

(a) The Department's ~~t~~Foll ~~e~~Enforcement ~~o~~Officer(s), or his or her designee, shall review captured photographic images of vehicle license plates to ensure accuracy and data integrity. The ~~t~~Foll ~~e~~Enforcement ~~o~~Officer(s), or designee, shall also verify that the toll collection system and VES were performing properly, were functional, and were in operation at the time of the alleged toll violation. The ~~t~~Foll ~~e~~Enforcement ~~o~~Officer(s), or designee, shall review the transaction data to ensure that those transactions immediately prior and subsequent to the alleged toll violation transaction were processed correctly. Such information shall be recorded on a Toll Transaction Report, Form SP050-A-005, Rev. 11/99, and shall be used in the processing of the UTC and in any judicial proceeding. The ~~final decision of validation of violation data and decision to issue the issuance of a UTC shall be made by the t~~Foll ~~e~~Enforcement ~~o~~Officer(s). The requirements of this paragraph do not apply to the issuance of a UTC by a toll enforcement officer that is based on an unpaid toll notice receipt signed by the driver and subsequent failure by the driver to properly remit payment. In that instance, a toll enforcement officer shall have knowledge of the procedures and internal controls in place for receiving, processing, and documenting such deferred payments, and shall issue a UTC based upon verification of the failure of the driver to properly remit payment.

(4) Response to a UTC.

(a) The UTC shall inform the registered owner that the vehicle registered in his or her name was observed proceeding through a toll facility at which the driver failed to pay the required toll, and provide the registered owner of the options to pay the a fine, as well as in the event of noncontest of the UTC, ~~and~~ instruction on how to contest the UTC.

(b) Upon receipt of a UTC, the registered owner of the motor vehicle involved in the violation is responsible for payment of the amount provided for in Section 318.18(7) or 318.14(12), Florida Statutes, in addition to any amount that is imposed as a result of a plea, finding of guilt, or other disposition pleading guilty or which may be otherwise imposed by the court, unless the owner ~~can~~ establishes that the motor vehicle was, at the time of violation, in the care, custody, or control of another person. In order to establish such facts, the registered owner of the motor vehicle is required to appear before the court and complete a sworn affidavit.

1. The Department will make the Affidavit, Form SP050-A-003, Rev. 07/05 ~~04/02~~, available for use in ~~to the~~ court. ~~Should the court choose not to use the affidavit, Form SP050 A 003, Rev. 04/02, the court will provide an appropriate affidavit form.~~

2. Should the court accept the sworn affidavit from the owner, the UTC will be dismissed against the owner and the Department shall issue a UTC to the individual named in the affidavit as having had been in care, custody, or control of the vehicle.

(c) The requirements of paragraphs (4)(a) and (b), above do not apply where the issuance of the UTC is based on an unpaid toll notice receipt signed by the driver and subsequent failure by the driver to properly remit payment. In that instance, the UTC will inform the driver of that basis for the issuance of the UTC, and upon receipt of the UTC, the driver who signed the unpaid toll notice receipt, and subsequently failed to properly remit payment, is responsible for payment of the amount provided for in Section 318.18(7) or 318.14(12), Florida Statutes, in addition to any amount that is imposed as a result of a plea, finding of guilt, or other disposition.

~~(5)(6)~~ Forms. The following forms are incorporated by reference and made a part of this rule:

Form Number	Date	Title
SP050-A-002	<u>07/05</u> 11/99	Uniform Traffic Citation
SP050-A-003	<u>07/05</u> 04/02	Affidavit
SP050-A-004	11/99	Toll Enforcement Officer Observed Violation Form
SP050-A-005	11/99	Toll Transaction Report
<u>SP050-A-006A</u>	<u>07/05</u>	<u>Florida Turnpike Unpaid Toll Notice Receipt – Driver</u>
<u>SP050-A-006B</u>	<u>07/05</u>	<u>Florida Turnpike Unpaid Toll Notice Receipt – Department</u>

Copies of these forms may be obtained from the Florida Department of Transportation, Toll Violation Enforcement, Post Office Box 880069, Boca Raton, Florida 33488-0069.

Specific Authority 334.044(2), 316.1001, 338.155(1) FS. Law Implemented 316.1001, 334.044(28), 338.155, 338.165, 338.231 FS. History—New 8-13-00, Amended 8-6-02, _____.

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."

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

RULE TITLE: No Notice General Permit for Activities in Uplands

RULE NO.: 40E-400.315

PURPOSE AND EFFECT: To delete language containing a partial delegation to Miami-Dade County as a new delegation will be addressed through the Agreement for Delegation of a Portion of the Environmental Resource Permitting Program Between the Florida Department of Environmental Protection, the South Florida Water Management District and Miami-Dade County.

