

- 67-48.029 Extended Use Agreement
- 67-48.030 Sale or Transfer of a Housing Credit Development
- 67-48.031 Termination of Extended Use Agreement and Disposition of Housing Credit Developments

PURPOSE AND EFFECT: The purpose of this Rule is to establish the procedures by which the Corporation shall: (1) administer the Application process, determine loan amounts, make and service mortgage loans for new construction or rehabilitation of affordable rental units under the State Apartment Incentive Loan (SAIL) Program authorized by Section 420.5087, Florida Statutes (F.S.), and the HOME Investment Partnerships (HOME) Program authorized by Section 420.5089, Florida Statutes; and (2) administer the Application process, determine Housing Credit (HC) amounts and implement the provisions of the Housing Credit Program authorized by Section 42 of the Code and Section 420.5099, Florida Statutes.

SUBJECT AREA TO BE ADDRESSED: The Rule Development workshop will be held to receive comments and suggestions from interested persons relative to (1) the development of the 2011 application and program requirements for the SAIL, HOME, HC Programs, as specified in Rule Chapter 67-48, Florida Administrative Code (F.A.C.) and (2) amendments to the Florida Housing Finance Corporation’s 2009 Qualified Allocation Plan (QAP).

RULEMAKING AUTHORITY: 420.507 FS.

LAW IMPLEMENTED: 420.5087, 420.5089, 420.5099 FS.

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

DATE AND TIME: July 29, 2010, 2:30 p.m.

PLACE: Tallahassee City Hall, Commission Chambers, 300 South Adams Street, Tallahassee, FL 32301. The workshop will be accessible via phone at 1(888)808-6959, Conference Code #1374197.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Blake Carson-Poston at (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kevin Tatreau, Director of Multifamily Development Programs

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

Section II Proposed Rules

DEPARTMENT OF STATE

Division of Elections

RULE NO.: IS-2.021	RULE TITLE: Revocation of Registration of Political Committees and Electioneering Communications Organizations
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PURPOSE AND EFFECT: To implement Ch 2010-167, § 21, Laws of Florida, which mandated that the Division of Elections adopt rules to prescribe the manner in which electioneering communications may be dissolved and have their registrations canceled. The proposed rule changes the title and text of the rule to include electioneering communications.

SUMMARY: The rule provides the conditions under which an electioneering communications organization’s registration can be revoked and the appellate rights to which the organization is entitled. These procedures are similar to the existing ones in the rule for political committees.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 20.10(3), 97.012(1), 106.03(7), 106.22(9) FS.

LAW IMPLEMENTED: 106.03 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 3, 2010, 2:30 p.m.

PLACE: Room 307, R. A. Gray Building, Department of State, 500 S. Bronough Street, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Eddie Phillips, Executive Assistant, Department of State, Office of General Counsel, phone: (850)245-6536 or email: elphillips@dos.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Gary J. Holland, Department of State, Office of General Counsel, R. A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250, (850)245-6536; email: gjholland@dos.state.fl.us

THE FULL TEXT OF THE PROPOSED RULE IS:

1S-2.021 Revocation of Registration of Political Committees and Electioneering Communications Organizations.

(1) The filing officer shall revoke the registration of a political committee (hereinafter committee) or an electioneering communications organization (hereinafter organization) when:

(a) The committee or organization fails to maintain a registered office and a registered agent as required by Section 106.022, F.S.;

(b) The committee or organization fails to file the appointment of a successor within 10 days after the death, resignation or removal of the campaign treasurer ~~pursuant to Section 106.021(2), F.S.;~~

(c) The committee or organization fails to file the appointment of a successor within 10 days after the death, resignation or removal of ~~its~~ the committee chairperson;

(d) The committee or organization fails to file campaign treasurers' reports for more than 6 months; ~~or~~

(e) The committee's aggregate reported financial activity during the calendar year is less than \$500 unless the committee is only registered and required to report as the sponsor of a proposed constitutional amendment by initiative who intended to seek the signatures of registered voters; ~~or~~

(f) The organization's aggregate reported financial activity during the calendar year is \$5000 or less.

(2) The filing officer shall send notification to the committee's or organization's chairperson of the intent to revoke the committee's registration to the most recent address on file with the filing officer for the chairperson. If the notification is returned undeliverable, the filing officer shall send the notification to the committee's or organization's registered agent at the most recent address on file with the filing officer. Within 30 days of the date of the filing officer's mailing of the preliminary notice of intent to revoke, the committee or organization may provide additional documentation to the filing officer showing that the committee's or organization's registration should not be revoked. Upon review of such documentation, if the filing officer determines that the ~~committee's~~ registration should not be revoked, the committee or organization will be notified that it is in compliance. If after review of the additional documentation provided, the filing officer determines that the ~~committee's~~ registration should be revoked, a final notice of intent to revoke shall be mailed by the filing officer to the most recent address on file with the filing officer. If no additional documentation is provided by the committee or organization within 30 days of the date of the filing officer's mailing of the preliminary notice, the filing officer shall mail a final notice of intent to revoke to the most recent address on file with the filing officer.

(3) If the committee or organization objects to such revocation, it must file an appeal within 30 days of the date of the filing officer's mailing of the final notice of intent to revoke. The appeal may be accompanied by any documentation or evidence supporting the claim. The appeal must be filed with the filing officer. The filing officer will forward the appeal to the Florida Elections Commission.

(4) Failure to timely file an appeal as described herein shall constitute a waiver of any such entitlement.

(5) A committee or organization desiring a hearing before the commission must include in the appeal a separate request for hearing.

(6) Appeals under this rule are exempt from the confidentiality provisions of Section 106.25, F.S.

Rulemaking Authority 20.10(3), 97.012(1), 106.03(7), 106.22(9) FS. Law Implemented 106.03 FS. History--New 2-28-90, Amended 10-29-03, 11-15-09,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Kristi Bronson, Chief, Bureau of Election Records, Division of Elections

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Donald L. Palmer, Director, Division of Elections

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 28, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 11, 2010

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-15.012
 RULE TITLE: Manual on Speed Zoning for Highways, Roads, and Streets in Florida

PURPOSE AND EFFECT: Rule 14-15.012, F.A.C., is being amended to incorporate the updated Manual on Speed Zoning for Highways, Roads, and Streets in Florida.

SUMMARY: The Manual on Speed Zoning for Highways, Roads, and Streets in Florida is being amended.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 316.006(1), 316.187, 316.555, 344.044(2) FS.

LAW IMPLEMENTED: 316.0745, 316.187, 316.1893(3), (4), 316.555 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULE IS:

14-15.012 Manual on Speed Zoning for Highways, Roads, and Streets in Florida.

~~This manual, entitled *Speed Zoning for Highways, Roads, and Streets in Florida*,~~

~~(1) FDOT Manual Number 750-010-002, *Speed Zoning for Highways, Roads, and Streets in Florida*, Rev. 09/09 1997 edition, is hereby incorporated by this rule and made a part of the rules of the Department of Transportation. Copies of this manual is document are available from the State Traffic Engineering and Operations Office at http://www.dot.state.fl.us/TrafficOperations/speedzone/Speed_Zone_Manual.html the Department of Transportation, Maps and Publications Sales, 605 Suwannee Street, Mail Station 12, Tallahassee, Florida 32399-0450, at no more than cost pursuant to 419.07(1)(a), Florida Statutes.~~

~~(2) FDOT Form 750-010-03, *Vehicle Spot Speed Study*, Rev. 10/99, is hereby incorporated by reference. This form is available from the Forms and Procedures Office at <http://www.dot.state.fl.us/proceduraldocuments/>.~~

~~Rulemaking Specific Authority 316.006(1), 316.187, 316.1893, 316.555, 316.189, 344.044(2) FS. Law Implemented 316.0745, 316.187, 316.1893(3), (4), 316.555 316.189 FS. History—New 5-25-80, Formerly 14-15.12, Amended 8-23-89, 10-14-97,_____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Mark C. Wilson, State Traffic Operations Engineer

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

DEPARTMENT OF TRANSPORTATION

RULE NOS.:	RULE TITLES:
14-26.0041	Definitions and Terms
14-26.00411	Procedure for Issuance of Permits
14-26.008	Schedule of Fees
14-26.009	Exemptions from Fee Requirement
14-26.010	Weight Limitations

14-26.012	Movement Conditions and Restrictions
14-26.01311	Permits to Move Sealed Containerized Loads
14-26.015	Penalties

PURPOSE AND EFFECT: Rule Chapter 14-26, F.A.C., is being amended to correct direct conflict between the rules.

SUMMARY: Permit issuance, fees, conditions, and penalties will be addressed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 316.550, 334.044(2) FS.

LAW IMPLEMENTED: 316.515, 316.516, 316.535, 316.550, 334.044(28) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Deanna R. Hurt, Assistant General Counsel and Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee, Florida 32399-0458

THE FULL TEXT OF THE PROPOSED RULES IS:

14-26.0041 Definitions and Terms.

All terms in this rule chapter shall have the same meaning as defined in Section 316.003, F.S., except that “Department” shall refer to the Department of Transportation. Additionally, the following terms are defined:

(1) “Applicant” means a person or entity requesting a permit.

(2) “Axle Spacing” means the measurement between the centers of the axles as measured from center-to-center of wheel hubs.

(3) “Escort” means a person authorized in the manner prescribed in subsection 14-26.012(3), F.A.C., to perform accompanying duties for overweight or overdimensional vehicles.

(4) “Escort Vehicle” means a vehicle independent of the permitted vehicle, equipped with a working, amber warning light located on top of the escort vehicle, and operated by a qualified escort, law enforcement escort, or any combination shown in Rule 14-26.012, F.A.C.

(5) “Excluding Weekends and Holidays” means movement on Saturday and Sunday is limited to the period of time beginning one-half hour before sunrise and ending at 12:00 Noon, and is prohibited all day on New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, the day after Thanksgiving, and Christmas. If any of these holidays fall on Saturday, the preceding Friday shall also be observed as a holiday. If any of these holidays fall on a Sunday, the following Monday shall also be observed as a holiday.

~~(6) “Expired Permit” means a trip permit which has lapsed for less than 24 hours or a multi trip permit which has lapsed for less than 30 days.~~

~~(6)(7) “External Bridge” or “outer bridge” means the distance from the center of the front steering axle of the vehicle (or combination of vehicles) to the center of the last axle of the vehicle (or combination of vehicles).~~

~~(7)(8) “Fifth Wheel” means a device mounted on a truck tractor or similar towing vehicle (e.g., converter dolly) which interfaces with and couples to the upper coupler assembly of a semitrailer.~~

~~(8)(9) “Flag” means a red or florescent orange device used to warn approaching traffic of a safety hazard.~~

~~(9)(10) “Governmental ~~Government~~ Entity” means as defined in Section 334.03, F.S. a unit of government, or any officially designated public agency or authority of a unit of government, that has the responsibility for planning, construction, operation, maintenance, or jurisdiction over transportation facilities.~~

~~(10)(11) “Inner-Bridge” means the distance between the centers of any two or more consecutive axles on a vehicle (or combination of vehicles) traveling on the interstate system only, exclusive of the external bridge.~~

~~(11)(12) “Kingpin Setting” means the distance between the kingpin or other peg which locks into the fifth wheel and the center of the rear axle or the center of the rear axle grouping (whichever applies).~~

~~(12)(13) “Law Enforcement Escort” means any police officer as defined in Section 316.003(32), F.S., operating any vehicle owned by a law enforcement agency using blue or red and blue warning lights to accompany an oversize/overweight vehicle.~~

~~(13)(14) “Local Moves” means hauling not more than a 50 mile radius from the point of origin.~~

~~(14)(15) “Manufactured Building” or “modular building” means a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems made for installation or erection as a finished building or part of a finished building, which shall include, but not be limited to residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human~~

habitation such as lawn storage buildings and storage sheds made and assembled offsite by a manufacturer certified in conformance with Section 553.381, F.S.

