

THE FULL TEXT OF THE PROPOSED RULE IS:

69L-6.023 Non-Construction Limited Liability Company Members.

(1) A member of a limited liability company created and approved under Chapter 608, Florida Statutes, that is not engaged in the construction industry is not an “employee” of the limited liability company, for purposes of Chapter 440, Florida Statutes.

(2) The liability for compensation imposed by Section 440.10, Florida Statutes, does not apply as to a member of a limited liability company created and approved under Chapter 608, Florida Statutes, that is not engaged in the construction industry, unless the employer elects a waiver pursuant to Section 440.04, Florida Statutes.

Specific Authority 440.591 FS. Law Implemented 440.02(9), 440.02(15) FS. History—New

NAME OF PERSON ORIGINATING PROPOSED RULE: Dan Sumner, Deputy Director of Workers’ Compensation, Division of Workers’ Compensation, Department of Financial Services

NAME OF SUPERVISOR OR PERSON WHO APPROVED THE PROPOSED RULE: Tanner Holloman, Director of Workers’ Compensation, Division of Workers’ Compensation, Department of Financial Services

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 25, 2005

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 17, 2005

Section III Notices of Changes, Corrections and Withdrawals

DEPARTMENT OF TRANSPORTATION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
14-87	Assessment of Penalties for Violations Found During Compliance Reviews and Payment of Penalties
RULE NOS.:	RULE TITLES:
14-87.001	Scope
14-87.0011	Scope and Definitions
14-87.0012	Assessment of Penalties for Violations Found During Compliance Reviews
14-87.002	Payment of Penalties; Detaining and Impounding Motor Vehicles

NOTICE OF CHANGE

SUMMARY OF CHANGE: The following changes are being made in response to a review by the Joint Administrative Procedures Committee attorney:

1. 14-87.0011(2)(c): Remove the colon after the word “including” and then add a comma after the word “records” in the next line so that the sentence reads as follows:

“(c) “Compliance Review” means an onsite review of documents at a motor carrier’s or shipper of hazardous materials’ terminal or office, including: property carrier, passenger carrier, or shipper of hazardous materials records, such as driver’s hours of service, maintenance and inspection, driver qualification, commercial driver’s license requirements, financial responsibility, and accident and other safety and business records which will enable the investigators to establish compliance with safety laws and regulations.”

2. 14-87.002(3): Remove the word “approved” in reference to credit cards so that the section reads as follows:

“(3) Payment methods for citations include cash, money orders, certified funds from a financial institution, ~~approved~~ credit cards, and company checks.”

Notice was published in Florida Administrative Weekly, Vol. 31, No. 24, June 17, 2005.

NOTE: The delete/add coding used in this notice is to show the changes from originally proposed language, not changes from the current Florida Administrative Code.

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.”

ADMINISTRATION COMMISSION

RULE CHAPTER NO.:	RULE CHAPTER TITLE:
28-18	Land Planning Regulations for the Florida Keys Area of Critical State Concern – City of Marathon

RULE NO.:	RULE TITLE:
28-18.210	Comprehensive Plan

NOTICE OF WITHDRAWAL

Notice is hereby given that the above proposed rule as noticed in Vol. 30, No. 29, July 16, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.:	RULE TITLE:
61J2-2.027	Applications by Individuals

NOTICE OF WITHDRAWAL

Notice is hereby given that the above rule, as noticed in Vol. 30, No. 35, August 27, 2004, Florida Administrative Weekly has been withdrawn.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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DEPARTMENT OF HEALTH

Board of Dentistry

RULE NO.: RULE TITLE:
64B5-16.002 Required Training

NOTICE OF PUBLIC RULE HEARING

The Board of Dentistry hereby gives notice of a public hearing on the above-referenced rule, pursuant to Section 120.54(3)(c)1., F.S., to be held on September 9, 2005 at 10:00 a.m., at the Hyatt Regency Hotel, 9300 Airport Blvd., Orlando, Florida 32827. The rule was originally published in Vol. 31, No. 24, of the June 17, 2005, Florida Administrative Weekly.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Dentistry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258.

Any person requiring a special accommodation at this hearing because of a disability or physical impairment should contact the Board’s Executive Director at least five calendar days prior to the hearing. If you are hearing or speech impaired, please contact the Board office using the Florida Dual Party Relay System which can be reached at 1(800)955-8770 (Voice) and 1(800)955-8771 (TDD).

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE NO.: RULE TITLE:
69O-149.022 Forms Adopted

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule, in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 31, No. 17, April 29, 2005, of the Florida Administrative Weekly. These changes are being made to address concerns expressed by the Joint Administrative Procedures Committee.

(2)(c) All citations to Section 627.411(1)(d), F.S., in the forms have been removed.

8. The revision date on the form has been corrected to Rev. 1/04.

17. Form OIR-B2-1623, “Health Flex Plan and Enrollment Form Checklist”, 1/05, has been removed from the rule.

(2)(c)18. through (2)(c)35. are renumbered (2)(c)17. through (2)(c)34. with no other changes.

(d) The summary of Section 627.429(4)(f), F.S., has been modified in the following forms:

- OIR-B2-1639
- OIR-B2-1641
- OIR-B2-1644
- OIR-B2-1643

All references to Section 626.9921(2), F.S., have been removed, and the summary of Section 626.9927(3), F.S., has been modified in the following forms:

- OIR-B2-1646
- OIR-B2-1647
- OIR-B2-1648
- OIR-B2-1649

The remainder of the reads as previously published.

**Section IV
Emergency Rules**

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