SUBJECT AREA TO BE ADDRESSED: Thresholds and additional conditions within Miami-Dade County for no notice general permits for activities in uplands.

SPECIFIC AUTHORITY: 373.044, 373.113, 373.118, 373.171, 403.813, 403.814 FS.

LAW IMPLEMENTED: 373.118, 373.413, 373.416, 373.426 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.

Although Governing Board meetings, hearings and workshops are normally recorded, affected persons are advised that it may be necessary for them to ensure that a verbatim record of the proceeding is made, including the testimony and evidence upon which any appeal is to be based. Persons with disabilities or handicaps who need assistance may contact the South Florida Water Management District Clerk’s Office, at (561)682-2087 at least two business days in advance to make appropriate arrangements.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Damon Meiers, P.E., Deputy Director, Environmental Resource Regulation Department, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6876 or (561)682-6876 (internet: dmeiers@sfwmd.gov). For procedural questions – Jan Sluth, Paralegal, Office of Counsel, South Florida Water Management District, Post Office Box 24680, West Palm Beach, FL 33416-4680, telephone 1(800)432-2045, extension 6299 or (561)682-6299 (internet: jsluth@sfwmd.gov).

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

40E-400.315 No Notice General Permit for Activities in Uplands.

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

~~(b) Thresholds and Additional Conditions Within Dade County.~~

~~1. The project must have less than 40 acres total land area with positive stormwater outfall or less than 320 acres total land area and less than 160 acres of impervious area with no positive stormwater outfall.~~

~~2. The project and surface water management system must have been approved by the Dade County Department of Environmental Resource Management or its successor agency subsequent to October 2, 1977.~~

~~(b)(e) Thresholds and Additional Conditions Within Collier County.~~

- 1. The project must have less than 40 acres total land area.
- 2. The project and surface water management system must have been approved by Collier County subsequent to September 17, 1980.

Specific Authority 373.044, 373.113, 373.118, 373.171, 403.813, 403.814 FS. Law Implemented 373.118, 373.413, 373.416, 373.426 FS. History–New 10-3-95, Amended 4-14-03, _____.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: RULE NO.:
Licensees Excused from Continuing Educational Requirements 64B5-12.0135

PURPOSE AND EFFECT: The Board proposes to make changes to this section to, among other issues, clarify that the statutory licensure renewal training requirements found in Sections 456.013(7), 456.031 and 456.033 are not exempted by any provision of this rule section.

SUBJECT AREA TO BE ADDRESSED: Licensees excused from continuing educational requirements.

SPECIFIC AUTHORITY: 466.004(4), 466.0135, 466.014 FS.
LAW IMPLEMENTED: 466.0135, 466.014 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry /MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLES: RULE NOS.:
Requirements for General Anesthesia or Deep Sedation 64B5-14.008
Conscious Sedation 64B5-14.009
Pediatric Conscious Sedation 64B5-14.010

PURPOSE AND EFFECT: The Board proposes to review the rules to remove unnecessary language, to add language and to update and to clarify requirements for use of general anesthesia or deep sedation, conscious sedation and pediatric sedation.

SUBJECT AREA TO BE ADDRESSED: Requirements for general anesthesia or deep sedation, conscious sedation and pediatric conscious sedation.

SPECIFIC AUTHORITY: 466.004, 466.017 FS.
 LAW IMPLEMENTED: 466.017 FS.
 IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.
 THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3253
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Dentistry

RULE TITLE: Work Order Forms
 RULE NO.: 64B5-17.006
 PURPOSE AND EFFECT: The Board proposes to review the Rule Section to determine if changes are necessary.
 SUBJECT AREA TO BE ADDRESSED: Work order forms.
 SPECIFIC AUTHORITY: 466.021 FS.
 LAW IMPLEMENTED: 466.021 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Sue Foster, Executive Director, Board of Dentistry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258
 THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Special Assessment Fee
 RULE NO.: 64B8-54.0041
 PURPOSE AND EFFECT: The proposed rule is intended to set forth a one-time assessment fee for licensees.
 SUBJECT AREA TO BE ADDRESSED: One-time assessment fee.
 SPECIFIC AUTHORITY: 456.025(5) FS.
 LAW IMPLEMENTED: 456.025(5) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT IS: Susan Love, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

64B8-54.0041 Special Assessment Fee.

(1) In an effort to eliminate the current cash deficit of the Electrolysis Council, each active status licensee and each inactive status licensee shall pay a special one time assessment fee of one thousand three hundred and six dollars (\$1306.00). The fee may be paid in four equal installments of three hundred and twenty-six dollars and fifty cents (\$326.50), with one-half of the total fee due no later than May 31, 2006. The entire fee must be paid to and received by the Department no later than May 31, 2008.