~~(15)(16) “Manufactured Home” means is as defined in Section 320.01(2)(b), F.S.~~

~~(16)(17) “Mobile Home” means is as defined in Section 320.01(2)(a), F.S.~~

~~(17)(18) “Multiple Loading” means the placing of more than one item on a vehicle so as to cause the overall measurements to exceed the maximum length, width, height, or weight limitations established in Sections 316.515 and 316.535, F.S.~~

~~(18)(19) “Multi-Trip Permit” or “blanket” or “annual permit” means authorization issued to allow multiple trips for a period not to exceed 12 months.~~

~~(19)(20) “Non-Routine Permit” means authorization issued with a structural evaluation or override authorization.~~

~~(20)(21) “Overdimensional” or “oversize” means any vehicle configuration, including the load, which exceeds the limitations provided in Section 316.515, F.S.~~

~~(21)(22) “Overhang” means that portion of a load or vehicle attachment that projects beyond the front or rear wheels of a vehicle or the front or rear bumper of a vehicle if it is equipped with a front or rear bumper.~~

~~(22)(23) “Overweight” means any vehicle configuration, including the load, which exceeds the limitations provided in Section 316.535, F.S.~~

~~(23)(24) “Permit Office” means the Permit Section of the Office of Maintenance, Florida Department of Transportation, with offices located in Tallahassee, Florida. Website: www.fdotmaint.com/permit/.~~

~~(24)(25) “Permittee” means the applicant to whom an oversize/overweight permit is issued.~~

~~(25)(26) “Routine Permit” means authorization issued by the Department for an overweight or overdimensional load that did not require a structural evaluation, local movement restrictions, or override authorization.~~

~~(26)(27) “Self-Propelled Equipment” means a single rigid frame unit propelled with its own power source which does not transport a divisible load, and includes equipment such as earth handling equipment, cranes (which may include a dolly attachment), derricks, and fire trucks.~~

~~(27)(28) “Trip Permit” means authorization issued to allow a single hauling of a load from point of origin to destination.~~

~~(28)(29) “Truck Crane” means any vehicle (which may include a dolly attachment) designed and constructed to be used primarily for lifting, lowering, or traversing while operating from either a secure stationary position, or in a rolling position if specifically designed for rolling operation.~~

~~(29)(30)~~ “Valid Permit” means authorization issued pursuant to Section 316.550, F.S., by the Department ~~and~~ that has not been altered, changed, or otherwise modified, unless in writing by the Department, accompanied by the original permit.

~~(30)(31)~~ “Warning Light” means a class 2 ~~an~~ electrical lighting device located on permitted vehicle and escort vehicles, used to warn all approaching traffic of a possible safety hazard. The device shall be any one or combination of the following:

- (a) Rotating;
- (b) Strobe;
- (c) Flashing.

~~(31)(32)~~ “Warning Sign” means a sign device, located on permitted vehicle and escort vehicles, used to warn all approaching traffic of a possible safety hazard.

~~(32)(33)~~ “Wrecker Permit” means authorization issued for the operation of a wrecker where the combined weight of the wrecker plus towed disabled vehicle exceeds the maximum weight established by Section 316.535, F.S.

Rulemaking Authority 316.550(5), 334.044(2) FS. Law Implemented 316.515, 316.550 FS. History—New 9-15-87, Amended 7-21-91, 6-23-96, 11-10-98, 2-1-10,_____.

14-26.00411 Procedure for Issuance of Permits.

(1) Purpose. The purpose of this rule chapter is to protect the public safety, to reduce interference with traffic flow on state owned highways and structures, and to preserve the state’s transportation facilities by providing standards and procedures to govern issuance of permits for overweight and overdimensional vehicles and loads operating over state owned roadways and structures. The rules of this rule chapter apply to all persons or entities operating overweight and overdimensional vehicles and loads over state maintained roads, which are not specifically exempt under Chapter 316, F.S., over state maintained roads.

(2) Intent. It is the intent of the Department to require that all reasonable steps be taken to reduce the vehicle load to legal limits of weight and dimensions. Permits for overweight and overdimensional vehicles and loads are intended for a single item load which cannot reasonably be dismantled or disassembled and which cannot reasonably be shipped by rail, water, or air.

(3) The administration of these rules is assigned to the Department’s Permit Office, located in Tallahassee, Florida, whose mailing address is:

Florida Department of Transportation
 Permit Section
 605 Suwannee Street, M.S. 62
 Tallahassee, Florida 32399-0450

Travel authorization and/or permits for travel on local roadways and structures must be obtained from local authorities.

(4) Permitting Process. Payment for permits shall be in cash, by cashier’s check, personal or company check, money order, credit card, or bond/escrow account. Permit requests must be received at least ten business days before scheduled movement for non-routine permits. The applicant must complete all required fields on Form 850-040-02, Request for Special Road Use Oversize/Overweight Blanket Permit Application or Request For Special Road Use Oversize/Overweight Trip Permit Application, rev. 07/10 ~~08/09~~, incorporated herein by reference and provide the following:

(a) Total gross weight of vehicle/vehicle combination to include permitted load if over legal weight. Otherwise, the applicant must state that the gross weight is legal.

(b) External bridge and individual axle spacings of vehicle/vehicle combination (center of hub to center of hub) if over legal weight.

(c) Total number of axles and total weight on each axle of vehicle/vehicle combination if over legal weight. Otherwise, the applicant must state that the axle weights are legal.

(d) Total width of vehicle and/or load at widest point.

(e) Total length of the vehicle/vehicle combination and/or load from front to rear to include front and rear overhang. If there is any overhang, separate measurements are to be provided in addition to the total length.

(f) Total height of the vehicle and/or load from the pavement to the highest point of the vehicle and/or load.

(g) Description of load to be transported.

(h) Requested route(s) of travel containing detailed information, such as state highway and interstate route numbers.

(5) No permit will be issued until it has been verified that the route can accommodate the vehicle and load. The Department is responsible for verifying the load carrying capacity of the route. The applicant is responsible for verifying adequate vertical (height) and horizontal (length and width) clearance. Permit applications requesting a height greater than 15 feet and/or a width greater than 22 feet shall be supported by an affidavit from the applicant. The affidavit must be provided by the applicant on the applicant’s letterhead and include the name of the transporting company, ~~include the name of the transporting company,~~ the signature of the applicant, a statement verifying that the route has been surveyed, and clearances exceed the requested permitted dimension by a minimum of 6 inches for height and 2 feet on each side for width. The surveyed route and the route shown on the application must be identical. The survey must be completed by a qualified escort as described in this rule or a driver with a valid Commercial Driver’s License.

(6) Structural Evaluation. In addition to the information required for issuance of a permit, a schematic of the vehicle showing all longitudinal and transverse spacings, axle weights and dimensions must be provided at least ten business days before a proposed move when the vehicle's gross weight exceeds 199,000 pounds so that a structural analysis can be performed. Applicants, whose vehicles have a gross weight of less than 199,000 pounds, will be required to provide a schematic as well when an Engineer of the Office of Maintenance, Bridge Section, determines that a structural analysis is needed.

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.515, 316.535, 316.550 FS. History--New 8-26-82, Formerly 14-26.06, Amended 9-15-87, 7-21-91, 6-23-96, 11-10-98, Formerly 14-26.006, Amended 2-1-10,_____.

14-26.008 Schedule of Fees.

The following schedule of fees shall be charged by the Department for permits for overweight and/or overdimensional vehicles operating on state owned roadways and bridges:

TABLE 1A – SCHEDULE OF FEES FOR OVERDIMENSION PERMITS		
	TRIP PERMIT 5 Days	MULTI-TRIP 12 Months
(1) OVERDIMENSION		
(a) Straight trucks and semi-truck-tractor-trailer.		
Up to 12 feet wide, or up to 13 feet 6 inches high or up to 8 feet long.	\$5.00	\$20.00
Up to 14 feet wide or up to 14 feet 6 inches high or up to 95 feet long.	\$15.00	\$150.00
Up to 14 feet wide or up to 18 feet high or up to 120 feet long.	\$25.00	\$250.00
Over 14 feet wide or over 18 feet high or over 120 feet long.	\$25.00	NOT ISSUED
(b) Overlength semi-trailers of legal width, height, and weight, which exceed 53 feet in length up to 57 feet 6 inches in length or overlength semi-trailer with kingpin setting greater than 41 feet.	\$10.00	\$30.00
(c) Truck crane or earth handling equipment moving under own power, up to 12 feet wide or 14 Feet 6 inches high, or 85 feet long.	\$15.00	\$150.00
(d) Trailers or equipment towed with ball or pintle.		
Up to 10 Feet wide or up to 13 feet 6 inches high or up to 80 feet long.	\$5.00	\$20.00
Up to 12 Feet wide or up to 13 feet 6 inches high or up to 105 feet long.	\$5.00	\$330.00
Up to 14 Feet wide or up to 14 feet 6 inches high or up to 105 feet long.	\$15.00	\$500.00
Over 14 Feet wide or over 14 feet 6 inches high or over 105 feet long.	\$25.00	NOT ISSUED
NOTE: All permitted dimensions (length, height, width) must be within limits shown for permit fee.		

TABLE 1B – SCHEDULE OF FEES FOR OVERWEIGHT VEHICLES		
	TRIP PERMIT 5 Days	MULTI-TRIP 12 Months
(2) OVERWEIGHT		
(a) Up to 95,000 pounds.	\$0.27 Per Mile	**\$240.00
(b) Up to 112,000 pounds.	\$0.32 Per Mile	**\$280.00
(c) Up to 122,000 pounds.	\$0.36 Per Mile	**\$310.00
(d) Up to 132,000 pounds.	\$0.38 Per Mile	**\$330.00
(e) Up to 142,000 pounds.	\$0.42 Per Mile	**\$360.00
(f) Up to 152,000 pounds.	\$0.45 Per Mile	**\$380.00
(g) Up to 162,000 pounds.	\$0.47 Per Mile	**\$400.00
(h) Up to 199,000 pounds.	\$0.003 Per 1,000 Pounds Per Mile	\$500.00
(i) Over 199,000 pounds.	\$0.003 Per 1,000 Pounds Per Mile	NOT ISSUED
(j) Containerized Cargo Unit.	\$0.27 Per Mile	\$500.00
(k) Overall Wheel Base (Inner Bridge/External Bridge).	\$10.00	\$35.00
<u>(l) Implements of husbandry, farm equipment, agricultural trailers/products and forestry equipment (Local Moves Only).</u>	<u>\$5.00</u>	<u>\$17.00</u>
(3) SPECIAL PERMIT FEES		
Transmission Fee	\$5.00	NOT APPLICABLE

******Dimensions greater than 12 feet wide or 13 feet 6 inches high or 85 feet long will have an additional dimension fee with a combined fee not to exceed \$500.00.

NOTE: For weights over 80,000 pounds [Items (2)(a) through (h) above], add an administrative ~~fee cost~~ of \$3.33 for issuance of permit, which does not include the costs charged by wire services for their services. Permit fees shall be based on 25 mile increments rounded up to the nearest dollar. Example: A 112,000 pound load traveling 67.5 miles would cost (75 miles X \$0.32) plus \$3.33 = \$27.33 rounded up to \$28.00 in addition to the \$5.00 transmission fee when applicable.

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.550 FS. History—New 8-26-82, Formerly 14-26.01, Amended 12-6-83, Formerly 14-26.08, Amended 9-15-87, 7-21-91, Amended 4-22-92, 3-1-94, 6-23-96, 11-10-98, 2-1-10,_____.

14-26.009 Exemptions from Fee Requirement.

The following entities are exempt from the fee requirements specified in Rule 14-26.008, F.A.C., above:

- (1) Governmental Entities. ~~The United States Government.~~
- ~~(2) Departments of the State of Florida.~~
- ~~(3) The Florida National Guard.~~
- ~~(4) Counties.~~
- ~~(5) Cities.~~
- ~~(6) Municipalities.~~
- ~~(2)(7) Special taxing districts.~~
- ~~(3)(8) Seminole Tribe as defined in Chapter 285, F.S.~~
- ~~(4)(9) Any person or entity moving portable public school buildings.~~

~~(5)(10) Implement of husbandry, farm equipment, agricultural trailers and forestry equipment (oversize only).~~

~~(6)(11) Movement of loads in response to a Governor’s Declaration of Emergency.~~

The above entities ~~or agencies~~ are exempt from the fee requirements only when being operated for non-commercial purposes. These vehicles must obtain an overweight and/or overdimensional permit to operate on state owned roadways.

Rulemaking Authority 316.550 FS. Law Implemented 316.550, 316.565 FS. History—New 8-26-82, Formerly 14-26.09, Amended 6-23-96, 11-10-98, 2-1-10,_____.

14-26.010 Weight Limitations.

Rulemaking Specific Authority 316.550 FS. Law Implemented 316.550 FS. History—New 8-26-82, Amended 12-6-83, Formerly 14-26.10, Amended 4-22-92, 6-23-96, 11-10-98, Repealed _____.

14-26.012 Movement Conditions and Restrictions.

(1) Operational use of permits. The configuration and weight(s) of a vehicle and its load traveling under permit must match the configuration and weight(s) described on the permit and any authorized amendments to that permit. For vehicles traveling under a trip permit, the vehicle or load must match either the truck tag number, trailer tag number, vehicle identification number, the bill of lading number, or the load identification number identified in the permit. Vehicles

traveling under a multi-trip permit, the vehicle type and load must match the vehicle type and load described in the permit. Under both types of permits, the permitted vehicle’s size, weight, number of axles, axle spacings, and any unique characteristics must comply with the limits for that item if addressed in the permit or any amendment to that permit. Trip permits are valid only for those routes specified in the permit. Multi-trip permit vehicles are not allowed to travel on any restricted bridges or any restricted roadways identified in the permit or its attachments. No vehicle may cross any posted bridge when the vehicle exceeds the prescribed limits of the bridge.

~~(2) Multi Trip Permits. With the exception of “inner bridge” multi trip permits, all multi trip permits include a Department map and list indicating routes over which the permitted vehicle and load can travel. The map and list must remain attached to the permit. With the exception of “inner bridge” and wrecker permits, multi trip permits shall not be used in combination with other permits.~~

~~(2)(3) Escorts accompanying overdimensional loads as required by permit or pursuant to subsection sections 14-26.012(6), (7), or (8), F.A.C., are limited to:~~

- (a) Law enforcement escorts.
- (b) Escorts qualified by another state, provided that the other state has equal or more stringent standards as those required by Florida for qualified escorts and the escort has been qualified or re-qualified within the past four years.
- (c) Qualified escorts:
 - 1. Must be at least 18 years of age and must possess a valid driver’s license in the state or jurisdiction in which he or she is a resident.
 - 2. Must have successfully completed a minimum eight hour defensive driving course as provided by a National Safety Council qualified instructor or hold a currently valid Commercial Driver’s License (Class A, B, or C). The instructor shall not be an employee of the employing escort service.
 - 3. Must have successfully completed a minimum eight hour pilot/escort flagging course. The qualification must be current and must be from an entity approved by the Department based upon that entity’s course content, methods of instruction, and familiarity with state and federal standards.

4. Shall maintain in his or her possession, for prompt presentation upon request by a law enforcement person or Department representative, a copy or copies of the qualification document or documents verifying completion of the required qualification courses.

5. Shall be requalified every four years by successfully completing a four hour Department approved refresher course.

~~(3)~~(4) Escort Vehicle and Equipment Requirements for Qualified Escorts.

(a) Escort Vehicles.

1. Escort vehicle(s) must be a single unit vehicle with a gross vehicle weight rating of at least 2,000 pounds and less than 26,000 pounds. The vehicle must be properly licensed, registered, and operated by a qualified escort.

2. Identification signs or placards showing the name of the company or the owner or driver of the escort vehicle must be in a conspicuous place on both the right and left sides of the escort vehicle. The signs or placards shall be at least 8 inches x 12 inches, or contain the equivalent square inches, and shall also contain the telephone number of the owner or driver plainly legible and visible to the motoring public.

3. All escort vehicles must be equipped with high visibility rotating, strobe or flashing class 2 amber warning lights mounted so as to be seen by all approaching traffic at a distance of at least 500 feet.

4. Escort vehicles shall display either a bumper mounted or a roof mounted yellow sign (or may display both) reading "OVERSIZE LOAD" with black letters with a minimum brush stroke of 10 inches high and 1 1/2 inches wide, which must be visible from front and rear.

5. Two flags, either red or fluorescent orange in color, which must be at least 18 inches x 18 inches, shall be mounted at approximately a 40 to 70 degree angle on the escort vehicle's roof rack.

(b) On board Equipment. During escort operations, all escort vehicles shall have onboard the following equipment and such equipment shall be in working order:

1. Operable two-way electronic communications. Qualified escorts must be in radio contact with load drivers at all times during movements.

2. Two fire extinguishers (minimum five pounds each).

3. "STOP" and "GO" or "STOP" and "SLOW" paddles a minimum 18 inches in diameter with 6 inch high letters.

4. A high visibility, fluorescent class 2 safety vest for flagging during daytime hours or a high visibility, fluorescent class 3 safety vest when flagging at night.

5. One hand-held flag, either red or fluorescent orange in color, which must be at least ~~12 1/8~~ inches x ~~12 1/8~~ inches.

6. Two warning signs (yellow with black lettering) with a minimum brush stroke of ~~12 1/8~~ inches high and 1 1/2 inches wide. Each warning sign shall have a total dimension of not less than 7 feet long by 18 inches high. These signs shall be used in the event the permitted vehicle or load loses its sign(s).

~~7. Hard hat.~~

~~7.8.~~ Three 36 inch traffic cones. Traffic cones must be reflective if used at night.

~~8.9.~~ For over height loads, the lead vehicle must have a vertical height indicator, i.e., height pole, used to determine vertical clearance. This device must be manufactured of non-conductive and non-destructive material and must be positioned at a height of at least 6 inches above the height of the load being escorted.

~~(4)~~(5) Escort Functions. Escorts are required to watch and direct traffic or the load to ensure public safety. Escorts may, when actively escorting permitted loads, perform necessary traffic control functions as defined in Section 316.079(2), F.S. No escort or escort vehicle may be used to perform any other function that could distract from the escort responsibilities. The total number of escorts required will be determined based upon safety considerations. If one escort is required for an over width load, the escort shall precede the load on two lane highways or follow the load on four lane divided highways. If two escorts are required, one must precede the load and one must follow. If the load is over length only, the escort vehicle shall be in the rear of the load at all times. Escorts shall operate no more than 300 feet in front of or behind the load unless road conditions or permit stipulations dictate otherwise. Escort vehicles in the process of escorting a permitted vehicle or load must proceed through weigh stations and must not bypass such stations.

~~(5)~~(6) Safety Requirements and Restrictions for the Permitted Load and Vehicle.

(a) Flags. Flags shall be clean, have high visibility, and be at least 18 inches x 18 inches. They shall be displayed so as to wave freely on all four corners of the vehicle and at the extreme ends of all protrusions, projections, or overhangs.

(b) Warning Lights.

Required Display. Vehicles or loads exceeding 10 feet in width, 80 feet in length (or over 3 feet of front overhang for self-propelled equipment), or 14 feet 6 inches in height shall have warning lights which shall:

1. Be class 2 high visibility rotating, strobe or flashing amber warning lights; and

2. Be mounted so as to be seen by all approaching traffic at a distance of at least 500 feet.

(c) Warning Signs.

1. Required Display. Vehicles or loads exceeding 10 feet in width, 80 feet in length (~~or 60 feet in length for self-propelled equipment~~), or 14 feet 6 inches in height.

2. Each warning sign shall:

a. Consist of black letters 12 inches high with a brush stroke of not less than 1 1/2 inches wide on a yellow background.

b. State "OVERSIZE LOAD."

c. Have a total dimension of not less than 7 feet long by 18 inches high.

d. Be either bumper mounted or roof mounted. If one of the signs is roof mounted then, fastened with one sign at the front of the power unit and the other sign must be at the rear of the towed unit or at the rear of the load. Voids (holes) may be cut in warning signs as signs must not cover any vehicle light or reflector.

(d) Movement During Periods of Poor Visibility. No travel is allowed when horizontal visibility is less than 1,000 feet. Vehicles which are underway when inclement weather occurs must exit the road at the first available safe location and park until the weather clears or until road conditions improve.

(e) Movements on Weekends and Holidays. Unless otherwise noted on the permit, movements are prohibited on weekends and holidays. A government entity, meeting the criteria of Rule 14-26.0051, F.A.C., shall be allowed to travel all days, all hours with a valid permit.

(f) Nighttime movement. When the criteria of Rules 14-26.00425 and 14-26.012, F.A.C., are met, trip or multi-trip permits shall be issued providing:

1. Nighttime travel is recommended by the Department's District Traffic Engineering Office(s) or determined to be a requirement of the permit by the Office of Maintenance.

2. Law enforcement escort(s) are used.

3. Warning lights shall delineate the shape and size of the load.

4. The sides and rear of trailers and loads shall be lighted in the manner prescribed in 49 C.F.R. Sections 393.11 through 393.26, as required by Section 316.302(1)(a), F.S.

(7) ~~Permitted vehicles must proceed through all open weigh stations.~~ All vehicles, including vehicles equipped with an automatic vehicle identification system, must stop at open weigh stations ~~when directed by a motor carrier compliance officer or other law enforcement officer.~~

(8) Width Limitations.

(a) Vehicles up to 10 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted all days, during daytime hours only. Flags are required.

(b) Vehicles over 10 Feet up to 12 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement permitted daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. Except for local moves, this is the maximum width allowed on a straight truck.

(c) Vehicles over 12 Feet up to 14 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted during daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. Except for local moves, minimum 26,001 pound registered GVW vehicle is required. A minimum of one escort vehicle, with escort, is required at all times.

1. All manufactured buildings, manufactured homes, mobile homes, modular buildings, sheds, and swimming pools shall use a minimum of four warning lights mounted, with two in the front and two in the rear at each corner of the towed or hauled unit.

2. All other loads shall have a minimum of two ~~one~~ warning lights mounted with one on the front and one on the rear of the load.

3. On roadway lanes less than 12 feet wide, bridges with less than 30 feet curb to curb, and in rural areas with traffic volume greater than 12,000 Average Daily Traffic (ADT) per lane or in urbanized areas (more than 50,000 population) with ADT greater than 8,000 vehicles per lane, two qualified escorts are required except on loads with a minimum of four warning lights mounted two in the front and two in the rear ~~at each corner~~ of the towed or hauled unit.

4. No movement will be allowed in congested areas during peak traffic hours.

(d) Vehicles over 14 Feet up to 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip permits only shall be issued. Movement is permitted during daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. Except for local moves, minimum 26,001 pound registered GVW vehicle is required. Two escort vehicles, with escorts are required at all times during the move, one in the front and one in the rear of the load.

1. All loads consisting of manufactured buildings, manufactured homes, mobile homes, modular buildings, sheds, and swimming pools shall use a minimum of four warning lights mounted with two on the front and two on ~~in~~ the rear at each corner of the towed or hauled unit.

2. All other loads shall have a minimum of two warning lights mounted with one on ~~at~~ the front and one on the rear of the load.

3. Two lane roadways shall not be used as a connector route whenever viable four lane routes are available. Requests for two lane roadways as connector routes may require justification from the customer and ultimate approval from the Department. No movement will be allowed in congested areas during peak traffic hours.

4. The maximum width for manufactured buildings is 16 feet.

(e) Vehicles over 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, only trip permits shall be issued. Same as criteria for "Vehicles over 14 Feet up to 16 Feet" except movement will be restricted to local moves. Applications for permits over 16 feet wide are subject to review by the Department's District Traffic Engineering Office(s).

1. Law enforcement escort(s) shall be required for all moves.

2. Items must be moved by rail, air, or water when possible.

3. Trip permit requests for vehicles over 22 feet wide will require an affidavit verifying that the proposed route has adequate horizontal clearance to accommodate the requested width in addition to two feet on each side.

(9) Height Limitations.

(a) Vehicles up to 14 Feet 6 Inches. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted all days and all hours. Except for local moves, this is the maximum height for loads hauled on straight trucks.

(b) Vehicles over 14 Feet 6 Inches up to 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required; one mounted on the front and one on the rear of the load. An escort vehicle with a vertical height indicator is required to precede the load. Trip permit requests for movement of vehicles over 15 feet high will require an affidavit verifying the proposed route has clearance to accommodate the request height plus six inches.

(c) Vehicles over 16 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Multi-trip permits shall be limited to vehicles up to 18 feet. Movement is permitted during daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required with one mounted on the front and one on the rear of the load. In addition, movement is restricted to local moves only.

~~1. Trip permit requests for movement of vehicles over 15 feet high will require an affidavit verifying the proposed route has clearance to accommodate the request height plus six inches.~~

~~1.2.~~ One law enforcement escort in addition to one escort is required. One escort must precede the load with a vertical height indicator.

~~2.3.~~ Appropriate utility personnel will also be required whenever the load will encounter low barriers, such as overhead structures, traffic signals, and low wires.

(10) Length Limitations.

(a) Vehicles up to 80 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted all days, and all hours.

1. Rear overhang is limited to a maximum of 10 feet during nighttime movement unless otherwise stated on the permit.

2. When overhang exceeds 4 feet, a warning light is required on the top of the vehicle. At the extreme rear of the load there must be two red lamps and two red reflectors on each side of the load. Each required warning lamp shall be visible from a distance of at least 500 feet.

(b) Vehicles over 80 Feet. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. Movement is permitted during daytime hours only, excluding weekends and holidays. Flags, warning signs, and warning lights are required. A minimum of two warning lights are required to be mounted: one on the front and one on the rear of the load.

1. No movement will be allowed in congested areas during peak traffic hours for vehicles over 85 feet in length.

2. An escort is required when the length exceeds 95 feet.

3. Truck tractor semi-trailers with three points of articulation are allowed up to 105 feet without an escort.

4. Maximum length for a manufactured home, tractor combination is 105 feet provided the length of the towed housing does not exceed 81 feet, including all overhangs and tongue.

5. Two qualified escorts are required when the length exceeds 150 feet unless the vehicle is traveling on a limited access facility, then only one qualified escort is required.

6. One law enforcement escort and one qualified escort are required when the length exceeds 250 feet.

(c) Self-Propelled Equipment Length Limitations. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued. For all self-propelled equipment, the boom must be fully retracted. Nighttime movement requires that the front overhang has a minimum of 80 inches clearance above the roadway. In addition, no movement is allowed on limited access facilities with units designed for off road use. Flags and one warning light are required. In addition the following restrictions will apply:

1. Total length up to 60 Feet.

a. Front Overhang over 3 Feet up to 9 Feet. Movement is permitted on all days, all hours. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.

b. Front Overhang over 9 Feet. Movement is permitted all days, during daytime hours only. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.

2. Total Length over 60 Feet up to 85 Foot Feet Maximum. Movement is permitted during daytime hours only, excluding weekends and holidays. A warning light is required to be mounted at the extreme end of the protrusion in such a way as to be seen by all approaching traffic.

(11) Multiple Loading. When the criteria of Rule 14-26.00425, F.A.C., are met, trip or multi-trip permits shall be issued providing:

(a) Multiple loading does not cause the dimensions of the load to exceed those limits established in Section 316.515, F.S., and

(b) Multiple loading does not cause the gross vehicle weight to exceed those limits established in Section 316.535, F.S.

(c) Vehicles will only be allowed to exceed the gross vehicle weight limits established in Section 316.535, F.S., when:

1. Attachments (e.g. blade, rake, bucket, counterweights) that are a normal part of the equipment have been removed to reduce the size of the load for safety reasons. Multiple attachments may be transported if they are attachable to the equipment and necessary for operation.

2. The gross vehicle weight does not exceed 100,000 pounds and no more than two overlength items are being hauled.

(12) Designated Permits.

(a) Implements of Husbandry, farm equipment, agricultural trailers, and forestry equipment are exempt pursuant to by Section 316.515, F.S., from certain size requirements. However, these vehicles are not exempt from any overweight limitations set forth in Section 316.535, F.S. When the vehicle configurations exceed any of the weight limits described in Section 316.535, F.S., an overweight permit must be obtained from the Department.

(b) Movement of an empty truck tractor semi-trailer up to 11 feet in width and not over 105 feet in length, traveling on or within five miles of limited access roadways, when operating with an existing valid permit will be allowed to travel during nighttime hours. Warning lights are required to be mounted in such a way as to be seen by all approaching traffic. Extra axles and stingers may be hauled on the trailer to reduce overall dimensions for safety purposes.

(c) Semi-trailers greater than 53 feet, up to 57 feet 6 inches in length, may haul a divisible load when operating in a truck tractor semi-trailer combination with a valid trip or multi-trip permit.

(d) Truck tractor semi-trailer combinations hauling automobiles/boats may obtain a trip or multi-trip permit when the semi-trailer is greater than 50 feet up to 53 feet with an overall length not to exceed 80 feet inclusive of any overhang. This applies to both stinger and non-stinger steered vehicles.

(e) Straight truck and trailer combinations hauling automobiles/boat may obtain a trip or multi-trip permit when the trailer exceeds 28 feet with an overall length not to exceed 80 feet. No overhang is allowed.

(f) Trip or multi-trip permits will be issued to truck tractor semi-trailers combinations to deviate from inner-bridge requirements when traveling on interstate highways and when the criteria of Rule 14-26.00425, F.A.C., are met. These vehicles are not allowed to exceed the external bridge or axle weight limitations described in Section 316.535, F.S.

(13) Wrecker Permits.

(a) When the combined weight of the wrecker and disabled vehicle being towed exceeds the maximum weight limits established by Section 316.535, F.S., trip or multi-trip

permits shall be issued if all the criteria of Rule 14-26.00425, F.A.C., are met ~~the wrecker must be operating under a wrecker permit as provided in Section 316.550(4), F.S.~~

(b) Escort requirements for towing disabled permitted vehicles shall be as prescribed in the original permit or amendment thereto for the towed vehicle.

(c) It is the responsibility of the wrecker operator to secure permits necessary to cover the attached load.

(d) In all instances where legal weight is exceeded, all available brakes on the towed vehicle will be functional and in operation at all times while being towed.

(e) An illegally loaded vehicle shall not become legal by being attached to a permitted wrecker

(f) The combined gross vehicle weight of the wrecker and towed vehicle shall not exceed 140,000 ~~132,000~~ pounds.

(g) The combined length of the wrecker and the towed vehicle shall not exceed 135 ~~120~~ feet.

(h) The permitted vehicle combination must be operated with attached map(s) showing acceptable routes for specific axle and vehicle configurations.

~~(i) When the criteria of Rule 14-26.00425, F.A.C., are met trip permits shall be issued, if the number of axles, axle spacing, axle weights and specified route of travel are provided for the combination.~~

Rulemaking Authority 316.515, 316.550, 334.044(2) FS. Law Implemented 316.550, 334.044(27) FS. History—New 8-26-82, Amended 12-6-83, Formerly 14-26.12, Amended 9-15-87, 5-2-90, 7-21-91, 6-23-96, 11-10-98, 2-1-10,_____.

14-26.01311 Permits to Move Sealed Containerized Loads.

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

(a) In accordance with Section 316.302(4), F.S., “Hazardous waste” or “hazardous materials” means as defined in Title 49, C.F.R., Part 171, Subpart A, Sec. 171.8.

(b) A “Sealed Containerized Load” means a freight container with or without wheels, as defined by the International Standards Organization, Series 1, Freight Containers – Classification, dimensions and ratings, ISO668-1988 [E], ~~which freight container may or may not have wheels.~~

(c) “Destination point” means ~~is~~ the location where the packer’s seal or U.S. Customs’ seal is broken.

(d) “Point of origin” means the location where the packer’s seal is affixed.

(2) General. Sealed containerized loads being moved via a truck or trucks and rail in conjunction with a maritime shipment will be considered a “nondivisible” load, eligible for an overweight or overdimensional permit, when the following conditions are met:

(a) The sealed containerized load does not transport hazardous waste or hazardous materials which require placarding per Title 49, C.F.R., Part 172, Subpart F, as required by Section 316.302, F.S.; and

(b) The sealed containerized load is being moved by a vehicle qualified to do so under the provisions of this rule:

1. From a maritime port to the destination point; or
2. From a maritime port to a railroad facility for movement to the destination point; or
3. From the point of origin to a maritime port; or
4. From the point of origin to a railroad facility for movement to a maritime port; and

(c) The sealed containerized load retains the original unbroken seal or a replacement U. S. Customs' seal throughout its transit until reaching its destination point.

(3) Required On-Board Documents.

(a) The operators of vehicles transporting sealed containerized loads by permits issued pursuant to this rule shall at all times have on board at least one of the following documents ~~and~~ under their control and available for inspection:

1. A short form master bill of lading;
2. A copy of an electronically transmitted way bill; or
3. A completed U.S. Customs Service Authority to move (Form 75-12) valid for the permitted load.

(b) The document(s) in paragraph (a) shall include the following readily identifiable information:

1. Consignor;
2. Point of origin;
3. Consignee;
4. Point of destination;
5. Either the number of the packer's cargo seal or the number of the U.S. Customs seal; and
6. A statement that the load being transported does not contain any hazardous waste material or ~~that any hazardous materials which require placarding per Title 49, C.F.R., Part 172, Subpart F material is packaged as provided in Title 49 C.F.R. Part 172.101 Hazardous Material.~~

(c) The document(s) in paragraph (a) shall be in the form of a hard copy ~~having a signature on each document.~~

(4) No Straight Trucks. Because of the nature of the load to be carried and the potential for increased wear to the highway from vehicles so loaded, no straight truck, as defined in Section 316.003(70), F.S., shall be eligible for a permit to haul sealed containerized loads.

(5) Trip or Multi-Trip Permits. When applying for a trip or multi-trip permit to transport sealed containerized loads, the hauler must furnish all relevant details on the proposed move to the Department's Permit Office Permits Section. At a minimum, this shall include:

- (a) Maximum gross weight;
- (b) Axle spacing (center to center of each axle);

(c) The total number of axles and total weight on each axle of the vehicle/vehicle combination;

(d) The origin and destination of the highway move (for trip permits);

(e) Either the number of the packer's cargo seal or the number of the U.S. Customs' seal;

(f) The State highway(s) requested to be traveled (for trip permits); and

(g) A reasonable description of the contents of the sealed containerized load to be moved.

(6) Overall Gross Vehicle Weight. Vehicles operating under a permit issued pursuant to this rule shall not exceed an overall gross vehicle weight of 95,000 pounds.

(7) Axle Spacings. All vehicles operating under a permit issued pursuant to this rule shall meet the minimum axle spacing requirements described in the permit.

(8) Number of Axles. All vehicles operating under a permit issued pursuant to this rule shall have a minimum of five load-bearing axles in operation at all times during movement.

(9) Outer Bridge Length. All vehicles operating under a permit issued pursuant to this rule shall have an outer bridge length of 51 feet or greater.

Rulemaking Authority 316.550, 334.044(2) FS. Law Implemented 316.535, 316.550, 334.044(27) FS. History--New 9-14-93, Amended 6-23-96, 2-1-10,_____.

14-26.015 Penalties.

(1) Any vehicle in violation of any permit criteria, or operating without a permit where one is required, will be required to correct all offending irregularities or obtain a new permit based on the vehicle's actual load prior to release of the vehicle. Additionally, the following penalties for violation of permit requirements will apply:

(a) An oversize or overweight vehicle being operated without a permit will have penalties assessed in accordance with Sections Section 316.545 and 316.516, F.S., for overweight vehicles and Section 316.515, F.S., for overdimensional vehicles.

(b) A vehicle operated with a valid permit which exceeds the weight criteria contained in the permit, will be assessed a penalty for every pound or portion thereof exceeding the permitted weight as provided in Section 316.545, F.S.

(c) A vehicle operated with a valid permit which exceeds the dimensional criteria contained in the permit, will be assessed a penalty for every foot or portion thereof exceeding the permitted dimension, as provided in Section 316.516, F.S., except that the total penalty for the vehicle shall not exceed \$1,000.00, as provided in Section 316.550(9)(b), F.S.

(d) A vehicle operated with a valid permit which vehicle violates an operational or safety provision contained in the permit, will be assessed a penalty of \$100.00 per safety

violation (lights, flags, signs, etc.) and \$250.00 per absent escort, except that the total penalty for the vehicle shall not exceed \$1,000.00.

(e) A vehicle operated with a valid permit which violates daytime, nighttime, or restricted hours of travel restrictions shown on the permit, which violates weekend and holiday travel restrictions shown on the permit, or which violates the restrictions against movement during periods of poor visibility, will be assessed a penalty of \$1,000.00 and the vehicle will be parked at owner's expense and responsibility until the next authorized travel period.

(f) Any vehicle which bypasses an open weigh station will be assessed a penalty of \$1,000.00.

(2) Null and Void Criteria. Any vehicle found to be operating under one or more of the following conditions shall be determined to be out of conformity with the provisions of the permit, in which case the vehicle is considered to be in non-compliance and the permit will be declared to be null and void for that vehicle for that trip. Penalties will be assessed as provided in Sections 316.516 and 316.545, F.S., and the vehicle must remain until the load is brought into compliance or a valid permit is obtained.

(a) The vehicle does not have the required number of axles. Penalty to be assessed for the weight only.

(b) The vehicle has an expired ~~blanket~~ permit (~~lapsed for less than 30 days~~). Penalty to be assessed for both weight and size.

(c) The vehicle is not on the route designated on the permit or on an approved route on the multi-trip permit attachments. Penalty to be assessed for both weight and size.

