



THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3820

THE FULL TEXT OF THE PROPOSED RULES IS:

(Substantial rewording of Rule 4-170.013 follows. See Florida Administrative Code for present text.)

4-170.013 Filing Procedures for Property and Casualty Insurance Rates, Rules, Underwriting Guidelines, and Forms.

(1) The procedures in this rule apply to all insurance rate, rule, underwriting guidelines or form filings for property and casualty insurance as defined in Sections 624.604, 624.605, 634.011(7), 634.301(4), 634.401(14), 642.015(5), 648.25(1), 635.011(1), and 627.826(1), F.S.

(2) The procedures in this rule supersede any other procedures relating to filing procedures and actuarial memoranda. All material submitted shall be legible.

(3) Filing Submittal Requirements.

(a) Complete rate, rule, underwriting guidelines, and form filings shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.

2. Cover letter; and

3. Explanatory memo.

(b) All filings shall:

1. Be submitted in the above order with the Universal Standardized Data Letter serving as a cover sheet;

2. Be separated into either rate/rule only or form only filings; and

3. Be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(c) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group, provided the information submitted in the filing is identical for every insurer identified in the filing.

(4) The following rules also apply to the specific rate/rule filing procedures:

(a) Rule 4-170.014, F.A.C., (Homeowners);

(b) Rule 4-175.003, F.A.C., (Private Passenger Auto);

(c) Rule 4-170.0141, F.A.C., (Dwelling);

(d) Rule 4-170.0142, F.A.C., (Commercial Residential/All Other Property & Casualty).

(5) The Office maintains voluntary checklists for insurers' information in properly complying with relevant statutes and rules. The completion of checklists does not preclude the Office from requiring additional information or further explanation of data. Filing checklists are for insurer information only.

(6)(a) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(b) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(c) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

Specific Authority 624.308 FS. Law Implemented 624.307(1), 624.604, 624.605, 627.062, 627.0645, 627.0651 FS. History—New 3-30-92, Amended 3-9-93, 8-23-93, 10-3-94, 8-3-95, 10-2-96, \_\_\_\_\_.

(Substantial rewording of Rule 4-170.014 follows. See Florida Administrative Code for present text.)

4-170.014 Homeowners Insurance Ratemaking and Rate Filing Procedures.

(1) This rule shall apply to all homeowners insurance rates filed pursuant to Section 627.062, F.S. For purposes of this rule, reference to homeowners insurance shall include mobile homeowners insurance written on homeowners type policies and mobile homeowners insurance written on auto physical damage type policies.

(2) Homeowners and Mobile Homeowners Filing Submittal Requirements:

(a) Complete rate, rule, rate/rule and underwriting guidelines shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.;

2. Cover letter; and

3. Explanatory memorandum.

(b)1. Each insurer writing homeowners insurance, including mobile homeowners insurance written on homeowners type policies and mobile homeowners insurance written on auto physical damage type policies, in Florida shall file electronically with the Office such information as required by the Office by using the computer software provided to insurers by the Office.

2. Insurers may electronically submit their rating data by completing their filing on-line through the Office's Internet Filing System (IFS) and the Rate Collection System (RCS) at <https://iportal.fldfs.com> or by utilizing the Homeowners Rate Collection System (HRCS) software provided to insurers by the Office on its web site.

(c) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(d) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(e) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(f) All filings shall be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(g) All manual pages shall be formatted in compliance with subsection 4-170.006(3), F.A.C.

(3) Any submission which is not completed according to the above referenced instructions, or is missing any of the properly completed forms, including supporting documentation, shall not constitute a filing pursuant to Section 627.062, F.S., and shall be returned to the insurer as "incomplete".

(4) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group provided the information submitted in the filing is identical for every insurer identified in the filing.

(5)(a) The submission of data outlined on the homeowners and mobile homeowners checklist does not preclude the Office from requiring additional information or further explanation of data.

(b) The insurer shall submit any required additional information or further explanation of data by a date certain stated in a clarification letter, to allow the Office sufficient time to perform a proper review.

(c) Failure to correct the deficiencies by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

(6)(a) Each rate filing shall contain either:

1. Separate rate level indications and support for such indications on a statewide basis for each type of homeowners policy which the insurer writes in Florida; or

2. If a series of homeowner types of policies bear a uniform statewide factor relationship to each other, combined rate level indications and support for such indications on a statewide basis for the total program along with supporting data for the proposed factor relationships between each type of policy.

(b)1. The provisions of this subsection shall apply to all rate filings regardless of whether a filing requests rate changes for one, more than one, or all of the types of policies written.

2. This subsection shall not apply if:

a. A rate change is filed in response to law changes which relate to specific types of policies; or

b. A rate change is filed in response to specific factual developments or circumstances that are reasonably expected to affect only certain types of policies for which the changes are filed.

(7)(a) Each rate filing which changes base rates as to any policy for which rates vary by territory shall contain either:

1. Separate support by territory for each type of homeowners policy for which a proposed rate change is filed; or

2. If a series of homeowners types of policies include identical territory relativities, support by territory for all types of policies combined.

(b) The provisions of this subsection shall apply to each territory regardless of whether the rate filing requests rate changes for one, more than one, or all territories.

(8) The earned premiums and incurred losses included in the rate level indications shall be direct calendar/accident year or direct fiscal/accident year, Florida-only data. Any other data which the insurer believes to be pertinent to the filing may also be provided.

(9) The following forms, as adopted in Rule 4-170.015, F.A.C., are included in the Homeowners Rate Filing Collection Systems provided by the Office:

(a) Form DI4-1102, "Florida Homeowners Rating Examples/Annual Rates";

(b) Form DI4-1103, "Florida – Statewide Rate Level Effect/Homeowners", with its instructions; and

(c) Form DI4-1104, "Florida – Rate Level Effect by Type by Territory/ Homeowners", with its instructions.

(10) The expense factors in each homeowners rate filing shall be divided into the following categories:

(a) Commissions and brokerage;

(b) Other acquisition expenses;

(c) General expenses;

(d) Premium taxes;

(e) Miscellaneous licenses and fees;

(f) Reinsurance costs; and

(g) Other expenses.

(11) The cost of reinsurance shall be included as an expense factor and shall consider:

(a) The amount to be paid to the reinsurer;

(b) Ceding commissions to be paid to the insurer by the reinsurer;

(c) Expected reinsurance recoveries; and

(d) Other relevant information specifically relating to cost such as a retrospective profit sharing agreement between the insurer and the reinsurer.

(12) The use of contingent commissions as supporting data for rate changes is prohibited unless:

(a) There is a contractual arrangement between the insurer and its agents concerning the payment of contingent commissions; and

(b) The insurer demonstrates that it is not paying contingent commissions from profits higher than anticipated in its filings.

Specific Authority 624.308(1) F.S. Law Implemented 624.307(1), 624.424, 627.062, 627.0645 F.S. History--New 8-23-93, Amended 10-3-94, 10-2-96, 3-31-98, 1-25-99, \_\_\_\_\_.

(Substantial rewording of Rule 4-170.0141 follows. See Florida Administrative Code for present text.)

4-170.0141 Dwelling Insurance Ratemaking and Rate Filing Procedures.

(1) This rule shall apply to all dwelling fire and extended coverage insurance rates filed pursuant to Section 627.062, F.S. For purposes of this rule, reference to dwelling fire insurance shall include mobile home dwelling insurance written on dwelling fire type policies.

(2) Dwelling Fire and Extended Coverage Insurance Filing Submittal Requirements:

(a) Complete rate, rule, rate/rule and underwriting guidelines shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.;

2. Cover letter; and

3. Explanatory memorandum.

(b)1. Each insurer writing dwelling fire and extended coverage in Florida shall file electronically with the Office such information as required by the Office by using the computer software provided to insurers by the Office.

2. Insurers may electronically submit their rating data by completing their filing on-line through the Office's Internet Filing System (IFS) and the Rate Collection System (RCS) at <https://iportal.fldfs.com> or by utilizing the Dwelling Rate Collection System (DRCS) software provided to insurers by the Office on its web site.

(c) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(d) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(e) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(f) All filings shall be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(g) All manual pages shall be formatted in compliance with Rule 4-170.006(3), F.A.C.

(3) Any submission which is not completed according to the above referenced instructions, or is missing any of the properly completed forms, including supporting documentation, shall not constitute a filing pursuant to Section 627.062, F.S., and shall be returned to the insurer as "incomplete".

(4) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group provided the information submitted in the filing is identical for every insurer identified in the filing.

(5)(a) The submission of data outlined on dwelling fire and extended coverage checklists does not preclude the Office from requiring additional information or further explanation of data.

(b) The insurer shall submit the required additional information or further explanation of data by a date certain stated in a clarification letter, to allow the Office sufficient time to perform a proper review.

(c) Failure to correct the deficiencies by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

(6)(a) Each rate filing shall contain either:

1. Separate rate level indications and support for such indications on a statewide basis for each type of dwelling fire and extended coverage policy which the insurer writes in Florida; or

2. If a series of dwelling fire types of policies bear a uniform statewide factor relationship to each other, combined rate level indications and support for such indications on a statewide basis for the total program along with supporting data for the proposed factor relationships between each type of policy.

(b)1. The provisions of this subsection shall apply to all rate filings regardless of whether a filing requests rate changes for one, more than one, or all of the types of policies written.

2. This subsection shall not apply if:

a. A rate change is filed in response to law changes which relate to specific types of policies; or

b. A rate change is filed in response to specific factual developments or circumstances that are reasonably expected to affect only certain types of policies for which the changes are filed.

(6)(a) Each rate filing which changes base rates as to any policy for which rates vary by territory shall contain either:

1. Separate support by territory for each type of dwelling fire policy for which a proposed rate change is filed; or

2. If a series of dwelling fire types of policies include identical territory relativities, support by territory for all types of policies combined.

(b) The provisions of this subsection shall apply to each territory regardless of whether the rate filing requests rate changes for one, more than one, or all territories.

(7) The earned premiums and incurred losses included in the rate level indications shall be direct calendar/accident year or direct fiscal/accident year, Florida-only data. Any other data which the insurer believes to be pertinent to the filing may also be provided.

(8) The following forms, as adopted in Rule 4-170.015, F.A.C., are included in the Dwelling Rate Collection Systems provided by the Office:

(a) Form DI4-1193, "Florida Dwelling Rating Examples/Annual Rates";

(b) Form DI4-1194, "Florida – Statewide Rate Level Effect/Dwelling", with its instructions; and

(c) Form DI4-1195, "Florida – Rate Level Effect by Type by Territory/Dwellings", with its instructions.

(9) The expense factors in each dwelling rate filing shall be divided into the following categories:

(a) Commissions and brokerage;

(b) Other acquisition expenses;

(c) General expenses;

(d) Premium taxes;

(e) Miscellaneous licenses and fees;

(f) Reinsurance costs; and

(g) Other expenses.

(10) The cost of reinsurance shall be included as an expense factor and shall consider:

(a) The amount to be paid to the reinsurer;

(b) Ceding commissions to be paid to the insurer by the reinsurer;

(c) Expected reinsurance recoveries; and

(d) Other relevant information specifically relating to cost, such as a retrospective profit sharing agreement between the insurer and the reinsurer.

(11) The use of contingent commissions as supporting data for rate changes is prohibited unless:

(a) There is a contractual arrangement between the insurer and its agents concerning the payment of contingent commissions; and

(b) The insurer demonstrates that it is not paying contingent commissions from profits higher than anticipated in its filings.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.062 FS. History—New 10-2-96, Amended 3-31-98, 1-25-99, \_\_\_\_\_.

(Substantial rewording of Rule 4-170.0142 follows. See Florida Administrative Code for present text.)

4-170.0142 Ratemaking and Rate Filing Procedures for Commercial Residential Insurance and All Other Lines.

(1)(a) The procedures in this rule apply to all commercial residential insurance rates filed pursuant to Section 627.062, F.S., and all other lines of property and casualty insurance as

defined in Section 624.604 and 624.605, F.S., except that this rule does not apply to workers' compensation insurance as defined in Section 624.605(1)(c), Florida Statutes.

(b) For purposes of this rule, reference to commercial residential insurance shall include insurance on the following types of risks:

1. Condominium associations;

2. Homeowners associations;

3. Apartment buildings;

4. Hotels and motels;

5. Dormitories (including sorority and fraternity houses);

6. Boarding houses; and

7. Rooming houses.

(3) Filing Submittal Requirements.

(a) Complete rate, rule, underwriting guidelines, and form filings shall be submitted with the following information:

1. Form DI4-582, "Universal Standardized Data Letter," as adopted in Rule 4-170.015, F.A.C.

2. Cover letter; and

3. Explanatory memo.

(b) All filings shall:

1. Be submitted in the above order with the Universal Standardized Data Letter serving as a cover sheet;

2. Be separated into either rate/rule only or form only filings;

3. Be separated by line of business in accordance with Rule 4-170.006, F.A.C.; and

4. All manual pages shall be formatted in compliance with subsection 4-170.006(3), F.A.C.

(c) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group, provided the information submitted in the filing is identical for every insurer identified in the filing.

(4) Any submission which is not completed according to the above referenced instructions or is missing any of the properly completed forms, including supporting documentation, shall not constitute a filing pursuant to Section 627.062, F.S., and shall be returned to the insurer as "incomplete".

(5)(a) The submission of data outlined on the property and casualty commercial lines checklist does not preclude the Office from requiring additional information or further explanation of data.

(b) The insurer shall submit the required additional information or further explanation of data by a date certain stated in a clarification letter, to allow the Office sufficient time to perform a proper review.

(c) Failure to correct the deficiencies by the date stated in the clarification letter will result in a notice of intent to disapprove the filing by the Office.

(6)(a) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(b) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(c) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(7)(a) Each rate filing shall contain either:

1. Separate rate level indications and support for such indications on a statewide basis for each type of coverage which the insurer writes in Florida; or

2. If a series of policy types bear a uniform statewide factor relationship to each other, combined rate level indications and support for such indications on a statewide basis for the total program, together with the supporting data for the proposed factor relationships between each type of policy.

(b)1. The provisions of this subsection shall apply to all rate filings regardless of whether a filing requests rate changes for one, more than one, or all of types of policies written.

2. This subsection shall not apply if a rate change is filed in response to law changes which relate to specific types of policies or if a rate change is filed in response to specific factual developments or circumstances that are reasonably expected to affect only certain types of policies for which the changes are filed.

(8)(a) If the filing adopts a rating organization's prospective loss costs, the filing shall include Form DI4-583 (pages 1 and 2), "Florida Expense Supplement Calculation of Company Loss Cost Multiplier" as adopted in Rule 4-170.015, F.A.C.

(b) An independent rate filing shall include Form DI4-595, "Florida Expense Supplement for Independent Rate Filings" as adopted in Rule 4-170.015, F.A.C.

(c) The data shall be on a direct basis.

(d) The data shall identify whether the loss data includes LAE and/or IBNR.

(9)(a) Each rate filing which changes base rates as to any policy for which rates vary by territory shall contain either:

1. Separate support by territory for each type of policy for which a proposed rate change is filed; or

2. If a series of policy types include identical territory relativities, support by territory for all types of policies combined.

(b) The provisions of this subsection shall apply to each territory regardless of whether the rate filing requests rate changes for one, more than one, or all territories.

(10) The earned premiums and incurred losses included in the rate level indications shall be accident year, Florida-only data. Any other data which the insurer believes to be pertinent to the filing may also be provided. The insurer shall provide the logical connection between such other data and the subject matter of the filing.

(11) Each rate filing shall include a direct rate based on direct expense factors for the following categories:

(a) Commissions and brokerage;

(b) Other acquisitions expenses;

(c) General expenses;

(d) Premium taxes;

(e) Other taxes, miscellaneous licenses, and fees; and

(f) Any other expenses.

(12)(a) In addition to the direct rate determined in subsection (11), an insurer may elect to include the costs of reinsurance in a rate filing.

(b) Where the insurer elects to do so, the cost of reinsurance shall consider:

1. Reinsurance contracts related to the subject matter of the filing;

2. The amount to be paid to the reinsurer;

3. Ceding commissions to be paid to the insurer by the reinsurer;

4. Expected reinsurance recoveries; and

5. Other relevant information specifically relating to cost such as a retrospective profit sharing agreement between the insurer and the reinsurer.

(13) Each insurer shall include in its rate filings:

(a) A separate exhibit listing that portion of the final rates/premium allocated to conflagration, hurricane, or other catastrophe hazards.

(b) An estimate of the total dollar amount allocated to such conflagration, hurricane, or other catastrophe hazards for the 12 month period beginning with the effective date of the applicable filing.

(c) A rate filing for residential property insurance shall be separated into 2 components, rates for:

1. Hurricane coverage; and

2. All other coverages.

(14) The use of contingent commissions as supporting data for rate changes is prohibited unless:

(a) There is a contractual arrangement between the insurer and its agents concerning the payment of contingent commissions; and

(b) The insurer demonstrates that it is not paying contingent commissions from profits higher than anticipated in its filings.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 627.062, 624.604, 624.605 FS. History--New 10-2-96, Amended \_\_\_\_\_.

4-170.015 Forms.

The following forms are hereby adopted and incorporated by reference:

(1)(a) DI4-582, "Universal Standardized Data Letter," (Rev. 02/02).

(b) Form DI4-583, "Florida Expense Supplement Calculation of Company Loss Cost Multiplier," (Rev. 6/96).

(c) Form DI4-595, "Florida Expense Supplement for Independent Rate Filings," (Rev. 6/96).

(d) Form DI4-1102, "Florida Homeowners Rating Examples/Annual Rates," (Rev. 6/96).

(e) Form DI4-1103, "Florida - Statewide Rate Level Effect/Homeowners," with its instructions, (Rev. 6/96).

(f) Form DI4-1104, "Florida - Rate Level Effect by Type by Territory/ Homeowners," with its instructions, (Rev. 6/96);

(g) Form DI4-1193, "Florida Dwelling Rating Examples/Annual Rates," (Rev. 6/96);

(h) Form DI4-1194, "Florida - Statewide Rate Level Effect/Dwelling," with its instructions, (Rev. 6/96);

(i) Form DI4-1195, "Florida - Rate Level Effect by Type by Territory/Dwellings," with its instructions, (Rev. 6/96);

(2) All Office of Insurance Regulation forms may be obtained from:

(a) The Department's web site located at <https://www.fldfs.com>; or

(b) The Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0330, (850)413-3146.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0645 FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Kerns, Chief, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 13, 2002

**DEPARTMENT OF INSURANCE**

RULE TITLE: Motor Vehicle Insurance Ratemaking and Rate Filing Procedures  
 RULE NO.: 4-175.003

PURPOSE, EFFECT AND SUMMARY: To require electronic filing of motor vehicle insurance rate filings after July 1, 2003, and to adopt updated forms.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 624.308(1) FS.

LAW IMPLEMENTED: 624.307(1), 624.424, 627.062, 627.0651 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: 10:00 a.m., April 22, 2003

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

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 the person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation, 200 East Gaines Street, Tallahassee, Florida 32399-0330, (850)413-3820

THE FULL TEXT OF THE PROPOSED RULE IS:

4-175.003 Motor Vehicle Insurance Ratemaking and Rate Filing Procedures.

(1) This rule shall apply to all motor vehicle insurance rates filed pursuant to Sections 627.062 and 627.0651, F.S. Florida Statutes, except for provisions which are specifically limited to private passenger motor vehicle insurance rates.

(2) Motor Vehicle Insurance Rate Filing Submittal Requirements.

(a) Complete rate, rule, rate/rule and underwriting guidelines shall be submitted with the following:

1. Form DI4-582, "Universal Standardized Data Letter", as adopted in Rule 4-170.015, F.A.C.;

2. Cover letter; and

3. Explanatory memorandum.

(b)1. Each insurer writing motor vehicle insurance in Florida shall file electronically with the Office such information as required by the Office.

2. Private passenger motor vehicle insurers may electronically submit their rating data by completing their filing on-line through the Office's Internet Filing System (IFS) and the Rate Collection System (RCS) at <https://www.iportal.fldfs.com> or by utilizing the Automobile Rate Collection System (ARCS) software provided to insurers by the Office on its web site.

(c) All filings sent by U.S. Postal Service shall be addressed to: Property and Casualty Forms and Rates, Post Office Box 7700, Tallahassee, FL 32314-7700.

(d) For delivery other than U.S. Postal Service or hand delivery, filings shall be addressed to: Bureau of Property and Casualty Forms and Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330.

(e) Subsequent to July 1, 2003, all filings shall be submitted electronically to <https://www.iportal.fldfs.com> or by computer diskette meeting the compatibility requirements mandated by Section 624.424(1)(c), F.S. Deadlines for filing will not be extended due to shipping delays, format incompatibility, data corruption, or any other impediment which results from an election to file by diskette.

(f) All filings shall be separated by line of business in accordance with Rule 4-170.006, F.A.C.

(g) All manual pages shall be formatted in compliance with subsection 4-170.006(3), F.A.C.

(h) All filings shall identify by program the percentage of policies written on a six month and annual policy term.

(a) The procedures in this rule supersede any other procedures relating to filing procedures and actuarial memoranda. Each insurer writing private passenger automobile insurance in Florida shall file electronically with the Department such information as required by the Department by using the computer software provided to insurers by the Department. Any other information required by the Department that is not included in the computer software shall be provided by the insurer as set forth in this rule. All material submitted shall be legible. A filing which is illegible, incomplete, or not properly formatted will be returned unprocessed. All filings that require rate level indications shall:

1. Include a summary letter and explanatory memorandum;

2. Include a properly completed Form DI4-582 (Page 1), "Florida Department of Insurance/Property and Casualty/Rates & Forms Filing Transmittal," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.;

3. Include a properly completed Form DI4-582 (Page 2), "Florida Department of Insurance/Property and Casualty Lines (excluding Workers' Compensation) Rate, Rule, or Form Filings," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.;

4. Include a properly completed Form DI4-582 (Page 3), "Florida Department of Insurance/Property and Casualty Lines (excluding Workers' Compensation) Rate, Rule, or Form Filings - Homeowners and Mobile Homeowners Rates," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.;

5. Be addressed through the U.S. postal service to: Property and Casualty Forms & Rates, Post Office Box 7700, Tallahassee, FL 32314-7700. For delivery other than the U.S. postal service or hand delivery to: Bureau of Property and Casualty Forms & Rates, Room 233-A, Larson Building, 200 East Gaines Street, Tallahassee, FL 32399-0330;

6. Be separated by line of business in accordance with Rule 4-170.006; and

7. Include a stamped self-addressed envelope large enough to return one set of manual pages. All manual pages shall be formatted in compliance with Rule 4-170.006(3).

(i)(b) Any submission which is not completed according to the above referenced instructions or is missing any of the properly completed forms, incorporated herein by reference, with supporting documentation shall not constitute a filing pursuant to Section 627.0651, F.S., and shall be returned to the insurer as "incomplete" with an explanatory memorandum.

(3) Group Filings. Insurers may submit a filing on behalf of any combination of insurers within the insurers' group provided the information submitted in the filing is identical for every insurer identified in the filing. Companies shall submit only three copies of a group filing, provided the information for each company is identical. Three copies of each filing for each company in the group are not required when the information is identical.

(4) The submission of data outlined on the motor vehicle rate/rule checklists Forms DI4-582 (pages 3-15) does not preclude the Office Department from requiring additional information or further explanation of data. The insurer shall submit the required additional information or further explanation of data by a date certain stated in the clarification letter, to allow the Office Department sufficient time to perform a proper review. Failure to correct the deficiencies by the date certain in the clarification letter will result in disapproval of the filing by the Office Department. All forms, including a WordPerfect for Windows 5.2 copy, may be obtained from the Bureau of Property and Casualty Forms & Rates, Division of Insurer Services, Department of Insurance, Larson Building, Tallahassee, FL 32399-0330, (904)922-3146.

(5) No change.

(6) If the filing adopts a rating organization's prospective loss costs, the filing shall include Form DI4-583 (pages 1 and 2), "Florida Expense Supplement Calculation of Company Loss Cost Multiplier," (Rev. 6/96) as incorporated in 4-170.013(3)(a)1.

(7) through (9) renumbered (6) through (8) No change.

(9)(10) The following forms, which are hereby adopted and incorporated by reference, are included in the private passenger rate filing software provided by the Office Department:

(a) Form DI4-575, "Florida Private Passenger Auto Rating Examples/Annual Rates," (Rev. 2/91);

(b) Form DI4-576, "Florida - Statewide Rate Level Effect/Voluntary Private Passenger Auto," with its instructions, (Rev. 2/91);

(c) Form DI4-577, "Florida - Rate Level Effect by Coverage by Territory/Voluntary Private Passenger Auto," with its instructions, (Rev. 2/91); and



(d) Form DI4-578, "Florida – Rate Level Effect for All Coverages by Territory/Voluntary Private Passenger Auto," with its instructions, (Rev. 2/91), ~~all of which are hereby adopted and incorporated by reference. Copies of the rate filing software may be obtained by writing to the Bureau of Property and Casualty Forms and Rates, Room 238, 200 East Gaines Street, Tallahassee, FL 32399-0326, or by calling (850)413-3820. This software may be reproduced at will.~~

(10) All Office of Insurance Regulation Forms may be obtained from:

(a) The Department's Web site located at [www.fldfs.com](http://www.fldfs.com);

or

(b) The Bureau of Property and Casualty Forms and Rates, Division of Insurer Services, Office of Insurance Regulation, Larson Building, Tallahassee, FL 32399-0330, (850)413-3146.

(11) No change.

Specific Authority 624.308(1) FS. Law Implemented 624.307(1), 624.424, 627.062, 627.0651 FS. History—New 11-29-89, Amended 6-9-91, Formerly 4-57.003, Amended 11-2-92, 10-2-96, 3-31-98, 1-25-99, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Greg Jenkins, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Kerns, Chief, Bureau of Property and Casualty Forms and Rates, Office of Insurance Regulation

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 10, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 13, 2002

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Manufactured Buildings	9B-1
RULE TITLES:	RULE NOS.:
Definitions	9B-1.002
Administration and Department Responsibilities	9B-1.003
Adoption of Model Codes	9B-1.004
Enforcement Authority	9B-1.0055
Certification of Third Party Agencies	9B-1.006
Manufacturer Certification	9B-1.007
Inspections	9B-1.0085
Design Plan and Systems Approval	9B-1.009
Component System	9B-1.0095
Alterations and Relocation	9B-1.011
Department Insignia	9B-1.016
Insignia Application and Issuance	9B-1.017
Change in Manufacturer's Status	9B-1.0211
Factory-built Schools, Plan Review	9B-1.027
Factory-built Schools, Inspections and Work Progress Reports	9B-1.028

PURPOSE, EFFECT AND SUMMARY: These rule amendments primarily account for the implementation of the Florida Building Code, effective March 1, 2002, which incorporated several provisions from the rule chapter. The duplicated provisions are eliminated from Rule Chapter 9B-1, Fla. Admin. Code. The amendments also emphasize that the third-party agencies act as agents of the State of Florida subject to the provisions of Chapter 120, F.S., by addition of a cross-reference to the statute.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 320.01(2)(a), 553.37, 553.37(1),(2), 553.38, 553.38(1), 553.381, 553.415, 553.72, 553.72(2) FS.

LAW IMPLEMENTED: 553.36, 553.37, 553.37(1)-(5),(8), 553.38, 553.38(1), 553.381, 553.32(1), 553.381(2), 553.415 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: 9:30 a.m., May 14, 2003

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819-8114

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Mo Madani, Manager, Codes and Standards, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-9771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Mo Madani, Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-1.002 Definitions.

For the purpose of this chapter, the following words, unless the context does not permit, shall have the meanings indicated:

(1) through (9) No change.

(10) Labeled – Shall be as defined in Chapter 2 of the Florida Building Code. Equipment bearing an inspection label of an approved testing or listing agency.

(11) through (21) No change.

(22) Residential Building – Any structure in which sleeping accommodations are provided which is not classified as an Institutional Occupancy as defined in the Florida Building Code Standard Building Code, including but not limited to, dwellings, multiple-family dwellings, hotels, motels, dormitories and lodging houses.

(23) through (24) No change.

~~(25) Factory-built School – Any building designed or intended for use as a school building which is manufactured in whole or in part at an off site facility, including prefabricated educational facilities, factory-built educational facilities and modular built educational facilities that are designed to be portable, relocatable, demountable, or reconstructible, are used primarily as classrooms or the components of an entire school and do not fall under the provisions of ss. 320.822-862, F.S.~~

~~(25)(26) No change.~~

Specific Authority 553.37(1), 553.415 FS. Law Implemented 553.36, 553.415 FS. History–New 1-17-72, Amended 2-23-75, 12-8-75, 3-1-80, 9-29-82, Formerly 9B-1.02, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01,\_\_\_\_\_.

9B-1.003 Administration and Department Responsibilities.

- (1) Forms – The following forms are hereby adopted by reference for use in administering this part. FMBP 1-00 Manufacturer Application for State Approval – 1 page
  - FMBP 2-00 Agency Application for State Approval – 1 page
  - ~~FMBP 3-00 Manufacturer’s Renewal Application – 1 page~~
  - ~~FMBP 4-00 Agency Renewal Application – 1 page~~
  - ~~FMBP 5-00 In-Plant Inspection Report – 1 page~~
  - ~~FMBP 6-00 Insignia Request Form – 1 page~~
  - ~~FMBP 7-00 Component System Insignia Request Form – 1 page~~
  - ~~FMBP 8-00 Insignia Acknowledgment and Inspection Information – 1 page~~
  - ~~FMBP 9-00 Reinsignia Request – 1 page~~
  - ~~FMBP 10-00 Manufacturer Performance Monitoring Checklist – 4 pages~~
  - ~~FMBP 11-00 Agency Performance Monitoring Checklist – 1 page~~
  - ~~FMBP 12-00 Manufactured Building Permit Information – 1 page~~
  - ~~FMBP 13-00 Invoice – 1 page~~
  - FMBP PS-1-00 Application for School Boards
  - FMBP PS-5-00 Work Performance Report
  - ~~FMBP PS-7-00 Insignia Request Form for Factory Built Schools~~
- Form: Insignia Disposition Report.

(2) Certification – The Department shall certify manufacturers and third party agencies in accordance with this rule chapter. Certifications shall be for a period of three years from the date of initial certification which shall be measured on a yearly cycle running from July 1 through June 30. The expiration date of the certification shall be measured from July

~~1 of the year that application is made.~~ All certifications, licenses and approvals granted by the Department pursuant to Rule Chapter 9B-1, F.A.C., are subject to revocation for failure to adhere to Rule Chapter 9B-1, F.A.C., the codes and standards adopted herein, or Chapter 553, F.S. Proceedings against certifications, insignia and approvals shall be in accordance with Section 120.60, F.S.

(3) No change.

(4) Testing and Evaluations of Products – Shall be in accordance with the Florida Building Code and Chapter 9B-72, F.A.C. ~~A recognized testing organization must comply with the ISO/IEC Guide 25:990 General Requirements for the Competency of Calibration and Testing Agencies; ISO/IEC Guide 38:1983 Acceptance of Testing Agencies; 40:1983 ISO/IEC Guide for the Acceptance of Certification Bodies.~~

Specific Authority 553.37(1),(2) FS. Law Implemented 553.37(1),(2), 553.81 FS. History–New 1-17-72, Amended 2-23-75, 3-1-80, 11-1-84, Formerly 9B-1.03, Amended 1-1-87, 1-1-89, 3-1-92, 3-1-95, 9-7-00, 9-13-01,\_\_\_\_\_.

9B-1.004 Adoption of Model Codes.

(1) Building Code – The design and fabrication of manufactured buildings and components shall comply with the ~~technical~~ requirements of the Florida Building Code as defined in Rule 9B-3.047, F.A.C., and adopted herein by reference Standard Building Code, referenced in Rule 9B-3.047, F.A.C., including Appendix M except that Chapters 1 and 32 shall be deleted.

(2) Florida Fire Prevention Code Life Safety Code (NFPA 404) – Buildings designed and manufactured by these rules shall conform to the requirements of the Florida Fire Prevention Code Life Safety Code, referenced in ss. 633.022 and 633.025, F.S.

~~(3) Electrical Code – The design, fabrication and installation of electrical systems and equipment in or on manufactured buildings shall comply with the requirements of Chapter 553, Part II, F.S.~~

~~(4) Gas Code – The design, fabrication and installation of gas piping systems and equipment in or on manufactured buildings shall comply with the requirements of the Standard Gas Code, referenced in Rule 9B-3.047, F.A.C., except as follows:~~

- ~~(a) Chapter 1 shall be deleted.~~
- ~~(b) See paragraph (5) below.~~

~~(5) Plumbing Code – The design, fabrication and installation of plumbing systems and equipment, in or on manufactured buildings shall comply with the requirements of the Standard Plumbing Code, referenced in Rule 9B-3.047, F.A.C., except as follows: Chapter 1 shall be deleted.~~

~~(6) Mechanical Code – The design, fabrication and installation of mechanical systems and equipment, in or on manufactured buildings shall comply with the requirements of the Standard Mechanical Code, referenced in Rule 9B-3.047, F.A.C., except as follows: Chapter 1 shall be deleted.~~

~~(7) Liquefied Petroleum Gas~~—The design, fabrication, and installation of gas piping systems and equipment for Liquefied Petroleum Gas in or on all manufactured buildings shall comply with the requirements of Chapter 527, F.S., (NFPA 54).

~~(8) Model Codes~~—All of the standard codes listed in the above paragraphs are those published by the Southern Building Code Congress International, Inc.

~~(9) Energy Code~~—The thermal performance of manufactured buildings shall comply with the Florida Energy Efficiency Code for Building Construction referenced in Chapter 9B-13, F.A.C.

~~(10) Accessibility Standards~~—Manufactured buildings shall comply with Chapter 553, Part V, F.S.

~~(11) Glass Standard~~—The design and installation of glass in or on a manufactured building must comply with the Standard Building Code referenced in Rule 9B-3.047, F.A.C., and Chapter 553, Part III, F.S.

~~(3)(12)~~ No change.

~~(4)(13)~~ A copy of each of the above referenced Florida Building Code codes has been filed with the Secretary of State. The Florida Building Code is Such codes are also available for reference and inspection at the Department of Community Affairs, Manufactured Buildings Program.

~~(5)(14)~~ The above shall not apply to any building exempted pursuant to Section 553.73, Part IV, F.S.

~~(6)(15)~~ Notwithstanding the above, the service connections and foundations prepared at the installation site shall be regulated by the local building official according to the Florida Building Code standards adopted by that local government or state department having jurisdiction over building installation.

~~(7)(16)~~ Notwithstanding the foregoing provisions of this section, factory-built schools shall be subject to the following:

(a) Existing Buildings. Factory-built schools utilized as educational facilities prior to July 1, 2001, are hereby designated as existing buildings and shall comply with the requirements of Section 423, Florida Building Code, Chapter 5, State Requirements for Educational Facilities (SREF), 1999 edition, adopted herein by reference, subject to the amendment to Section 235.212(1)(a), F.S., passed in s. 2, Chapter 2001-186, Laws of Florida. A copy of SREF can be obtained from Department of Education, Division of Educational Facilities, 325 West Gaines Street, Room 1054, Tallahassee, Florida 32399-0400.

(b) New Construction. Factory-built schools other than existing buildings shall be manufactured and installed as required by the Florida Building Code, including Section 423, Florida Building Code Chapter 7, State Requirements for Educational Facilities (SREF), 1999 edition, adopted herein by reference. A copy of SREF can be obtained from Department of Education, Division of Educational Facilities, 325 West Gaines Street, Room 1054, Tallahassee, Florida 32399-0400.

~~(17) Manufactured buildings, including factory-built schools, shall be subject to fire safety criteria and enforcement thereof as provided in Chapter 633, F.S., and rules adopted pursuant thereto.~~

Specific Authority 320.01(2)(a), 553.37(1), 553.38(1), 553.415, 553.73(2) FS. Law Implemented 553.37(8), 553.38(1), 553.415 FS. History—New 1-17-72, Amended 6-19-74, 2-23-75, 12-21-76, 3-20-79, 3-1-80, 6-24-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.04, Amended 1-1-87, 1-1-89, 1-1-90, 3-1-92, 3-1-95, 9-13-01, \_\_\_\_\_.

9B-1.0055 Enforcement Authority.

Specific Authority 320.01(2)(a), 553.37(1), 553.38(1), 553.73(2) FS. Law Implemented 553.37(8), 553.38(1) FS. History—New 9-13-01, Repealed \_\_\_\_\_.

9B-1.006 Certification of Third Party Agencies.

(1) through (3) No change.

(4) Duties and Responsibilities – Upon certification, the agency shall be entitled to conduct such plans review and inspection services for which it is qualified pursuant to these rules and shall comply with Chapter 120, F.S., and the following general duties and responsibilities.

(a) through (b) No change.

(c) Upon agency’s approval of plans, satisfactory inspection of a building, or both approval of plans and a building constructed in accordance with those plans, the electronic copies in a readable format on a standard compact disk of the plans as approved plans, the inspection report, or the plans and inspection report shall be transmitted to the Department through the Building Code Information System forwarded to the Department.

(d) No change.

(5) No change.

(6) Renewal – The third party agency shall renew its certification once every three years and update the information provided in its initial application using the Building Code Information System Form FMBP 3-00. The Agency will be notified electronically at least Renewal must be requested no fewer than 60 days and no more than 90 days prior to the expiration date of the manufacturer’s certification. If the Third Party Agency does not complete the renewal information and submit correct fees by the certification expiration date, certification becomes null and void. If application is made for renewal fewer than 60 days prior to the expiration date, but not after the expiration date, a late fee of \$25.00 shall be charged. The Agency must meet the qualifications in effect upon the date of renewal to have its certification renewed.

Specific Authority 553.37(1), 553.38(1) FS. Law Implemented 553.37(8) FS. History—New 1-17-72, Amended 2-23-75, 12-8-75, 11-14-76, 3-23-77, 3-1-80, 9-29-82, 4-21-83, 11-1-84, Formerly 9B-1.06, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, \_\_\_\_\_.

9B-1.007 Manufacturer Certification.

(1) through (3) No change.

(4) Renewal – The manufacturer shall renew its certification once every three years and update the information provided in its initial application using the Building Code Information System Form FMBP 3-00. Manufacturers will be notified electronically at least ~~Renewal must be requested no fewer than 60 days and no more than 90 days prior to the expiration date of the manufacturer’s certification. If manufacturer does not complete the renewal information and submit correct fees by the certification expiration date, certification becomes null and void. If application is made for renewal fewer than 60 days prior to the expiration date, but not after the expiration date, a late fee of \$25.00 shall be charged.~~ The manufacturer must meet the qualifications in effect upon the date of renewal to have its certification renewed.

Specific Authority 553.37(1), 553.38(1), 553.381 FS. Law Implemented 553.37(8), 553.38(1) FS. History–New 1-17-72, Amended 2-23-75, 11-14-76, 3-1-80, 11-4-84, Formerly 9B-1.07, Amended 1-1-87, 1-1-89, 3-1-95, 9-7-00, 9-13-01, \_\_\_\_\_.

9B-1.0085 Inspections.

Specific Authority 553.38 FS. Law Implemented 553.38 FS. History–New 9-13-01, Repealed \_\_\_\_\_.

9B-1.009 Design Plan and Systems Approval.

(1) General. A final design plan approval shall be contingent upon compliance with these rules and the building codes specified in Rule 9B-1.004, F.A.C. The manufacturer shall submit plans for approval by the Third Party Agency. All submittals to the Third Party Agency shall be in triplicate. The Third Party Agency reviewing the plans shall notify a manufacturer of any apparent errors or omissions and request any additional information necessary to evaluate the plans submitted within thirty days of receipt of the plans. The Department shall have the authority to seek revocation of a plan approval by a Third Party Agency if, through monitoring activities, the Department discovers that the plans fail to comply with the standards adopted herein.

(2) Design Plan Submittal Approval Application. ~~Initial application to the Agency for design plan approval shall include:~~

~~(a) Completed application forms.~~

~~(a)(b) Three C~~ompleted sets of design plans and specifications, prepared by an architect or engineer licensed to practice in the State of Florida, except as exempted by Florida law; ~~legible quality control manuals,~~ supporting calculations and any required test results for each system and prototype to be approved. Based on compliance with the codes in Rule 9B-1.004, F.A.C., the Third Party Agency’s plans examiner licensed under Chapter 468, F.S., shall approve or disapprove the manufacturer’s submittal. If the submittal is approved, the individual shall affix a stamp authorized by the Department; on each sheet, ~~the cover of the quality control manual and~~

~~supporting data in manual form.~~ Plans drawn to a scale less than 1/8" to the foot are not acceptable. Plans shall be legible for reproduction purposes.

~~(c) If the plans are for a residential manufactured building, certification from the design professional responsible for the plans that the structure has been designed only for erection or installation on a site built permanent foundation and is not designed to be moved once so erected or installed.~~

(b) If the residential manufactured building is transportable in one or more sections and is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis, the manufacturer shall certify that the manufactured building has been excluded from regulation by the United States Department of Housing and Urban Development.

(3) System Approval. The manufacturer may submit through the Third Party inspection Agency for Department approval a system of construction which may include any or all elements of building systems such as structural, mechanical, plumbing, and electrical elements or components. Such submission shall include all documents and data providing complete information necessary for evaluation of the systems’ performance and capabilities for its intended use.

~~(4) Calculations and Test Procedures.~~

~~(a) Where it is necessary to substantiate any structural design or method of construction, calculations and supporting data, signed by a Florida Licensed Architect or Professional Engineer, where required by law or the department shall be submitted to the Third Party Agency.~~

~~(b) The load-bearing capacity of elements or assemblies shall be determined in accordance with the applicable code. Tests shall be performed by a recognized testing organization that can demonstrate compliance with subsection 9B-1.003(4), F.A.C. Tests shall be directed, witnessed and evaluated by a licensed architect or professional engineer. Test procedures and results shall be reviewed and evaluated by the Third Party Agency.~~

~~(4)(5)~~ A licensed modular plan reviewer shall review each set of documents so submitted, including ~~without limitation~~ the plans, specifications and design calculations, for compliance with the appropriate code and this part and shall utilize a checklist. The plans review and the checklist utilized therewith shall at a minimum contain the following elements:

(a) For commercial buildings:

1. through (b) No change.

~~(5)(6)~~ Plan Approval Expiration – Upon revision of the building codes adopted herein, plan approvals shall expire upon ~~the latter of~~ the effective date of ~~the that~~ revisions ~~or ninety (90) days from adoption of that revision by the Florida Building Commission~~ unless the manufacturer files with the

department a sworn statement by a Third Party Agency that the plans have been reviewed and that they are in compliance with the revisions to the adopted codes.

~~(6)(7) Evidence of Third Party Agency approval. Approved plans and specifications shall be evidenced by a letter certificate from the Agency. Approved copies of the design plans and specifications shall be returned to the manufacturer with an agency approval letter indicating the limitations, if any, of such approval. An approved copy of the plans shall be available at each place of manufacture which shall be made available for inspection and monitoring. Upon approval of the plans, the Third Party Agency shall submit a copy of the plans bearing the approval stamp to the Department together with a list of any limitation of that plan approval and a separate copy of the plans and limitations on compact disk in a readable format. The Third Party Agency shall transmit plans electronically through the Building Code Information System to the Department also remit the plan filing fees established in Rule 9B-1.020, F.A.C.~~

(8) through (9) renumbered (7) through (8) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.38(1) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 1-29-84, 11-1-84, Formerly 9B-1.09, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, \_\_\_\_\_.

9B-1.0095 Component System.

(1) A manufacturer may prefabricate building components such as wall, floor, or roof panels in standardized sections that are closed construction and assembled in buildings construction. These components may be certified under the Florida Manufactured Buildings Program.

(2) through (3) No change.

Specific Authority 553.37, 553.38 FS. Law Implemented 553.37, 553.38 FS. History—New 9-13-01, Amended \_\_\_\_\_.

9B-1.011 Alterations and Relocation.

(1) through (3) No change.

~~(4) Relocation of an existing manufactured building does not constitute an alteration. In order to recertify a used manufactured building that is being relocated and not otherwise altered, the owner must provide the approved inspection agency with a set of the original approved plans for the building and any modification of the building. As built plans shall be acceptable as an alternative to approved plans for factory built schools manufactured prior to July 1, 2001. Once the agency has evaluated the continued compliance of the building with those plans and certifies to the Department that the building is in compliance with the applicable codes, the approved inspection agency shall affix a recertification insignia to the building. If a building complied with the code in effect on the date of the original plan approval, the applicable code as set forth above shall be that which was in effect on the date of the original plan approval. The relocation of a manufactured building does not constitute an alteration.~~

(5) A relocated manufactured building shall comply with wind speed requirements of the new location, using the appropriate wind speed map. If the existing building was manufactured in compliance with the 1997 Standard Building Code (prior to March 1, 2002), the wind speed map of the Standard Building Code shall be applicable. If the existing building was manufactured in compliance with the Florida Building Code (after March 1, 2002), the wind speed map of the Florida Building Code shall be applicable.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(4) FS. History—New 1-17-72, Amended 2-23-75, 3-1-80, 9-29-82, 11-1-84, Formerly 9B-1.11, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, \_\_\_\_\_.

9B-1.016 Department Insignia.

(1) through (11) No change.

(5) Insignias shall be ordered from the Department utilizing insignia request using the BCIS Form FMBP-6-00, FMBP-7-00 or FMBP-PS-7-00. Fees for insignia as provided in Rule 9B-1.020, F.A.C., shall be submitted at the time of the request for insignia. One insignia shall be required for each building.

(6) through (11) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1)-(5), 553.38 FS. History—New 1-17-72, Amended 9-17-73, 2-23-75, 3-1-80, 6-24-80, 9-29-82, 11-1-84, Formerly 9B-1.16, Amended 1-1-87, 3-1-92, 3-1-95, 9-13-01, \_\_\_\_\_.

9B-1.017 Insignia Application and Issuance.

(1) Following the receipt of initial Department approval, the manufacturer shall complete an insignia request for an insignia for each component or system manufactured as required herein. The insignia requests shall be submitted via the Building Code Information System which shall calculate the fees based on application shall be submitted to the Department accompanied by the appropriate insignia fees as required by the fee schedule in these rules and regulations. The insignia request application shall include the plan approval number of each unit for which an insignia is required. Additionally, the manufacturer shall file via the Building Code Information System with the Department an insignia disposition report at least monthly, which indicates the model serial number, insignia number, and initial location of each unit.

(2) Insignias shall be issued to the manufacturer's Third Party inspection Agency, and shall not be affixed to a building until the inspection agency has completed the inspections required in Rule 9B-1.008, F.A.C., and found the building to be in compliance with the requirements of this chapter. If an insignia is for a modified building, after the modifications are completed and the building inspected, the original insignia shall be removed and returned to the Department by the inspection agency and the new insignia affixed.

Specific Authority 553.37(1) FS. Law Implemented 553.37, 553.38 FS. History—New 1-17-72, Amended 9-27-73, 2-23-75, Formerly 9B-1.17, Amended 1-1-87, 3-1-92, 3-1-95, \_\_\_\_\_.

9B-1.0211 Change in Manufacturer’s Status.

(1) through (2) No change.

(3) Change of agency – The following procedure shall be followed when a manufacturer changes the Third Party Agency plan review/inspection agency.

(a) through (4) No change.

Specific Authority 553.37(1) FS. Law Implemented 553.37(1),(4) FS. History–New 9-13-01, Amended.

9B-1.027 Factory-built Schools, Plan Review.

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History–New 9-13-01, Repealed.

9B-1.028 Factory-built Schools, Inspections and Work Progress Reports.

~~(1) Inspectors. The school board or community college (educational entity) which is to utilize the factory-built school shall be responsible for compliance with inspection requirements.~~

~~(2) Existing Buildings. Factory built schools designated as existing buildings shall be inspected to determine compliance with the standards adopted by paragraph 9B 1.004(16)(a), F.A.C. All deficiencies shall be noted in an inspection report provided to the educational entity upon completion of the inspection. Activities performed to rehabilitate a non-compliant building shall be subject to plan review and reinspection. Upon an inspector’s determination that the building complies with the applicable standards, the inspector shall provide to the Department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the Building Code Information System when that system becomes available on the Internet.~~

~~(3) New Construction. All buildings other than existing buildings shall be subject to inspection during the manufacturing process. The educational entity shall ensure that factory inspections are performed periodically and are sufficient to ensure that the building and its systems comply with the applicable standards. The inspector shall require the correction of all deficiencies found during the manufacturing process. Upon an inspector’s determination that the building complies with the applicable standards, the inspector shall provide to the Department the information as required on the data plate for the building and identify the building as satisfactory for use as an educational facility on the Building Code Information System when that system becomes available on the Internet.~~

~~(1)(4) Recurring Inspections. Factory-built schools shall be inspected once each year to determine continued compliance with the applicable standards. Noncompliance shall result in the building being found unsatisfactory. Unsatisfactory findings shall be reported to the Department and identified on the Building Code Information System when that system becomes available on the Internet.~~

~~(2)(5) No change.~~

Specific Authority 553.415 FS. Law Implemented 553.415 FS. History–New 9-13-01, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Collins, Director, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 17, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003

**DEPARTMENT OF COMMUNITY AFFAIRS**

**Florida Building Commission**

RULE CHAPTER TITLE: Florida Building Commission

RULE CHAPTER NO.: 9B-3

Operational Procedures

RULE TITLE: Non-Binding Interpretations of the

Florida Building Code

PURPOSE AND EFFECT: Section 553.77(7), F.S., directs the Florida Building Commission to by rule establish an informal process of rendering nonbinding interpretations of the Florida Building Code. Rule 9B-3.054, F.A.C., will codify the procedures that govern the process for obtaining and rendering nonbinding interpretations of the Florida Building Code. The Building Officials Association of Florida (“BOAF”) is currently performing this service for the Commission under contract. The only impact of the proposed rule to current practice is to increase the amount of time allowed for a response from 14 days to a maximum of thirty days. The Department and BOAF are amending their contract to reflect the rule as proposed.

SUMMARY: Section 553.77(7), F.S., directs the Florida Building Commission to by rule establish an informal process of rendering nonbinding interpretations of the Florida Building Code and authorized implementation of this process prior to rule adoption. The rule codifies the procedures that have been developed to render nonbinding interpretations, and consists of two sections. Subsection 9B-3.054(1), F.A.C., defines terms used in the rule and subsection 9B-3.054(2), F.A.C., outlines the procedures to be followed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COST: None.

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: 553.77(7) FS.

LAW IMPLEMENTED: 553.77(7) 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: 9:35 a.m., May 14, 2003

PLACE: Rosen Plaza Hotel, 9700 International Drive, Orlando, Florida 32819-8114

Any person requiring special accommodations at the workshop because of a disability or physical impairment should contact Mo Madani, Manager, Codes and Standards, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100, (850)487-1824, at least seven days before the date of the workshop. If you are hearing or speech impaired, please contact the Department of Community Affairs using the Florida Dual Party Relay System, which can be reached at 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mo Madani, Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

THE FULL TEXT OF THE PROPOSED RULES IS:

9B-3.054 Non-Binding Interpretations of the Florida Building Code.

(1) Definitions. For purposes of this rule section:

(a) "Code" shall mean the Florida Building Code.

(b) "Commission" shall mean the Florida Building Commission.

(c) "Organization" shall mean the entity that provides the interpretation services as described in Section 553.77(7), F.S.

(2) Procedure.

(a) The Commission shall contract with the Organization to provide a system to issue non-binding interpretations of the Florida Building Code.

(b) Requests for non-binding interpretations of the Code shall be made as directed at the Building Code Information System website.

(c) The Contractor shall review the request and:

1. If the request for informal interpretation is not the correct process, so advise the requestor.

2. If the request for informal interpretation is proper, initiate a review process which solicits comments for development of a response from building code enforcement officials, industry experts, Commission staff, and the State Fire Marshall as necessary.\*

(d) The association shall draft a response that is reviewed and approved by building code enforcement officials duly licensed in this State.

(e) The response shall be sent to the requestor via electronic mail within 30 days. If a response will not be sent to the requestor within 21 days of receipt, the requestor shall be so notified by electronic mail or other means.

(f) Responses shall be posted to the online database maintained by the Organization and shall be accessible from the Building Code Information System website. The responses shall create no legal duty on the part of any individual or the Commission.

\* RFP says vendor shall consult with SBCCI and DCA staff and coordinate with State Fire Marshall.

Specific Authority 553.77(7) FS. Law Implemented 553.77(7) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Mo Madani, Planning Manager, Codes and Standards, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, (850)487-1824

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Shirley Collins, Director, Division of Housing and Community Development, Department of Community Affairs, 2555 Shumard Oak Boulevard, Sadowski Building, Tallahassee, Florida 32399-2100

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

DOCKET NO.: 02-48R

RULE CHAPTER TITLE: Sovereignty Submerged

RULE CHAPTER NO.: 18-21

Lands Management

RULE TITLES: Definitions

Management Policies, Standards, and Criteria

PURPOSE AND EFFECT: The Department of Environmental Protection and the Board of Trustees of the Internal Improvement Trust Fund have determined that springs and spring runs are natural resources of the utmost importance in the State of Florida. Springs contribute substantially to much of Floridians' drinking water. Springs and spring runs are therefore worthy of a high level of protection. The Governor recommended in his 2001 budget that the Department be appropriated \$2.5 million for the protection and restoration of springs. The Secretary of the Department created the Florida Springs Task Force, a group of sixteen representatives from federal, state, and regional agencies, universities, and the private sector, to consider the environmental, social, and economic issues associated with Florida's springs, and to recommend strategies for the protection, enhancement, and restoration of Florida's springs. One such strategy was to

implement rules to more fully protect sovereignty and state-owned springs. The Task Force's recommendations ensure the integrity and purity of these resources for the generations of Floridians to come. Language is being added to Rule 18-21.004, F.A.C., to establish specific management standards and criteria to be used when Board of Trustees staff reviews requests for authorization of activities in and at sovereignty and state-owned springs and spring runs. Definitions are also being added to Rule 18-21.003, F.A.C., to clarify what "spring" and "spring run" mean.

SUMMARY: Standards and criteria are being added to Rule 18-21.004, F.A.C., for issuance of Board of Trustees' authorization, in accordance with Chapter 253, F.S., for activities at sovereignty and state-owned springs. Definitions of "spring" in proposed subsection 18-21.003(53), F.A.C., and "spring run" in proposed subsection 18-21.003(54), F.A.C., provide what those waters are for purposes of this rule. Other definitions are renumbered. Paragraphs 18-21.004(2)(m),(n), F.A.C., are being added to address modification to the natural features of springs and the withdrawal of water from springs. Subsection 18-21.004(6), F.A.C., is being added to state what types of activities are limited or prohibited on springs and spring runs that were recommended by the Springs Task Force. These provisions prevent adding substances to springs and spring runs as well as removing or damaging natural features of springs and spring runs. These rules are prospective only and do not apply to existing authorized facilities, nor do they apply to privately owned springs.

SPECIFIC AUTHORITY: 253.03(7)(a), 253.73 FS.

LAW IMPLEMENTED: 253.03, 253.034, 253.04, 253.041, 253.141, 253.51, 253.61, 253.68, 253.72, 253.74, 253.75, 253.77 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW AND THE DEPARTMENT'S OFFICIAL INTERNET NOTICE SITE AT WWW.DEP.STATE.FL.US UNDER THE LINK TITLED "OFFICIAL NOTICES". IF NO HEARING IS REQUESTED, THE ONLY HEARING THAT WILL BE HELD WILL BE THE ADOPTION HEARING BEFORE THE BOARD OF TRUSTEES, TO BE ANNOUNCED AS STATED ABOVE AT A LATER DATE.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: James A. Stevenson, Office of Environmental Services, 3900 Commonwealth Blvd., M.S. 140, Tallahassee, Florida 32399-3000, (850)245-2784 or SC 205-2784, Fax (850)245-2786 or Suncom 205-2786, e-mail: James.Stevenson@dep.state.fl.us.

THE FULL TEXT OF THE PROPOSED RULES IS:

#### 18-21.003 Definitions.

When used in these rules, the following definitions shall apply unless the context clearly indicates otherwise:

(1) through (52) No change.

(53) "Spring" means a point where ground water emerges onto the earth's surface, including under any surface water of the state. The term "spring" shall include karst windows where ground water is visible from the surface.

(54) "Spring run" means a body of flowing water that originates from a spring or whose primary source of water is from a spring or springs.

(53) through (57) renumbered (55) through (59) No change.

Specific Authority 253.03(7) FS. Law Implemented 253.002, 253.02, 253.03, 253.1121, 253.67, 253.77 FS. History—New 9-26-77, Formerly 16C-12.01, 16Q-17.01, Amended 3-27-82, 8-1-83, 2-25-85, Formerly 16Q-21.03, 16Q-21.003, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 3-20-94, 10-15-98, 8-1-01, 12-11-01, \_\_\_\_\_.

#### 18-21.004 Management Policies, Standards, and Criteria.

The following management policies, standards, and criteria shall be used in determining whether to approve, approve with conditions or modifications, or deny all requests for activities on sovereignty submerged lands.

(1) No change.

(2) Resource Management.

(a) through (l) No change.

(m) The physical modification of a spring shall only be allowed where the board determines that such modification is necessary to restore historic spring contours or flow conditions and where it is determined not to be contrary to the public interest.

(n) The installation of facilities on sovereignty or state-owned submerged land for withdrawal of water from a spring or spring run is prohibited.

(3) through (5) No change.

(6) Standards and Criteria for Activities at Sovereignty and State-Owned Springs and Spring Runs. Entities requesting authorization or qualifying or consent by rule under Rule 18-21.005, F.A.C., to conduct activities in sovereignty or state-owned springs and spring runs shall conform to the following guidelines, design standards, and criteria, to the maximum extent practicable. The provisions of this paragraph shall be applicable to those portions of a spring run bordered by public ownership to the limit of public ownership and those portions of a spring run bordered by private property for a distance not exceed 2,000 feet downstream from a spring.

(a) The deposition of new sand or other fill in or within 100 feet of the spring or spring run to create an artificial beach area is prohibited.



(b) Planting or maintaining any plant species listed in the Florida Exotic Pest Plant Council's "2001 Invasive Plant List," Category I and II, which may be found on the Internet at www.fleppc.org or by writing to the Bureau of Beaches and Wetland Resources, Department of Environmental Protection, 2600 Blair Stone Road, MS 2500, Tallahassee, FL 32399-2400, in or adjacent to a spring or spring run shall be prohibited.

(c) The removal or trampling of upland vegetation by humans or livestock causing erosion, sedimentation, or turbidity is prohibited on slopes draining into the spring and spring run.

(d) The removal or control of aquatic plants from the spring and spring run is prohibited except when authorized under this chapter and conducted in accordance with applicable Part I ch. 369 or Part IV ch. 373, F.S., authorizations.

(e) The entity authorized to conduct activities shall manage operations to avoid or minimize damage to native submerged aquatic plants and other natural or cultural resources in the spring or spring run from activities such as swimming area maintenance, wading, swimming, prop dredging, and anchoring and shall encourage users, such as those who access the area by boat, to do likewise.

(f) The application of fertilizers, pesticides, or other similar products in a manner that degrades water quality or adversely impacts natural resources within the spring or spring run is prohibited.

(g) The installation or modification of wastewater treatment drainfields or similar installations is prohibited on slopes draining into or within 100 yards of the spring or spring run, whichever is farther, except that single family residential on-site wastewater treatment systems shall be installed and operated so as to avoid or minimize impacts to the spring or spring run.

(h) The installation of a ditch or culvert for the direct discharge of stormwater from developed uplands into the spring or spring run shall be prohibited.

Specific Authority 253.03(7)(a), 253.73 FS. Law Implemented 253.03, 253.034, 253.04, 253.041, 253.141, 253.51, 253.61, 253.68, 253.72, 253.74, 253.75, 253.77 FS. History—New 3-27-82, Amended 8-1-83, Formerly 16Q-21.04, 16Q-21.004, Amended 12-25-86, 1-25-87, 3-15-90, 7-21-92, 10-15-98, \_\_\_\_\_

NAME OF PERSON ORIGINATING PROPOSED RULE:  
James A. Stevenson

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Eva Armstrong, Director, Division of State Lands

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 10, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: November 8, 2002

**WATER MANAGEMENT DISTRICTS**

**South Florida Water Management District**

RULE TITLE: Publications Incorporated by Reference  
RULE NO.: 40E-2.091

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to update citations to and modify the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 2002" (CUP BOR) to incorporate a change regarding the Upper East Coast (UEC) basin expiration date.

SUMMARY: Citations to the "Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 2002" are updated to reflect the current revision date of the CUP BOR. The UEC basin irrigation water use permits, for agricultural, golf, landscape, and nursery irrigation projects, are currently scheduled to expire on June 15, 2003. Section 1.7.2 of the CUP BOR is also changed to incorporate and extend the UEC basin expiration date for individual irrigation permits to December 15, 2003, to allow for completion of ongoing Consumptive Use rulemaking initiatives and allow for evaluation of the permit renewal applications under the revised rule.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No formal statement of estimated 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: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.042, 373.0421, 373.219, 373.223, 373.224, 272.229, 373.232, 373.233, 373.236, 373.239 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A PUBLIC HEARING WILL NOTICED IN THE FAW. (IF NOT REQUESTED, A HEARING WILL NOT BE HELD).

The procedure for requesting a hearing is governed by Rule subsection 28-103.004(2), F.A.C., as follows: A request for a public hearing must be in writing and filed with the District Clerk during normal business hours, at the address below, within 21 days of publication of this notice. The request must specify how the requestor would be affected by the proposed rule. Any affected person who fails to timely file a request for hearing waives the right to request a hearing on the proposed rule.

Although Governing Board meetings, hearings and workshops are normally recorded, if a public hearing is requested and held on this proposed rule, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including testimony and evidence upon which any appeal is to be based.

Persons with disabilities or handicaps who need assistance may contact Garrett Wallace, District Clerk, (561)682-6371, at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: For technical issues – Scott Burns (internet: sburns@sfwmd.gov), or Cecile Ross (internet: cross@sfwmd.gov), 1(800)432-2045; For procedural issues – Penelope Bell (internet: pbell@sfwmd.gov), 1(800)432-2045, or (561)682-6320, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680

THE FULL TEXT OF THE PROPOSED RULE IS:

40E-2.091 Publications Incorporated by Reference.

The “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – May 2003 ~~August 2002~~” is hereby published by reference and incorporated into this chapter. A current version of this document is available upon request.

Specific Authority 373.044, 373.113, 373.171 FS. Law Implemented 373.042, 373.0421, 373.219, 373.223, 373.224, 373.229, 373.232, 373.233, 373.236, 373.239 FS. History—New 9-3-81, Formerly 16K-2.035(1), Amended 2-24-85, 11-21-89, 1-4-93, 4-20-94, 11-26-95, 7-11-96, 4-9-97, 12-10-97, 9-10-01, 12-19-01, 8-1-02, \_\_\_\_\_.

(The following represents proposed changes to the document entitled “Basis of Review for Water Use Permit Applications within the South Florida Water Management District – August 2002” incorporated by reference in Rule 40E-2.091, F.A.C.)

The following changes are made to Chapter 1.0

1.7.2 Basin Expiration Dates

The expiration dates for Individual Irrigation Use Class Water Use Permits for projects located within the identified basins are extended as follows:

Upper East Coast	<del>December 15, 2003</del> <u>June 15, 2003</u>
Lower West Coast	June 15, 2004
Lower East Coast	December 15, 2005
Kissimmee	June 15, 2007

In addition, these basin expiration dates will be applied to individual irrigation use class water use permits issued or modified under this rule. For projects crossing multiple basin boundaries, the expiration date for the permit shall be the date associated with the basin containing the majority of the irrigated acreage. The basins are shown in Figure I –1 and contain the Surface Water Use Basins, as described in Rule 40E-21.631, F.A.C., listed below.

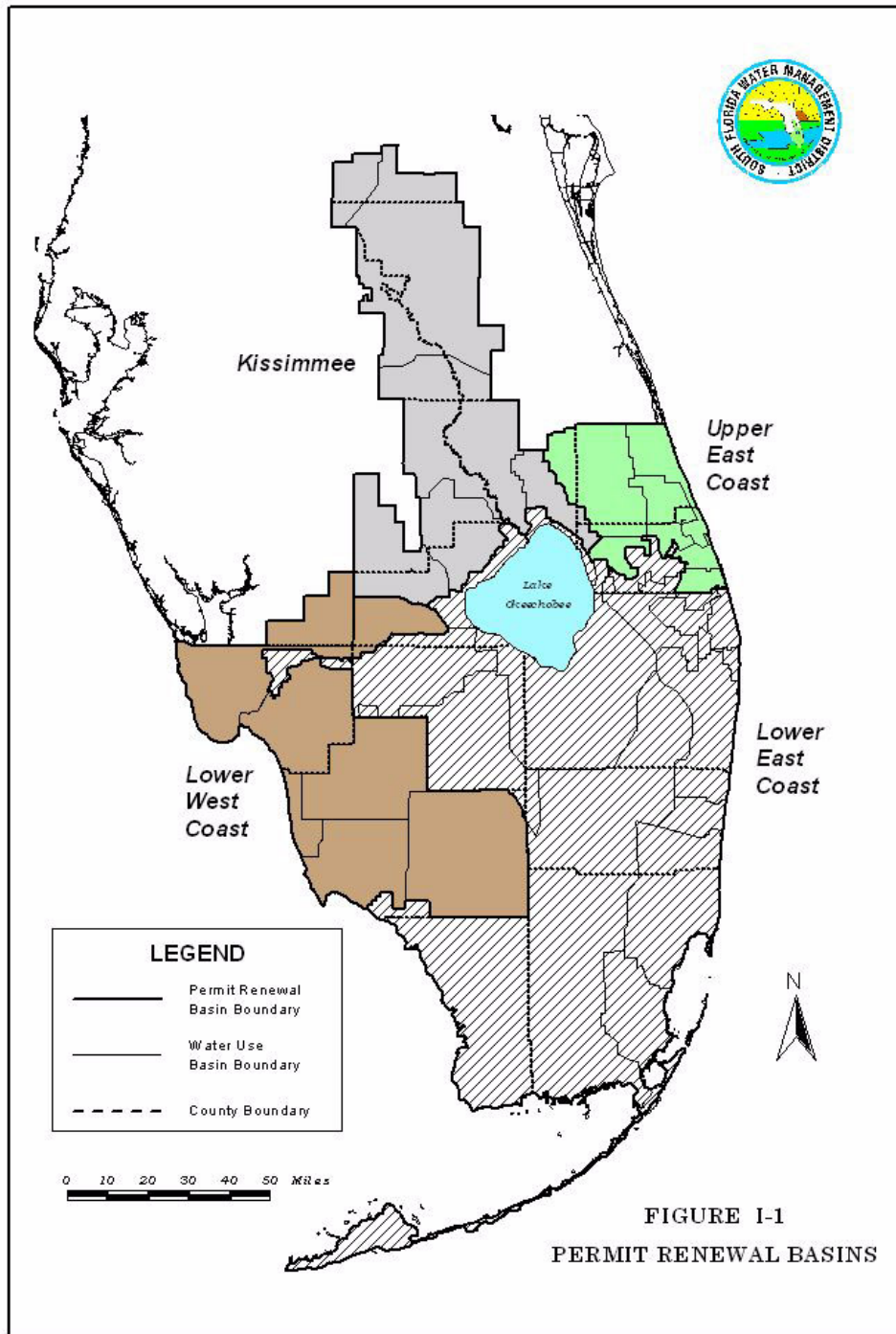
Upper East Coast: Northwest Loxahatchee River, Northwest Martin County, St. Lucie Agricultural Area, West Coastal Martin County, North Coastal Martin County, Stuart Peninsula, South Coastal Martin County, Interior Martin County, Port St. Lucie, and Coastal St. Lucie County.

Lower West Coast: Caloosahatchee River Basin Watershed – North, Caloosahatchee River Basin Watershed – South, Coastal Collier County, Fakahatchee North, Fakahatchee South, and Big Cypress Preserve.

Lower East Coast: South Dade, Water Conservation Areas/Everglades National Park, Water Conservation Area No. 3, Water Conservation Area No. 2, Water Conservation Area No. 1/West Palm Beach Canal, Everglades Agricultural Area, Interior Palm Beach County, M Canal, North Palm Beach County, C-18, Loxahatchee River, St. Lucie River, Lakeshore Perimeter, South Hendry County/L-28 Gap, and Caloosahatchee River.

Kissimmee: Taylor Creek/Nubbin Slough, Kissimmee River Valley, Upper Chain of Lakes, West Chain of Lakes, Indian Prairie, and Fisheating Creek.

Figure I-1 Irrigation Basins.



NAME OF PERSON ORIGINATING PROPOSED RULE: Wm. Scott Burns Director, Water Use Regulation Department
NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Governing Board of the South Florida Water Management District
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2003
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 3, 2001

DEPARTMENT OF MANAGEMENT SERVICES

State Technology Office

RULE TITLE: Requirements for Sworn Invoices
Submitted by or on Behalf of Wireless Service Providers
RULE NO.: 60DD-1.001

PURPOSE AND EFFECT: The Board proposes the new rule to implement Section 365.173(2)(b), Florida Statutes.
SUMMARY: The proposed rule addresses the requirements for sworn invoices submitted by wireless service providers seeking reimbursement for actual costs incurred to provide 911 or E911 service.

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

SPECIFIC AUTHORITY: 365.172(6)(a)12., 365.173(2)(b) FS.

LAW IMPLEMENTED: 365.173(2)(b) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Winston E. Pierce, Chair, State of Florida Wireless 911 Board, 4030 Esplanade Way, Suite 235M, Tallahassee, Florida, 32399-0950

THE FULL TEXT OF THE PROPOSED RULE IS:

60DD-1.001 Requirements for Sworn Invoices Submitted by or on Behalf of Wireless Service Providers.

All wireless service providers seeking reimbursement for actual costs incurred to provide 911 or E911 service pursuant to Section 365.173(2)(b), F.S., shall complete and submit a sworn invoice containing the following:

- (1) The service provider's name and address;
(2) The date of the invoice;
(3) The service period for which reimbursement is sought;

(4) Itemization of non-recurring charges, by county, for which reimbursement is sought, including:

- (a) Description of each item.
(b) Quantity of each item provided.
(c) Unit cost of each item.
(d) Total cost of each item.

(5) Itemization of monthly recurring charges, by county, for which reimbursement is sought, including:

- (a) Description of each item.
(b) Quantity of each item provided.
(c) Unit cost of each item.
(d) Total cost of each item.

(6) Total amount of reimbursement sought in the invoice.
(7) The following certification: "I hereby certify that the foregoing statements are true and correct, and that no material fact has been withheld or concealed from the Wireless 911 Board."

(8) The dated and notarized signature of the person submitting the invoice.

(9) Payment will be made to the order of the provider only.

Specific Authority 365.172(6)(a)12, 365.173(2)(b) FS. Law Implemented 365.173(2)(b) FS. History--New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Wireless 911 Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Wireless 911 Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 31, 2003

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Construction Industry Licensing Board

RULE TITLE: Certification of Glass and Glazing
Specialty Contractors
RULE NO.: 61G4-15.018

PURPOSE AND EFFECT: The Board proposes to create a rule to address the subject of certification of glass and glazing specialty contractors.

SUMMARY: The rule defines a glass and glazing contractor and establishes the qualification procedures for the voluntary certification.

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: 489.113(6), 489.115(5), 455.217(1), 120.53 FS.

LAW IMPLEMENTED: 489.113(6), 489.115(5), 455.217(1), 120.53 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Timothy Vaccaro, Executive Director, Construction Industry Licensing Board, Northwood Centre, 1940 N. Monroe Street, Tallahassee, Florida 32399-1039

THE FULL TEXT OF THE PROPOSED RULE IS:

61G4-15.018 Certification of Glass and Glazing Specialty Contractors.

(1) Scope of Rule. The purpose of this rule is to provide for the voluntary certification of glass and glazing specialty contractors.

(2) Definition. A glass and glazing contractor is a specialty contractor whose scope of work is limited to the installation and attachment of all types of windows and glass, whether fixed or movable; the installation of swinging or sliding glass doors to existing walls, floors, columns or other structural members of the building; the installation of glass holding or supporting mullions or horizontal bars which are attached to existing building walls, floors, columns or other structural members of the building, and the cutting and installation of glass and mirrors. A glass and glazing specialty contractor may also install prefabricated glass, metal or plastic curtain walls or panels, caulking incidental to such work and assembly, and installation of shower and tub enclosures and metal fascias. Nothing in this rule shall be deemed to restrict or limit in any manner the scope of work authorized by law of other contractor classifications.

(3) Certificate Procedures.

(a) Qualifications.

1. Any person who desires to become a certified glass and glazing specialty contractor shall apply to the Construction Industry Licensing Board of the Department of Business and Professional Regulation in writing and on a form provided by the Department.

2. A person shall be certified as a glass and glazing specialty contractor if said person:

a. Is eighteen (18) years of age;

b. Is of good moral character;

c. Meets eligibility requirements according to one of the criteria established in Section 489.111(2)(c), Florida Statutes; and

d. Takes and successfully completes the examination for certification as a glass and glazing specialty contractor.

(b) Other Certification Procedures and Fees. Other certification procedures and fees for certified glass and glazing specialty contractors shall be the same as those provided for the certification of other contractors as defined in Part I, Chapter 489, Florida Statutes. The amount of liability insurance required for glass and glazing specialty contractors shall be as follows: \$100,000.00 public liability insurance and \$25,000.00 property damage insurance. Applicants for certification shall submit competent substantial evidence to the Board demonstrating that the applicant has a net worth of at least \$10,000.00.

Specific Authority 489.113(6), 489.115(5), 455.217(1), 120.53 FS. Law Implemented 489.113(6), 489.115(5), 455.217(1), 120.53 FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Construction Industry Licensing Board

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Construction Industry Licensing Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 13, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 28, 2003

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Veterinary Medicine**

RULE TITLE: Tasks Requiring Immediate Supervision      RULE NO.: 61G18-17.005

PURPOSE AND EFFECT: The Board proposes the rule amendment to address the scope of tasks requiring supervision of veterinary assistants by veterinarians.

SUMMARY: The proposed rule amendment addresses the administration of vaccinations by veterinary assistants which require supervision by veterinarians.

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

SPECIFIC AUTHORITY: 474.203(6), 474.206 FS.

LAW IMPLEMENTED: 474.203(6) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAW FOR THE BOARD'S NEXT MEETING IN JUNE, 2003.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0783

THE FULL TEXT OF THE PROPOSED RULE IS:

61G18-17.005 Tasks Requiring Immediate Supervision.

(1) All tasks which may be delegated to a veterinary aide, nurse, laboratory technician, intern, or other employee of a licensed veterinarian shall be performed only under the "immediate supervision" of a licensed veterinarian as that phrase is defined in subsection 474.202(5), Florida Statutes, with the exception of the following tasks which may be performed without the licensed veterinarian on the premises:

(a) The administration of medication and treatment, excluding vaccinations, as directed by the licensed veterinarian; and

(b) No change.

(2) No change.

(3) The administration of any vaccination by a veterinary aide, nurse, technician, intern or other employee of a licensed veterinarian which is not specifically prohibited by Rule 61G18-17.006, F.A.C., requires "immediate supervision" as that phrase is defined in subsection 474.202(5), Florida Statutes.

Specific Authority 474.203(6), 474.206 FS. Law Implemented 474.203(6) FS. History--New 10-17-85, Formerly 21X-17.05, 21X-17.005, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Veterinary Medicine

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Board of Veterinary Medicine

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 4, 2002

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: January 3, 2003

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: List of Approved Forms; Incorporation

RULE NO.: 64B8-1.007

PURPOSE AND EFFECT: The proposed rule amendment is intended to incorporate a revised application form and the Medical Faculty Certificate form into the rule.

SUMMARY: The proposed rule amendment incorporates a revised application form and the Medical Faculty Certificate form into the rule.

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

SPECIFIC AUTHORITY: 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS.

LAW IMPLEMENTED: 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.312, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Larry G. McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B8-1.007 List of Approved Forms; Incorporation.

The following forms used by the Board in its dealings with the public are listed as follows and are hereby adopted and incorporated by reference, and can be obtained from the Board office by writing to the Board of Medicine, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753, or by telephoning (850)245-4131:

(1) DH-MQA 1000, entitled "Board of Medicine Application For Licensure By Examination and Endorsement (Medical Doctor)," (12/02) (~~12/01~~).

(2) through (19) No change.

(20) DH-MQA 1072, entitled "Application Materials Medical Faculty Certificate," (10/02).

(20) through (24) renumbered (21) through (25) No change.

Specific Authority 120.55(1)(a),(4), 456.013, 456.036(5), 456.048(1), 458.309, 458.311, 458.312(4), 458.313(4), 458.3145, 458.315(2), 458.320(8), 458.321(2), 458.347(13), 458.351(6) FS. Law Implemented 456.013, 456.035, 456.036, 456.048, 456.073, 458.309, 458.311, 458.312, 458.313, 458.3145, 458.315, 458.316, 458.317, 458.319, 458.320, 458.321, 458.345, 458.347, 458.348, 458.351, 465.0276 FS. History--New 4-17-01, Amended 11-10-01, 11-20-01, 3-19-02, 8-13-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Credentials Committee, Board of Medicine

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 7, 2002

DATE NOTICES OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 7, 2003; February 28, 2003

DEPARTMENT OF HEALTH

Board of Pharmacy

RULE TITLE: Standards of Practice – Continuous Quality

RULE NO.: 64B16-27.300

Improvement Program

PURPOSE AND EFFECT: The Board proposes the rule amendments to update the scope of quality-related events to include the administration of prescribed medications.

SUMMARY: The proposed rule expands the definition of prescription error quality-related events to mean the administration of a prescribed medication as well as the dispensing of a prescribed medication.

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

SPECIFIC AUTHORITY: 465.0155 FS.

LAW IMPLEMENTED: 465.0155 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AT THE BOARD'S NEXT MEETING TO BE HELD ON APRIL 16, 2003 IN FT. LAUDERDALE, FLORIDA.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Lucy C. Gee, Acting Executive Director, Board of Pharmacy/MQA, 4052 Bald Cypress Way, Bin #C04, Tallahassee, Florida 32399-3254

THE FULL TEXT OF THE PROPOSED RULE IS:

64B16-27.300 Standards of Practice – Continuous Quality Improvement Program.

(1) No change.

(2) "Quality-Related Event" means the inappropriate dispensing or administration of a prescribed medication including:

(a) A variation from the prescriber's prescription order, including, but not limited to:

- 1. ~~dispensing an~~ incorrect drug;
- 2. ~~dispensing an~~ incorrect drug strength;
- 3. ~~dispensing an~~ incorrect dosage form;
- 4. ~~dispensing the drug to the wrong~~ incorrect patient; or
- 5. ~~providing~~ inadequate or incorrect packaging, labeling, or directions.

(b) No change.

(3) through (5) No change.

Specific Authority 465.0155 FS. Law Implemented 465.0155 FS. History–New 7-15-99, Amended 1-2-02,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Pharmacy

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 5, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 27, 2002

**DEPARTMENT OF HEALTH**

**Division of Environmental Health**

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Food Hygiene	64E-11
RULE TITLES:	RULE NOS.:
Definitions	64E-11.002
Food Supplies	64E-11.003
Food Protection	64E-11.004
Personnel	64E-11.005
Food Equipment and Utensils	64E-11.006
Sanitary Facilities and Controls	64E-11.007
Manager Certification	64E-11.012
Certificates and Fees	64E-11.013
Mobile Food Units	64E-11.014

PURPOSE AND EFFECT: The purpose of the proposed rule change is to incorporate technical and scientific advancements and emerging pathogen barriers that promote the protection of the public from foodborne illnesses. The majority of these changes are indicated in the 1999 edition of the FDA Model Food Code. Additionally, the purpose of the proposed change is to clarify identified standards of the existing rule as requested by the regulated community and regulatory officials.

SUMMARY: The changes will define terms used in statute and rule that have been identified as confusing; incorporate food safety changes and personnel standards to better safeguard the public against foodborne illnesses; clarify equipment methods of approval and uses, and further delineate the fee structure.

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: 381.0072 FS.

LAW IMPLEMENTED: 381.0072 FS.

IF REQUESTED WITHIN 21 DAYS 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: 10:00 a.m., April 15, 2003

PLACE: Division of Environmental Health, Bureau of Facility Programs, 4042 Bald Cypress Way, Conference Room 240 P, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ric Mathis, Bureau of Facility Programs, 4052 Bald Cypress Way, BIN #A08, Tallahassee, Florida 32399-1710, (850)245-4277

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-11.002 Definitions.

(1) through (4) No change.

(4) "Bars and lounges" – A facility which possesses a consumption on premises alcoholic beverage license from the Division of Alcoholic Beverages & Tobacco; where food service is limited to:

(a) The preparation of drinks; ~~or and~~

(b) The service of non-potentially hazardous snack foods (such as, chips, popcorn and pretzels); ~~or and~~

(c) The service of ~~packaged~~ potentially hazardous foods and no preparation of potentially hazardous food occurs (such as sandwiches and ice cream).

(5) "Civic" – Any organization, excluding Division of Blind Services, offering food service to the public; and

(a) Possesses tax exempt status under 501(c)(4); or

(b) Which has a chartered body of citizens, recognized by a municipality, whether for profit or not, that operates primarily to further the common good and general welfare of the people of the community.

(6)~~(5)~~ No change.

(7) "Communitied" – Fish or meat products that are reduced in size and restructured or reformulated such as gefilte fish, gyros, ground beef, and sausage; and a mixture of two or more types of meat that have been reduced in size and combined, such as sausages made from two or more meats.

(6) through (15) renumbered (8) through (17) No change.

(18) "Fraternal" – An organization primarily operating for social, intellectual, educational, charitable, benevolent, moral, fraternal, patriotic, or religious purposes for the benefit of its members, that offers food service to its members or the public at their facility, and possess a charter.

(19)~~(16)~~ No change.

(20) "Guest" – As it relates to churches, synagogues, or other not-for-profit religious organizations, an individual who is not a member of the religious organization; and

(a) Who does not regularly attend non-food service events at the religious organization; and

(b) Whose participation in a food service event is not contingent upon attending non-food service activities of the religious organization; and

(c) Who received food service without cost or donation, excluding bake sales that are limited to non-potentially hazardous baked goods.

(d) This term does not include patrons of a soup kitchen or similar operation.

(17) through (35) renumbered (21) through (39) No change.

(40) "Snack" – A commercially pre-packaged non-potentially hazardous ready-to-eat-food item that is wrapped for individual consumption.

(36) through (38) renumbered (41) through (43) No change.

~~(44)(39)~~ "Temporary food service event" – Any event offering food service on the premises of a food service establishment approved by the department. These events are at a fixed location for a temporary period of time not to exceed any combination of 18 days within a calendar year and in conjunction with a single event or celebration.

(40) through (43) renumbered (45) through (48) No change.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History– New 1-1-77, Amended 1-6-81, Formerly 10D-13.22, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.009, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.022, Amended 3-15-98, \_\_\_\_\_.

64E-11.003 Food Supplies.

(1) through (2) No change.

(3) Frozen desserts and frozen dessert mixes shall not exceed a standard plate count of 50,000 per gram nor a coliform count of 10 per gram. The standard plate count does not apply to cultured products. ~~Samples shall be collected by department personnel as often as necessary to determine compliance with these standards.~~ Frozen dessert mixes reconstituted for use in a food establishment shall be pasteurized before use.

(4) through (7) No change.

(8) Food containers and packaged foods received and stored at food service establishments shall be in a condition which maintains the safety and integrity of the contents.

(9) Food prepared in a private home shall not be used, sold, or offered ~~for sale~~ to the public by a food service establishment or theater.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History– New 1-1-77, Amended 1-6-81, Formerly 10D-13.23, Amended 2-21-91, Retained here and Transferred to 7C-4.010, Amended 6-1-93, 8-28-96, Formerly 10D-13.023, Amended 3-15-98, \_\_\_\_\_.

64E-11.004 Food Protection.

(1) through (5) No change.

(6) ~~Pork and~~ Communitied meat (such as hamburger) products shall be thoroughly cooked to heat all parts of the meat to a minimum temperature of 155 degrees Fahrenheit for at least 15 seconds.

(7) No change.

(8) Raw animal products such as eggs, fish, lamb, pork, or beef, except roast beef, and foods containing these raw ingredients, shall be cooked to an internal temperature of 145 degrees Fahrenheit or above for at least 15 seconds, except that upon request of the consumer, animal products which have not been cooked as above may be offered for consumption. Fresh, frozen, or canned fruits and vegetables that are cooked for hot holding shall be cooked to a minimum temperature of 140 degrees Fahrenheit.

(9) No change.



(10) Microwave Cooking. Raw animal food cooked in a microwave oven shall be:

(a) Rotated or stirred throughout or midway during cooking to compensate for uneven distribution of heat;

(b) Covered to retain surface moisture;

(c) Heated to a temperature of at least 165° F throughout all parts of the food ~~an additional 25° F above the temperature specified in Section 64E-11.004, F.A.C., to compensate for shorter cooking times;~~ and

(d) Allowed to stand covered for 2 minutes after cooking to obtain temperature equilibrium.

(11) No change.

(12) Food shall be prepared with the least possible manual contact, with suitable utensils, and on surfaces that prior to use have been cleaned, rinsed and sanitized to prevent cross contamination. Potentially hazardous foods that have been cooked and then refrigerated shall be reheated rapidly to a minimum of 165 degrees Fahrenheit for 15 seconds or higher throughout all parts of the food, or if reheated in a microwave, shall meet the requirements for microwave cooking in subsection 64E-11.004(10), F.A.C., 190° F for a microwave, before being served or before being placed in a hot food storage equipment facility. ~~Remaining un-sliced portions of roast beef and corned beef that are cooked as specified in (8) shall be reheated for hot holding using the requirements of (8).~~ Ready-to eat food taken from a commercially processed, hermetically sealed container, or from an intact package from a food processing plant, shall be heated to a temperature of a least 140 degree Fahrenheit. ~~Precooked, pre-packaged food from approved sources shall be exempt from this rapid reheating requirement when the food is initially removed from the original package, and prepared for service, and not cooked for hot holding.~~ Steam tables, bainmaries, warmers and similar hot food holding equipment facilities are prohibited for the rapid reheating of potentially hazardous foods.

(13) No change.

(14) Potentially hazardous food, date marking requirements.

(a) Refrigerated, ready-to-eat, potentially hazardous food prepared and held for more than 24 hours in a facility shall be clearly marked with the date of preparation.

(b) Except as specified in paragraph ~~(d)~~(e) of this section, a container of refrigerated, ready-to-eat, potentially hazardous food prepared and packaged by another food service establishment shall be marked to indicate the date, as specified under subsection 64E-11.004(15), F.A.C., by which food shall be sold or served.

(c) When ready to eat, potentially hazardous food specified in paragraph 64E-11.004(14)(a),(b), F.A.C., is to be subsequently frozen, in addition to the date of preparation, the food shall comply with the following:

1. Prior to the food being placed into the freezer, the container must be clearly marked to indicate the date of freezing; and

2. The container must be clearly marked to indicate that the food shall be consumed within 24 hours of thawing; and

3. When the food is removed from the freezer, the container must be clearly marked to indicate the date of thawing.

~~(d)~~(e) Paragraph (b) and (c) of this section does not apply to:

1. Cured meats and aged cheese; and

2. Individual meal portions served or repackaged for sale from a bulk container upon a consumer's request.

(15) Ready-to-eat, potentially hazardous food, disposition.

(a) Refrigerated, ready-to-eat, potentially hazardous food specified in paragraphs 64E-11.004(14)(a) and (c) shall be discarded if not sold or served within 7 ~~40~~ calendar days from the date of preparation, excluding the time that the product is frozen;

(b) An ingredient or a container of refrigerated, ready-to-eat, potentially hazardous food specified in paragraph 64E-11.004(14)~~(a) or (b)~~, F.A.C., shall be discarded if not sold or served within 7 ~~40~~ calendar days after the original package is opened, excluding the time that the product is frozen ~~or by the manufacturer's "sell by" or "use by" date, whichever occurs first.~~

(c) Food specified under subsection 64E-11.004(14), F.A.C., shall:

1. Not be frozen if the food has exceeded the requirements of subsection 64E-11.004(2) or (3), F.A.C.;

2. Not be frozen and subsequently thawed more than once;

3. Be discarded if it is in a container or package that does not bear a date or is inappropriately marked with a date that exceeds the time frame specified in subsection 64E-11.004(15), F.A.C.

(d) A refrigerated, potentially hazardous, ready-to-eat food ingredient or a portion of a refrigerated, potentially hazardous, ready-to-eat food that is subsequently combined with additional ingredients or portions of food shall retain the date marking of the earliest or first-prepared ingredient or portion and shall be discarded as specified under subsection 64E-11.004(15), F.A.C.

(16) All food shall be displayed and served in such a manner as to minimize contamination. To avoid unnecessary manual contact with food, suitable dispensing utensils shall be used by employees or provided to consumers who serve themselves. Clean plates are to be made available to customers for subsequent helpings at buffets or similar type operations. It shall be the responsibility of the manager or a designee to inform customers that clean plates are available for subsequent helpings. During pauses in food preparation or dispensing, food preparation and ~~Between uses during service;~~ dispensing utensils shall be stored:

(a) In the food, including food within containers such as bins of sugar or flour, with the dispensing utensil handle extended out of the food; or

(b) Clean and dry; or

(c) In running water of sufficient velocity to flush particulates to the drain, if used with moist food such as ice cream or mashed potatoes; or

(d) In hot water wells that maintain the temperature of the water at or above 140 degrees Fahrenheit and that are cleaned frequently at scheduled intervals throughout the day.

(e) Ice-dispensing utensils shall be stored on a clean surface or in the ice with the dispensing utensil's handle extended out of the ice. Between uses, ice transfer utensils shall be stored in a way that protects the utensils from contamination.

(18) No change.

(19) Ice obtained from outside the food service establishment shall be from an approved source and shall be handled, transported and stored in a sanitary manner. Ice for consumer use shall be dispensed only with scoops, tongs or other ice-dispensing utensils or through automatic self-service ice-dispensing equipment. Ice storage bins shall be drained through an air gap in accordance with the provisions of the applicable plumbing authority. Ice used for cooling stored food and food containers shall not be used for human consumption, except that such ice may be used for cooling tubes conveying beverages or beverage ingredients to a dispenser head.

(20) through (21) No change.

(22) In the event of an emergency occurrence such as a fire, flood, power outage or similar event that might result in the contamination of food, or that might prevent potentially hazardous food from being held at safe temperatures, 41 degrees Fahrenheit or below and 140 degrees Fahrenheit or above, the person in charge shall immediately notify the department.

Specific Authority 381.0072 FS, Law Implemented 120.542, 381.0072 FS, History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.24, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.011, Amended 6-1-93, 8-28-96, Formerly 10D-13.024, Amended 3-15-98, \_\_\_\_\_.

64E-11.005 Personnel.

(1) No change.

(2) Cleanliness – The outer clothing of all employees shall be clean. Employees shall maintain a high degree of personal cleanliness during all periods of duty. All persons involved with food preparation or food storage, or who come in contact with utensil or other food contact services, shall comply with (a) through (f). Hair nets, head bands, caps or other effective hair restraints shall be worn by all persons engaged in the preparation and service of food to keep hair from food and food contact surfaces.

(a) Hairnets, headbands, caps or other effective hair restraints shall be worn to keep hair from food and food-contact surfaces.

(b) Keep their fingernails trimmed, filed, and maintained so the edges and surfaces are cleanable and not rough. Fingernails exceeding one-eighth inch beyond the nail bed shall not be considered trimmed and must comply with paragraph (c) of this subsection.

(c) Not wear fingernail polish or artificial fingernails when working with exposed food or unwrapped utensils unless wearing intact gloves in good repair.

(d) Except as specified in (f) of this section, shall not eat or drink in food storage and preparation areas, or in areas containing exposed food or unwrapped utensils, or where utensils are cleaned or stored.

(e) Not wear jewelry on their arms and hands while preparing food. This does not apply to a single plain ring such as a wedding band.

(f) Be allowed to drink from a beverage container with a tight fitting lid, if the container is handled to prevent contamination of the employees' hands, the container or unwrapped single-service article; and exposed food, clean equipment, utensils, and linens.

(3) through (4) No change.

(5) Handwashing – Employees shall wash their hands and exposed portions of their arms at designated handwashing facilities at the following times:

(a) After touching bare human body parts other than clean hands and clean, exposed portions of arms;

(b) After using the toilet room;

(c) After caring for or handling support animals as allowed under subsection 64E-11.008(8), F.A.C.;

(d) After coughing, sneezing, using a handkerchief or disposable tissue, using tobacco, eating, or drinking (except as noted in paragraph (2)(f)(a) of this section);

(e) Immediately before engaging in food preparation including working with exposed food, clean equipment and utensils, and unwrapped single-service and single-use articles;

(f) During food preparation, as often as necessary to remove soil and contamination and prevent cross contamination when changing tasks;

(g) When switching between working with raw foods and working with ready-to-eat foods; and

(h) After engaging in other activities that contaminate the hands.

Specific Authority 381.0072 FS, Law Implemented 381.0072 FS, History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.25, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.012, Amended 6-1-93, Formerly 10D-13.025, Amended 3-15-98, \_\_\_\_\_.

64E-11.006 Food Equipment and Utensils.

(1) Equipment and facilities provided – Every food service establishment shall be provided with equipment and utensils so designed, constructed, located, installed, maintained and operated as to permit full compliance with the provisions of this chapter. Equipment that is certified or classified for sanitation in accordance with American National Standards

Institute/National Sanitation Foundation (ANSI/NSF) standards will be deemed to comply with subsection 64E-11.006(2), F.A.C. The following equipment and facilities shall be provided where applicable to the operations conducted:

(a) No change.

(b) Conveniently located sinks with running water, waste disposal units or containers or similar equipment for the washing, trimming and similar preparation of foods. Sinks used for the preparation of food shall not be used for any other purpose.

(c) through (o) No change.

(2) Design and fabrication.

(a) Multi-use equipment and utensils shall be constructed and repaired with safe materials, including finishing materials; shall be corrosion resistant and nonabsorbent; and shall be smooth, easily cleanable and durable under conditions of normal use. Single-service articles shall be made from clean, sanitary, safe materials. Ice buckets, other containers, and scoops, shall be of a smooth, impervious material and designed to facilitate cleaning. Equipment, utensils and single-service articles shall not impart odors, color or taste nor contribute to the contamination of food.

(b) through (r) No change.

(3) No change.

(4) Cleanliness of equipment and utensils.

(a) All tableware, kitchenware and food-contact surfaces of equipment, exclusive of cooking surfaces of equipment and pots and pans that are not used to hold or store food and are used solely for cooking purposes, shall be thoroughly cleaned and sanitized after each use. Food-contact surfaces of grills, griddles and similar cooking devices and the cavities and door seals of microwave ovens shall be cleaned at least once a day; except that this shall not apply to hot oil cooking equipment and hot oil filtering systems. The food-contact surfaces of all cooking equipment shall be kept free of encrusted grease deposits and other accumulated soil. All multi-use utensils and food-contact surfaces of equipment used in the preparation or storage of potentially hazardous food shall be thoroughly cleaned and sanitized prior to each such use. Where equipment and multi-use utensils are used for preparation of potentially hazardous foods on a continuous or production line basis, food-contact surfaces of such equipment and utensils shall be cleaned and sanitized at scheduled intervals throughout the day using a schedule approved by the department, based on food temperature, type of food and amount of food particle accumulation. Non-food-contact surfaces of equipment shall be cleaned at such intervals as necessary to keep them free of dust, dirt, food particles and otherwise in a clean and sanitary condition. After cleaning and until use, all food-contact surfaces of equipment and multi-use utensils shall be stored

and handled in a manner that protects those surfaces from manual contact, splash, dust, dirt, insects and other contaminants.

(5) Methods of washing and sanitizing

(b) through (d) No change.

(a) No change.

(b) No change.

1. through 6. No change.

7. Machines using hot water for sanitizing may be used provided that wash water and pumped rinse water shall be kept clean; and the final rinse cycle achieves a utensil surface temperature of 160-degrees Fahrenheit as measured by an irreversible registering temperature indicator; and water shall be maintained at not less than the temperatures stated in a. through e. below:

a. through f. No change.

(c) through (d) No change.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History—New 1-1-77, Amended 1-6-81, Formerly 10D-13.26, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.013, Amended 6-1-93, 8-28-96, Formerly 10D-13.026, Amended 3-15-98, \_\_\_\_\_

64E-11.007 Sanitary Facilities and Controls.

(1) Water supply – The water supply shall be adequate, of safe sanitary quality and from an approved source in accordance with provisions of Chapters 62-550 and 62-555 of the Florida Administrative Code or Chapter 64E-8, Florida Administrative Code. Hot and cold running water under pressure shall be provided in all areas where food is prepared and where equipment and multi-use utensils are washed.

(a) No change.

(b) Bottled water – Bottled and packaged potable water shall be obtained from a source that complies with the requirements of Chapter 500.147(3) and (4), Florida Statutes ~~SK 8 of the Florida Administrative Code,~~ and shall be handled and stored in a way that protects it from contamination. Bottled and packaged potable water shall be dispensed from the original container.

(c) No change.

~~(d)(2)~~ Ice – Ice making machines shall utilize water from an approved source and shall be constructed, located, installed, operated and maintained so as to prevent contamination of the ice. ~~Ice obtained from outside the food service establishment shall be from a source approved by the department and shall be handled, transported and stored in a sanitary manner. Canvas containers shall not be used unless provided with a sanitary single-service liner so as to completely protect the ice from contamination. Ice buckets, other containers and scoops, shall be of a smooth, impervious material and designed to facilitate cleaning.~~ They shall be kept clean and shall be stored and handled in a sanitary manner.

(3) through (5) renumbered (2) through (4) No change.

~~(5)(6)~~ Handwashing facilities – Each food service establishment shall be provided with adequate, readily accessible, conveniently located lavatories equipped with hot and cold running water, hand cleansing soap or detergent and approved sanitary towels or other approved hand drying devices in accordance with provisions of the applicable plumbing authority or, where no plumbing code has been adopted locally, with Chapter 64E-10 of the Florida Administrative Code. Handwashing facilities shall not be used for any purpose other than handwashing.

(a) through (b) No change.

(c) Lavatories, soap dispensers, hand-drying devices and all other components of the handwashing facilities shall be kept clean and in good repair. Handwashing signs shall be posted at each handwashing facility ~~lavatory location.~~

(d) No change.

(7) through (8) renumbered (6) through (7) No change.

Specific Authority 381.006, 381.0072 FS. Law Implemented 381.006, 381.0072 FS. History–New 1-1-77, Amended 1-6-81, Formerly 10D-13.27, Amended 2-21-91, 5-12-92, Retained here and Transferred to 7C-4.014, Formerly 10D-13.027, Amended 3-15-98, \_\_\_\_\_.

64E-11.012 Manager Certification.

(1)(a) All managers who are responsible for the storage, preparation, display, and serving of foods to the public shall have passed a written certification test approved by the department demonstrating a basic knowledge of food protection practices. Those managers who successfully pass the certification examination shall be issued a certificate which is valid for a period of five years from the date of issuance. All establishments shall designate in writing the food service manager or managers for each location. Establishments that serve highly susceptible populations, or have three ~~four~~ or more employees at one time engaged in the storage, preparation, display, or serving of food shall have at least one certified manager present at all times when said activities are taking place. All other establishments shall have a certified manager or managers responsible for all periods of operation but said manager or managers need not be present at all times. It shall be the responsibility of the certified manager or managers to inform all employees under their supervision and control who engage in the storage, preparation, or serving of food, to do so in accordance with acceptable sanitary practices as described in this chapter. The certified manager or managers shall also maintain a copy of the establishment's most recent regular food service inspection form provided by the department. Employees shall present this inspection form to guests or patrons for their review upon their request.

(b) Managers employed on or after the effective date of this chapter shall have a period of 90 days after the effective date of employment to satisfactorily pass the required test.

(2) No change.

(3) The testing program shall demonstrate testing program compliance with one or more generally recognized measurement standards such as the Standards for Educational and Psychological Testing. Documentation of conformance shall include organization review and program evaluation by qualified psychometricians and shall demonstrate adherence in the areas of administrative independence; fairness; technical standards for test construction and evaluation including validity, reliability and errors in measurement, test development and revision, scaling, norming, score comparability and equating, and test publication; professional standards for test use including employment testing and professional and occupational certification; and related standards for testing linguistic minorities, testing people who have handicap conditions, test administration, scoring and reporting, protecting the rights of test takers and public information. Testing programs that provide documentation to the department of current accreditation by an accrediting organization as defined in the Conference for Food Protection Standards for Accreditation of Food Protection Manager Certification Programs shall be considered as meeting the provision for testing programs of this section, provided that the Testing Program maintains its accreditation.

(4) Once approved, the testing program shall maintain and offer test(s) that comply with the current requirements of this chapter and shall notify and receive approval from the department prior to making any changes to the test. Within 120 days of receiving notification from the department that this chapter has undergone substantial changes, approved testing programs shall revise their certification test(s) to be consistent with the applicable changes and notify the department when such revisions have been completed.

(5) A test offered for compliance with this section shall be invalid when:

(a) It has not been approved by the department; or

(b) It is a previously approved test that has been changed without department approval; or

(c) Any applicable requirement of paragraph (4) of this section is not met.

~~(6)(4)~~ Persons shall be considered certified under these rules when a written examination is a requirement for licensure by the Florida Department of Business and Professional Regulation in a dietary field and when these persons have acquired and maintained the currency of this license. The following establishments are also exempt from the manager certification requirements of this section:

(a) through (b) No change.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History–New 2-21-91, Amended 5-12-92, Retained here and Transferred to 7C-4.023, Amended 6-1-93, 8-28-96, Formerly 10D-13.037, Amended 3-15-98, \_\_\_\_\_.

64E-11.013 Certificates and Fees.

(1) Certificate Required.

(a) All food service establishment certificates shall expire on September 30. Certificates may be issued for a period less than a calendar year so long as they are prorated on a quarterly basis. Certificates shall be posted in a conspicuous location in the establishment on the premises.

(2) Applications and Renewal of Certificates.

(a) Each person who plans to construct, purchase, reopen, or operate a food service establishment shall apply for and receive a certificate from the department prior to the commencement of operation. Applications for certificates shall be made to the department on DOH Form 4086, Application for Sanitation Certificate, 7/98, which is incorporated herein by reference and which can be obtained from the environmental health section of the county health department.

(b) through (c) No change.

(d) Whenever construction plans are disapproved, a certificate is denied, suspended or revoked or the department takes similar action that affects the substantial interests of a food service establishment certificate holder, the department shall notify the certificate holder of their right to request a hearing on the matter. Notification shall be in writing, and it shall indicate that a hearing must be requested within 30 days of the certificate holder's receipt of the notice. The department shall grant or deny a hearing request within 10 days of receipt. All notices and hearings shall conform be conducted in accordance with the provisions of Chapter 120, F.S.

(3) Fees.

(a) No change.

(b) Except for establishments specifically exempted from fees in subsection (4), all food service establishments shall pay an annual or prorated fee to the department according to the following schedule:

Annual Fee per Food Service Establishment;

	Fee	Surcharge	Total
1. Hospital	<del>\$200.00</del>	<del>+ 10.00</del>	210.00
2. Nursing Home	<del>\$200.00</del>	<del>+ 10.00</del>	210.00
3. Detention Facility	<del>\$200.00</del>	<del>+ 10.00</del>	210.00
4. Bar/Lounge	<del>\$150.00</del>	<del>+ 10.00</del>	160.00
5. Fraternal/Civic Organization	<del>\$150.00</del>	<del>+ 10.00</del>	160.00
6. Movie Theater	<del>\$150.00</del>	<del>+ 10.00</del>	160.00
7. School Cafeteria			
a. Operating for 9 months out of a year	<del>\$120.00</del>	<del>+ 10.00</del>	130.00
b. Operating for more than 9 months	<del>\$150.00</del>	<del>+ 10.00</del>	160.00
8. Residential Facility	<del>\$100.00</del>	<del>+ 10.00</del>	110.00
9. Other Food Service	<del>\$150.00</del>	<del>+ 10.00</del>	160.00
10. Child Care Center	<del>\$75.00</del>	<del>+ 10.00</del>	85.00
11. Limited Food Service	<del>\$75.00</del>	<del>+ 10.00</del>	85.00

(c) through (e) No change.

(4) Exemptions. The following limited food service establishments are exempted from the ~~certificate and~~ fee requirements of this section:

(a) Food service establishments that only serve catered meals which have been prepared in an approved food establishment and where no warewashing, and no storage, re-heating, or re-service of the catered food takes place onsite; such as satellite kitchens at schools and other institutions, and similar operations.

(b) Child care facilities and other institutions that serve prepare only snacks or that require individuals in attendance to bring their own meals to the facility, which do not require any food preparation.

Specific Authority 381.0072 FS. Law Implemented 381.0072(2) FS. History--New 2-21-91, Amended 5-12-92, Retained here and Transferred to 7C-4.024, Amended 6-1-93, 11-30-93, 8-28-96, Formerly 10D-13.038, Amended 3-15-98,\_\_\_\_\_.

64E-11.014 Mobile Food Units.

(1) through (6) No change.

(7) Mobile food units which are limited to the sale of non-potentially hazardous food only shall be exempt from:

(a) The requirements of employee hand washing sink, provided that only pre-packaged items are offered; and

(b) A utensil washing sink will not be required when all necessary washing and sanitizing of utensils and equipment are conducted at a designated approved commissary or fixed food establishment. An adequate supply of spare preparation or serving utensils shall be maintained on the unit and used to replace any utensils that become contaminated.

Specific Authority 381.0072 FS. Law Implemented 381.0072 FS. History--New 3-15-98, Amended\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Ric Mathis

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Padraic Juarez, Environmental Administrator, Bureau of Facility Programs

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 15, 2003

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: February 1, 2002; January 24, 2003

**Section III**  
**Notices of Changes, Corrections and**  
**Withdrawals**

**DEPARTMENT OF LEGAL AFFAIRS**

**Division of Victim Services and Criminal Justice Programs**

RULE NO.: 2A-2.002                      RULE TITLE: Claims