occupant load served does not exceed five, spiral stairs shall be permitted, provided that the following criteria are met:

5. Subdivision 7.2.2.3 Stair Details.

6. Subdivision 7.2.2.3.1 Construction.

7. Subdivision 7.2.2.3.1.1 All stairs serving as required means of egress shall be of permanent fixed construction.

8. Exception: Stairs serving seating designed to be repositioned in accordance with Chapters 12 and 13.

9. Subdivision 7.2.2.3.1.2: Exterior and interior exit stairways shall be constructed of noncombustible materials throughout in the following buildings:

a. Subdivision (1) All buildings of Type I and of Type II construction as defined by the Florida Building Code.

b. Subdivision (2) All buildings of assembly occupancy with an occupant load of 1000 or more persons or of assembly occupancy with a legitimate stage and an occupant load of 700 or more persons.

c. Subdivision (3) All other buildings three stories or more in height or occupied by more than 40 persons above or below the level of exit discharge except R3 occupancies and buildings of Type VI construction as defined by the Florida Building Code.

d. Exception No. 1: Handrails.

e. Exception No. 2: Existing stairs.

10. Subdivision 7.2.2.3.1.3 Stairways located in a required fire resistant enclosure shall have closed risers. All other stairways shall be permitted to have open risers.

11. Subdivision 7.2.2.3.1.4 Interior stairs constructed of wood shall be fireblocked in concealed spaces between stair stringers at the top and bottom of the run. Fireblocking shall comply with Subdivision 8.3.6.7.

12. Exception: Stairs permitted to have open risers in accordance with Subdivision 7.2.2.3.1.3.

13. Subdivision 7.2.2.3.1.5 The underside of interior stairways, if of combustible construction, shall be protected to provide not less than 1-hour fire resistance.

14. Exception: When located within a dwelling unit.

15. Subdivision 7.2.2.4 Guards and Handrails.

16. Subdivision 7.2.2.4.4 Projections. Stairs shall be clear of all obstructions except projections not exceeding 3 1/2 in. (89 mm) at or below handrail height on each side. The design of guards and handrails and the hardware for attaching handrails to guards, balusters, or walls shall be such that there are no projections that might engage loose clothing. Openings in guards shall be designed to prevent loose clothing from becoming wedged in such openings.

17. Subdivision 7.2.2.4.6 Guard Details.

18. Exception No. 4: Guardrails for dwellings, within individual dwelling units or guest rooms, and in residential board and care occupancies shall be a minimum of 36 in. (914 mm) high.

a. Subdivision (3) *Open guards shall have intermediate rails or an ornamental pattern such that a sphere 4 in. (10.1 cm) in diameter shall not pass through any opening up to a height of 34 in. (86 cm).

b. Exception No. 2: In detention and correctional occupancies, in industrial occupancies, and in areas not accessible to the public in storage occupancies, the clear distance between intermediate rails, measured at right angles to the rails, shall not be more than 21 in. (53.3 cm).

c. Exception No. 3: Approved existing open guards.

d. Exception No. 4: Mercantile occupancies in accordance with 36.2.2.11.

e. Exception No. 5: A bottom rail or curb is not required on guardrails within dwellings, dwelling units or residential board and care occupancies.

19. Subdivision 7.2.2.5 Enclosure and Protection of Stairs.

a. Subdivision 7.2.2.5.3* Usable Space.

The "exception" does not apply to the storage of combustible, flammable, or otherwise hazardous materials.

b. Table 7.2.5.2 Dimensional Criteria.

c. New ramps shall be in accordance with Table 7.2.5.2(a).

d. Table 7.2.5.2(a) New Ramps

<u>Minimum width clear of all obstructions, except projections not more than 3 and 1/2 in. (8.9 cm) at or below handrail height on each side.</u>	<u>36 in. (91.5 cm)</u>
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<u>Maximum slope</u>	<u>1 in 12</u>
<u>Maximum cross slope</u>	<u>1 in 50</u>
<u>Maximum rise for a single ramp run</u>	<u>30 in. (76 cm)</u>

20. Exception No. 4: Ramps that are part of the required means of egress shall be not less than 44 in. wide.

21. Subdivision 7.2.5.3 Ramp Details.

22. Subdivision 7.2.5.3.2 Landings. Ramp landings shall be as follows:

a. Subdivision (a) Ramps shall have landings at the top, at the bottom, and at doors opening onto the ramp. The slope of the landing shall not be steeper than 1 in 50. Every landing shall have a dimension measured in the direction of travel at least the width of the ramp.

b. Exception No. 1: The minimum 60-in. (152-cm) length requirement shall not apply to existing approved landing.

c. Exception No. 2: Landings shall be permitted to be not more than 60 in. (152 cm) in the direction of travel provided the ramp has a straight run.

23. Subdivision 7.2.5.3.3 Edge Protection.

24. Exception No. 1: Edge protection is not required on ramps not required to have handrails and having flared sides with a ratio not exceeding 1:12 or returned curbs.

25. Exception No. 2: Edge protection is not required on the sides of ramp landings having a vertical drop-off of not more than 1/2 in. (12.7 mm) within 10 in. (254 mm) horizontally of the required landing area.

26. Subdivision 7.2.5.4 Guards and Handrails. Guards complying with 7.2.2.4 shall be provided for ramps. Handrails complying with 7.2.2.4 shall be provided along both sides of a ramp segment steeper than 1 in 20. Handrails that are not continuous shall extend at least 18 in. (305 mm) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface. The height of handrails and guards shall be measured vertically to the top of the guard or rail from the walking surface adjacent thereto.

27. Subdivision 7.2.5.4.1 Extended Floor or Ground Surface. The floor or ground surface of the ramp run or landing shall extend 12 in. (305 mm) minimum beyond the inside face of a handrail complying with 7.2.5.4.

28. Subdivision 7.2.5.4.2 Curb or Barrier. A curb or barrier shall be provided that prevents the passage of a 4 in. (102 mm) diameter sphere, where any portion of the sphere is within 4 in. (102 mm) of the floor or ground surface.

29. Subdivision 7.2.11* Alternating Tread Devices.

30. Subdivision 7.2.11.1 Alternating tread devices complying with 7.2.11.2 shall be permitted in the means of egress only where providing one of the following:

a. Subdivisions (1) through (4): No change.

b. Subdivision (5): A means of egress from a mezzanine of not more than 250sq. ft. (23m²) in industrial, health care, storage, detention and correctional occupancies and within dwelling units of residential occupancies.

31. Subdivision 7.2.11.2 Alternating tread devices shall comply with the following:

a. Subdivisions (1) through (4): No change.

b. Subdivision (5) The height of the riser shall not exceed 8 in. (20.3 cm).

c. Subdivision (6) Alternating tread stairways shall have a minimum projected tread, exclusive of nosing, of 8 1/2 in. (216 mm) within minimum total tread depth of 10 1/2 in. (267 mm).

d. Subdivisions (7) through (10) No change.

e. Subdivision (11) A minimum of 12 in. (305 mm) shall be provided between the stair handrails to adjacent alternating tread stairways.

(h) The following portions of Section 7.3, CAPACITY OF MEANS OF EGRESS, are changed to read as follows:

1. Subdivision 7.3.2* Measurement of Means of Egress. The width of means of egress shall be measured in the clear at the narrowest point of the exit component under consideration.

2. Exception No. 1: Projections not more than 3 1/2 in. (8.9 cm) on each side shall be permitted at and below handrail height.

3. Exception No. 2: Objects projecting from walls with their leading edges between 27 and 80 inches (686 and 2032 mm) above the finished floor shall protrude no more than 4 inches (102 mm) into walks, corridors, passageways, or aisles. Freestanding objects mounted on posts or pylons may overhang 12 inches (305 mm) maximum from 27 to 80 inches (686 to 2032 mm) above the ground or finished floor.

(i) The following portions of 7.7, DISCHARGE FROM EXITS, are changed to read as follows:

1. Subdivision 7.7.1* Exits shall terminate directly at a public way or to an exit court, exit passageway, open space, or vestibule leading to a public way, or at an exterior exit discharge. Yards, courts, open spaces, or other portions of the exit discharge shall be of required width and size to provide all occupants with a safe access to a public way.

2. Subdivision 7.7.1.1 The minimum width of such courts, passageways, lobbies, and vestibules shall be 44 in. (1118 mm) but not less than the required width of the exits to which they are connected. There shall be no reduction of width in the direction of exit travel.

3. Subdivision 7.7.1.2 Exit courts 10 ft. (3048 mm) or less in width shall have a minimum fire resistance rating of 1 hour with 3/4-hour opening protection.

(j) Subdivision 7.10.1.8 is added to read as follows: 7.10.1.8 Signs installed as projections from a wall or ceiling within the means of egress shall provide a vertical clearance of no less than 7 ft. (2134 mm) from the walking surface.

(k) The exception to 7.11.1, which reads, "This requirement shall not apply to storage occupancies as otherwise provided in Chapter 42," is deleted.

(l) The following portions of Section 8.2, CONSTRUCTION AND COMPARTMENTATION, are changed to read as follows: 8.2.1 *Construction. Buildings or structures occupied or used in accordance with the individual occupancy chapters (Chapters 12 through 42) shall meet the minimum construction requirements of those chapters. The Florida Building Code shall be used to determine the requirements for the construction classification. Where the building or facility includes additions or connected structures of different construction types, the rating and classification of the structure shall be based on either of the following:

1. Subdivision (1) Separate buildings if a 4 hour or greater vertically-aligned fire wall in accordance with NFPA 221, Standard for Fire Walls and Fire Barrier Walls, exists between the portions of the building.

2. Exception: The requirement of 8.2.1(1) shall not apply to previously approved separations between buildings.

3. Subdivision (2) The least resistive type of construction of the connected portions, if no such separation is provided.

(m) The following portions of 8.3, SMOKE BARRIERS, are changed to read as follows:

1. Subdivision 8.3.7 Fireblocking.

2. Subdivision 8.3.7.1 Fireblocking shall be provided in all walls and partitions to cut off all concealed draft openings both horizontal and vertical and to form a fire barrier between floors and between the upper floor and the roof space.

3. Subdivision 8.3.7.2 Fireblocking shall not be covered or concealed until inspected by the fire inspector.

4. Subdivision 8.3.7.3 Walls and stud partitions shall be fireblocked at floors, ceilings and roofs. Fireblocking in noncombustible partitions shall not be required at the ceiling for suspended ceiling systems. Fireblocking shall consist of approved noncombustible materials unless otherwise specified in this code. Material shall be securely fastened in place.

5. Subdivision 8.3.7.4 Fireblocking in walls, partitions, floors, ceilings, and roofs of combustible construction may be of wood.

6. Subdivision 8.3.7.4.1 Fireblocking, when of wood, shall effectively fill all spaces for the entire width or depth of the framing or structural member.

7. Subdivision 8.3.7.4.2 Fireblocking of wood shall consist of 2-inch nominal lumber, or two thickness' of 1-inch nominal lumber with broken lap joints, or one thickness of 23/32-inch (18.3 mm) wood structural panel with joints backed by 23/32-inch (18.3 mm) wood structural panel.

(n) Subdivision 12.1.7.2, Waiting Spaces, is changed to read as follows: 12.1.7.2 Waiting Spaces. In class A assembly occupancies, theatres and other assembly occupancies with an occupant load greater than 600 where persons are admitted to the building at times when seats are not available, or when the permitted occupant load has been reached based on 12.1.7.1 and persons are allowed to wait in a lobby or similar space until seats or space is available, such use of lobby or similar space shall not encroach upon the required clear width of exits. The waiting spaces shall be restricted to areas other than the required means of egress. Exits shall be provided for the waiting spaces on the basis of one person for each 3 sq. ft. (0.28 sq. m) of waiting space area. Such exits shall be in addition to the exits specified for the main auditorium area and shall conform in construction and arrangement to the general rules for exits given in this chapter.

(o) The following portions of Section 12.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. Subdivision 12.2.2.2.3 Panic Hardware or Fire Exit Hardware.

2. Exception No. 1: In assembly occupancies having an occupant load not greater than 300 where the main exit consists of a single door or single pair of doors, locking devices complying with Exception No. 2 to 7.2.1.5.1 shall be permitted to be used on the main exit. When unlocked, the door or both leaves of the pair of doors must be free or any latching device on this door(s) shall be released by panic hardware.

3. Subdivision 12.2.2.3 Stairs.

4. Subdivision 12.2.2.3.1 Stairs complying with 7.2.2 shall be permitted.

5. Exception No. 3: In assembly occupancies, flights of less than three risers shall not be used in interior or exterior stairways, exit passageways, aisles, at entrances or elsewhere in connection with required exits. To overcome lesser differences in level, ramps on accordance with 7.2.5 shall be used.

6. Subdivision 12.2.3 Capacity of Means of Egress.

7. Subdivision 12.2.3.6 Foyer.

8. Subdivision 12.2.3.6.1 In assembly occupancies with an occupant load of 1000 or greater or with a legitimate stage and an occupant load of 700 or greater, a foyer consisting of a space at a main entrance/exit of the auditorium or place of assembly shall be provided.. Such foyer, if not directly

connected to a public street by all the main entrance/exits, shall have a straight and unobstructed corridor or passage to every such main entrance/exit.

9. Subdivision 12.2.3.6.2 The width of a foyer at any point shall be not less than the combined width of aisles, stairways, and passageways tributary thereto.

10. Subdivision 12.2.5.6 Aisles Serving Seating Not at Tables.

11. Subdivision 12.2.5.6.1 Aisles shall be provided so that the number of seats served by the nearest aisle is in accordance with 12.2.5.5.2 through 12.2.5.5.4.

12. Exception No. 1: Aisles shall not be required in bleachers, providing that all of the following conditions are met:

a. Subdivision (b) The row spacing shall be 28 in. (71.1 cm) or less unless the seat boards and footboards are at the same elevation.

b. Subdivision (f) Seat boards that are also used as stepping surfaces for descent shall provide a walking surface with not less than 12 in. (30.5 cm). Bleacher footboards shall be provided for all rows of seats above the third row or beginning at such a point where the seating plank is more than 2 ft. (610 mm) above the ground or floor below. When the same platform is used for both seating and footrests, footrests are not required, provided each level or platform is not less than 24 inches (610 mm) wide. When projected on a horizontal plane, there shall be no horizontal gaps exceeding 1/4 inch (6.4 mm) between footboards and seatboards. At aisles, there shall be no horizontal gaps exceeding 1/4 inch (6.4 mm) between footboards. Leading edges of such surfaces shall be provided with a contrasting marking stripe so that the location of such leading edge is readily apparent, particularly where viewed in descent. Such stripe shall be at least 1 in. (2.5 cm) wide and shall not exceed 2 in. (5.1 cm) in width. The marking stripe shall not be required where bleacher surfaces and environmental conditions, under all conditions of use, are such that the location of each leading edge is readily apparent, particularly when viewed in descent.

c. Subdivision (g) The first seating board is not more than 12 in. (305 mm) above the floor below or a cross aisle.

d. Subdivision (h) Seat boards have a continuous flat surface.

e. Subdivision (i) Seats are without backrests.

f. Subdivision (j) Egress from seating is not restricted by rails, guards or other obstructions.

(p) The following portions of Section 14.2, MEANS OF EGRESS REQUIREMENTS, are changed to read:

1. Subdivision 14.2.5.5 Doors that swing into an exit access corridor shall be recessed to prevent interference with corridor traffic; any doors not recessed shall open 180 degrees to stop against the wall. Doors in any position shall not reduce the required corridor width by more than one half. (See also 7.2.1.4.4.)

2. Subdivision 14.2.5.7.1 A corridor roofed over and enclosed on its long sides and open to the atmosphere at the ends may be considered an exterior corridor provided:

a. Subdivision 1. Clear story openings not less than one half the height of the corridor walls are provided on both sides of the corridor and above adjacent roofs or buildings, or

b. Subdivision 2. The corridor roof has unobstructed openings to the sky with the open area not less than 50 percent of the area of the roof. Openings shall be equally distributed with any louvers fixed open. The clear area of openings with fixed louvers shall be based on the actual openings between louver vanes.

3. Subdivision 14.2.5.7.2 The minimum width of such corridors shall be sufficient to accommodate the occupant load but shall in no case be less than 6 ft.

(g) The following portions of Section 18.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. Subdivision 18.2.2.2.4 Doors within a required means of egress shall not be equipped with a latch or lock that requires the use of a tool or key from the egress side.

2. Exception No. 1: Door locking arrangements without delayed egress locks shall be permitted in health care occupancies or portions of health care occupancies where the clinical needs of the patients require specialized security measures for their safety, provided that staff can readily unlock such doors at all times. (See 18.1.1.1.5 and 18.2.2.2.5.)

3. Exception No. 2* Delayed egress locks complying with 7.2.1.6.1 shall be permitted, provided not more than one such device is located in any egress path.

4. Subdivision 18.2.3.4 Aisles, corridors, and ramps required for exit access in a limited care facility or hospital for psychiatric care shall be at least 8 ft. (2438 mm) in clear and unobstructed width. Where ramps are used as exits, see 18.2.2.6.

a. Exception No. 1:* Aisles, corridors, and ramps in adjunct areas not intended for the housing, treatment, or use of inpatients shall be not less than 44 in. (112 cm) in clear and unobstructed width.

b. Exception No. 2:* Exit access within a room or suite of rooms complying with the requirements of 18.2.5.

5. Subdivision 18.2.3.5 The minimum clear width for doors in the means of egress from sleeping rooms; diagnostic and treatment areas, such as X-ray, surgery, or physical therapy; and nursery rooms shall be as follows:

a. Subdivision (1) Hospitals and nursing homes: 44 in. (1118 mm).

b. Subdivision (2) Psychiatric hospitals and limited care facilities: 44 in. (1118 cm).

c. Subdivision (3) Exterior exit doorways 44 in. (1118 mm).

d. Exception: Exit doors not subject to use for patient care shall be not less than 36 in. (914 mm) clear width.

(r) The following portions of Section 26.1, GENERAL REQUIREMENTS, are changed to read as follows:

1. Subdivision 26.1.2 Mixed Occupancies.

2. Subdivision 26.1.2.3 No multiple-dwelling unit of a residential occupancy shall be located above any nonresidential occupancy.

a. Exception No. 1: Where the dwelling unit of the residential occupancy and exits therefrom are separated from the nonresidential occupancy by construction having a fire resistance rating of not less than the following:

Assembly – 2 hours

Day-Care – 1 hour

Industrial – 2 hours

Mercantile – 1 hour

Storage, Low Hazard – 2 hours

Automobile Repair Garages – 2 hours

Business – 1 hour

Educational – 2 hours

Health Care – 2 hours

Storage, Ordinary Hazard – 3 hours

Automobile Parking Garages – 1 hour

b. Exception No. 2: Where the nonresidential occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 the fire rated separation required above may be reduced by 1 hour, but, in no case shall be less than 1 hour.

(s) The following portions of Section 28.1, GENERAL REQUIREMENTS, are changed to read as follows:

1. Subdivision 28.1.2 Mixed Occupancies.

2. Subdivision 28.1.2.3 No multiple-dwelling unit of a residential occupancy shall be located above any nonresidential occupancy.

a. Exception No. 1: Where the dwelling unit of the residential occupancy and exits therefrom are separated from the nonresidential occupancy by construction having a fire resistance rating of not less than the following:

Assembly – 2 hours

Day-Care – 1 hour

Industrial – 2 hours

Mercantile – 1 hour

Storage, Low Hazard – 2 hours

Automobile Repair Garages – 2 hours

Business – 1 hour

Educational – 2 hours

Health Care – 2 hours

Storage, Ordinary Hazard – 3 hours

Automobile Parking Garages – 1 hour

b. Exception No. 2: Where the nonresidential occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 the fire rated separation required above may be reduced by 1 hour, but, in no case shall be less than 1 hour.

(t) The following portions of Section 28.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. 28.2.4 Number of Exits. Not less than two separate exits shall be provided on each story. (See also Section 7.4.)

2. Exception: In hotels and dormitories one common exit is permitted provided all of the following conditions are met:

a. Subdivision (a) Maximum distance of travel to reach the exit from the entrance door to any dwelling unit shall not exceed 30 feet (9144 mm).

b. Subdivision (b) Maximum number of dwelling units served by the exit shall not exceed four per floor.

c. Subdivision (c) Maximum gross area of the dwelling units served by the exit shall not exceed 3,500 sq. ft. (325 m²) per floor.

d. Subdivision (d) Maximum building height shall be one story above the level of exit discharge.

(u) The following portions of Section 30.1, GENERAL REQUIREMENTS, are changed to read as follows:

1. Subdivision 30.1.2 Mixed Occupancies.

2. Subdivision 30.1.2.3 No multiple-dwelling unit of a residential occupancy shall be located above any nonresidential occupancy.

a. Exception No. 1: Where the dwelling unit of the residential occupancy and exits therefrom are separated from the nonresidential occupancy by construction having a fire resistance rating of not less than the following:

Assembly – 2 hours

Day-Care – 1 hour

Industrial – 2 hours

Mercantile – 1 hour

Storage, Low Hazard – 2 hours

Automobile Repair Garages – 2 hours

Business – 1 hour

Educational – 2 hours

Health Care – 2 hours

Storage, Ordinary Hazard – 3 hours

Automobile Parking Garages – 1 hour

b. Exception No. 2: Where the nonresidential occupancy is protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7 the fire rated separation required above may be reduced by 1 hour, but, in no case shall be less than 1 hour.

(v) The following portions of Section 30.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. 30.2.4 Number of Exits. Every dwelling unit shall have access to at least two separate exits remotely located from each other as required by 7.5.1. (See also Section 7.4.)

2. Exception: In apartment occupancies one common exit is permitted provided all of the following conditions are met:

a. Subdivision (a) Maximum distance of travel to reach the exit from the entrance door to any dwelling unit shall not exceed 30 feet (9144 mm).

b. Subdivision (b) Maximum number of dwelling units served by the exit shall not exceed four per floor.

c. Subdivision (c) Maximum gross area of the dwelling units served by the exit shall not exceed 3,500 sq. ft. (325 m²) per floor.

d. Subdivision (d) Maximum building height shall be one story above the level of exit discharge.

(w) The following changes are made to Subdivision 31.3.5.6, to read as follows: 31.3.5.6 All high-rise buildings shall be protected throughout by an approved, supervised automatic sprinkler system or an engineered life safety system approved by the authority having jurisdiction in accordance

with 31.3.5.1. Existing high-rise buildings shall be protected within 12 years of the adoption of the Florida Fire Prevention Code.

(x) The following portions of Section 36.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. Subdivision 36.2.2.13 Handrails and Guardrails. Handrails and guardrails shall be in accordance with 7.2.2.4.

2. Exception: In areas not accessible to the public and in fully enclosed stairways in mercantile occupancies not serving an assembly, educational, or residential occupancy, the clear distance between rails or ornamental pattern shall be such as to prevent the passage of a 21 in. (533 mm) diameter sphere.

3. Subdivision 36.2.4 Number of Exits. Not less than two separate exits shall meet the following criteria (see also Section 7.4):

a. Subdivision (1) They shall be provided on every story.

b. Subdivision (2) They shall be accessible from every part of every story or mezzanine.

(I) Exception No. 1: Exit access travel shall be permitted to be common for the distances permitted as common paths of travel by 36.2.5.3.

(II) Exception No. 2: A single means of egress shall be permitted in a mercantile occupancy, provided that all of the following conditions are met:

(A) Subdivision (a) The travel distance (if it is considered a pedestrian way) does not exceed 50 ft. (15 m) to the exit; and,

(B) Subdivision (b) The floor area does not exceed 2,250 sq. ft. (209 m²); and,

(C) Subdivision (c) The building is a maximum of one story.

4. Exception No. 3: One egress door shall be permitted for tenant spaces 2,250 sq. ft. (209 m²) or less in area with a maximum travel distance from any point in the space to a mall entrance (if it is considered a pedestrian way) of 75 ft. (22.9 m).

5. Exception No. 4: A single means of egress to an exit or to a covered mall (if it is considered a pedestrian way) shall be permitted from a mezzanine within any Class A, Class B, or Class C mercantile occupancy, provided that the common path of travel does not exceed 75 ft. (23 m).

6. Subdivision 36.2.5 Arrangement of Means of Egress.

7. Subdivision 36.2.5.2 Dead-end corridors shall not exceed 20 ft. (6.1 m). The dead-end length of a mall shall not exceed twice its width.

(y) The following portions of Section 36.3, PROTECTION, are changed to read:

1. Subdivision 36.3.6 Corridors.

2. Subdivision 36.3.6.1 Where access to exits is provided by corridors, such corridors shall be separated from use areas by walls having a fire resistance rating of not less than 1 hr. in accordance with 8.2.3.

3. Exception No. 2: Within a space occupied by a single tenant provided such corridors do not serve an occupant load of 30 or more.

(z) The following portions of Section 38.2, MEANS OF EGRESS REQUIREMENTS are changed to read as follows: 38.2.4.2 Not less than two separate exits shall meet the following criteria.