(d) The vehicle is a self-propelled truck crane towing a motor vehicle that exceeds the 5,000 pound limit allowed in Section 316.550, F.S. Penalty to be assessed for weight only.

(e) The vehicle is operating with a permit which has been altered or forged. Penalty to be assessed for both weight and size.

(f) The vehicle is not as represented by the facts on the permit. Penalty to be assessed for both weight and size. This violation will not be applicable if it duplicates another violation noted in a specific citation.

(g) The vehicle contains multiple loading (except as allowed per this rule). Penalty to be assessed based upon the nature of the violation (weight or size).

(h) The vehicle was operating during nighttime hours when not allowed by the permit or its attachments. Penalty to be assessed for size only.

(i) The tires on the vehicle are smaller than those specified on the permit. Penalty to be assessed for weight only.

(j) The vehicle has an outer-bridge dimension which is less than the minimum specified on the permit ~~and the outer bridge dimension cannot be adjusted to meet the permit requirements~~. Penalty to be assessed for weight only.

(k) The vehicle is being operated under a multi-trip permit and the permit is not accompanied by the attachments described in the permit. Penalty to be assessed based upon the nature of the violation (weight or size).

~~(l) The vehicle is being operated with a permit which does not meet the definition of expired permit. Penalty to be assessed for both weight and size.~~

~~(m) The vehicle bypasses an open weigh station. Penalty to be assessed for both weight and size.~~

Rulemaking Authority 316.516(4), 334.044(2) FS. Law Implemented 316.516(4), 316.550(6), (8) FS. History--New 6-23-96, Amended 11-10-98, 2-1-10, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Lattner, Director, Office of Maintenance

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: May 14, 2010

DEPARTMENT OF TRANSPORTATION

RULE NO.: 14-85.022
 RULE TITLE: Permits

PURPOSE AND EFFECT: Rule 14-85.022, F.A.C., is being amended to establish a new formula for calculating annual permit fees, reinstate former Logo businesses, and provide a reduced monthly fee for businesses in disaster areas.

SUMMARY: Annual permit fees are being amended.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 334.044(2), 479.261 FS.

LAW IMPLEMENTED: 479.261 FS.

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

DATE AND TIME: July 26, 2010, 10:00 a.m.

PLACE: Department of Transportation, Haydon Burns Building Auditorium, 605 Suwannee Street, Tallahassee, Florida 32399

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Deanna R. Hurt, Clerk of Agency Proceedings, Florida Department of Transportation, Office of the General Counsel, 605 Suwannee Street, Mail Station 58, Tallahassee,

Florida 32399-0458. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

THE FULL TEXT OF THE PROPOSED RULE IS:

14-85.022 Permits.

(1) Permit Period. All permits shall expire annually on December 31. However, initial permits approved after September 30, will expire December 31 of the year following approval.

(2) Permit Fees. ~~Effective January 1, 2010, permit fees shall be in accordance with the provisions of Section 479.261(5), F.S.~~

(a) The following charts show the groupings for both AADT and population. Annual fees for participation in the Logo Sign Program are computed based upon the Annual Average Daily Traffic (AADT) at each interchange, the population of the area surrounding the interchange, market conditions, and the costs of the program. The following charts show the groupings for both AADT and population:

AADT Grouping		
>	<=	Group
0	30,000	0
30,000	75,000	1
75,000	175,000	2
175,000		3

Population Grouping		
>=	<	Group
0	5,000	1
5,000	50,000	2
50,000	200,000	3
200,000	500,000	4
500,000		5

The following chart shows the weighted values assigned to each factor:

Fee Formula Factors		
AADT	230 600	
Population	400	
Cost	1000	

The fee for each interchange is computed as follows:

(AADT Group x AADT Factor) + (Population Group x Population Factor) + Cost Factor

EXAMPLE: For an interchange with an AADT of 60,000 and a population of 75,000, the fee is computed as follows:

AADT Group = 1
 Population Group = ~~2~~ 3
 $(1 \times \del{230} 600) + (\del{2} 3 \times 400) + 1000 = \del{\$2,030} \$2,800$

The fees calculated above are for a mainline logo sign and ramp logo signs in both directions of the interstate. At interchanges where the configuration only allows access to the business in a single direction, one mainline logo sign and one ramp logo sign will be provided and the fee will be one-half (1/2) that computed for both directions.

~~(b)(*)~~ Payment of permit fees shall be by U.S. currency, postal money order, bank draft, cashier's check, personal check, or business check. If a personal or business check is not honored for any reason by the bank on which it is drawn, the application for which the fee was submitted will be denied. If an individual or company issues two or more checks to the Department or Program Administrator that are not honored, no further personal or business checks will be accepted from that individual or company, regardless of whether restitution has been made on previous checks.

(c) For calendar year 2010, the annual permit fees shall be reduced to conform to the formula shown above. Each business that has paid a 2010 annual permit fee in excess of the reduced annual fee amount shall be issued a credit for the excess amount. Such credits shall apply to the permitted location only and shall be applied against future permit renewals. No refunds shall be provided. Businesses which cancelled or did not renew participation for 2010, and for which space is available on the display panel, shall be provided a notice allowing thirty (30) days to reinstate participation in the program. Reinstatement shall be granted upon receipt of payment of an amount equal to 75% of the annual permit fee amount as computed from the above formula.

(d) For any business located within a threatened area as identified in a Proclamation or Executive Order declaring a State of Emergency pursuant to Section 252.36(2), F.S., the annual permit fee shall be reduced to \$83.33 per month (\$1,000 per year) during existence of the state of emergency. For businesses which are signed in a single direction, the fee shall be reduced to \$41.67 per month (\$500 per year). If the Proclamation or Executive Order is issued after fees have been paid for the year, the business will be issued a credit for any excess amount paid. Such credits shall apply to the permitted location only and shall be applied against future permit renewals. No refunds shall be provided. If the State of Emergency is terminated after payment is received for the annual permit fees, the business shall be billed for any difference between the fee paid and the prorated annual permit fee and shall have thirty (30) days to pay such additional amount.

~~(e)~~~~(b)~~ The permit fee will be prorated with 1/12 of the permit fee charged for each month or portion thereof remaining in the calendar year after the date of approval of an application. The fee for an application approved after September 30 will also include the fees for the next calendar year.

~~(3)~~~~(e)~~ A full service or self service gas business providing gas pumping service to motorists with disabilities and wishing to display the International Symbol of Accessibility for the Handicapped (Symbol D9-5 *Manual on Uniform Traffic Control Devices*) on its business logo, the business will be charged a one-time additional fee of \$100 per display panel, payable in advance.

~~(4)~~~~(d)~~ When a participating business wishes to change a business logo, there will be a \$100 change-out fee for each business logo, payable in advance.

~~(5)~~~~(c)~~ Initial Permit Application. A business applying to display a business logo must submit a completed Logo Sign Permit Application on Form 575-070-34, Rev. ~~12/09~~ ~~07/08~~, incorporated by reference, to the Program Administrator. A Logo Sign Permit Application may be obtained at <http://www.dot.state.fl.us/rightofway/Documents.shtm>.

~~(6)~~~~(4)~~ Completed applications will be acted upon within 30 days of receipt. Written notice of the decision will be furnished to the applicant.

~~(7)~~~~(5)~~ Permit fees must be received by the Program Administrator within 30 days of the notification of permit approval.

~~(8)~~~~(6)~~ After notification of approval, the applicant shall be responsible for providing the Program Administrator with all required business logo signage.

~~(9)~~~~(7)~~ The business logo will generally be affixed to the display panel within 30 days of receipt of the business logo or the permit fee, whichever is later.

~~(10)~~~~(8)~~ When space is not available on a logo structure for a qualified business, the business will be placed on a waiting list in each individual category in the order in which the application was received. When space becomes available, notice will be provided to the business with the highest priority, providing the business 30 days within which to submit an application in accordance with this section.

Rulemaking Authority 334.044(2), 479.261(1), 479.261(7) FS. Law Implemented 479.261(3), 479.261(4), 479.261(5) FS. History—New 12-15-09, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
John L. Garner, Director, Office of Right of Way
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Stephanie C. Kopelousos, Secretary
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 29, 2010
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 9, 2010

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE NO.: 55A-3.006
RULE TITLE: Continuing Certification

PURPOSE AND EFFECT: The proposed amendment will require Veterans Service Officers attending a training refresher course to pass an exam demonstrating mastery of the covered material.

SUMMARY: The current rule makes the exam optional at the discretion of FDVA.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 292.11 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David Herman, (850)487-1533. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Herman, FDVA General Counsel, 4040 Esplanade Way, Suite 180, Tallahassee, FL 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

55A-3.006 Continuing Certification.

As a condition of remaining in employment, each county or city Veteran Service Officer shall attend the Department's periodic training refresher courses. The refresher courses are designed to acquaint the Veteran Service Officer with new regulations and amendments to existing regulations as well as to answer any questions which the Officer may have concerning the responsibilities of the office. Each Veteran

Service Officer attending a training refresher course shall may be required to pass a test demonstrating mastery of the subject covered during the refresher training session.

Rulemaking Specific Authority 292.05(3) FS. Law Implemented 292.11 FS. History--New 8-14-79, Formerly 9H-3.06, 22S-3.06, 22S-3.006, Amended 10-4-89,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Herman

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: LeRoy Collins Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010, Vol. 36/17

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE NO.: 55A-3.007
RULE TITLE: Failure to Attend Training Refresher Course

PURPOSE AND EFFECT: The proposed amendment requires county or city Veteran Service Officers who fail to attend a required refresher training course to demonstrate proficiency in the course material as a condition of continued certification.

SUMMARY: The current rule gives the Department the discretion to require a demonstration of proficiency.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 292.11 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David Herman, (850)487-1533. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Herman, (850)487-1533

THE FULL TEXT OF THE PROPOSED RULE IS:

55A-3.007 Failure to Attend Training Refresher Course. Failure of a county or city Veteran Service Officer to attend any required training refresher course shall subject that Officer to revocation of certification. A county or city Veteran Service Officer who fails to attend a required training refresher course shall may be required to demonstrate proficiency in the matters covered in that refresher course as a condition of continued certification.

Rulemaking Specific Authority 292.05(3) FS. Law Implemented 292.11 FS. History--New 8-14-79, Formerly 9H-3.07, 22S-3.07, 22S-3.007, Amended 10-4-89,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Herman, FDVA General Counsel, 4040 Esplanade Way, Suite 180, Tallahassee, FL 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: LeRoy Collins Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010, Vol. 36/17

DEPARTMENT OF VETERANS' AFFAIRS

Division of Veterans' Benefits and Assistance

RULE NO.: 55A-5.008
RULE TITLE: Supervisory Inspection Review

PURPOSE AND EFFECT: The proposed amendment requires FDVA's Bureau of State Approving Agency to suspend for 60 days an educational institution from participation in GI Bill educational programs for noncompliance with Federal standards. At the end of the 60 day period, if FDVA finds that the institution has conformed its programs to the standards then it shall lift the suspension.

SUMMARY: Currently, the rule cited provides discretion to FDVA regarding suspension of educational institutions from participating in GI Bill Programs. At the request of the Joint Administrative Procedures Committee (JAPC), we are removing this discretion, making the rule requirements mandatory.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 292.05(3) FS.

LAW IMPLEMENTED: 295.124 FS.

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

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David Herman, (850)487-1533. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: David Herman, (850)487-1533

THE FULL TEXT OF THE PROPOSED RULE IS:

55A-5.008 Supervisory Inspection Review.

(1) The Bureau shall conduct an ongoing review of institutions which have a veteran or other eligible person enrolled in an accredited or nonaccredited course or program for the purpose of determining if the approved course or program continues to meet all the conditions for approval. Supervisory and inspection visits shall be coordinated to the extent possible with the schedule of compliance surveys to be conducted by the U.S.D.V.A. in order to avoid duplication of effort. The following priorities shall be observed by the Bureau when scheduling visits:

Priority I – Reports and Visits Requested by the U.S.D.V.A.

Priority II – New Approvals

Priority III – Revision of Existing Approvals

Priority IV – Routine Supervisory Visits

(2) Following each review, the Bureau shall advise the educational institution of its findings. A copy of the inspection report shall be furnished the Secretary of Veterans’ Affairs.

(3) In any case where the Bureau determines that a course or program no longer meets the applicable standards, it shall ~~may~~ suspend the educational institution for a period of 60 days during which time no new veterans may be enrolled for purposes of receiving benefits. At the end of the 60 day period, if the Bureau finds that the educational institution has conformed its courses or programs to the applicable standards, the Bureau shall ~~may~~ lift the suspension. If the Bureau finds the courses or programs still do not comply with the applicable standards, it shall issue a letter of disapproval to the educational institution and forward a copy of the letter to the U.S.D.V.A.

Rulemaking Specific Authority 292.05(3) FS. Law Implemented 295.124 FS. History–New 9-2-79, Formerly 9H-5.08, 22S-5.08, 22S-5.008, Amended 10-30-89, 12-5-95,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: David Herman, FDVA General Counsel, 4040 Esplanade Way, Suite 180, Tallahassee, FL 32399

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: LeRoy Collins Jr.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: July 28, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010, Vol. 36/17

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Division of Physical Therapy

RULE NOS.:	RULE TITLES:
61F6-9.018	Organization
61F6-9.020	Delegation of Powers and Duties to Physical Therapy Council
61F6-9.021	Model Rules of Procedure
61F6-9.022	Declaratory Statement

PURPOSE AND EFFECT: The Board proposes to repeal the rules due to the fact that there is no rulemaking authority for the rules because subsection 486.025(2), F.S. was repealed in 1996.

SUMMARY: The rules are obsolete and are being repealed.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rules will not have an impact on small business.

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

RULEMAKING AUTHORITY: 120.53(1), 120.565, 486.025(1), (2) FS.

LAW IMPLEMENTED: 120.53(1), 120.565, 455.207, 486.025(2), 486.041 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3255

THE FULL TEXT OF THE PROPOSED RULES IS:

61F6-9.018 Organization.

Rulemaking Specific Authority 120.53(1), 486.025(1) FS. Law Implemented 120.53(1), 455.207, 486.025(2) FS. History–New 12-4-86, Formerly 21M-9.018, Repealed_____.

61F6-9.020 Delegation of Powers and Duties to Physical Therapy Council.

Rulemaking Specific Authority 486.025(2) FS. Law Implemented 486.025(2), 486.041 FS. History–New 8-6-84, Amended 9-9-85, Formerly 21M-9.20, 21M-9.020, Repealed_____.

61F6-9.021 Model Rules of Procedure.

Rulemaking Specific Authority 120.53(1)(c) FS. Law Implemented 120.53(1)(c) FS. History–New 8-6-84, Formerly 21M-9.21, 21M-9.021, Repealed.

61F6-9.022 Declaratory Statement.

Rulemaking Specific Authority 120.565 FS. Law Implemented 120.565 FS. History–New 8-6-84, Formerly 21M-9.22, 21M-9.022, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: February 4, 2010

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Notices for the Department of Environmental Protection between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

RULE NO.: 64B17-4.003 RULE TITLE: Licensure by Endorsement
PURPOSE AND EFFECT: The Board proposes the rule amendment to reference a revised form.

SUMMARY: A revised form will be referenced in the rule.
SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A Statement of Estimated Regulatory Cost has been prepared and is available by contacting Allen Hall, Executive Director, at the address listed below.

- The following is a summary of the SERC:
- Over a five year period, an estimated 6,510 applications could be received.
 - The only costs to be incurred are rulemaking costs. No effect on state or local revenue is expected.
 - No transactional costs are expected to be incurred by applicants or other entities by the proposed changes to the rule.
 - The proposed change is not expected to impact small business, small counties or small cities.

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

RULEMAKING AUTHORITY: 486.025, 486.102, 486.107(1) FS.
LAW IMPLEMENTED: 486.107(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-4.003 Licensure by Endorsement.

An applicant, filing DOH Form #DH-MQA 1142 Application for Licensure, Revised 0802/09, which is available through www.doh.state.fl.us/mqa, and demonstrating that he or she is licensed in another state may be licensed to practice as a physical therapist assistant by endorsement by presenting evidence of active licensure in another jurisdiction, under oath, and evidence satisfactory to the Board that the applicant from such other jurisdiction has been licensed under standards for licensure as high as those maintained in Florida. The standard for determining whether those requirements are as high as those in Florida shall be whether the applicant was required to meet educational standards equivalent to those set forth in subsection 64B17-4.001(3), F.A.C., and whether the written examination taken for licensure in such other jurisdiction was through the designated national physical therapist assistants examination provider certified by the Department. An applicant who has failed to pass the National Physical Therapy Examination for Physical Therapist Assistants by or on the fifth attempt, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

Rulemaking Authority 486.025, 486.107(1) FS. Law Implemented 486.107(1) FS. History–New 8-6-84, Formerly 21M-10.26, Amended 5-18-86, Formerly 21M-10.026, 21MM-4.004, 61F11-4.004, 59Y-4.004, Amended 7-11-02, 11-11-02, 12-5-04, 4-9-06, 5-21-09, 9-28-09, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Physical Therapy Practice
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 5, 2009
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 16, 2009

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NOS.:	RULE TITLES:
64E-19.002	Definitions
64E-19.004	Requirements for Premises
64E-19.006	Piercing Procedures
64E-19.007	Other Operations

PURPOSE AND EFFECT: The purpose of this rule development is to incorporate standards to fulfill the intent of Section 381.0075, F.S., and to remove standards that were time-limited. The incorporated language will maintain consistency with statutory language, provide flexibility to body piercers who pierce with devices other than needles, and remove language that is now superfluous.

SUMMARY: Areas addressed encompass devices used to pierce the skin, building and equipment requirements, and training of operators and piercers.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 381.0075(10) FS.

LAW IMPLEMENTED: 381.0075(10), (11) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: July 30, 2010, 9:00 a.m. – 12:00 Noon

PLACE: Building 4042, Conference Room 301, Capital Circle Office Center, 4042 Bald Cypress Way, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Ed Golding, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Ed Golding, Environmental Specialist III, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

THE FULL TEXT OF THE PROPOSED RULES IS:

64E-19.002 Definitions.

(1) through (11) No change.

(12) "Instruments" – means hand pieces, needles, and other tools that may come in contact with a customer’s body or be exposed to body fluids during body-piercing procedures.

(13) through (19) No change.

(20) "Single use" – means products or items that are intended for one-time, one-person use and are disposed of after use on each customer such as, cotton swabs or balls, tissues or

paper products, paper or plastic cups, gauze and sanitary coverings, razors, instruments that pierce the skin, piercing needles, scalpel blades, and protective gloves.

(21) through (22) No change.

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(10) FS. History–New 1-24-00, Amended.

64E-19.004 Requirements for Premises.

(1) through (14) No change.

(15) Body-piercing salons not in full compliance with the building and equipment requirements of this section on the effective date of this chapter, shall have six months from the effective date of this chapter to comply with these requirements; provided that no complaints of injury validated by the department are reported to the department during that time period; further provided that no uncorrected sanitary nuisances, as defined by Chapter 386, F.S., occur at the salon during that time period. This subsection does not apply to temporary establishments.

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(10), (11) FS. History–New 1-24-00, Amended.

64E-19.006 Piercing Procedures.

(1) through (3) No change.

(4) Only jewelry and instruments single use needles that are sterilized and free of nicks, scratches, or irregular surfaces, and prepackaged single use sterile gauze or cotton swabs shall be used in piercing procedures. Jewelry must meet the requirements of subparagraph 381.0075(11)(a)5., F.S.

(5) through (8) No change.

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(10), (11) FS. History–New 1-24-00, Amended 1-28-03,

64E-19.007 Other Operations.

(1) through (5) No change.

(6) Training.

(a) through (c) No change.

(d) Operators and piercers must complete the required training prior to assuming responsibilities in a salon, according to the following time frames:

~~1. Operators hired on or after the effective date of this chapter must complete the required training prior to assuming responsibilities in a salon.~~

~~2. Operators and piercers hired before the effective date of this chapter must complete the required training prior to a salon being licensed.~~

Rulemaking Specific Authority 381.0075(10) FS. Law Implemented 381.0075(7), (10), (11) FS. History–New 1-24-00, Amended 1-28-03,

NAME OF PERSON ORIGINATING PROPOSED RULE: Ed Golding, Environmental Specialist III, Bureau of Community Environmental Health, 4052 Bald Cypress Way, Bin #A08, Tallahassee, Florida 32399-1713

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: April 30, 2010

FISH AND WILDLIFE CONSERVATION COMMISSION

RULE NO.: 68-5.003 RULE TITLE: Prohibited Non-native Species

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to correct two rule references and a spelling error. This will bring Rule 68-5.003, F.A.C. into accordance with Rule 68-5.001, F.A.C.

SUMMARY: Rule 68-5.003, F.A.C. (Prohibited Non-native Species) would be amended to address two incorrect rule references and a spelling error.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will ___or will not Xhave an impact on small business. A SERC has ___ or has not Xbeen prepared by the agency.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, Legal Office, Florida Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, FL 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68-5.003 Prohibited Non-native Species.

Live specimens of the following species, including their taxonomic successors, subspecies, or hybrids or eggs thereof may be possessed only pursuant to permit issued by the Executive Director except as provided in subsection 68-5.001(4)(~~3~~), F.A.C.

(1) Non-native freshwater aquatic species:

(a) through (h) No change.

(i) Tilapias (Genera *Tilapia*, *Sarotherodon*, *Alcolapia* and *Oreochromis*, all species except *Oreochromis aureus*, *Oreochromis urolepis urolepis*, *Oreochromis mossambicus*, and *Oreochromis niloticus*).

(j) through (o) No change.

(2) No change.

(3) Non-native marine species:

(a) No change.

(b) Sea snakes (Family Hydrophiidae, all species), except that sea snakes may be possessed as described in subsection 68-5.001(4)(a)6. (~~5~~), F.A.C.

(c) through (i) No change.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 6-7-07, Amended _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tim Breault, Director, Division of Habitat and Species Conservation, Florida Fish and Wildlife Conservation Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-6.007 RULE TITLE: Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to delete the species listed as Reptiles of Concern leaving no reptiles of concern listed at this time. These species are currently proposed for listing as Conditional species in Rule 68-5.002, Florida Administrative Code, and include the Indian or Burmese python (*Python molurus*), Reticulated python (*Python reticulatus*), African rock python (*Python sebae*), Amethystine or Scrub python (*Morelia* spp.) (all species exceeding 12 feet in length upon maturity), Green anacondas (*Eunectes murinus*) and Nile monitor (*Varanus niloticus*).

SUMMARY: The proposed rule deletes the current list of Reptiles of Concern indicating that there are no Reptiles of Concern listed at this time.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will ___ or will not X have an impact on small business. A SERC has ___ or has not X been prepared by the agency. Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3761 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-6.007 Possession, Transportation, Exhibition and Caging Venomous Reptiles and Reptiles of Concern.

(1) Any person who keeps, possesses, exhibits or sells any venomous reptiles or reptile of concern shall comply with Sections 379.303, 379.304, 379.305, 379.372, 379.373, 379.374 and 379.3761, F.S., and the provisions of subsection 68-5.002(4), F.A.C., and this rule. The following reptiles, including their taxonomic successors, subspecies or hybrids thereof, are designated as reptiles of concern: None listed at this time.

- ~~(a) Indian or Burmese python (*Python molurus*)~~
- ~~(b) Reticulated python (*Python reticulatus*)~~
- ~~(c) African rock python (*Python sebae*)~~
- ~~(d) Amethystine or Scrub python (*Morelia spp.*) (all species exceeding 12 feet in length upon maturity)~~
- ~~(e) Green anacondas (*Eunectes murinus*)~~
- ~~(f) Nile monitor (*Varanus niloticus*)~~

(2) through (9) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.373, 379.374 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.303, 379.304, 379.305, 379.372, 379.373, 379.374, 379.3761, 379.3762 FS. History—New 1-1-08, Amended 1-8-08, 8-27-09, _____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE.

NAME OF PERSON ORIGINATING PROPOSED RULE: Colonel Jim Brown, Director, Division of Law Enforcement

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 30, 2009

FISH AND WILDLIFE CONSERVATION COMMISSION

Freshwater Fish and Wildlife

RULE NO.: 68A-15.064
 RULE TITLE: Specific Regulations for Wildlife Management Areas – South Region

PURPOSE AND EFFECT: The purpose of the proposed rule changes is to revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region. The effect of the proposed rule changes will be to allow the take of Conditional non-native snakes and lizards and enable the agency to better manage fish and wildlife resources on WMAs.

SUMMARY: The proposed rule changes would revise specific area regulations on Wildlife Management Areas (WMAs) in the South Region as follows:

Big Cypress WMA – Conditional snakes and lizards may be taken in the area; method of take and reporting requirements for Conditional snakes and lizards will be the same as for Reptiles of Concern and none may be removed from the area alive.

