

Section I
Notices of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

RULE TITLE: Written Statement Explaining Consumer Rights under Chapter 681, Florida Statutes; Florida New Motor Vehicle Arbitration Board 2-30.001
RULE NO.:
PURPOSE AND EFFECT: The purpose of the proposed rule amendment is to provide additional definitions of terms located in Chapter 681, Florida Statutes, and to update the forms incorporated by reference in Rule 2-30.001, F.A.C.
SUBJECT AREA TO BE ADDRESSED: Various terms located in Chapter 681, Florida Statutes, and the forms that are incorporated by reference in Rule 2-30.001, F.A.C.
SPECIFIC AUTHORITY: 681.103(3), 681.109(5), 681.1095, 681.118 FS.
LAW IMPLEMENTED: 681.102, 681.103, 681.104, 681.109, 681.1095 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. – 3:00 p.m., November 9, 2005
PLACE: Office of the Attorney General, The Leroy Collins Building, Room 138, 107 West Gaines Street, Tallahassee, Florida
THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Janet L. Smith, Office of the Attorney General, The Capitol, PL-01, Tallahassee, Florida 32399-1050, (850)414-3300, email: jan\_smith@oag.state.fl.us
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE CHAPTER TITLE: Gasoline and Oil Inspection
RULE CHAPTER NO.: 5F-2
RULE TITLES: Standards
RULE NOS.: 5F-2.001
Disposition of Below Standard Gasoline, Kerosene, Diesel Fuel Oils No. 1-D and No. 2-D, and Fuel Oils No. 1 and No. 2
5F-2.002
Registration and Identification
5F-2.003

Adoption of the General Code and the Codes of Liquid Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid Measuring Devices, Hydrocarbon Gas Vapor Measuring Devices, Vehicle Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44 5F-2.014
Guidelines for Imposing Administrative Penalties 5F-2.016
PURPOSE AND EFFECT: In the title section, the title of 5F-2.002 “Disposition of Below Standard Gasoline, Kerosene, Diesel Fuel Oils No. 1-D and No. 2-D, and Fuel Oils No. 1 and No. 2” is changed to reflect the new terminology used by ASTM International.
The purpose of amending Rule 5F-2.001, F.A.C., is to adopt the 2005 edition of the chemical and physical standards set forth in ASTM International, update the legal name of the referenced organization to ASTM International from the American Society for Testing and Materials, and add definitions and testing standards for new fuels on the market, defined as “alternative fuels.” The latter will protect the consumer from substandard alternative fuels should they enter the petroleum market in Florida. The standards will provide guidance for quality testing of regulated petroleum products. The effect will be that the Department will use the most recent nationally recognized standards for petroleum products developed by a consensus organization.
The purpose of amending Rule 5F-2.002, F.A.C., is to reflect the new terminology used by ASTM International in its latest version. The effect is to bring us in line with current terminology.
The purpose of amending Rule 5F-2.003, F.A.C., is to add labeling requirements for the sale of additional current fuels and new “alternative” fuels. Changes in the sulfur requirements for diesel, clarification of the content of alcohol containing gasoline, and new alternative fuels on the market prompted this amendment. The effect is to provide the consumer with the information to make an informed choice that may be critical to the function of the vehicle when purchasing fuel in Florida.
The purpose of amending is to adopt the 2005 edition of National Institute of Standards and Technology (NIST) Handbook 44 which contains specifications and testing criteria for liquid and vapor measuring devices. The effect will be the incorporation of the most recent nationally recognized specifications and testing criteria for measuring devices developed by a consensus organization.
The purpose of amending Rule 5F-2.016, F.A.C., is to update the matrix table that defines the administrative fines as described in Section 525.16, F.S. The effect is to include all violations and have uniform imposition of administrative fines.

SUBJECT AREA TO BE ADDRESSED: Proposed Rule 5F-2.001, F.A.C., will specify that the most recent edition of ASTM Standard D 4814-04b<sup>1</sup>, *Standard Specification for Automotive Spark-Ignition Engine Fuel* is the accepted standard for implementation of Chapter 525, F.S. Proposed Rule 5F-2.001, F.A.C., will also add definitions and testing standards for new fuels on the market, known as “alternative fuels.”

SPECIFIC AUTHORITY: 525.037, 525.14, 525.16, 526.09, 531.40, 531.41(3) FS.

LAWS IMPLEMENTED: 525.01, 525.07, 525.035, 525.037, 525.07, 525.14, 525.16, 526.01(1),(3), 531.40 FS.

IF REQUESTED 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., Monday, October 24, 2005

PLACE: Department Training Room, basement level, Doyle Conner Administration Building, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Matthew D. Curran, Ph.D., Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-2.001 Standards.

(1) Gasoline. The following specifications apply to gasoline sold or offered for sale in Florida. Specific variations or exemptions ~~shall be considered~~ ~~may be made~~ by the Department of Agriculture and Consumer Services for ~~petroleum fuel~~ gasoline designed for special equipment or service, or in the event of fuel shortages, declared states of emergency, or other events of the like, in accordance with Section 120.542, F.S., Variances and waivers.

(a) Standards. All gasoline shall conform to the chemical and physical standards for gasoline as set forth in ASTM International ~~the American Society for Testing and Materials~~ designation D 4814-04b<sup>E1</sup> ~~D 4814-04b~~, “Standard Specification for Automotive Spark-Ignition Engine Fuel.”

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by ASTM International ~~the American Society for Testing and Materials~~ designation D 4814-04b<sup>E1</sup> ~~D 4814-04b~~, “Standard Specification for Automotive Spark-Ignition Engine Fuel.”

(c) No person shall sell or offer for sale gasoline in this state that does not comply with the following requirements:

1. The total ethanol content of gasoline shall not exceed ten percent (10.0%), by volume;

2. The total methanol and co-solvents content of gasoline shall not exceed ten percent (10.0%), by volume;

3. The total methyl tertiary butyl ether (MTBE) content of gasoline shall not exceed fifteen percent (15.0%), by volume;

4. The total ethanol and methyl tertiary butyl ether (MTBE) content of gasoline shall not exceed twelve percent (12.0%), by volume.

(2) Kerosene (Kerosine). The following specifications apply to kerosene No. 1-K and No. 2-K sold or offered for sale in Florida.

(a) Standards. All kerosene No. 1-K and No. 2-K shall conform to the chemical and physical standards for kerosene No. 1-K and No. 2-K as set forth in ASTM International ~~the American Society for Testing and Materials~~ designation D 3699-04 ~~D 3699-03~~, “Standard Specification for Kerosine.”

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using methods recognized by ASTM International ~~the American Society for Testing and Materials~~ designation D 3699-04 ~~D 3699-03~~, “Standard Specification for Kerosine.”

(3) Diesel Fuel Oils No. 1-D and No. 2-D. The following specifications apply to diesel fuel oils No. 1-D and No. 2-D sold or offered for sale in Florida.

(a) Standards. All diesel fuel oils No. 1-D and No. 2-D shall conform to the chemical and physical standards for diesel fuel oils No. 1-D and No. 2-D as set forth in ASTM International ~~the American Society for Testing and Materials~~ designation D 975-04c<sup>E1</sup> ~~D 975-03~~, “Standard Specification for Diesel Fuel Oils.”

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by ASTM International ~~the American Society for Testing and Materials~~ designation D 975-04c<sup>E1</sup> ~~D 975-03~~, “Standard Specification for Diesel Fuel Oils.”

(4) Fuel Oils No. 1 and No. 2. The following specifications apply to fuel oils No. 1 and No. 2 sold or offered for sale in Florida.

(a) Standards. All fuel oils No. 1 and No. 2 shall conform to the chemical and physical standards for fuel oils No. 1 and No. 2 as set forth in ASTM International ~~the American Society for Testing and Materials~~ designation D 396-04 ~~D 396-02a~~, “Standard Specification for Fuel Oils.”

(b) Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by ASTM International ~~the American Society for Testing and Materials~~ designation D 396-04 ~~D 396-02a~~, “Standard Specification for Fuel Oils.”

(5) Alternative Fuels. The term “alternative fuel” means denatured ethanol, methanol, and other alcohols; mixtures containing 85% or more (or such other percentage, but no less than 70% as determined by the Department, by rule, to provide for requirements relating to cold start, safety, or vehicle

functions) by volume of denatured ethanol, methanol, and other alcohols with gasoline or other fuels; hydrogen; coal-derived liquid fuels; fuels (other than alcohol) derived from biological materials; electricity (including electricity from solar energy); and any other fuel the Department determines, by rule.

(a) E85 Fuel Ethanol. The following specifications apply to E85 Fuel Ethanol sold or offered for sale in Florida.

1. Standards. All E85 Fuel Ethanol shall conform to the chemical and physical standards for Fuel Ethanol as set forth in the ASTM International designation D 5798-99, "Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines."

2. Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the ASTM International designation D 5798-99, "Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines."

(b) M85 Fuel Methanol. The following specifications apply to M85 Fuel Methanol sold or offered for sale in Florida.

1. Standards. All M85 Fuel Methanol shall conform to the chemical and physical standards for Fuel Methanol as set forth in the ASTM International designation D 5797-96, "Standard Specification for M85 Fuel Methanol (M70-M85) for Automotive Spark-Ignition Engines."

2. Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the ASTM International designation D 5797-96, "Standard Specification for M85 Fuel Methanol (M70-M85) for Automotive Spark-Ignition Engines."

(c) Biodiesel Blending Stock and Biodiesel Fuel Blends. The following specifications apply to Biodiesel Blending Stock and Biodiesel Fuel Blends sold or offered for sale in Florida.

1. Standards. The diesel fuel used for blending and biodiesel blends up to 20% biodiesel blending stock shall meet the specifications set forth by ASTM International designation D 975-04c<sup>§1</sup>, "Standard Specification for Diesel Fuel Oils." Biodiesel blending stock shall meet the specifications set forth by ASTM International designation D6751-03a, "Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels."

2. Analysis. For purposes of inspection and testing, laboratory analyses shall be conducted using the methods recognized by the ASTM International designations D 975-04c<sup>1</sup>, "Standard Specification for Diesel Fuel Oils" and D6751-03a, "Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels."

(6)(5) Water in Retail Storage Tanks. Water in storage tanks containing products enumerated in this section and from which products are sold at retail shall not exceed two inches in depth when measured from the bottom of the tank.

(7)(6) Materials. The following materials are hereby incorporated by reference. Copies of these publications may be obtained from ASTM International the American Society for Testing and Materials, 100 Barr Harbor Drive, West, Conshohocken, PA 19428, or <http://www.astm.org>.

(a) ASTM International American Society for Testing and Materials D 4814-04b<sup>§1</sup> D 4814-04b, "Standard Specification for Automotive Spark-Ignition Engine Fuel";

(b) ASTM International American Society for Testing and Materials D 3699-04 D 3699-03, "Standard Specification for Kerosene";

(c) ASTM International American Society for Testing and Materials D 975-04c<sup>§1</sup> D 975-03, "Standard Specification for Diesel Fuel Oils";

(d) ASTM International American Society for Testing and Materials D 396-04 D 396-02a, "Standard Specification for Fuel Oils";

(e) ASTM International D 5798-99, "Standard Specification for Fuel Ethanol (Ed75-Ed85) for Automotive Spark-Ignition Engines";

(f) ASTM International D 5797-96, "Standard Specification for M85 Fuel Methanol (M70-M85) for Automotive Spark-Ignition Engines";

(g) ASTM International designation D6751-03a, "Standard Specification for Biodiesel Fuel Blend Stock (B100) for Middle Distillate Fuels."

Specific Authority 525.037, 525.14 FS. Law Implemented 525.01, 525.037, 525.14 FS. History—Amended 1-15-68, 7-1-71, 7-1-73, 12-1-73, 11-16-74, 2-13-80, 5-3-83, Formerly 5F-2.01, Amended 5-3-90, 8-13-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, 6-29-03, 6-21-04, 4-18-05.

5F-2.002 Disposition of Below Standard Gasoline, Kerosene, Diesel Fuel Oils No. Numbers 1-D and No. 2-D, and Fuel Oils No. Numbers 1 and No. 2.

(1) GASOLINE.

(a) Gasoline found below the standard by reason of containing water, sediment, or suspended matter shall be withheld from sale to the public by the Department of Agriculture and Consumer Services until brought up to standard.

(b) Gasoline found below standard because of an Antiknock Index more than one (1.0), but not more than two (2.0), below the Antiknock Index displayed on the dispenser shall be withheld from sale to the public until it has been brought up to standard; or the Department may release it for sale to the public as a product of lesser quality, or to the owner for use in his own equipment.

(c) Gasoline found below standard for reasons other than those enumerated in paragraphs (1)(a) and (b) shall be subject to penalties provided in Section 525.16, Florida Statutes.

(2) KEROSENE.

(a) Kerosene found below standard by reason of containing water, sediment, suspended matter, or failing to meet the standard for color shall not have an assessment levied by the Department, but shall be withheld from sale to the public until brought up to standard.

(b) Kerosene found below standard for reasons other than those enumerated in paragraph (2)(a) shall be subject to penalties provided in Section 525.16, Florida Statutes.

(3) DIESEL FUEL OILS ~~No. NUMBERS~~ 1-D and ~~No. 2-D~~ and FUEL OILS ~~No. Numbers~~ 1 and ~~No. 2~~.

(a) Diesel fuel oils and fuel oils found below standard by reason of containing excessive amounts of water and sediment shall not have an assessment levied but shall be withheld from sale to the public until they are brought up to standard.

(b) Diesel fuel oil ~~No. number~~ 2-D found below the flash point, standard but not below 100°F, shall not have an assessment levied but shall be withheld from sale to the public until brought up to standard.

(c) Diesel fuel oils ~~No. numbers~~ 1-D and ~~No. 2-D~~, and fuel oils ~~No. 1 and No. 2~~ ~~Numbers 1 and 2~~ found below standard for reasons other than those enumerated in paragraph (3)(a) and (b) shall be subject to the penalties as provided in Section 525.16, Florida Statutes.

Specific Authority 525.037, 525.14, 525.16 FS. Law Implemented 525.037, 525.16 FS. History—Amended 7-1-71, 7-1-73, Repromulgated 12-31-74, Amended 2-13-80, Formerly 5F-2.02, Amended 5-3-90, 8-13-92, 1-24-93, 11-29-94, \_\_\_\_\_.

5F-2.003 Registration and Identification.

(1) The Department of Agriculture and Consumer Services will furnish on request Form DACS-03202 for making statements and affidavits required in Section 525.01, Florida Statutes. Form DACS-03202 is effective 11-29-94, and is hereby adopted and incorporated by reference herein. The form may be obtained by writing or visiting the Department of Agriculture and Consumer Services, Division of Standards, Bureau of Petroleum Inspection, 3125 Conner Boulevard, Tallahassee, Florida 32399-1650.