1. Subdivision (1) They shall be provided on every story.

2. Subdivision (2) They shall be accessible from every part of every story and mezzanine.

3. Exception No. 1: Exit access travel shall be permitted to be common for the distances permitted as common paths of travel by 38.2.5.3

4. Exception No. 2: A single exit shall be permitted for a room or area with a total occupant load of fewer than 100 persons, provided that the following criteria are met:

a. Subdivisions (a) through (d) No change.

b. Subdivision (e) The building is a maximum of two stories in height.

c. Subdivision (f) Each floor area served by that exit does not exceed 3,500 sq. ft. (325 m²).

d. Subdivision (g) There are no more than 40 persons above the street floor as determined by 38.1.7.

e. Subdivision (h) The maximum distance of travel to the exit does not exceed 75 ft. (23 m).

5. Exception No. 4: A single means of egress shall be permitted from a mezzanine within a business occupancy, provided that the occupant load does not exceed 30 or the common path of travel does not exceed 75 ft. (23 m), or 100 ft. (30 m) if protected throughout by an approved, supervised automatic sprinkler system installed in accordance with Section 9.7.

(aa) The following portions of Section 38.3, PROTECTION, are changed to read as follows:

1. Subdivision 38.3.6 Corridors.

2. Subdivision 38.3.6.1* Where access to exits is provided by corridors, such corridors shall be separated from use areas by walls having a fire resistance rating of not less than 1 hr. in accordance with 8.2.3.

3. Exception No. 2: Within a space occupied by a single tenant provided such corridors do not serve an occupant load of 30 or more.

(bb) The following portions of Subdivision 40.1.3, Special Definitions, are changed to read as follows: 40.1.3.1 Hazardous Production Material (HPM). A solid, liquid, or gas that has a degree of hazard rating in health, flammability, or reactivity of 3 or 4 as ranked by NFPA 704 and which is used directly in research, laboratory or production processes which have, as their end product, materials which are not hazardous.

(cc) The following portions of Section 40.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. Subdivision 40.2.2.2.5 Locks complying with Exception 2 to 7.2.1.5.1 shall be permitted only on main exterior exit doors.

2. Subdivision 40.2.5 Arrangement of Means of Egress.

3. Subdivision 40.2.5.2 Dead-end corridors in general industrial and special purpose industrial occupancies shall not exceed 20 ft. (6 m).

4. Exception: Dead-end corridors in Hazardous Production Materials Facilities shall not exceed 4 ft.

(dd) The following portions of Section 42.2, MEANS OF EGRESS REQUIREMENTS, are changed to read as follows:

1. Subdivision 42.2.4.1 Every building or structure used for storage and every section thereof considered separately shall have not less than two separate means of egress as remotely located from each other as practicable.

2. Exception: A single exit shall be permitted when meeting the following requirements:

a. Subdivision (1) The building is one story maximum; and,

b. Subdivision (2) The floor area does not exceed 2,500 sq. ft. (232 m²); and,

c. Subdivision (3) The maximum distance of travel to the exit does not exceed 50 ft.

3. Subdivision 42.2.5.3 In storage occupancies with ordinary hazard contents or high hazard contents, dead-end corridors shall not exceed 20 ft. (6 m).

4. Exception: In ordinary hazard storage occupancies, dead end corridors shall not exceed 100 ft. (30 m) in buildings protected by an approved, supervised automatic sprinkler system in accordance with Section 9.7.

5. Subdivision 42.2.5.4 In storage occupancies with ordinary hazard contents, common paths of travel shall not exceed 50 ft. (15 m).

6. Exception: Common paths of travel shall not exceed 75 ft. (23 m) in buildings protected throughout by an approved, supervised automatic sprinkler system installed in accordance with Section 9.7.

7. Subdivision 42.2.6.* Travel Distance to Exits. (See also Section 7.6.)

8. Subdivision 42.2.6.1 In low hazard storage occupancies, the maximum travel distance to an exit shall be 200 ft. (60 m).

9. Exception: In low hazard storage occupancies protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7, travel distance shall not be limited.

10. Subdivision 42.2.6.3 Every area used for the storage of high hazard commodities shall have an exit within 75 ft. (23 m) of any point in the area where persons might be present.

(ee) Section 42.9, SPECIAL PROVISIONS FOR HELIPORTS, is added to read as follows:

1. Subdivision 42.9.1 Buildings with roof-top heliports shall be protected in accordance with NFPA 418, Standard for Heliports.

2. Subdivision 42.9.2 Exits and stairways from heliports shall comply with Chapter 7, except that all landing areas located on buildings or structures shall have two or more exits. For landing platforms or roof areas less than 60 ft. (18 m) long, or less than 2000 sq. ft. (186 m²) in area, the second exit may be a fire escape or ladder leading to the floor below.

(3) The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New _____.

4A-60.005 Publications Added to NFPA 1 and NFPA 101.

(1) The following publications are hereby adopted and incorporated by reference herein and added to NFPA 1, 2000 edition, and NFPA 101, 2000 edition, respectively, and shall take effect on the effective date of this rule:

- | | |
|----------------------------|---|
| (a) NFPA-35, 1999 edition | <u>Organic Coatings</u> |
| (b) NFPA-37, 1998 edition | <u>Combustion Engines and Gas Turbines</u> |
| (c) NFPA-53, 1999 edition | <u>Fires in Oxygen Atmospheres</u> |
| (d) NFPA-55, 1998 edition | <u>Compresses and Liquefied Gases in Portable Cylinders</u> |
| (e) NFPA-75, 1999 edition | <u>Electronic Computing Equipment</u> |
| (f) NFPA-80A, 1996 edition | <u>Protection from Exterior Fire Exposures</u> |
| (g) NFPA-99B, 1999 edition | <u>Hypobaric Facilities</u> |
| (h) NFPA-115, 1999 edition | <u>Laser Fire</u> |
| (i) NFPA-130, 2000 edition | <u>Fixed Guideway Transit System</u> |
| (j) NFPA-150, 1995 edition | <u>Racetrack Stables</u> |
| (k) NFPA-214, 1996 edition | <u>Water Cooling Towers</u> |
| (l) NFPA-291, 1995 edition | <u>Fire Hydrants</u> |
| (m) NFPA-299, 1997 edition | <u>Protection of Life and Property from Wildfires</u> |
| (n) NFPA-306, 1997 edition | <u>Marine Terminals, Piers, Wharves</u> |
| (o) NFPA-395, 1993 edition | <u>Farms, Storage of Flammable Liquids</u> |

(p) NFPA-750, 2000 edition Water Mist Fire Protection Systems

(q) NFPA-820, 1999 edition Wastewater Facilities

(r) NFPA-850, 2000 edition Electric Generating Plants

(s) Standard Fire Prevention Code, Chapter 22, 1997 edition

(t) The United States Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

(u) SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings, Society of Fire Protection Engineers, Bethesda, Maryland 1998 edition.

(2) The codes and standards published by the National Fire Protection Association and the SFPE Engineering Guide to Performance-Based Fire Protection Analysis and Design of Buildings may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

(3) The 1997 edition of the Standard Fire Prevention Code may be obtained by writing the Southern Building Code Congress International, 900 Montclair Road, Birmingham, Alabama 35213-1206. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

(4) The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings may be obtained by writing the Florida Department of State, Division of Historical Resources, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New _____.

4A-60.006 Manufactured and Prototype Buildings.

(1) Definitions. For purposes of this section, the following definitions apply:

(a) "Manufacture" means the process of making, modifying, fabricating, constructing, forming or assembling or reassembling a product from raw, unfinished, semifinished, or finished materials.

(b) “Manufactured building” means a closed structure, building, assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured for installation or erection, with or without other specified components, as a finished building or as part of a finished building, which shall include but not be limited to residential, commercial, institutional, storage, and industrial structures. For purposes of this section, “manufactured building” includes “prototype building” as defined in this subsection.

(c) “Manufacturer” means any person who, or entity which, has been certified by the Department of Community Affairs to produce, modify, or produce and modify, a manufactured building for placement in, or which has been ultimately placed in, the State of Florida.

(d) “Prototype building” means a building constructed in accordance with architectural or engineering plans intended for replication on various sites and which will be updated to comply with the Florida Building Code and applicable laws relating to firesafety, health and sanitation, casualty safety, and requirements for persons with disabilities which are in effect at the time a construction contract is to be awarded.

(2) With respect to inspections of manufactured buildings, each manufacturer of manufactured buildings is permitted to, at its option:

(a) Contract with any person currently certified as a firesafety inspector under Section 633.081, Florida Statutes, from a list to be provided by the Department; or

(b) Provide for one or more of its employees to complete the 200 hour curriculum, pass the examination, and obtain certification as a certified firesafety inspector pursuant to Section 633.081, Florida Statutes. Upon certification, such employee shall then be permitted to perform each firesafety inspection of each manufactured building; or

(c) Provide for one or more of its employees to apply to the Bureau of Fire Standards and Training to be granted equivalency credit for some or all of the courses required to take the examination to become a certified firesafety inspector, in accord with and subject to the following:

1. If equivalency credit is given for a portion of the credits needed to complete the firesafety inspector course of study by the Bureau of Fire Standards and Training, the person may then complete the remaining credits needed and take the examination to become a certified firesafety inspector under Section 633.081, Florida Statutes.

2. If equivalency credit is given by the Bureau of Fire Standards and Training for all of the credits needed to complete the firesafety inspector course of study, the person may then take the examination to become a certified firesafety inspector under Section 633.081, Florida Statutes.

(3) Each manufacturer shall notify the Department of the option that it has chosen prior to having any firesafety inspection performed on a manufactured building.

(4)(a) The Manufacturer’s Modular Data Plate shall state that the manufactured building is, or is not, in compliance with Chapter 633, Florida Statutes, and the rules of the Department.

(b) If the Manufacturer’s Modular Data Plate indicates that the building is in compliance with Chapter 633, Florida Statutes, and the rules of the Department, the local fire safety authority shall recognize and approve such manufactured building.

(c) If the Manufacturer’s Modular Data Plate indicates that the building is not in compliance with Chapter 633, Florida Statutes, and the rules of the Department, the local firesafety inspector shall have the authority to conduct such firesafety inspections and to require such modifications as necessary to bring the building into compliance with Chapter 633, Florida Statutes, and the rules of the Department.

(d) Nothing contained herein shall restrict the local fire safety authority from approving the site conditions for such matters as fire department access, water supplies, and the exit discharge from the manufactured building; however, this section relating to manufactured buildings is not subject to any local amendment.

(5) After the manufacturer has fully complied with one or more of the options in paragraphs (a),(b), or (c), of subsection (2), the Department shall advise the Department of Community Affairs of such compliance which shall constitute notice that the manufacturer is in compliance with the firesafety inspection requirements of the Florida Fire Prevention Code, or the applicable uniform code, and that firesafety inspections are being completed by certified firesafety inspectors.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New

4A-60.007 Enforcement of the Florida Fire Prevention Code.

Section 633.025, Florida Statutes (2000, effective July 1, 2001), provides that each municipality, county, and special district with firesafety responsibilities is required to enforce the Florida Fire Prevention Code. Such enforcement requires inspection of each new building subject to the Florida Fire Prevention Code and includes periodic inspections of each existing building subject to the Florida Fire Prevention Code.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New

4A-60.008 Exceptions Applicable to Broward County.

(1) The following exceptions to NFPA 1 and NFPA 101 are applicable to Broward County, only, and have no force or effect throughout the remainder of the state.

(a) The following language is added to Subdivision 1-4.4 of NFPA 1: It shall be the duty of the Fire Prevention Bureau to conduct fire safety inspections of buildings, structures, premises, processes, and/or operations as often as may be necessary, but not less than annually, for the purpose of ascertaining and causing to be corrected, any condition liable

to cause fire or any violation of this fire code (Florida Fire Prevention Code). Fire Inspectors assigned to the Fire Prevention Bureau must be State of Florida Certified Firefighters and State of Florida Certified Fire Safety Inspectors to perform fire safety inspections.

(b) The following language is added to Subdivision 1-4.10 of NFPA 1: The Fire Chief shall investigate the origin, cause, and circumstances of every fire occurring within their enforcing jurisdiction. Such investigation shall begin immediately upon the occurrence of a fire, and the Fire Chief shall be immediately notified of the facts. The Fire Chief shall take charge immediately, of the physical evidence and shall notify the proper authorities designated by law to pursue the investigation of such matters. The Fire Chief shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case.