Everglades and Francis S. Taylor WMA – Conditional snakes and lizards may be taken in the area; establish extended season for Reptiles of Concern and Conditional snakes and lizards; method of take and reporting requirements for Conditional snakes and lizards will be the same as for Reptiles of Concern and none may be removed from the area alive.

Holey Land WMA – Conditional snakes and lizards may be taken in the area; establish extended season for Reptiles of Concern and Conditional snakes and lizards; method of take and reporting requirements for Conditional snakes and lizards will be the same as for Reptiles of Concern and none may be removed from the area alive.

Rotenberger WMA – Conditional snakes and lizards may be taken in the area; establish extended season for Reptiles of Concern and Conditional snakes and lizards; method of take and reporting requirements for Conditional snakes and lizards will be the same as for Reptiles of Concern and none may be removed from the area alive.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The agency has determined that this rule will ___ or will not X have an impact on small business. A SERC has ___ or has not X been prepared by the agency.

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

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution, 375.313, 379.2223 FS.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution, 375.313, 379.2223 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

THE FULL TEXT OF THE PROPOSED RULE IS:

68A-15.064 Specific Regulations for Wildlife Management Areas – South Region.

(1) No change.

(2) Hole Land Wildlife Management Area.

(a) through (c) No change.

(d) General regulations:

1. through 14. No change.

15. Reptiles of Concern as listed in subsection paragraphs 68A-6.007(1)(a)-(f), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken March 7 through April 17 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

16. Guns are a prohibited method of take for Reptiles of Concern and Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and from March 7 through April 17 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

17. Reptiles of Concern and Conditional non-native snakes and lizards shall not be removed from the areas alive.

18. Persons that take any Rreptile of Ceoncern or Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

19. From March 7 through April 17 shooting hours for Reptiles of Concern and Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hour after sunset.

(e) No change.

(3) Everglades and Francis S. Taylor Wildlife Management Area.

(a) through (c) No change.

(d) General regulations:

1. through 21. No change.

22. Reptiles of Concern as listed in subsection paragraphs 68A-6.007(1)(a)-(f), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken March 7 through April 17 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

23. Guns are a prohibited method of take for Reptiles of Concern and Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and from March 7 through April 17 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

24. Reptiles of Concern and Conditional non-native snakes and lizards shall not be removed from the areas alive.

25. Persons that take any Rreptile of Ceoncern or Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

26. From March 7 through April 17 shooting hours for Reptiles of Concern and Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hour after sunset.

(e) No change.

(4) Rotenberger Wildlife Management Area.

(a) through (c) No change.

(d) General regulations:

1. through 14. No change.

15. Reptiles of Concern as listed in subsection paragraphs 68A-6.007(1)(a)-(f), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken March 7 through April 17 and during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

16. Guns are a prohibited method of take for Reptiles of Concern and Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized and from March 7 through April 17 when all legal methods of take for game animals or alligators are allowed, except the use of centerfire rifles is prohibited.

17. Reptiles of Concern and Conditional non-native snakes and lizards shall not be removed from the areas alive.

18. Persons that take any Rreptile of Ceoncern or Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

19. From March 7 through April 17 shooting hours for Reptiles of Concern and Conditional non-native snakes and lizards shall be 1/2 hour before sunrise until 1/2 hour after sunset.

(e) No change.

(5) Big Cypress Wildlife Management Area.

- (a) through (c) No change.
- (d) General regulations:
 - 1. through 15. No change.

16. Reptiles of Concern as listed in subsection paragraphs 68A-6.007(1)(a)-(f), F.A.C., and Conditional non-native snakes and lizards as listed in subsection 68A-5.002(4), F.A.C., may be taken during established seasons for the taking of game animals or alligators and only by persons properly licensed and permitted to take game animals or alligators.

17. Guns are a prohibited method of take for Reptiles of Concern and Conditional non-native snakes and lizards, except when the use of guns to take game or alligators is authorized.

18. Reptiles of Concern and Conditional non-native snakes and lizards shall not be removed from the areas alive

19. Persons that take any Rreptile of Ceoncern or Conditional non-native snakes and lizards shall report the take within 36 hours, and shall provide all data requested.

- (6) through (11) No change.

Rulemaking Authority Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. Law Implemented Art. IV, Sec. 9, Fla. Const., 379.2223, 375.313 FS. History—New 6-21-82, Amended 7-1-83, 7-27-83, 9-27-83, 7-5-84, 7-1-85, 5-7-86, 8-5-86, 5-10-87, 8-24-87, 5-1-88, 6-7-88, 7-1-89, 7-1-90, 9-1-90, 7-1-91, 7-1-92, 7-1-93, 7-1-94, 7-1-95, 8-15-95, 7-1-96, 9-15-96, 10-20-96, 6-1-97, 8-7-97, 7-1-98, 7-2-98, 7-1-99, Formerly 39-15.064, Amended 11-17-99, 7-1-00, 7-1-01, 6-2-02, 2-27-03, 5-1-03, 7-1-04, 7-1-05, 7-1-06, 7-1-07, 7-1-08, 7-1-09, 7-1-10,_____.

BE ADVISED THAT THESE PROPOSED RULES MAY BE FILED FOR ADOPTION AS SOON AS POSSIBLE.

NAME OF PERSON ORIGINATING PROPOSED RULE: Diane R. Eggeman, Director, Division of Hunting and Game Management, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Fish and Wildlife Conservation Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 24, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 11, 2009

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NO.:	RULE TITLE:
68B-23.004	Commercial Fishing Season for Spanish Mackerel; Commercial Vessel Limits

PURPOSE, EFFECT AND SUMMARY: The purpose of this rule amendment is to modify the Commission’s Spanish Mackerel Rule to become consistent with federal Spanish mackerel regulations in the Atlantic Ocean. The South Atlantic Fisheries Management Council and the Gulf of Mexico

Fisheries Management Council jointly manage Spanish mackerel under the Fishery Management Plan (FMP) for the Coastal Migratory Pelagic Resources of the Atlantic and Gulf of Mexico. The Councils developed regulatory actions for the Atlantic Ocean Spanish mackerel stock in 2005 that shifted the start of the commercial fishing year one month earlier. In 2008, the corresponding commercial vessel limits were amended. The most recent stock assessment for Spanish mackerel was completed in 2008. The stock assessment indicated that overfishing was not occurring. However the Review Panel could not determine whether or not the stock was overfished. These rule amendments are being proposed to become consistent with federal rules to reduce confusion, aid compliance, and ease enforcement. Additionally, these rules were implemented in federal water to aid the commercial fishery by ensuring that the Spanish mackerel fishery is open in March when many other fisheries are closed to harvest.

SUMMARY: Rule 68B-23.004, F.A.C., (Commercial Fishing Season for Spanish Mackerel; Commercial Vessel Limits) would amend the Commission’s Spanish Mackerel Rule governing the commercial fishing year and the commercial vessel limits such that they are consistent with the recreational swordfish vessel limits in federally managed waters of the Atlantic Ocean as instituted by the National Marine Fisheries Service. The proposed Commission rule would change the commercial fishing season for Spanish mackerel from April 1 through March 31 to March 1 through the end of February and it would change the start date of the 3,500 pound vessel limit from April 1 to March 1.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULE IS:

68B-23.004 Commercial Fishing Season for Spanish Mackerel; Commercial Vessel Limits.

- (1) East Coast Region.

(a) Persons harvesting Spanish mackerel for commercial purposes from waters of the East Coast Region shall have a season that begins on the regional season opening date of ~~March~~ ~~April~~ 1 of each year and continues through ~~the end of February~~ ~~March~~ 31 of the following year. These persons shall be subject to commercial vessel limits effective during segments of the season as follows (consistent with the Federal Standard established in 50 C.F.R. § 622.44(b)):

1. Beginning on ~~March~~ ~~April~~ 1 and continuing through November 30 of each year, no person harvesting Spanish mackerel for commercial purposes shall harvest or land from a single vessel in any one day more than 3,500 pounds of Spanish mackerel. During this season segment, the possession of more than 3,500 pounds of Spanish mackerel aboard a single vessel in or on state waters at any time, is prohibited.

2 through 3. No change.

4. A limit of 500 pounds of Spanish mackerel per vessel per day shall apply from the date the 1500-pound season segment ends until the end of ~~February each year~~ ~~the season on March~~ 31. During this season segment, no person shall possess while in or on the waters of the state, or land from a single vessel in any one day within this region, more than 500 pounds of Spanish mackerel.

(b) No change.

(2) through (5) No change.

PROPOSED EFFECTIVE DATE: AUGUST 3, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History—New 10-30-86, Amended 12-10-87, 10-1-88, 11-1-89, 10-1-90, 11-26-92, 11-29-93, 9-30-96, 12-2-96, 1-1-98, Formerly 46-23.004, Amended 1-1-01, 8-3-10.

FISH AND WILDLIFE CONSERVATION COMMISSION

Marine Fisheries

RULE NOS.:	RULE TITLES:
68B-33.0034	Swordfish: Recreational Bag and Possession Limits
68B-33.004	Size Limits

PURPOSE, EFFECT AND SUMMARY: The purpose of these rule amendments is to modify the Commission’s Billfish and Swordfish Rule to become consistent with federal swordfish regulations in the Gulf of Mexico and the Atlantic Ocean. NOAA Fisheries Service Highly Migratory Species Division developed regulatory actions for swordfish that became effective in 2007. The most recent stock assessment for swordfish was completed by the International Commission for the Conservation of the Atlantic Tunas in 2009. Based on this assessment, the Atlantic Swordfish stock is not overfished and is not experiencing overfishing. Additionally, the North Atlantic swordfish population is now fully rebuilt and biomass estimates are currently 5% above the target level. The effect of these rule amendments is to become consistent with federal rules to reduce confusion, aid compliance, and ease enforcement.

SUMMARY: Rule 68B-33.0034, F.A.C., (Swordfish: Recreational Bag and Possession Limits) would amend the Commission’s Billfish and Swordfish Rule governing the recreational vessel limits such that they are consistent with the recreational swordfish vessel limits in federally managed waters of the Gulf of Mexico and Atlantic Ocean as instituted by the National Marine Fisheries Service. The proposed Commission rule would change the recreational non-for-hire vessel maximum limit from three to four swordfish per vessel and would create a new vessel maximum limit for for-hire vessels of no more than the daily bag limit of swordfish multiplied by the number of customers fishing aboard, or 15 swordfish, whichever is less, additionally, the bag-limit would not be extended to captain and crew of for-hire vessels. 68B-33.004, F.A.C., (Size Limits) would be amended by removing the weight criteria for possession, leaving the lower jaw fork length, and the cleithrum to keel length as the only possession criteria for swordfish.

RULEMAKING AUTHORITY: Article IV, Section 9, Florida Constitution.

LAW IMPLEMENTED: Article IV, Section 9, Florida Constitution.

THIS RULEMAKING IS UNDERTAKEN PURSUANT TO SECTION 120.54(6), F.S. WRITTEN COMMENTS MAY BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO: Bud Vielhauer, General Counsel, Fish and Wildlife Conservation Commission, 620 South Meridian Street, Tallahassee, Florida 32399-1600, (850)487-1764

SUBSTANTIALLY AFFECTED PERSONS MAY WITHIN 14 DAYS OF THE DATE OF THIS NOTICE, FILE AN OBJECTION TO THIS RULEMAKING WITH THE AGENCY. THE OBJECTION SHALL SPECIFY THE PORTIONS OF THE PROPOSED RULE TO WHICH THE PERSON OBJECTS AND THE SPECIFIC REASONS FOR THE OBJECTION.

THE FULL TEXT OF THE PROPOSED RULES IS:

68B-33.0034 Swordfish: Recreational Bag and Possession Limits.

(1) Except as provided in subsections (2) and (3), no person shall harvest more than one swordfish per day or possess more than one swordfish while in or on the waters of the state, up to the following maximum vessel limits (consistent with the Federal Standard established in 50 C.F.R. § 635.22(f)); ~~provided, however, that the possession of more than three swordfish aboard any vessel with three or more persons is prohibited.~~

(a) possession of more than the daily bag limit of swordfish multiplied by the number of customers fishing aboard, or 15 swordfish, whichever is less, aboard any vessel licensed or operated by a person licensed to carry customers pursuant to Section 379.354(7), F.S., wherein a fee is paid either directly or indirectly for the purpose of taking or attempting to take saltwater fish, is prohibited,

(b) possession of more than four swordfish aboard any recreational, not-for-hire fishing vessel, or vessel not listed in paragraph (a), is prohibited.

(2) On any vessel licensed or operated by a person licensed to carry customers wherein a fee is paid, either directly or indirectly, for the purpose of taking or attempting to take saltwater fish, the applicable bag and possession limit specified in subsection (1) shall not extend to the operator of such vessel or any person employed as a crew member of such vessel (consistent with the Federal Standard established in 50 C.F.R. §635.22(f)).

(3)(2) This rule shall not apply to persons fishing pursuant to a saltwater products license and a federal Limited Access Permit (LAP) for swordfish issued pursuant to 50 C.F.R. § 635.4(f).

PROPOSED EFFECTIVE DATE: AUGUST 3, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 4-2-03, Amended 8-3-10.

68B-33.004 Size Limits.

(1) through (3) No change.

(4) No person shall harvest, possess in or on the waters of the state, or land, any swordfish with its head naturally attached that is less than 47 inches lower jaw fork length; or any swordfish that has had its head removed that is less than 29 inches cleithrum to keel length, ~~or 33 pounds dressed weight.~~ A swordfish that is damaged by shark bites may be retained only if the remainder of the carcass is at least 47 inches lower jaw fork length with its head is naturally attached or; 29 inches cleithrum to keel length if its head has been removed, ~~or 33 pounds dressed weight~~ (consistent with the Federal Standard established in 50 C.F.R. § 635.20(f)).

(5) No change.

PROPOSED EFFECTIVE DATE: AUGUST 3, 2010.

Rulemaking Specific Authority Art. IV, Sec. 9, Fla. Const. Law Implemented Art. IV, Sec. 9, Fla. Const. History–New 8-26-99, Amended 10-1-02, 4-2-03, 8-3-10.

FINANCIAL SERVICES COMMISSION

OIR – Insurance Regulation

RULE NOS.:	RULE TITLES:
69O-200.004	Qualification to Obtain and Hold a License
69O-200.005	Use of the Statutory Deposit
69O-200.006	Contractual Liability Insurers
69O-200.009	Form Filings
69O-200.014	Exemption From Financial Examination
69O-200.015	Forms Incorporated by Reference

PURPOSE AND EFFECT: Incorporates into the existing rules a new category of Motor Vehicle Service Agreement Companies: “Motor Vehicle Manufacturers.”

SUMMARY: In Sections 634.011(7) and 634.041(12), Florida Statutes, the legislature created a new category of Motor Vehicle Service Agreement Companies: “Motor Vehicle Manufacturers.” These amendments address the legislative mandate to modify the rules and forms to incorporate this new category.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared.

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

RULEMAKING AUTHORITY: 634.021, 634.031, 634.041, 634.121, 634.1213, 634.1216, 634.061, 634.252 FS.

LAW IMPLEMENTED: 634.041(12), 637.137(6) FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW (IF NOT REQUESTED, THIS HEARING WILL NOT BE HELD):

DATE AND TIME: August 3, 2010, 9:30 a.m.

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 workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Steve Szypula, Office of Insurance Regulation. E-mail Steve.Szypula@flor.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Steve Szypula, Office of Insurance Regulation. E-mail Steve.Szypula@flor.com

THE FULL TEXT OF THE PROPOSED RULES IS:

69O-200.004 Qualification to Obtain and Hold a License.

(1) An applicant must submit legible fingerprint cards, investigative background checks and biographical statements on Form OIR-CI-1423422, incorporated by reference in Rule 69O-200.015, F.A.C., for the following:

(a) Officers, directors, and stockholders holding 10% or more of the outstanding voting stock of the applicant ~~and of any company or entity which has control over the applicant;~~

(b) Officers and directors of the applicant ~~and of any company or entity having which has control over the applicant;~~ and,

(c) Partners, members, stockholders and other individuals holding a voting interest of 10% or more in any greater shares of outstanding stock of the applicant ~~and any company or entity having direct or indirect which has control over the applicant.~~

(2) An applicant that is a motor vehicle manufacturer, as defined in Section 634.011(7), Florida Statutes, must submit legible fingerprint cards, investigative background checks and biographical statements on Form OIR-C1-1423 for all officers and directors of the applicant only.

(3)(2) Subsequent to the date of licensure, individuals who become associated with the motor vehicle service agreement company in any of the above capacities shall submit the information required in subsection (1) above; however, those individuals who become associated with an agreement company which:

(a) Manufacturers motor vehicles;

(b) Demonstrates it has they have a gap net worth in excess of \$100,000,000, as reported under generally accepted accounting principles (GAAP);

(c) Annually files with the Office a 10K Report; and,

(d) Annually notifies the Office in writing of any changes in officers (Executive Vice Presidents and above) and directors of the agreement company, shall be exempt from the requirements of subsection (1).

(4) Individuals named as officers or directors of a motor vehicle manufacturer licensee must within 45 days submit legible fingerprint cards, investigative background checks and biographical statements on Form OIR-C1-1423 for those officers and directors directly overseeing the Florida service contract operations, unless the licensee is exempt under subsection (3) above or subsection (7) below.

(5) In addition to background requirements for newly associated individuals, as noted in subsections (1) through (4) above, an acquisition filing pursuant to Section 628.4615, Florida Statutes, may require updates of previously filed background documentation.

(6)(3) Motor vehicle service agreement companies are required to notify the department in writing within 15 days of any change in the corporate name, business name, address or phone number of the company.

(7)(4) The Office may, at its discretion, waive any of the above provisions if the applicant or licensee can satisfy the Office that the documents are not required in determining if the individual(s) in question can manage the company and its affairs and is competent and trustworthy. The following criteria will be considered by the Office in making this determination:

(a) The financial condition of the applicant or licensee;

(b) The financial condition of the companies having control over the applicant or licensee;

(c) The history and structure of the companies;

(d) The A.M. Best rating of all insurance companies involved; and,

(e) The position held by the individual(s) in question.

(8) Subsequent to the date of licensure, a motor vehicle service agreement company may submit in writing a request to the Office that, for future reporting and compliance

requirements, it be recognized as a motor vehicle manufacturer as defined in Section 634.011(7), Chapter 634, F.S. Such request must be certified by an officer of the licensee and must include documentation that clearly sets forth how the licensee meets the definition in Section 634.011(7), F.S.

Rulemaking Specific Authority 634.021 FS. Law Implemented 634.041 FS. History–New 5-26-93, Formerly 4-200.004, Amended _____.

69O-200.005 Use of the Statutory Deposit.

The deposit required under Section 634.052, Florida Statutes, may be used in the funding of the ~~15~~10% reserve deposit required under Section 634.041(8)(a)(3)(12), Florida Statutes.

Rulemaking Specific Authority 634.021 FS. Law Implemented 634.052 FS. History–New 5-26-93, Formerly 4-200.005, Amended _____.

69O-200.006 Contractual Liability Insurers.

(1) The insurer issuing a contractual liability policy shall, prior to approval by the Office be a property and casualty insurer with a Florida certificate of authority which indicates it may write “other liability insurance” or “auto warranties.”-

(2) All insurers issuing contractual liability policies to motor vehicle service agreement companies must, at a minimum, use policy provisions providing policyholder protection substantially equivalent to and not materially in conflict with that provided in the sample contractual liability policy Form OIR-969, incorporated by reference in Rule 69O-200.015, F.A.C. A policy is in violation of this subsection only if it is in violation of a statute or rule.

Rulemaking Specific Authority 634.021 FS. Law Implemented 634.041 FS. History–New 5-26-93, Formerly 4-200.006, Amended _____.

69O-200.009 Form Filings.

Rulemaking Specific Authority ~~634.021~~ ~~634.121~~ FS. Law Implemented ~~634.121~~ ~~634.021~~ FS. History–New 5-26-93, Formerly 4-200.009.

69O-200.014 Exemption From Financial Examination.

(1) The Office may, upon receipt of a written request, grant an exemption from the financial examination required by Section 634.141, Florida Statutes.

(2) A company applying for exemption must first submit documentation that demonstrates that the company:

(a) Has a statutory net worth in excess of \$500 million;

(b) Has been licensed as a motor vehicle service agreement company for more than 6 years;

(c) Is publicly traded on the New York Stock Exchange;

(d) Files an annual report on the Office’s form on or before March 1 of each year; and

(e) Files with the Office its current Form 10K and 10Q, within 30 days of filing with the Securities and Exchange Commission;

(f) ~~Annually by On or before March 1, 1993 and in three year intervals thereafter,~~ files a written request for the exemption. This request for exemption shall be accompanied by an exemption fee of \$2000 to be deposited into the Chief Financial Officer’s Regulatory Trust Fund.

(3) Motor vehicle manufacturers, as defined in Section 634.011(7), Florida Statutes, must only comply with paragraph (2)(f) above to apply for exemption from examination.

Rulemaking Specific Authority 634.021 FS. Law Implemented 634.141 634.1216 FS. History–New 5-26-93, Formerly 4-200.014, Amended _____.

690-200.015 Forms Incorporated by Reference.

(1) The following forms are incorporated into this rule chapter by reference to implement the provisions of Chapter 634, Part I, Florida Statutes:

Title	Form Number
(a) Application Cover Letter	OIR-CI-982 (02/92)
(b) Application Instructions	OIR-CI-994 (02/92)
(c) Application Checklist	OIR-CI-993 (02/92)
(d) Invoice	OIR-CI-990 (02/92)
(e) Fingerprint Fee Invoice	OIR-CI-903 (09/91)
(f) Application for License as a Motor Vehicle Service Agreement Company	OIR-CI-469 (02/92)
(g) Consent to Service of Process	OIR-CI-144 (11/90)
(h) Resolution Form	OIR-CI-514 (11/90)
(i) Statement of Acquisition	OIR-CI-448 (05/89)
(j) Sample Contractual Liability Policy	OIR-CI-969 (08/92)
(k) Instructions for Deposit	OIR-CI-992 (05/94)
(l) List of Salesman	OIR-CI-995 (02/92)
(m) Management Information	OIR-CI-844 (10/91)
(n) Stockholder Listing	OIR-CI-973 (10/91)
(o) Biographical Statement	OIR-CI-1423422 (09/08) (11/90)
(p) Abbreviated Biographical	OIR-CI-449 (01/91)
(q)(r) Release of Information	OIR-CI-450 (08/92)
(q)(r) Equifax Instructions	OIR-CI-934 (10/91)
(r)(s) Fingerprint Instructions	OIR-CI-938 (04/91)
(s)(t) Annual Statement	OIR-A3-467 (01/92)
(t)(u) Quarterly Report	OIR-A3-466 (02/87)
<u>(u) Application for License – Motor Vehicle Service Agreement Company – Manufacturer.</u>	OIR-A3-1983 (02/09)
<u>(v) Annual Report for Motor Vehicle Manufacturers.</u>	OIR-A3-1984 (01/10) OIR-A3-1985 (01/10)
<u>(w) Application for Exemption from Field Examination.</u>	OIR-A3-2019 (01/10)
<u>(x) Application for License Continuance – Motor Vehicle Service Agreement Company.</u>	

(2) These forms are effective on the dates referenced above. Copies of the forms may be obtained from the Office of Insurance Regulation, Bureau of Specialty Insurers, Larson Building, Tallahassee, FL 32399-0300.

Rulemaking Specific Authority 634.021 FS. Law Implemented 634.041, 634.061, 634.161, 634.252 FS. History–New 6-25-90, Formerly 4-114.015, Amended 5-26-93, 6-6-94, Formerly 4-200.015, Amended _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Steve Szygula, Office of Insurance Regulation. E-mail Steve.Szygula@flor.com

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: The Financial Services Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: June 8, 2010

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 16, 2009

Section III Notices of Changes, Corrections and Withdrawals

BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

Notices for the Board of Trustees of the Internal Improvement Trust Fund between December 28, 2001 and June 30, 2006, go to <http://www.dep.state.fl.us/> under the link or button titled “Official Notices.”

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

RULE NOS.:	RULE TITLES:
61-35.0271	Real Estate: Application for Sales Associate License
61-35.02711	Real Estate: Application for Broker License
61-35.02712	Real Estate: Application for Real Estate Instructor Permit
61-35.02713	Real Estate: Application for School Chief Administrator
61-35.02714	Real Estate: Application for School Permit
61-35.02715	Real Estate: Real Estate School Change of Status Transactions
61-35.02716	Real Estate: Application for Real Estate Company License
61-35.02717	Real Estate: Application for Branch Office
61-35.02718	Real Estate: Application for Additional School Location