(2) Failure to comply with this rule and pay the required fee shall constitute a citation violation as set forth in Section 456.077, F.S.

Specific Authority 456.025(5) FS. Law Implemented 456.025(5) FS. History--New_____.

DEPARTMENT OF HEALTH

Board of Medicine

RULE TITLE: Discipline of Electrolysis Facilities
 RULE NO.: 64B8-55.0021
 PURPOSE AND EFFECT: The proposed rule amendment is intended to set forth a penalty for a facility which advertises without providing its license number in any advertisement.
 SUBJECT AREA TO BE ADDRESSED: Discipline of electrolysis facilities.
 SPECIFIC AUTHORITY: 456.037, 478.43(1) FS.
 LAW IMPLEMENTED: 456.072(2)(c), (d), 456.037, 478.52(1)(k), (2)(b), (c), (f) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Susan Love, Executive Director, Electrolysis Council, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

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

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Commercial Fishing Devices; Provision
 for Use in Certain Waters. RULE NO.: 68A-23.003

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2006, associated with freshwater commercial fishing devices.

SUBJECT AREA TO BE ADDRESSED: Commercial fishing devices to be used in fresh water.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Const.; 372.65 FS.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Const.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Darrell Scovell, Division of Freshwater Fish Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. FUTURE DRAFTS OF THE PROPOSED RULES MAY BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Bag Limits, Length Limits, Open Seasons:
 Freshwater Fish RULE NO.: 68A-23.005

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2006, associated with bag limits, length limits, and season dates in order to protect and ensure conservation of freshwater fish populations.

SUBJECT AREA TO BE ADDRESSED: Bag limits, length limits, and season dates for freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. FUTURE DRAFTS OF THE PROPOSED RULES MAY BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Introduction of Non-Native Aquatic Species
 in the Waters of the State; Provisions for
 Sale and Inspection of Fish for Bait or
 Propagation Purpose; Diseased Fish RULE NO.: 68A-23.008

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2006, is to provide a forum for the public and to provide input on proposed changes relating to importation, selling, possession or transporting of live aquatic species or hybrids, including those species that may be classified as prohibited or restricted.

SUBJECT AREA TO BE ADDRESSED: Importation, selling, possession or transporting of live aquatic species or hybrids.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. FUTURE DRAFTS OF THE PROPOSED RULES MAY BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Special Regulations for Lake Seminole and the St. Mary's River
 RULE NO.: 68A-23.0131

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish or revise rule provisions, during calendar year 2006, associated with fishing license requirements, bag limits, length limits, and season dates for freshwater fishing in Lake Seminole or the St. Mary's River in order to protect and ensure conservation of freshwater fish populations.

SUBJECT AREA TO BE ADDRESSED: Bag limits, length limits, and season dates for freshwater fish.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.; 372.021 FS.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.; 372.57, 372.97, 372.971 FS.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. FUTURE DRAFTS OF THE PROPOSED RULES MAY BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE TITLE: Regulations Governing the Taking and Possession of Freshwater Mussels
 RULE NO.: 68A-23.015

PURPOSE AND EFFECT: The purpose and effect of this rule development effort is to establish rule provisions for freshwater fish species or to establish or revise rule provisions for freshwater mussels, during calendar year 2006. Rule provisions may include prohibition against take, establishing permit requirements, possession and use of gear, bag limits, length limits, and season dates in order to protect and ensure conservation of freshwater fish or invertebrate populations.

SUBJECT AREA TO BE ADDRESSED: Bag limits, length limits, permit requirements, gear possession and use, or season dates for freshwater fish or invertebrates.

SPECIFIC AUTHORITY: Article IV, Section 9, Fla. Const.

LAW IMPLEMENTED: Article IV, Section 9, Fla. Const.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT, IF AVAILABLE, IS: Mr. Darrell L. Scovell, Division of Freshwater Fisheries Management, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)488-0331

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT AVAILABLE. FUTURE DRAFTS OF THE PROPOSED RULES MAY BE OBTAINED FROM: James V. Antista, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE CHAPTER TITLE: Sharks and Rays
 RULE TITLE: Prohibited Species; Prohibition of Harvest, Landing, and Sale
 RULE NO.: 68B-44.008

PURPOSE AND EFFECT: The purpose of this rule is to designate Atlantic Angel Shark, Bigeye Sixgill Shark, Bigeye Thresher Shark, Bignose Shark, Caribbean Reef Shark, Dusky Shark, Galapagos Shark, Longfin Mako Shark, Narrowtooth Shark, Night Shark, Sevengill Shark, Sixgill Shark, and Smalltail Shark as prohibited species, thus prohibiting the harvest, landing, possession, purchase, and sale of these species of sharks due to concerns about their vulnerability to depletion. The rule is also being updated by deleting reference to "protected species" status, a designation that has ceased to have significance. The effect of the proposed rule will be to reduce fishing mortality on these species in order to rebuild the spawning stock and/or prevent these resources from becoming endangered, and to make our regulations more consistent with existing federal regulations.

SUBJECT AREA TO BE ADDRESSED: Prohibited species of sharks.

SPECIFIC AUTHORITY: Art. IV, Sec. 9, Florida Constitution.

LAW IMPLEMENTED: Art. IV, Sec. 9, Florida Constitution.

IF REQUESTED AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT A TIME, DATE AND PLACE TO BE ANNOUNCED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE WEEKLY.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT IS: Mark Robson, Director, Division of Marine Fisheries Management, Fish and

Wildlife Conservation Commission, 2590 Executive Center Circle, East, Suite 201, Tallahassee, Florida 32301, (850)487-0554

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS:

68B-44.008 ~~Prohibited Protected Species:—Sawfishes, Basking Shark, Whale Shark, White Shark, Sand Tiger Shark, Bigeye Sand Tiger Shark, Spiny Dogfish, Manta Ray, and Spotted Eagle Ray; Prohibition of Harvest, Landing, and Sale.~~

~~(+) No person shall harvest, possess, land, purchase, sell, or exchange any Pursuant to Section 370.027(2)(f), Florida Statutes, the smalltooth sawfish (*Pristis pectinata*), largetooth sawfish (*Pristis pristis*), basking shark (*Cetorhinus maximus*), whale shark (*Rhincodon typus*), white shark (*Carcharodon carcharias*), sand tiger shark (~~*Odontaspis*~~ *Carcharias taurus*), bigeye sand tiger (*Odontaspis noronhai*), Atlantic angel shark (*Squatina dumeril*), bigeye sixgill shark (*Hexanchus nakamurai*), bigeye thresher shark (*Alopias superciliosus*), bignose shark (*Carcharhinus altimus*), Caribbean reef shark (*Carcharhinus perezi*), dusky shark (*Carcharhinus obscurus*), Galapagos shark (*Carcharhinus galapagensis*), longfin mako shark (*Isurus paucus*), narrowtooth shark (*Carcharhinus brachyurus*), night shark (*Carcharhinus signatus*), sevengill shark (*Hepttranchias perlo*), sixgill shark (*Hexanchus griseus*), and smalltail shark (*Carcharhinus porosus*), spiny dogfish (*Squalus acanthias*), manta ray (species of the genus *Manta* and *Mobula*), or ~~and~~ spotted eagle ray (*Aetobatus narinari*), or any part of any of these species are hereby declared and designated protected species. The purposes of this designation are to increase public awareness of the need for extensive conservation action in order to prevent these resources from becoming endangered and to encourage voluntary conservation practices.~~

~~(2) No person shall harvest, possess, land, purchase, sell, or exchange any smalltooth sawfish, largetooth sawfish, basking shark, whale shark, white shark, sand tiger shark, bigeye sand tiger shark, spiny dogfish, manta ray, or spotted eagle ray, or any part of any of these species.~~

Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 4-8-92, Amended 1-1-98, Formerly 46-44.008, Amended 7-1-03,_____.

FINANCIAL SERVICES COMMISSION

Office of Insurance Regulation

RULE TITLE: Informal Conferences
 PURPOSE AND EFFECT: To conform the rule to the new organization of the Office of Insurance Regulation and to make the rule come into accord with the implemented statute, Section 624.319, F.S.
 SUBJECT AREA TO BE ADDRESSED: Informal Conferences.

RULE NO.: 69N-121.066

SPECIFIC AUTHORITY: 120.05(5), 120.53, 624.308 FS.
 LAW IMPLEMENTED: 120.53, 120.54, 120.56, 120.57, 120.58, 624.307(1), 624.319, 624.324 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: 9:30 a.m., January 6, 2006
 PLACE: Room 142, Larson Building, 200 East Gaines Street, Tallahassee, Florida

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Bob Prentiss, Assistant General Counsel, Office of Insurance Regulation, E-mail bob.prentiss@fldfs.com.

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 above.

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

**Section II
 Proposed Rules**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Standards

RULE TITLES:	RULE NOS.:
Standards	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 Rule 5F-2.002, F.A.C., “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” is changed to reflect the terminology used by ASTM International.	