(2) Every retail gasoline dispenser shall have the octane rating of the gasoline being sold therefrom conspicuously and firmly posted in a manner conforming with 16 Code of Federal Regulations Part 306 (1-1-93 Edition) which is hereby adopted by reference. Copies of this publication may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

(3) Every retail gasoline dispenser shall have the grade designation of the gasoline being sold therefrom conspicuously and firmly attached thereto. The octane rating of gasoline sold using the following grade designations must meet the minimum octane rating indicated:

<u>Grade Designation</u>	<u>Minimum Octane Rating</u>
Premium, Super, Supreme, High Test	91
Midgrade, Plus	89
Regular, Unleaded	87

(4) All racing gasoline or gasoline designed for special use that is kept, offered, or exposed for sale, or sold at retail that does not meet standards established in subsection 5F-2.001(1), F.A.C.:

(a) May not be advertised or represented, in writing or orally, to be suitable for use in ordinary motor vehicles or boat motors;

(b) Shall be accompanied by a conspicuous sign on the dispenser stating that the product does not meet gasoline specifications; and

(c) May not be dispensed into vehicles or boats unless the appearance of said vehicles or boats indicate they are used primarily for racing or special purposes.

(5) Every retail kerosene dispenser or container-package of kerosene offered for sale at retail shall be conspicuously labeled “kerosene” immediately followed by the designation: 1-K or 2-K, whichever is applicable.

(6) Every retail diesel fuel dispenser shall have the proper grade designation to indicate the sulfur content of the diesel fuel being sold therefrom conspicuously and firmly attached thereto. The proper grade designation to indicate the sulfur content of the diesel fuel sold shall be indicated according to the following:

<u>Grade Designation</u>	<u>Sulfur Content (ppm)</u>
<u>Ultra Low Sulfur Diesel</u>	<u>no more than 15</u>
<u>Low Sulfur Diesel</u>	<u>15 – 500 (incl.)</u>
<u>High Sulfur Diesel</u>	<u>500 – 5000 (incl.)</u>

~~(7)(6)~~ All gasoline motor fuel kept, offered, or exposed for sale, or sold, at retail, containing at least one percent but no more than 10% by volume of ethanol, methanol, or a combination shall be identified as “contains 10% or less or 1-10% ethanol,” “contains 10% or less or 1-10% methanol,” or “contains 10% or less or 1-10% ethanol/methanol” on the upper fifty percent of the dispenser front panel in a position clear and conspicuous from the driver’s position, in a type at least 1/2 inch in height and 1/16 inch stroke (width of type).

(8) All alternative fuel kept, offered, or exposed for sale, or sold, at retail that contains more than 10% ethanol, methanol or other alcohol shall be identified by a name indicating the amount and type(s) of ethanol, methanol or other alcohol in the fuel on the upper fifty percent of the dispenser front panel in a position clear and conspicuous from the driver’s position, in a type at least 1/2 inch in height and 1/16 inch stroke (width of type).

(a) Fuels classified as alternative fuels with an ethanol content of 85% or more, but no less than 70%, shall be identified as ‘E85 Fuel Ethanol’.

(b) Fuels classified as alternative fuels with a methanol content of 85% or more, but no less than 70%, shall be identified as ‘M85 Fuel Methanol’.

(c) Fuels classified as alternative fuels with an alcohol content (other than methanol or ethanol) of 85%, but no less than 70%, shall be identified in a similar fashion as those in paragraphs (a) and (b).

(9) All alternative fuel kept, offered, or exposed for sale, or sold, at retail that contains more than 5% biodiesel shall be identified as “Biodiesel fuel (BXX),” where XX represents the volume percent biodiesel in the fuel, on the upper fifty percent of the dispenser front panel in a position clear and conspicuous from the driver’s position, in a type at least 1/2 inch in height and 1/16 inch stroke (width of type).

(10) Any other alternative fuel as defined by this section shall be identified on the upper fifty percent of the dispenser front panel in a position clear and conspicuous from the driver’s position, in a type at least 1/2 inch in height and 1/16 inch stroke (width of type).

Specific Authority 525.14, 526.09 FS. Law Implemented 525.01, 525.035, 525.14, 526.01(1),(3) FS. History—Amended 12-31-74, 2-13-80, 5-3-83, 4-22-85, Formerly 5F-2.03, Amended 11-28-89, 1-24-93, 11-24-94,\_\_\_\_\_.

5F-2.014 Adoption of the General Code and the Codes of Liquid-Measuring Devices, Liquefied Petroleum Gas and Anhydrous Ammonia Liquid-Measuring Devices, Hydrocarbon Gas Vapor-Measuring Devices, Vehicle-Tank Meters, and Vehicle Tanks Used as Measures of National Institute of Standards and Technology Handbook 44.

The general code and codes of liquid-measuring devices, liquefied petroleum gas and anhydrous ammonia liquid-measuring devices, hydrocarbon gas vapor-measuring devices, vehicle-tank meters, and vehicle tanks used as measures relating to specifications, tolerances, and other technical requirements for commercial weighing and measuring devices, contained in National Institute of Standards and Technology Handbook 44, 2005 ~~2004~~ Edition, published by U.S. Department of Commerce are adopted by reference as rules of the Department of Agriculture and Consumer Services. Copies may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 or at <http://ts.nist.gov/ts/htdocs/230/235/pubs.htm>.

Specific Authority 525.14, 531.40, 531.41(3) FS. Law Implemented 525.07, 531.40 FS. History—New 1-1-74, Amended 7-1-74, Repromulgated 12-31-74, Amended 4-18-75, 1-25-76, 1-17-77, 2-15-79, 6-4-80, 4-5-81, 5-2-82, 6-30-83, 7-15-84, 8-11-85, Formerly 5F-2.14, Amended 7-7-86, 4-5-87, 4-27-88, 5-31-89, 8-21-90, 8-5-91, 12-10-92, 11-29-94, 11-13-97, 12-9-98, 8-3-99, 7-31-00, 9-3-01, 8-15-02, 6-29-03, 6-21-04,\_\_\_\_\_.

5F-2.016 Guidelines for Imposing Administrative Penalties.

(1) through (5)(d) No change.

The administrative fine will be a sum of the assigned monetary amounts of these factors. These factors will be assigned monetary amounts in the following manner:

1. The degree of harm is determined by the severity and nature of the violation and the extent of harm will be determined by the amount of substandard product sold.

a. Severity and Nature of the Violation

Gasoline			
Fine	\$100	\$250	\$500
Distillation: End Point, °F	450-475	476-500	>500
Distillation: 10, 50 & 90% evaporated temperature, °F		all violations	
Vapor Pressure, psi	April-October: >maximum but < 11.5	November-March: >13.5 April-October: >11.5	
Antiknock Index			>2.0 below displayed value
Sulfur			all violations
Gum			all violations
Alcohol/Oxygenates		>maximum but <20%	>20%
Silver Corrosion			all violations

Diesel, Kerosene and Fuel Oils			
Fine	\$100	\$250	\$500
Flash Point, °F	diesel & fuel oils: 80-95. kerosene: 80-91	diesel, kerosene & fuel oils: 60-79	diesel, kerosene & fuel oils: <60
Distillation		diesel, kerosene & fuel oils: all violations	
Sulfur			all violations
Lubricity			all violations

- b. No change.
- 2. through 4. No change.

Specific Authority 525.14 FS. Law Implemented 525.16 FS. History--New 2-24-00, Amended 7-30-02,\_\_\_\_\_.

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Standards**

RULE TITLE: Standards  
RULE NO.: 5F-10.001

PURPOSE AND EFFECT: The purpose of Rule 5F-10.001, F.A.C., is to adopt the name change of the American Society for Testing and Materials to ASTM International. The effect will be to incorporate current language into our rule.

SUBJECT AREA TO BE ADDRESSED: The change of name of the international testing society from which the Department adopts specifications and methods of testing for implementation of Section 501.91, F.S.

SPECIFIC AUTHORITY: 570.07(23), 501.921 FS.

LAWS IMPLEMENTED: 501.913, 501.917, 501.921 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., Tuesday, October 25, 2005

PLACE: Bureau of Petroleum Inspection’s Conference Room, 3125 Conner Boulevard, Bldg. #1, Tallahassee, Florida 32399-1650

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Matthew D. Curran, Ph.D., Chief, Bureau of Petroleum Inspection, 3125 Conner Blvd., Bldg. #1, Tallahassee, FL 32399-1650, (850)488-9740

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

5F-10.001 Standards.

(1) The performance specifications and standards for glycol base antifreeze are hereby incorporated by reference: ASTM International D 3306-03, “Standard Specification for Glycol Base Engine Coolant for Automobile and Light Duty Service,” (approved September 10, 2003).

(2) The performance specifications and standards for recycled glycol base antifreeze are hereby incorporated by reference: ASTM International D 6471-03, “Standard Specification for Recycled Prediluted Aqueous Glycol Base Engine Coolant (50 Volume % Minimum) for Automobile and Light Duty Service,” (approved November 1, 2003) and ASTM International D 6472-03, “Standard Specification for Recycled Glycol Base Engine Coolant Concentrate for Automobile and Light Duty Service,” (approved November 1, 2003).

(3) Copies of these documents may be obtained from ASTM International ~~the American Society for Testing and Materials~~, 100 Barr Harbor Drive, West Conshohocken, PA 19428 or <http://www.astm.org>.

Specific Authority 570.07(23), 501.921 FS. Law Implemented 501.913, 501.917, 501.921 FS. History--New 10-6-93, Amended 7-5-95, 12-9-98, 6-25-00, 10-22-01, 12-9-02, 12-7-04,\_\_\_\_\_.

**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.”

**STATE BOARD OF ADMINISTRATION**

RULE TITLE: General Policies and Review Procedures for Investments  
RULE NO.: 19-4.0031

PURPOSE AND EFFECT: To amend a provision referring to a deleted rule.

SUBJECT AREA TO BE ADDRESSED: Amendment of unnecessary reporting provision.

SPECIFIC AUTHORITY: 215.52 FS.

LAW IMPLEMENTED: 215.44, 215.45, 215.47 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: 2:00 p.m. – 4:00 p.m., Tuesday, October 25, 2005

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea, at the contact information listed below, at least 5 calendar days before the workshop.

Copies of the preliminary text of the proposed rule development may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1491, e-mail: morea\_cindy@fsba.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON OCTOBER 14, 2005.

**STATE BOARD OF ADMINISTRATION**

RULE TITLES:	RULE NOS.:
Procedures Regarding Employer Contributions	19-11.001
Beneficiary Designation for FRS Investment Plan	19-11.002
Distributions from the FRS Investment Plan	19-11.003
Excessive Trading in the FRS Investment Plan	19-11.004
FRS Investment Plan Complaint Procedures	19-11.005
Enrollment Procedures for New Hires	19-11.006
Second Election Enrollment Procedures for the FRS Retirement Programs	19-11.007

PURPOSE AND EFFECT: To discuss proposed revisions to conform the above-described rules to legislation enacted during the 2004 legislative session and to discuss a proposed new rule regarding distributions.

SUBJECT AREA TO BE ADDRESSED: Employer contributions; beneficiary designations; distributions; excessive trading; complaint procedures; enrollment procedures; second election procedures.

SPECIFIC AUTHORITY: 121.4501(8)(a) FS.

LAW IMPLEMENTED: 120.569, 120.57, 120.573, 121.051, 121.055, 121.091(8), 121.35, 121.4501(2),(3),(4),(5),(6),(8)(a), (9),(13),(14),(15), 121.591(3), 121.73, 121.74, 121.78(3)(b), 215.44(8)(b), 1012.875(3) 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: 2:00 p.m. – 4:00 p.m., Tuesday, October 25, 2005

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea, at the contact information listed below, at least 5 calendar days before the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

Copies of the preliminary text of the proposed rule development may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1491, e-mail: morea\_cindy@fsba.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON OCTOBER 14, 2005.

**STATE BOARD OF ADMINISTRATION**

RULE TITLES:	RULE NOS.:
The Exclusive Benefit Rule of the Code and Forfeitures	19-12.005
Acceptance of Rollovers	19-12.007

PURPOSE AND EFFECT: To discuss proposed revisions to clarify the use for forfeitures and to conform the rollover rule to legislation enacted during the 2004 legislative session.

SUBJECT AREA TO BE ADDRESSED: IRS and Florida statutory provisions relating to rollovers.

SPECIFIC AUTHORITY: 121.4501(5)(c) FS.

LAW IMPLEMENTED: 121.4501(5)(c) 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: 2:00 p.m. – 4:00 p.m., Tuesday, October 25, 2005

PLACE: Room 116 (Hermitage Conference Room), 1801 Hermitage Blvd., Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop is requested to contact Ms. Morea, at the contact information listed below, at least 5 calendar days before the workshop.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Cindy Gokel, Assistant General Counsel, Office of the General Counsel, State Board of Administration, 1801 Hermitage Blvd., Tallahassee, FL 32308, (850)413-1199

Copies of the preliminary text of the proposed rule development may be obtained from: Cindy Morea, State Board of Administration, P. O. Box 13300, Tallahassee, FL 32317-3300, (850)413-1491, e-mail: morea\_cindy@fsba.state.fl.us

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT WILL BE AVAILABLE FOR DISTRIBUTION ON OCTOBER 14, 2005.

**DEPARTMENT OF CORRECTIONS**

RULE TITLE: Visiting – Forms  
 RULE NO.: 33-601.737

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend form DC6-111D, Visitor Information Summary, for consistency with Rule 33-601.717, F.A.C., which provides for permanent denial of a prospective visitor who has been involved in an escape or attempted escape.

SUBJECT AREA TO BE ADDRESSED: Visiting forms.

SPECIFIC AUTHORITY: 944.09, 944.115, 944.23 FS.

LAW IMPLEMENTED: 944.09, 944.115, 944.23, 944.8031 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: Perri King Dale, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

33-601.737 Visiting – Forms.

The following forms are hereby incorporated by reference. A copy of any of these forms is available from the Forms Control Administrator, Office of Research, Planning and Support Services, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500.

(1) through (5) No change.

(6) DC6-111D, Visitor Screening Matrix, effective 9-29-03.

Specific Authority 944.09, 944.115, 944.23 FS. Law Implemented 944.09, 944.115, 944.23, 944.8031 FS. History–New 11-18-01, Amended 4-29-02, 9-29-03, 3-31-05, 7-17-05, \_\_\_\_\_.

**WATER MANAGEMENT DISTRICTS**

**Southwest Florida Water Management District**

RULE CHAPTER TITLE: Water Levels and Rates of Flow  
 RULE CHAPTER NO.: 40D-8

PURPOSE AND EFFECT: To amend Chapter 40D-8, F.A.C., to incorporate the next priority lake pursuant to Section 373.042, F.S.

SUBJECT AREA TO BE ADDRESSED: Establishment of minimum lake levels and guidance levels for Lake Panasoffkee in Sumter County, Florida.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.171 FS.

LAW IMPLEMENTED: 373.036, 373.0361, 373.0395, 373.042, 373.0421, 373.086 FS.

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

TIME AND DATE: 4:00 p.m. – 7:30 p.m., Thursday, October 27, 2005

PLACE: Southwest Florida Water Management District, Brooksville Headquarters, Conference Rooms A & B, First Floor, 2379 Broad Street, Brooksville, FL 34604-6899

WHAT: Public workshop on proposed minimum and guidance levels for Lake Panasoffkee in Sumter County, Florida. One or more governing board or basin board members may attend.

The District does not discriminate on the basis of disability. Anyone requiring reasonable accommodation should contact: Dianne Lee, (352)796-7211, Ext. 4658, TDD only 1(800)231-6103.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Lisa Henningsen, Environmental Scientist, Resource Conservation and Development Department, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, Extension 4268

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Health Facilities and Agency Licensing**

RULE CHAPTER TITLE: Minimum Standards for Home Health Agencies  
 RULE CHAPTER NO.: 59A-8

PURPOSE AND EFFECT: The Agency proposes to revise the rules in Chapter 59A-8, F.A.C., to be consistent with the provisions of Chapter 400, Part IV, Florida Statutes, as amended by the 2005 Legislature.

SUBJECT AREA TO BE ADDRESSED: The Agency proposes to add completion of questions concerning volume data to the renewal licensure application as required in Section 400.471(2), F.S., and make other revisions as needed to update the rules to be consistent with the revised statutes. The Agency also proposes to workshop the inclusion of chiropractors as one



of the health professionals that can provide health statements for home health agency employees in subsection 59A-8.0185(2), F.A.C.

SPECIFIC AUTHORITY: 400.471, 400.497 FS.

LAW IMPLEMENTED: 400.462, 400.471, 400.487, 400.491, 400.494, 400.512 FS.

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

TIME AND DATE: 10:00 a.m. – 3:30 p.m., November 2, 2005

PLACE: Agency for Health Care Administration, 2728 Mahan Drive, Building 3, Conference Room A, Tallahassee, FL

Agenda information is available from the contact person listed below.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Anne Menard, Agency for Health Care Administration, Licensed Home Health Programs Unit, Bureau of Health Facility Regulation, 2727 Mahan Drive, Mail Stop 34, Tallahassee, FL 32308, (850)414-6010, e-mail: menarda@ahca.myflorida.com

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

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Inpatient Mental Health and Tuberculosis Hospital Services

RULE NO.: 59G-4.165

PURPOSE AND EFFECT: Rule 59G-4.165, F.A.C., Inpatient Mental Health and Tuberculosis Hospital Services, is obsolete. Medicaid does not have a tuberculosis hospital program, and the policies that pertain to state mental health hospitals that provide long term inpatient mental health services to Medicaid recipients age 65 and older are being incorporated in a new Rule 59G-4.300, F.A.C.

The effect will be to repeal Rule 59G-4.165, F.A.C., Inpatient Mental Health and Tuberculosis Hospital Services.

This notice replaces the Notice of Rule Development for the above reference rule that was published in the Florida Administrative Weekly on September 19, 2003.

SUBJECT AREA TO BE ADDRESSED: Inpatient Mental Health and Tuberculosis Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.906, 409.908, 409.913 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS 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: 11:00 a.m., Monday, October 24, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wendy Smith, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7348

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.165 Inpatient Mental Health and Tuberculosis Hospital Services.

Specific Authority 409.919 FS. Law Implemented 409.905(5), 409.906(18), 409.908, 409.913(5)(e), 409.913(8)(h) FS. History–New 1-1-77, Revised 10-1-77, Amended 3-10-83, Formerly 10C-7.46, Amended 5-26-93, Formerly 10C-7.046, Repealed.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: State Mental Health Hospital Services

RULE NO.: 59G-4.300

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference the Florida Medicaid State Mental Health Hospital Services Coverage and Limitations Handbook, September 2005. The revised handbook contains changes required by the Health Insurance Portability and Accountability Act (HIPAA). The effect will be to incorporate by reference in the rule the revised Florida Medicaid State Mental Health Hospital Services Coverage and Limitations Handbook.

SUBJECT AREA TO BE ADDRESSED: State Mental Health Hospital Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.905, 409.908 FS.

IF REQUESTED IN WRITING WITHIN 14 DAYS 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: 11:00 a.m., Monday, October 24, 2005

PLACE: Agency for Health Care Administration, 2727 Mahan Drive, Building #3, Conference Room C, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Wendy Smith, Medicaid Services, 2727 Mahan Drive, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7348

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-4.300 State Mental Health Hospital Services.

(1) This rule applies to state mental health hospitals that provide long term inpatient mental health services to Medicaid recipients age 65 and older who meet the Medicaid Institutional Care Program eligibility requirements.

(2) All state mental hospitals that provide long term inpatient mental health services to Medicaid recipients age 65 and older who meet the Medicaid Institutional Care Program eligibility requirements must in compliance with the provisions of the Florida Medicaid State Mental Health Hospital Services Coverage and Limitations Handbook, September 2005, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Institutional 021, which is incorporated in Rule 59G-4.200, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

Specific Authority 409.919 FS. Law Implemented 409.905, 409.908 FS. History—New \_\_\_\_\_.

**AGENCY FOR HEALTH CARE ADMINISTRATION**

**Medicaid**

RULE TITLE: Aged and Disabled Adult Waiver Services  
 RULE NO.: 59G-13.030

PURPOSE AND EFFECT: The purpose of this rule is to incorporate by reference update August 2005 to the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook. The handbook was updated to clarify the following policies. Adult companion providers and homemaker and homemaker providers may be individual homemakers or homemaker and companion agencies. Only homemaking and companion agencies must be registered with the Agency for Health Care Administration (AHCA), Division of Health Quality Assurance (HQA), in accordance with Chapter 400, F.S. Homemakers, sitters and companions are not registered by AHCA to provide respite services. Additional information was added to the reimbursements per unit and maximum limits on the Aged and Disabled Adult Waiver Services Procedure Codes and Fee Schedule. The reimbursements and limits were not changed, but reworded to clarify the policy.

SUBJECT AREA TO BE ADDRESSED: Aged and Disabled Adult Waiver Services.

SPECIFIC AUTHORITY: 409.919 FS.

LAW IMPLEMENTED: 409.906, 409.908, 409.912 FS.

IF REQUESTED WITHIN 14 DAYS 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., Monday, October 24, 2005

PLACE: Agency for Health Care Administration, 2728 Fort Knox Boulevard, Building 3, Conference Room C, Tallahassee, Florida 32308

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Carol Schultz, Medicaid Services, 2727 Mahan Drive, Building 3, Mail Stop 20, Tallahassee, Florida 32308-5407, (850)922-7349

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

59G-13.030 Aged and Disabled Adult Waiver Services.

(1) No change.

(2) All aged and disabled adult waiver services providers enrolled in the Medicaid program must be in compliance with the Florida Medicaid Aged and Disabled Adult Waiver Services Coverage and Limitations Handbook, March 2004, updated August 2005, incorporated by reference, and the Florida Medicaid Provider Reimbursement Handbook, Non-Institutional 081 which is incorporated by reference in Rule 59G-13.001, F.A.C. Both handbooks are available from the Medicaid fiscal agent.

(3) No change.

Specific Authority 409.919 FS. Law Implemented 409.906, 409.907, 409.908, 409.912 FS. History—New 6-1-05, Amended \_\_\_\_\_.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Division of Hotels and Restaurants**

RULE TITLE: Licensing and Inspection Requirements  
 RULE NO.: 61C-1.002

PURPOSE AND EFFECT: This rule amends paragraph (1)(d), Inspection Frequency.

SUBJECT AREA TO BE ADDRESSED: This rule will amend the inspection time from a minimum of three years to a minimum of two years pursuant to Section 509.032(2)(a), F.S.

SPECIFIC AUTHORITY: 509.032(2)(a) FS.

LAW IMPLEMENTED: 509.032(6) FS.

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

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: Jennifer Causseaux, (850)414-7677. If you are hearing or speech impaired, please contact the agency using the Florida Dual Party Relay System, 1(800)955-8770 (Voice) or 1(800)955-8771 (TDD).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY TEXT IS: Jennifer Causseaux, Office of the General Counsel, 1940 North Monroe Street, Tallahassee, FL 32399

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE UPON REQUEST.

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Auctioneer**

RULE CHAPTER TITLE: Licensure  
 RULE CHAPTER NO.: 61G2-2

PURPOSE AND EFFECT: To address reactivation of void licenses.

SUBJECT AREA TO BE ADDRESSED: Licensure.

SPECIFIC AUTHORITY: 455.02, 455.271, 468.384(2), 468.387 FS.

LAW IMPLEMENTED: 120.60(2), 455.217(1)(b), 455.271, 455.02, 468.384(2), 468.385, 468.385(1),(7), 468.387 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: Anthony Spivey, Executive Director, Board of Auctioneers, 1940 North Monroe Street, Tallahassee, Florida 32399

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

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Surveyors and Mappers**

RULE TITLES: Obligations of Continuing Education Providers  
 RULE NOS.: 61G17-5.0043

Approval of Classes 61G17-5.0051

PURPOSE AND EFFECT: Rule 61G17-5.0043, F.A.C., updates the time period that continuing education providers have to provide DBPR with a list of attendees taking a continuing education course. Rule 61G17-5.0043, F.A.C., expands the obligations of continuing education providers to maintain continuing education provider status. Rule 61G17-5.0051, F.A.C., updates the content of sample continuing education course certificates.

SUBJECT AREA TO BE ADDRESSED: Obligations of Continuing Education Providers; Approval of Classes.

SPECIFIC AUTHORITY: 455.219, 472.008, 472.011, 472.018 FS.

LAW IMPLEMENTED: 455.2123, 455.2179, 472.018 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 Professional Surveyors and Mappers, 1940 North Monroe Street, Tallahassee, Florida 32399-0767

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**

**Division of Medical Quality Assurance Boards**

RULE TITLE: Definitions  
 RULE NO.: 64B-3.001

PURPOSE AND EFFECT: To update the rule text.

SUBJECT AREA TO BE ADDRESSED: Medical Board Standards for Adequacy of Medical Records.

SPECIFIC AUTHORITY: 458.331(1)(m), 459.105(1)(o) FS.

LAW IMPLEMENTED: 458.331(1)(m), 459.105(1)(o) 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: Larry McPherson, Executive Director, Medical Quality Assurance, 4052 Bald Cypress Way, Bin #C03, Tallahassee, Florida 32399-3253

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

**DEPARTMENT OF HEALTH**

**Board of Acupuncture**

RULE TITLE: Fees for Inactive Status and Change to Active Status  
 RULE NO.: 64B1-2.010

PURPOSE AND EFFECT: To change the fee for reactivation of a license.

SUBJECT AREA TO BE ADDRESSED: Fees for Inactive Status and Change to Active Status.

SPECIFIC AUTHORITY: 456.036(3),(4),(8), 457.104, 457.108(2) FS.

LAW IMPLEMENTED: 456.036(3),(4),(8), 457.108(2) FS.



Specific Authority 464.006, 464.012 FS. Law Implemented 456.072(1)(f),(2), 464.012, 464.018(1)(b) FS. History–New 8-31-80, Amended 3-16-81, 2-28-82, 6-18-85, Formerly 21O-11.24, 21O-11.024, 61F7-4.003, Amended 5-29-96, 2-12-97, Formerly 59S-4.003, Amended 4-5-00, \_\_\_\_\_.

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE TITLE: Retired Status  
RULE NO.: 64B10-12.0101

PURPOSE AND EFFECT: The Board proposes this new Rule to establish an application fee for retired status.

SUBJECT AREA TO BE ADDRESSED: Fee Schedule.

SPECIFIC AUTHORITY: 456.025(2) FS.

LAW IMPLEMENTED: 456.025(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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Board of Nursing Home Administrators**

RULE TITLE: Disciplinary Guidelines; Range of Penalties;  
RULE NO.: 64B10-14.004

Aggravating and Mitigating Circumstances  
PURPOSE AND EFFECT: The Board proposes to amend this Rule to incorporate new grounds of discipline for licensees being terminated from a treatment program.

SUBJECT AREA TO BE ADDRESSED: Disciplinary matters.

SPECIFIC AUTHORITY: 456.072(1)(gg), 456.073(3), 468.1685(1) FS.

LAW IMPLEMENTED: 456.072(1)(gg), 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: Joe Baker, Jr., Executive Director, Board of Nursing Home Administrators/MQA, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257

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

**DEPARTMENT OF HEALTH**

**Division of Family Health Services**

RULE CHAPTER TITLE: Selection, Participation, Monitoring  
RULE CHAPTER NO.: 64F-1

and Sanctions of Food Vendors in the Special Supplemental Food Program for Women, Infants and Children (WIC)

PURPOSE AND EFFECT: The Department of Health, Bureau of WIC and Nutrition Services will be revising its rules and proposing new rules in order to assure compliance with current provisions of federal law and to clarify and expand the rule chapter for ease of use by the public.

SUBJECT AREA TO BE ADDRESSED: The special supplemental food program for women, infants and children administered by the Department of Health, Bureau of WIC and Nutrition Services.

SPECIFIC AUTHORITY: 383.011(2)(b) FS.

LAW IMPLEMENTED: 383.011(2)(b) 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 Harrison, WIC Operations Manager, Bin #A16, 4052 Bald Cypress Way, Tallahassee, Florida 32399-1726, (850)245-4202, e-mail: john\_harrison@doh.state.fl.us

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

RULE TITLES: Definitions  
RULE NOS.: 66B-1.003

Funds Allocation 66B-1.005

Application Process 66B-1.006

Small-Sale Spoil Island Restoration and Enhancement Projects 66B-1.014

Small-Scale Derelict Vessel Removal Projects 66B-1.015

PURPOSE AND EFFECT: The purpose of the proposed rule development is to include the following provisions in the program rule: update and correctly identify the eligible member counties of the District; Update and correctly identify the required forms for the grant application process; and initiate a new program for small-scale derelict vessel removal.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

**SUBJECT AREA TO BE ADDRESSED:** Cooperative Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Small-scale Spoil Island Restoration and Enhancement Projects, Small-Scale Derelict Vessel Removal Projects.

**SPECIFIC AUTHORITY:** 374.976(2) FS.

**LAW IMPLEMENTED:** 374.976(1)-(3) FS.

**IF REQUESTED 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:** 11:00 a.m., October 26, 2005

**PLACE:** The District Office, 1314 Marcinski Road, Jupiter, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

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

**NAVIGATION DISTRICTS**

**Florida Inland Navigation District**

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	66B-2.003
Funds Allocation	66B-2.005
Application Process	66B-2.006
Emergency Applications	66B-2.0061
Small-Scale Spoil Island Restoration and Enhancement Projects	66B-2.014
Small-Scale Derelict Vessel Removal Projects	66B-2.015

**PURPOSE AND EFFECT:** The purpose of the proposed rule development is to include the following provisions in the program rule: update and correctly identify the eligible member counties of the District; Update and correctly identify the required forms for the grant application process; re-name the emergency grant process to properly reflect its purpose; and initiate a new program for small-scale derelict vessel removal.

The effect of the rule development is to implement changes in the administration of the District's Waterways Assistance Program that will assist the District and program applicants in the review and evaluation of applications submitted pursuant to the rule.

**SUBJECT AREA TO BE ADDRESSED:** Waterways Assistance Program rule sections: Definitions, Funds Allocation, Application Process, Emergency Applications, Small-scale Spoil Island Restoration and Enhancement Projects, Small-Scale Derelict Vessel Removal Projects.

**SPECIFIC AUTHORITY:** 374.976(2) FS.

**LAW IMPLEMENTED:** 374.976(1)-(3) FS.

**IF REQUESTED 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:** 11:00 a.m., October 26, 2005

**PLACE:** The District Office, 1314 Marcinski Road, Jupiter, Florida

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS:** Mark Crosley, Assistant Executive Director, Florida Inland Navigation District, 1314 Marcinski Road, Jupiter, Florida 33477, (561)627-3386

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

**DEPARTMENT OF FINANCIAL SERVICES**

**Divison of Workers Compensation**

**RULE CHAPTER TITLE:** Rules for Self-Insurers Under the Workers' Compensation Act

**RULE CHAPTER NO.:** 69L-5

<b>RULE TITLES:</b>	<b>RULE NOS.:</b>
Definitions	69L-5.101
General Requirements	69L-5.102
Application	69L-5.103
Financial Statement or Financial Summary	69L-5.106

**PURPOSE AND EFFECT:** The amendments update definitions and change the financial reporting requirements from three to one year of audited financial statements for the workers' compensation self-insurance applicants.

**SUBJECT AREA TO BE ADDRESSED:** Workers' compensation self-insurance applications.

**SPECIFIC AUTHORITY:** 440.38(2)(b), 440.591 FS.

**LAW IMPLEMENTED:** 440.38(1)(b) FS.

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

**TIME AND DATE:** 2:30 p.m., October 26, 2005

**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 IS: Gregory Jenkins, Chief of Monitoring and Audit, Workers' Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4224, (850)413-1608

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-5.101 Definitions.

(1) through (3) No change.

(4) "Financial Statement(s)" – A presentation of financial data, including accompanying notes, derived from accounting records that purports to show financial position and intended to communicate an entity's economic resources or obligations at a point in time, and the results of operations and cash flows for a period of time, in accordance with Generally Accepted Accounting Principles. "Financial Statement" – A Report including the balance sheet, statement of operations, statement of cash flows, statement of changes in capital, and appropriate footnotes for the most recent fiscal year. The financial statements shall be prepared in accordance with the United States Generally Accepted Accounting Principles as set forth in GAAP Interpretation and Application of Generally Accepted Accounting Principles 1996 which is hereby incorporated by reference into Rule Chapter 69L-5, F.A.C. The publication is available for review at the Division of Workers' Compensation, Bureau of Monitoring and Audit, self-Insurance Section, 2012 Capital Circle, S.E., Hartman Building, Suite 200, Tallahassee, FL 32399 4224. The publication may be purchased for \$48. Applicants approved subsequent to January 1, 1997 shall submit financial statements which are audited in accordance with Generally Accepted Auditing Standards. All Amounts in the financial statement shall be stated in United States Currency.

(5) No change.

(6) "Generally Accepted Accounting Principles" – Accounting principles generally accepted in the United States of America in effect as of June 1, 2005, including, but not limited to, Accounting Principles Board Opinions Nos. 1 to 31 as published by the American Institute of Certified Public Accountants, and statements of accounting standards and interpretations thereof, as published by the Financial Accounting Standards Board (FASB). These materials are entitled Original Pronouncements 2005/2006 Edition, vols. I, II, & III, dated June 1, 2005, and available from FASB, 401 Merritt 7, P. O. Box 5116, Norwalk, CT 06856-5116, 1(800)748-0659, <http://www.fasb.org>.

(7) "Generally Accepted Auditing Standards" – Auditing standards generally accepted in the United States of America in effect as of January 1, 2005, including, but not limited to, general, field work and reporting standards approved and adopted by the membership of the American Institute of Certified Public Accountants (AICPA), as amended by the

AICPA Auditing Standards Board (ASB), standards promulgated by the ASB in the form of Statements on Auditing Standards and standards promulgated by the Public Company Accounting Oversight Board (PCAOB). The AICPA materials are entitled Codification of Statements on Auditing Standards, dated January 1, 2005, available from the AICPA at <http://www.cpa2biz.com> or call 1(888)777-7077. The rules and standards of the PCAOB are available at no charge at <http://www.pcaobus.org>.

(6) through (11) renumbered (8) through (13) No change.

Specific Authority 440.38(1)(b),(2)(b), 440.5705, 440.591 FS. Law Implemented 440.38(1)(b),(2), 440.57, 624.24 FS. History–New 10-1-82, Amended 12-17-85, Formerly 38F-5.30, Amended 3-11-87, 8-28-91, 12-19-93, Formerly 38F-5.030, Amended 5-19-97, Formerly 38F-5.101, 4L-5.10, Amended \_\_\_\_\_.

69L-5.102 General Requirements.

(1) through (2)(a) No change.

(b) Have at least three (3) years' Financial Statements or Financial Summaries in the name of the applicant. The Financial Statements for the most recent year shall be audited in accordance with Generally Accepted Auditing Standards. If the financial statements or financial summaries are prepared on a comparative basis, such statements shall be the most recent fiscal year ending statement and the preceding fiscal year ending statement. If the latest Financial Statement is over six (6) months old at the time of application, an interim statement up to, and including, their latest fiscal quarter must be included and must be certified by a corporate officer.

(3) through (4) No change.

Specific Authority 440.38(1)(b),(6)(2)(b), 440.591 FS. Law Implemented 440.38(1)(b),(6) FS. History–New 5-19-97, Formerly 38F-5.102, 4L-5.102, Amended \_\_\_\_\_.

69L-5.103 Application.

(1) through (3) No change.

(a) The most recent past three years' Financial Statements in the name of the applicant. The Financial Statements for the most recent year shall be audited in accordance with Generally Accepted Auditing Standards. If the Financial Statements for the two years prior to the most recent year have been audited in accordance with Generally Accepted Auditing Standards, the audit report(s) on these Financial Statements shall also be submitted.

(b) through (g) No change.

(4) No change.

Specific Authority 440.38(1)(b),(6)(2)(b), 440.591 FS. Law Implemented 440.38(1)(b),(6) FS. History–New 5-19-97, Formerly 38F-5.103, 4L-5.103, Amended \_\_\_\_\_.

69L-5.106 Financial Statement or Financial Summary.

(1) through (2)(b) No change.

(c) The Financial Statement shall be audited in accordance with Generally Accepted Auditing Standards.

(d) Financial Statements submitted for employers currently authorized to self-insure under a privilege granted prior to January 1, 1997, are not required to be audited in accordance with Generally Accepted Auditing Standards.

(3) through (6) No change.

Specific Authority ~~440.38(1)(b);(6);(2)(b)~~, 440.591 FS. Law Implemented ~~440.38(1)(b);(2)(b)~~ FS. History—New 10-1-82, Formerly 38F-5.47, Amended 6-12-91, 12-19-93, 5-14-96, Formerly 38F-5.047, Amended 5-19-97, Formerly 38F-5.106, 4L-5.106, Amended.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers’ Compensation**

RULE TITLE: Construction Industry Classification Codes, Descriptions and Operations

RULE NO.:

69L-6.021

PURPOSE AND EFFECT: To amend Rule 69L-6.021, F.A.C., to include class code 5537 “Heating, Ventilation, Air-Conditioning and Refrigeration Systems – Installations, Service and Repair & Drivers,” to the construction classification lists, and adopt the January 2006 edition of the SCOPES® of Basic Manual Classification and 2006 edition of the NCCI Basic Manual.

SUBJECT AREA TO BE ADDRESSED: Construction industry class codes for purposes of workers’ compensation.

SPECIFIC AUTHORITY: 440.02(8), 440.591 FS.

LAW IMPLEMENTED: 440.02(8) FS.

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

TIME AND DATE: 11:30 a.m., November 1, 2005

PLACE: Room 104J, Hartman Building, 2012 Capital Circle, S. E., 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: Andrew Sabolic, Policy Coordinator, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.021 Construction Industry Classification Codes, Descriptions and Operations.

(1) The Division adopts the classification codes and descriptions that are specified in the Florida Contracting Classification Premium Adjustment Program, and published in the Florida exception pages of the National Council on Compensation Insurance, Inc. (NCCI), Basic Manual (January 2006 ed. 1996 ed., issued January 21, 2003). For convenience,

the Division lists here the classification codes and descriptions that are published in the Florida exception pages of the Basic Manual and adopted in this rule.

- (a) 0042 Landscape Gardening and Drivers
- (b) 0050 Farm Machinery Operation – By Contractor and Drivers
- (c) 1322 Oil or Gas Well: Cleaning or Swabbing of Old Wells Having Previously Produced Gas or Oil – By Contractor – No Drilling – and Drivers
- (d) 3365 Welding or Cutting NOC and Drivers
- (e) 3719 Oil Still Erection or Repair
- (f) 3724 Machinery or Equipment Erection or Repair NOC and Drivers
- (g) 3726 Boiler Installation or Repair – Steam
- (h) 5020 Ceiling Installation – Suspended Acoustical Grid Type
- (i) 5022 Masonry NOC
- (j) 5037 Painting: Metal Structures – Over Two Stories in Height – and Drivers
- (k) 5040 Iron or Steel: Erection – Frame Structures
- (l) 5057 Iron or Steel: Erection NOC
- (m) 5059 Iron or Steel: Erection – Frame Structures Not Over Two Stories in Height
- (n) 5069 Iron or Steel: Erection – Construction of Dwellings Not Over Two Stories in Height
- (o) 5102 Door, Door Frame or Sash Erection – Metal or Metal Covered
- (p) 5146 Furniture or Fixtures Installation – Portable – NOC
- (q) 5160 Elevator Erection or Repair
- (r) 5183 Plumbing NOC and Drivers
- (s) 5188 Automatic Sprinkler Installation and Drivers
- (t) 5190 Electrical Wiring – Within Buildings and Drivers
- (u) 5213 Concrete Construction NOC
- (v) 5215 Concrete Work – Incidental to the Construction of Private Residence
- (w) 5221 Concrete or Cement Work – Floors, Driveways, Yards, and Sidewalks – and Drivers
- (x) 5222 Concrete Construction in Connection with Bridges or Culverts



(y)	5223	Swimming Pool Construction – Not Iron or Steel – and Drivers	<del>(zz)(yy)</del>	5651	Carpentry – Dwellings – Three Stories or Less
(z)	5348	Stone, Mosaic or Terrazzo or Ceramic Tile Work – Inside	<del>(aaa)(zz)</del>	5703	Building Raising or Moving and Drivers
(aa)	5402	Hothouse Erection – All Operations	<del>(bbb)(aaa)</del>	5705	Salvage Operation – No Wrecking or Any Structural Operations
(bb)	5403	Carpentry NOC	<del>(ccc)(bbb)</del>	6003	Pile Driving
(cc)	5437	Carpentry – Installation of Cabinet Work or Interior Trim	<del>(ddd)(eee)</del>	6005	Jetty or Breakwater Construction – All Operations to Completion and Drivers
(dd)	5443	Lathing and Drivers	<del>(eee)(ddd)</del>	6017	Dam or Lock Construction: Concrete Work – All Operations
(ee)	5445	Wallboard Installation Within Buildings and Drivers	<del>(fff)(eee)</del>	6018	Dam or Lock Construction: Earth Moving or Placing – All Operations
(ff)	5462	Glazier – Away From Shop and Drivers	<del>(ggg)(fff)</del>	6045	Levee Construction – All Operations to Completion and Drivers
(gg)	5472	Asbestos Contractor – Pipe and Boiler Work Exclusively and Drivers	<del>(hhh)(ggg)</del>	6204	Drilling NOC and Drivers
(hh)	5473	Asbestos Contractor – NOC and Drivers	<del>(iii)(hhh)</del>	6206	Oil or Gas Well: Cementing and Drivers
(ii)	5474	Painting or Paperhanging NOC and Shop Operations, Drivers	<del>(jjj)(iii)</del>	6213	Oil or Gas Well: Specialty Tool Operation NOC – By Contractor – All Employees and Drivers
(jj)	5478	Carpet, Linoleum, Vinyl, Asphalt, or Rubber Floor Tile Installation	<del>(kkk)(jjj)</del>	6214	Oil or Gas Well: Perforating of Casing – All Employees and Drivers
(kk)	5479	Insulation Work NOC and Drivers	<del>(lll)(kkk)</del>	6216	Oil or Gas Lease Work NOC – By Contractor and Drivers
(ll)	5480	Plastering NOC and Drivers	<del>(mmm)(lll)</del>	6217	Excavation and Drivers
(mm)	5491	Paperhanging and Drivers	<del>(nnn)(mmm)</del>	6229	Irrigation or Draining System Construction and Drivers
(nn)	5506	Street or Road Construction: Paving or Repaving and Drivers	<del>(ooo)(nnn)</del>	6233	Oil or Gas Pipeline Construction and Drivers
(oo)	5507	Street or Road Construction: Subsurface Work and Drivers	<del>(ppp)(ooo)</del>	6235	Oil or Gas Well: Drilling or Redrilling and Drivers
(pp)	5508	Street or Road Construction: Rock Excavation and Drivers	<del>(qqq)(ppp)</del>	6236	Oil or Gas Well: Installation or Recovery of Casing and Drivers
(qq)	5509	Street or Road Maintenance: County or State Department – and Drivers	<del>(rrr)(qqq)</del>	6237	Oil or Gas Well: Instrument Logging or Survey Work and Drivers
(rr)	5536	Heating and Air Conditioning Duct Work – Shop and Outside – and Drivers	<del>(sss)(rrr)</del>	6251	Tunneling – Not Pneumatic – All Operations
(ss)	<u>5537</u>	<u>Heating, Ventilation, Air-Conditioning and Refrigeration Systems – Installations, Service and Repair &amp; Drivers</u>	<del>(ttt)(sss)</del>	6252	Shaft Sinking – All Operations
<del>(tt)(ss)</del>	5538	Sheet Metal Work – Shop and Outside – NOC and Drivers	<del>(uuu)(ttt)</del>	6260	Tunneling – Pneumatic – All Operations
<del>(uu)(tt)</del>	5551	Roofing – All Kinds and Yard Employees, Drivers	<del>(vvv)(uuu)</del>	6306	Sewer Construction – All Operations and Drivers
<del>(vv)(uu)</del>	5606	Contractor – Executive Supervisor or Construction Superintendent	<del>(www)(vvv)</del>	6319	Gas Main or Connection Construction and Drivers
<del>(ww)(vv)</del>	5610	Cleaner – Debris Removal	<del>(xxx)(www)</del>	6325	Conduit Construction – For Cable or Wires – and Drivers
<del>(xx)(ww)</del>	5613	Cleaner – Debris Removal – Temporary Labor Service	<del>(yyy)(xxx)</del>	6400	Fence Erection – Metal
<del>(yy)(xx)</del>	5645	Carpentry – Detached One or Two Family Dwellings			

- ~~(zzz)(yyy)~~ 7538 Electric Light or Power Line Construction and Drivers
- ~~(aaaa)(zzz)~~ 7601 Telephone, Telegraph or Fire Alarm Construction and Drivers
- ~~(bbbb)(aaaa)~~ 7605 Burglar Alarm Installation or Repair and Drivers
- ~~(cccc)(bbbb)~~ 7611 Telephone or Cable TV Line Installation – Contractors, Underground and Drivers
- ~~(dddd)(eeee)~~ 7612 Telephone or Cable TV Line Installation – Contractors, Overhead, and Drivers
- ~~(eeee)(dddd)~~ 7613 Telephone or Cable TV Line Installation – Contractors, Service Lines and Connections and Drivers
- ~~(ffff)(eeee)~~ 7855 Railroad Construction: Laying or Relaying of Tracks or Maintenance of Way by Contractor – No Work on Elevated Railroads – and Drivers
- ~~(gggg)(ffff)~~ 8227 Construction or Erection – Permanent Yard
- ~~(hhhh)(gggg)~~ 9534 Mobile Crane and Hoisting Service Contractors – NOC – All Operations – Including Yard Employees and Drivers
- ~~(iiii)(hhhh)~~ 9554 Sign Installation, Maintenance, Repair, Removal, or Replacement NOC & Drivers

(2) The Division adopts the definitions published by NCCI, SCOPES® of Basic Manual Classifications (Jan. 2006 2003) that correspond to the classification codes and descriptions adopted in subsection (1) above. The definitions identify the workplace operations that satisfy the criteria of the term “construction industry” as used in the workers’ compensation law. The definitions are hereby incorporated by reference and can be obtained by writing to the Division of Workers’ Compensation, Bureau of Compliance, 200 E. Gaines Street, Tallahassee, Florida 32399-4228.

Specific Authority 440.02(8), 440.591 FS. Law Implemented 440.02(8) FS.; Ch. 2003-412, Section 1, Laws of Florida (repealing parts of Section 440.02(15), F.S.) History—New 10-21-02, Formerly 4L-6.021, Amended 7-4-04.

**DEPARTMENT OF FINANCIAL SERVICES**

**Division of Workers’ Compensation**

RULE TITLE: Stop Work Orders in Effect Against Successor Corporations or Business Entities  
 RULE NO.: 69L-6.031  
 PURPOSE AND EFFECT: To interpret and implement Section 440.107(7)(b), Florida Statutes, regarding issuance of stop work orders to successor corporations or business entities.  
 SUBJECT AREA TO BE ADDRESSED: Stop work orders to be issued to a successor corporation or business entity where the entity has one or more of the same principals or officers as

the corporation, partnership or sole proprietorship against which the stop work order was issued and are engaged in the same or equivalent trade or activity.

SPECIFIC AUTHORITY: 440.107(9), 440.591 FS.

LAW IMPLEMENTED: 440.107(7)(b) FS.

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

TIME AND DATE: 9:30 a.m., November 1, 2005

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 IS: Andrew Sabolic, Bureau Chief, Bureau of Compliance, Division of Workers’ Compensation, Department of Financial Services, 200 East Gaines Street, Tallahassee, Florida 32399-4228, (850)413-1600

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

69L-6.031 Stop Work Orders in Effect Against Successor Corporations and Business Entities.

(1) Section 440.107(7)(b), Florida Statutes, requires that stop work orders and orders of penalty assessment issued against a corporation, partnership, or sole proprietorship shall be in effect against any successor corporation or business entity that has one or more of the same principals or officers as the corporation or partnership against which the stop work order was issued and are engaged in the same or equivalent trade or activity.

(a) For employers engaged in the construction industry, a corporation or business entity and the corporation, partnership, or sole proprietorship that has been issued a stop work order and order of penalty assessment are engaged in the same or equivalent trade or activity if they each perform or have performed business operations that include operations described in at least one classification code listed in Rule 69L-6.021, F.A.C.

(b) For employers engaged in the non-construction industry, a corporation or business entity and the corporation, partnership, or sole proprietorship that has been issued a stop work order and order of penalty assessment are engaged in the same or equivalent trade or activity if they each perform or have performed business operations that include operations described in at least one classification code that is in the manufacturing, goods and services, or the office and clerical industry group listed in subsection (7) of this rule.

(c) For employers that perform business operations described by one of the classification codes in the miscellaneous industry groups listed in subsection (7) of this rule, a corporation or business entity and the corporation, partnership, or sole proprietorship that has been issued a stop work order and order of penalty assessment are engaged in the same or equivalent trade or activity if they each perform or have performed the same business operation described in one of the classification codes contained in the miscellaneous industry groups.

(2) The department hereby adopts the industry groups and the corresponding classification codes and descriptions contained in subsection (7)(a)-(e) of this rule.

(3) A stop work order and order of penalty assessment issued against a corporation, partnership, or sole proprietorship becomes effective against a successor corporation or business entity that has one or more of the same principals or officers as the corporation, partnership, or sole proprietorship against which the stop work order was issued and is engaged in the same or equivalent trade or activity, through service on the successor corporation or business entity of an order applying stop work order and order of penalty assessment to successor corporation or business entity. The order applying stop work order and order of penalty assessment to successor corporation or business entity remains in effect until withdrawn by the department.

(4) In order for the department to withdraw an order applying stop work order and order of penalty assessment to successor corporation or business entity, the department must have released the stop work order in effect against the corporation or business entity which has one or more of the same principals or officers as the successor corporation or business entity; the principal or officer of the corporation, business entity or sole proprietorship against which the stop work order and order of penalty assessment has been served must formally disassociate himself or herself from the corporation, business entity or sole proprietorship against which the order applying stop work order and order of penalty assessment to successor corporation or business entity has been served, and provide satisfactory proof to the department of such disassociation, by sworn statement; or the successor corporation or business entity and the corporation, partnership, or sole proprietorship that has been issued a stop work order and amended order of penalty assessment are no longer engaged in the same or equivalent trade or activity, as determined by the department.

(5) An order applying stop work order and order of penalty assessment shall take effect when served upon the employer or, for a particular worksite, when served at that worksite.

(6) The department shall assess a penalty of \$1,000 per day against an employer for each day that the employer conducts business operations in violation of an order applying stop work order and order of penalty assessment.

(7) List of class codes, descriptions, and industry groups. A complete description of class codes is contained in the SCOPES® of Basic Manual Classifications (Jan. 2006) published by the National Council on Compensation Insurance, Inc. (NCCI) and is available for a fee by calling NCCI at 1(800)622-4123. The SCOPES® list of codes, descriptions and industry groups is as follows:

(a) Industry Group: Manufacturing

<u>Class</u>	<u>Description</u>
1.	<u>1430 SMELTING, SINTERING OR REFINING – LEAD – &amp; DRIVERS</u>
2.	<u>1438 SMELTING, SINTERING OR REFINING-METALS – NOT IRON OR LEAD-NOC &amp; DRIVERS</u>
3.	<u>1452 ORE MILLING &amp; DRIVERS</u>
4.	<u>1463 ASPHALT WORKS &amp; DRIVERS</u>
5.	<u>1472 DISTILLATION – WOOD – &amp; DRIVERS</u>
6.	<u>1473 TURPENTINE OR RESIN MFG-STEAM OR NON-DESTRUCTIVE PROCESS – &amp; DRIVERS</u>
7.	<u>1642 LIME MFG</u>
8.	<u>1699 ROCK WOOL MFG</u>
9.	<u>1701 CEMENT MFG</u>
10.	<u>1741 FLINT GRINDING &amp; DRIVERS</u>
11.	<u>1747 EMERY WORKS &amp; DRIVERS</u>
12.	<u>1748 ABRASIVE WHEEL MFG &amp; DRIVERS</u>
13.	<u>1803 STONE CUTTING OR POLISHING NOC &amp; DRIVERS</u>
14.	<u>1852 ASBESTOS GOODS MFG</u>
15.	<u>1853 MICA GOODS MFG &amp; MICA PREPARING</u>
16.	<u>1860 ABRASIVE PAPER OR CLOTH PREPARATION</u>
17.	<u>1924 WIRE DRAWING OR CABLE MFG – NOT IRON OR STEEL</u>
18.	<u>1925 DIE CASTING MFG</u>
19.	<u>2001 CRACKER MFG</u>
20.	<u>2002 MACARONI MFG</u>
21.	<u>2003 BAKERY &amp; DRIVERS, ROUTE SUPERVISORS</u>
22.	<u>2014 GRAIN MILLING</u>
23.	<u>2016 BREAKFAST FOOD MFG</u>
24.	<u>2021 SUGAR REFINING</u>
25.	<u>2039 ICE CREAM MFG &amp; DRIVERS</u>
26.	<u>2041 CONFECTION MFG</u>
27.	<u>2065 MILK PRODUCTS MFG NOC</u>
28.	<u>2070 CREAMERY &amp; ROUTE SUPERVISORS, DRIVERS</u>
29.	<u>2081 BUTCHERING</u>
30.	<u>2089 PACKING HOUSE-ALL OPERATIONS</u>
31.	<u>2095 MEAT PRODUCTS MFG NOC</u>
32.	<u>2105 FRUIT PACKING</u>
33.	<u>2110 PICKLE MFG</u>
34.	<u>2111 CANNERY NOC</u>
35.	<u>2112 FRUIT EVAPORATING OR PRESERVING</u>
36.	<u>2114 OYSTER PROCESSING</u>
37.	<u>2119 CITRUS PRODUCTS PROCESSING</u>
38.	<u>2121 BREWERY &amp; DRIVERS</u>
39.	<u>2130 SPIRITUOUS LIQUOR DISTILLERY</u>
40.	<u>2131 SPIRITUOUS LIQUOR BOTTLING</u>

41. 2150 ICE MFG	90. 2881 FURNITURE ASSEMBLY – WOOD – FROM MANUFACTURED PARTS
42. 2156 BOTTLING – NOT CARBONATED LIQUIDS-OR SPIRITUOUS LIQUORS – & ROUTE SUPERVISORS.	91. 2883 FURNITURE MANUFACTURING – WOOD – NOC
43. 2157 BOTTLING NOC & ROUTE SUPERVISORS, DRIVERS	92. 2913 RATTAN, WILLOW OR TWISTED FIBER PRODUCTS MFG
44. 2172 CIGARETTE MFG	93. 2915 VENEER PRODUCTS MFG
45. 2174 TOBACCO REHANDLING OR WAREHOUSING	94. 2916 VENEER PRODUCTS MFG-NO VENEER MFG
46. 2211 COTTON BATTING, WADDING OR WASTE MFG	95. 2923 PIANO MFG
47. 2220 YARN OR THREAD MFG-COTTON	96. 2942 PENCIL, PENHOLDER OR CRAYON MFG
48. 2286 WOOL SPINNING AND WEAVING	97. 2960 WOOD PRESERVING & DRIVERS
49. 2288 FELTING MFG	98. 3004 IRON OR STEEL: MANUFACTURING: STEEL MAKING – & DRIVERS
50. 2300 PLUSH MFG	99. 3018 IRON OR STEEL: MANUFACTURING: ROLLING MILL & DRIVERS
51. 2302 SILK THREAD OR YARN MFG	100. 3022 PIPE OR TUBE MFG NOC & DRIVERS
52. 2305 TEXTILE FIBER MFG-SYNTHETIC	101. 3027 ROLLING MILL NOC & DRIVERS
53. 2361 HOSIERY MFG	102. 3028 PIPE OR TUBE MFG-IRON OR STEEL – & DRIVERS
54. 2362 KNIT GOODS MFG NOC	103. 3030 IRON OR STEEL: FABRICATION: IRON OR STEEL WORKS-SHOP-STRUCTURAL – & DRIVERS
55. 2380 WEBBING MFG	104. 3040 IRON OR STEEL: FABRICATION: IRON WORKS-SHOP-ORNAMENTAL – & DRIVERS
56. 2386 LACE MFG	105. 3041 IRON OR STEEL: FABRICATION: IRON WORKS – SHOP – DECORATIVE OR ARTISTIC – &
57. 2388 EMBROIDERY MFG	106. 3042 ELEVATOR OR ESCALATOR MFG
58. 2402 CARPET OR RUG MFG NOC	107. 3064 SIGN MFG – METAL
59. 2413 TEXTILE-BLEACHING, DYEING, MERCERIZING, FINISHING	108. 3066 SHEET METAL WORK – SHOP
60. 2416 YARN DYEING OR FINISHING	109. 3076 FIREPROOF EQUIPMENT MFG
61. 2417 CLOTH PRINTING	110. 3081 FOUNDRY – FERROUS – NOC
62. 2501 CLOTHING MANUFACTURING	111. 3082 FOUNDRY – STEEL CASTINGS
63. 2503 DRESSMAKING OR TAILORING – CUSTOM EXCLUSIVELY	112. 3085 FOUNDRY – NON-FERROUS
64. 2534 FEATHER OR FLOWER MFG – ARTIFICIAL	113. 3110 FORGING WORK – DROP OR MACHINE
65. 2570 MATTRESS OR BOX SPRING MFG	114. 3111 BLACKSMITH
66. 2576 AWNING OR TENT MFG – SHOP	115. 3113 TOOL MANUFACTURING-NOT DROP OR MACHINE FORGED – NOC
67. 2578 BAG OR SACK MFG – CLOTH	116. 3114 TOOL MFG – DROP OR MACHINE FORGED – NOC: MACHINING OR FINISHING OF TOOLS OR
68. 2585 LAUNDRY NOC & ROUTE SUPERVISORS, DRIVERS	117. 3118 SAW MFG
69. 2586 CLEANING OR DYEING & ROUTE SUPERVISORS, DRIVERS	118. 3119 NEEDLE MFG
70. 2589 LAUNDRY AND DRY CLEANING STORE-RETAIL – & ROUTE SUPERVISORS, DRIVERS	119. 3122 CUTLERY MFG NOC
71. 2600 FUR MFG-PREPARING SKINS	120. 3126 TOOL MFG-AGRICULTURAL, CONSTRUCTION, LOGGING, MINING OIL OR ARTESIAN WELL
72. 2623 TANNING	121. 3131 BUTTON OR FASTENER MFG – METAL
73. 2651 SHOE STOCK MFG	122. 3132 NUT OR BOLT MFG
74. 2660 BOOT OR SHOE MFG NOC	123. 3145 SCREW MFG
75. 2670 GLOVE MFG-LEATHER OR TEXTILE	124. 3146 HARDWARE MFG NOC
76. 2683 LUGGAGE MFG	125. 3169 STOVE MFG
77. 2688 LEATHER GOODS MFG NOC	126. 3175 RADIATOR OR HEATER MFG
78. 2710 SAW MILL	127. 3179 ELECTRICAL APPARATUS MFG NOC
79. 2714 VENEER MFG	128. 3180 ELECTRIC OR GAS LIGHTING FIXTURES MFG
80. 2731 PLANING OR MOLDING MILL	129. 3188 PLUMBERS SUPPLIES MFG NOC
81. 2735 FURNITURE STOCK MFG	130. 3220 CAN MFG
82. 2759 BOX OR BOX SHOOK MFG	131. 3223 LAMP OR PORTABLE LANTERN MFG
83. 2790 PATTERN MAKING NOC	132. 3224 AGATE WARE MFG
84. 2797 MOBILE OR TRAILER HOME MFG & DRIVERS	133. 3227 ALUMINUM WARE MFG
85. 2802 CARPENTRY – SHOP ONLY – & DRIVERS	134. 3240 WIRE ROPE MFG – IRON OR STEEL
86. 2812 CABINET WORKS – WITH POWER MACHINERY	135. 3241 WIRE DRAWING – IRON OR STEEL
87. 2835 BRUSH OR BROOM ASSEMBLY	136. 3255 WIRE CLOTH MFG
88. 2836 BRUSH OR BROOM MFG NOC	
89. 2841 WOODENWARE MANUFACTURING NOC	

137. <u>3257</u> <u>WIRE GOODS MFG NOC</u>	186. <u>4061</u> <u>POTTERY MFG: EARTHENWARE – GLAZED OR PORCELAIN – HAND MOLDED OR CAST</u>
138. <u>3270</u> <u>EYELET MFG</u>	187. <u>4062</u> <u>POTTERY MFG: PORCELAIN WARE – MECHANICAL PRESS FORMING</u>
139. <u>3300</u> <u>BED SPRING OR WIRE MATTRESS MFG</u>	188. <u>4101</u> <u>GLASS MFG – &amp; DRIVERS</u>
140. <u>3303</u> <u>SPRING MFG</u>	189. <u>4111</u> <u>GLASSWARE MFG-NO AUTOMATIC BLOWING MACHINES</u>
141. <u>3307</u> <u>HEAT – TREATING – METAL</u>	190. <u>4112</u> <u>INCANDESCENT LAMP MFG</u>
142. <u>3315</u> <u>BRASS OR COPPER GOODS MFG</u>	191. <u>4113</u> <u>GLASS MFG – CUT</u>
143. <u>3334</u> <u>TIN FOIL MFG</u>	192. <u>4114</u> <u>GLASSWARE MFG NOC</u>
144. <u>3336</u> <u>TYPE FOUNDRY</u>	193. <u>4130</u> <u>GLASS MERCHANT</u>
145. <u>3372</u> <u>ELECTROPLATING</u>	194. <u>4131</u> <u>MIRROR MFG</u>
146. <u>3373</u> <u>GALVANIZING OR TINNING – NOT ELECTROLYTIC</u>	195. <u>4133</u> <u>CATHEDRAL OR ART GLASS WINDOW MFG</u>
147. <u>3383</u> <u>JEWELRY MFG</u>	196. <u>4150</u> <u>OPTICAL GOODS MFG NOC</u>
148. <u>3385</u> <u>WATCH MFG</u>	197. <u>4206</u> <u>PULP MFG – GROUND WOOD PROCESS</u>
149. <u>3400</u> <u>METAL STAMPED GOODS MFG NOC</u>	198. <u>4207</u> <u>PULP MFG – CHEMICAL PROCESS</u>
150. <u>3507</u> <u>CONSTRUCTION OR AGRICULTURAL MACHINERY MFG</u>	199. <u>4239</u> <u>PAPER MFG</u>
151. <u>3515</u> <u>TEXTILE MACHINERY MFG</u>	200. <u>4240</u> <u>BOX MFG – SET-UP PAPER</u>
152. <u>3548</u> <u>PRINTING OR BOOKBINDING MACHINE MFG</u>	201. <u>4243</u> <u>BOX MFG-FOLDING PAPER – NOC</u>
153. <u>3559</u> <u>CONFECTION MACHINE MFG</u>	202. <u>4244</u> <u>CORRUGATED OR FIBER BOARD CONTAINER MFG</u>
154. <u>3574</u> <u>COMPUTING, RECORDING OR OFFICE MACHINE MFG NOC</u>	203. <u>4250</u> <u>PAPER COATING</u>
155. <u>3581</u> <u>FUEL INJECTION DEVICE MFG</u>	204. <u>4251</u> <u>STATIONERY MFG</u>
156. <u>3612</u> <u>PUMP MFG</u>	205. <u>4263</u> <u>FIBER GOODS MFG</u>
157. <u>3620</u> <u>BOILERMAKING</u>	206. <u>4273</u> <u>BAG MFG – PAPER</u>
158. <u>3629</u> <u>PRECISION MACHINED PARTS MFG NOC</u>	207. <u>4279</u> <u>PAPER GOODS MFG NOC</u>
159. <u>3632</u> <u>MACHINE SHOP NOC</u>	208. <u>4282</u> <u>DRESS PATTERN MFG – PAPER</u>
160. <u>3634</u> <u>VALVE MFG</u>	209. <u>4283</u> <u>BUILDING OR ROOFING PAPER OR FELT PREPARATION – NO INSTALLATION</u>
161. <u>3635</u> <u>GEAR MFG OR GRINDING</u>	210. <u>4299</u> <u>PRINTING</u>
162. <u>3638</u> <u>BALL OR ROLLER BEARING MFG</u>	211. <u>4304</u> <u>NEWSPAPER PUBLISHING</u>
163. <u>3642</u> <u>BATTERY MFG-DRY</u>	212. <u>4307</u> <u>BOOKBINDING</u>
164. <u>3643</u> <u>ELECTRIC POWER OR TRANSMISSION EQUIPMENT MFG</u>	213. <u>4308</u> <u>LINOTYPE OR HAND COMPOSITION</u>
165. <u>3647</u> <u>BATTERY MFG-STORAGE</u>	214. <u>4351</u> <u>PHOTOENGRAVING</u>
166. <u>3648</u> <u>AUTOMOTIVE LIGHTING, IGNITION OR STARTING APPARATUS MFG NOC</u>	215. <u>4352</u> <u>ENGRAVING</u>
167. <u>3681</u> <u>TELEVISION, RADIO, TELEPHONE OR TELECOMMUNICATION DEVICE MFG NOC</u>	216. <u>4360</u> <u>MOTION PICTURE: DEVELOPMENT OF NEGATIVES, PRINTING AND ALL SUBSEQUENT</u>
168. <u>3685</u> <u>INSTRUMENT MFG NOC</u>	217. <u>4410</u> <u>RUBBER GOODS MFG NOC</u>
169. <u>3803</u> <u>AUTOMOBILE WHEEL MFG – METAL – NOT CAST</u>	218. <u>4420</u> <u>RUBBER TIRE MFG</u>
170. <u>3807</u> <u>AUTOMOBILE RADIATOR MFG</u>	219. <u>4431</u> <u>PHONOGRAPH RECORD MFG</u>
171. <u>3808</u> <u>AUTOMOBILE MFG OR ASSEMBLY</u>	220. <u>4432</u> <u>PEN MFG</u>
172. <u>3822</u> <u>AUTOMOBILE, BUS, TRUCK OR TRAILER BODY MFG: DIE-PRESSED STEEL</u>	221. <u>4439</u> <u>LACQUER OR SPIRIT VARNISH MFG</u>
173. <u>3824</u> <u>AUTOMOBILE, BUS, TRUCK OR TRAILER BODY MFG: NOC</u>	222. <u>4452</u> <u>PLASTICS MFG: FABRICATED PRODUCTS NOC</u>
174. <u>3826</u> <u>AIRCRAFT ENGINE MFG</u>	223. <u>4459</u> <u>PLASTICS MFG: SHEETS, RODS, OR TUBES</u>
175. <u>3827</u> <u>AUTOMOBILE ENGINE MFG</u>	224. <u>4470</u> <u>CABLE MFG – INSULATED ELECTRICAL</u>
176. <u>3830</u> <u>AIRPLANE MFG</u>	225. <u>4484</u> <u>PLASTICS MANUFACTURING: MOLDED PRODUCTS NOC</u>
177. <u>3851</u> <u>MOTORCYCLE MFG OR ASSEMBLY</u>	226. <u>4493</u> <u>FABRIC COATING OR IMPREGNATING NOC</u>
178. <u>3865</u> <u>BABY CARRIAGE MFG</u>	227. <u>4557</u> <u>INK MFG</u>
179. <u>3881</u> <u>CAR MFG-RAILROAD – &amp; DRIVERS</u>	228. <u>4558</u> <u>PAINT MFG</u>
180. <u>4021</u> <u>BRICK MFG NOC &amp; DRIVERS</u>	229. <u>4561</u> <u>VARNISH MFG – OLEO – RESINOUS</u>
181. <u>4024</u> <u>REFRACTORY PRODUCTS MFG &amp; DRIVERS</u>	230. <u>4568</u> <u>SALT BORAX OR POTASH PRODUCING OR REFINING &amp; DRIVERS</u>
182. <u>4034</u> <u>CONCRETE PRODUCTS MFG &amp; DRIVERS</u>	231. <u>4581</u> <u>PHOSPHATE WORKS &amp; DRIVERS</u>
183. <u>4036</u> <u>PLASTER BOARD OR PLASTER BLOCK MFG &amp; DRIVERS</u>	232. <u>4583</u> <u>FERTILIZER MFG &amp; DRIVERS</u>
184. <u>4038</u> <u>PLASTER STATUARY OR ORNAMENT MFG</u>	233. <u>4586</u> <u>AMMONIUM NITRATE MFG</u>
185. <u>4053</u> <u>POTTERY MFG: CHINA OR TABLEWARE</u>	

234.	4611	<u>DRUG, MEDICINE OR PHARMACEUTICAL PREPARATION, COMPOUNDING, OR BLENDING – NO</u>	14.	5069	<u>IRON OR STEEL: ERECTION-CONSTRUCTION OF DWELLINGS NOT OVER TWO STORIES IN</u>
235.	4635	<u>OXYGEN OR HYDROGEN MFG &amp; DRIVERS</u>	15.	5102	<u>DOOR, DOOR FRAME OR SASH ERECTION – METAL OR METAL COVERED</u>
236.	4653	<u>GLUE MFG &amp; DRIVERS</u>	16.	5146	<u>FURNITURE OR FIXTURES INSTALLATION – PORTABLE – NOC</u>
237.	4665	<u>RENDERING WORKS NOC &amp; DRIVERS</u>	17.	5160	<u>ELEVATOR ERECTION OR REPAIR</u>
238.	4670	<u>COTTONSEED OIL MFG – MECHANICAL &amp; DRIVERS</u>	18.	5183	<u>PLUMBING NOC &amp; DRIVERS</u>
239.	4683	<u>OIL MFG-VEGETABLE-NOC</u>	19.	5188	<u>AUTOMATIC SPRINKLER INSTALLATION &amp; DRIVERS</u>
240.	4686	<u>OIL MFG – VEGETABLE – SOLVENT EXTRACTION PROCESS</u>	20.	5190	<u>ELECTRICAL WIRING-WITHIN BUILDINGS &amp; DRIVERS</u>
241.	4692	<u>DENTAL LABORATORY</u>	21.	5213	<u>CONCRETE CONSTRUCTION NOC</u>
242.	4693	<u>PHARMACEUTICAL OR SURGICAL GOODS MFG NOC</u>	22.	5215	<u>CONCRETE WORK-INCIDENTAL TO THE CONSTRUCTION OF PRIVATE RESIDENCE</u>
243.	4703	<u>CORN PRODUCTS MFG</u>	23.	5221	<u>CONCRETE OR CEMENT WORK – FLOORS, DRIVEWAYS, YARDS OR SIDEWALK – &amp; DRIVERS</u>
244.	4710	<u>CANDLE MFG</u>	24.	5222	<u>CONCRETE CONSTRUCTION IN CONNECTION WITH BRIDGES OR CULVERTS</u>
245.	4717	<u>BUTTER SUBSTITUTE MFG</u>	25.	5223	<u>SWIMMING POOL CONSTRUCTION, INSTALLATION OR REPAIR - NOT IRON OR STEEL –</u>
246.	4720	<u>SOAP OR SYNTHETIC DETERGENT MFG</u>	26.	5348	<u>TILE, STONE, MOSAIC OR TERRAZZO WORK – INSIDE</u>
247.	4740	<u>OIL REFINING-PETROLEUM – &amp; DRIVERS</u>	27.	5402	<u>HOTHOUSE ERECTION – ALL OPERATIONS</u>
248.	4741	<u>ASPHALT OR TAR DISTILLING OR REFINING &amp; DRIVERS</u>	28.	5403	<u>CARPENTRY NOC</u>
249.	4751	<u>SYNTHETIC RUBBER MFG</u>	29.	5437	<u>CARPENTRY-INSTALLATION OF CABINET WORK OR INTERIOR TRIM</u>
250.	4771	<u>EXPLOSIVES OR AMMUNITION MFG: NOC &amp; DRIVERS</u>	30.	5443	<u>LATHING &amp; DRIVERS</u>
251.	4777	<u>EXPLOSIVES DISTRIBUTORS &amp; DRIVERS</u>	31.	5445	<u>WALLBOARD INSTALLATION WITHIN BUILDINGS &amp; DRIVERS</u>
252.	4825	<u>DRUG, MEDICINE OR PHARMACEUTICAL PREPARATION MFG &amp; INCLUDES MFG OF</u>	32.	5462	<u>GLAZIER – AWAY FROM SHOP &amp; DRIVERS</u>
253.	4828	<u>CHEMICAL BLENDING AND MIXING NOC – ALL OPERATIONS &amp; DRIVERS</u>	33.	5472	<u>ASBESTOS CONTRACTOR – PIPE AND BOILER WORK EXCLUSIVELY &amp; DRIVERS</u>
254.	4829	<u>CHEMICAL MANUFACTURING NOC – ALL OPERATIONS &amp; DRIVERS</u>	34.	5473	<u>ASBESTOS CONTRACTOR – NOC &amp; DRIVERS</u>
255.	4830	<u>CHEMICAL MIXING AND MANUFACT. NOC – ALL OPERATIONS &amp; DRIVERS – FOR USE IN</u>	35.	5474	<u>PAINTING OR PAPERHANGING NOC &amp; SHOP OPERATIONS, DRIVERS</u>
256.	4902	<u>SPORTING GOODS MFG NOC</u>	36.	5478	<u>LINOLEUM, CARPET, VINYL, ASPHALT, OR RUBBER FLOOR TILE INSTALLATION</u>
257.	4923	<u>PHOTOGRAPHIC SUPPLIES MFG</u>	37.	5479	<u>INSULATION WORK NOC &amp; DRIVERS</u>
258.	5951	<u>SERUM, ANTI-TOXIN OR VIRUS MFG &amp; DRIVERS</u>	38.	5480	<u>PLASTERING NOC &amp; DRIVERS</u>
259.	6504	<u>FOOD SUNDRIES MFG NOC – NO CEREAL MILLING</u>	39.	5491	<u>PAPERHANGING &amp; DRIVERS</u>
260.	9501	<u>PAINTING: SHOP ONLY &amp; DRIVERS</u>	40.	5506	<u>STREET OR ROAD CONSTRUCTION: PAVING OR REPAVING &amp; DRIVERS</u>
261.	9505	<u>PAINTING: AUTOMOBILE OR CARRIAGE BODIES</u>	41.	5507	<u>STREET OR ROAD CONSTRUCTION: SUBSURFACE WORK &amp; DRIVERS</u>
262.	9521	<u>HOUSE FURNISHINGS INSTALLATION NOC &amp; UPHOLSTERING</u>	42.	5508	<u>STREET OR ROAD CONSTRUCTION: ROCK EXCAVATION &amp; DRIVERS</u>
263.	9522	<u>UPHOLSTERING</u>	43.	5509	<u>STREET OR ROAD MAINTENANCE OR BEAUTIFICATION &amp; DRIVERS</u>
264.	9600	<u>TAXIDERMIST</u>	44.	5536	<u>AIR CONDITIONING DUCT FABRICATION AND INSTALLATION &amp; DRIVERS</u>

**(b) Industry Group: Contracting**

Class	Description
1.	0042 <u>LANDSCAPE GARDENING &amp; DRIVERS</u>
2.	0050 <u>FARM MACHINERY OPERATION-BY CONTRACTOR – &amp; DRIVERS</u>
3.	1322 <u>OIL OR GAS WELL: CLEANING OR SWABBING OF OLD WELLS HAVING PREVIOUSLY</u>
4.	3365 <u>WELDING OR CUTTING NOC &amp; DRIVERS</u>
5.	3719 <u>OIL STILL ERECTION OR REPAIR</u>
6.	3724 <u>MACHINERY OR EQUIPMENT ERECTION OR REPAIR NOC &amp; DRIVERS</u>
7.	3726 <u>BOILER INSTALLATION OR REPAIR – STEAM</u>
8.	5020 <u>CEILING INSTALLATION – SUSPENDED ACOUSTICAL GRID TYPE</u>
9.	5022 <u>MASONRY NOC</u>
10.	5037 <u>PAINTING: METAL STRUCTURES – OVER TWO STORIES IN HEIGHT – &amp; DRIVERS</u>
11.	5040 <u>IRON OR STEEL: ERECTION – FRAME STRUCTURES</u>
12.	5057 <u>IRON OR STEEL: ERECTION NOC</u>
13.	5059 <u>IRON OR STEEL: ERECTION – FRAME STRUCTURES NOT OVER TWO STORIES IN HEIGHT</u>
14.	5069 <u>IRON OR STEEL: ERECTION-CONSTRUCTION OF DWELLINGS NOT OVER TWO STORIES IN</u>
15.	5102 <u>DOOR, DOOR FRAME OR SASH ERECTION – METAL OR METAL COVERED</u>
16.	5146 <u>FURNITURE OR FIXTURES INSTALLATION – PORTABLE – NOC</u>
17.	5160 <u>ELEVATOR ERECTION OR REPAIR</u>
18.	5183 <u>PLUMBING NOC &amp; DRIVERS</u>
19.	5188 <u>AUTOMATIC SPRINKLER INSTALLATION &amp; DRIVERS</u>
20.	5190 <u>ELECTRICAL WIRING-WITHIN BUILDINGS &amp; DRIVERS</u>
21.	5213 <u>CONCRETE CONSTRUCTION NOC</u>
22.	5215 <u>CONCRETE WORK-INCIDENTAL TO THE CONSTRUCTION OF PRIVATE RESIDENCE</u>
23.	5221 <u>CONCRETE OR CEMENT WORK – FLOORS, DRIVEWAYS, YARDS OR SIDEWALK – &amp; DRIVERS</u>
24.	5222 <u>CONCRETE CONSTRUCTION IN CONNECTION WITH BRIDGES OR CULVERTS</u>
25.	5223 <u>SWIMMING POOL CONSTRUCTION, INSTALLATION OR REPAIR - NOT IRON OR STEEL –</u>
26.	5348 <u>TILE, STONE, MOSAIC OR TERRAZZO WORK – INSIDE</u>
27.	5402 <u>HOTHOUSE ERECTION – ALL OPERATIONS</u>
28.	5403 <u>CARPENTRY NOC</u>
29.	5437 <u>CARPENTRY-INSTALLATION OF CABINET WORK OR INTERIOR TRIM</u>
30.	5443 <u>LATHING &amp; DRIVERS</u>
31.	5445 <u>WALLBOARD INSTALLATION WITHIN BUILDINGS &amp; DRIVERS</u>
32.	5462 <u>GLAZIER – AWAY FROM SHOP &amp; DRIVERS</u>
33.	5472 <u>ASBESTOS CONTRACTOR – PIPE AND BOILER WORK EXCLUSIVELY &amp; DRIVERS</u>
34.	5473 <u>ASBESTOS CONTRACTOR – NOC &amp; DRIVERS</u>
35.	5474 <u>PAINTING OR PAPERHANGING NOC &amp; SHOP OPERATIONS, DRIVERS</u>
36.	5478 <u>LINOLEUM, CARPET, VINYL, ASPHALT, OR RUBBER FLOOR TILE INSTALLATION</u>
37.	5479 <u>INSULATION WORK NOC &amp; DRIVERS</u>
38.	5480 <u>PLASTERING NOC &amp; DRIVERS</u>
39.	5491 <u>PAPERHANGING &amp; DRIVERS</u>
40.	5506 <u>STREET OR ROAD CONSTRUCTION: PAVING OR REPAVING &amp; DRIVERS</u>
41.	5507 <u>STREET OR ROAD CONSTRUCTION: SUBSURFACE WORK &amp; DRIVERS</u>
42.	5508 <u>STREET OR ROAD CONSTRUCTION: ROCK EXCAVATION &amp; DRIVERS</u>
43.	5509 <u>STREET OR ROAD MAINTENANCE OR BEAUTIFICATION &amp; DRIVERS</u>
44.	5536 <u>AIR CONDITIONING DUCT FABRICATION AND INSTALLATION &amp; DRIVERS</u>
45.	5537 <u>HEATING, VENTILATION, AIR-CONDITIONING AND REFRIGERATION SYSYEM – INSTALLATION, SERVICE AND REPAIR &amp; DRIVERS</u>
46.	5538 <u>SHEET METAL WORK – SHOP AND OUTSIDE – NOC &amp; DRIVERS</u>
47.	5551 <u>ROOFING – ALL KINDS &amp; DRIVERS</u>
48.	5606 <u>CONTRACTOR – EXECUTIVE SUPERVISOR OR CONSTRUCTION SUPERINTENDENT</u>
49.	5610 <u>CLEANER – DEBRIS REMOVAL – CONSTRUCTION OR ERECTION CONTRACTOR</u>
50.	5613 <u>CLEANER-DEBRIS REMOVAL – TEMPORARY LABOR SERVICE</u>
51.	5645 <u>CARPENTRY-DETACHED ONE OR TWO FAMILY DWELLINGS</u>
52.	5651 <u>CARPENTRY-DWELLINGS – THREE STORIES OR LESS</u>
53.	5703 <u>BUILDING RAISING OR MOVING &amp; DRIVERS</u>
54.	5705 <u>SALVAGE OPERATION – NO WRECKING OR ANY STRUCTURAL OPERATIONS</u>
55.	6003 <u>PILE DRIVING &amp; DRIVERS</u>
56.	6005 <u>JETTY OR BREAKWATER CONSTRUCTION – ALL OPERATIONS TO COMPLETION &amp; DRIVERS</u>

- 57. 6017 DAM OR LOCK CONSTRUCTION: CONCRETE WORK – ALL OPERATIONS
- 58. 6018 DAM OR LOCK CONSTRUCTION: EARTH MOVING OR PLACING – ALL OPERATIONS & DRIVERS
- 59. 6045 LEVEE CONSTRUCTION – ALL OPERATIONS TO COMPLETION & DRIVERS
- 60. 6204 DRILLING NOC & DRIVERS
- 61. 6206 OIL OR GAS WELL: CEMENTING & DRIVERS
- 62. 6213 OIL OR GAS WELL: SPECIALTY TOOL OPERATION NOC – BY CONTRACTOR – ALL EMPLOYEES
- 63. 6214 OIL OR GAS WELL: PERFORATING OF CASING – ALL EMPLOYEES & DRIVERS
- 64. 6216 OIL OR GAS LEASE WORK NOC – BY CONTRACTOR & DRIVERS
- 65. 6217 EXCAVATION & DRIVERS
- 66. 6229 IRRIGATION OR DRAINAGE SYSTEM CONSTRUCTION & DRIVERS
- 67. 6233 OIL OR GAS PIPELINE CONSTRUCTION & DRIVERS
- 68. 6235 OIL OR GAS WELL: DRILLING OR REDRILLING & DRIVERS
- 69. 6236 OIL OR GAS WELL: INSTALLATION OR RECOVERY OF CASING & DRIVERS
- 70. 6237 OIL OR GAS WELL: INSTRUMENT LOGGING OR SURVEY WORK & DRIVERS
- 71. 6251 TUNNELING – NOT PNEUMATIC – ALL OPERATIONS
- 72. 6252 SHAFT SINKING – ALL OPERATIONS
- 73. 6260 TUNNELING – PNEUMATIC – ALL OPERATIONS
- 74. 6306 SEWER CONSTRUCTION – ALL OPERATIONS & DRIVERS
- 75. 6319 GAS MAIN OR CONNECTION CONSTRUCTION & DRIVERS
- 76. 6325 CONDUIT CONSTRUCTION – FOR CABLES OR WIRES – & DRIVERS
- 77. 6400 FENCE ERECTION – METAL
- 78. 7538 ELECTRIC LIGHT OR POWER LINE CONSTRUCTION & DRIVERS
- 79. 7601 TELEPHONE, TELEGRAPH OR FIRE ALARM LINE CONSTRUCTION & DRIVERS
- 80. 7605 BURGLAR ALARM INSTALLATION OR REPAIR & DRIVERS
- 81. 7611 TELEPHONE OR CABLE TV LINE INSTALLATION- CONTRACTORS, UNDERGROUND & DRIVERS
- 82. 7612 TELEPHONE OR CABLE TV LINE INSTALLATION- CONTRACTORS, OVERHEAD & DRIVERS
- 83. 7613 TELEPHONE OR CABLE TV LINE INSTALLATION- CONTRACTORS, SERVICE LINES AND
- 84. 7855 RAILROAD CONSTRUCTION: LAYING OR RELAYING OF TRACKS OR MAINTENANCE OF WAY
- 85. 8227 CONSTRUCTION OR ERECTION PERMANENT YARD
- 86. 9534 MOBILE CRANE AND HOISTING SERVICE CONTRACTORS – NOC – ALL OPERATIONS – INCLUDING
- 87. 9554 Sign Installation, Maintenance, Repair or Removal & Drivers

**(c) Industry Group: Office & Clerical**

- | Class           | Description   |
|-----------------|---|
| 1. <u>4361</u>  | <u>PHOTOGRAPHER – ALL EMPLOYEES &amp; CLERICAL, SALESPERSONS, DRIVERS</u>               |
| 2. <u>7610</u>  | <u>RADIO OR TELEVISION BROADCASTING STATION – ALL EMPLOYEES &amp; CLERICAL, DRIVERS</u> |
| 3. <u>8601</u>  | <u>ARCHITECT OR ENGINEER – CONSULTING</u>   |
| 4. <u>8721</u>  | <u>REAL ESTATE APPRAISAL COMPANIES – OUTSIDE EMPLOYEES</u>                              |
| 5. <u>8742</u>  | <u>SALESPERSONS, COLLECTORS OR MESSENGERS – OUTSIDE</u>                                 |
| 6. <u>8748</u>  | <u>AUTOMOBILE SALESPERSONS</u>  |
| 7. <u>8755</u>  | <u>LABOR UNION – ALL EMPLOYEES</u>  |
| 8. <u>8800</u>  | <u>MAILING OR ADDRESSING CO. &amp; CLERICAL</u>   |
| 9. <u>8803</u>  | <u>AUDITORS, ACCOUNTANT OR FACTORY COST OR OFFICE SYSTEMATIZER – TRAVELING</u>          |
| 10. <u>8810</u> | <u>CLERICAL OFFICE EMPLOYEES NOC</u>  |
| 11. <u>8820</u> | <u>ATTORNEY – ALL EMPLOYEES &amp; CLERICAL, MESSENGERS, DRIVERS</u>                     |

- 12. 8832 PHYSICIAN & CLERICAL
- 13. 8833 HOSPITAL: PROFESSIONAL EMPLOYEES
- 14. 8861 CHARITABLE OR WELFARE ORGANIZATION – PROFESSIONAL EMPLOYEES & CLERICAL
- 15. 8868 COLLEGE: PROFESSIONAL EMPLOYEES & CLERICAL
- 16. 8869 CHILD DAY CARE CENTER: PROFESSIONAL EMPLOYEES AND CLERICAL, SALESPERSONS
- 17. 8871 CLERICAL TELECOMMUTER EMPLOYEES
- 18. 8901 TELEPHONE OR TELEGRAPH CO.: OFFICE OR EXCHANGE EMPLOYEES & CLERICAL
- 19. 9012 BUILDINGS-OPERATION – BY OWNER, LESSEE, OR REAL ESTATE MANAGEMENT FIRM:
- 20. 9156 THEATER NOC: PLAYERS, ENTERTAINERS OR MUSICIANS

**(d) Industry Group: Goods & Services**

- | Class           | Description   |
|-----------------|---|
| 1. <u>0005</u>  | <u>FARM: NURSERY EMPLOYEES &amp; DRIVERS</u>  |
| 2. <u>0008</u>  | <u>FARM: GARDENING – MARKET OR TRUCK – &amp; DRIVERS</u>  |
| 3. <u>0016</u>  | <u>FARM: ORCHARD &amp; DRIVERS</u>  |
| 4. <u>0030</u>  | <u>SUGAR CANE PLANTATION &amp; DRIVERS</u>  |
| 5. <u>0034</u>  | <u>FARM: POULTRY OR EGG PRODUCER &amp; DRIVERS</u>  |
| 6. <u>0035</u>  | <u>FARM: FLORIST &amp; DRIVERS</u>  |
| 7. <u>0036</u>  | <u>FARM: DAIRY &amp; DRIVERS</u>  |
| 8. <u>0037</u>  | <u>FARM: FIELD CROPS &amp; DRIVERS</u>  |
| 9. <u>0052</u>  | <u>ORCHARD AND GROVE OWNERS AND OPERATORS-ALL OPERATIONS &amp; DRIVERS</u>                            |
| 10. <u>0079</u> | <u>FARM: BERRY OR VINEYARD &amp; DRIVERS</u>  |
| 11. <u>0083</u> | <u>FARM: CATTLE OR LIVESTOCK RAISING NOC &amp; DRIVERS</u>  |
| 12. <u>0113</u> | <u>FARM: FISH HATCHERY &amp; DRIVERS</u>  |
| 13. <u>0153</u> | <u>LAWN OR SHRUB SPRAYING &amp; DRIVERS</u>   |
| 14. <u>0170</u> | <u>FARM: ANIMAL RAISING &amp; DRIVERS</u>   |
| 15. <u>0173</u> | <u>BERRY FARM &amp; DRIVERS</u>   |
| 16. <u>0400</u> | <u>COTTON COMPRESSING &amp; DRIVERS</u>   |
| 17. <u>0401</u> | <u>COTTON GIN OPERATION &amp; LOCAL MANAGERS, DRIVERS</u>   |
| 18. <u>0908</u> | <u>DOMESTIC WORKERS – INSIDE – OCCASIONAL</u>   |
| 19. <u>0909</u> | <u>DOMESTIC WORKERS – OUTSIDE – OCCASIONAL – INCLUDING OCCASIONAL PRIVATE CHAUFFEURS</u>              |
| 20. <u>0912</u> | <u>DOMESTIC WORKERS – OUTSIDE – INCLUDING PRIVATE CHAUFFEURS</u>                                      |
| 21. <u>0913</u> | <u>DOMESTIC WORKERS – INSIDE</u>  |
| 22. <u>0917</u> | <u>DOMESTIC SERVICE CONTRACTOR – INSIDE</u>   |
| 23. <u>2587</u> | <u>TOWEL OR TOILET SUPPLY CO. &amp; ROUTE SUPERVISORS, DRIVERS</u>                                    |
| 24. <u>3821</u> | <u>AUTOMOBILE RECYCLING &amp; DRIVERS</u>   |
| 25. <u>4362</u> | <u>MOTION PICTURE: FILM EXCHANGE &amp; PROJECTION ROOMS, CLERICAL</u>                                 |
| 26. <u>4511</u> | <u>ANALYTICAL CHEMIST</u>   |
| 27. <u>5191</u> | <u>OFFICE MACHINE INSTALLATION, INSPECTION, ADJUSTMENT OR REPAIR</u>                                  |
| 28. <u>5192</u> | <u>VENDING OR COIN OPERATED MACHINES – INSTALLATION, SERVICE OR REPAIR &amp; SALESPERSON, DRIVERS</u> |
| 29. <u>7204</u> | <u>GREYHOUND BREEDING, TRAINING AND RACING &amp; DRIVERS</u>  |
| 30. <u>7390</u> | <u>BEER OR ALE DEALER – WHOLESALE &amp; DRIVERS</u>   |
| 31. <u>8001</u> | <u>STORE: FLORIST &amp; DRIVERS</u>   |
| 32. <u>8002</u> | <u>AUTOMOBILE RENTAL CO.: ALL OTHER EMPLOYEES &amp; COUNTER PERSONNEL, DRIVERS</u>                    |
| 33. <u>8006</u> | <u>GASOLINE STATION: SELF-SERVICE AND GROCERY – RETAIL OR STORE: GROCERY – RETAIL</u>                 |
| 34. <u>8008</u> | <u>STORE: CLOTHING, WEARING APPAREL OR DRY GOODS – RETAIL</u>   |





- 2. 0251 IRRIGATION WORKS OPERATION & DRIVERS
- 3. 1005 COAL MINING – SURFACE & DRIVERS
- 4. 1164 MINING NOC – NOT COAL – UNDERGROUND – & DRIVERS
- 5. 1165 MINING NOC – NOT COAL-SURFACE & DRIVERS
- 6. 1218 PHOSPHATE MINING & DRIVERS
- 7. 1320 OIL OR GAS LEASE OPERATOR – ALL OPERATIONS & DRIVERS
- 8. 1624 QUARRY NOC & DRIVERS
- 9. 1654 QUARRY-CEMENT ROCK – SURFACE-& DRIVERS
- 10. 1655 LIME MFG – QUARRY – SURFACE-& DRIVERS
- 11. 1710 STONE CRUSHING & DRIVERS
- 12. 2702 LOGGING OR LUMBERING & DRIVERS
- 13. 4000 SAND DIGGING & DRIVERS
- 14. 6811 BOAT BUILDING-WOOD – NOC & DRIVERS
- 15. 6834 BOAT BUILDING OR REPAIR & DRIVERS
- 16. 6836 MARINA & DRIVERS
- 17. 6838 BOAT BUILDING OR REPAIR – FIBERGLASS ONLY – & DRIVERS
- 18. 6854 SHIP BUILDING – IRON OR STEEL – NOC & DRIVERS
- 19. 6882 SHIP REPAIR CONVERSION – ALL OPERATIONS & DRIVERS
- 20. 6884 SHIP SCALING
- 21. 7133 RAILROAD OPERATION: NOC – ALL EMPLOYEES & DRIVERS
- 22. 7201 LIVERY OR BOARDING STABLE – NOT SALES STABLE – & DRIVERS
- 23. 7205 DRIVERS AND THEIR HELPERS NOC – INCL. STABLEMEN
- 24. 7219 TRUCKING: NOC – ALL EMPLOYEES & DRIVERS
- 25. 7222 TRUCKING: OIL FIELD EQUIPMENT-ALL EMPLOYEES & DRIVERS
- 26. 7230 TRUCKING: PARCEL OR PACKAGE DELIVERY – ALL EMPLOYEES & DRIVERS
- 27. 7231 TRUCKING: MAIL, PARCEL OR PACKAGE DELIVERY – ALL EMPLOYEES & DRIVERS
- 28. 7232 TRUCKING: MAIL PARCEL OR PACKAGE DELIVERY – UNDER CONTRACT WITH THE U.S.
- 29. 7360 FREIGHT HANDLING NOC
- 30. 7370 TAXICAB CO.: ALL OTHER EMPLOYEES & DRIVERS
- 31. 7380 DRIVERS, CHAUFFEURS & THEIR HELPERS NOC – COMMERCIAL
- 32. 7382 BUS CO.: ALL OTHER EMPLOYEES & DRIVERS
- 33. 7383 COLLEGE OR SCHOOL – SCHOOL BUS DRIVERS
- 34. 7403 AIRCRAFT OR HELICOPTER OPERATION: AIR CARRIER – SCHEDULED OR SUPPLEMENTAL:
- 35. 7405 AIRCRAFT OR HELICOPTER OPERATION: AIR CARRIER – SCHEDULED OR SUPPLEMENTAL:
- 36. 7409 AIRCRAFT OR HELICOPTER OPERATION: AERIAL APPLICATION, SEEDING HERDING OR
- 37. 7420 AIRCRAFT OR HELICOPTER OPERATION: PUBLIC EXHIBITION INVOLVING STUNT
- 38. 7421 AIRCRAFT OR HELICOPTER OPERATION: TRANSPORTATION OF PERSONNEL IN CONDUCT
- 39. 7422 AIRCRAFT OR HELICOPTER OPERATION: SALES OR SERVICE AGENCY: TAXI OR
- 40. 7423 AIRCRAFT OR HELICOPTER OPERATION: ALL OTHER EMPLOYEES & DRIVERS
- 41. 7425 AIRCRAFT OR HELICOPTER OPERATION: NOC – HELICOPTERS: FLYING CREW
- 42. 7431 AIRCRAFT OR HELICOPTER OPERATION: AIR CARRIER COMMUTER – FLYING CREW
- 43. 7502 GAS COMPANY: GAS CO. – NATURAL GAS-LOCAL DISTRIBUTION & DRIVERS
- 44. 7515 OIL OR GAS PIPELINE OPERATION & DRIVERS
- 45. 7520 WATERWORKS OPERATION & DRIVERS
- 46. 7539 ELECTRIC LIGHT OR POWER CO. NOC – ALL EMPLOYEES & DRIVERS
- 47. 7540 ELECTRIC LIGHT OR POWER COOPERATIVE-REA PROJECT ONLY-ALL EMPLOYEES &
- 48. 7580 SEWAGE DISPOSAL PLANT OPERATION & DRIVERS
- 49. 7590 GARBAGE WORKS
- 50. 7600 TELEPHONE OR TELEGRAPH CO.: ALL OTHER EMPLOYEES & DRIVERS
- 51. 7704 FIREFIGHTERS & DRIVERS
- 52. 7720 POLICE OFFICERS & DRIVERS
- 53. 9019 BRIDGE OR VEHICULAR TUNNEL OPERATION & DRIVERS
- 54. 9102 PARK NOC-ALL EMPLOYEES & DRIVERS
- 55. 9154 THEATER NOC: ALL OTHER EMPLOYEES
- 56. 9178 ATHLETIC TEAM OR PARK: NON – CONTACT SPORTS
- 57. 9179 ATHLETIC TEAM OR PARK: CONTACT SPORTS
- 58. 9180 AMUSEMENT DEVICE OPERATION NOC – NOT TRAVELING – & DRIVERS
- 59. 9182 ATHLETIC TEAM OR PARK: OPERATION & DRIVERS
- 60. 9186 CARNIVAL, CIRCUS OR AMUSEMENT DEVICE OPERATOR – TRAVELING – ALL EMPLOYEES &
- 61. 9402 STREET CLEANING & DRIVERS
- 62. 9403 GARBAGE, ASHES OR REFUSE COLLECTION & DRIVERS

Specific Authority 440.107(9), 440.591 FS. Law Implemented 440.107(7)(b) FS. History–New \_\_\_\_\_

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE TITLE: \_\_\_\_\_ RULE NO.: \_\_\_\_\_

Procedures for Withdrawal, Surrender of Certificate of Authority, or Discontinuance of Writing Insurance in this State Pursuant to Section 624.430, Florida Statutes 690-141.020

PURPOSE AND EFFECT: To properly implement and interpret Section 624.430, F.S., by not requiring the Office to issue an order to accept surrender, it can be deemed approved via operation of the statute or accepted by order depending on the circumstances. The proposed rule would assist in the administration of the statutes by the Office.

SUBJECT AREA TO BE ADDRESSED: Administrative Supervision and Withdrawal.

SPECIFIC AUTHORITY: 624.308(1), 624.6012 FS.

LAW IMPLEMENTED: 624.307(1), 624.430, 624.6011, 624.6012 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: 3:00 p.m., October 25, 2005

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office 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, IF AVAILABLE, IS: Susan Dawson, Esq., Office of Insurance Regulation, e-mail: susan.dawson@fldfs.com  
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE.

**FINANCIAL SERVICES COMMISSION**

**Office of Insurance Regulation**

RULE TITLES:	RULE NOS.:
Initial Notice	69O-154.303
Notice of Occurrence of a Qualifying Event	69O-154.304
Election and Premium Notice Form	69O-154.305
Billing and Payment of Premium	69O-154.306

PURPOSE AND EFFECT: These rule amendments provide implementation of COBRA continuation for small groups with fewer than 20 employees, make conforming changes to the rule due to the statutory change and update the form being used. Rule 69O-154.303, F.A.C., is repealed as an outdated provision which was only applicable to the initial implementation in 1997.

SUBJECT AREA TO BE ADDRESSED: Health Insurance Policies.

SPECIFIC AUTHORITY: 624.308(1), 627.6692(9) FS.

LAW IMPLEMENTED: 624.307(1), 627.6692(5) 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: 2:00 p.m., November 2, 2005

PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this program, please advise the Office 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, IF AVAILABLE, IS: Frank Dino, Life and Health Product Review, Office of Insurance Regulation, e-mail: frank.dino@fldfs.com

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

**Section II  
Proposed Rules**

**DEPARTMENT OF STATE**

**Division of Elections**

RULE TITLE: Certification Requirements for Supervisors of Elections for Special Qualification Salary  
RULE NO.: 1S-2.0115

PURPOSE AND EFFECT: The purpose of the proposed rule is to conform with legislative changes in Section 75 of Chapter 2005-277, Laws of Florida, which amended Section 145.09, F.S., relating to special qualification salaries for supervisors of elections. The law clarifies that the Department of State has authority to adopt by rule the certification requirements necessary for the special qualification salary that entitles a certified supervisor of elections to receive an additional \$2,000 per year in salary.

SUMMARY: The proposed rule provides initial and continuing certification requirements involving experience, training and education that supervisors of elections must meet in order to obtain the annual special qualification salary.

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

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

SPECIFIC AUTHORITY: 145.09 FS.

LAW IMPLEMENTED: 145.09 FS.

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

TIME AND DATE: 10:30 a.m., Monday, October 31, 2005

PLACE: Florida Heritage Hall, Plaza Level, R. A. Gray Building, Tallahassee, Florida

NOTICE UNDER THE AMERICANS WITH DISABILITIES ACT: Any person needing special accommodations to participate in this proposed rule hearing should contact the Department of State, 1(850)245-6536, no later than October 26, 2005. Any person who is hearing or speech impaired may contact the Department by using the Florida Relay Service, 1(800)955-8770 (Voice) or 1(800)955-8771.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Maria I. Matthews, Assistant General Counsel, Office of the General Counsel, Division of Elections, Department of State, 500 S. Bronough Street, Tallahassee, Florida 32399-0250 (Copies of the proposed rule may be obtained from the proposed rules webpage on the Division of Elections' website at: <http://election.dos.state.fl.us/index.html> or by contacting the above-named person at 1(850)245-6536.)