(c) The following language is added to Subdivision 1-8.1 of NFPA 1:

1. Subdivision (a) In order to determine the suitability of alternate materials and type of construction, to provide for reasonable interpretations of the provisions of this Fire Code and to assist in the control of the Life/Safety in buildings and structures, there is hereby created a Fire Code Committee, to make recommendations to the Local Board of Rules and Appeals.

2. Subdivision (b) MEMBERSHIP: The Fire Code Committee shall consist of:

- a. One Mechanical Engineer, Florida P. E.
- b. One Architect, Florida Registered
- c. One Fire Sprinkler Contractor
- d. One Representative of Persons with Disabilities
- e. One Master Electrician
- f. Four Fire Service (Florida Certified Fire Inspectors)
- g. One Fire Service Member of the Board of Rules and Appeals

h. One Contractor, Certified to Install Fire Alarms

i. One General Contractor

j. One Electrical Engineer, Florida P. E.

k. One Mechanical Contractor

l. One Consumer Advocate

m. One Structural Engineer

3. Subdivision (c) Membership, such as membership of the Fire Code Committee will be for one year (with members being able to succeed themselves through reappointment by the Board of Rules and Appeals Chairperson. The Chairperson of the Board of Rules and Appeals will select all members, including the Chairperson of the Fire Code Committee. The Chairperson of the Fire Code Committee shall be a Fire Service member of the Board of Rules and Appeals.

(d) Subdivision 1-8.6 of NFPA of NFPA 1 is created to read: APPEAL FROM THE DECISIONS OF THE FIRE CHIEF AND/OR BUILDING OFFICIAL:

1. Subdivision (1) The Fire Code Committee shall review all appeals from the decisions of the Fire Chief and/or Building Official wherein such decision is on matters regulated by this Florida Fire Prevention Code. Appeals can be submitted by any person who has reason to believe they have been treated unfairly by the enforcement of the Florida Fire Prevention Code.

2. Subdivision (2) Procedures for Appeals: The Fire Code Committee shall review the appeal prior to hearing by the Board of Rules and Appeals and shall make recommendations to the Board of Rules and Appeals for resolution of the appeal. The Board of Rules and Appeals shall then hear the appeal and make a final ruling.

(e) Subdivision 1-8.7 of NFPA 1 is created to read: The Board of Rules and Appeals shall maintain a Fire Code Compliance Officer that shall be certified as a fire code official. The Fire Code Compliance Officer shall have the authority to make inspections in their disciplines and shall be responsible to see that the Fire Code is being uniformly enforced by all building and fire departments in all cities in the county (Broward) and unincorporated areas.

(f) Subdivision 1-19.5 of NFPA 1 is created to read:

1. COMPLIANCE WITH ORDERS AND NOTICES:

2. Subdivision 1-19.5 UNLAWFUL CONTINUANCE OF FIRE/LIFE SAFETY HAZARD: Any person or persons operating or maintaining any occupancy, premises, or vehicle subject to this code, who shall permit any fire and/or life safety hazard to exist on premises or property under their control, and who shall fail to take immediate action to abate such hazards, when ordered or notified to do so by the Fire Chief or designee, shall be guilty of a second degree misdemeanor. Criminal enforcement of this code shall remain with local law enforcement departments and officials charged with enforcement of the criminal laws of the state.

3. Subdivision 1-19.6 COMPLIANCE WITH VIOLATIONS NOTICES: A building, structure, occupancy, premises, or vehicle shall not be used when in violation of this code.

4. Subdivision 1-19.7 REMOVAL OR DESTRUCTION OF SIGNS OR TAGS:

a. Subdivision (A) It shall be unlawful to remove or tamper with any seal, warning tag, or lock placed on an article, appliance, vehicle, meter, tank, or building by the building and zoning department or the fire department, without first obtaining permission to do so by the authority having jurisdiction.

b. Subdivision (B) It shall be unlawful for any person to tamper with or change the position of any utility valve, switch, wiring, piping, meter, or connection, or alter any utility service in any way, unless properly authorized to do so.

5. Subdivision 1-19.8 PROCEDURES IN COUNTY COURT/CODE ENFORCEMENT BOARD: When charges are filed based upon a violation under this code, such charges,

prepared under the direction of the city, state, or county attorney, shall be heard by a county judge or Code Enforcement Board, within the time prescribed under county court procedures or Code Enforcement Board. Such conditions shall constitute an immediate danger to life.

(g) The following language is added to Chapter 16 of NFPA 1 as 16-10.9, and supersedes any existing conflicting portion of Chapter 16 of NFPA 1: GENERAL REQUIREMENTS.

1. Subdivision (a) The manufacturing of fireworks, sparklers and pyrotechnic materials is prohibited.

2. Subdivision (b) The storage of fireworks and pyrotechnic materials is prohibited except as permitted in paragraph 16-10.1.

3. Subdivision (c) Except as hereafter provided, it shall be unlawful for any person, firm, co-partnership or corporation to store, to offer for sale, expose to store, expose for sale, sell at retail, or use or explode any fireworks and/or pyrotechnic materials.

Approved sparklers per F.S. 791.013 and any wholesaler registered in accordance with F.S. 791.015 as of July 1, 1996, who has obtained all applicable governmental licenses and permits to operate from a permanent structure within Broward County as of July 1, 1996, are exempt from this subsection.

4. Subdivision (a) Wholesale exemption sales of fireworks pursuant to 791.04, F.S. shall be prohibited at temporary or seasonal sales sites, and sales sites located in tents, canopies and stands.

5. Subdivision (1) Additional requirements for Outdoor Display of Fireworks on Private Residential Property:

6. Subdivision (a) In addition to the permit requirements specified within Section 5238.4 (local ordinance), written approval from the property owners located adjacent the proposed display site property is required prior to approval of a permit for outdoor fireworks display.

7. Subdivision (b) The following minimum distance separation shall be required for all aerial fireworks display sites:

a. Paragraph 1. The display site shall have at least a 100 feet per inch radius of internal mortar diameter of the largest shell to be fired.

b. Paragraph 2. Minimum distance separation shall be no less than 300 feet from the nearest dwelling, building, or structure. This includes canopies, chickee huts, or similar structures, bulk storage areas, public highways, railroads or other means of travel.

c. Paragraph 3. Not within 1,000 feet of a school, theater, church, hospital, nursing home, assisted living facility, livestock/animal storage site, or similar structures or institutions.

d. Paragraph 4. No less than 50 feet radius from the nearest aboveground utility, telephone or telegraph line, tree, or other overhead obstruction.

e. Paragraph 5. The audience shall be restricted behind an approved barrier, location no less than 200 feet from the outside of the required display site distance separations specified in 9(b)(1).

8. Subdivision (c) The requirements for display fireworks, aerial shells and equipment shall be as specified in section 6.(a.-e.).

9. Subdivision (d) Safety precaution provisions shall be as specified in Section 7.(a.-f.).

10. Subdivision (e) Operator and assistant qualifications shall comply with the requirements in Section 4(b)(10).

11. Subdivision (f) Use of pyrotechnics before a proximate audience shall be as specified in NFPA 1126.

(h) The following language is added to Chapter 16 of NFPA 1, as 16-10.10 of NFPA 1, and supersedes any existing conflicting portion of Chapter 16 of NFPA 1: Requirements for the Sales, Display, Merchandising, Storage and Handling of Approved Sparklers and Novelty Items within Buildings, Structures, Canopies and Outdoor Sites.

1. Subdivision (A) No person shall be in possession of a lighted cigarette, cigar, or pipe, or any open flame, within 50 feet of any sales, display, merchandizing, storage, or handling area. Proper receptacles for disposal of smoking materials shall be provided at all entrances to such areas (i.e. water filled or sand filled buckets).

2. Subdivision (B) A minimum of two approved two and one-half gallon pressurized water fire extinguishers shall be available within the sales, display, storage, and handling areas, additional fire extinguishers or fire protection equipment may be required by the authority having jurisdiction.

3. Subdivision (C) Precautions shall be taken to protect against fire or spread of fire in all sites located within fields or lots with ground cover such as brush, grass or other overgrowth of vegetation.

4. Subdivision (D) Durable and readily visible signs to read "Caution Sparklers – No Smoking" shall be posted on the exterior of each entrance way into and throughout all sparkler sales, storage, and handling areas within the interior of any building, structure, canopy, or outdoor site. These signs shall be readily visible in all directions.

5. Subdivision (E) The use, ignition or discharge of any approved sparklers or novelty items is prohibited within buildings or structures where sparklers or novelty items are offered for sale, displayed, or stored, and within 100 feet of any outdoor sales storage or handling sites.

6. Subdivision (F) Buildings or structures used in whole or in part for sales (retail or wholesale), display, merchandising, handling, or storage of sparklers and/or novelty items shall be fully protected throughout with an automatic sprinkler system in accordance with NFPA-13.

7. Subdivision (G) No storage of sparklers or novelty items shall be permitted in vehicles.

8. Exception: Transportation purposes only, to and from the site or at a permitted site, if approved by the authority having jurisdiction.

9. Subdivision (H) Sales, display and merchandising shall be conducted in an approved and safe manner in order to control handling by the general public.

10. Subdivision (I) Amounts of sparklers and related novelty items displayed within the sales area shall not exceed those amounts approved by the Fire Chief or designee. Note: Where the primary business of the occupancy is not sale of sparklers, the sale areas of sparklers or novelty items shall not exceed two percent of the net floor space of the building or structure.

11. Subdivision (J) Storage of approved sparklers and novelty items shall comply with the following:

a. Subdivision (1) Sparklers shall not be stored or kept in any area:

(I) Subdivision (a) In which paints, oils, or varnishes are manufactured or kept for use or sale, unless the paints, oils or varnishes are in unbroken (sealed) containers.

(II) Subdivision (b) In which resin, turpentine gasoline or flammable substances which may generate vapors are used, stored, or offered for sale unless the resin, turpentine, gasoline, or substance is in unbroken (sealed) containers.

(III) Subdivision (c) In which there is not at least one 2A20BC fire extinguisher available in the area used for storage.

b. Subdivision (2) Storage of sparklers shall be in an approved manner, remote from the public, and separated from all other merchandise by at least one hour fire protection and an approved automatic sprinkler system.

c. Exception: Canopies and approved steel storage vaults or containers when used outdoors.

12. Subdivision (3) Approved storage facilities shall be labeled with an approved Explosion placard complying with the Department of Transportation (DOT) Standard.

13. Subdivision (K) Outdoor sites for sale, storage, and/or handling of approved sparklers shall comply with the following distance requirements: The minimum distance between a storage site and any building or structure shall be 50 feet.

(i) The following language is added to Chapter 16 of NFPA 1, as 16-10.11 of NFPA 1, and supersedes any existing conflicting portion of Chapter 16 of NFPA 1:

1. Subdivision (2) The minimum distance required between a site and any fuel storage/dispensing area or device shall be 50 feet.

2. Subdivision (3) Storage areas shall be separated from sales and handling areas by a minimum of 25 feet.

3. Subdivision (4) Any building or structure used as storage facilities for sparklers and novelty items in conjunction with outdoor sites shall comply with the one hour fire

protection separation and automatic sprinkler system requirements as required for storage areas within buildings and structures.

4. Exception: Canopies and approved steel storage vaults or containers.

5. Subdivision (L) When a canopy can be used in conjunction with an outdoor site operation, the following shall apply:

a. Subdivision (1) No sides of any kind are permitted on the canopy at any time. Provide copy of Building Permit for canopy.

b. Subdivision (2) The canopy must comply with the flame-retardant requirement. Proper flame retardant certificate required.

c. Subdivision (3) Proper exit and exit access shall be maintained at all times within the interior of the canopy. No obstruction to egress from any portion of the canopy is permitted.

d. Subdivision (4) Provide and maintain a minimum of one 2A40BC dry chemical fire extinguisher, with properly updated service tag for each 2,500 sq. ft. of canopy area. Not less than one fire extinguisher for each canopy.

e. Subdivision (M) If the site is to be operated after daylight hours, the site shall be properly illuminated. If electricity powered and/or electrical equipment is used, the following shall apply:

(I) Subdivision (1) All electrical equipment and associated wiring shall comply with NFPA-70. Provide copy of permit for electrical service and equipment.

(II) Subdivision (2) If fuel powered generator is to be used to supply power for the site, the following shall apply:

(A) Subdivision (a) Generator shall be kept a minimum distance of twenty feet (20') from sales, storage, or handling area.

(B) Subdivision (b) Precautions against fire or fire-spread shall be taken when generator sites are located within fields or grassed lots.

(C) Subdivision (c) Only an approved metal five gallon safety container shall be used to store fuel for the generator. Fuel containers shall be properly stored with a maximum of ten gallons per site.

(D) Subdivision (d) Approved fuel containers shall not be stored in sales, storage, handling areas or vehicles.

(III) Subdivision (3) Durable sign to read "NO SMOKING" shall be posted at the generator site.

(2) The codes and standards published by the National Fire Protection Association may be obtained by writing to the NFPA at: 1 Batterymarch Park, Quincy, Massachusetts 02269-9101. All standards adopted and incorporated by reference in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention.

Division of State Fire Marshal, Department of Insurance, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New

4A-60.009 Effective Date.

These rules shall take effect on July 1, 2001.

Specific Authority 633.01, 633.0215, 633.025 FS. Law Implemented 633.01, 633.0215, 633.025 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE:
James Goodloe, Chief, Bureau of Fire Prevention, Division of State Fire Marshal

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Charles D. Clark, Division Director, Division of State Fire Marshal, Department of Insurance

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 25, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 1, 1999

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Animal Industry

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Contagious Equine Metritis	5C-22
RULE TITLES:	RULE NOS.:
Definitions	5C-22.002
Procedures, General	5C-22.003
Approval of Quarantine Facilities	5C-22.004
Quarantine and Release from Quarantine for Contagious Equine Metritis	5C-22.005
Disposition of Horses Which Fail to Qualify for Release from Quarantine	5C-22.009
Fees for Services of the Department	5C-22.011

PURPOSE AND EFFECT: The purpose of these rules is to place added testing and culturing requirements on stallion and mares imported into Florida from Contagious Equine Metritis (CEM) affected countries with the effect of insuring that CEM does not become established in the State's equine population.

SUMMARY: Additional tests, culture requirements and time periods for conduction of tests have been outlined. Also requirements for Contagious Equine Metritis Quarantine Facilities have been revised.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No statement of regulatory costs has been prepared.

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

SPECIFIC AUTHORITY: 585.002(3),(4), 585.08(2)(a) FS.

LAW IMPLEMENTED: 585.001, 585.003, 585.08(1),(2)(b), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.19, 585.23 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., March 13, 2001

PLACE: Department of Agriculture and Consumer Services, Conference Room, 407 S. Calhoun Street, Room 316, Tallahassee, Florida 32399-0800

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Joe W. Kight, Assistant Director, Division of Animal Industry, 407 S. Calhoun Street, Room 321, Tallahassee, Florida 32399-0800, (850)410-0900

THE FULL TEXT OF THE PROPOSED RULES IS:

5C-22.002 Definitions.

The definitions contained in Section 585.001, Florida Statutes, and the following shall apply in this rule Chapter:

(1) through (3) No change.

(4) Test Mare. A mare that would qualify under 9 C.F.R. § 93.301(e)(4), (2000).

(5) Import Stallion. Any stallion released from an official USDA APHIS VS Import/Export station into Florida.

(6) Stabled. Any Equidae that is confined, sheltered, or cared for, for a period of more than 48 hours within the State of Florida.

(7) Materials. Title 9 C.F.R. § 93.301(e)(4), (2000), is hereby adopted and incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Specific Authority 585.002(3),(4), 585.08(2)(a) FS. Law Implemented 585.001, 585.003, 585.08(1),(2)(b), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.19, 585.23 FS. History—New 6-3-93, Amended 7-3-95.

5C-22.003 Procedures, General.

(1) No change.

(2) The owner must enter into a quarantine agreement which includes reference to the appropriate federal requirements for quarantine release as stated in 9 C.F.R. §§ 93.301(e)(3)(iii) or (e)(5)(iv), (2000) ~~(2.304(a)(5) or 92.304(a)(8) (1994).~~

(3) The attending veterinarian will perform all required examinations and collections of blood and materials for tests and culture. Payment for these services shall be the sole responsibility of the owner of the horse(s).

(4) No change.

(5) Materials. Title 9 C.F.R. §§ 93.301(e)(3)(iii) or (e)(5)(iv), (2000), 92.304 (1994) are hereby adopted and incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Specific Authority 585.002(3),(4), 585.08(2)(a) FS. Law Implemented 585.001, 585.003, 585.08(1),(2)(b), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.19, 585.23 FS. History—New 6-3-93, Amended 7-3-95, _____.

5C-22.004 Approval of Quarantine Facilities.

(1) An owner who desires approval of a quarantine facility must submit a written request to the Department. The request must include a scale drawing of the site indicating all structures and spaces (for example, buildings, pastures, and fences) intended for use in the quarantine area. A representative of the Department will inspect the premises and will advise the owner of any corrective action which must be taken before an approval is granted.

(1)(a) No change.

(b) Facility approvals will expire at any time the facility has not been used as an Approved Contagious Equine Metritis Quarantine Facility for a period of twelve ~~eighteen~~ months.

(c) Facility requirements are:

1.(2) The facility must be a separate enclosed building of sound permanent construction capable of being effectively cleaned and disinfected. The facilities to be used must be located so that a distance of not less than 30 feet will be maintained between horses under quarantine and any other animals which may be on the premises. Fencing adequate to maintain this separation must be present. Paddocks or pastures used by horses under quarantine must be fenced to preclude any across-fence contact with other horses.

2.(3) Before the quarantine facility can be used, a disinfectant approved in 9 C.F.R. § 71.10, (2000), must be applied to all fixed and movable surfaces and equipment. Walls, floors and ceilings must be constructed of impervious materials which can withstand continued cleaning and disinfection.

3.(4) The facilities must be located so that a distance of not less than 30 feet will be maintained between horses under quarantine and any other animals which may be on the premises. Fencing must be adequate to maintain this separation. Paddocks or pastures used by horses under quarantine must be fenced to preclude any across-fence contact with other horses. All openings to the outside must be double-screened with material of not less than 14 × 16 mesh and must be kept adequately secured. Exterior gates must be kept padlocked to prevent unauthorized removal of the horses and entry of unauthorized individuals.

4.(5) All doors and Exterior gates must be kept padlocked at all times, except for necessary handling of horses, to prevent unauthorized removal of quarantined horses and entry of unauthorized persons individuals. All equipment needed to

~~maintain the facility in a clean and sanitary condition, including that needed for insect and pest control, must be present.~~

5.(6) During the quarantine period all equipment and utensils used for feeding, watering, grooming, cleaning and disinfecting and pest control must remain in the quarantine area. Equipment used in the quarantine area must remain in the quarantine area.

6.(7) No change.

7.(8) All drainage must be directed away from the facility. Surface runoff must be retained on site or must be adequately treated so as to prevent any disease agent from entering or leaving the facility.

8.(9) No change.

~~(10) Ventilation must be sufficient to prevent the accumulation of noxious gases and odors.~~

~~(11) Sufficient labor must be available so that those individuals working with horses in the quarantine facility will not come into direct contact with horses outside the facility during the quarantine period.~~

9.(12) No change.

10.(13) Entrances must have signs posted advising that the area is a quarantined area and that no visitors are allowed to enter the area. The signs will be a minimum of 10 inches by 12 inches.

11.(14) All waste materials, including bedding and fecal matter, must be disposed of by incineration or by other means which have been specifically approved by a representative of the Department.

12.(13) All gloves, sleeves, speculums and other disposable materials after each culture or treatment will be placed in double bagged plastic garbage bags and disposed of by incineration or by other means approved by the Department.

13.(14) Equine in the quarantine facility must have no contact with other equine during the quarantine period. Such separation may be attained by:

(a) Providing an open stall between each horse, or

(b) By constructing a solid partition between stalls that is at least eight feet high.

(2)(15) A written approval will be issued by the Department after inspection by a Department representative has verified that all of the above requirements have been met.

(3) Materials. Title 9 C.F.R. § 71.10, (2000), is hereby adopted and incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Specific Authority 585.002(3),(4), 585.08(2)(a) FS. Law Implemented 585.001, 585.003, 585.08(1),(2)(b), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.19, 585.23 FS. History—New 6-3-93, Amended 11-22-93, _____.

5C-22.005 Quarantine and Release from Quarantine for Contagious Equine Metritis.

(1) through (2) No change.

(3) Inspection, treatment, and testing requirements for imported stallions and mares are provided in 9 C.F.R. §§ 93.301(e)(3),(4) and (5), (2000) 92.304(a)(5) and (8), (1994). In addition to these requirements, the following additional testing and culture requirements must be met:

(a) All imported mares shall have blood collected for a Complement Fixation (CF) test for CEM upon arrival at the Approved CEM Quarantine Facility and shall have endometrial and/or cervical cultures taken for testing in addition to the culture sites specified in 9 CFR 93.301(e)(5)(i), (2000).

(b) All test mares bred to import stallions shall have endometrial and/or cervical cultures taken post breeding, in addition to the 9 CFR 93.301(e)(3)(i)(b), (2000). Also all test mares bred to import stallions shall have a CF test for CEM conducted at a minimum of 21 days post breeding, instead of the 15 days specified in the USDA/APHIS protocol.

(c) All owners of stallions which are stabled in Florida following release from an Approved CEM Quarantine Facility, shall be required to provide the Department with a CF test for CEM results no less than 21 days post breeding on the first three mares bred.

(4) Forms and Materials. Forms AI-75, DACS-09075, Official Notice of Quarantine for Contagious Equine Metritis, revised 07/99 2-93 and AI-76, Release from Quarantine for Contagious Equine Metritis (Rev. 2-93), are hereby incorporated by reference. Copies may be obtained from the Division of Animal Industry, Bureau of Animal Disease Control Health Compliance and Support, 407 South Calhoun Street, Room 33322 Mayo Building, Tallahassee, Florida 32399-0800, (850)410-0900 (904)488-8280. Title 9 C.F.R. §§ 93.301(e)(3),(4) and (5), (2000), are hereby adopted and incorporated by reference. Copies may be obtained from the United States Government Printing Office, Superintendent of Documents, Mail Stop SSOP, Washington, D.C. 20402-9328.

Specific Authority 585.002(3),(4), 585.08(2)(a) FS. Law Implemented 585.001, 585.003, 585.08(1),(2)(b), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.19, 585.23 FS. History--New 6-3-93, Amended 7-3-95,_____.

5C-22.009 Disposition of Horses Which Fail to Qualify for Release from Quarantine.

In the event that an imported horse or test mare fails, for whatever reason, to qualify for release from quarantine within eighteen (18) months of initiation of testing and treatment, the procedure shall be declared a failure. In such an event, the horse must be:

(1) Moved under official permit directly to slaughter without unloading enroute; or

(2) Humanely euthanized and the carcass destroyed under Department supervision by burial or incineration;or

(3) If an imported horse, returned to the country of origin.

Specific Authority 585.002(3),(4), 585.08(2)(a) FS. Law Implemented 585.001, 585.003, 585.08(1),(2)(b), 585.11(1), 585.145(1), 585.16, 585.17, 585.18, 585.19, 585.23 FS. History--New 6-3-93, Amended _____.

5C-22.011 Fees for Services of the Department.

(1) For each horse approved to enter this testing and treatment program, the owner must pay to the Department a fee of \$1,250.00. If multiple horses are approved as a group, this fee shall be \$1,250.00 for the first horse and \$750.00 for each additional horse in the same group; except when groups contain five or more horses, the fee shall be \$1,250 for the first horse, and the fee for each additional horse thereafter shall be determined by the State Veterinarian. Such fees shall not be less than \$400 nor more than \$750 per individual horse. For group approval, all of the horses must arrive at the quarantine facility as a single shipment, and testing and treatment procedures must be conducted on all of the group simultaneously. The fee must be paid by check or money order made out to "The Florida Department of Agriculture and Consumer Services" and must be submitted with the request for approval for importation. If the importation is not approved or does not occur for other reasons, the fee minus \$100.00 will be refunded.

(2) Fees will be charged for pre-approval inspections of quarantine facilities pursuant to the schedule set forth in 5C-22.004(1)(a).

Specific Authority 585.002(3),(4), 585.08(2)(a) FS. Law Implemented 585.002(4), 585.003, 585.08(1), 585.11(1), 585.16, 585.23 FS. History--New 6-3-93, Amended 11-22-93,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Joe Knight, Assistant Director, Division of Animal Industry

NAME OF PERSON OR SUPERVISOR WHO APPROVED THE PROPOSED RULE: Dr. Leroy Coffman, Director, Division of Animal Industry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 19, 2000

AGENCY FOR HEALTH CARE ADMINISTRATION

Division of Medicaid

RULE TITLE:

RULE NO.:

Durable Medical Equipment and Supplies

59G-4.070

PURPOSE AND EFFECT: The purpose of this rule amendment is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Supplies Coverage and Limitations Handbook. The handbook contains the 2000 Durable Medical Equipment and Supplies fee schedule. The effect will be to incorporate by reference in the rule the current Florida Medicaid Durable Medical Equipment and Supply Coverage and Limitations Handbook.

SUMMARY: The purpose of the rule amendment is to incorporate by reference the Florida Medicaid Durable Medical Equipment and Supplies Coverage and Limitations Handbook, January 2000. The handbook contains the 2000 fee schedule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No statement of estimated regulatory cost has been prepared.

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

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.907(7), 409.908 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD.)

TIME AND DATE: 9:00 a.m., February 19, 2001

PLACE: Agency for Health Care Administration, 2728 Ft. Knox Boulevard, Building 3, Conference Room D, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Alanna J. Wesley, Medicaid Program Development, P. O. Box 12600, Tallahassee, Florida 32317-2600, (850)922-7306

THE FULL TEXT OF THE PROPOSED RULE IS:

59G-4.070 Durable Medical Equipment and Supplies.

(1) No change.

(2) All durable medical equipment and supply providers enrolled in the Medicaid program must comply with the Florida Medicaid Durable Medical Equipment and Supply Services Coverage and Limitations Handbook, January 2000 ~~October 1999~~, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, HCFA-1500 and Child Health Check-Up EPSDT, 221 incorporated in 59G-5.020. Both handbooks are available from the Medicaid fiscal agent.

(3) through (4) No change.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907(7), 409.908 FS. History—New 8-26-92, Formerly 10C-7.070, Amended 5-23-94, 1-7-96, 3-4-99, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Alanna J. Wesley

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Ruben J. King-Shaw, Jr., Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 29, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 29, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE TITLES:	RULE NOS.:
General Responsibility	61G1-25.001
Definitions	61G1-25.002
Qualification Program for Threshold Building Inspectors	61G1-25.003
Common Requirements to All Architects or Engineers Providing Threshold Building Inspection Services	61G1-25.004

PURPOSE AND EFFECT: The purpose of this rule notice is to create a new rule chapter, which will be numbered 61G1-25. This rule chapter will consist of four new rules. The new rules will address the responsibilities, define definitions, list the qualifications necessary in order to become certified as a threshold building inspector, and provide language that list the common requirements to all architects who plan on providing threshold building inspections.

SUMMARY: The Board has determined that it is necessary to promulgate a new rule chapter with four new rules. Rule 61G1-25.001 will set forth the general responsibilities for architects who plan on providing threshold building inspections. Rule 61G1-25.002 will define the definitions of a threshold building inspector, an authorized representative, structural inspection plan, and shoring and reshoring plan. Rule 61G1-25.003 will address the qualifications necessary to become a threshold building inspector. Rule 61G1-25.004 will set forth the common requirements to all architects or engineers who plan on providing threshold building inspection services.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 481.2055, 481.225, 553.79(5)(a)-(d) FS.

LAW IMPLEMENTED: 481.213(7) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Sherry Landrum, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G1-25.001 General Responsibility.

Architects offering threshold building inspection services pursuant to Section 553.79, F.S. shall provide inspections in accordance with the structural inspection plan provided by the engineer or architect of record to insure compliance with permitted documents. In addition to inspections in accordance with the structural inspection plan, the architect will inspect the shoring and reshoring for conformance with shoring and reshoring plans submitted to the enforcing agency.

Specific Authority 481.2055, 481.225, 481.225(2) FS. Law Implemented 481.213(7) FS. History—New

61G1-25.002 Definitions.

(1) Threshold Building Inspector: An architect who meets the qualifications and standards set by this Rule Chapter.

(2) Authorized Representative: A representative of the threshold building inspector who undertakes inspections and site visits under the responsible charge of the threshold building inspector.

(3) Structural Inspection Plan: The plan filed for public record by the architect or engineer of record to the enforcing agency to provide specific inspection procedures and schedules.

(4) Shoring and Reshoring Plan: The plan submitted by the architect or engineer of record to the enforcing agency regarding the shoring and reshoring of the building.

Specific Authority 481.2055, 481.225(2), 553.79(5)(a)-(d) FS. Law Implemented 481.213(7) FS. History—New

61G1-25.003 Qualification Program for Threshold Building Inspectors.

(1) The minimum qualifying criteria for threshold building inspectors established by the Board shall be as follows:

(a) Proof of current licensure in good standing as an architect in the State of Florida.

(b) Three years of experience in performing structural field inspections on at least three threshold type buildings. This experience must be within ten calendar years preceding submission of the application.

(c) Self-certification as to the competency of the applicant to perform structural inspections on threshold buildings.

(2) All licensed architects who are special inspectors and on the Roster of Special Inspectors maintained by the Department of Community Affairs, pursuant to Rule 9B-3.043, F.A.C., as of June 30, 2000 shall be qualified pursuant to this rule and shall be certified threshold or building inspectors.

(3) Applications.

(a) The instructions and application form for threshold building inspectors, form DBPR/BOAID/TBI/02/01 is hereby incorporated by reference, effective _____, entitled "Threshold Building Inspector Application and Instructions". copies of form DBPR/BOAID/TBI/02/01 may be obtained from the Board by writing to the Florida Board of Architecture and Interior Design, 1940 N. Monroe Street, Tallahassee, Florida 32399-0766.

(b) All applications for certification as a threshold building inspector shall be submitted to the Board on form DBPR/BOAID/TBI/02/01, referenced above, by mailing to the address listed above along with an initial certification fee of \$100.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name:

2. Address:

3. Phone number:

4. Florida license number:

5. Educational and experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria has been met;

6. Name and address of current employer:

7. Letters of recommendation from three architects or engineers in the State of Florida, one of whom must be certified as a threshold building inspector:

8. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and

9. Completed form DBPR/BOAID/TBI/02/01, referenced in (3)(a) above.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(4) Roster of Threshold Building Inspectors. The Board shall maintain a roster of all persons certified as threshold building inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Florida Board of Architecture and Interior Design.

Specific Authority 481.2055, 481.225(2), 481.225 FS. Law Implemented 481.213(7) FS. History—New _____.

61G1-25.004 Common Requirements to All Architects or Engineers Providing Threshold Building Inspection Services.

(1) For each threshold building, a notice shall be filed with the enforcing agency, bearing the name, address, signature, date and seal of the threshold building inspector, certifying that the threshold building inspector is competent to provide the services for the specific type of structure.

(2) Threshold building inspectors utilizing authorized representatives shall maintain responsible supervisory control over the representative pursuant to Chapter 61G1-23, F.A.C.

(3) Threshold building inspectors shall be in responsible charge of the work of the authorized representative, including reviewing reports and spot checks.

(4) Threshold building inspectors shall institute quality assurance procedures to include but not be limited to requiring unscheduled visits, utilization or relevant check lists, use of a daily inspection report and insuring that the inspector or the authorized representative is at the project whenever so required by the inspection plan.

Specific Authority 481.2055, 481.225(2), 481.225 FS. Law Implemented 481.213(7) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Architecture and Interior Design

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Architecture and Interior Design

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 18, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 22, 2000

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Funeral Directors and Embalmers

RULE TITLE: Subject Area Requirements RULE NO.: 61G8-17.0037

PURPOSE AND EFFECT: The rule is being repealed.

SUMMARY: The Board proposes to review this rule and make necessary changes.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 470.015(1), 470.018(2) FS.

LAW IMPLEMENTED: 470.015(1), 470.018(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE NEXT AVAILABLE ISSUE OF THE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Funeral Directors and Embalmers, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULE IS:

61G8-17.0037 Subject Area Requirements.

Specific Authority 470.015(1), 470.018(2) FS. Law Implemented 470.015(1), 470.018(2) FS. History—New 4-10-94, Repealed _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Funeral Directors and Embalmers

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Funeral Directors and Embalmers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 8, 2001

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Building Code Administrators and Inspectors Board

RULE TITLES:	RULE NOS.:
Continuing Education for Biennial Renewal	61G19-9.001
Continuing Education Course Providers	61G19-9.002
Registration of Course Providers	61G19-9.003
Approval of Courses	61G19-9.004
Qualifications of Course Instructors	61G19-9.005
Course Syllabus	61G19-9.006
Records Required to be Maintained by Course Providers	61G19-9.007
Advertising of Continuing Education Courses	61G19-9.009
Continuing Education Course Provider Fees	61G19-9.011

PURPOSE AND EFFECT: The purpose of the amendment in Rule 61G19-9.001 is to update the rule text in subsection (4). The Board proposes to amend Rule 61G19-9.002 to change the word "Sponsors" to "Providers" in the rule title and the introductory paragraph. Rule 61G19-9.003 requires amendments in order to change the word "sponsors" to "providers" wherever it appears in the rule and new rule text is being added to expand the requirements for course providers. The Board proposes to amend Rule 61G19-9.004 to change the word "sponsor" to "provider" and new rule text is being added to update the rule text with regard to the approval of courses. The purpose of the rule amendment in Rule 61G19-9.005 is to change the word "sponsor" to "provider" wherever it appears in the rule. Rule 61G19-9.006 is being amended to delete the word "sponsor" and add the word "provider" throughout the rule. The purpose of the amendments in Rule 61G19-9.007 is

to change the word "sponsor" to "provider" in the rule and to update the rule text. The Board is amending Rule 61G19-9.009 to change the word "sponsors" to "providers". Rule 61G19-9.011 is being amended to change the words "sponsor" to "provider".

SUMMARY: The Board is amending Rule 61G19-9.001 to update the rule text to notify all certificate holders that all license numbers held by the certificate holder shall be submitted to the provider at the time of registration. The Board proposes to amend Rule 61G19-9.002 by updating the rule title and changing the word "sponsors" to "providers" in the introductory paragraph. The Board is amending Rule 61G19-9.003 by changing the word "sponsors" to "providers" wherever it appears in the rule and new rule text is being added which will expand the requirements for course providers. The Board proposes to amend Rule 61G19-9.004 to change the word "sponsor" to "provider" and new language is being added to further clarify the requirements for approval of courses. The Board is amending Rule 61G19-9.005 by changing the word "sponsor" to "provider" wherever it appears in the rule. Rule 61G19-9.006 is being amended to delete the word "sponsor" and add the word "provider" throughout the rule. The purpose of the amendments in Rule 61G19-9.007 is to change the word "sponsor" to "provider" in the rule and to add a new subsection (f) to subsection (1). In addition the rule title is being amended to reflect course providers rather than course sponsors. Rule 61G19-9.009 is being amended to change the word "sponsors" to "providers". The is amending Rule 61G19-9.011 by updating the rule title and changing the words "sponsor" to "provider".

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.2124, 468.606, 468.627 FS.

LAW IMPLEMENTED: 455.2124, 455.219, 468.627 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Anthony Spivey, Executive Director, Building Code Administrators and Inspectors Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750

THE FULL TEXT OF THE PROPOSED RULES IS:

61G19-9.001 Continuing Education for Biennial Renewal.

(1) through (3) No change.

(4) For those certificate holders who are certified in more than one certification category, completion of the minimum number of hours of continuing education course requirements as set forth above shall be sufficient for the biennial renewal of all certifications held by the certificate holder. All license numbers held by the certificate holder should be submitted by the certificate holder to the provider at the time of course registration.

Specific Authority 455.2124, 468.606, 468.627 FS. Law Implemented 455.2124, 468.627 FS. History—New 5-23-94, Amended 5-21-95, 11-28-95, 6-9-97, 1-4-00.

61G19-9.002 Continuing Education Course Providers ~~Sponsors~~.

The following courses and course providers ~~sponsors~~ satisfy the continuing education requirement:

(1) through (2) No change.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History—New 5-23-94, Amended _____.

61G19-9.003 Registration of Course Providers ~~Sponsors~~.

(1) Registration for Course Providers is required May 31 of every odd year. All providers are required to ~~The following are not required to~~ register with the Board when providing continuing education courses including:

(a) No change.

(2) Nonaccredited course providers ~~sponsors~~ shall register with the Board on Board-approved registration form BPR/BCAI/10 Rev. 02/01, 7/97, Provider Sponsor Approval Application, which is hereby incorporated by reference and will be effective _____ ~~10-1-97~~, copies of which may be obtained from the Board office.

(3) Registration forms shall include the provider's ~~sponsor's~~ name, address, and phone number, and the names, addresses, and phone numbers of each person or entity with an ownership interest in the provider ~~sponsor~~ or who are entitled to receive a percentage of revenues from the course provider ~~sponsor~~.

(4) The Board shall maintain a list of all registered course providers ~~sponsors~~.

(5) Course providers ~~sponsors~~ shall notify the Board in writing within thirty (30) days of the effective date of any changes in information required to be listed on the initial registration.

(6) The provider must comply with the requirements stated in Rule 61-6.015(5) as a condition of approval as a course provider.

(7) The course provider shall not offer any continuing education courses if the provider status is in an expired status, fails to renew or is disciplined.

(8) No provider may allow a licensed instructor to conduct any course or seminar offered by the provider if they have been disciplined and have not been released from the terms of the final order in the disciplinary case. Upon receipt of notice that

the instructor is under discipline, the provider shall, within seven (7) days, write to the Board office and confirm that the instructor is no longer conducting any course or seminar offered by the provider. For the purposes of this subsection, a letter of guidance or a reprimand shall not constitute "under discipline."

(9) If the course provider has been disciplined by the Department for anything other than not renewing their license, they cannot reapply to the Division for two (2) years from the date of the Final Order.

Specific Authority 468.606, 468.627(7) FS. Law Implemented 468.627 FS. History—New 5-23-94, Amended 11-28-95, 10-1-97, _____.

61G19-9.004 Approval of Courses.

(1) Any ~~provider sponsor approved or~~ registered pursuant to this Chapter may apply for approval of a continuing education course. The application must be submitted on a Board-approved form, BPR/BCAI/11 Rev. 7/97, B.C.A.I. Course Approval Application, which is hereby incorporated by reference and will be effective 10-1-97, copies of which may be obtained from the Board office.

(2) Upon receipt of a course application and the appropriate fee, the ~~The~~ Board may approve any course, seminar, or conference in the construction area provided by any university, college, junior college, community college, vocational-technical center, public or private school, firm, association, organization, person, corporation, or entity which meets the criteria of this part.

(3) No change.

(4) The Board shall approve continuing education courses which have sufficient educational content to improve the certificate holder's inspection and technical skills, which are taught by qualified instructors, and which otherwise fulfill the requirements of this part. Course approval is valid for two (2) years from the date of approval unless the provider expires or is disciplined.

(5) through (6) No change.

(7) The Board shall not deny or withdraw approval of a course on the basis that another course ~~provider sponsor~~ is conducting the same or a similar Board-approved course.

(8) If a course is approved, the Board shall assign the course a number. The course ~~provider sponsor~~ shall print the Board-assigned number on the course syllabus, on all printed material used in connection with the course, and in all written advertising used in connection with the course.

(9) Of the required fourteen (14) continuing education hours, up to three (3) hours credit may be earned by attending a disciplinary meeting of the Board. Licensees must attend the complete agenda of disciplinary cases to receive the continuing education credit hours. Licensees shall give at least seven (7) days advance notice to the Board of their intention to attend the disciplinary case session. Licensees shall check in with the Clerk of the Board prior to the disciplinary proceedings and

must sign in and out for breaks and lunch periods. A maximum of three (3) hours of continuing education credit per biennium may be earned in this manner. Licensees shall not be credited for attending any disciplinary case session in which the licensee is a party. At the conclusion of the disciplinary proceedings, the clerk will provide a letter of attendance which licensees will maintain for three (3) years.

(10) After a course has been approved by the Board, any substantive changes in the course content requires reapplication of the course to be submitted for approval by the Board ~~must be submitted to and approved by the Board.~~

(11) The Board approves those continuing education courses approved by the Construction Industry Licensing Board; the Electrical Contractors' Licensing Board; ~~the Board of Professional Engineers and the Board of Architecture and Interior Design.~~

(12) ~~The~~ Upon application to the Board, the course instructor shall receive continuing education credit equal to the total approved credit for that course if they submit this documentation at the request of the Department. Credit may not be granted for teaching the same course more than once in each biennium.

(13) Of the required fourteen (14) continuing education hours, up to seven (7) hours credit may be earned by attending a meeting of the Florida Building Commission within the Department of Community Affairs, or any of the meetings of any technical committees of the Commission. Certificate holders shall be responsible for obtaining and maintaining satisfactory proof of attendance at such meetings as specified in Rule 61G19-9.008. A copy of proof of attendance must be submitted to the Board office or Department upon request of completion to ensure that continuing education credit is awarded.

Specific Authority 468.606, 468.627 FS. Law Implemented 468.627 FS. History—New 5-23-94, Amended 5-21-95, 10-1-97, 8-17-99, _____.

61G19-9.005 Qualifications of Course Instructors.

(1) No change.

(2) The Board shall not reject a course based upon the proposed instructors, but may approve a course contingent on certification by the course ~~provider sponsor~~ that all instructors meet the minimum requirements before conducting that course, and before advertising that the course is approved for continuing education credit.

(3) A course ~~provider sponsor~~ may request approval by the Board regarding the qualifications of a particular instructor for a particular course.

(4) No change.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History—New 5-23-94, Amended 11-28-95, 12-3-00, _____.

61G19-9.006 Course Syllabus.

(1) Each course provider sponsor shall prepare a course syllabus for each course sponsored. The syllabus shall state the name of the course, the course number assigned by the board, the name and address of the course provider sponsor and a description or outline of the contents of the course.

(2) Prior to the course, course providers sponsors shall give a course syllabus to each person who registers for the course.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History--New 5-23-94, Amended.

61G19-9.007 Records Required to be Maintained by Course Providers Sponsors.

(1) Course providers sponsor shall maintain the following records with respect to each course:

(a) through (c) No change.

(d) The original sign-in sheet used at the site of the course to register people attending each course. Course providers sponsors shall require every person to print their name and license number, and sign their name on the course sign-in sheet;

(e) No change.

(f) Certificates of completion for each person completing a course containing the name and the license number of the person who completed the course.

(2) Course providers sponsors shall maintain the required records for each course at least four (4) three (3) years following the date the course is completed.

(3) Upon request by the board, each course provider sponsor shall provide the board with copies of any required records.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History--New 5-23-94, Amended 11-2-00.

61G19-9.009 Advertising of Continuing Education Courses.

(1) Course providers sponsors shall not advertise a continuing education course as one approved by the board until such approval is officially granted by the board.

(2) Course providers sponsors shall not include any false or misleading information regarding the contents, instructors or number of classroom hours of any course approved under this rule.

Specific Authority 468.606 FS. Law Implemented 468.627 FS. History--New 5-23-94, Amended.

61G19-9.011 Continuing Education Course Provider Sponsor Fees.

(1) The fee for registering each continuing education provider sponsor shall be \$100.00.

(2) No change.

(3) Government agencies providing sponsoring continuing education shall pay no fee for course or provider sponsor approval.

Specific Authority 468.606 FS. Law Implemented 455.219, 468.627 FS. History--New 5-23-94, Amended 4-12-95.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Building Code Administrators and Inspectors Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Building Code Administrators and Inspectors Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 1, 2000

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 25, 2000

DEPARTMENT OF HEALTH**Board of Chiropractic Medicine**

RULE TITLE: RULE NO.:

Biennial Renewal Fee/Initial Licensure Fee 64B2-12.005

PURPOSE AND EFFECT: The proposed rule change is to raise the fee charged for renewal of a license.

SUMMARY: The Board proposes to increase the fee charged for renewal of a License.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.564(2), 460.406 FS.

LAW IMPLEMENTED 455.564(2), 460.407 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe R. Baker Jr., Executive Director Board of Chiropractic Medicine, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B2-12.005 Biennial Renewal Fee/Initial Licensure Fee.

(1) The fee for biennial renewal of a chiropractic license shall be \$500.00 three hundred and fifty dollars (\$350.00).

(2) No change.

Specific Authority 456.013 455.564(2), 456.025, 460.406, 460.407 FS. Law Implemented 456.013, 456.025, 460.407 455.564(2) FS. History--New 1-10-80, Amended 10-25-83, Formerly 21D-12.05, Amended 1-28-87, 12-31-89, 10-15-92, Formerly 21D-12.005, 61F2-12.005, 59N-12.005, Amended 11-4-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Chiropractic Medicine
NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Chiropractic Medicine
DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: December 8, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: January 19, 2001

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE TITLE: RULE NO.:

Continuing Education Program Approval 64B11-6.001

PURPOSE AND EFFECT: The Board proposes the development of an amendment to address Continuing Education program approval.

SUMMARY: Continuing Education programs must adhere to the requirements set out by the Board in order to get Board approval.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: No Statement of Estimated Regulatory Cost was prepared.

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

SPECIFIC AUTHORITY: 455.587, 468.204, 468.219(2) FS.

LAW IMPLEMENTED 468.219(2) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT A TIME, DATE AND PLACE TO BE PUBLISHED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kaye Howerton, Board of Occupational Therapy, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3259

THE FULL TEXT OF THE PROPOSED RULE IS:

64B11-6.001 Continuing Education Program and Provider Approval.

(1) Continuing education credit will be awarded only for completion of licensed programs or those that are Board-approved as provided in this Rule. Continuing education program providers seeking initial licensure approval by the Board shall pay a fee of \$250. Continuing education providers seeking renewal of provider status shall also pay a \$250 fee each biennium. To receive Board approval, a continuing education program:

(a) should be submitted for the Board's approval not less than 90 days prior to the date the initial offering is scheduled;

(b) shall be relevant to the practice of occupational therapy as defined in Section 468.203(4), Florida Statutes, must be offered for the purpose of keeping the licensee apprized of advancements and new development in occupational therapy, and shall be designed to enhance learning and skills consistent with contemporary standards for occupational therapy practice.

(c) shall have its sponsor submit to the Board at least the following:

1. a statement of the educational goals and objectives of the program;
2. a detailed course outline or syllabus, including such items as method of instruction, testing materials, if any;
3. a current curriculum vitae of each speaker or lecturer appearing in the program;
4. the procedure to be used for recording attendance of these attendees seeking to apply for continuing education credit and the procedure for certification by the program's registrar of attendance; and
5. a sample certificate of completion.

(2) Programs offered by the Florida Occupational Therapy Association (FOTA), the American Occupational Therapy Association (AOTA) and occupational therapy courses accredited by the Accreditation Board ~~Council~~ for Occupational Therapy shall be deemed approved by this Board for continuing education and shall not pay the fees required in subsection (1) of this rule.

(3) through (7) No change.

Specific Authority 456.013(8) ~~455.587~~, 468.204, 468.219(2) FS. Law Implemented 468.219(2), 468.221 FS. History—New 8-1-95, Amended 8-27-96, Formerly 59R-65.001, Amended 7-21-98, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Occupational Therapy

NAME OF SUPERVISOR OR PERSON WHO APPROVED
THE PROPOSED RULE: Board of Occupational Therapy

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: October 16, 2001

DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 11, 2000

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Resources

RULE CHAPTER TITLE: RULE CHAPTER NO.:

Marine Turtle Grants Program 68E-2

RULE TITLES: RULE NOS.:

Intent 68E-2.001

Definitions 68E-2.002

Availability of Funds 68E-2.003

Marine Turtle Grant Committee 68E-2.004

Eligibility Criteria 68E-2.005

General Grant Application Requirements	68E-2.006
Grant Funding Criteria and Procedures	68E-2.007
Disbursement of Funds	68E-2.008
Reporting Requirements	68E-2.009

PURPOSE AND EFFECT: This Rule establishes the procedures for disbursement of Marine Turtle Grants to coastal local governments, educational institutions, and Florida-based nonprofit organizations to conduct marine turtle research, conservation, and education activities within the state. Such grants should promote understanding and conservation of Florida's threatened and endangered marine turtles.

SUMMARY: This Rule describes the composition of the Marine Turtle Grants Committee, which will review and approve applications for Marine Turtle Grants, lists the requirements and procedures for submitting grant applications and specifies the criteria for allocating available funds.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: A statement has not been prepared at this time.

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

SPECIFIC AUTHORITY: 370.12(1)(h) FS.

LAW IMPLEMENTED: 320.08058(19), 370.12(1)(h) FS.

A HEARING WILL BE HELD DURING THE REGULAR MEETING OF THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATES: 8:30 a.m. – 5:00 p.m., March 29-30, 2001

PLACE: Capital Holiday Inn, 1355 Apalachee Parkway, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES AND STATEMENT OF ESTIMATED REGULATORY COST IS: Dr. Robbin Trindell, Bureau of Protected Species Management, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULES IS:

68E-2.001 Intent.

(1) This rule establishes procedures for disbursement of marine turtle grants to coastal local governments, educational institutions, and Florida-based nonprofit organizations to conduct marine turtle research, conservation, and educational activities within the state in accordance with the intent of the Legislature. This Chapter contains the requirements and procedures for submitting grant applications and the criteria for allocating available funds.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History–New

68E-2.002 Definitions.

The following words, phrases, or terms as used in this rule shall have the following meanings:

(1) “Commission” means the Florida Fish and Wildlife Conservation Commission.

(2) “Committee” means the Marine Turtle Grants Committee, a group of at least seven members, including two nongovernmental representatives, appointed by the Executive Director of the Commission.

(3) “Conservation” means an act carried out primarily for the purpose of protecting marine turtles, nests, and hatchlings or protecting the nesting beach or foraging habitat of any marine turtle.

(4) “Educational institution” means public or non-public colleges, universities, nature centers, museums, zoos, aquariums, or similar institutions. Educational facilities must be regularly opened to the public for the primary purpose of providing an educational experience.

(5) “Educational activities” means to exhibit, inform and instruct the public in the biology, habitat, or conservation needs of marine turtle species.

(6) “Local government” means any coastal county or municipality within those counties.

(7) “Marine turtle” means any of those animals defined in 370.12 (1)(b), F.S., commonly known as sea turtles.

(8) “Marine Turtle Permit” means an authorization to conduct scientific, conservation, or educational activities involving marine turtles within or originating from Florida, issued pursuant to the provisions of Florida Administrative Code Chapter 68E-1.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History–New

68E-2.003 Availability of Funds.

(1) Funds generated by the sale of the Sea Turtle License Plate in excess of \$500,000, and up to 30 percent of the total annual revenue, shall be distributed to eligible entities as grants as described in this Rule. Grant expenditures shall be made in the second fiscal year following revenue collection.

(2) Subject to legislative appropriations, all grant funds not disbursed during the fiscal year shall be made available for the grants program in subsequent years.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History–New

68E-2.004 Marine Turtle Grant Committee.

(1) The Marine Turtle Grant Committee (Committee) is established within the Commission to consider and choose grant recipients from applications submitted by eligible entities. The Committee shall consist of seven members with technical knowledge and expertise in the research and management of marine turtles, their nests, hatchlings, or habitats. All Committee members shall serve at the pleasure of the Executive Director.

(2) The Executive Director shall appoint two members from federal agencies responsible for management or research activities involving marine turtles; two members from nongovernmental organizations with marine turtle interests, including at least one member representing a Florida-based nonprofit organization involved in marine turtle conservation; and three additional members.

(3) Initial appointments shall be for three, three-year terms; two, two-year terms; and two, four-year terms. Thereafter, all appointments shall be for two-year terms. If a vacancy occurs, a member shall be appointed for the remainder of the unexpired term. A member whose term has expired may continue sitting on the council with full rights until a replacement has been appointed. At its first meeting, the Committee shall select a chair and vice-chair to serve two-year terms by majority vote.

(4) Committee members shall not receive any compensation from the Commission pursuant to subsection 370.12(1)(h), Florida Statutes. Travel reimbursement shall be made in accordance with applicable state guidelines.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History—New

68E-2.005 Eligibility Criteria.

(1) Coastal local governments, educational institutions, and Florida-based nonprofit organizations that actively participate in marine turtle research, conservation, and educational activities within the state are eligible to apply for grant funds.

(2) All grant applications shall be for conservation, education or research projects that clearly add to the conservation of marine turtles; that accomplish tasks included in the current recovery plans for marine turtles; and that are consistent with subsection 370.12 (1)(c), Florida Statutes.

(3) Activities that shall be considered eligible for funding through the Marine Turtle Grant program include, but are not limited to:

(a) Protection of marine turtles, their nests and hatchlings from harmful activities on the nesting beach, including lights and predators.

1. Replacement or modification of existing lights that directly or indirectly illuminate the beach or create a glow that is visible from the beach or have been documented as contributing to marine turtle disorientations.

2. Purchase and installation of shields, light barriers, tinted glass or other structures that reduce or restrict the amount and direction of lights that directly or indirectly illuminate the beach or create a glow that is visible from the beach.

(b) Development, production, and distribution of educational materials, databases, and programs that promote the understanding of the life history and habitat needs of Florida's marine turtles and the protection and conservation of these species.

(c) Research directly related to the conservation of marine turtles. Such research shall provide information for the improvement of existing management strategies to protect marine turtles and may include assessments of coastal lighting; beach nourishment; coastal armoring and other shoreline protection structures; in-water distributions, developmental habitats; migration patterns; rehabilitation of injured or diseased marine turtles; epidemic diseases, including Fibropapillomatosis; fishing gear; and general life history information.

(d) Assistance for statewide nesting beach surveys and Index Nesting Beach Surveys, including materials and supplies.

(e) Assistance for the statewide stranding network, including material and supplies.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History—New

68E-2.006 General Grant Application Requirements.

(1) When sufficient funds for administration of the grant program are available, the Commission will give notice of the application deadline by advertising in the Florida Administrative Weekly.

(2) Marine Turtle Grant applications and supporting documentation may be submitted to the Commission's Tallahassee headquarters between October 1 and November 15. All application materials must be received no later than November 15 and shall include all information specified in this Section.

(3) Each application shall include the following:

(a) A scope of work for the proposed action, project or study, including a complete explanation of how funds will be spent;

(b) A list of all measurable objectives and an explanation of how the project will directly promote the conservation and protection of marine turtles, their nests, hatchlings or nesting and foraging habitat;

(c) A description of methods that can be used to evaluate success of the action, project or study;

(d) A timetable for the development and implementation of the action, project, or study specifying submittal of deliverables; and

(e) A list of all persons responsible for conduct of the action, project or study, and a description of their experience, including a résumé or curriculum vitae, clearly identifying the qualifications of the principal investigator and all personnel associated with the project and their specific experience with marine turtles.

(4) All grant applications proposing research must include a description of sampling methodologies and statistical analyses.

(5) All grant applications proposing research must include either a copy of an approved Florida Administrative Code Chapter 68E-1 Marine Turtle Permit for that specific research, if required under s. 370.10, F.S., or an application for such a permit.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History-New

68E-2.007 Grant Funding Criteria and Procedures.

(1) All grant applications shall be checked for eligibility, form, and content by Commission staff. After November 15, staff shall seek only such additional information from the applicant as required to complete the Marine Turtle Permit application process pursuant to Chapter 68E-1, F.A.C.

(2) Staff shall prepare eligible grant applications, including staff review, for consideration by the Committee. Only those applications that include all information listed in Rules 68E-2.006(3) and (4), F.A.C. above, and which have a Marine Turtle Permit if required, shall be considered complete. Complete grant applications shall be forwarded to Committee members by February 1, who shall meet and select applications for funding by March 15.

(3) When reviewing applications, Committee members shall consider the following:

(a) The scope of the proposed activity (high priority for the project with the most benefit for the conservation of marine turtles);

(b) The duration of the proposed activity (higher priority for shorter term projects that deliver results within the first year);

(c) The relative contribution of the proposed activity to the state's marine turtle protection goals, objectives and policies (higher priority for those projects that meet more of state's goals);

(d) The relevance of the proposed activity to the recovery plans for marine turtles (higher priority for projects that are high priority in recovery plans);

(e) Qualifications and the demonstrated ability of applicant to accomplish the proposed activity;

(f) Demand and public support for the proposed activity (highest priority for greatest demonstrated support);

(g) The estimated cost of the activity (higher priority for most benefit from least cost); and

(h) The availability of more appropriate alternative funding (low priority for ongoing or funded projects).

(4) The Executive Director shall review the list of applications recommended for funding by the Committee, ensure each proposal is consistent with state law and execute final grant agreements based on available appropriations by the Legislature.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History-New

68E-2.008 Disbursement of Funds.

(1) Upon receipt of the grant applications recommended for funding by the Committee, staff shall determine the exact amount of the grant award based on available funds and prepare a grant agreement.

(2) The grant agreement will be forwarded to the applicant to be signed by a legal representative, notarized, and returned to the Commission to be signed by the Executive Director.

(3) Grant funds shall be disbursed as outlined in the grant agreement upon receipt of an invoice documenting progress by the grantee. Deliverables shall be included with the invoice as outlined in the grant agreement.

(4) The grant period for all projects shall commence on July 1 of the fiscal year following grant approval. Individual projects shall start upon execution of the grant agreement, and conclude on June 30 of that fiscal year. Research projects that are authorized for funding during two fiscal years shall be accomplished by amending grant agreements, subject to legislative appropriations.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History-New

68E-2.009 Reporting Requirements.

(1) Each invoice submitted for payment shall include a report detailing work accomplished, work pending, work still to be done, and any problems encountered.

(2) Quarterly progress reports shall be submitted by September, December, and March 15th for each year a project is funded. Progress reports will be a one-page summary, describing the status of the project, results to date, work still to be done and any issues or problems encountered.

(3) A final report shall be submitted by June 15 for each project. This report shall include the following:

(a) The project objectives;

(b) Methods used to implement the project;

(c) A summary of project results, including deliverables as appropriate, data summaries, etc; and

(d) A discussion of the project, including whether the objectives were achieved, the contribution of the project to marine turtle conservation and protection, recommendations for future work, and copies of draft or published manuscripts, artwork, etc.

(4) One electronic and ten printed copies of all materials prepared using Marine Turtle Grant funds shall be provided to the Commission within 30 days of production or publication.

Specific Authority 370.12(1)(h) FS. Law Implemented 320.08058(19), 370.12(1)(h) FS. History-New

NAME OF PERSON ORIGINATING PROPOSED RULE:
Mr. Bradley J. Hartman

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: The Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY
HEAD: January 24, 2001
DATE NOTICE OF PROPOSED RULE DEVELOPMENT
PUBLISHED IN FAW: November 22, 2000

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF INSURANCE

RULE NO.: RULE TITLE:
4-137.002 Annual Audited Financial Reports
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. 26, No. 50, December 15, 2000, of the Florida Administrative Weekly. This change is being made to correct a clerical error, as requested by the Joint Administrative Procedures Committee.

Paragraph (c) of subsection (8) is changed to read: (c) No change.

The remainder of the rule reads as previously published.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Architecture and Interior Design

RULE NO.: RULE TITLE:
61G1-12.001 Grounds for Disciplinary
 Proceedings
NOTICE OF CHANGE

Pursuant to subparagraph 120.54(3)(d)1., F.S., notice is hereby given that the following changes have been made to the proposed rule, as published in Vol. 26, No. 38, September 22, 2000, issue of the Florida Administrative Weekly. The changes are in response to comments received from the staff of the Joint Administrative Procedures Committee. Subsection (4) of this rule shall now read as follows:

(4) An architect, firm, or business holding a certificate of authorization may not be negligent in the practice of architecture. The term negligence is defined as the failure, by an architect, to exercise due care to conform to acceptable standards of architectural practice in such a manner as to be detrimental to a client or to the public at large.

(a) Plans, drawings, specifications and other related documents prepared by an architect shall be of a sufficiently high standard to inform the users thereof of the requirements intended to be illustrated or described by them. Such documents shall clearly and accurately indicate the design of all essential parts of the work to which they refer. An architect shall meet a standard of practice which demonstrates his knowledge and ability to assure the safety and welfare of his clients and the public.

(b) An architect shall be required to coordinate his activities with other professionals involved in those projects wherein the architect is engaged to provide plans, drawings and specifications which result in the production of working documents which are used or intended to be used for the construction of a structure.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sherry Landrum, Executive Director, Board of Architecture and Interior Design, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-0750.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE NO.: RULE TITLE:
61G4-12.006 List of Approved Forms;
 Incorporation
NOTICE OF CHANGE

Notice is hereby given that changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 26, No. 34, of the August 25, 2000, issue of the Florida Administrative Weekly. The changes are based upon written comments submitted by the staff of the Joint Administrative Procedures Committee with regard to the proposed forms incorporated by reference in the rule. Copies of the revised forms are available by contacting the Construction Industry Licensing Board at the address shown below. When changed, the rule shall read as follows:

61G4-12.006 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are hereby adopted and incorporated by reference, and can be obtained from the Board at the following address:

Florida Construction Industry Licensing Board
7960 Arlington Expressway
Suite 300
Jacksonville, Florida 32211-7467

(1) Registrations:

(a) Application for Contractor Registration, DBPR/CILB/031-(Rev. 01/01),

(b) Registration Change of Status, DBPR/CILB/017-(Rev. 01/01),

(2) Certifications: Certification Change of Status DBPR/CILB/025-(Rev. 01/01),

(3) Examinations:

(a) Applicant Information Booklet – Construction Examinations DBPR/CILB/007-(Rev. 01/01),

(b) Application for Certification Examination, DBPR/CILB/001-(Rev. 01/01),

(c) Application for Retake Certification Examination, DBPR/CILB/002-(Rev. 7/00),

(4) Continuing Education: