

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Approval of Modifications
 RULE NO.: 6E-2.008

PURPOSE AND EFFECT: The Commission proposes development to the rule to clarify the Commission's contingencies for approval of modifications sought by institutions holding an Annual License.

SUBJECT AREA TO BE ADDRESSED: Approval of Modifications.

SPECIFIC AUTHORITY: 1005.33(2) FS.

LAW IMPLEMENTED: 1005.33(2) 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 DEVELOPMENT IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

6E-2.008 Approval of Modifications.

(1) No change.

(a) through (d) No change.

(e) Submission of proposed catalog revisions.

(2) through (6) No change.

Specific Authority 1005.33(2) FS. Law Implemented 1005.33(2) FS. History—Repromulgated 12-5-74, Formerly 6E-4.01(2)(c), Readopted 11-11-75, Amended 5-7-79, 10-13-83, Formerly 6E-2.08, Amended 5-13-87, 11-29-89, 10-19-93, 4-2-96, 4-11-00, 4-2-03, _____.

DEPARTMENT OF EDUCATION

Commission for Independent Education

RULE TITLE: Fees and Expenses
 RULE NO.: 6E-4.001

PURPOSE AND EFFECT: The Commission proposes this rule amendment to impose fees upon extension of licensure.

SUBJECT AREA TO BE ADDRESSED: Fees and Expenses.

SPECIFIC AUTHORITY: 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS.

LAW IMPLEMENTED: 1005.22, 1005.35, 1005.37, 1005.38 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Samuel L. Ferguson, Executive Director, Commission for Independent Education, 2650 Apalachee Parkway, Suite A, Tallahassee, Florida 32301

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

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER TITLE: Airport Licensing, Registration, and Airspace Protection
 RULE CHAPTER NO.: 14-60

RULE TITLES:	RULE NOS.:
Purpose, Definitions, Exemptions, and Designation of Signature Authority	14-60.003
Airport Site Approval	14-60.005
Airport Licenses and Registrations	14-60.006
Airfield Standards for Licensed Airports	14-60.007
Airspace Protection	14-60.009
Forms	14-60.011

PURPOSE AND EFFECT: Rule Chapter 14-60, F.A.C., is being significantly amended. The rule chapter title is revised, individual rules are amended, the six charts are being deleted, and five new tables are being added. The proposed amendment is needed to comply with recent revisions to the Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: Rule Chapter 14-60, F.A.C., is being amended.

SPECIFIC AUTHORITY: 330.29(4), 334.044(2) FS.

LAW IMPLEMENTED: 330.29, 330.30, 330.35, 330.39 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., March 12, 2004

PLACE: Department of Transportation, Haydon Burns Building, The Suwannee Room, Room 250, 605 Suwannee Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: James C. Myers, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

AIRPORT LICENSING, REGISTRATION,
AND AIRSPACE PROTECTION

14-60.003 Purpose, Definitions, Exemptions, and Designation of Signature Authority.

(1) Purpose. The purpose of this rule chapter is to promote safe civil aviation by eliminating hazards; to provide airfield standards for airports; to provide standards for airport marking and lighting sites and categories; to license and register airports, pursuant subject to the licensing and registration requirements of Chapter 330, Florida Statutes; ~~to provide for airport markings;~~ and to promote flight safety by providing for airspace protection, pursuant to the requirements of Chapter 333, Florida Statutes.

(2) Definitions.

(a) The definitions in Section 330.27, Florida Statutes shall apply to this rule chapter.

(b) For purposes of this rule chapter the following additional terms are defined:

1. “Aeronautics” means transportation by aircraft; the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes; the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, restricted landing areas, or other air navigation facilities, and air instruction. ~~“Airport” means any area of land or water, or any manmade object or facility located thereon, which is used, or intended for use, for landing and takeoff of aircraft, and any appurtenant areas which are used, or intended for use, for airport buildings or other airport facilities or rights of way, together with all airport buildings and facilities located thereon.~~

2. “Airport Hazard” means any structure or tree or use of land that would exceed the federal obstruction standards and which obstructs the airspace required for the flight of aircraft in taking off, maneuvering, or landing or is otherwise hazardous to such taking off, maneuvering, or landing of aircraft and for which no person has previously obtained a permit or variance. ~~“Airport (Land)” means a defined area of land, including any buildings and installations, normally used for the takeoff and landing of aircraft.~~

3. “Airport Hazard Area” means any area of land or water upon which an airport hazard might be established if not prevented. ~~“Displaced Threshold” means a threshold that is located at a point on the runway other than at the beginning of the runway. The area behind the displaced threshold is available for the landing rollout or the takeoff of an aircraft.~~

4. “Applicant” means a person submitting an application for private or public airport site approval or public airport license. ~~“Effective Length” means the distance from the normal, relocated, or displaced threshold to the opposite end of the runway.~~

5. “Approach Surface” means an area that surrounds and protects the landing approach area, which is longitudinally centered on the extended runway centerline and extends outward and upward from each end of the runway primary surface. ~~“Emergency Airport” means any landing area so designated by the Department for use under emergency or unusual circumstances.~~

6. “Coefficient of Friction” (“Mu”) means a value that is an indicator of the resistance to motion of two moving objects or surfaces that touch. ~~“FAA” is the Federal Aviation Administration.~~

7. “Displaced Threshold” means a point on the runway beyond the threshold to re-designate the beginning portion of the runway available for landing, although the portion of pavement preceding a displaced threshold may be available for takeoffs in either direction and landings from the opposite direction. ~~A “Heliprot” means a designated landing area used primarily for the operation and basing of rotorcraft.~~

8. “FATO” means the designated “Final Approach and Takeoff” area for helicopter operations. ~~A “Helistop” means a designated landing area used for the operation of rotorcraft where no basing facilities are provided.~~

9. “IFR” means the FAA established “Instrument Flight Rules,” under which aircraft operate when meteorological conditions, ceiling, and/or visibility exist that are below the minimums for flight under visual flight rules, incorporated herein by reference. ~~“Inactive Status” means any category of licensed airport not open to general operations and so noted as a condition in its license.~~

10. “Local Government” means a city or county and shall include political subdivisions as defined in Section 333.01(9), Florida Statutes. ~~“Landplane” means any aircraft that operates strictly on land, from prepared surfaces of prescribed dimensions, as defined herein.~~

11. “Non-precision Instrument Runway” means a runway having an existing or planned instrument approach procedure using air navigation facilities with only horizontal guidance or area type navigation equipment for which a straight-in non-precision instrument approach procedure has been approved. ~~“License Category” refers to one of the following categories of airports: public, private, limited, temporary or emergency.~~

12. “Obstruction” means any existing or proposed manmade object or object of natural growth or terrain that violates federal obstruction standards. ~~“License Type” refers to the specific type of airport being licensed and could also be~~

defined as one of the following: airport (land), heliport, helistop, seaplane base, STOLport, LTAport, vertiport, vertistop, or ultralight flightpark.

13. "Pavement Condition Index" ("PCI") means a value that is an indicator of the integrity and viability of a runway surface with a focus on pavement cracking, swelling, rutting, and depressions. "Limited Airport" means an airport limited exclusively to the specific conditions listed upon the license.

14. "Precision Instrument Runway" means a runway having an existing or planned instrument approach procedure using an Instrument Landing System or a Precision Approach Radar. "LTAport" means a designated area used primarily for launching, docking, tethering and recovering lighter-than-air aircraft.

15. "Primary Surface" or "Runway Safety Area" means a defined surface area that surrounds and protects the landing area; the dimensions of which vary by type of landing area, weight of the landing aircraft, visibility, and the type of landing approach, surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway. This means an airport surface, free of obstructions, of dimensions prescribed in rule section 14-60.007(2), F.A.C., which includes the runway.

16. "Runway Safety Area" means a specified surface surrounding the runway that is prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway. "Private" means an airport used primarily by the licensee but is available for use by others upon specific invitation of the licensee. Aviation services may be provided if authorized by the Department. The amount and type of such aviation services provided are normally a function of local zoning.

17. "Structure" means any object, constructed or installed by humans, including, but without limitation thereof, buildings, towers, smokestacks, utility poles, and overhead transmission lines. "Public" means an airport, publicly or privately owned, which meets minimum safety and service standards and is open for use to the general flying public. Goods and services may be provided to the general public if local zoning is appropriate for such commercial activity.

18. "Threshold" means the beginning of that portion of the runway available for landing. "Relocated Threshold" means a threshold that is located at a point on the runway other than at the beginning of the runway; the area behind which is no longer available for the landing or takeoff of aircraft.

19. "TLOF" means the designated "Touchdown and Liftoff" area for helicopter operations. "Rotorcraft" means a heavier than air aircraft that derives its support in flight principally from lift generated by one or more rotors.

20. "Transition Surface" means a surface area that surrounds and protects the lateral boundaries of the primary and approach surfaces, which extends outward and upward at

right angles to the runway centerline and the extended runway centerline at specified ratios. "Runway" means a strip of land of prescribed dimension, either paved or improved, on which takeoffs and landings are effected, which is centered within the primary surface and may have one or two usable ends.

21. "Traverse Way" means any highway, roadway, waterway, railway, or other public or private surface transitway, that allows for the passage of mobile objects. "Seaplane Base" means a designated area of water of prescribed dimensions used or intended to be used for the takeoff or landing of aircraft where docking, mooring, or ramping facilities are available for use by seaplanes or amphibious aircraft.

22. "Utility Runway" means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less. "Special" is a term which will be used in conjunction with the site approval order or with the license category and type to limit or to authorize activities or services at airports because of aircraft performance, safety, social, economic or other considerations.

23. "VFR" means FAA established "Visual Flight Rules" under which aircraft operate when favorable meteorological conditions, ceiling, or visibility exist that are above the minimums for flight under instrument flight rules, incorporated herein by reference. "STOL (Short takeoff and landing) Aircraft" means an aircraft of special design, but with normal performance characteristics, enabling safe flight from a short field utilizing steep approaches and departures as normal aircraft operating procedures and not requiring unusual or special skills of the pilot in command.

24. "Visual Runway" means a runway intended solely for the operation of aircraft using visual approach procedures, with no planned straight-in instrument approach procedure designation. "STOLport" means a landing area designated exclusively for the use of STOL aircraft, with landing area and approach zone dimensions compatible with aircraft performance characteristics.

25. "Temporary Airport" means an airport, publicly or privately owned, that will be used for a period of 90 days or less with no more than ten operations per day.

26. "Transitional Surface" means those surfaces which extend outward and upward at right angles to the runway centerline, extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces on a public use runway.

27. "Ultralight Flightpark" means an airport designated exclusively for the use of ultralight vehicles.

28. "Usable Width" means the prepared width of a landing area which can be safely used for takeoffs and landings and is centered within the primary surface.

29. "VFR" means Visual Flight Rules.

30. "Vertiport" and "Vertistop" are as defined in the current Federal Aviation Administration Advisory Circular 150/5390-3, (May 31, 1991) Vertiport Design, which is hereby incorporated herein by reference.

(3) ~~The State Aviation Manager is authorized Secretary of Transportation hereby authorizes the District Secretaries and the State Public Transportation Administrator or their designated representative to issue site approval orders and licenses, and to accept registrations, in the name of the Department, site approval orders, the original license and license renewals for those airports subject to the licensing and registration requirements of Section 330.30, Florida Statutes, and to enforce the provisions of Chapter 330 333, Florida Statutes. Additionally, the State Aviation Manager is authorized to issue airspace obstruction permits subject to the requirements of Section 333.025, Florida Statutes, and to enforce the provisions of Chapter 333, Florida Statutes.~~

(4) All Department actions regarding the application for issuance, renewal, amendment, suspension, or revocation of site approval orders, and licenses and registrations shall be in accordance with Chapters 120 and 330, Florida Statutes, and this rule chapter.

Specific Authority 330.29(4)(3), 334.044(2) FS. Law Implemented 330.29, 330.30, 330.35, 333.065 FS. History—New 11-23-72, Amended 11-19-81, 1-8-85, Formerly 14-60.03, Amended 12-26-95, 2-11-97, _____.

14-60.005 Airport Site Approval ~~and General Licensing Requirements.~~

(1) Any proposed new airport requires an airport site approval order issued by the Florida Department of Transportation (Department). Site approval by the Department is required prior to the establishment of an operational airport. Owners or lessees of proposed airports, except temporary airports, shall obtain site approval prior to establishing a proposed airport and an original license prior to operating aircraft to or from the airport. Site approval shall also be required if the license category is changed to a higher use and will be required for renewal of an expired airport license if there are major changed physical or legal conditions or if the license expired more than two years prior to the date renewal is requested.

(2) Renewal of an airport site approval order shall be required by the Department, whenever: An application for site approval and for an original license shall be made jointly in accordance with DOT requirements governing uniform licensing of Florida Airports, which are included in the Airport Site Approval and License Application, DOT Form 725-040-12, Rev. 10/96 The application together with an application fee of \$100.00 shall be filed with the appropriate District Office of the Department of Transportation, in care of the District Public Transportation Manager. Airports owned or operated by a public entity and hospital emergency helistops are exempt from all fees.

(a) The Department considers the airport site approval order to be invalid.

(b) The Department has revoked the airport site approval order.

(c) The license for an existing public airport has expired, without being renewed.

(d) The registration for an existing private airport has expired, without being re-certified.

(3) An application for airport site approval shall be made in the form and manner required by the Department. There are no monetary fees required for this airport site approval service. An applicant must have an option to buy or be the owner or lessee of the proposed airport property, with the following exceptions:

(a) Public Airport. Public airport site approval applicants shall submit a Public Airport Site Approval Application, DOT Form 725-040-12, Rev. 02/04, incorporated by reference under Rule 14-60.011, F.A.C., along with all required supporting documentation, to the following: State Aviation Manager, Florida Department of Transportation, 605 Suwannee Street, M.S. 46, Tallahassee, Florida 32399-0450. Unless required by another government agency a seaplane base applicant need not own or lease the surface landing area or the land area beneath the surface landing area if the area is in the public domain.

(b) Private Airport. Private airport site approval applicants shall complete an interactive internet-based registration application and certify that the information is true and correct to the best of their knowledge, using a Department electronic aviation facility data system. The approach zones need not be owned or leased by the applicant.

(c) Temporary Airport. Temporary, public or private airport site approval applicants, due to the limitations placed on their use for a period of less than 30 days and the restriction to no more than 10 operations per day, and due to a normal short lead-time prior to the necessity for activating flight operations, shall have an expedited site approval process with each proposal evaluated by the Department based upon the application. Applicants for a temporary, public or private airport site approval should contact the Department at the earliest opportunity to present their requirements and request a expedited site proposal review and Department approval or disapproval. An application for site approval by a lessee shall be accompanied by a copy of the lease agreement.

(4) Conditions for Site Approval. The Department shall grant site approval for a proposed airport that complies with all the requirements of Section 333.30, Florida Statutes, subject to any reasonable conditions necessary to protect the public health, safety, or welfare. Whenever seaplane, helicopter, landplane or other type of aircraft operations can be safely carried on from the same property, only one application need be filed, provided the property is owned or leased by the same person. The application shall indicate the multiple nature of the

operation. Where there are intervening owners or lessees of land between the operations, separate applications shall be filed with separate fees.

(5) Public Airport Site Approval. Public airport site approval applications shall be accompanied by the following supporting documentation to allow the Department to make its airport site approval determination and to ensure the applicant's satisfaction of conditions stated in subsection 14-60.005(4), F.A.C., above: The Department is authorized to license sites for temporary airports, pursuant to Section 330.30(2)(c), if the public health, safety, or welfare requires such action. For purposes of this subsection and subsection (6), examples of circumstances that would justify a temporary or "special" license are when unusual circumstances arise that require special air transportation facilities, such as infrequent major sports or recreation events, the need to dust crops in a particular area, or a natural disaster.

(a) Property Rights. Provide a copy of written legal confirmation of ownership, option to buy, or lease agreement for the real property that comprises the site on which the proposed airport would be located. Although adequate safety areas surrounding an airport site are important and a factor in Department's approval determination, the applicant is not required to hold property rights over those real property areas that would constitute runway approach surfaces.

(b) Facility Diagram. Provide a scale drawing showing the size and dimensions of the proposed facility; property rights of way and easements; lighting, power, and telephone poles; location of building(s) on property and surrounding areas; and direction, distance, and height of all structures over 25 feet within 1,000 feet of the site perimeter.

(c) Geodetic Position. Provide a copy of a U.S. Geological Survey quadrangle map or equivalent with the proposed site plotted to the nearest second of latitude and longitude.

(d) Location Map. Provide a copy of a map or sketch, at least 8.5 x 11 inches in size, showing the location of the proposed site, with respect to recognizable landmarks and access roads to the site clearly marked.

(e) Aviation Facilities. Provide a list of names and mailing addresses for adjacent airports, including a sample copy of the letter submitted as proposal notification to these airports, and attach a copy of all airport reply correspondence.

1. For a proposed airport or seaplane landing facility, list all VFR airports and heliports within five nautical miles and all IFR airports within 20 nautical miles.

2. For a proposed heliport, list all VFR airports and heliports within three nautical miles and all IFR airports within 10 nautical miles.

(f) Local Government. Provide a copy of each of the letters of notification, showing the recipient's name and mailing address, that have been submitted to each zoning authority having jurisdiction, for the municipality and county in which the site lies or which is located within five nautical

miles of the proposed airport site. The applicant shall also include a copy of all related correspondence from each city or county authority, including a statement that the proposed airport site is in compliance with local zoning requirements or that such requirements are not applicable.

(g) Adjacent Property. Provide a list of the names and mailing addresses of all real property owners within 1,000 feet of the airport site perimeter, or within 300 feet of the heliport or heliport site perimeter, including a single copy of the letter of notification submitted as notification to these adjacent real property owners, and include a copy of all real property owner correspondence in reply. If this condition has been accomplished by a local government as part of its review and approval process for the airport, provide written confirmation of the fact, in lieu of the above required submittal by the applicant.

(h) Public Notice. Provide a copy of the notice and of the letter, showing the recipient's name and mailing address, requesting publication of notification of the proposed airport site in a newspaper of general circulation in the county in which the proposed airport site is located and counties within five nautical miles of the proposed airport site. If this condition has been accomplished by a local government as part of its review and approval process for the airport, provide written confirmation of the fact, in lieu of the above required submittal by the applicant.

(i) Waste Sites. Provide written confirmation that the runway(s) on the proposed airport would not be located within 5,000 feet of any solid waste management facility for a proposed airport serving only non-turbine aircraft, or within 10,000 feet of any solid waste management facility for a proposed airport serving turbine-driven aircraft.

(j) Air Traffic Pattern. Provide written confirmation, including a graphical depiction, demonstrating that safe air traffic patterns can be established for the proposed airport with all existing and approved airport sites within three miles of the proposed airport site. Provide a copy of written memorandum(s) of understanding or letter(s) of agreement, signed by each respective party, regarding air traffic pattern separation procedures between the parties representing the proposed airport and any existing airport(s) or approved airport site(s) located within three miles of the proposed site.

(k) Safety Factors. Provide written confirmation that the runway and taxiway design criteria and airport design layout of the proposed airport have appropriately taken into account consideration of the manufacturer's performance characteristics for the type(s) of aircraft planned to be operated; the frequency and type(s) of flight operations to be anticipated; planned aviation-related or non-aviation activities on the airport; and any other safety considerations, as necessary, to help ensure the general public health, safety, and welfare of persons located on or near the airport.

(l) Security Factors. Provide written confirmation that the proposed airport site owner or lessee will take appropriate steps to help protect the general public health, safety, and welfare through secure airport operations and that they will develop and implement adequate airport security measures to safeguard airport and aviation-related assets from misappropriation or misuse in order to prevent potential loss or public endangerment.

(m) FAA Approval. Provide a copy of the notification to the FAA regarding the proposed airport site and a copy of the FAA's airspace approval correspondence given in response.

(6) Private Airport Site Approval. Private airport site approval applications, as stated in paragraph 14-60.005(3)(b), F.A.C., above, are subject to the same requirements for approval as stated for public airport site approval applicants in item 14-60.005(5)(a)-(m), above. However, private airport site approval applicants are required only to respond to interactive inquiries on the specified Department private airport website. Private airport applicants are not required to submit a hard copy, written site approval application nor supporting documentation, as required of public airports. However, the Department recommends that all private airport site approval applicants retain for their records all of the original documentation related to the site approval application, in order to be able to respond to any possible future local, state, or federal inquiry. ~~The Department is authorized to license an airport that does not meet all of the minimum standards, pursuant to Section 330.30(2)(c), F.S., if it determines that such exception is justified by unusual circumstances or is in the interest of public convenience and does not endanger the public health, safety, or welfare. Such license shall bear the designation "special" and shall state the conditions to which the license is subject.~~

(7) Department Site Approval Process. ~~The Department process for determining the approval or disapproval of an airport site application will vary by type of airport proposed, as follows: The Department is authorized to license an airport having more than one runway if at least one runway meets the minimum standards of this rule chapter. The operation of aircraft from runways which do not meet minimum standards shall be at the airport and the aircraft operator's risk. The airport license shall designate which runways do not meet the minimum standards.~~

(a) Department Process for Public Airports. The Department shall conduct a review and detailed audit, as necessary, of the submitted airport site approval application and all required supporting documentation for accuracy and completeness. The Department shall notify the applicant of any incomplete application within 30 days of its receipt. The applicant shall have 90 days from the date of the Department notice to provide a complete application. Failure of the applicant to provide a complete application by the conclusion of this period shall result in the Department returning the

application to the applicant without action. Site approval shall be granted for public airports only after the Department determines the conditions of subsection 14-60.005(4), F.A.C., above, are satisfied and only after favorable completion of a physical inspection of the proposed public airport site by Department authorized personnel.

1. Following issuance of the public airport site approval order, the Department shall place an announcement in the *Florida Administrative Weekly*. In order to allow for required administrative processing and publishing lead times, 45 days shall be allowed from the date of issuance until the effective date of the public airport site approval order.

2. From the date of publication of the "Florida Administrative Weekly" containing the public airport site approval order announcement, 21 days shall be allowed for the public to petition the Department for an administrative hearing pursuant to Section 120.57(1), Florida Statutes.

a. If a petition for administrative hearing is not filed, the public airport site approval order shall take effect 45 days after the date of its issuance.

b. If a petition for administrative hearing is filed, the public site approval order shall not take effect 45 days after the date of its issuance, but shall be held in abeyance pending the outcome of the administrative hearing. The Department will provide notification to the applicant stating that a petition has been filed and that the public airport site approval order effective date is pending the outcome of the administrative hearing.

3. Any public airport limited exclusively to the specific, reasonable conditions stated on its site approval order imposed by the Department to protect public health, safety, or welfare, shall be designated a "Limited Airport."

(b) Department Process for Private Airports. The Department shall conduct a review and detailed audit, as necessary, of the private airport site application information, submitted via the specified electronic internet-based website. Incomplete information will preclude the Department from further processing and the applicant will be notified of application deficiencies. Site approval shall be granted for private airports only after the requirements of subsection 14-60.005(4), F.A.C., above, have been met. Physical inspection of the private airport site is not required.

1. The Department shall place an announcement in the *Florida Administrative Weekly* of the issuance of the private airport site approval order.

2. From the date of publication of the *Florida Administrative Weekly* containing the private airport site approval order announcement, 21 days shall be allowed to petition the Department for an administrative hearing pursuant to Chapter 120, Florida Statutes.

a. If a petition for administrative hearing is not filed, the private airport site approval order shall take effect 45 days after the date of its issuance.

b. If a petition for administrative hearing is filed, the private airport site approval order shall not take effect but shall be held in abeyance pending the outcome of the administrative hearing. The Department will provide notification to the applicant stating that a petition has been filed and that the private airport site approval order effective date is pending the outcome of the administrative hearing.

3. Any private airport limited exclusively to the specific, reasonable conditions stated on its site approval order imposed by the Department to protect public health, safety, or welfare, shall be designated a "Limited Airport".

(c) Department Process for Temporary Airports. The Department shall conduct a review and detailed audit, as necessary, of the information submitted by temporary, public or private airport applicants. Site approval shall be granted for temporary airports only after the requirements of subsection 14-60.005(4), F.A.C., above, have been met. Physical inspection of the site is not required. Additionally, due to the short lead time and duration, as well as urgent requirements often related to a temporary airport the Department will not publish announcement for public review and comment regarding its issuance of a temporary airport site approval order. Temporary airport site approval orders shall take effect concurrent with the date of issuance.

(8) Airport Site Approval Order.

(a) Issuance. The Department approval of a proposed public or private airport site shall be documented by issuance of an airport site approval order, which shall remain valid for a period of two years from its effective date and which can be extended for subsequent periods of two years for good cause. Special conditions imposed on the site approval order must be satisfied prior to airport licensing or registration. Prior to receiving site approval, an applicant shall:

1. Demonstrate that the site is adequate for the proposed airport.

2. Demonstrate that the proposed airport, if constructed or established, will conform to minimum standards of safety as defined herein.

3. Include documentation evidencing local zoning approval by the appropriate governmental agency. Where there is no local zoning, a written statement of that fact from the appropriate governmental agency official shall be submitted.

4. Provide the Department a list of all airports and municipalities within 15 nautical miles of the proposed airport and all property owners within 1,000 feet of the proposed airport or within 300 feet, horizontal measurement, of the primary surface of a proposed heliport or helistop.

5. Provide the Department with a copy of FAA airspace determination, if applicable, or, if not applicable, demonstrate that safe air traffic patterns could be worked out for the proposed airport.

6. Demonstrate that the runway(s) on the proposed airport will not be within 5,000 feet of any solid waste management facility, monofill, or sludge land spreading operation for airports serving only non-turbine aircraft, or within 10,000 feet of any aforementioned facilities or operations for airports serving turbine-driven aircraft.

(b) Revocation. The Department shall revoke a site approval order, if it determines: All airport sites must be inspected by a representative of the Department and a written report containing a recommendation shall be filed by the Department.

1. That the site has been abandoned as an airport site. If the inspection shows that the site is feasible and can meet the requirements set forth in Rule 14-60.005(9)(a)1-5, above, the Department shall issue a notice of intent.

a. A notice of intent shall state the name of the applicant; give the location of the airport site by latitude and longitude as well as by section, township and range; and state the type of license applied for and the earliest date a site approval order may be issued.

b. The notice of intent shall be published in a newspaper of general circulation in the county in which the proposed site is located. Additionally, the notice of intent shall be sent by certified mail, return receipt requested, to the County Commission of the county in which the proposed airport is to be located, to all airports and municipalities within 15 nautical miles of the proposed airport and all property owners within 1,000 feet of the proposed airport runway(s) or within 300 feet, horizontal measurement, of the primary surface of a proposed heliport or helistop.

e. Interested persons, in order to request a public meeting, must submit a written request to the Department (addresses specified in the Notice of Intent) within 20 days of such notification. Comments may also be submitted, in writing, during this time.

d. If requested in writing, a public meeting shall be conducted prior to the issuance of a site approval order or change of airport license category to a higher use.

e. If after the public meeting, if one is held, and in full consideration of any comments received, the Department determines that the proposed airport can comply with the standards set forth in subparagraph 14-60.005(9)(a)1-6, and considering the airspace determination from FAA and "area of critical concern" approval from the Florida Department of Environmental Protection (if such approval or determination is applicable), the Department shall issue a site approval order.

f. The site approval order shall state:

(I) The name and mailing address of the applicant;

(II) The location of the proposed airport by geographical coordinates (latitude and longitude); section, township and range; and distance and direction from the nearest community; and

~~(H) Any special conditions which must be met prior to licensing.~~

~~2. That the site has not been developed as an airport within two years of the issuance of the site approval, unless revoked by the Department prior to expiration or development does not comply with conditions of the site approval. A site approval order shall remain in effect for two years from the date of issuance. At the request of the applicant, a current site approval order will be extended for an additional two years for good cause; provided that FAA airspace determination is also extended.~~

~~3. That aircraft have operated on the site prior to airport licensing or registration, except as required for an in-flight emergency. Except in an emergency, aircraft shall not operate to or from an approved site prior to the issuance of an airport license. Aircraft may use an airport site only after construction is complete, the airport is inspected by a Department representative, and an airport license is issued.~~

~~4. That the site is no longer usable for aviation purposes due to physical or legal changes in conditions that were the subject of the approval granted. The Department may revoke a site approval order if it determines, in accordance with Section 330.30(1)(c), F.S.:~~

~~a. That there has been an abandonment of a site as an airport;~~

~~b. That there has been a failure to comply with the conditions of the site approval order;~~

~~c. That a nonemergency aircraft operation has occurred on the site where the site was only approved for emergencies;~~

~~d. That because of a change in physical or legal circumstances, the site is no longer usable for the aviation purposes for which site approval was granted.~~

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 330.30, 333.03(2), 330.39 FS. History—New 10-29-65, Amended 7-13-71, Revised 11-23-72, Amended 7-18-73, 4-18-76, 11-19-81, 1-8-85, Formerly 14-60.05, Amended 12-26-95, 2-11-97, _____.

14-60.006 Airport Licenses and Registrations.

(1) Licensing and Registration Requirement. Except for the exemptions provided in Rule 14-60.003, F.A.C., above, or in event of an in-flight emergency, the owner or lessee of any airport in the state of Florida shall have either an airport license or airport registration prior to the operation of aircraft at the site. Application for a license or registration shall be made on Form 725-040-12, Public Airport Site Approval Application, Rev. 02/04, incorporated by reference under Rule 14-60.011, F.A.C. There are no monetary fees required for airport licensing or registration services. Upon compliance with all conditions enumerated in the site approval order, a satisfactory final inspection by a representative of the Department, and payment of the required license fee, an airport license shall be issued subject to any conditions deemed necessary to protect the public health, safety, or welfare.

(a) Public Airport. Public airports shall be licensed after the site approval is granted by the Department, including completion of the public announcement and physical airport inspection process, if the Department finds the facility to be in compliance with all requirements for the license. The license shall be subject to any conditions that are necessary to protect the public health, safety, or welfare.

(b) Private Airport. Private airports shall be registered after the site approval is granted by the Department, including completion of the public announcement process, if the facility is in compliance with all requirements for registration, including self-certification by the registrant of operational and configuration data necessary to ensure compliance with Chapter 330, Florida Statutes, and this rule chapter.

(c) Temporary Airport. Temporary public or private airports shall be initially licensed or registered, respectively, after the site approval is granted by the Department, if the Department finds that the airport will not endanger the public health, safety, or welfare and the airport meets the temporary airport requirements established by the Department.

(2) Airport Licensing. The following provisions apply to airport licensing: The following categories of state airport licenses in descending order of use and fees are established:

(a) Each airport license shall show its effective date and expiration date, which shall be no later than one year after the effective date of the license. However, the Department upon the written request of the licensee shall adjust the expiration date of a license to provide a maximum license period of 18 months if necessary to facilitate airport inspections, recognize seasonal operations, or improve administrative efficiency.

(b) The airport owner or lessee is responsible for requesting annual renewal of the airport license, coordinating an airport inspection, and correcting any airport deficiencies in sufficient time in advance to preclude license expiration. Written renewal requests shall be submitted to the Airport Inspection and Safety Manager at the address above in paragraph 14-60.005(3)(a), F.A.C., by the public airport owner, lessee, or manager at least 90 days prior to the license expiration date.

(c) The Department or its authorized representative will coordinate with the airport owner, lessee, or manager to establish a date and time for the annual inspection. The airport owner, lessee, manager, or a designated representative of the airport shall be made available to accompany the inspector at the time of the inspection in order to participate in the airport inspection. The Department's authorized representative shall have the authority to conduct an inspection of the airport at any time with or without advance notification to the airport owner, lessee, or manager and with or without being accompanied by the airport owner, lessee, manager, or designated representative.

(d) An airport license shall be renewed following a favorable physical inspection, if the Department finds the facility to be in compliance with all requirements for the license.

(e) Any anticipated change in ownership of the airport shall be reported, in writing, to the Airport Inspection and Safety Manager in the Department at the address in paragraph 14-60.005(3)(a), F.A.C., above, at least 90 days prior to the effective date of change of ownership or as soon as possible in order to initiate the license renewal process in the name of the new owner and to ensure the airport license is not allowed to expire.

(f) All airport licenses issued under this section, together with any conditions attached thereto, shall be posted in a prominent place at the airport, accessible to the public. Any limitations on the use of the airport shall be posted adjacent to or on the license.

(g) The Department shall only license an airport that meets established standards unless the Department determines that an airport's exception to established standards is justified by unusual circumstances or is in the interest of public convenience and does not endanger the public health, safety, or welfare. Such a license shall bear the designation "Special" and shall state the conditions to which the license is granted.

(h) Any licensed airport limited exclusively to the specific, reasonable conditions stated on its airport license, necessary to protect public health, safety, or welfare, shall be designated a "Limited Airport."

License Category	Fee
Public	\$100.00
Private	70.00
Limited	50.00
Temporary	25.00
Emergency	None Required

Each category shall include an airport type according to the following use: airport (land), heliport, helistop, seaplane base, STOLport, LTAport, vertiport, vertistop, and ultralight flightpark.

(3) Airport Registration. The following provisions apply to airport registration: All licensed public use category airports are subject to inspection at any time but shall be inspected at least once during each license period by a representative of the Department.

(a) The expiration date of the current registration period will be clearly identifiable from the state aviation facility data system. The ability to re-certify registered airport data shall be available at all times by electronic submittal, using controlled access, via the Department interactive website.

(b) A private airport registration that has not been re-certified in the 24-month period following the last certification shall expire, unless the Department has adjusted

the registration period for purposes of informing private airport owners of their registration responsibilities or promoting administrative efficiency.

(c) Registration of an airport shall remain valid provided specific contact information and airport data elements, as required by the Department, are periodically re-certified by the airport registrant; including data related to the airport owner/lessee and facility, e.g., owner/lessee name and mailing address, airport name and physical location address, phone, fax, e-mail, and number of runways with length, width, and surface type.

(d) Any registered airport limited exclusively to the specific conditions stated on its airport registration necessary to protect public health, safety, or welfare, shall be designated a "Limited Airport."

(4) Private Airport "Licensing Option." The following provisions are applicable to the option for a private airport to request airport licensing in lieu of airport registration: All public airport licenses shall expire no later than one year after the date on which the license was issued, except that the Department is authorized to adjust the expiration date to provide a maximum license period of eighteen months to facilitate airport inspections, recognize seasonal airport operations, or improve administrative efficiency. If the expiration date is adjusted, the appropriate license fee shall be determined by prorating the annual fee based on the length of the adjusted license period. A temporary license shall expire not later than 90 days from the date of issuance. The expiration date shall be stated on the face of the license. Application for a license shall be made in accordance with Department requirements governing uniform licensing of Florida Airports, which are included in the current Airport License Renewal Application, DOT Form 725-040-13, Rev. 10/96. Upon application, a favorable inspection report indicating compliance with all applicable requirements and conditions, and submittal of the appropriate annual license fee, the Department shall issue the license, subject to any conditions deemed necessary to protect the public health, safety, or welfare.

(a) Any private airport with ten or more based aircraft may request to be licensed by the Department, in lieu of registration.

(b) Private airport owners shall provide written correspondence to the Airport Inspection and Safety Manager of the Department at the address in paragraph 14-60.005(3)(a), F.A.C., above, to request this option.

(c) Any eligible private airport, choosing this option, shall be subject to all of the inspection and licensing procedures contained in this rule chapter that are applicable to all licensed airports.

(d) Department airport licensing standards against which a private airport will be evaluated and will be held accountable in the inspection and airport licensing process shall be the same as those airport standards that are applicable to all licensed airports.

(e) In the case of a proposed new private airport choosing this option for inspection and licensing, the site approval process by the Department shall be in accordance with the procedures contained in this rule chapter for all registered private airports.

(f) Airports licensed according to this exception shall be considered private airports, as defined in Section 330.27, Florida Statutes, in all other respects and shall not be open for public use.

(g) Any private airport having been previously licensed at its request under this option, which is later unable to continue to comply with airport licensing standards or is unable to maintain the required number of based aircraft, shall be reverted by the Department from a licensed airport to the registered airport category.

(g) Any private airport having been previously licensed at its request under this option, which is later unable to continue to comply with airport licensing standards or is unable to maintain the required number of based aircraft shall be reverted by the Department from a licensed airport to registered airport category.

(h) Any private airport having been previously licensed at its request under this option, which subsequently desires to withdraw its prior request to be licensed, shall provide written correspondence to the Airport Inspection and Safety Manager in the Department at the address in paragraph 14-60.005(3)(a), F.A.C., above, to request this private airport be reverted from a licensed airport to the registered airport category.

(5) Temporary Airports. The following provisions apply to temporary, public or private airports: All licensed private, limited, and emergency category airport licenses shall expire no later than five years after the date the license was issued.

(a) A temporary, public or private airport license or registration shall be valid only for less than 30 consecutive calendar days.

(b) A temporary, public or private airport license or registration shall not be renewable for any consecutive periods of activation. Recurring requirements for temporary, public or private airport license or registration for an airport at the same general location will be considered by the Department on a case-by-case basis.

(6) Conditions for Revoking a License or Registration. The Department will revoke or refuse to allow or issue any airport license or license renewal, or any airport registration or re-certification, if the Department determines that any of the following conditions exist or apply: All licensed private, limited, and emergency category airports are subject to

inspection at any time, but shall be inspected at least once during each license period by a representative of the Department.

(a) That the airport registration has not been accomplished within 15 days after the date of expiration.

(b) That the Department has not received an application for renewal of an airport license within 15 days after the date of expiration.

(c) That the site has been abandoned as an airport.

(d) That the airport does not comply with the conditions of the license, license renewal, or site approval.

(e) That the airport has become either unsafe or unusable for flight operations due to the physical or legal changes in conditions that were the subject of approval.

(7) All categories of licensed airports in an inactive status need not be inspected during their inactive status period. However, they shall be inspected to determine if they meet minimum safety standards prior to being cleared to resume normal operations.

(8) Specific conditions will be attached to all private airports, limited airports, and emergency hospital helistops in accordance with the following provisions. Safety considerations and operational procedures will be added as conditions to any aviation facility license to insure the public health, safety, or welfare. Conditions implementing zoning restrictions related to airport operations will also be added as needed to avoid unnecessary disturbance of persons or activities on the ground.

(a) At a minimum, the conditions for a private airport will include:

1. Aircraft operations are limited to use only by the licensee and invited guests. It is the responsibility of each invited pilot(s) to comply with federal flight requirements.

2. Traffic patterns and operational procedures are subject to review by the Department prior to licensing.

(b) At a minimum, the conditions for a limited airport will include:

1. Specific limitation(s) will be listed.

2. Traffic patterns and operational procedures are subject to review by the Department prior to licensing.

(c) At a minimum, the conditions for an emergency hospital helistop will include:

1. Operations are limited to the transfer of patients and medical supplies or flights related to emergency situations.

2. Traffic patterns and operational procedures are subject to review by the Department prior to licensing.

(9) All airport licenses issued under this section, together with any conditions attached thereto, shall be posted in a prominent place at the airport. Any limitations on the use of the airport shall be posted adjacent to the license. In the event there

are no buildings at the airport, the license and any conditions shall be displayed at the office or place of business of the caretaker or manager.

(10) The Department is authorized by Section 330.30(2)(e)2., Florida Statutes, to require a new site approval for an airport if the license of the airport has not been reissued by the expiration date.

(11) If a license renewal application and all required fees have not been received by the Department within 15 days after a previous license expires, the Department is authorized to close the airport.

(12) The Department is authorized to revoke any license or renewal thereof or refuse to issue a license renewal if it determines, in accordance with Section 330.30(2)(f), Florida Statutes, that:

(a) There has been an abandonment of the airport as such;

(b) There has been a failure to comply with the conditions of the license; or

(c) Because of change of physical or legal conditions or circumstances the airport has become either unsafe or unusable for the aeronautical purposes for which the license was issued.

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 330.30 FS. History—New 10-29-65, Amended 7-13-71, Revised 11-23-72, Amended 6-23-76, 11-19-81, 1-8-85, Formerly 14-60.06, Amended 12-26-95, 2-11-97, _____.

14-60.007 Airfield Minimum Airport Standards for Licensed Airports.

Airports fulfilling the requirements of the Federal Aviation Administration (FAA) Federal Aviation Regulations, Part 139, incorporated herein by reference, airport certification program shall be considered to meet the minimum standards for licensed airports shown enumerated below. All airports licensed by the state of Florida, whether public or private, shall comply with the following minimum airfield standards. Federal Aviation Regulations, 14 C.F.R., Section 77.25 (March 1993), are hereby adopted as the standard for the criteria used for public use airport runways.

(1) Minimum Landing Area Dimensions for Licensed Airports. Runway design must take into consideration the manufacturer's performance characteristics for the type(s) of aircraft planned for flight operations, as provided by the airport applicant. Runway length must be compatible with the operational and weight characteristics of the aircraft in use. The final decision to attempt a takeoff or landing on a runway of any particular size is ultimately the responsibility of the pilot, who knows the aircraft's performance capabilities and limitations. However, in order to promote a consistent level of safety throughout the Florida Aviation System, all airports licensed by the state of Florida must comply with the following minimum landing area dimensions, i.e., effective landing area length and minimum landing area width, for the type of landing area shown below: Public airports shall be shown on Departmental aeronautical charts and listed in airport directories. Private and emergency airports may be shown on

Departmental aeronautical charts and listed in Departmental airport directories if they carry the appropriate notation. Limited airports will not be shown on Departmental aeronautical charts, unless they have unique landmark or emergency use value.

(a) Runway. The minimum effective landing area length shall be 2,400 feet and the minimum landing area width shall be 60 feet.

(b) Short Field Runway. The minimum effective landing area length shall be 800 feet and the minimum landing area width shall be 60 feet.

(c) Ultralight. The minimum effective landing area length shall be 300 feet and the minimum landing area width shall be 150 feet.

(d) Seaplane. The minimum effective landing area length shall be 2,500 feet and the minimum landing area width shall be 200 feet. Seaplane landing areas shall have a minimum water depth of three feet.

(e) Helipad. The minimum effective landing area length shall be 24 feet and the minimum landing area width shall be 24 feet.

Landing Area Type	Effective Landing Area Length	Minimum Landing Area Width
Runway	2,400 feet	60 feet
Short Field Runway	800 feet	60 feet
Ultralight	300 feet	150 feet
Seaplane*	2,500 feet	200 feet
Helipad	24 feet	24 feet

*Seaplane landing areas shall have a minimum water depth of three feet.

(2) Landing and Surface Areas for Licensed Airports. Minimum Effective Landing Strip Lengths.

(a) Applicability. The provisions of this section related to licensed airport landing and surface areas are applicable to airport licensing standards and do not apply to airspace obstruction evaluation or permitting provisions in Chapter 333, Florida Statutes, "Airport Zoning," or Rule 14-60.009, Florida Administrative Code, "Airspace Protection." The following minimum effective landing strip lengths and widths are hereby established (also see Charts I, II, III, IV, V, and VI):

EFFECTIVE LENGTH	PRIMARY SURFACE	
	WIDTH	USABLE LANDING WIDTH
PUBLIC 2,000 Feet	250 Feet	60 Feet
PRIVATE 1,800 Feet	100 Feet	50 Feet
LIMITED 1,800 Feet	100 Feet	50 Feet
ULTRALIGHT	See 14-60.007(7)	

EMERGENCY Lengths and widths of emergency airports shall be determined by the Department considering the need for emergency service, the operating characteristics of the aircraft using the site, and the availability of alternative landing sites.

[Editorial Note: Delete Chart I Airport Licensing Minimum Dimensions and Approach Zones]

The primary surface of a public use paved runway is defined as extending 125 feet to both sides of the runway centerline and extending 200 feet beyond the end of each paved runway (Chart I). The primary surface of a public use sod or turf runway is defined as extending 125 feet to both sides of the runway centerline and ending at the end of the runway (Chart II). The primary surface of a private or limited runway is defined as extending 50 feet to both sides of the runway centerline and ending at the end of the runway (Chart III).

[Editorial Note: Delete Chart II Airport Licensing Minimum Dimensions and Approach Zones Private Airport (Paved and Turf).]

(b) Primary Surface. The “Primary Surface” is a defined surface area that surrounds and protects the landing area. The dimensions of the primary surface vary by type of landing area, weight of the landing aircraft, visibility, and the type of landing approach. Public airports which hold a current airport license, as of January 1, 1996, will maintain their license if they continue to meet the standards under which they were licensed.

1. Airport primary surfaces are rectangular in shape and run longitudinally along the length of the centerline and on either side of the runway. The elevation of any point on the airport primary surface is the same as the elevation of the nearest point on the runway centerline. The consistent width of the primary surface of a runway shall be that width required for the most precise approach for either end of that runway. The following licensed airport primary surface standards apply:

a. For a runway that is not paved; for an aircraft of any weight; and having a visual landing approach – the length of the primary surface is the length of the runway, terminating at the end of the runway and the width of the primary surface is 250 feet.

b. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a visual landing approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 250 feet.

c. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a non-precision instrument approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 500 feet.

d. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a visual landing approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 500 feet.

e. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility greater than 3/4 mile – the

primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 500 feet.

f. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility equal to 3/4 mile – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 1,000 feet.

g. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a precision instrument approach – the primary surface extends the length of the runway plus 200 feet beyond each end of the runway and the width of the primary surface is 1,000 feet.

h. For an ultralight landing area; for an ultralight aircraft; and having a visual landing approach – the length of the primary surface is the length of the runway, terminating at the end of the runway and the width of the primary surface is 150 feet.

i. For a seaplane landing area; with markers designating the waterway landing and takeoff area; and having a visual landing approach – the length of the primary surface is the length of the waterway, terminating at the end of the waterway and the width of the primary surface is 250 feet.

j. For a seaplane landing area; with no markers designating the waterway landing and takeoff area – the primary surface is not applicable.

2. Heliport primary surfaces have an area that coincides in size and shape with the designated helicopter FATO. The elevation of the heliport primary surface is a horizontal plane at the elevation of the established heliport elevation. The following licensed heliport primary surface standards apply:

a. For a heliport with a visual landing approach – the primary surface length and width are 42 feet each.

b. For a heliport with a non-precision instrument approach – the primary surface length and width are 500 feet each.

c. For a heliport with a precision instrument approach – the primary surface length and width are 1,000 feet each.

(c) Approach Surface. The approach surface is a defined surface area that surrounds and protects the landing approach area. The approach surface is longitudinally centered on the extended runway centerline and extends outward and upward from each end of the runway primary surface. The approach surface horizontal component is trapezoidal in shape with the inner width equal to the width of the primary surface. The outer width flares outward to a greater width depending on the type of landing area, weight of the landing aircraft, visibility, and the type of landing approach. Additionally, the outer width of an approach surface to an end of a runway shall be that width required for the most precise landing approach for that runway end. The approach surface also has a vertical component given by a “ratio,” such as 20:1, which means that for every 20 feet measured, horizontally, the vertical

component increases one foot upward. A specific approach surface is applied to each end of each runway based upon the type of landing approach existing or planned for that specific runway end, meaning that different approach surface dimensions and ratios can exist at opposite ends of the same runway.

1. The following licensed airport approach surface standards apply:

a. For a runway that is not paved; for an aircraft of any weight; and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 250 feet, and the outer width of the approach surface is 1,250 feet.

b. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 250 feet, and the outer width of the approach surface is 1,250 feet.

c. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a non-precision instrument approach – the approach surface ratio is 20:1, the length is 10,000 feet, the inner width is 500 feet, and the outer approach surface width is 2,000 feet.

d. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 500 feet, and the outer width of the approach surface is 1,500 feet.

e. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility greater than 3/4 mile – the approach surface ratio is 34:1, the length is 10,000 feet, the inner width is 500 feet, and the outer width of the approach surface is 3,500 feet.

f. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility equal to 3/4 mile – the approach surface ratio is 34:1, the length is 10,000 feet, the inner width is 1,000 feet, and the outer width of the approach surface is 4,000 feet.

g. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a precision instrument approach – the approach surface ratio is 50:1 for the first 10,000 feet then the ratio is 40:1 for an additional 40,000 feet, the inner width is 1,000 feet, and the outer width of the approach surface is 16,000 feet.

h. For an ultralight landing area; for an ultralight aircraft; and having a visual landing approach – the approach surface ratio is 15:1, the length is 2,500 feet, the inner width is 150 feet, and the outer width of the approach surface is 625 feet.

i. For a seaplane landing area with markers designating the waterway landing and takeoff area and having a visual landing approach – the approach surface ratio is 20:1, the length is 5,000 feet, the inner width is 250 feet, and the outer width of the approach surface is 1,250 feet.

j. For a seaplane landing area with no markers designating the waterway landing and takeoff area – the approach surface is not applicable.

2. The following licensed heliport approach surface standards apply:

a. For a heliport with a visual landing approach – the approach surface ratio is 8:1, the length is 4,000 feet, the inner width is 42 feet, and the outer width of the approach surface is 500 feet.

b. For a heliport with a non-precision instrument approach – the approach surface ratio is 34:1, the length is 10,000 feet, the inner width is 500 feet, and the outer width of the approach surface is 5,000 feet.

c. For a heliport with a precision instrument approach – the approach surface ratio is 50:1, the length is 25,000 feet, the inner width is 1,000 feet, and the outer width of the approach surface is 6,000 feet.

(d) Transition Surface. The transition surface is a defined surface area that surrounds and protects the lateral boundaries of the primary and approach surfaces. The transition surface extends outward and upward at right angles to the runway centerline and the extended runway centerline at a specified ratio from the sides of the primary surface and from the sides of the approach surface. The transition surface has a vertical component given by a “ratio,” such as 7:1, which means that for every 7 feet measured horizontally, the vertical component increases one foot upward. The horizontal component extends laterally a specified horizontal distance or to an unspecified horizontal distance at which a specified height of the vertical component is attained. The dimensions of the transition surface vary by type of landing area, weight of the landing aircraft, visibility, and the type of landing approach.

1. The following licensed airport transition surface standards apply:

a. For a runway that is not paved; for an aircraft of any weight; and having a visual landing approach – the transition surface is not applicable.

b. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a visual landing approach – the transition surface is not applicable.

c. For a runway that is paved; for an aircraft that weighs less than or equal to 12,500 pounds; and having a non-precision instrument approach – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical height component is 150 feet.

d. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a visual landing approach – the transition surface is not applicable.

e. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility greater than 3/4 mile – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical component is 150 feet.

f. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a non-precision instrument approach with visibility equal to 3/4 mile – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical component is 150 feet.

g. For a runway that is paved; for an aircraft that weighs greater than 12,500 pounds; and having a precision instrument approach – the transition surface ratio is 7:1 and the horizontal length is to the point where the vertical height component is 150 feet.

h. For an ultralight landing area; for an ultralight aircraft; and having a visual landing approach – the transition surface is not applicable.

i. For a seaplane landing area; with markers designating the waterway landing and takeoff area; and having a visual landing approach – the transition surface is not applicable.

j. For a seaplane landing area; with no markers designating the waterway landing and takeoff area – the transition surface is not applicable.

2. The following licensed heliport transition surface standards apply:

a. For a heliport with a visual landing approach – the transition surface ratio is 2:1, which extends horizontally for a distance of 250 feet.

b. For a heliport with a non-precision instrument approach – the transition surface ratio is 4:1, which extends horizontally for a distance of 350 feet.

c. For a heliport with a precision instrument approach – the transition ratio is 7:1, which extends horizontally for a distance of 35 feet.

Table 2
Licensed airports
Landing and Surface Areas

Landing Area		Primary Surface		Approach Surface				Transition Surface	
Surface	Approach	Length	Width	Ratio	Length	Width		Ratio	Distance
						Inner	Outer		
Not Paved	Visual	End of Runway	250 feet	20:1	5,000 feet	250 feet	1,250 feet	N/A	N/A
Paved & Aircraft Weight <= 12,500 Pounds	Visual	200 feet Beyond End of Runway	250 feet	20:1	5,000 feet	250 feet	1,250 feet	N/A	N/A
	Non Precision	End of Runway	500 feet	20:1	10,000 feet	500 feet	2,000 feet	7:1	150 feet Vertical
Paved & Aircraft Weight > 12,500 Pounds	Visual	200 Feet Beyond End of Runway	500 feet	20:1	5,000 feet	500 feet	1,500 feet	N/A	N/A
	Non Precision		500 feet	34:1	10,000 feet	500 feet	3,500 feet	7:1	150 feet Vertical
	Visibility > 3/4 Mile		1,000 feet	34:1	10,000 feet	1,000 feet	4,000 feet	7:1	150 feet Vertical
	Non Precision		1,000 feet	50:1 Then 40:1	10,000 feet Then 40,000 feet	1,000 feet	16,000 feet	7:1	150 feet Vertical
Helicopter Final Approach and Takeoff Area (FATO)	Visual	42 feet	42 feet	8:1	4,000 feet	42 feet	500 feet	2:1	250 feet Vertical
	Non Precision	500 feet	500 feet	34:1	10,000 feet	500 feet	5,000 feet	4:1	350 feet Vertical
	Precision	1,000 feet	1,000 feet	50:1	25,000 feet	1,000 feet	6,000 feet	7:1	350 feet Vertical
Ultralight Area	Visual	End of Runway	150 feet	15:1	2,500 feet	150 feet	625 feet	N/A	N/A
Seaplane Marked	Visual	End of Runway	250 feet	20:1	5,000 feet	250 feet	1,250 feet	N/A	N/A
Seaplane Not Marked	Visual	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

(3) Thresholds and Displaced Thresholds for Licensed Airports. The threshold is the beginning of that portion of the runway available for landing. Any obstacle, natural or manmade, in the landing approach path to the runway that, because of its height, penetrates through the specified approach ratio to that runway constitutes an obstruction and a hazard to air navigation. Until the hazardous obstruction is removed, it shall be necessary to adjust the approach path by moving or displacing that threshold point down the length of the runway to some “Displaced Threshold” position, at which safe aircraft passage above the obstruction is assured. Approach Zones:

(a) For visual runways, a minimum 20:1 approach ratio to the threshold or displaced threshold shall be maintained. If the approach ratio is less than 20:1 to the threshold or displaced threshold, the runway shall be displaced the distance necessary to maintain a 20:1 ratio. If the displaced threshold location reduces the effective runway length below the minimum effective length requirements, that end of the runway shall be closed until the obstruction causing the displacement is removed. The approach zone for public airports is a zone based on a 20 to 1 approach slope, increasing gradually in width from 250 feet (125 feet either side of the extended runway centerline), at the ends of the primary surface (200 feet beyond the ends of each usable paved runway) to a width of 850 feet at

a distance of 3,000 feet outward from the ends of the primary surface. On turf or sod runways, the approach zone has the same dimensions but starts precisely at the end of the runway (Charts I and II).

(b) For instrument runways, the approach ratio for determining the location of the displaced threshold shall be determined by the maximum instrument approach category: 20:1 for utility, non-precision approach runways; 34:1 for other than utility, non-precision approach runways; and 50:1 for precision approach runways. The approach zone for private and limited airports is a trapezoidal area increasing gradually in width from 50 feet on both sides of the extended runway centerline at the ends of each usable runway, to a width of 350 feet on both sides of the extended runway centerline at a distance of 3,000 feet outward from the ends of each runway. (See Chart III.)

(e) ~~The approach zone for public, private and limited STOLports are the same as public, private and limited airports, respectively, with the following exceptions:~~

1. ~~The approach zone for STOLports shall be clear of obstructions above a glide path of 15 to 1 from the ends of each primary surface.~~

2. ~~For STOL aircraft the minimum effective runway length shall be taken from the appropriate performance source chart in the technical manual for the STOL type airplane which uses the STOLport. This chart gives the distance necessary to takeoff and clear a 50 foot obstacle at the maximum gross weight of the aircraft at 90 degrees Fahrenheit. This distance will be the minimum effective runway length allowed for the STOLport.~~

(d) ~~Vertiports approach and landing surfaces shall meet the standards defined in the current FAA Advisory Circular 150/5390-3, Vertiport Design.~~

(e) ~~Except for Heliports, Helistops, Vertiports, Vertistops, LTAports, and STOLports, and Ultralight Flightparks, approach zones shall be clear of obstructions above a glide path of 20 to 1 from the ends of each threshold. When the approach zone to any runway crosses a road or railroad, the glide path shall pass at least 15 feet above any portion of a traffic lane, 17 feet above any portion of an interstate highway and at least 23 feet above the nearest rail of the railroad.~~

(4) Vertical Approach Clearance for Licensed Airports. When the landing approach to any runway crosses a road, railroad, traverseway, or waterway, the aircraft landing approach glide path shall provide the following minimum vertical clearance over ground objects: Public, Private, and Limited Airport (Land) Improvements.

(a) Seventeen feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where over-crossings are designed for a minimum of 17 feet vertical distance. All public airports (land) including those with agriculture applicators, shall comply with 1. through 5. below; public airports with other commercial aviation activity, shall

comply with 1. through 8. below. Private airports shall comply with only 1. and 2. below unless special circumstances require additional facilities. Limited airports need not comply with 1. through 8. below unless safety considerations require otherwise.

(b) Fifteen feet for any other public roadway.

(c) Ten feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road.

(d) Twenty-three feet for a railroad.

(e) For a waterway or any other traverseway not previously mentioned, an amount equal to the height of the highest mobile object that would normally traverse it.

1. ~~Department or FAA approved markers shall be installed on both sides of unpaved runways at 200-foot intervals along the usable width (sides). Three markers shall be placed at five foot intervals on each side of the end of the runway, perpendicular to the centerline of the runway. Each set of three markers shall start at the corner of the runway and run towards the centerline of the runway on the endline. Displaced thresholds at non-paved public and private airports shall be marked with at least three markers on each side of the landing thresholds area where the effective length commences. The displaced threshold markers shall be no more than five feet apart, similar to the runway outline markers, and placed, clear of the runway, on a center line 90 degrees to the runway heading (Chart IV). STOLports and LTAports shall be marked according to current FAA recommended markings, or as deemed appropriate by the Department.~~

[Editorial Note: Delete Chart IV Airport Licensing Runway Markings Turf Runway.]

2. ~~Department or FAA approved type wind indicator(s) shall be installed.~~

3. ~~Three-point tie-down facilities capable of withstanding wind gusts of 50 knots or greater shall be available for each unhangared-based aircraft. Transit tie-downs shall be provided for at least five aircraft.~~

4. ~~Suitable areas for automobile parking and for the visiting public shall be adequately marked or enclosed by fence to prevent accidents.~~

5. ~~Except at ultralight flightparks, an approved 75 foot diameter airport circle marker (segmented circle) shall be installed at airports, without control towers, which have other than standard traffic patterns.~~

6. ~~At least two accessible fire extinguishers shall be available which are capable of extinguishing all classes of fire.~~

7. ~~A telephone shall be available at the airport.~~

8. ~~Each airport shall have aircraft service on call during published hours.~~

(5) Runway Safety Areas for Licensed Airports. The runway safety area is a defined surface surrounding the runway designed to provide an additional measure of safety by being a specially prepared or a suitable ground surface intended to

reduce the risk of damage to aircraft in the event of an undershoot, overshoot, or excursion from the runway. The following licensed airport runway safety area standards apply: Seaplane Bases.

(a) Runway (Not Paved). For a runway that is not paved, the runway safety area shall have a length equal to the length of the runway, terminating at the end of the runway, and the runway safety area shall have a width of 120 feet. ~~No seaplane base shall be approved which requires aircraft to land or take off in close proximity to a bridge, public beach, power line, boat dock or other area which could constitute a danger to persons or property.~~

(b) Runway (Paved). For a runway that is paved, the runway safety area shall have a length that extends the length of the runway plus 240 feet beyond each end of the runway and the runway safety area shall have a width of 120 feet. ~~If a seaplane is to be based, moored, or hangared at any given location in Florida, a Florida airport license must be obtained.~~

(c) Ultralight Landing Area. ~~An ultralight landing area shall have a runway safety area whose length is 300 feet and width is 150 feet. All public seaplane bases shall have, in addition to the facilities required of land airports (where applicable), the following minimum services facilities:~~

- ~~1. At least three U.S. Coast Guard approved life preservers of the ring or throwing type, with sufficient line attached to each, shall be kept available during hours of operation.~~
- ~~2. An operable propelled boat (an outboard is permissible) shall be immediately available at all times when flights are in progress.~~
- ~~3. A dock or float, suitable for the type of seaplane using the base, shall be so located as to afford the maximum degree of safety in taxiing approach.~~
- ~~4. Suitable beaching facilities for the type of aircraft using the base shall be provided. Where an adequate ramp is maintained, the dock or float may be omitted.~~
- ~~5. A source of fresh water at the beaching area and sufficient hoses for washing aircraft shall be accessible.~~
- ~~6. An adequate supply of line for heaving, towing, securing, or rescue operation shall be kept available.~~
- ~~7. The minimum water depths and landing area lengths shall be posted at the dock area and noted.~~

(d) Heliport. A heliport shall have a runway safety area whose length extends 20 feet beyond the FATO and a width of 20 feet. ~~Seaplane base standards as defined in the current FAA Advisory Circular 150/5395-1, Seaplane Bases, are incorporated herein by reference.~~

(e) Seaplane. A seaplane landing area shall be exempt from the requirement for having a runway safety area.

Landing Area Type	Safety Area Length	Safety Area Width
Runway (Not Paved)	End of Runway	120 feet
Runway (Paved)	240 feet Beyond End of Runway	120 feet
Ultralight	300 feet	150 feet
Heliport	20 feet Beyond FATO	20 feet
Seaplane	N/A	N/A

(6) Runway Pavement Standards for Licensed Airports, Heliports and Helistops.

(a) Pavement Coefficient of Friction. The “Mu” value is an indicator of the resistance to motion of two moving objects or surfaces that touch. For runway pavement, the value indicates the capability of the runway surface, in contact with aircraft tires, to provide a suitable environment for aircraft braking action to enable the aircraft to come to a safe stop under wet weather conditions. ~~All categories of heliports and helistops which hold a current license as of January 1, 1996, will maintain their license if they continue to meet the standards under which they were licensed.~~

1. “Mu” values are variably determined based on the type of measuring equipment used to evaluate the pavement coefficient of friction as shown in Table 4, below. However, regardless of the type of measuring equipment, when the “mu” value on a wet runway pavement surface is determined to be below the equipment’s “minimum” acceptable value for a distance of 500 feet and the “mu” value of the two adjacent 500-foot segments (before and after the minimum segment) are also below the equipment’s acceptable value for “maintenance” planning, the runway pavement shall be considered by the Department to not meet acceptable licensed airport standards.

2. Temporary remedies may include displacement of the threshold, shortening the length of the runway to no less than the minimum effective length as shown in subsection 14-60.007(1), F.A.C., or closing the runway until permanent corrective action can be completed.

3. Depending on the number of runways available and the extent of pavement coefficient of friction deficiencies, failure to implement temporary or permanent remedies will result in the Department revoking the airport license on the ground that the airport has become unusable due to unsafe conditions per paragraph 14-60.006(6)(e), F.A.C.

Equipment Manufacturer Testing Meter Type	"Mu" Value at 40 mph Test Speed			"Mu" Value at 60 mph Test Speed		
	Minimum	Maintenance	New	Minimum	Maintenance	New
Mu Meter	0.42	0.52	0.72	0.26	0.38	0.66
K. J. Law Runway Friction Tester	0.50	0.60	0.82	0.41	0.54	0.72
Airport Equipment Company Skiddometer	0.50	0.60	0.82	0.34	0.47	0.74
Airport Surface Friction Tester	0.50	0.60	0.82	0.34	0.47	0.74
Airport Technology USA Safegate Friction Tester	0.50	0.60	0.82	0.34	0.47	0.74
Findley, Irving, LTD Gripmaster Friction Meter	0.43	0.53	0.74	0.24	0.36	0.64
Iatra Friction Tester	0.48	0.57	0.76	0.42	0.52	0.67
Norseman RUNAR (Operated at Fixed 16% Slip)	0.45	0.52	0.69	0.32	0.42	0.63

(b) Pavement Condition Index. The "Pavement Condition Index" ("PCI") value is an indicator of the integrity and viability of a runway surface with a focus on pavement cracking, swelling, rutting, and depressions. For runway pavement, the value indicates the capability of the runway surface, in contact with aircraft tires, to provide a suitable environment for maintaining aircraft directional control, which may be adversely affected by runway undulations, or for preventing foreign object damage. Foreign object damage can result from pavement spalling, which may dislodge small or large pieces of pavement that could severely damage aircraft control surfaces or propellers, penetrate aircraft wing or fuselage surfaces protecting flammable fuel tanks or other critical components, or be ingested into turbo-jet or turboprop-jet engine intakes with potential catastrophic loss of power during critical phases of flight. All categories of heliports and helistops shall comply with the following minimum standards:

1. The standard measurement of PCI results in seven ratings from "Excellent" to "Failed," as shown in Table 5, below. Industry standards to objectively and consistently characterize and evaluate runway pavements are available from the American Society of Testing Material, based on FAA guidance, incorporated herein by reference. A runway PCI value of 10 or below indicates that the pavement has deteriorated significantly and the runway pavement shall be considered by the Department to not meet acceptable licensed airport standards. A minimum primary surface area shall be provided with length and width or diameter dimensions equal to at least 1.5 times the overall length of the largest helicopter

intended to use the facility; however, a primary surface with 300 foot length and width or larger shall be accepted as sufficient to accommodate all helicopters.

2. Temporary remedies may include displacement of the threshold, shortening the length of the runway to no less than the minimum effective length as shown in subsection 14-60.007(1), F.A.C., or closing the runway until permanent corrective action can be completed. Centered within the primary surface shall be a minimum touch down area with length and width or diameter equal to 1.5 times the design helicopter's undercarriage length or width whichever is greatest. However, a touch down area with 100 foot length and width or diameter centered within a 300 foot primary surface, shall be sufficient to accommodate all helicopters. Smaller touch down areas, not less than 20 feet in diameter, will be approved for heliports/helistops located on man made structures if safe for proposed aircraft use. The perimeter of a heliport or helistop raised more than 30 inches above the surrounding surface shall have a horizontal safety net or shelf installed.

3. Depending on the number of runways available and the extent of pavement condition index deficiencies, failure to implement temporary or permanent remedies will result in the Department revoking the airport license on the ground that the airport has become unusable due to unsafe conditions per paragraph 14-60.006(6)(e), F.A.C. There shall be a minimum of one approach/departure corridor with floor and side planes as follows: the floor plane shall provide an 8 to 1 obstruction clearance and shall coincide in width with the required primary surface width at the boundary and proceed outward, flaring horizontally at a 10 to 1 rate on both sides until it reaches 500 feet wide. Where the floor plane is less than 500 feet wide, the side planes extending out from the floor plane or the primary surface shall provide a 2 to 1 obstruction clearance out to the required 500 foot corridor width. The approach/departure or takeoff paths for both public and private use heliports may curve to avoid objects or noise sensitive areas (Chart V).

Qualitative Rating	PCI Value	
	Minimum	Maximum
Excellent	86	100
Very Good	71	85
Good	56	70
Fair	41	55
Poor	26	40
Very Poor	11	25
Failed	0	10

[Editorial Note: Delete Chart V Heliport/Helistop Dimensions.]

4. There shall be markings consisting of any FAA approved design, including the load-bearing capacity of the touch-down area located on a structure, indicating the maximum allowable gross weight of a landing helicopter in thousands of pounds. The dimensions of the identifying markings shall be as large as practical, but not less than 10 feet in height. The markings should be oriented to be legible from the preferred direction of approach. To assure recognition, hospital heliports and helistops and emergency evacuation facilities should be marked according to the current FAA AC 150/5390-2.

5. A Department or FAA approved wind indicator shall be located so as to be clearly visible to landing helicopters but not within the primary surface and not a hazard to flight. Both the wind indicator and the takeoff/landing area shall be lighted for night operations.

6. Fire protection of at least two 30 pound dry chemical extinguishers (foam compatible) or equivalent (not required for limited or emergency helistops) shall be available. In addition, public heliports/helistops shall provide an effective safety barrier to protect the public from entering the primary surface and when the public heliport/helistop is located on top of a building, egress shall be provided at two separate locations.

7. Helistops at or adjacent to licensed hospitals shall require a helistop license, but there shall be no fee connected with such licensing of an emergency helistop provided the helistop is used only for the emergency transportation of patients, supplies, or flights related to emergency situations at the hospital or ready alert for medical assistance on call, and is not used for routine transportation of any person to or from the hospital.

8. Applications for elevated heliports or helistops on structures shall not be complete unless certification by a registered architect or professional engineer as to the maximum allowable rotorcraft weight is received.

9. Helicopters may land on licensed public use airports either on or off the landing surface within the airport boundaries at the discretion of the pilot when such landings are in agreement with FAA rules and regulations and the airport's policies. The safety of approaches and departures shall be the pilot's responsibility.

10. Helicopters may land at private use airports, at the specific invitation of the airport owner, either on or off the airport runway, primary surface, or surrounding property if the helicopter landing site and the intervening property are owned or controlled by the airport owner. These landings shall be in accordance with FAA rules and regulations. The pilot of the helicopter will be responsible to insure the safety of approaches and departures. Zoning of the landing area must be appropriate.

~~(b) Any heliport/helistop conforming with FAA recommendations in the current AC 150/5390-2A (January 20, 1994) Heliport Design, shall be deemed in compliance with these rules.~~

~~(7) Airfield Requirements for Licensed Airports. All licensed airports shall comply with items (a) through (f), below. Licensed facilities that include a seaplane landing area shall comply with items (a) through (g), below: Ultralight Flightparks.~~

~~(a) At least one 15-knot, 8-foot long windsock shall be installed at the airport. The windsock shall be lighted if the landing area is lighted. All public ultralight landing area shall be licensed if the site lies within five nautical miles of a publicly licensed or military airport. Any ultralight landing areas shall be licensed if there are more than 10 ultralight vehicles which operate regularly from the site.~~

~~(b) Except at ultralight flightparks, an approved 75-foot diameter airport circle marker (segmented circle), including aircraft traffic pattern indicators, shall be installed at airports without control towers, which have other than standard traffic patterns. The segmented circle shall be lighted, if the landing area is lighted. Any aircraft tie-downs or moorings used to secure aircraft shall be located outside of the landing area, primary surface, and transition surface areas. Public category ultralight landing areas shall be at least 500 feet in length and have at least 150 feet of usable surface width.~~

~~(c) Airport operators shall be required to establish and enforce effective control of unauthorized vehicles and pedestrian access within the aircraft movement areas. Any aircraft tie-downs or moorings used to secure aircraft shall be located outside of the landing area, primary surface, and transition surface areas. Private category ultralight landing areas shall be at least 500 feet in length and have at least 150 feet of usable surface width.~~

~~(d) Limited category ultralight landing areas shall be at least 250 feet in length and have at least 75 feet of usable surface width.~~

~~(d)(e) At least two category 80-B-C, or higher, type fire extinguishers shall be available at the airport, readily accessible, operationally functional, bear an unbroken seal, and be locked in an area clearly identified to the public. Ultralight landing area approach/departure corridors shall be clear of obstructions above a glide path of 10 to 1 from the edge of the landing area and of the dimensions as shown on Chart VI.~~

~~(e)(f) An operational public telephone shall be available at the airport on a 24-hour basis and its location shall be clearly identified to the public. Department approved ultralight landing area boundary markers shall be required for all sites open to the public. Such markers must be highly visible from the air and of a type that will not damage an aircraft, such as soft cones made of rubber, plastic or other frangible material,~~

automobile tires painted white, PVC pipe, gallon milk jugs filled with sand or water, or white colored paving stones that are flush with the turf of the runway.

(f) Airports having seaplane landing areas shall have at least one U.S. Coast Guard approved life preserver of the ring or throwing type with a retrieval line attached to each, readily available during hours of operation.

[Editorial Note: Delete Chart VI Ultralight Landing Area.]

(8) Additional Responsibilities for Licensed Airport. The following miscellaneous safety regulations shall be observed:

(a) Airport hazards determined to exist by the Department shall be removed. Hazards and obstructions as determined by the Department shall be marked.

(b) Obstructions shall be marked and or lighted in accordance with Rule 14-60.009, F.A.C., and for those obstructions to which Section 333.025, Florida Statutes, applies, shall be permitted pursuant to that section, or may be subject to variance under a local zoning ordinance. Any part of a landing area which has become temporarily unsafe, or which for any reason is not available for use, shall be marked by appropriate indicators which clearly show the boundaries of such danger areas. If the airport is used for nighttime operations, such danger shall be marked with lights.

(c) The airport licensee shall notify the Department, in writing, at least 60 days before any scheduled construction, alteration, improvements, major repairs, or modification to the size or shape of the landing area is begun. Any such requirements made necessary by emergency or unforeseen circumstances shall be given verbally to the Department, as soon as possible, and be followed by written notification with seven calendar days. The airport licensee shall immediately notify the Department in writing whenever alterations, improvements, major repairs or the size or shape of the landing area is to be changed.

(d) Fencing, signing or other markings as required for safety at a licensed airport shall be installed by the airport owner or lessee.

(d)(e) The owner or lessee shall maintain the field in a usable condition. If the airport becomes dangerous or is not usable, it shall be the responsibility of the airport owner or lessee to mark the danger area by means of flags or to indicate the closing of such airport or runway by an "X," clearly visible from the air or in a an appropriate manner consistent with the exigencies of the situation. The owner or lessee shall report, in writing, to the Department any planned or emergency work in progress on the field and any proposed changes or conditions which might render the field unsafe for use.

(e)(f) The owner or lessee of a closed, unlicensed, or abandoned airport shall remove all airport identifying markers and wind indicators and shall place upon the runway or runway intersection a Department approved "closed runway" marking, which shall be in accordance with FAA Advisory Circular 150/5340-1G (September, 27, 1993), which is hereby

incorporated by reference. This marker shall be maintained until the runway is no longer identifiable. The Department will is authorized to cause the airport to be marked if the owner does not properly mark it within 60 days of notice, and will assess such costs to the owner or lessee. The cost of such safety measures shall be filed as a lien against the airport property.

(g) The Department is authorized to act to enforce the Federal Aviation Regulations and may request that NOTAMS (Notice to Airmen) be issued in accordance with FAA AC 150/5200 28A (October 29, 1993), which is incorporated by reference. By acceptance of the airport license the airport licensee agrees to allow the Department to issue NOTAMS for his airport when, in the opinion of the Department, flight safety so requires.

(h) Owners or lessees of private and limited licensed airports shall take whatever action necessary to prohibit the use of the facility by aircraft of such horsepower, weight and/or performance characteristics that would result in dangerous landing or takeoff conditions to either the occupants of the aircraft or to persons or property in the vicinity of the airport.

(9) Airport Marking. The following airport marking requirements apply to licensed airports:

(a) Non-Paved Runway Markings. Mmarkers shall be installed on both sides of non-paved runways at 200 foot intervals along the edge of the usable runway width. Three markers shall be placed at 10 foot intervals on each side of each end of the runway, perpendicular to the centerline of the runway. Each set of three markers shall start at the corner of the runway and run toward the centerline of the runway on the runway endline. Displaced thresholds at non-paved licensed airports shall be marked with at least three markers on each side of the displaced landing thresholds area where the effective runway length begins. The displaced threshold markers shall be no more than 10 feet apart, similar to the runway edge markers, and be placed, clear of the runway, on a centerline 90 degrees to the runway heading.

(b) Runway Designation Markings. Runway designation markings shall be white and shall consist of a number and shall be supplemented by a letter on parallel runways. The number shall specify the whole number to the nearest ten degrees of the magnetic azimuth when viewed from the direction of the approach. The size and spacing of the numbers and letters shall only be reduced when space is limited. All numerals except the number "11" shall be horizontally spaced fifteen feet apart. The number "11" shall be spaced 27 feet apart. A zero ("0") shall not precede single digits. The numeral "1," when used alone, shall contain a horizontal bar at the bottom of the numeral to differentiate it from the runway centerline marking. Single digits shall be centered on the runway centerline. Double digits shall be centered on the runway centerline at the point that is halfway between the outer edges of the two numerals. Letters, such as "L," "C," or "R" for Left, "Center," or "Right," shall be stacked beneath the number at a distance of

20 feet. The base of the letter or number shall start 20 feet from the threshold or 40 feet from threshold markings. Digits shall be 60 feet tall. The lines comprising the digits shall be five feet wide. Digits shall be proportional and must be between 6 and 7.5 feet wide.

(c) Runway Centerline Markings. Runway centerline markings shall be white and shall identify the physical center of the usable runway surface and shall extend the length of the runway. The stripes shall be 120 feet in length. The gaps shall be 80 feet in length. The minimum width of the stripe shall be 12 inches. The stripes shall begin 40 feet from the top of the runway designation marking.

(d) Threshold Bars. Threshold bars shall be white and shall delineate the beginning of the runway that is available for landing. The threshold bar shall be ten feet wide and shall extend across the width of the runway.

(e) Arrows and Arrowheads. Arrows and arrowheads shall be white and shall be used to identify a displaced threshold. Arrowheads, used in conjunction with a threshold bar to highlight the beginning of the runway, shall be placed five feet before the threshold bar and shall be spaced two feet apart for runways 60 feet wide, 3 feet apart for runways between 60 and 100 feet wide, and four feet apart for runways over 100 feet wide. Arrows shall be provided in the portion of the runway before the displaced threshold. Arrowheads shall be 45 feet long, 15 feet wide, and have stripes 3-feet wide. Arrow tails shall be 80 feet long and 18 inches wide. The overlap between the arrowheads and tails shall be five feet. Arrows shall be spaced 80 feet apart.

(f) Holding Position Markings (Paved Taxiways). Holding position markings for paved taxiways shall be yellow and shall identify the location where a pilot should be assured that there is adequate separation with other aircraft before proceeding onto the runway. Holding position markings consist of four lines and three spaces each 6-12 inches wide. The solid lines shall always be on the side where the aircraft is to hold. The two dashed lines and spaces shall be three feet long. The markings shall extend completely across the taxiway. The markings shall be installed perpendicular to the taxiway centerline, but may be angled as needed where two or more taxiways intersect at the hold line. Holding position markings shall be placed 125 feet from visual runways serving small aircraft, 150 feet from visual runways serving large aircraft or with non-precision approaches, and 200 feet from runways with a precision approach.

(g) Holding Position Signs (Unpaved Taxiways). Holding position signs for unpaved taxiways shall be located outside the primary surface on the left side of the taxiway for a taxiway that is less than or equal to 150 feet wide or on both sides of taxiways that are greater than 150 feet wide. The sign shall consist of the runway designation numbers separated by a dash such that their arrangement indicates the direction to the corresponding runway threshold. The numbers shall be white

on a red background. Mounting legs for each sign shall be frangible. The sign face shall be no less than 18 inches tall and 30 inches wide. The runway designation numbers shall be no less than 12 inches tall. The sign shall stand no more than 42 inches high.

(h) Helipad. Helipad markings shall be white and are used to mark the intended landing position within the FATO. The marking shall consist of an in-ground letter "H" oriented on the axis of the dominant landing and takeoff path. The "H" shall be a minimum of 19 feet tall and 12.5 feet wide. The vertical lines shall be 16 inches wide. The horizontal line shall be 32 inches wide.

(i) TLOF. TLOF perimeters shall be defined by a continuous white solid line one foot wide.

(j) FATO. FATO perimeters shall be defined with white dashed lines, which shall be 1-foot wide and five feet long and shall join to define the FATO corners.

(k) Closed Runway Markings. Closed runway markings shall be yellow and consist of an "X" centered on the runway centerline at each end of the runway and at 1,000 foot intervals. The "X" shall be 60 feet across and each arm shall be 10 feet wide and 25 feet long. If the "closed" runway intersects an "open" runway, an "X" shall be placed on each side of the "open" runway. Runway designation markings and runway threshold markings shall be obliterated on closed runways.

(l) Common Marking Requirements:

1. Glass beads shall be required for all permanent pavement markings.

2. All markings on light colored pavements shall be outlined with a black border six inches or greater in width.

(10) Airport Lighting. The Department does not require airports to be lighted. However, if an airport is lighted, it shall comply with the following standards. The minimum lights that shall be provided are threshold and runway end lights, displaced threshold lights, segmented circle lights, FATO or TLOF lights, and windsock lights. All lights shall be on flush or frangible mounts not more than 14 inches tall. The following airport lighting requirements shall apply to licensed airports:

(a) Runway Edge Lights. Runway edge lights shall emit white light except that yellow light is substituted for white light on the last 2,000 feet of an instrument runway, or one-half of the runway length, whichever is less, to indicate the caution zone.

(b) Threshold and Runway End Lights. Threshold and runway end lights shall be located on a line perpendicular to the extended runway centerline not less than two feet nor more than ten feet outboard from the designated threshold of the runway. The lights shall be installed in two groups located symmetrically about the extended runway centerline. For instrument runways, each group shall contain four lights; for other runways, each group shall contain three lights. The outmost light in each group shall be located in line with the runway edge lights. The other lights in each group shall be

located on 10 foot centers toward the extended runway centerline. The lights shall be red on the inboard half and green on the outboard half.

(c) Displaced Threshold Lights. Displaced threshold lights shall be located outboard of the runway. The innermost light of each group shall be located in line with the runway edge lights, and the remaining lights shall be located outward on 10 foot centers on a line perpendicular to the runway centerline. The runway end lights shall be red all the way around. The displaced threshold lights shall be green on the outboard half. The inboard half of displaced threshold lights shall be yellow for an instrument runway and white for a visual runway.

(d) Taxiway Edge Lights. Taxiway edge light shall emit blue light.

(e) FATO or TLOF Lights. FATO or TLOF lights shall emit yellow light and shall define the limits of the FATO or TLOF. Both FATO and TLOF lights shall not be lit concurrently.

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 330.30 FS. History—New 10-29-65, Revised 11-23-72, Amended 4-18-76, 11-19-81, 1-8-85, Formerly 14-60.07, Amended 12-26-95, _____.

14-60.009 Airspace Protection and Obstruction Marking and Lighting.

(1) Airspace Obstruction Permit. For purposes of Rule 14-60.009, the definitions in Section 333.01, Florida Statutes, shall apply.

(a) Any person proposing the erection, alteration, or modification of any structure that would exceed federal obstruction standards and which lies within the Department's jurisdictional area of responsibility, is required to obtain an airspace obstruction permit from the Department. However, such airspace obstruction permits shall be required only where the proposed site is within a ten nautical mile radius of the geographical center of a publicly owned or operated airport, a military airport, or an airport licensed by the state for public use.

(b) An Airspace Obstruction Permit Application. DOT Form 725-040-11, Rev. 02/04, incorporated by reference under Rule 14-60.011, F.A.C. with all required supporting documentation shall be submitted to: Airspace and Land Use Manager, Florida Department of Transportation, 605 Suwannee Street, M. S. 46, Tallahassee, Florida 32399-0450.

(c) In determining whether to issue a permit, the Department shall consider:

1. The nature of the terrain and height of existing structures.
2. Public and private interests and investments.
3. The character of flying operations and planned developments of airports.
4. Federal airways as designated by the Federal Aviation Administration.

5. Whether the construction of the proposed structure would cause an increase in the minimum descent altitude or the decision height at the affected airport.

6. Technological advances.

7. The safety of persons on the ground and in the air.

8. Land use density.

9. The safe and efficient use of navigable airspace.

10. The cumulative effects on navigable airspace of all existing structures, proposed structures identified in the applicable jurisdictions' comprehensive plans, and all other known proposed structures in the area.

(d) The Department shall not approve an airspace obstruction permit unless the applicant submits documentation showing compliance with the federal requirement for notification of proposed construction and a valid FAA aeronautical determination. No permit shall be approved solely on the basis that the proposed structure will not exceed federal obstruction or any other federal aviation regulation.

(e) The Department shall issue or deny an airspace obstruction permit within 30 days of receipt of a completed airspace obstruction permit application.

(f) Any airspace obstruction permit granted by the Department shall require the applicant's compliance with obstruction marking and lighting standards contained herein.

(2) Local Government Ordinance. Any local government airport zoning ordinance, concerning airport hazards, adopted in accordance with Chapter 333, Florida Statutes, shall require obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter. The Department shall enforce the provisions of Chapter 333, Florida Statutes, as to airspace, obstruction marking and lighting and airport zoning.

(3) Local Government Variance. Any person filing a request with a local government for a variance from an airport zoning ordinance in order to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use property contrary to the airport zoning regulations shall forward a copy of the application to the Department by certified mail, to the Airspace and Land Use Manager at the Department address in paragraph 14-60.009(1)(b), F.A.C., above. An Airspace Obstruction Permit Application, DOT Form 725-040-11, Rev. 10/96, shall be submitted to: Florida Department of Transportation, Aviation Office, MS 46, 605 Suwannee Street, Tallahassee, Florida 32399-0450. The Department shall grant or deny the permit in accordance with Chapter 333, Florida Statutes. The Department shall not approve a permit unless the applicant submits both documentation showing compliance with the federal requirement for notification of proposed construction and a valid aeronautical evaluation. No permit shall be approved solely on the basis that the proposed structure will not exceed federal obstruction standards as contained in Title 14 Code of Federal Regulations, Part 77 (FAR Part 77);

Objects Affecting Navigable Airspace, Subpart C, Obstruction Standards, Sections 77.21, 77.23, 77.25, 77.28, and 77.29, or any other federal aviation regulation. Any airspace obstruction permit granted shall require compliance with the marking and lighting standards set forth in this rule chapter.

(a) The Department shall review the application for local government variance, file a response or waive the right of the Department to respond and provide a copy of the response to the applicant and local government within 45 days of receipt of the application.

(b) The local government shall provide to the Department a copy of its decision on the application for variance within ten days of issuance.

(c) Any variance granted shall require the applicant to install, operate, and maintain obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter.

(4) Obstruction Marking and Lighting. Obstruction marking or lighting recommended in an FAA aeronautical determination shall be considered a requirement for the structure for compliance with Department standards. These standards shall be applied as follows: Any airport zoning regulation adopted in compliance with Chapter 333, Florida Statutes, concerning airport hazards shall require obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter.

(a) Objects that exceed an overall height of 200 feet above ground level (AGL), including any appurtenances, or that exceed any federal obstruction standard will be required to be marked or lighted as specifically recommended by the FAA. Marking or lighting of objects lower than 200 feet AGL will be required within specific lateral boundaries of established low level aircraft routes.

(b) Objects which exceed 300 feet AGL up to 500 feet AGL within six nautical miles of a licensed public-use airport or military airfield, shall be marked or lighted in accordance with specific federal obstruction guidelines for those heights. The white lighting required for daytime and twilight, for dual lighting with red/medium intensity white systems, shall be medium intensity. The system includes automatic sensors that change between red and white lighting and also vary the white strobe intensity between twilight and full day.

(c) Objects which exceed 500 feet AGL, within a six nautical mile radius of a public-use airport or military airfield, shall be marked or lighted in accordance with specific federal obstruction guidelines for those heights. The white lighting required for daytime and twilight, for dual lighting with red/high intensity white systems, shall be high intensity.

(d) Objects which exceed 800 feet AGL beyond the six nautical mile radius of public airports or military airfields, shall be marked or lighted in accordance with specific federal

obstruction guidelines for those heights. The white lighting required for daytime and twilight, for dual lighting, shall be high intensity.

(e) Specific marking or lighting will not be required if both of the following circumstances exist:

1. The object is masked by surrounding objects marked or lighted under these standards, and

2. The FAA specifically recommends deletion of any marking or lighting because of the masking effect.

(f) When the FAA recommends dual lighting for objects less than the heights specified in this rule chapter because of the need for greater visual conspicuity, the more stringent FAA recommendations shall be required as a condition of the permit issued. Additionally, when an object does not exceed any federal obstruction standard, but because of its particular location, the FAA recommends marking and lighting, the FAA recommendation shall be required as a condition of the permit.

(5) Any person filing a request with a local government board of adjustment for a variance from airport zoning regulations in order to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of the airport zoning regulations shall forward a copy of the application to the Department by certified mail. The application shall be addressed to: Florida Department of Transportation, Aviation Office, MS 46, 605 Suwannee Street, Tallahassee, Florida 32399-0450.

(a) The Department shall review the application for variance, file a response or waiver with the board of adjustment and provide a copy of the response to the applicant within 45 days of receipt of the application.

(b) The board of adjustment shall provide to the Department a copy of its decision on the application for variance within 10 days of issuing its decision.

(c) Any variance granted by the board of adjustment shall require the applicant, at his own expense, to install, operate and maintain obstruction marking and lighting in compliance with the marking and lighting standards set forth in this rule chapter.

(6) As minimum standards, the Department hereby adopts the obstruction marking and lighting standards established in the current U.S. Department of Transportation, Federal Aviation Administration, Advisory Circular Number 70/7460-1H, (September 1, 1992) Obstruction Marking and Lighting (FAA AC No. 70/7460-1). These standards shall be applied as follows:

(a) Objects that exceed an overall height of 200 feet above ground level (AGL), including any appurtenances, or that exceed any obstruction standard of FAR Part 77, Subpart C will be required to be marked and lighted as is specifically recommended by the FAA in the Determination rendered to the applicant's Notice of Construction. Marking or lighting of

objects lower than 200 feet AGL may be required within specific lateral boundaries of established low level aircraft routes:

(b) Objects which exceed 300 feet AGL up to 500 feet AGL within six nautical miles (NM) of a licensed public use category airport or military airfield, shall be marked and lighted in accordance with Chapters 4, 5, 6, and 13 of the current FAA, AC No. 70/7460-1. The white lighting required for daytime and twilight under Chapter 8, Dual Lighting with Red/Medium Intensity White Systems, shall be medium intensity. These five chapters provide the standards, methods, applications, and equipment specifications for dual lighting systems, which include flashing red beacons and red lights for night with white high or medium intensity strobe lights for daytime and twilight. The system includes automatic sensors which change between red and white lighting and also vary the white strobe intensity between twilight and full day.

(c) Objects which exceed 500 feet AGL within a six nautical mile radius of a public airport or military airfield, shall be marked and lighted in accordance with Chapters 4, 5, 7, 9, and 13 of the current AC 70/7460-1. The white lighting required for daytime and twilight under Chapter 9, Dual Lighting with Red/High Intensity White Systems, shall be high intensity.

(d) Objects which exceed 800 feet AGL beyond the six nautical mile radius of public airports or military airfields, shall be marked and lighted in accordance with Chapters 4, 5, 7, 9, and 13, of the current AC No. 70/7064-1. The white lighting required for daytime and twilight under Chapter 7, Dual Lighting, shall be high intensity.

(e) Marking or lighting specified may be deleted only if:

1. The object is masked by surrounding objects marked or lighted under these standards, and
2. The FAA specifically recommends deletion of any marking or lighting because of the masking effect.

(f) When the FAA recommends dual lighting for objects less than the heights specified in this rule because of the need for greater conspicuity the more stringent FAA recommendations shall be required as a condition of the permit issued. When an object does not exceed any FAR Part 77, Subpart C Surface but because of its particular location, the FAA recommends marking and lighting, the FAA recommendation shall be required as a condition of the permit.

(7) The obstruction marking and lighting standards set forth in this rule chapter shall take effect on October 1, 1988. Any existing structure not in compliance on October 1, 1988 shall be required to comply with the obstruction marking and lighting standards whenever any change or alteration is made to the structure, whether temporary or permanent; whenever any existing marking requires refurbishment; whenever existing lighting requires replacement; or on or before November 15, 1995, whichever occurs first.

Specific Authority 330.29(4), 333.065, 334.044(2) FS. Law Implemented 330.29, 330.35, 333.025, 333.03(5), 333.07, 333.08 FS. History--New 11-23-72, Amended 4-18-76, 11-19-81, 1-8-85, Formerly 14-60.09, Amended 4-19-89, 12-26-95, 8-5-96, 2-11-97, _____.

14-60.011 Forms.

The following application forms are incorporated by reference into this rule chapter and shall be used to apply for an airspace obstruction permit or public airport site approval license:

FORM NUMBER	DATE	TITLE
725-040-10	(10/96)	Airspace Obstruction Permit
725-040-11	<u>(02/04)</u> (10/96)	Airspace Obstruction Permit Application
725-040-12	<u>(02/04)</u> (10/96)	Airport Site Approval and License Application
725-040-13	(10/96)	Airport License Renewal Application

Copies of these forms may be obtained by contacting the Aviation Office, Florida Department of Transportation, Haydon Burns Building, MS 46, Tallahassee, Florida 32399-0450.

Specific Authority 330.29(4), 334.044(2) FS. Law Implemented 330.29, 333.025, 333.07, 334.044(27) FS. History--New 11-19-81, Amended 1-8-85, Formerly 14-60.11, Amended 4-19-89, 12-26-95, 8-5-96, 2-11-97, _____.

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Board of Trustees of the Internal Improvement Trust Fund are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

LAND AND WATER ADJUDICATORY COMMISSION

Pine Island Community Development District

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Pine Island Community Development District	4200-1
RULE TITLES:	RULE NOS.:
Establishment	4200-1.001
Boundary	4200-1.002
Supervisors	4200-1.003

PURPOSE AND EFFECT: The purpose of this proposed rule is to establish a community development district ("CDD"), the Pine Island Community Development District ("Pine Island CDD"), pursuant to Chapter 190, F.S. The petition filed by Ginn-LA Pine Island Ltd., LLLP, requests the Commission establish a community development district located in Lake County, Florida. The Pine Island Community Development District will consist of approximately 1,805 acres. The petitioner anticipates development of multiple phases of single family residential subdivision(s), with an anticipated total of 785 single family residences. Pine Island I will be approximately 496 single family lots bordered on the west by

County Road 455, on the east and south by Lake Apopka, and on the north by Ridgewood Avenue. The property lies within unincorporated Lake County. Pine Island II will be approximately 289 single family lots and an 18 hole golf course with golf course facilities. Pine Island II is bordered on the east by County Road 455, on the west by Black Still Road, and on the north by Fosgate Road. The south will be bordered by existing development. Pine Island I and II will be joined by a tunnel under County Road 455. There is no real property within the external boundaries of the District that is excluded from the District. The Petitioner has obtained written consent to establish the District from the owners of 100% of the real property located within the proposed District. The District, if established, currently intends to participate in the provision of certain infrastructure improvements.

SUBJECT AREA TO BE ADDRESSED: Establishment of the Pine Island Community Development District.

SPECIFIC AUTHORITY: 190.005 FS.

LAW IMPLEMENTED: 190.004, 190.005 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW (IF NOT REQUESTED, A HEARING WILL NOT BE HELD):

TIME AND DATE: 10:00 a.m. – 12:00 Noon, Monday, March 8, 2004

PLACE: Room 1802M, The Capitol, Tallahassee, Florida

Any person requiring a special accommodation to participate in the workshop because of a disability should contact Barbara Leighty, (850)487-1884, at least five (5) business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Thomas F. Lang, Esquire, or Jan A. Carpenter, Esquire, Allen, Lang, Carpenter & Peed, P.A., 14 East Washington Street, Suite 600, Orlando, Florida 32801, (407)422-8250 or Barbara Leighty, Senior Policy Analyst, Florida Land and Water Adjudicatory Commission, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, (850)487-1884

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Regulated Communications Services	60C-1
RULE TITLES:	RULE NOS.:
General	60C-1.001
Definitions	60C-1.002

Communication Service Authorization	60C-1.003
Agency Communication Service Authorization (CSA) Representative	60C-1.004
Centralized Telecommunications Billing	60C-1.005
Telecommunications Billing Information	60C-1.006
Telecommunications Service Proposals	60C-1.007
Florida State Government Telephone Directory	60C-1.008

PURPOSE AND EFFECT: To consider amendment and renumbering of the above rules in light of administrative and statutory changes, as well as technological developments.

SUBJECT AREA TO BE ADDRESSED: General; Definitions; Communication Service Authorization; Agency Communication Service Authorization (CSA) Representative; Centralized Telecommunications Billing; Telecommunications Service Proposals; Florida State Government Telephone Directory.

SPECIFIC AUTHORITY: 282.102(2),(16) FS.

LAW IMPLEMENTED: 282.102(8),(10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.

A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 9:00 a.m., March 11, 2004

PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida

Pursuant to the Americans with Disabilities Act and section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should advise the State Technology Office at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.pierce@myflorida.com

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

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Communications Procurement of Customer Owned Equipment	60C-2
RULE TITLES:	RULE NOS.:
General	60C-2.001
Standard Specifications for Communications Equipment	60C-2.003
Technical Evaluation of Communications Proposals	60C-2.004
Initiation or Revision of Standard Specification for Communication Equipment	60C-2.005

Single Agency Procurement Requirements 60C-2.006
 Special or Unique Communications Requirements 60C-2.007
 Communications Purchase or Lease Authorization 60C-2.008
 Delegation to State University System 60C-2.009
PURPOSE AND EFFECT: To consider amendment and renumbering of the above rules in light of administrative and statutory changes, as well as technological developments.
SUBJECT AREA TO BE ADDRESSED: General; Standard Specifications for Communications Equipment; Technical Evaluation of Communications Proposals; Initiation or Revision of Standard Specification for Communication Equipment; Single Agency Procurement Requirements; Special or Unique Communications Requirements; Communications Purchase or Lease Authorization; Delegation to State University System.
SPECIFIC AUTHORITY: 282.102(2),(16) FS.
LAW IMPLEMENTED: 282.102(4),(5),(10),(14) FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 9:00 a.m., March 11, 2004
PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida
 Pursuant to the Americans with Disabilities Act and section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should advise the State Technology Office, at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, 4030 Esplanade Way, Suite 335, State Technology Office, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF MANAGEMENT SERVICES

Division of Communications

RULE CHAPTER TITLE:	RULE CHAPTER NO.:
Eligibility and Use of State Communications System	60C-6
RULE TITLES:	RULE NOS.:
General	60C-6.001
Definitions	60C-6.002
Cost Qualification for the State Communications System	60C-6.004
Agreements	60C-6.005
Review of Eligibility of Users	60C-6.006
Modifications, Additions, Reductions or Terminations to Existing SUNCOM and Telpak Service Initiated by a User	60C-6.007

Additions or Modifications to Existing SUNCOM Service Initiated by the Division 60C-6.008
 Actions Initiated by the Division of Communications Resulting in Termination or Reduction of State Communications System Services 60C-6.009
PURPOSE AND EFFECT: To consider amendment and renumbering of the above rules in light of administrative and statutory changes, as well as technological developments.
SUBJECT AREA TO BE ADDRESSED: General; Definitions; Cost Qualification for the State Communications System; Agreements; Review of Eligibility of Users; Modifications, Additions, Reductions or Terminations to Existing SUNCOM and Telpak Service Initiated by a User; Additions or Modifications to Existing SUNCOM Service Initiated by the State Technology Office Actions Initiated by the State Technology Office Resulting in Termination or Reduction of State Communications System Services
SPECIFIC AUTHORITY: 282.102(2),(16) FS.
LAW IMPLEMENTED: 282.102(8),(10), 282.103, 282.104, 282.105, 282.106, 282.107 FS.
A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:
TIME AND DATE: 9:00 a.m., March 11, 2004
PLACE: Shared Resource Center, 2585 Shumard Oak Boulevard, Tallahassee, Florida
 Pursuant to the Americans with Disabilities Act and section 286.26, Florida Statutes, persons needing special accommodations to participate in this meeting should advise the State Technology Office at least 2 calendar days before the workshop, by contacting: Julie Shaw, (850)487-3423.
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Winston Pierce, Chief, Bureau of Policy and Regulation Services, State Technology Office, 4030 Esplanade Way, Suite 335, Tallahassee, Florida 32399-0950, (850)922-7501, Winston.Pierce@MyFlorida.Com
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Electrical Contractors' Licensing Board

RULE TITLE:	RULE NO.:
Financial Responsibility; Definitions, Grounds for Denial	61G6-5.005
PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.	
SUBJECT AREA TO BE ADDRESSED: Financial Responsibility; Definitions, Grounds for Denial.	
SPECIFIC AUTHORITY: 489.511(3) FS.	
LAW IMPLEMENTED: 489.511(3) FS.	

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: John Knap, Executive Director, Board of Electrical Contractors Licensing, 1940 North Monroe Street, Tallahassee, Florida 32399-0783.

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection’s home page at <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE TITLE: Biennial Licensure Fee
 RULE NO.: 64B4-4.005

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Biennial Licensure Fee.

SPECIFIC AUTHORITY: 456.025(1), 491.004(5), 491.007(1) FS.

LAW IMPLEMENTED: 456.025(1), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE TITLE: Disciplinary Guidelines
 RULE NO.: 64B4-5.001

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Disciplinary Guidelines.

SPECIFIC AUTHORITY: 456.013(6), 456.031(1)(a), 491.004(5), 491.007(2) FS.

LAW IMPLEMENTED: 456.013(6), 456.031(1)(a), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE TITLE: Renewal of Active License
 RULE NO.: 64B4-6.001

PURPOSE AND EFFECT: The Board proposes to review the existing rules to determine whether changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Renewal of Active License.

SPECIFIC AUTHORITY: 456.013(6), 456.031(1)(a), 491.007(2) FS.

LAW IMPLEMENTED: 456.013(6), 456.031(a), 491.007(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Foster, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

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

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Applications
RULE NO.: 64B8-4.009

PURPOSE AND EFFECT: The Board proposes the deletion of subsection (10) of the rule.

SUBJECT AREA TO BE ADDRESSED: The deletion of subsection (10) of the rule.

SPECIFIC AUTHORITY: 120.53, 456.031, 456.033, 458.309, 458.311, 458.3137 FS.

LAW IMPLEMENTED: 120.53, 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS.

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

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

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-4.009 Applications.
(1) through (9) No change.

~~(10) An applicant who has filed an application may withdraw that application without action by the Board so long as there has been no action by or on behalf of the Board scheduling the applicant for a hearing before the Board, its Credentials Committee, or some other special Credentials Committee of the Board or scheduling the application for special consideration by the Board, its Credentials Committee or some other special Credentials Committee and if there has not been a communication by staff, verbally, or in writing, that there is some issue within the application which may give rise to an unfavorable ruling or increased scrutiny by the Board. Once special action has been taken by the staff, the Board, or any of the Board's committees, then an applicant can withdraw the application only with the approval of the Board.~~

Specific Authority 120.53, 456.031, 456.033, 458.309, 458.311, 458.3137 FS. Law Implemented 120.53, 456.013(7), 456.031, 456.033, 458.311, 458.3124, 458.313, 458.3145, 458.315, 458.316, 458.3165, 458.317 FS. History—New 3-31-80, Amended 12-4-85, Formerly 21M-22.09, Amended 9-7-88, 3-13-89, 1-1-92, 2-21-93, Formerly 21M-22.009, Amended 11-4-93, Formerly 61F6-22.009, Amended 11-15-94, 2-15-96, Formerly 59R-4.009, Amended 7-10-01, 1-31-02,_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Standard of Care for Office Surgery
RULE NO.: 64B8-9.009

PURPOSE AND EFFECT: The Board proposes the developments of rule amendments to address recent information with regard to patient deaths in combination surgical procedures.

SUBJECT AREA TO BE ADDRESSED: Office surgery.

SPECIFIC AUTHORITY: 458.309(1),(3), 458.331(1)(v) FS.

LAW IMPLEMENTED: 458.331(1)(g),(t),(v),(w) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE SCHEDULED AND ANNOUNCED IN THE FAW.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Larry McPherson, Jr., Executive Director, Board of Medicine/MQA, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-1753

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

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLES: Range of Penalties for Administrative
Violations
RULE NOS.: 64B13-15.003

Range of Penalties for Patient
Care Violations
64B13-15.004

PURPOSE AND EFFECT: Board proposes these amendments to the rules to update the range of penalties.

SUBJECT AREA TO BE ADDRESSED: Range of Penalties for Administrative Violations and Range of Penalties for Patient Care Violations.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.079 FS.

LAW IMPLEMENTED: 456.079 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.003 Range of Penalties for Administrative Violations.

(1) For Minor Administrative Violations the range of penalties are as follows:

(a) First violation – administrative fine of not less than \$ 500.00 nor more than ~~\$3,000.00~~ ~~\$1,500.00~~ per count or offense and/or a reprimand.

(b) Second violation – administrative fine of not less than \$ 750.00 nor more than ~~\$5,000.00~~ ~~\$2,500.00~~ per count or offense and, if appropriate, a period of probation of not less than 3 months nor longer than 6 months.

(c) Third violation – administrative fine of not less than \$1,500.00 nor more than ~~\$8,000.00~~ ~~\$4,000.00~~ per count or offense and, if appropriate, a period of suspension of not less than 6 months nor longer than 12 months.

(2) For Major Administrative Violations the range of penalties are as follows:

(a) First violation – administrative fine of not less than \$1,000.00 nor more than ~~\$4,000.00~~ ~~\$2,000.00~~ per count or offense and, if appropriate, a period of probation or suspension of not less than 6 months nor longer than 12 months.

(b) Second violation – administrative fine of not less than \$2,000.00 nor more than ~~\$6,000.00~~ ~~\$3,000.00~~ per count or offense and, if appropriate, a period of suspension of not less than 12 months nor more than 18 months.

(c) Third violation – administrative fine of not less than \$3,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and a period of suspension of not less than 6 months or revocation.

Specific Authority 456.079 FS. Law Implemented 456.079 FS. History–New 2-24-87, Formerly 21Q-15.003, 61F8-15.003, 59V-15.003, Amended 2-7-01,

64B13-15.004 Range of Penalties for Patient Care Violations.

(1) For Minor Patient Care Violations the range of penalties are as follows:

(a) ~~First~~ ~~first~~ violation – administrative fine of not less than \$ 750.00 nor more than ~~\$5,000.00~~ ~~\$2,500.00~~ per count or offense and, if appropriate, a period of probation of not less than 6 months nor more than 12 months.

(b) ~~Second~~ ~~second~~ violation – administrative fine of not less than \$1,000.00 nor more than ~~\$6,000.00~~ ~~\$3,000.00~~ per count or offense and a period of probation of not less than 12 months nor more than 18 months.

(c) ~~Third~~ ~~third~~ violation – administrative fine of not less than \$2,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and a period of suspension of not less than 3 months nor more than 12 months.

(2) For Major Patient Care Violations the range of penalties are as follows:

(a) ~~First~~ ~~first~~ violation – administrative fine of not less than \$1,000.00 nor more than ~~\$5,000.00~~ ~~\$2,500.00~~ per count or offense and, if appropriate, a period of probation of not less than 12 months nor more than 18 months.

(b) ~~Second~~ ~~second~~ violation – administrative fine of not less than \$2,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and a period of probation and, if appropriate, a period of suspension of not less than 12 months nor more than 24 months.

(c) ~~Third~~ ~~third~~ violation – administrative fine of not less than \$3,000.00 nor more than ~~\$10,000.00~~ ~~\$5,000.00~~ per count or offense and revocation.

Specific Authority 456.079 FS. Law Implemented 456.079 FS. History–New 2-24-87, Formerly 21Q-15.004, 61F8-15.004, 59V-15.004, Amended

DEPARTMENT OF HEALTH

Board of Optometry

RULE TITLE: Citations RULE NO.: 64B13-15.009

PURPOSE AND EFFECT: The Board proposes an amendment to the rule to remove language that is duplicative and to provide a time limit to comply with citations.

SUBJECT AREA TO BE ADDRESSED: Citations.

SPECIFIC AUTHORITY: 456.077, 463.005 FS.

LAW IMPLEMENTED: 456.077 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Joe Baker, Jr., Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B13-15.009 Citations.

(1) Definitions.

(a) “Citation” means an instrument which meets the requirements set forth in Section ~~465.617~~, ~~455.617~~, F.S., and which is served upon a subject for the purpose of assessing a penalty in an amount established by this rule;

(b) “Subject” means the licensee, trainee, or applicant alleged to have committed a violation designated in this rule.

(2) In lieu of the disciplinary procedures contained in Section ~~456.073~~, ~~457.073~~, F.S., the Department is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint which is the basis for the citation.

(3) The procedures described herein apply only for an initial offense of the alleged violation. Subsequent violation(s) of the same rule or statute shall require the procedures of Section ~~456.073~~, ~~457.073~~, F.S., to be followed. In addition,

should an initial offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section 456.621, 457.073, F.S., shall apply.

(4) Pursuant to Section 456.077, F.S., the Board sets forth below those violations for which there is no substantial threat to the public health, safety, and welfare; ~~or, if there is a substantial threat to the public health, safety, and welfare, such potential for harm has been removed prior to the issuance of the citation.~~

(a) The Board hereby designates the following as citation violations which shall result in a penalty of two hundred and fifty dollars (\$250.00):

1. Failure to include in an advertisement for free or discounted services the statement required by Section 456.062, F.S. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

2. Failure to conspicuously display a license, entrance sign, and other signs at each office and branch office location as required by Section 463.011, F.S., and Rules 64B13-3.005 and 64B13-3.006, F.A.C. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

3. Failure to conspicuously display a license at a branch office location as required per Section 463.011, F.S. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

4. Failure to display license and required practice information as specified in Rule 64B13-3.006, F.A.C. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

5. Failure to document having obtained the continuing education required by Section 463.007, F.S., and Rule Chapter 64B13-5, F.A.C. In addition to paying the fine, the licensee must complete continuing education hours not documented, plus an additional hour for each hour missed. The licensee shall come into compliance within ninety (90) days after receipt of the citation.

6. Failure to respond to a continuing education audit as required by Rule 64B13-5.001, F.A.C. The licensee shall come into compliance within fifteen (15) days after receipt of the citation.

(b) No change.

(5) No change.

Specific Authority 456.077, 463.005 FS. Law Implemented 456.077 FS. History—New 1-1-92, Formerly 21Q-15.009, 61F8-15.009, 59V-15.009, Amended 3-21-00, 4-17-01, 12-26-01, 5-1-02, 7-15-02, _____.

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Board Approval of Continuing Psychological

RULE NO.: 64B19-13.004

Education Providers

PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Board Approval of Continuing Psychological Education Providers.

SPECIFIC AUTHORITY: 490.004(4), 490.0085(4) FS.

LAW IMPLEMENTED: 490.007(2), 490.0085(1),(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Minor Misconduct, Notices

RULE NO.: 64B19-17.0035

of Noncompliance

PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Minor Misconduct, Notices of Noncompliance.

SPECIFIC AUTHORITY: 456.073(3) FS.

LAW IMPLEMENTED: 456.073(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Qualifications to Practice Juvenile

RULE NO.: 64B19-18.0025

Sexual Offender Therapy

PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Qualifications to Practice Juvenile Sexual Offender Therapy.

SPECIFIC AUTHORITY: 490.004(4), 490.012(8), 490.0145 FS.

LAW IMPLEMENTED: 490.012(8), 490.0145 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Board of Psychology

RULE TITLE: Definitions
 RULE NO.: 64B19-19.002

PURPOSE AND EFFECT: The Board proposes to review the existing rule to determine if changes are necessary.

SUBJECT AREA TO BE ADDRESSED: Definitions.

SPECIFIC AUTHORITY: 490.004, 490.0147 FS.

LAW IMPLEMENTED: 490.009(2)(v), 490.0147 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kaye Howerton, Executive Director, Board of Psychology/MQA, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

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

DEPARTMENT OF HEALTH

Division of Family Health Services

RULE TITLE: Family Planning Services
 RULE NO.: 64F-16.012

PURPOSE AND EFFECT: The rule will implement a Family Planning Waiver granted by Centers for Medicare and Medicaid Services (CMS) to the State of Florida in its Medicaid Program. Under the Medicaid waiver, women who have experienced a pregnancy related event and meet other physical and financial eligibility criteria will receive family planning services under Medicaid even though they would not otherwise be eligible for Medicaid.

SUBJECT AREA TO BE ADDRESSED: Implementation of Family Planning Waiver.

SPECIFIC AUTHORITY: 381.0011(13), 381.0051(7) FS.

LAW IMPLEMENTED: 381.0051(2), 381.0051(4)(a),(6), 383.011(1)(d), 383.013(4) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 10:00 a.m., March 15, 2004

PLACE: Conference Room, 110 P, Prather Building, 2585 Merchant's Row Boulevard, Suite 110, Tallahassee, FL 32399

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Julia P. Forrester, Assistant General Counsel, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin #A02, Tallahassee, Florida 32399-1703, (850)245-4444, email: Julia_Forrester@doh.state.fl.us

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

DEPARTMENT OF FINANCIAL SERVICES

Division of Workers' Compensation

RULE TITLE: Policies and Endorsements Covering
 RULE NO.: 69L-6.019

Employees Engaged in Work in Florida

PURPOSE AND EFFECT: Sections 440.10(1)(g) and 440.38(7), Florida statutes, were amended to require employers who have employees "engaged in work" in this state with their headquarters outside of Florida to obtain a Florida policy or endorsement utilizing Florida class codes, rates, rules, and manuals that are in compliance with and approved under the provisions of Chapter 440, Florida Statutes, and the Florida Insurance Code. The rule implements the statutory amendment by describing what must appear on a workers' compensation policy or endorsement for it to be acceptable proof of coverage in relation to employees "engaged in work" in this state so that the Department may enforce employer compliance with workers' compensation coverage requirements.

SUBJECT AREA TO BE ADDRESSED: Implementation of amendments to Sections 440.10(1)(g) and 440.38(7), Florida Statutes.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.10(1)(g), 440.38(7) FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE TIME, DATE AND PLACE SHOWN BELOW:

TIME AND DATE: 1:00 p.m., March 8, 2004

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, Southeast, 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 DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Bruce Brown, Chief of Compliance, Division of Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-0333, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.019 Policies and Endorsements Covering Employees Engaged in Work in Florida.

(1) Every employer who is required to provide workers' compensation coverage for employees engaged in work in this state shall obtain a Florida policy or endorsement for such employees that utilizes Florida class codes, rates, rules and manuals that are in compliance with and approved under the provisions of Chapter 440, Florida Statutes, and the Florida Insurance Code, pursuant to Sections 440.10(1)(g) and 440.38(7), Florida Statutes.

(2) In order to comply with Sections 440.10(1)(g) and 440.38(7), Florida Statutes, any policy or endorsement presented by an employer as proof of workers' compensation coverage for employees engaged in work in this state must be issued by an insurer that holds a valid Certificate of Authority in the State of Florida.

(3) In order to comply with Sections 440.10(1)(g) and 440.38(7), Florida Statutes, for any workers' compensation policy or endorsement presented by an employer as proof of workers' compensation coverage for employees engaged in work in this state:

(a) the policy information page (NCCI form number WC 00 00 01 A) must list "Florida" in Section 3.A. and use Florida approved classification codes, rates, and estimated payroll in Section 4.

(b) the policy information page endorsement (NCCI form number WC 89 06 00 B) must list "Florida" in Section 3.A. and use Florida approved classification codes, rates, and estimated payroll in Section 4.

(4) A workers' compensation policy that lists "Florida" in Section 3.C. of the policy information page (NCCI form number WC 00 00 01 A) does not meet the requirements of Sections 440.10(1)(g) and 440.38(7), Florida Statutes, and is not valid proof of workers' compensation coverage for employees engaged in work in this state.

(5) NCCI form numbers WC 00 00 01 A and WC 89 06 00 B are hereby adopted and incorporated herein by reference.

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.10(1)(g), 440.38(7) FS. History--New _____.

Section II Proposed Rules

DEPARTMENT OF EDUCATION

State Board of Education

RULE TITLE: The Dale Hickam Excellent Teaching Program
 RULE NO.: 6A-10.060

PURPOSE AND EFFECT: The purpose of this rule amendment is to clarify the provisions for payment of the fee subsidies, incentives and bonuses to instructional personnel provided for by the Dale Hickam Excellent Teaching Program. The effect of this rule is to provide an appropriate framework for payment of the fee subsidies, incentives and bonuses to instructional personnel provided for by the Dale Hickam Excellent Teaching Program.

SUMMARY: This rule clarifies the provisions for payment of the fee subsidies, incentives and bonuses to instructional personnel provided for by the Dale Hickam Excellent Teaching Program by clarifying the conditions for payment and repayment.

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 the notice.

SPECIFIC AUTHORITY: 1012.01, 1012.34, 1012.72 FS.

LAW IMPLEMENTED: 1012.72 FS.

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

TIME AND DATE: 8:30 a.m., April 20, 2004

PLACE: 325 West Gaines Street, Tallahassee, Florida 32399-0400

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Betty Coxe, K-12 Deputy Chancellor, Department of Education, 325 West Gaines Street, Rm. 514, Tallahassee, Florida 32399-0400, (850)245-0420

THE FULL TEXT OF THE PROPOSED RULE IS:

(Substantial rewording of Rule 6A-10.060 follows. See Florida Administrative Code for present text.)

6A-10.060 The Dale Hickam Excellent Teaching Program.

(1) Eligibility for payment(s) of the certification fee subsidy, teaching salary bonus, and mentoring salary bonus, pursuant to Section 1012.72, Florida Statutes, requires the following: