



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: 501.014(2), 501.016, 570.07(23) FS.

LAW IMPLEMENTED: 501.015(1), (2), (3), (4), 501.016, 501.017 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Liz.Compton@FreshFromFlorida.com or by phone (850)410-3800.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-4.004 Registration.

(1) Unless exempted pursuant to section 501.013, F.S., any person who intends to open or operate as a health studio shall, prior to offering health studio services, register with the department using FDACS-10300, Health Studio Registration Application, Rev. 02/19 ~~03/18~~, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Health Studios, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-09428>. At the time of registration, the registrant shall submit the applicable nonrefundable registration fee to the department for each health studio location. The registrant shall submit with the application ~~FDACS 10300, Health Studio Registration Application, Rev. 03/18~~, a copy of each contract offered to the public relating to the sale of health studio services, as well as original security documents.

(2) Pursuant to section 501.015(2)(a), F.S., the following persons are eligible for a waiver of the initial registration fee: a ~~An~~ honorably discharged veteran of the United States Armed Forces, the spouse or surviving spouse of such a veteran, a current member of the United States Armed Forces who has served on active duty, the spouse of such a member, the surviving spouse of a member if the member died while serving on active duty, or a business entity that has a majority ownership held by such a veteran or spouse or surviving spouse. ~~requesting a waiver of the initial registration fee~~ Pursuant to section 501.015(2)(b), F.S., the following persons are eligible for a waiver of the renewal registration fee: an active duty member of the United States Armed Forces or the spouse of

such member, a member who served on active duty within the 2 years preceding the renewal date, an honorably discharged veteran of the United States Armed Forces who served on active duty within the 2 years preceding the expiration date, or the surviving spouse of a member if the member was serving on active duty at the time of death and died within the 2 years preceding the date of renewal. Persons seeking a fee waiver shall submit complete ~~submit~~ FDACS-10991, Military ~~Veteran~~ Fee Waiver Request, Rev. 10/18 ~~07/17~~, incorporated by reference in rule 5J-26.001, F.A.C., ~~An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and provide~~ all required ~~supporting~~ documentation at the time the applicant submits the Health Studio Registration Application referenced in subsection (1) above.

Rulemaking Authority 501.014(2), 570.07(23) FS. Law Implemented 501.015(1), (2), (3), (4), 501.016~~(1), (2), (3)~~, 501.017 FS. History—New 2-9-93, Amended 7-10-94, 5-24-95, 1-20-03, 3-8-12, 1-19-14, 4-5-15, 5-10-17, 7-15-18,\_\_\_\_\_.

5J-4.014 Security Requirements.

(1) If filing a bond, letter of credit, or assignment of certificate of deposit pursuant to section 501.016, F.S., the applicant shall use the applicable forms included in FDACS-10300, Health Studio Registration Application, Rev. 02/19 ~~03/18~~, incorporated by reference in rule 5J-4.004, F.A.C.

(2) No change.

Rulemaking Authority 501.014(2), 501.016(1), (2), (3), 570.07(23) FS. Law Implemented 501.016~~(1), (2), (3)~~ FS. History—New 4-5-15, Amended 5-10-17, 7-15-18,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2018

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NOS.: RULE TITLES:

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson, Substance Abuse Marketing Service Provider

5J-6.016 Enforcement Actions and Administrative Penalties

PURPOSE AND EFFECT: The proposed rulemaking amends incorporated forms, provides a procedure for certain individuals to obtain a military waiver of their initial or renewal registration fee and updates the penalty section to implement recent statutory changes.

**SUMMARY:** The proposed rules will streamline the application process by updating incorporated license applications, provide guidance to applicants seeking a military waiver of an initial or renewal registration fee and designate a new violation in the penalty section related to recordkeeping requirements. These amendments will ensure statutory compliance with ch. 2018-7, Laws of Florida and the Florida Telemarketing Act.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions update incorporated department forms, provide guidance on how to obtain a military fee waiver and align the penalty section to conform with statute. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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:** 501.626, 570.07(23) FS.

**LAW IMPLEMENTED:** 501.605, 501.607, 501.608, 501.609, 501.612(1), (2), 501.6175, 570.971(4) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Liz.Compton@FreshFromFlorida.com or by phone (850)410-3800.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

5J-6.005 Licensing Requirement, Commercial Telephone Seller, Salesperson, Substance Abuse Marketing Service Provider.

(1) No person may act as a commercial telephone seller or salesperson unless licensed by the Department of Agriculture and Consumer Services. All applicants for a license shall

submit to the department FDACS-10001, Commercial Telephone Seller Business License Application, Rev. 02/19 07/17, hereby incorporated by reference, along with the required non-refundable fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08717>.

(2)(a) In the event a licensed commercial telephone seller hires an employee to function as a salesperson, but the employee does not possess a current commercial telephone salesperson license, the licensed commercial telephone seller may obtain interim operating authority for the unlicensed salesperson from the department by submitting FDACS-10005, Commercial Telephone Salesperson Individual License Application, Rev. 02/19 07/17, including the Statement of Verification, hereby incorporated by reference, along with a written request that the applicant be granted interim operating authority. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08718>. Salespersons may also apply or renew their license online at: [www.FreshFromFlorida.com](http://www.FreshFromFlorida.com).

(b) through (c) No change.

(3) No person may provide substance abuse marketing services unless licensed by the Department of Agriculture and Consumer Services. All applicants for a license shall submit to the department FDACS-10008, Substance Abuse Marketing Service Provider License Application, 02/19 07/17, hereby incorporated by reference, along with the required non-refundable fee. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Telemarketing, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08719>.

(4) Pursuant to sections 501.605(5)(b) and 501.607(2)(b), F.S., the following persons are eligible for a waiver of the initial registration fee: aAn honorably discharged veteran of the United States Armed Forces, the spouse or surviving spouse of such a veteran, a current member of the United States Armed Forces who has served on active duty, the spouse of such a member, the surviving spouse of a member of the United States Armed Forces if the member died while serving on active duty, or a business entity that has a majority ownership held by such a veteran or spouse or surviving spouse. ~~requesting a waiver of the initial registration fee~~ Pursuant to sSection 501.609(5)

~~501.605(5)(b)~~, F.S., the following persons are eligible for a waiver of the renewal registration fee: an active duty member of the United States Armed Forces or the spouse of such member, a member who served on active duty within the 2 years preceding the renewal date, an honorably discharged veteran of the United States Armed Forces who served on active duty within the 2 years preceding the expiration date, or the surviving spouse of a member if the member was serving on active duty at the time of death and died within the 2 years preceding the date of renewal. Persons seeking a fee waiver shall ~~submit complete~~ FDACS-10991, Military Veteran Fee Waiver Request, Rev. ~~10/18 07/17~~, incorporated by reference in ~~r~~Rule 5J-26.001, F.A.C., ~~An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and provide all required supporting~~ documentation at the time the applicant submits the Commercial Telephone Seller Business License Application referenced in subsection (1), the Commercial Telephone Salesperson Individual License Application referenced in subsection (2), or the Substance Abuse Marketing Service Provider License Application referenced in subsection (3).

(5) through (6) No change.

(7) In the event that a salesperson intends to affiliate with more than one company, the salesperson shall execute a separate Statement of Verification, as found in FDACS-10005, Commercial Telephone Salesperson Individual License Application, Rev. ~~02/19 07/17~~, incorporated in subsection (2), above, for each commercial telephone seller with which the salesperson intends to affiliate.

Rulemaking Authority 501.626, 570.07(23) FS. Law Implemented 501.605, 501.607, 501.608, 501.609 FS. History—New 4-12-92, Amended 2-15-93, 6-26-94, 5-15-95, 2-11-98, 1-20-03, 3-29-12, 1-19-14, 4-16-15, 7-11-17, 10-31-17, \_\_\_\_\_.

5J-6.016 Enforcement Actions and Administrative Penalties.

(1) through (7) No change.

(8) Penalties.

(a) through (b) No change.

(c) Major Violations. Major violations shall result in the imposition of an administrative fine of \$1,000 to \$10,000, suspension or revocation of the license as prescribed in Section 501.612(2)(d), F.S., or any of the penalties as prescribed in Sections 501.612(2)(b)-(e), F.S. The following violations shall be considered major violations:

1. through 13. No change.

14. Failure to comply with Section 501.6175, F.S.

~~15.14.~~ No change.

~~16.15.~~ No change.

~~17.16.~~ Any willful violation of Sections 501.601-501.626, F.S.

(9) through (11) No change.

Rulemaking Authority 501.626, 570.07(23) FS. Law Implemented 501.612(1), (2)(d), ~~501.6175~~, 570.971(4) FS. History—New 4-16-15, Amended 7-13-16, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2018

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NOS.: RULE TITLES:

5J-9.002 Registration, Document Submission

5J-9.006 Security Requirement

PURPOSE AND EFFECT: The proposed rulemaking amends a form incorporated by reference, updates form references, and provides a procedure for certain individuals to obtain a military waiver of their initial or renewal registration fee.

SUMMARY: The proposed rules update FDACS-10200, Sellers of Travel Registration Application, update form references, and provide guidance to applicants seeking a military waiver of an initial or renewal registration fee. These amendments will streamline the registration application and ensure statutory compliance with ch. 2018-7, Laws of Florida and the Florida Sellers of Travel Act.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions update a department form, form references and provide guidance on how to obtain a military fee waiver. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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: 559.929(2), (3), 559.9355(3), 570.07(23) FS.

LAW IMPLEMENTED: 559.928, 559.929, 559.9295(16), 559.935(3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Liz.Compton@FreshFromFlorida.com or by phone (850) 410-3800.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-9.002 Registration, Document Submission.

(1) Any person who intends to operate as a seller of travel shall submit FDACS-10200, Sellers of Travel Registration Application, Rev. 02/19 04/17, hereby incorporated by reference, along with the applicable non-refundable registration fee specified by Section 559.928(2), F.S., to the department at the time of registration. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Sellers of Travel, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-08464>. Businesses may also apply or renew their license online at [www.FreshFromFlorida.com](http://www.FreshFromFlorida.com).

(2) Pursuant to section 559.928(2)(c), F.S., the following persons are eligible for a waiver of the initial registration fee: aAn honorably discharged veteran of the United States Armed Forces, the spouse or surviving spouse of such a veteran, a current member of the United States Armed Forces who has served on active duty, the spouse of such a member, the surviving spouse of a member if the member died while serving on active duty, or a business entity that has a majority ownership held by such a veteran or spouse or surviving spouse. ~~requesting a waiver of the initial registration fee~~ Pursuant to section 559.928(2)(d)(e), F.S., the following persons are eligible for a waiver of the renewal registration fee: an active duty member of the United States Armed Forces or the spouse of such member, a member who served on active duty within the 2 years preceding the renewal date, an honorably discharged veteran of the United States Armed Forces who served on active duty within the 2 years preceding the renewal date, or the surviving spouse of a member if the member was serving on active duty at the time of death and died within the 2 years preceding the date of renewal. Persons seeking a fee waiver shall submit complete FDACS-10991, Military ~~Veteran~~ Fee

Waiver Request, Rev. 10/18 10/16, incorporated by reference in rule 5J-26.001, F.A.C., ~~An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and provide all required supporting documentation at the time the applicant submits the Sellers of Travel Registration Application referenced in subsection (1) above.~~

(3) through (4) No change.

Rulemaking Authority 559.9355(3), 570.07(23) FS. Law Implemented 559.928, 559.9295(16), 559.935(3) FS. History—New 10-6-93, Amended 1-3-95, 6-4-95, 12-27-95, 2-11-98, 10-21-03, 3-29-12, 4-5-15, 7-26-17, \_\_\_\_\_.

5J-9.006 Security Requirement.

(1) Prior to engaging in any activities as a seller of travel, each seller of travel shall file with the department an original performance bond in an amount determined by subsection (2), below. The applicant shall utilize the Surety Bond form, included in FDACS-10200 Sellers of Travel Registration Application, Rev. 02/19 04/17, incorporated by reference in Rule 5J-9.002, F.A.C.

(2) The amount of the security for sellers of travel that do not offer vacation certificates shall be \$25,000; however, the seller of travel may apply for a reduction by completing the Security Reduction Application included in FDACS-10200 Sellers of Travel Registration Application, Rev. 02/19 04/17, incorporated by reference in Rule 5J-9.002, F.A.C., and providing copies of its federal income tax return or an audited financial statement for the immediately preceding fiscal year. To qualify for reduction of the security, the seller of travel must have a satisfactory consumer complaint history. The amount of the security reduction shall be determined by the seller of travel's dollar amount of gross annual sales, as follows:

(a) through (c) No change.

(3) The amount of the security for a newly established business or a business under new ownership shall be \$25,000; however, the seller of travel may apply to reduce its security to \$10,000 by submitting the Security Reduction Application included in FDACS-10200 Sellers of Travel Registration Application, Rev. 02/19 04/17, incorporated by reference in Rule 5J-9.002, F.A.C. To be eligible for a reduction in security, a newly established seller of travel must meet the following criteria:

(a) through (c) No change.

(4) No change.

(5) If filing a bond pursuant to Section 559.929, F.S., the applicant shall use the form included in FDACS-10200, Sellers of Travel Registration Application, Rev. 02/19 04/17, incorporated by reference in Rule 5J-9.002, F.A.C.

(6) No change.

Rulemaking Authority 559.929(2), (3), 559.9355(3), 570.07(23) FS. Law Implemented 559.929 FS. History—New 2-8-94, Amended 6-4-95, 11-6-95, 12-27-95, 2-11-98, 10-21-03, 4-5-15, 7-26-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2019  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2018

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.: 5J-12.002  
 RULE TITLE: Registration

PURPOSE AND EFFECT: The proposed rulemaking amends a form and sign incorporated by reference, and provides a procedure for certain individuals to obtain a military waiver of their initial or renewal registration fee.

SUMMARY: The proposed rule updates FDACS-10900, Motor Vehicle Repair Registration Application, modernizes FDACS P-01516, sign, and provides guidance to applicants seeking a military waiver of an initial or renewal registration fee. These amendments will streamline the registration application, update a sign and ensure statutory compliance with ch. 2018-7, Laws of Florida and the Florida Motor Vehicle Repair Act.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions update a department form and sign and provide guidance on how to obtain a military fee waiver. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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: 559.92201, 570.07(23) FS  
 LAW IMPLEMENTED: 559.904, 559.916 FS

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Liz.Compton@FreshFromFlorida.com or by phone (850)410-3800.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

5J-12.002 Registration.

(1) Any person who intends to operate a motor vehicle repair shop shall, prior to offering motor vehicle repair services, apply for and obtain a registration certificate from the department using FDACS-10900, Motor Vehicle Repair Registration Application, Rev. 02/19 ~~10/16~~, hereby incorporated by reference. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Division of Consumer Services, Attention: Motor Vehicle Repair, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07833>.

(2) No change.

(3) Pursuant to section 559.904(3)(b), F.S., the following persons are eligible for a waiver of the initial registration fee: a~~An~~ an honorably discharged veteran of the United States Armed Forces, the spouse or surviving spouse of such a veteran, a current member of the United States Armed Forces who has served on active duty, the spouse of such a member, the surviving spouse of a member if the member died while serving on active duty, or a business entity that has a majority ownership held by such a veteran or spouse or surviving spouse, requesting a waiver of the initial registration fee Pursuant to section 559.904(3)(~~c~~)(b), F.S., the following persons are eligible for a waiver of the renewal registration fee: an active duty member of the United States Armed Forces or the spouse of such member, a member who served on active duty within the 2 years preceding the renewal date, an honorably discharged veteran of the United States Armed Forces who served on active duty within the 2 years preceding the renewal date, or the surviving spouse of a member if the member was serving on active duty at the time of death and died within the 2 years preceding the date of renewal. Persons seeking a fee waiver shall submit complete FDACS-10991, Military ~~Veteran~~ Fee Waiver Request, 10/18 ~~10/16~~, incorporated by reference in rule 5J-26.001, F.A.C., ~~An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and provide all required supporting~~ documentation at the time the

applicant submits the Motor Vehicle Repair Registration Application referenced in subsection (1) above.

(4) The department shall provide a 11" x 17" sign with 30 point type to each registered motor vehicle repair shop to be posted pursuant to Section 559.916, F.S. The sign, FDACS P-01516, Rev. 02/19 08/07, is hereby incorporated by reference. A sample copy of the sign may be accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05123>. The registration certificate shall be attached to the sign by the registrant in the designated area. The sign with the accompanying registration certificate shall be conspicuously displayed at the customer service area in full view of the motor vehicle repair shop's customers.

(5) No change.

Rulemaking Authority 559.92201, 570.07(23) FS. Law Implemented 559.904, 559.916 FS. History--New 1-18-95, Amended 5-24-95, 2-11-98, 1-20-03, 11-4-03, 6-27-05, 11-22-05, 3-8-12, 4-16-15, 2-23-17,

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2018

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NO.: RULE TITLE:

5J-15.001 Registration

PURPOSE AND EFFECT: The proposed rulemaking amends a form incorporated by reference and provides a procedure for certain individuals to obtain a military waiver of their initial or renewal registration fee.

SUMMARY: The proposed rule updates FDACS-10960, Household Moving Services Registration Application and provides guidance to applicants seeking a military waiver of an initial or renewal registration fee. These amendments will streamline the registration application and ensure statutory compliance with ch. 2018-7, Laws of Florida and the household moving services law.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The proposed revisions update a department form and provide guidance on how to obtain a military fee waiver. There are no increased regulatory costs associated with these revisions. Additionally, no interested party submitted additional information regarding the economic impact.

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: 507.09(3), 570.07(23) FS.

LAW IMPLEMENTED: 507.03, 507.04, 507.05 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Liz Compton, Bureau Chief, Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, Florida, 32399-6500, email at Liz.Compton@FreshFromFlorida.com or by phone (850)410-3800.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-15.001 Registration.

(1) Any person who intends to operate as a household mover in this state shall first file with the Department FDACS-10960, Household Moving Services Registration Application, Rev. 02/19 40/46, hereby incorporated by reference, along with a registration fee pursuant to Section 507.03(3), F.S. Copies of this form may be obtained from the Department of Agriculture and Consumer Services, Attention: Household Movers, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or accessed online at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-07906>.

(2) Pursuant to section 507.03(3)(b), F.S., the following persons are eligible for a waiver of the initial registration fee: An honorably discharged veteran of the United States Armed Forces, the spouse or surviving spouse of such a veteran, a current member of the United States Armed Forces who has served on active duty, the spouse of such a member, the surviving spouse of a member if the member died while serving on active duty, or a business entity that has a majority ownership held by such a veteran or spouse or surviving spouse. ~~requesting a waiver of the initial registration fee~~ Pursuant to section 507.03(c)(b), F.S., the following persons are eligible for a waiver of the renewal registration fee: an active duty member

of the United States Armed Forces or the spouse of such member, a member who served on active duty within the 2 years preceding the renewal date, an honorably discharged veteran of the United States Armed Forces who served on active duty within the 2 years preceding the expiration date, or the surviving spouse of a member if the member was serving on active duty at the time of death and died within the 2 years preceding the date of renewal. Persons seeking a fee waiver shall submit complete FDACS-10991, Military Veteran Fee Waiver Request, Rev. 10/18 40/46, incorporated by reference in Rule 5J-26.001, F.A.C., An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and provide all required supporting documentation at the time the applicant submits the Household Moving Services Registration Application referenced in subsection (1) above.  
 Rulemaking Authority 507.09(3), 570.07(23) FS. Law Implemented 507.03, 507.04, 507.05 FS. History—New 3-8-12, Amended 10-27-13, 3-8-17, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Liz Compton, Bureau Chief, Division of Consumer Services  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 19, 2019  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 25, 2018

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

**Division of Consumer Services**

RULE NOS.:	RULE TITLES:
5J-20.001	Definitions
5J-20.002	Standards of National Fire Protection Association Adopted
5J-20.004	Liquefied Petroleum Gas Forms
5J-20.012	Installer Licenses
5J-20.013	Minimum Storage as Relates to Liquefied Petroleum Gas
5J-20.021	Testing and Repairing Containers
5J-20.022	Marking of Containers; Posting of Owner Contact Information at Dealer Locations
5J-20.023	Manufacturer's Data Sheets Covering ASME Tasks
5J-20.025	Color Scheme for Piping Identification
5J-20.026	Unsafe Container or System
5J-20.027	Approval of Liquefied Petroleum Gas Containers
5J-20.028	Installation of Containers on Roofs of Buildings
5J-20.029	Inspection of DOT Cylinders
5J-20.033	Truck Safety; Regulations
5J-20.041	Underground Installations
5J-20.042	Underground Tanks; Regulators

5J-20.044	Out-of-gas, Leak Call, and Interrupted Service Procedure
5J-20.046	Introducing Gas into Containers for Transportation; Dealer to Insure Compliance
5J-20.047	Connecting or Disconnecting Containers of Systems; Notice to Owner; Transportation Use of Liquefied Petroleum Gas Limited
5J-20.049	Installation of Unvented Room Heaters
5J-20.050	Construction Notification
5J-20.051	Documentation of Training, General
5J-20.060	Qualifier and Master Qualifier Examinations; Applicant Qualifications
5J-20.061	Approved Courses of Continuing Education
5J-20.062	Approval of Outside Vendor Training Programs
5J-20.063	Renewal of Qualifier and Master Qualifier Certificates
5J-20.064	Re-examination Procedures
5J-20.065	Reporting of Qualifier and Master Qualifier Vacancies
5J-20.066	Payment of Assessments; Penalties
5J-20.072	Payment Agreements; Purchaser Responsibilities
5J-20.073	Facility Inspection Report; Vehicle Inspection Report; Notice of Required Correction; Failure to Correct
5J-20.078	Enforcement Actions and Administrative Penalties
5J-20.080	Resolution of Violations, Settlement, and Additional Enforcement Remedies
5J-20.082	

PURPOSE AND EFFECT: The purpose of this rulemaking is to amend the rule chapter to comply with statutory language, repeal unnecessary rules, update incorporated forms, and amend the rule chapter with general updates.

SUMMARY: Significant changes were made to Chapter 527, Florida Statutes during the 2018 legislative session. The proposed rules are being amended to repeal redundant, unnecessary rules; update incorporated forms; eliminate forms that are no longer necessary; clarify vague definitions; clarify that department inspectors will no longer use a "Red Tag" to prohibit use, but Stop Use Orders consistent with other bureau programs; update incorporated forms and standards references; clarify the type of leak survey required for underground tanks, remove unnecessary common use definition and remove exemptions for certain underground tanks defined by 49 CFR; add required user notification after a dealer repairs or alters a LP gas system in case indoor appliances have been affected posing a safety hazard; add Category II LP Gas Dispensers to filling restrictions for tanks that will be transported in a vehicle; update the requirements reducing the time tanks may stay at user location before removal due to safety concerns over unsecured tanks; clarify that LP is used as an industrial refrigerant as a more efficient alternative but is no longer used in mobile AC applications; add signature requirement on CEU



training class attendance sheets as certification of attendance; amend examination and testing rules to implement statute and further define areas of competency that will be included in testing; limit repeat training classes for CEU credit to ensure a variety of training is received; amend the outside vendor training program rules to add a required annual review and expiration date to CEU course approval to keep curriculum current; amend the title of rule 5J-20.078 and clarify that inspection reports will not be forms as in other bureau programs; update penalty rules to be consistent with department standard and add notice of noncompliance in lieu of warning letter to reduce administrative procedures; and update resolution, settlement and remedies rules to meet current department standard.

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The department's economic analysis of the adverse impact of potential regulatory costs of the proposed rule did not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The proposed rules are being amended to comply with statutory changes, repeal unnecessary rules, update incorporated forms and provide general updates. There are no regulatory costs associated with these rule changes. No interested party submitted additional information regarding the economic impact.

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:** 120.569, 527.02(2), (4), (4)(c), 527.0201, 527.055, 527.06, 527.23(13), 570.07(23) FS.

**LAW IMPLEMENTED:** 119.074(4)(c), 527.01(11), 527.02, (2), (4), (4)(c), 527.0201, (6), 527.021, 527.03, 527.04, 527.055, 527.06, 527.0605, 527.061, 527.062, 527.07, 527.08, 527.09, 527.10, 527.11, 527.12, 527.13, 527.14, 527.23(9), (12) FS.

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

**THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS:** Harold Prince, Chief, Bureau of Standards, 3125 Conner Blvd., Bldg. #2, Tallahassee, FL 32399 (850) 921-1570.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**5J-20.001 Definitions.**

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Amended 7-18-85, Formerly 4B-1.21, 4B-1.021, Amended 3-15-94, 7-20-95, 7-28-14, Formerly 5F-11.001, Repealed

**5J-20.002 Standards of National Fire Protection Association Adopted.**

(+) The standards of the National Fire Protection Association for the storage and handling of liquefied petroleum gases as published in NFPA 58, Liquefied Petroleum Gas Code, 2017 Edition, for gas appliances and gas piping as published in NFPA 54, National Fuel Gas Code, 2015 Edition, and for emergency power supply as published in NFPA 110, Standard for Emergency and Standby Power Systems, 2016 Edition, shall be the accepted standards for this state and are hereby adopted and incorporated by reference, ~~subject to such additions and exceptions as are set forth in this rule.~~ The LP Gas Code Handbook, NFPA 58, 2017 Edition, and the National Fuel Gas Code Handbook, NFPA 54, 2015 Edition, are hereby adopted and incorporated by reference and shall be utilized by the department as a guide in interpreting the provisions of chapter 527, F.S. Reference to NFPA 58, NFPA 54, and NFPA 110 in these rules shall be to the most recent edition as adopted herein. ~~The section 6.8.7 of NFPA 58, 2017 Edition, titled "Installation of Containers on Roofs of Buildings," is hereby excluded from adoption. The section 7.1.6.2 of NFPA 54, 2015 Edition, titled "Conduit with Both Ends Terminating Indoors" is hereby excluded from adoption.~~

(2) "NFPA" is the recognized abbreviation for the National Fire Protection Association, Inc., and generally the abbreviation is used in these rules in identifying the publications of the association, which are copyrighted. It would be a violation of federal copyright law to post the materials incorporated in this rule on the Internet for public viewing. Accordingly, the public may obtain a copy of any NFPA publication by writing the association, whose address is: National Fire Protection Association, Inc., 1 Batterymarch Park, Quincy, Massachusetts 02269, or at <http://www.nfpa.org>. In addition, copies of the incorporated materials are available for viewing during regular business hours at the Florida Department of Agriculture and Consumer Services, Division of Consumer Services, ~~Liquefied Petroleum Gas Program~~ offices located at 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500.

Rulemaking Authority 527.06, 570.07(23) FS. Law Implemented 527.06 FS. History—New 8-7-80, Formerly 4A-1.01, Amended 7-18-85, Formerly 4B-1.01, Amended 10-8-86, 2-6-90, 8-9-92, Formerly 4B-1.001, Amended 7-20-95, 7-23-97, 6-8-99, 5-23-00, 9-2-02, 1-29-06, 8-2-07, 5-28-08, 4-6-12, 12-9-14, Formerly 5F-11.002, Amended 5-25-15, 6-28-17, \_\_\_\_\_.

5J-20.004 Liquefied Petroleum Gas Forms.

The following documents are hereby incorporated by reference and may be obtained from the Division of Consumer Services, 2005 Apalachee Parkway, Tallahassee, FL 32399-6500 or online as indicated.

(1) Pursuant to section 527.02(3)(b), F.S., the following persons are eligible for a waiver of the initial registration fee: ~~a~~An honorably discharged veteran of the United States Armed Forces, the spouse or surviving spouse of such a veteran, a current member of the United States Armed Forces who has served on active duty, the spouse of such a member, the surviving spouse of a member if the member died while serving on active duty, or a business entity that has a majority ownership held by such a veteran or spouse or surviving spouse. ~~requesting a waiver of the initial registration fee~~ Pursuant to section 527.02(3)(c)(b), F.S., the following persons are eligible for a waiver of the renewal registration fee: an active duty member of the United States Armed Forces or the spouse of such member, a member who served on active duty within the 2 years preceding the renewal date, an honorably discharged veteran of the United States Armed Forces who served on active duty within the 2 years preceding the renewal date, or the surviving spouse of a member if the member was serving on active duty at the time of death and died within the 2 years preceding the date of renewal. Persons seeking a fee waiver shall ~~submit complete~~ FDACS-10991, Military Veteran Fee Waiver Request, 10/18 07/17, incorporated by reference in rule 5J-26.001, F.A.C., ~~An applicant requesting a fee waiver shall submit a completed Military Veteran Fee Waiver Request and provide all required supporting documentation at the time the applicant submits a license application.~~

(2) FDACS-03578 LP Gas Category I Dealer License Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03501-\(02/14\),-Category-I-Liquefied-Petroleum-Gas-Dealer-\(0601\)-License-Renewal-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04243](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03501-(02/14),-Category-I-Liquefied-Petroleum-Gas-Dealer-(0601)-License-Renewal-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04243).

(3) FDACS-03579 LP Gas Category II Dispenser License Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03504-\(05/18\),-LP-Gas-Examination-Scheduling-Request,http://www.flrules.org/Gateway/reference.asp?No=Ref-09494](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03504-(05/18),-LP-Gas-Examination-Scheduling-Request,http://www.flrules.org/Gateway/reference.asp?No=Ref-09494).

(4) FDACS-03580 LP Gas Category III Cylinder Exchange Operator License Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03505-\(11/12\),-Minimum-Storage,http://www.flrules.org/Gateway/reference.asp?No=Ref-04245](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03505-(11/12),-Minimum-Storage,http://www.flrules.org/Gateway/reference.asp?No=Ref-04245).

(5) FDACS-03581 LP Gas Category IV Dealer in Appliances and Equipment License Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03506-\(02/14\),-Liquefied-Petroleum-Gas-Installer-B-\(0407\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04246](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03506-(02/14),-Liquefied-Petroleum-Gas-Installer-B-(0407)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04246).

(6) FDACS-03582 LP Gas Category V Installer License Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03507-\(04/14\),-Category-III-Liquefied-Petroleum-Gas-Cylinder-Exchange-Operator-\(0404\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04247](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03507-(04/14),-Category-III-Liquefied-Petroleum-Gas-Cylinder-Exchange-Operator-(0404)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04247).

(7) FDACS-03583 LP Gas Category VI Miscellaneous Operator License Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03508-\(02/14\),-Manufacturer-of-Liquefied-Petroleum-Gas-Appliances-and-Equipment-\(0402\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04248](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03508-(02/14),-Manufacturer-of-Liquefied-Petroleum-Gas-Appliances-and-Equipment-(0402)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04248).

(8) FDACS-03584 LP Gas Qualifier and Master Qualifier Registration Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03509-\(02/14\),-Liquefied-Petroleum-Gas-Installer-C-\(0408\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04249](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03509-(02/14),-Liquefied-Petroleum-Gas-Installer-C-(0408)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04249).

(9) FDACS-03585 LP Gas Material Change and Duplicate Licenses Form, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03510-\(02/14\),-Requalifier-of-Cylinders-\(0409\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04250](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03510-(02/14),-Requalifier-of-Cylinders-(0409)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04250).

(10) FDACS-03586 LP Gas Continuing Education Course Approval Application, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03511-\(02/14\),-Fabricator,-Repairer,-and-Tester-of-Vehicles-and-Cargo-Tanks-\(0411\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04251](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03511-(02/14),-Fabricator,-Repairer,-and-Tester-of-Vehicles-and-Cargo-Tanks-(0411)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04251).

(11) FDACS-03587, LP Gas Indemnity Bond, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03512-\(02/14\),-Category-I-Liquefied-Petroleum-Gas-Dealer-\(0601\)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04252](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03512-(02/14),-Category-I-Liquefied-Petroleum-Gas-Dealer-(0601)-License-Application,http://www.flrules.org/Gateway/reference.asp?No=Ref-04252).

(12) FDACS-03588, LP Gas Insurance Affidavit, 02/19, [http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03513-\(04/14\),-Dealer-in-Appliances-and-Equipment-for-Use-of-Liquefied-Petroleum-Gas-\(0602\)-License](http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03513-(04/14),-Dealer-in-Appliances-and-Equipment-for-Use-of-Liquefied-Petroleum-Gas-(0602)-License)

## Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04253>.

(13) FDACS-03524, LP Gas Odorizers/Importers Quarterly Remittance Report, Rev. 10/18,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03514> (02/14), Liquefied Petroleum Gas Installer D

(0603) License Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04254>.

(14) FDACS-03536, LP Gas Category III Cylinder Exchange Operator (LX) License Renewal Coupon, Rev. 01/19,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03515> (02/14), Category II Liquefied Petroleum Gas

Dispenser (0604) License Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04255>.

(15) FDACS-03571, LP Gas Category IV Dealer in Appliances and Equipment (LA) License Renewal Coupon, Rev. 01/19,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-FDACS-03516> (02/14), Liquefied Petroleum Gas Installer A

(0803) License Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04256>.

(16) FDACS-03517 (04/14), Pipeline System Operator (0804) License Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04257>.

(17) FDACS-03518 (02/13), Indemnity Bond (\$300,000),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04258>.

(18) FDACS-03519 (02/13), Indemnity Bond (\$1,000,000),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04259>.

(19) FDACS-03520 (04/14), Liquefied Petroleum Gas Insurance Affidavit Category III LP Gas Cylinder Exchange Operator,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04260>.

(20) FDACS-03521 (02/14), Liquefied Petroleum Gas Insurance Affidavit (For All Licenses Except Category III Cylinder Exchange Operators),

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04261>.

(21) FDACS-03522 (02/14), Facility Inspection Report,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04268>.

(22) FDACS-03523 (11/12), Vehicle Registration Form,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04269>.

(23) FDACS-03524 (04/18), Odorizers/Importers Quarterly Remittance Report,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-09495>.

(24) FDACS-03525 (02/14), Category IV Liquefied Petroleum Gas Dispenser and RV Servicer (0605) License Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04271>.

(25) FDACS-03527 (02/14), Master Qualifier Declaration of Eligibility,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04273>.

(26) FDACS-03528 (04/14), LP Gas Training Registration Form,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04274>.

(27) FDACS-03529 (02/14), Vehicle Inspection Report,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04275>.

(28) FDACS-03530 (02/14), LP Gas Installers (0603, 0605, 0606) License Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04276>.

(29) FDACS-03531 (02/14), Liquefied Petroleum Gas Installer E (0405) License Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04277>.

(30) FDACS-03532 (04/14), Dealer in Appliances and Equipment for Use of Liquefied Petroleum Gas (0602) License Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04278>.

(31) FDACS-03533 (04/14), Pipeline System Operator (0804) License Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04279>.

(32) FDACS-03534 (02/14), Category V Liquefied Petroleum Gases Dealer for Industrial Uses Only (0606) License Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04280>.

(33) FDACS-03536 (02/14), Category III LP Gas Cylinder Exchange Operator (0404) License Renewal Coupon,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04281>.

(34) FDACS-03554 (02/14), Site Plan With Fee,

<https://www.flrules.org/Gateway/reference.asp?No=Ref-04282>.

(35) FDACS-03555 (02/14), Qualifier/Master Qualifier Position Location Transfer Request,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04283>.

(36) FDACS-03559 (04/14), Site Plan With No Fee,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04284>.

(37) FDACS-03564 (02/14), Stop Use Order,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04286>.

(38) FDACS-03565 (02/14), Liquefied Petroleum Gas Installer F (0406) License Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04287>.

(39) FDACS-03566 (04/14), Category III LP Gas Cylinder Exchange Operator (0404) License Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04288>.

(40) FDACS-03567 (02/14), LP Gas Dispensers (0409, 0411, 0604) License Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04289>.

(41) FDACS-03568 (02/14), LP Gas Installer (0405, 0406, 0407, 0408, 0803) License Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04290>.

(42) FDACS-03569 (02/14), Qualifier/Master Qualifier LP Gas Dealer (0601) Renewal Application,

<http://www.flrules.org/Gateway/reference.asp?No=Ref-04291>.

~~(43) FDACS 03570 (02/14), Qualifier LP Gas Installer (0803) Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04292>.~~

~~(44) FDACS 03571 (04/14), Dealer in Appliances and Equipment for Use of Liquefied Petroleum Gas (0602) License Renewal Coupon, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04293>.~~

~~(45) FDACS 03572 (02/14), Qualifier/Master Qualifier LP Gas Installer (0803) Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04294>.~~

~~(46) FDACS 03573 (02/14), Qualifier LP Gas Dealer (0601) Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04295>.~~

~~(47) FDACS 03574 (02/14), Manufacturer of Liquefied Petroleum Gas Appliances and Equipment (0402) License Renewal Application, <http://www.flrules.org/Gateway/reference.asp?No=Ref-04296>.  
Rulemaking Authority 527.0201, 527.06, 570.07(23) FS. Law Implemented 119.07(4)(c), 527.02, 527.0201, 527.021, 527.03, 527.04, 527.055, 527.06, 527.0605, 527.061, 527.11 FS. History–New 6-8-88, Amended 2-5-91, 3-18-92, Formerly 4B-1.034, Amended 7-20-95, 6-8-99, 7-28-14, Formerly 5F-11.004, Amended 6-28-17, 6-27-18,\_\_\_\_\_.~~

5J-20.012 Installer Licenses.

Rulemaking Authority 527.06 FS. Law Implemented 527.01(11), 527.02(2), 527.0201, 527.04 FS. History–New 8-31-93, Formerly 4B-1.036, Amended 9-2-02, 7-28-14, Formerly 5F-11.012, Repealed.

5J-20.013 Minimum Storage as Relates to Liquefied Petroleum Gas.

Rulemaking Authority 527.06 FS. Law Implemented 527.11 FS. History–New 8-7-80, Formerly 4A-1.13, Amended 7-18-85, Formerly 4B-1.10, Amended 10-8-86, 2-6-90, Formerly 4B-1.010, Amended 7-20-95, 9-5-01, 7-28-14, Formerly 5F-11.013, Repealed.

5J-20.021 Testing and Repairing Containers.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History–New 8-7-80, Formerly 4A-1.06, 4B-1.06, 4B-1.006, 5F-11.021, Repealed.

5J-20.022 Marking of Containers; Posting of Owner Contact Information at Dealer Locations.

(1) All dealer-owned containers, aboveground or underground, installed at consumer locations shall be marked in a legible manner with the name and telephone number of the owner by decal, tag, stencil, or similar marking.

(2) Containers gained through acquisition shall be marked as soon as reasonably possible, but no later than 30 days ~~24 months~~ after acquisition.

~~(3) Failure to mark dealer owned containers as prescribed in this rule shall result in the imposition of administrative penalties as provided in rule 5J-20.080, F.A.C.~~

~~(3)(4)~~ Containers at dealer locations (bulk plants and remote storage sites) are not required to be marked with the name and telephone number of the owner as long as this information is prominently posted at the dealer location by signage having easily-readable numbers and letters of at least 4" inches in height. If the signage is posted in an outdoor location, such as on a perimeter fence, it must be constructed of weatherproof material.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History–New 8-7-80, Formerly 4A-1.16, 4B-1.12, 4B-1.012, Amended 3-15-94, 7-28-14, Formerly 5F-11.022, Amended.

5J-20.023 Manufacturer’s Data Sheets Covering ASME Tanks.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History–New 8-7-80, Formerly 4A-1.20, 4B-1.15, 4B-1.015, Amended 7-20-95, 4-30-96, Formerly 5F-11.023, Repealed.

5J-20.025 Color Scheme for Piping Identification.

(1) All bulk and Category II dispenser storage plant liquid liquefied petroleum gas valves and all piping, fittings and pipe coverings within ~~thirty (30")~~ inches of such valves shall be painted red; and all bulk and Category II dispenser storage plant vapor liquefied petroleum gas valves and all piping, fittings and pipe coverings within ~~thirty (30")~~ inches of such valves shall be painted yellow. Where the piping handles liquefied petroleum gas other than propane, the same color coding is to be used and each of the aforesated colors shall be striped with a white stripe – minimum 3/4" inches wide, maximum 1-1/2" inches wide with not more than ~~three (3")~~ inches and not less than ~~two (2")~~ inches separation between such stripes.

(2) Color used on the remainder of the liquid piping shall show contrast to red and shall not be yellow.

(3) Color used on the remainder of the vapor piping shall show contrast to yellow and shall not be red.

(4) In the absence of local coloring codes to the contrary, all water valves and all piping and fittings within ~~thirty (30")~~ inches of such valves ~~located in the liquefied petroleum gas bulk plants~~ shall be colored blue. The remaining piping shall show contrast to blue and shall not be red or yellow.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History–New 8-7-80, Formerly 4A-1.21, 4B-1.16, 4B-1.016, 5F-11.025.

5J-20.026 Unsafe Container or System.

(1)(~~a~~) Any system or container that fails to comply with chapter 527, F.S., this rule chapter, and any standards incorporated by reference shall be designated unsafe by department staff by means of issuance attachment of FDACS-10988 FDACS 03564 (02/14), Stop Use Order, Rev. 02/17, as incorporated by reference in rule 5J-22.002 5J-20.004, F.A.C.,

to the operator of the system or container, ~~also referred to as a "red tag."~~ Each red tag shall identify the container or system and indicate the inspector's name and the date of inspection.

~~(2)(b)~~ Containers or systems under stop use order red-tagged shall not continue in service until all violations have been corrected and the Stop Use Order is removed by department staff by means of issuance of FDACS-03209, Release, Rev. 02/17, as incorporated by reference in rule 5J-22.002, F.A.C.

~~(2)~~ The owner of any container or system red-tagged will be notified immediately by the department and furnished a copy of the inspection report identifying the violations found.

~~(3)(a)~~ A red tag placed on a system or container shall not be removed until all violations have been corrected and the department representative removes or authorizes removal of the red tag from the system or container.

~~(b)~~ A system owner will be permitted to remove a red tag when department staff is not available to do so only after the department has acknowledged receipt of documentation or other evidence from the system owner or from another party verifying that all violations have been corrected. The red tag must be returned to the department immediately upon removal.

~~(4)~~ Using or operating any red-tagged container or system or removing a red tag without authorization of the department shall result in the imposition of administrative penalties as provided in rule 5J-20.080, F.A.C.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.10 FS. History—New 3-15-94, Formerly 4B-1.037, Amended 7-20-95, 7-28-14, Formerly 5F-11.026, Amended \_\_\_\_\_.

#### 5J-20.027 Approval of Liquefied Petroleum Gas Containers.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 6-5-97, Amended 1-29-06, 8-2-07, Formerly 5F-11.027, Repealed \_\_\_\_\_.

#### 5J-20.028 Installation of Containers on Roofs of Buildings. Installation of containers on roofs of buildings as referenced in NFPA 58, Section 6.8.7, as incorporated by reference in rule 5J-20.002, F.A.C., ~~6.6.7~~ is prohibited.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.062 FS. History—New 6-8-99, Amended 5-23-00, 9-2-02, 1-29-06, Formerly 5F-11.028, Amended \_\_\_\_\_.

#### 5J-20.029 Inspection of DOT Cylinders.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 5-9-04, Amended 1-29-06, 7-28-14, Formerly 5F-11.029, Repealed \_\_\_\_\_.

#### 5J-20.033 Truck Safety; Regulations.

Rulemaking Authority 527.06, 570.07(23) FS. Law Implemented 527.06 FS. History—New 6-8-88, Formerly 4B-1.033, Amended 3-15-94, Formerly 5F-11.033, Amended 6-28-17, Repealed \_\_\_\_\_.

#### 5J-20.041 Underground Installations.

(1) At intervals not to exceed 60 months, all licensed suppliers of LP gas shall perform bar probe leak surveys utilizing a combustible gas indicator (CGI) meter or equivalent testing procedures guaranteeing the same level of safety on all underground installations for which they are the supplier (including but not limited to all storage containers, integral valves, and piping up to the inlet side of the second stage regulator) and which installations serve the following categories of facilities:

- (a) Places of public assembly;
- (b) Group living facilities;
- (c) Health care facilities;
- (d) Detention and correction facilities; and
- (e) Industrial or commercial facilities.

(2) Educational facilities shall be bar probe leak surveyed upon any change of gas supplier and, or at intervals not to exceed 60 months ~~when the supplier is contractually bound to serve the facility for the entire 60-month period.~~

(3) The supplier shall maintain records of these surveys at their local office of distribution and shall properly date-tag each LP gas system so surveyed.

(4) All underground storage containers that are not included in the requirements pursuant to ~~of~~ subsections (1) and (2) of this rule shall be visually inspected at the time of each fuel delivery. This inspection may be documented by a notation on the fuel delivery ticket or other form designated for this purpose by the gas supplier. Documentary proof of each inspection conducted pursuant to this subsection (4) shall be maintained by the gas supplier for a period of 12 months.

~~(5)~~ The term "underground installation" for the purposes of this rule means any system where liquefied petroleum gas is provided to a consumer from an underground liquefied petroleum gas storage container.

~~(5)(6)~~ This rule shall not apply to those underground installations already subject to the provisions of Parts 191 and 192, Title 49 of the Code of Federal Regulations.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86, Amended 6-8-88, 8-9-92, Formerly 4B-1.027, Amended 11-6-95, 4-30-96, Formerly 5F-11.041, Amended \_\_\_\_\_.

#### 5J-20.042 Underground Tanks; Regulators.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86, Amended 6-8-88, Formerly 4B-1.028, 5F-11.042, Repealed \_\_\_\_\_.

#### 5J-20.044 Out-of-gas, Leak Call, and Interrupted Service Procedure.

(1) Prior to filling an LP gas container in an out-of-gas situation, a licensed LP gas dealer shall:

- (a) Close all container valves.

(b) ~~If practical,~~ Physically check all appliances and appliance outlets to be certain they are closed and check for evidence of appliance changes and open or uncapped lines.

(e) If the customer is not present or appliances are inaccessible, close container(s) valves and provide adequate written notice to the customer of the work done. Written notice shall be deemed adequate when it includes the name and phone number of the servicing company, a description of the work performed, a description of any unsafe conditions found, a telephone contact for restoration of service, and a statement warning against reactivation of service by unauthorized persons.

~~(d) Fill container(s) or replace safely with filled container(s).~~

~~(e) If access is possible, put all appliances back in service, making certain all pilots are properly lighted.~~

~~(2)(f) An LP gas serviceman may, subsequent to the filling of an LP gas container in an out-of-gas situation, perform the safety procedures required in paragraphs (1)(b), (c) and (e), above.~~

~~(3)(2) If reason exists to suspect LP gas leakage, an LP gas license holder or its employee shall:~~

~~(a) Notify the user.~~

~~(b)(a) Check for leakage by performing an appropriate leak test pursuant to Annex C of NFPA 54 as incorporated by reference in rule 5J-20.002, F.A.C.~~

~~(c)(b) Make necessary repairs or leave the system in a safe condition.~~

~~(d)(e) After repairs have been made, place the system back into service pursuant to Chapter 8, NFPA 54 as incorporated by reference in rule 5J-20.002, F.A.C.~~

~~(4)(3) In instances involving the interruption of gas supply to a system, the following procedures shall be followed:~~

~~(a) Notify the user.~~

~~(b) If access is possible, put all appliances back in service, making certain all pilots are properly lighted.~~

~~(c)(a) The LP gas license holder or its employee shall check for leakage of the affected areas of the system pursuant to Chapter 8, NFPA 54 as incorporated by reference in rule 5J-20.002, F.A.C.~~

~~(d)(b) A leak test of the system as prescribed in Annex C of NFPA 54 as incorporated by reference in rule 5J-20.002, F.A.C., must be performed and the results documented prior to placing the system back into service.~~

~~(e)(e) A leak test as prescribed in Annex C of NFPA 54 as incorporated by reference in rule 5J-20.002, F.A.C., shall not be required where the LP gas license holder or its employee has caused the interruption of the gas supply to the system for the purpose of minor repairs to the system, and where the license holder or its employee remains on the system site and monitors the system during the service. However, the repairs shall be leak~~

tested by means of an approved combustible gas detector or a leak detector solution.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 7-23-86, Amended 6-8-88, 2-6-90, 12-31-91, Formerly 4B-1.030, Amended 1-29-06, 7-28-14, Formerly 5F-11.044, Amended 6-27-18, \_\_\_\_\_.

5J-20.046 Introducing Gas into Containers for Transportation; ~~Dealer to Insure Compliance.~~

No dealer or dispenser of ~~in~~ liquefied petroleum gas shall introduce liquefied petroleum gas into any container if such is to be transported in or on any vehicle unless the provisions of NFPA No. 58, Chapter 9, as incorporated by reference in rule 5J-20.002, F.A.C., are complied with. It shall be the responsibility of the dealer or dispenser to insure that the transportation of any such container brought to his premises and while upon or about his premises complies with the above stated regulations subsequent to filling.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Formerly 4A-1.15, Amended 7-18-85, Formerly 4B-1.11, Amended 10-8-86, 2-6-90, Formerly 4B-1.011, Amended 1-29-06, Formerly 5F-11.046, Amended \_\_\_\_\_.

5J-20.047 Connecting or Disconnecting Containers or Systems; Notice to Owner; Transportation.

(1) No person, firm or corporation, other than the owner and those authorized by the owner, shall connect or disconnect any container, or system containing liquefied petroleum gas, except in an out-of-gas situation, unless due and sufficient notice has been given by any person, firm, or corporation to the owner of the container or system prior to disconnecting or connecting such container or system. Due and sufficient notice shall be received by the owner at least two (2) working days prior to installing the container or system of said person, firm, or corporation, and shall be evidenced by a signed receipt. Acceptable evidence of receipt of notification shall be a signed certified mail receipt, signed receipt of hand delivery, email delivery confirmation, or facsimile transmission receipt. If, after two working days, the container or system has not been disconnected by the owner, the said person, firm, or corporation, may then disconnect downstream of the system regulator or meter. It shall be mandatory that the person, firm, or corporation who so disconnects any such container, whether empty or full, upon the premises of a consumer, does so in a manner that renders the container tight with valves turned off, the container service valve plugged with brass or steel fittings, and all other container or system openings properly plugged. In addition, any container or system disconnected must be done so in a manner that is in compliance with the requirements of NFPA 58, as incorporated by reference in rule 5J-20.002, F.A.C. Notices of disconnect shall expire after 30 days. If the container or system is not disconnected prior to the expiration

of the disconnect notice, a new notice of disconnect must be issued in compliance with the provisions of this rule.

~~(2) Connecting or disconnecting a container or system without providing due and sufficient notice as prescribed in this rule shall result in the imposition of administrative penalties as provided in rule 5J-20.080, F.A.C.~~

~~(2)(3)~~ In an out-of-gas situation and upon receiving authorization from the end user or owner of the container or system, the person, firm, or corporation may disconnect the container or system downstream of the system regulator or meter. A person, firm, or corporation who disconnects any container or system shall notify the owner of the container or system within 24 hours, ~~followed by written notification within five (5) working days after said disconnect.~~ Acceptable evidence of receipt of notification shall be a signed certified mail receipt, signed receipt of hand delivery, email delivery confirmation, or facsimile transmission receipt.

~~(3)(4)~~ All disconnected container or systems must be timely removed from the premises of the consumer or end-user or must be timely and lawfully abandoned. Disconnected aboveground containers or systems and underground containers being stored above ground must be removed or lawfully abandoned within 5 ten (10) days after disconnect. Disconnected underground containers or systems must be removed or lawfully abandoned within 30 days after disconnect. No person, firm or corporation, other than the owner and those authorized to do so, shall transport or carry by any means of conveyance whatsoever, any container containing liquefied petroleum gas, whether in the liquid or vapor state.

~~(5) Failure to timely remove a disconnected container or system from the premises of the consumer or end user or to timely and lawfully abandon the container or system shall result in the imposition of administrative penalties as provided in rule 5J-20.080, F.A.C.~~

~~(4)(6)~~ Complaints from consumers, liquefied petroleum gas industry-members, agencies, or other entities concerning violations of this rule must be filed within 30 90 days of the violation's occurrence.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.07 FS. History—New 8-7-80, Formerly 4A-1.11, Amended 7-18-85, Formerly 4B-1.08, Amended 2-6-90, 2-5-91, Formerly 4B-1.008, Amended 7-28-14, Formerly 5F-11.047, Amended.

5J-20.049 Use of Liquefied Petroleum Gas Limited.

~~(1)~~ No person, firm, or corporation shall use liquefied petroleum gas as a source of pressure in lieu of compressed air in operating emergency shut off valves, spray guns and other similar equipment.

~~(2)(a) The use, sale, and distribution of refrigerants containing liquefied petroleum gas is prohibited for use in mobile air conditioning systems.~~

~~(b) "Mobile air conditioning system" means mechanical vapor compression equipment which is used to cool the driver's or passenger compartment of any motor vehicle.~~

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 8-7-80, Formerly 4A-1.04, Amended 7-18-85, Formerly 4B-1.04, Amended 2-15-94, Formerly 4B-1.004, 5F-11.049, Amended.

5J-20.050 Installation of Unvented Room Heaters.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 1-24-95, Amended 1-29-06, 8-2-07, Formerly 5F-11.050, Amended 6-27-18, Repealed.

5J-20.051 Construction Notification.

Rulemaking Authority 527.06 FS. Law Implemented 527.06 FS. History—New 4-30-96, Formerly 5F-11.051, Repealed.

5J-20.060 Documentation of Training, General.

(1) Documentation of employee training, as required in NFPA 58, incorporated adopted in rule 5J-20.002, F.A.C., shall include the following:

- (a) Employee's nName and signature;
- (b) Employee's primary job responsibilities and duties;
- (c) Date of completed employee training;
- (d) Description, copy or location of the materials used to conduct the training, including the topics covered by the training;
- (e) Name, address and phone number of the person or organization conducting the training;
- (f) Signature of employee supervisor or trainer verifying training and evaluation.

(2) Documentation shall be maintained at the employee's place of business and shall be available for inspection by the department bureau upon request.

Rulemaking Authority ~~527.02(4)~~, 527.0201, 527.06 FS. Law Implemented ~~527.02(4)~~, 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.060, Amended.

5J-20.061 Qualifier and Master Qualifier Examinations; Applicant Qualifications and Testing Requirements.

(1) Applicants for examination for competency must submit FDACS-03584 LP Gas Qualifier and Master Qualifier Registration Application, 02/19 FDACS-03504 (05/18), LP Gas Examination Scheduling Request, as incorporated by reference in rule 5J-20.004, F.A.C., along with the required non-refundable examination fee set forth in section 527.0201(1) or 527.0201(5)(a), F.S. ~~Applicants will be scheduled for the next available examination administration at the site designated by the applicant on this form.~~

(2) Testing Requirements – Areas of competency

- (a) Qualifiers

1. All registrants for a Category I Qualifier designation shall be tested on the properties and characteristics, transportation, liquid transfer, service/installation, and bulk plant operation/distribution of liquefied petroleum gas as well as the LP gas laws, rules, and regulations as specified in chapter 527, F.S. and this rule chapter.

2. All registrants for a Category II Qualifier designation shall be tested on the properties and characteristics, inspection of cylinders/containers/valves, liquid transfer, transportation of cylinders/containers, and safety of liquefied petroleum gas as well as the LP gas laws, rules, and regulations specified in chapter 527, F.S. and this rule chapter.

3. All registrants for a Category V qualifier designation shall be tested on the properties and characteristics, inspection of cylinders/containers/valves, liquid transfer, safety, service and installation of liquefied petroleum gas as well as the LP gas laws, rules, and regulations specified in chapter 527, F.S. and this rule chapter.

(b) Master Qualifiers

1. All registrants for a Category I Master Qualifier designation shall be tested on the properties and characteristics, transportation, liquid transfer, service/installation, and bulk plant operation/distribution of liquefied petroleum gas as well as the LP gas laws, rules, and regulations specified in chapter 527, F.S. and this rule chapter.

2. All registrants for a Category V Master Qualifier designation shall be tested on the properties and characteristics, inspection of cylinders/containers/valves, liquid transfer, safety, service and installation of liquefied petroleum gas as well as the LP gas laws, rules, and regulations specified in chapter 527, F.S. and this rule chapter.

(3) All areas of competency as described in subsection (2) above shall be given equal weight during grading of the examination.

~~(4)(2)~~ As evidence of reasonable competency and qualification, Master Qualifier applicants must be a Category I Liquefied Petroleum Gas Dealer or Category V LP Gas Installer Qualifier respectively, and shall have a minimum of 3 ~~one~~ year's verifiable experience in the liquefied petroleum gas industry within the ~~ten~~ (10) years immediately preceding submission of the application for Master Qualifier examination. Acceptable experience shall include work with a liquefied petroleum gas company where the applicant performed activities that fall within one or more of the following categories:

- (a) Maintenance of gas facilities and equipment.
- (b) Gas storage and distribution facility operations and safety.
- (c) Gas transportation, delivery, product transfer.
- (d) Gas tanks, cylinders and equipment.

(e) Gas liquid and vapor distribution systems and equipment.

(f) Gas equipment and appliance service, installation and repair.

~~(3) Each applicant for Master Qualifier examination shall provide documentation to the department certifying eligibility as a Master Qualifier for a licensed Category I Liquefied Petroleum Gas Dealer or LP Gas Installer in the state of Florida. Documentation shall be provided by submitting FDACS 03527 (02/14), Master Qualifier Declaration of Eligibility, as incorporated by reference in rule 5J-20.004, F.A.C., and shall include the following:~~

- ~~(a) Applicant's Name;~~
- ~~(b) Mailing Address;~~
- ~~(c) Name and license number of employer, or date of application if pending;~~
- ~~(d) Statement of eligibility, signed by the applicant, as a supervisor, manager, owner, or other person primarily responsible for the daily operations of the licensee;~~
- ~~(e) Verification of employment with a licensed Category I Liquefied Petroleum Gas Dealer or LP Gas Installer; and,~~
- ~~(f) Copy of the applicant's examination qualification card as a Category I Liquefied Petroleum Gas Dealer or LP Gas Installer qualifier.~~

Rulemaking Authority 527.0201, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.061, Amended 6-27-18, \_\_\_\_\_.

5J-20.062 Approved Courses of Continuing Education.

(1) Courses, which cover one or more of the following topics, shall be approved for continuing education credit as ~~required in Section 527.0201, F.S.,~~ for Category I, II and V Liquefied Petroleum Gas Dealer Qualifiers, LP Gas Installer Qualifiers, and Master Qualifiers:

- (a) Inspections and maintenance of LP gas facilities and equipment.
- (b) State and federal LP gas laws, rules and regulations, codes and standards.
- (c) Gas emergency procedures, fire protection, or risk management planning.
- (d) Gas storage and distribution facility operations and safety.
- (e) Gas transportation and delivery.
- (f) Gas liquid transfer.
- (g) Gas tanks, cylinders and equipment.
- (h) Gas liquid and vapor distribution systems and equipment.
- (i) Gas equipment and appliance service, installation and repair.



(2) Sixteen hours of continuing education during the three-year period must be attained in order for the ~~Q~~ualifier or ~~M~~aster ~~Q~~ualifier to renew certification. Continuing education credits will be granted on an hour-for-hour basis for up to four ~~(4)~~ hours credit per class. For each ~~3 year period~~~~16 hours of continuing education credits~~, a minimum of two hours shall be from items (a), (b) or (c) in subsection (1) above.

(3) Continuing education classes provided by the employer shall be documented as outlined in rule 5J-20.060, F.A.C., and records shall be maintained for a period of three years at the employee's work location. These records shall be available for inspection by the department bureau upon request.

(4) No more than two approved courses per topic as listed in subsection (1) shall be accepted in order to meet the 16 hour requirement.

(5) No more than four credit hours shall be accepted for safety related meetings that have not been approved pursuant to rule 5J-20.063, F.A.C.

Rulemaking Authority 527.0201, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.062, Amended.

5J-20.063 Approval of Outside Vendor Training Programs.

(1) Outside vendors providing training to industry personnel for the purposes of continuing education credits shall submit FDACS-03586, LP Gas Continuing Education Course Approval Application, 02/19, as incorporated by reference in rule 5J-20.004, F.A.C. ~~the following documentation to the bureau for review and approval.:~~

- ~~(a) Name and qualifications of each instructor.~~
- ~~(b) Course Title as it is to appear on any advertisements or in internal company records.~~
- ~~(c) Course Time Table, which outlines the approximate schedule for the course, specifying the total number of training hours for the course.~~
- ~~(d) Course Description, which shall relate to the inspection and technical skills required for students and meet the criteria set forth in rule 5J-20.062, F.A.C.~~
- ~~(e) Course Objectives and Goals, which clearly and specifically state what skills or knowledge the applicants should be able to demonstrate when the course is successfully completed.~~
- ~~(f) Method of Course Presentation, which shall describe how the content will be presented, such as lecture, discussion, multimedia presentations, computer based training, or other specified methods.~~
- ~~(g) Method of Evaluation of Course Participants, which shall specify how students will be evaluated, such as written examination, demonstration of skills, observation, or other specified method.~~

~~(h) Topical Outline of the Course, which indicates the order in which the course subject matter will be presented to the course participants.~~

- ~~(i) A copy of course materials to be used during training.~~
- ~~(2) Courses which fail to meet the criteria of chapter 527, F.S. or this rule will not be approved by the department and section shall not be eligible for continuing education credits.~~

(3) The outside vendor shall review the course content annually and immediately notify the department bureau of any revisions to course materials or documents and shall provide copies of such revisions or documents to the department bureau for review.

(4) The approval for such courses will expire five years from the approval date. Courses must be reapproved in order to be eligible for continuing education credits.

Rulemaking Authority ~~527.02(2), (4)(e);~~ 527.0201, 527.055, 527.06 FS. Law Implemented ~~527.02(2), (4)(e);~~ 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Formerly 5F-11.063, Amended.

5J-20.064 Renewal of Qualifier and Master Qualifier Certificates.

~~(1) In order to renew their qualification, all ~~Category I Liquefied Petroleum Gas dealer qualifiers, LP Gas Installer Q~~ualifiers and Master Qualifiers shall submit a renewal fee, registration renewal application and documentation of a minimum of 16 continuing education hours using FDACS-03584, LP Gas Qualifier and Master Qualifier Registration Application, 02/19, one of the following department forms as appropriate: FDACS-03569 (02/14), Qualifier/Master Qualifier LP Gas Dealer (0601) Renewal Application, as incorporated by reference in rule 5J-20.004, F.A.C.; FDACS-03572 (02/14), Qualifier/Master Qualifier LP Gas Installer (0803) Renewal Application, as incorporated by reference in rule 5J-20.004, F.A.C.; FDACS-03573 (02/14), Qualifier LP Gas Dealer (0601) Renewal Application, as incorporated by reference in rule 5J-20.004, F.A.C.; or FDACS-03570 (02/14), Qualifier LP Gas Installer (0803) Renewal Application, as incorporated by reference in rule 5J-20.004, F.A.C. The renewal fee, as prescribed in section 527.0201, F.S., is \$20 for each Category I Liquefied Petroleum Gas Dealer qualifier and LP Gas Installer qualifier, and \$30 for each Master Qualifier. Additionally, each person designated as Master Qualifier for a license holder must submit documentation of eligibility by submitting FDACS-03527 (02/14), entitled Master Qualifier Declaration of Eligibility, as incorporated by reference in rule 5J-20.004, F.A.C., as a manager, owner, or person otherwise primarily responsible for overseeing the operations of the licensed location.~~

~~(2) Master Qualifiers who wish to renew their qualification but who are not the designated Master Qualifier for a license holder or license applicant, may renew their qualification and maintain the qualification on inactive status.~~

Rulemaking Authority 527.0201, 527.055, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.064, Amended \_\_\_\_\_.

#### 5J-20.065 Re-examination Procedures.

An applicant who fails any part of an examination is eligible to be re-examined on those parts failed. The applicant must submit FDACS-03584, LP Gas Qualifier and Master Qualifier Registration Application, 02/19 FDACS 03504 (05/18), LP Gas Examination Scheduling Request, as incorporated by reference in rule 5J-20.004, F.A.C., and the applicable non-refundable examination fee as set forth in either sections 527.0201(1) or 527.0201(5)(a), F.S., for the type of examination being taken. Re-examinations must be completed within 90 calendar days of the original examination; however, no examinee is permitted to retake the failed examination more than two times within the 90-day period. If the applicant does not successfully complete and obtain a passing grade on the examination re-take within the 90-day period, the examinee shall be given a failing grade. After a 30-day period, the applicant must reapply to retake the entire examination by submitting FDACS 03504 (05/18), LP Gas Examination Scheduling Request, as incorporated by reference in rule 5J-20.004, F.A.C., along with the required non-refundable examination fee referenced above.

Rulemaking Authority 527.055, 527.06 FS. Law Implemented 527.0201, 527.055, 527.06 FS. History—New 1-15-02, Amended 7-28-14, Formerly 5F-11.065, Amended 6-27-18, \_\_\_\_\_.

#### 5J-20.066 Reporting of Qualifier and Master Qualifier Vacancies.

For purposes of Section 527.0201(6), F.S., vacancies in a Qualifier or Master Qualifier position resulting from the departure of the Qualifier or Master Qualifier shall be reported to the department in writing by the Qualifier or Master Qualifier and the licensed company no later than two working days following the day on which the Qualifier or Master Qualifier departed from, or was no longer working at or associated with, the licensed business location. Such notice shall be submitted to the Division of Consumer Services by mail to the Department of Agriculture and Consumer Services, 2005 Apalachee Parkway, Mail Stop R-8, Tallahassee, Florida 32399-6500, by email at [QualifierVacancyNotice@freshfromflorida.com](mailto:QualifierVacancyNotice@freshfromflorida.com), or by facsimile transmission at the following fax number: (850) ~~410-3804~~ ~~921-1612~~. Qualifiers and Master Qualifiers transferring to another licensed business location shall notify the Division of Consumer Services of the transfer by submitting FDACS-03585, LP Gas Material Change and Duplicate Licenses Form,

~~02/19 FDACS 03555 (02/14), Qualifier/Master Qualifier Position Location Transfer Request~~, as incorporated by reference in rule 5J-20.004, F.A.C.

Rulemaking Authority 527.06 FS. Law Implemented 527.0201(6), 527.055, 527.06 FS. History—New 7-28-14, Formerly 5F-11.066, Amended 6-27-18, \_\_\_\_\_.

#### 5J-20.072 Payment of Assessments; Penalties.

(1) Payment of the quarterly assessment shall be based on the odorized gallonage sold or imported into Florida during the quarter. Each producer or marketer shall certify to the department the volume of each load of propane gas sold or imported at the end of each quarter. The volume of propane gas sold for export outside the state shall also be certified to the department for audit purposes only. The amount of the quarterly assessment to be paid and certification of load volume shall be provided on ~~form~~ FDACS-03524 (04/18), LP Gas Odorizers/Importers Quarterly Remittance Report, Rev. 10/18, as incorporated by reference in rule 5J-20.004, F.A.C.

(2) Assessment payments and the completed LP Gas Odorizers/Importers Quarterly Remittance Report must be received by the department no later than 45 calendar days after the end of each quarter. ~~If the 45<sup>th</sup> day falls on a Saturday, Sunday or legal holiday, payments received on the first following business day shall not be considered late.~~

#### (3) No change.

Rulemaking Authority 527.23(13) FS. Law Implemented 527.12, 527.13, 527.23(9), (12) FS. History—New 7-8-98, Amended 1-1-14, Formerly 5F-11.072, Amended 6-27-18, \_\_\_\_\_.

#### 5J-20.073 Payment Agreements; Purchaser Responsibilities.

Rulemaking Authority 527.23(13) FS. Law Implemented 527.23(12) FS. History—New 7-8-98, Formerly 5F-11.073, Repealed \_\_\_\_\_.

#### 5J-20.078 Inspection Identification Stickers Facility Inspection Report; Vehicle Inspection Report; Notice of Required Correction; Failure to Correct.

~~(1) The department will provide a FDACS 03522 (02/14), Facility Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., or FDACS 03529 (02/14), Vehicle Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., as applicable, to the owner or operator of any facility, building, system, equipment, vehicle, or premises inspected by the department pursuant to section 527.061, F.S. The FDACS 03522 (02/14), Facility Inspection Report or FDACS 03529 (02/14), Vehicle Inspection Report shall note any law, rule, or code violations or deficiencies found and will provide a time frame for correction, if appropriate. If no violations are present, the FDACS 03522 (02/14), Facility Inspection Report or FDACS 03529 (02/14), Vehicle Inspection report shall so indicate. The department shall issue a~~

~~notice of required correction indicating the date after which re-inspection will occur and notifying the responsible party or parties that penalties may be imposed pursuant to rule 5J-20.080, F.A.C., for failure to timely correct the deficiencies noted in an inspection report. A copy of the FDACS 03522 (02/14), Facility Inspection Report or FDACS 03529 (02/14), Vehicle Inspection Report shall be included with the notice of required correction.~~

~~(2) If additional time is required in which to correct code violations or deficiencies noted in a FDACS 03522 (02/14), Facility Inspection Report, as incorporated by reference in rule 5J 20.004, F.A.C., or FDACS 03529 (02/14), Vehicle Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., the facility or vehicle owner or operator must submit a request for extension. All such requests shall be in writing and must be received by the department prior to the expiration of the time frame for correction stated in the report. The request for extension will only be granted if the reason for additional time is due to events beyond the control of the owner/operator and if the owner/operator has made a good faith effort to comply within the original time period provided. If an extension request is granted, written approval will be provided to the facility or vehicle owner or operator by the department which will reflect the new date by which deficiencies shall be corrected.~~

~~(3) Unless otherwise specified in this rule chapter, failure to correct law, rule, or code deficiencies identified in a FDACS 03522 (02/14), Facility Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., or FDACS 03529 (02/14), Vehicle Inspection Report, as incorporated by reference in rule 5J 20.004, F.A.C., and included in a notice of required correction within the time period specified shall result in imposition of penalties as provided in rule 5J-20.080, F.A.C.~~

(4) The department shall affix a decal to any container, storage unit, liquefied petroleum gas system, or liquefied petroleum gas equipment or device to indicate that it has been inspected pursuant to section 527.061, F.S. The decal shall be affixed in a manner that ensures it can be easily read by the public, but shall not obstruct other information on the inspected item intended to provide important information to the public, such as the owner's contact information or information regarding propane safety. Decals shall only be removed, replaced, or altered by department personnel.

Rulemaking Authority 527.06 FS. Law Implemented 527.06, 527.061, 527.12, 527.13, 527.14 FS. History—New 7-28-14, Formerly 5F-11.078, Amended.

5J-20.080 Enforcement Actions and Administrative Penalties.

(1) This rule sets forth the guidelines the department will follow in imposing the penalties and enforcement actions

authorized under sections 527.13 and 527.14, F.S. The purpose of the guidelines is to give notice of the range of penalties which will be imposed for a single violation within a three (3) year period. The three-year period shall be based on the date of the last administrative enforcement action or administrative penalty imposed for the same violation. These guidelines list aggravating and mitigating factors that, if present, will reduce or increase penalties to be imposed. ~~No aggravating factors will be applied to increase a fine imposed for a single violation above the statutory maximum of \$3,000 per violation.~~ The guidelines in this rule chapter are based upon a single count violation of each provision listed. Multiple counts of the violated provision or a combination of the listed violations will be added together to determine an overall total penalty and will be grounds for enhancement of penalties.

(2) The department will enforce compliance with chapter 527, F.S., and this rule chapter by issuing an administrative complaint, notice of noncompliance, a stop use order (~~red tag~~), and/or an immediate final order, including a cease and desist order., ~~for violations of chapter 527, F.S., and this rule chapter, and for violations of codes adopted pursuant to rule 5J-20.002, F.A.C.~~

(3) Stop Use Orders. The department shall issue a FDACS-10988, 03564 (02/14), Stop Use Order, Rev. 02/17, as incorporated by reference in rule 5J-22.002 ~~5J-20.004~~, F.A.C., whenever necessary to effectuate the statutory duties of the department in the interests of public health, safety, and welfare and to promote public safety where the installation, operation, maintenance, or condition of a liquefied petroleum gas container or system, including a cylinder storage unit, fails to comply with the codes adopted in rule 5J-20.002, F.A.C., or with any provision of chapter 527, F.S., or this rule chapter.

(4) Rule Not All-Inclusive. This rule contains illustrative violations. It does not, and is not intended to encompass all possible violations of statute or department rule that might be committed by any person. The absence of any violation from this rule chapter shall in no way be construed to indicate that the violation does not cause harm to the public or is not subject to a penalty. In any instance where the violation is not listed in this rule chapter, the penalty will be determined by consideration of:

(a) The closet analogous violation, if any, that is listed in this rule chapter; and,

(b) The mitigating or aggravating factors listed in this rule.

(5) Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining penalties for violations of chapter 527, F.S., and this rule chapter. Aggravating factors, as defined in paragraph (5)(a) of this rule, shall warrant the adjustment of the fine upward from \$500 to \$1,000 per violation per aggravating factor and mitigating factors, as defined in paragraph (5)(b) of this rule,

~~shall warrant the adjustment of the fine downward from \$500 to \$1,000 per violation per mitigating factor. Aggravating factors shall warrant the adjustment of any fine imposed upward by an additional amount equal to 50% of the fine amount and mitigating factors shall warrant the adjustment of the fine downward by reducing the fine by 50%. In no event shall a fine exceed the statutory maximum as outlined in section 527.13, F.S. If a warning letter is imposed for an initial violation, a second violation within a three year period shall result in a \$250 fine. Both aggravating and mitigating factors, if present, shall be applied against each single count of the listed violation regardless of whether the violation is a Tier I minor violation or a Tier II major violation as described in paragraphs 5J-20.080(9)(a) (10)(a) and (b), F.A.C.~~

(a) Aggravating Factors:

1. The violation caused, or has the potential to cause, serious injury to a person.
2. The violation endangered the public safety or welfare.
- ~~3. Previous violations within the preceding three years for the same or a similar offense that resulted in imposition of administrative penalties, issuance of a warning letter, or suspension or revocation of license.~~
- ~~3.4.~~ The violation occurred for more than 24 hours with the violator's knowledge.
- ~~4.5.~~ The violator impeded, or otherwise failed to cooperate with, the department's inspection or investigation.
- ~~5.6.~~ Previous disciplinary actions within the preceding three years against the violator involving any violation of chapter 527, F.S. or rule chapter 5J-20, F.A.C.
- ~~6.7.~~ The violator's prior knowledge of chapter 527, F.S., and rule chapter 5J-20, F.A.C.
- ~~7.8. Whether t~~The violation resulted from negligence or an intentional act.
- ~~8.9.~~ The cost of the enforcement action.
- ~~9.10.~~ The benefit to the violator.

(b) Mitigating Factors:

1. Any documented efforts by the violator at rehabilitation, including, but not limited to, successful completion of training courses directly related to the offense committed.
2. ~~Whether i~~Intentional actions of another party prevented the violator from complying with the applicable laws or rules.
3. Documented fFinancial hardship.
4. Acts of God or nature that impaired the ability of the violator to comply with chapter 527, F.S. or rule chapter 5J-20, F.A.C.
- ~~5. The violation has a low risk of, or did not result in, harm to the public health, safety, or welfare.~~
- ~~5.6.~~ The violator took affirmative or corrective action within twenty-four hours of receiving written notification of the violation.

~~6.7.~~ The disciplinary history contains no violations within the prior three years of the person committing the violation.

~~8.~~ If a repeat violation, whether three or more years have passed since the prior violation.

~~9.~~ If the violation involves failure to timely provide documentation of employee training, demonstration by the employee that he is capable of successfully performing the activity addressed in the training.

~~(6)~~ The provision of this rule chapter shall not be construed so as to prohibit or limit any other civil or criminal prosecution that may be brought.

~~(7)~~ In addition to the penalties established in this rule, the department reserves the right to seek to recover any other costs, penalties, attorney's fees, court costs, service fees, collection costs, and damages allowed by law. Additionally, the department reserves the right to seek to recover any costs, penalties, attorney's fees, court costs, service fees, and collection costs resulting from a payment that is returned for insufficient funds to the department.

~~(6)(8)~~ Notice of noncompliance. Any department investigation or inspection that reveals minor violations of this rule chapter for which the department has reason to believe that the violator was unaware of the rule or unclear as to how to comply with it, will result in the issuance of a notice of noncompliance as the department's first response to the violation. The following shall be considered minor violations for which a notice of noncompliance shall be issued for the first occurrence only:

- (a) Lack of proper signage;
- (b) Propane containers in need of paint;
- ~~(c)~~ Failure to remove or maintain weeds, grass, or vegetation growing around containers;
- ~~(c)(d)~~ Minor corrosion issues; or
- ~~(d)(e)~~ Accumulation or storage Storage of combustibles too close to a container.

~~(9)~~ Warning Letter. In lieu of an administrative fine or other penalty, a warning letter shall be issued to the license holder, master qualifier, qualifier, or any person for a first violation of any of the following:

~~(e)(a)~~ Conducting LP gas activities as defined in section 527.01, F.S., under the Category ~~IV~~ III, or Category ~~VI~~ IV, ~~Manufacturer of liquefied petroleum gas appliances and equipment, or Dealer in appliances and equipment for use of liquefied petroleum gas licensure categories without a license,~~ including while any licensure application is pending, where the unlicensed activity did not contribute to or cause an LP gas related accident.

~~(b)~~ Conducting LP gas activities without insurance as required in sections 527.02 and 527.04, F.S., including conducting LP gas activities after insurance coverage has expired or has been cancelled, but only where the required

~~insurance was obtained no more than thirty (30) days after the uninsured LP gas activity occurred, or insurance coverage expired or was cancelled.~~

~~(f)(e)~~ Failure to mark dealer-owned containers in service in a legible manner with the name and phone number of the owner.

~~(g)(d)~~ Failure to maintain or make immediately available to the department upon request employee training records.

~~(9)(10)~~ Violations. For the purposes of imposing the penalties and enforcement actions provided for in sections 527.13 and 527.14, F.S., violations shall be designated as either Tier I or Tier II “minor” or “major”.

(a) Tier I Minor Violations. A violation of chapter 527, F.S., or this rule chapter is a minor violation if it does not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Tier I Minor violations shall result in imposition of a fine of up to \$1,000. The following violations shall be considered Tier I minor violations:

1. A subsequent violation of any of the violations enumerated in subsections (8) or ~~(9)~~, above, within a three-year period.

2. Failure to timely notify the department of a loss of Qualifier or Master Qualifier in violation of section 527.0201, F.S.

3. Connecting or disconnecting a container or system without due and sufficient notice as required under rule 5J-20.047, F.A.C.

4. Failure to timely remove or lawfully abandon a disconnected container or system from the premises of the consumer or end-user in accordance with rule 5J-20.047, F.A.C.

5. Except as otherwise stated in paragraph ~~(8)(e)~~ ~~(9)(a)~~, above, conducting LP gas activities as defined in section 527.01, F.S., without a license, including while any licensure application is pending, or while the license is inoperative because of failure to renew, or conducting LP gas activities after the qualification status of the duly-designated Qualifier or Master Qualifier has expired, where the unlicensed activity did not contribute to or cause an LP gas related accident.

6. Any violation involving LP gas found during a department accident investigation that contributed to the accident, but was not a direct cause of the accident, and resulted in the following:

a. Personal injury not requiring professional medical treatment; or

b. Property damage of \$25,000 or less.

7. Conducting LP gas activities without insurance as required in sections 527.02 and 527.04, F.S., including conducting LP gas activities after insurance coverage has expired or has been cancelled, ~~where the required insurance was obtained more than thirty (30) days after the uninsured LP gas~~

~~activity occurred, or insurance coverage expired or was cancelled.~~

8. Failure to correct non-hazardous law, rule, or code deficiencies identified in a Notice of Non-Compliance ~~FDACS-03522 (02/14), Facility Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., or FDACS-03529 (02/14), Vehicle Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., and included in a notice of required~~ ~~correction~~, within the time period specified.

9. Falsification of records relating to application for, or renewal of, Qualifier or Master Qualifier status, including but not limited to misrepresentation of eligibility, of position within the licensed company, or place of full-time employment.

10. Failure to perform and/or document the following periodic testing required on propane cargo vehicles within the time frames ~~prescribed in Title 49, Code of Federal Regulations~~, as referenced in NFPA 58, as incorporated by reference ~~adopted~~ in rule 5J-20.002, F.A.C.:

a. Annual external visual and leak test;

b. Cargo ~~Five year cargo vessel~~-pressure test;

c. Monthly delivery hose inspection; or

d. Monthly emergency shut-off valve test.

11. Failure to provide local emergency response personnel with emergency contacts for after-hour emergencies, failure to post emergency numbers on the premises, or failure to relay messages on emergency answering services or machines within time frames as required by section 527.065(3), F.S.

12. Failure to timely notify the department of any accident meeting the criteria of section 527.065, F.S.

13. Selling, filling, refilling, delivering, or using an LP gas container for any gas or compound, or for any other purpose, without permission of the owner, in violation of section 527.07, F.S.

~~14. Installing a bulk storage container without first obtaining the department's approval of a written site plan or placing a bulk storage container into operation prior to obtaining inspection and approval as required by section 527.0605, F.S.~~

~~15. Failure to inspect a stationary DOT cylinder as required by rule 5J-20.029, F.A.C.~~

~~14.16.~~ Filling a cylinder with an expired requalification date, filling a “non-refillable” cylinder, filling a cylinder without conducting an appropriate visual inspection, or filling a cylinder that fails one or more of the visual inspection criteria in NFPA 58, as incorporated by reference in rule 5J-20.002, F.A.C.

~~15.17.~~ Continuing a cylinder in service with an expired requalification date or that fails to meet any visual inspection criterion or any other provision regarding in-service use, including provisions governing transporting of cylinders,

contained in NFPA 58, as incorporated by reference in rule 5J-20.002, F.A.C.

~~16.18.~~ Conducting metered sales of LP gas without an active temperature compensating device as required by NIST Handbook 130, as incorporated by reference in rule 5J-22.003, F.A.C.

~~17.19.~~ Failure to document any procedure or activity required to be documented by NFPA 58, as incorporated by reference in rule 5J-20.002, F.A.C., or this rule chapter.

18. Failure to notify the department of the completion of corrections issued in a Notice of Noncompliance.

~~19.20. Falsification of records related to corrections ordered by the department on a Notice of Noncompliance. Unauthorized removal of a red tag, where the system or equipment was not utilized or operated after the red tag was initially applied.~~

(b) ~~Tier II Major Violations. A violation of chapter 527, F.S., or this rule chapter is a major violation if it results in economic or physical harm to a person or adversely affects the public health, safety, or welfare, or creates a significant threat of such harm. Tier II Major violations shall result in the imposition of an administrative fine of from \$1,000 up to \$3,000, suspension or revocation of the license as prescribed in section 527.14, F.S., or any of the foregoing, as prescribed in section 527.13, F.S. The following violations shall be considered Tier II major violations:~~

1. Any violation involving LP gas found during a department accident investigation that contributed to the accident, ~~but was not a direct cause of the accident,~~ and resulted in property damage exceeding \$25,000.

2. Any violation involving LP gas found during a department accident investigation, regardless of whether the violation was or was not a direct cause of the accident, that contributed to the accident and resulted in the following:

- a. Loss of human life; or
- b. Personal injury requiring professional medical treatment.

3. Any violation involving LP gas found during a department accident investigation that contributed to and was a direct cause of the accident, and that resulted in property damage exceeding \$3,000 ~~2,500~~.

4. Transportation of propane cylinders in violation of the requirements of NFPA 58, as incorporated by reference in rule 5J-20.002, F.A.C.

~~5. Knowingly or intentionally~~ Conducting LP gas activities without a license following issuance of written notice from the department regarding the lack of licensure, including licensure that has expired due to nonrenewal.

~~6. Knowingly or intentionally~~ Conducting LP gas activities without insurance coverage following issuance of

written notice from the department regarding the lack of insurance.

7. Failure to conduct a leak test in a new piping system, or in an out-of-gas or interrupted service situation, as required by NFPA 54, as incorporated by reference in rules 5J-20.002 ~~and 5J-20.044~~, F.A.C.

8. Intentional alteration, modification, or disabling of any component in an LP gas system, including the container and its appurtenances, that renders the equipment out of compliance with chapter 527, F.S., this rule chapter, or any applicable code adopted in rule 5J-20.002, F.A.C., or renders it inoperable, or otherwise prevents it from functioning as intended by the equipment manufacturer.

9. Failure to install LP gas appliances, piping, or equipment in accordance with manufacturer's instructions or applicable safety codes.

10. Failure to install, disconnect, and/or store LP gas containers in accordance with applicable rules and safety codes.

11. Failure to follow proper fill procedures, other than visual inspection requirements, including overfilling of propane containers.

12. Failure to respond to a verifiable leak call within twenty-four hours or failure to physically respond to an emergency within two (2) hours when contacted by an emergency response unit, as required by sections 527.065(4) and 527.065(5), F.S.

13. Use or operation of ~~red-tagged~~ equipment or systems, including transport vehicles, under Stop Use Order.

14. Failing to correct within designated timeframe ~~thirty (30) days~~, any hazardous law, rule, or code deficiencies identified in a Notice of Noncompliance ~~FDACS 03522 (02/14), Facility Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., or FDACS 03529 (02/14), Vehicle Inspection Report, as incorporated by reference in rule 5J-20.004, F.A.C., and included in a notice of required correction.~~

~~15. Endangering the public by knowingly or intentionally~~ Operating LP gas equipment, including equipment transporting an LP gas container containing product, in a reckless manner.

Rulemaking Authority 120.695, 527.06 FS. Law Implemented 527.06, 527.12, 527.13, 527.14 FS. History—New 7-28-14, Formerly 5F-11.080, Amended 6-27-18, \_\_\_\_\_.

5J-20.082 Resolution of Violations, Settlement, and Additional Enforcement Remedies.

~~(1) Nothing in this rule chapter shall prohibit the department and person charged with a violation from resolving violations prior to administrative hearing, or from entering into settlement pursuant to section 120.57(4), F.S. The department is authorized to utilize all available remedies to ensure~~

~~compliance including administrative action, civil actions and referrals for criminal prosecution. The cost of any enforcement proceeding may be added to any penalty imposed. The department shall enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement and as authorized by chapters 120 or 527, F.S.~~

~~(1)(2)~~ Failure to respond to an administrative complaint shall result in the entry of a ~~d~~Default Final Order against the violator or entity responsible for the violation. The department shall impose administrative fines in a ~~d~~Default Final Order up to the maximum amount allowable under section 527.13, F.S.

~~(2)(3)~~ A failure to comply with either a Final Order or a ~~Default Final Order~~ of the department shall result in license revocation and additional enforcement as prescribed in sections 527.09, 527.12 and 527.13, F.S.

Rulemaking Authority 527.06, 570.07(23) FS. Law Implemented 527.06, 527.08, 527.09, 527.12, 527.13, 527.14 FS. History—New 7-28-14, Formerly 5F-11.082, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Harold Prince, Chief of Standards

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 21, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: October 29, 2018

**DEPARTMENT OF CHILDREN AND FAMILIES**

**Family Safety and Preservation Program**

RULE NO.: RULE TITLE:

65C-42.001 Definitions

PURPOSE AND EFFECT: The Department intends to amend Rule 65C-42.001, F.A.C., to clarify and update definitions related to Postsecondary Education Services and Support and Aftercare Services.

SUMMARY: The definition of “court-approved dependency guardian” will be amended to include a permanent guardian and a permanent placement with a fit and willing relative. The definition of “designated staff” will be amended to include child welfare professionals, as well as case managers, who handle all matters concerning Postsecondary Education Services and Support and Aftercare Services; the term “child welfare professionals” replaces the word “staff.”

**SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:**

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within

one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The Department used a checklist to conduct an economic analysis and determine if there is an adverse impact or regulatory costs associated with this rule that exceeds the criteria in section 120.541(2)(a), F.S. Based upon this analysis, the Department has determined that the proposed rule is not expected to require legislative ratification.

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: 39.012, 409.1451(10), FS.

LAW IMPLEMENTED: 39.625, 409.1451, FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Jodi Abramowitz. Jodi can be reached at (850)717-4470 or Jodi.Abramowitz@myflfamilies.com.

**THE FULL TEXT OF THE PROPOSED RULE IS:**

**65C-42.001 Definitions.**

The following definitions are to be used in this chapter.

(1) “Adverse action” means any action by the Department, community-based care lead agency, or its contracted service provider that denies, in whole or in part, a young adult’s application for Postsecondary Education Services and Support (~~PESS~~) or Aftercare Services, or that discharges a young adult from Postsecondary Education Services and Support (~~PESS~~) or Aftercare Services.

(2) No change.

(3) “Court-approved dependency guardian” means the caregiver for a child placed in out-of-home care pursuant to a custody order entered by the dependency court. The term includes a permanent guardian under section 39.6221, F.S., and a permanent placement with a fit and willing relative under section 39.6231, F.S.

(4) “Designated Staff” means a case manager (or other child welfare professional ~~staff~~ assigned by the community-based care lead agency or its contracted service provider to work with young adults ages 18 to 23 to handle all matters pursuant to the Postsecondary Education Services and Support and Aftercare Services ~~Extended Foster Care and the Road to Independence Program~~.

(5) through (9) No change.

Rulemaking Authority 39.012, 409.1451(10) FS. Law Implemented 409.1451, 39.6251 FS. History--New 10-4-15, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Brandie McCabe

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Chad Poppell

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: March 18, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: March 26, 2019

---

**Section III**  
**Notice of Changes, Corrections and**  
**Withdrawals**

NONE

---

**Section IV**  
**Emergency Rules**

NONE

---

**Section V**  
**Petitions and Dispositions Regarding Rule**  
**Variance or Waiver**

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on March 22, 2019, the Florida Department of Elder Affairs, received a petition for emergency waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from business name Solaris Senior Living North Naples. Any interested person or other agency may submit written comments on the petition within 5 days after this notice to [alfrulecomment@elderaffairs.org](mailto:alfrulecomment@elderaffairs.org).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at [doeapublicrecords@elderaffairs.org](mailto:doeapublicrecords@elderaffairs.org), (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

---

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on March 22, 2019, the Florida Department of Elder Affairs, received a petition for emergency waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from business name THE HORIZON CLUB. Any interested person or other agency may submit written comments on the petition within 5 days after this notice to [alfrulecomment@elderaffairs.org](mailto:alfrulecomment@elderaffairs.org).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at [doeapublicrecords@elderaffairs.org](mailto:doeapublicrecords@elderaffairs.org), (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

---

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on March 22, 2019, the Florida Department of Elder Affairs, received a petition for emergency waiver of Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control, from business name BARRINGTON TERRACE AT BOYNTON BEACH. Any interested person or other agency may submit written comments on the petition within 5 days after this notice to [alfrulecomment@elderaffairs.org](mailto:alfrulecomment@elderaffairs.org).

A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at [doeapublicrecords@elderaffairs.org](mailto:doeapublicrecords@elderaffairs.org), (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

---

DEPARTMENT OF ELDER AFFAIRS

Federal Aging Programs

RULE NO.: RULE TITLE:

58A-5.036 Emergency Environmental Control for Assisted Living Facilities

NOTICE IS HEREBY GIVEN that on March 25, 2019, the Florida Department of Elder Affairs, received a petition for a notice of withdrawal from SpringHill Assisted Living of its petition for a temporary variance from Rule 58A-5.036, F.A.C., requiring an alternate energy source for emergency environmental control.



A copy of the Petition for Variance or Waiver may be obtained by contacting: Djanet Cannady at doeapublicrecords@elderaffairs.org, (850)414-2114, Office of the General Counsel, DOEA, 4040 Esplanade Way, Tallahassee, FL 32399.

AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing  
RULE NO.: RULE TITLE:  
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 18, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Cross Terrace Rehabilitation Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004085. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing  
RULE NO.: RULE TITLE:  
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 18, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Crossbreeze Care Center, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004088. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing  
RULE NO.: RULE TITLE:  
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 19, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from FLNC, Inc. d/b/a AdventHealth Care Center Apopka South, seeking additional time beyond May 31, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004135. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION  
Health Facility and Agency Licensing  
RULE NO.: RULE TITLE:  
59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 20, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Merritt Island RHF Housing, Inc. d/b/a Courtenay Springs Village, seeking additional time beyond March 31, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004202. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 19, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from CPLACE of St. Pete LLC d/b/a Carrington Place of St. Pete, seeking additional time beyond January 1, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004262. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 20, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Adventist Care Centers-Courtland, Inc. d/b/a AdventHealth Care Center Orlando North, seeking additional time beyond May 31, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004265. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 20, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from East Orlando Health & Rehab Center, Inc. d/b/a AdventHealth Care Center Orlando East, seeking additional time beyond May 31, 2019, to

implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004266. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 20, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Sunbelt Health & Rehab Center-Apopka, Inc. d/b/a AdventHealth Care Center Apopka North, seeking additional time beyond May 31, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004268. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 20, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Sunbelt Health & Rehab Center-Apopka, Inc. d/b/a AdventHealth Care Center Apopka North, seeking additional time beyond May 31, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004269. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

AGENCY FOR HEALTH CARE ADMINISTRATION

Health Facility and Agency Licensing

RULE NO.: RULE TITLE:

59A-4.1265 Emergency Environmental Control for Nursing Homes

NOTICE IS HEREBY GIVEN that on March 21, 2019, the Agency for Health Care Administration, received a petition for Variance from subsection 59A-4.1265(5) from Zephyrhills Health & Rehab Center, Inc. d/b/a AdventHealth Care Center Zephyrhills North, seeking additional time beyond May 31, 2019, to implement the Detailed Nursing Home Emergency Power Plan. The petition was assigned case number 2019004271. Any interested person or other agency may submit written comments on the petition within 14 days after this notice by e-mailing LTCstaff@ahca.myflorida.com.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Jacqueline Williams, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #33, Tallahassee, Florida 32308 or e-mailing LTCstaff@ahca.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Commission

RULE NO.: RULE TITLE:

61J2-10.034 Trade Names

The Florida Real Estate Commission hereby gives notice: of the issuance of an Order regarding the Petition for Waiver or Variance, filed on January 16, 2019, by Matthew Christian d/b/a Home Town Realty. The Notice of Petition for Waiver or Variance was published in Vol. 45, No. 15, of the January 23, 2019, Florida Administrative Register. Petitioner sought a waiver or variance of Rule 61J2-10.034, Florida Administrative Code, entitled, "Trade Names," which states in part that an individual broker, partnership or corporation may use a trade name and, if so, it must be disclosed upon the request for license, and be placed upon the registration or license. The trade name shall not be, and the Commission will refuse to issue a license containing a trade name which is the same as the real or trade name of another registrant or licensee registered or licensed with the Commission.

The Commission considered the instant Petition at a duly-noticed public meeting, held February 13, 2019, in Orlando, Florida. The Commission's Order, filed on February 28, 2019, denied the petition finding that Petitioner had failed to establish that the purpose of the underlying statute would be met by

granting a variance from Rule 61J2-10.034, F.A.C. The Board further found that Petitioner failed to establish that applying the requirements of the aforementioned rule to his circumstances would violate principles of fairness and impose substantial hardship.

A copy of the Order or additional information may be obtained by contacting: Lori Crawford, Executive Director, Florida Real Estate Commission, 400 W. Robinson Street, #N801, Orlando, Florida 32801.

DEPARTMENT OF HEALTH

Board of Psychology

RULE NO.: RULE TITLE:

64B19-11.0035 Licensure by Examination: Proof Satisfactory to the Board for the Purpose of Determining Eligibility for Examination

NOTICE IS HEREBY GIVEN that on March 19, 2019, the Board of Psychology, received a petition for variance or waiver filed by Alicia Elisa Ayala Laconich, from paragraph 64B19-11.0035(2)(b), F.A.C., which requires an original, signed letter on official letterhead sent directly to the Board from the director of a doctoral psychology program accredited by the accrediting agency recognized and approved by the United States Department of Education. Comments on this petition should be filed with the Board of Psychology, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3055, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Psychology, at the above address, or telephone (850)245-4373, or by electronic mail – Allen.Hall@flhealth.gov.

FLORIDA HOUSING FINANCE CORPORATION

RULE NO.: RULE TITLE:

67-48.002 Definitions

NOTICE IS HEREBY GIVEN that on March 25, 2019, the Florida Housing Finance Corporation, received a petition for waiver of subsection 67-48.002(95), Florida Administrative Code (May 24, 2017) and Section II.K of the 2016 Qualified Allocation Plan ("QAP") from WRDG T3A, LP, requesting a waiver of the timing requirements and allow the requested credit exchange to be approved before the last calendar quarter of 2020.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, FL 32301-1329. The Petition has also been posted on Florida Housing's website at floridahousing.org. Florida Housing will accept comments concerning the Petition for 14 days from the date of publication of this notice. To be considered, comments must be received on or before 5:00 p.m., Eastern Time, on the 14th day after

publication of this notice at Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329.

**FLORIDA HOUSING FINANCE CORPORATION**

**RULE NO.: RULE TITLE:**

67-48.004 Selection Procedures for Developments

The Florida Housing Finance Corporation hereby gives notice: On March 25, 2019, the Florida Housing Finance Corporation issued an order granting the waiver of paragraph 67-48.004(3)(j) F.A.C. for Rosemary Village Apartments, LLLP, to increase the total number of units from 80 to 108; and the waiver of Sections Four A.2.a.(1) and Four A.6.d.(2)(a) of RFA 2018-103 to reduce its Total Set-Aside Percentage from 100% to 74.1% and add 28 additional units at market rate. As a condition of this waiver, Petitioner must provide five additional ELI units. This waiver will not decrease the total number of units set aside for low-income tenants, for homeless individuals or families, or for persons with special needs, and will not decrease the set-aside commitment duration of 50 years. Florida Housing determined that the Petitioner had demonstrated that it would suffer a substantial hardship if the waiver was not granted. The petition was filed on March 4, 2019 and notice of the receipt of petition was published on March 6, 2019 in Vol. 45, Number 45, F.A.R.

A copy of the Order or additional information may be obtained by contacting: Ana McGlamory, Corporation Clerk, Florida Housing Finance Corporation, 227 N. Bronough St., Ste. 5000, Tallahassee, FL 32301-1329.

**DEPARTMENT OF FINANCIAL SERVICES**

Finance

**NOTICE IS HEREBY GIVEN** that on March 25, 2019, the Florida Office of Financial Regulation, received a petition for Waiver of paragraph 69V-560.703(1)(d) from Western Union Business Solutions (USA), LLC. The petition seeks a Waiver of paragraph 69V-560.703(1)(d) which requires a money transmitter to maintain records of the name and address of the beneficiary or recipient of all inbound and outbound transmissions. paragraph 69V-560.703(1)(d), Florida Administrative Code, implements the provisions of subsection 560.1105(1) and Section 560.211, Florida Statutes.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

**Section VI  
Notice of Meetings, Workshops and Public Hearings**

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Aquaculture

The Florida Aquaculture Review Council announces a public meeting to which all persons are invited.

**DATE AND TIME:** Wednesday, June 5, 2019, 9:00 a.m.

**PLACE:** 170 Century Blvd., Bartow, FL 33830, 1(863)578-1870

**NOTE:** Meeting is also accessible through teleconference by dialing: 1(888)585-9008 using passcode: 963379821

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To discuss issues affecting the growth of aquaculture in the state of Florida. Evaluate and Select for Recommendation FY 2020-2021 Full Proposals.

A copy of the agenda may be obtained by contacting: Charlie Culpepper, Biological Administrator, (850)617-7600.

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 2 days before the workshop/meeting by contacting: Charlie Culpepper, Biological Administrator, (850)617-7600. 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).

**DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES**

Division of Agricultural Water Policy

The Orange Soil and Water Conservation District announces a public meeting to which all persons are invited.

**DATES AND TIMES:** April 12, 2019, 3:30 p.m.; May 10, 2019, 3:30 p.m.; June 14, 2019, 3:30 p.m.; July 12, 2019, 3:30 p.m.; August 9, 2019, 3:30 p.m.; September 13, 2019, 3:30 p.m.; October 11, 2019, 3:30 p.m.; November 8, 2019, 3:30 p.m.; December 13, 2019, 3:30 p.m.

**PLACE:** 201 S. Rosalind Avenue, Orlando, FL 32801

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Items for discussion include general business pursuant to responsibilities under Chapter 582, F.S., and any new business that is brought up by District supervisors.

A copy of the agenda may be obtained by contacting: Orange Soil and Water Conservation District at (407)847-4465.

DEPARTMENT OF EDUCATION

The Florida Department of Education announces a public meeting to which all persons are invited.

DATE AND TIME: April 10, 2019, 1:00 p.m.

PLACE: Florida Department of Education, 325 West Gaines Street, Room 1721, Tallahassee, Florida 32399-0400

GENERAL SUBJECT MATTER TO BE CONSIDERED: The State Apprenticeship Advisory Council will hold a meeting to discuss general items relating to registered apprenticeship in Florida. The agenda may include follow-up actions from previous council meetings on subjects of committee structure, assignments and responsibilities. This would include an apprenticeship update relative to apprentices and programs registered in Florida.

A copy of the agenda may be obtained by contacting: Juanita Warren, at [Juanita.Warren@fldoe.org](mailto:Juanita.Warren@fldoe.org).

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 10 days before the workshop/meeting by contacting: Juanita Warren, at [Juanita.Warren@fldoe.org](mailto:Juanita.Warren@fldoe.org). 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).

For more information, you may contact: Richard “Ted” Norman at (850)245-9039.

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees announce the following events being held on Tuesday, April 2, 2019, which are open to the public.

DATE: Tuesday, April 2, 2019 PRESIDENTIAL CANDIDATE OPEN FORUMS:

PLACE: FSCJ Advanced Technology Center, Rooms T-140/141, 401 West State St., Jacksonville, FL 32202

TIME: 8:00 a.m. – 9:00 a.m., 2:45 p.m. – 3:45 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Open Forum to learn more about Presidential Candidate Dr. John Avendano regarding their experience and their interest in leading FSCJ.

PRESIDENTIAL CANDIDATE OPEN FORUMS:

PLACE: FSCJ Advanced Technology Center, Rooms T-140/141, 401 West State St., Jacksonville, FL 32202

TIME: 9:15 a.m. – 10:15 a.m., 4:00 p.m. – 5:00 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Open Forum to learn more about Presidential Candidate Dr. Natalie Harder regarding their experience and their interest in leading FSCJ.

PRESIDENTIAL CANDIDATE OPEN FORUMS:

PLACE: FSCJ Advanced Technology Center, Rooms T-140/141, 401 West State St., Jacksonville, FL 32202

TIME: 10:30 a.m. – 11:30 a.m., 1:30 p.m. – 2:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Open Forum to learn more about Presidential Candidate Dr. David Sam regarding their experience and their interest in leading FSCJ.

PRESIDENTIAL CANDIDATES COMMUNITY SOCIAL:

PLACE: The Schultz Center for Teaching & Leadership, 4019 Boulevard Center Dr., Jacksonville, FL 32207

TIME: 5:30 p.m. – 7:30 p.m.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Organized networking event, which provides the opportunity to meet the three candidates under consideration to serve as the next FSCJ President, and to learn more about each candidate and their interest in leading FSCJ.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend these events is asked to advise the agency at least 24 hours before the events by contacting: The Office of the College President, District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or [Kim.Sodek@fscj.edu](mailto:Kim.Sodek@fscj.edu). 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).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

For more information, you may contact: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or [Kim.Sodek@fscj.edu](mailto:Kim.Sodek@fscj.edu).

DEPARTMENT OF EDUCATION

Division of Florida Colleges

The Florida State College at Jacksonville District Board of Trustees (DBOT) announce the following meetings, which are open to the public.

DATE AND TIMES: Wednesday, April 3, 2019: 8:30 a.m. – 10:00 a.m.; 10:30 a.m. – 12:00 Noon; 1:30 p.m. – 3:00 p.m.; 3:30 p.m. – 4:00 p.m.

PLACE: FSCJ Administrative Offices, 501 West State Street, Jacksonville, FL 32202, Board Room 405

GENERAL SUBJECT MATTER(S) TO BE CONSIDERED: DBOT Interview of College President Finalist

Agenda copies may be obtained by contacting: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

Copies of the agenda for the Special meetings will be available for inspection beginning Wednesday, March 27, 2019, and copies will be provided upon written request and the payment of approved duplicating charges. If any person decides to appeal any decision made by the Board with respect to any matter considered at the Special meetings, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to attend these meetings is asked to advise the agency at least 24 hours before the meetings by contacting: The Office of the College President, District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu. 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).

Florida State College at Jacksonville, hereby reaffirms the principle of equal opportunity for all persons regardless of race, disability, color, ethnicity, national origin, religion, gender, age, sex, sexual orientation/expression, marital status, veteran status, pregnancy or genetic information. Equal opportunity principle applies with regard to employment, delivery of educational programs and services, and all other appropriate areas in which the College is involved.

For more information, you may contact: District Board of Trustees Project Coordinator Kimberli Sodek at (904)632-3205 or Kim.Sodek@fscj.edu.

**DEPARTMENT OF LAW ENFORCEMENT**

The Department of Law Enforcement announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 29, 2019, 10:00 a.m.

PLACE: Conference Call

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/901405237>

You can also dial in using your phone.

United States (Toll Free): 1(877)309-2073, United States: 1(571)317-3129, Access Code: 901-405-237

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** Advisory Board is convening via conference call to formally accept the new Strategic Plan.

A copy of the agenda may be obtained by contacting: Craig Schroeder at 1(888)356-4774.

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 3 days before the workshop/meeting by contacting: Craig Schroeder at 1(888)356-4774. 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).

For more information, you may contact: Craig Schroeder at 1(888)356-4774.

**REGIONAL PLANNING COUNCILS**

Tampa Bay Regional Planning Council

The Tampa Bay Regional Planning Council Executive Budget Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2019, 9:00 a.m.

PLACE: 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Tampa Bay Regional Planning Councils Executive Budget Committee.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. 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).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

**REGIONAL PLANNING COUNCILS**

Tampa Bay Regional Planning Council

The Tampa Bay Regional Resiliency Coalition Steering Committee announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2019, immediately after TBRPC Council meeting, or 12:00 Noon – 1:00 p.m.

PLACE: 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782

**GENERAL SUBJECT MATTER TO BE CONSIDERED:** To conduct the regular business of the Tampa Bay Regional Resiliency Coalition.

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. 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).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

The Tampa Bay Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: April 8, 2019, 10:00 a.m.

PLACE: 4000 Gateway Centre Blvd. Ste. 100 Pinellas Park, Florida 33782

GENERAL SUBJECT MATTER TO BE CONSIDERED: To conduct the regular business of the Tampa Bay Regional Planning Council

A copy of the agenda may be obtained by contacting: Wren Krahl, Wren@tbrpc.org.

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 4 days before the workshop/meeting by contacting: Wren Krahl, Wren@tbrpc.org. 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).

For more information, you may contact: Wren Krahl, Wren@tbrpc.org.

**WATER MANAGEMENT DISTRICTS**

**St. Johns River Water Management District**

The Central Florida Water Initiative (CFWI) Regional Water Supply Plan Team announces a workshop to which all persons are invited.

DATE AND TIME: Thursday, April 18, 2019 10:00 a.m.

PLACE: Oakland Meeting Hall, 221 N. Arlington Street, Oakland, FL 34760

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CFWI is a collaborative effort among government agencies formed to address water resource issues in the area known as the Central Florida Water Initiative. Pursuant to subsection 373.709(1), Florida Statutes, the technical methods public workshop is a meeting to discuss the technical data and modeling tools anticipated to be used to support the regional water supply plan. Additional information about this effort may be found at <http://cfwiwater.com>.

NOTE: One or more Governing Board members from each of the three districts named below may attend the Technical Methods Workshop.

A copy of the agenda may be obtained by contacting: Tammy Bader-Gibbs, St. Johns River Water Management District, P.O. Box 1429, Palatka, FL 32178, (386)329-4500, tbader@sjrwmd.com or <http://cfwiwater.com>.

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 48 hours before the workshop/meeting by contacting: Lynn Dattolo, Facility Rentals Coordinator, Town of Oakland, (407)656-1117, ext. 2101. 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).

For more information, you may contact: Mike Register, Director, Division of Water Supply Planning and Assessment, St. Johns River Water Management District, P.O. Box 1429, Palatka, FL 32178-1429, (386)329-4212, mregister@sjrwmd.com, Mark Elsner Chief of Water Supply Bureau, South Florida Water Management District, 3301 Gun Club Road, West Palm Beach, FL 33406, (561)682-6156, melsner@sfwmd.gov, or Joseph Quinn, Water Supply Project Manager, Southwest Florida Water Management District, 2379 Broad Street, Brooksville, FL 34604-6899, (352)796-7211, joe.quinn@swfwmd.state.fl.us.

**DEPARTMENT OF MANAGEMENT SERVICES**

**Commission on Human Relations**

The Florida Commission on Human Relations announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, April 23, 2019, 10:00 a.m. ET.

PLACE: Call 1(888)585-9008, and when prompted enter conference room number 772425480, followed by the # key.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the meeting is for the Commission to vote on the disposition of cases pending before it for decision.

A copy of the agenda may be obtained by contacting: Sarah Stewart at (850)907-6789 or Sarah.Stewart@fchr.myflorida.com.

ACCESS POINT: The FCHR office at 4075 Esplanade Way, Room 110, Tallahassee, FL 32399, will serve as an access point for this meeting. Interested persons wishing to attend this meeting may also do so by appearing in person at this designated access point, at which location telephonic access to the meeting will be provided.

For more information, you may contact: Sarah Stewart at (850)907-6789 or Sarah.Stewart@fchr.myflorida.com.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Veterinary Medicine

The Board of Veterinary Medicine announces a telephone conference call to which all persons are invited.

DATE AND TIME: Wednesday April 24, 2019, 1:30 p.m.

PLACE: 1(888)585-9008, Conference Room: 148-951-924#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Probable Cause Panel meeting portions which may be closed to the public.

A copy of the agenda may be obtained by contacting: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

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 3 days before the workshop/meeting by contacting: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399; (850)717-1981. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

For more information, you may contact: Board of Veterinary Medicine, 2601 Blair Stone Rd., Tallahassee, FL 32399, (850)717-1981.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Accountancy

The Board of Accountancy announces a public meeting to which all persons are invited.

DATE AND TIME: April 25, 2019, 11:00 a.m.

PLACE: Conference Call: dial in number 1(888)585-9008, Pass code:683213166

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Peer Review Oversight Committee (PROC) will meet to discuss general business affecting the Board of Accountancy.

A copy of the agenda may be obtained by contacting: Missy Williams, (352)313-6607.

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 2 days before the workshop/meeting by contacting: Missy Williams, (352)313-6607. 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Board of Nursing

The Board of Nursing announces a telephone conference call to which all persons are invited.

DATE AND TIME: April 8, 2019, 9:00 a.m.

PLACE: Toll Free Number – 1(888)585-9008, 275-112-502

GENERAL SUBJECT MATTER TO BE CONSIDERED: To consider cases where Probable Cause has previously been found.

A copy of the agenda may be obtained by contacting: <https://floridasnursing.gov/meeting-information/>.

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 48 hours before the workshop/meeting by contacting: 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).

If any person decides to appeal any decision made by the Board with respect to any matter considered at this meeting or hearing, he/she will need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence from which the appeal is to be issued.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Florida Department of Health, Children's Medical Services announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, April 10, 2019, 9:00 a.m. – 3:30 p.m.

PLACE: Hawthorn Suites, 301 Lamberton Drive, West Palm Beach, FL 33401

Please join my meeting from your computer, tablet or smartphone. <https://global.gotomeeting.com/join/789673245>

Join the conference call: 1(888)585-9008, Room number: 605-692-999#

Joining from a video-conferencing room or system?

Dial: 67.217.95.2##789673245, Cisco devices: 789673245@67.217.95.2

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/789673245>



GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Interagency Coordinating Council for Infants and Toddlers (FICCIT) is meeting to conduct a quarterly meeting to advise and assist Florida’s Early Steps Program.

A copy of the agenda may be obtained by contacting: Hannah.Naitove@flhealth.gov.

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: Hannah.Naitove@flhealth.gov. 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).

For more information, you may contact: Hannah.Naitove@flhealth.gov.

DEPARTMENT OF CHILDREN AND FAMILIES

The Department of Children and Families announces a public meeting to which all persons are invited.

DATE AND TIME: April 9, 2019, 9:00 a.m.

PLACE: 1003 E. Palm Avenue, Tampa, FL.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Ongoing Hillsborough County Alliance business.

A copy of the agenda may be obtained by contacting: Ilka Suda, 1(813)337-5805.

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: Ilka Suda, 1(813)337-5805. 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).

Section VII

Notice of Petitions and Dispositions  
Regarding Declaratory Statements

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Excel Electrical Group, LLC. The petition seeks the agency's opinion as to the applicability of Boca Raton Building Regulations Section 19-57 as it applies to the petitioner.

Petitioner seeks clarification about the application of a local technical amendment to the Florida Building Code to an already-completed project.

A copy of the Petition for Declaratory Statement may be obtained by contacting: the Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or W. Justin Vogel, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1795, wjustin.vogel@myfloridalicense.com.

RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Building Commission

RULE NO.: RULE TITLE:

61G20-3.009 Criteria for Certification of Independence

NOTICE IS HEREBY GIVEN that the Florida Building Commission has received the petition for declaratory statement from Window and Door Design Center. The petition seeks the agency's opinion as to the applicability of 61G20-3.009, Florida Administrative Code, as it applies to the petitioner.

Petitioner seeks to have the Commission determine whether the past submissions of various other parties to the product approval program have been consistent with Rule 61G20-3.009, Florida Administrative Code.

A copy of the Petition for Declaratory Statement may be obtained by contacting: The Agency Clerk’s Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)921-0342, AGC.Filing@myfloridalicense.com.

Please refer all comments to: Mo Madani, Building Codes and Standards Office, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)487-1824, mo.madani@myfloridalicense.com or W. Justin Vogel, Office of the General Counsel, Department of Business and Professional Regulation, 2601 Blair Stone Road, Tallahassee, Florida 32399, (850)717-1795, wjustin.vogel@myfloridalicense.com.

RESPONSES, MOTIONS TO INTERVENE, OR REQUESTS FOR A HEARING MUST BE FILED WITHIN 21 DAYS OF THIS NOTICE.

DEPARTMENT OF HEALTH

Board of Nursing

NOTICE IS HEREBY GIVEN that the Board of Nursing has issued an order disposing of the petition for declaratory statement filed by Marlene Cesar on July 18, 2018. The following is a summary of the agency's disposition of the petition: The Notice of Petition for Declaratory Statement was published in Volume 44, No. 141, of the July 20, 2018, Florida Administrative Register. Petitioner seeks a Declaratory Statement from the Board as to whether it is within the scope of Chapter 464 for the Petitioner to serve as a nursing division head while not being licensed as a registered nurse in Florida. The Board's Order, filed on February 4, 2019, finds that there is no definition of a "division head" that oversees nursing programs in Chapter 464, Florida Statutes. paragraph 464.019(1)(a), Florida Statutes, requires that a program director for a nursing program be licensed as a registered nurse in Florida. Since the position title "division head" is not defined in Florida Statutes, the Board declined to answer the petition.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Joe R. Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; Joe.Baker@flhealth.gov.

Section VIII

Notice of Petitions and Dispositions Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Notice of Disposition of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

NONE

Section IX

Notice of Petitions and Dispositions Regarding Non-rule Policy Challenges

NONE

Section X

Announcements and Objection Reports of the Joint Administrative Procedures Committee

NONE

Section XI

Notices Regarding Bids, Proposals and Purchasing

DEPARTMENT OF EDUCATION

DISTRICT BOARD OF TRUSTEES

MIAMI DADE COLLEGE

PUBLIC ANNOUNCEMENT

REGARDING SOLICITING APPLICATIONS FOR REQUEST FOR QUALIFICATIONS (RFQ):

2019-RB-25A – A/E Services Medical Campus Remodeling of Vacated Spaces

Scope of Services: Pursuant to Section 287.057 Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting Bid responses.

Bid packages can be downloaded from the Purchasing website on or after March 22, 2019, 2018. To obtain copies ITB document visit <http://www.mdc.edu/purchasing/bid-posting.aspx>

Please direct questions to: Ramon S. Bristol Castrillon, MA, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

DEPARTMENT OF EDUCATION

DISTRICT BOARD OF TRUSTEES

MIAMI DADE COLLEGE

PUBLIC ANNOUNCEMENT

REGARDING SOLICITING APPLICATIONS FOR REQUEST FOR QUALIFICATIONS (RFQ):

2019-RB-25B – CM "At Risk" Services Remodeling of Vacated Spaces Medical Campus

Scope of Services: Pursuant to Section 287.057 Florida Statutes the District Board of Trustees of Miami Dade College (the "Board") is soliciting Bid responses.

Bid packages can be downloaded from the Purchasing website on or after March 22, 2019, 2018. To obtain copies ITB document visit <http://www.mdc.edu/purchasing/bid-posting.aspx>

Please direct questions to: Ramon S. Bristol Castrillon, MA, CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant Maintenance, Tel: (305)237-0011, Email: rbristol@mdc.edu.

DEPARTMENT OF EDUCATION  
 DISTRICT BOARD OF TRUSTEES  
 MIAMI DADE COLLEGE  
 P U B L I C A N O U N C E M E N T  
 REGARDING SOLICITING APPLICATIONS FOR  
 REQUEST FOR QUALIFICATIONS (RFQ):  
 2019-RB-26A – A/E Services InterAmerican Campus –  
 InterAmerican Plaza Building Remodeling of Vacant Floors  
 Scope of Services: Pursuant to Section 287.057 Florida Statutes  
 the District Board of Trustees of Miami Dade College (the  
 "Board") is soliciting Bid responses.  
 Bid packages can be downloaded from the Purchasing website  
 on or after March 22, 2019, 2018. To obtain copies ITB  
 document visit [http://www.mdc.edu/purchasing/bid-  
 posting.aspx](http://www.mdc.edu/purchasing/bid-posting.aspx)  
 Please direct questions to: Ramon S. Bristol Castrillon, MA,  
 CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant  
 Maintenance, Tel: (305)237-0011, Email: [rbristol@mdc.edu](mailto:rbristol@mdc.edu).

DEPARTMENT OF EDUCATION  
 DISTRICT BOARD OF TRUSTEES  
 MIAMI DADE COLLEGE  
 P U B L I C A N O U N C E M E N T  
 REGARDING SOLICITING APPLICATIONS FOR  
 REQUEST FOR QUALIFICATIONS (RFQ):  
 2019-RB-26B – CM “At Risk” Services InterAmerican  
 Campus – InterAmerican Plaza Building Remodeling of Vacant  
 Spaces  
 Scope of Services: Pursuant to Section 287.057 Florida Statutes  
 the District Board of Trustees of Miami Dade College (the  
 "Board") is soliciting Bid responses.  
 Bid packages can be downloaded from the Purchasing website  
 on or after March 22, 2019, 2018. To obtain copies ITB  
 document visit [http://www.mdc.edu/purchasing/bid-  
 posting.aspx](http://www.mdc.edu/purchasing/bid-posting.aspx)  
 Please direct questions to: Ramon S. Bristol Castrillon, MA,  
 CPPO, FCCN, Assistant Purchasing Director, Facilities/Plant  
 Maintenance, Tel: (305)237-0011, Email: [rbristol@mdc.edu](mailto:rbristol@mdc.edu).

DEPARTMENT OF EDUCATION  
 Florida State University  
 NOTICE TO PROFESSIONAL CONSULTANTS  
 Florida State University, State of Florida, announces that  
 professional services are required in the discipline of structural  
 engineering for minor projects, and threshold inspection for  
 major projects.  
 Project and Location: Minor Projects at Florida State  
 University, Tallahassee, FL  
 Project Description: Professional services are required in the  
 discipline of structural engineering for minor projects, and  
 threshold inspection for major projects. Minor projects are  
 specific projects for construction, renovation, alterations or

additions that have a basic construction budget estimated to be  
 \$2,000,000 or less; or studies for which the fee for professional  
 services is \$200,000 or less. Campus Service contracts for  
 minor projects provide that the consultant will be available on  
 an as-needed basis. The University intends to award multiple  
 contracts for a three (3) year term beginning July 1, 2019. The  
 University reserves the option to renew this contract for two (2)  
 additional twelve (12) month periods.

Finalists will be provided with a description of the final review  
 requirements and a copy of FSU’s standard professional  
 services agreement for minor projects. The Selection  
 Committee may reject all proposals and stop the selection  
 process at any time.

INSTRUCTIONS: Firms desiring to provide professional  
 services shall utilize the online electronic sourcing portal to  
 submit the required information for which they are applying.  
 Firms shall complete the Florida State University "Professional  
 Qualifications Supplement," and provide a copy of the  
 applicant's current Professional Registration Certificate from  
 the appropriate governing board via the online electronic  
 sourcing portal as described below. Documents must be  
 uploaded to the portal and are not to exceed 40 pages.  
 Submittals that do not comply with these requirements or do not  
 include the requested data will not be considered Submissions  
 must be uploaded by 2:00 p.m. EST, on Monday April 29, 2019.  
 All applicants must be properly registered in the State of Florida  
 to practice the required profession at the time of application. If  
 the applicant is a corporation, it must be properly chartered by  
 the Florida Department of State to operate in Florida.

The Florida State University Project Fact Sheet may be  
 obtained on line at  
<https://www.facilities.fsu.edu/depts/designConstr/> or by  
 contacting: James Johnson, Facilities Design & Construction,  
 969 Learning Way, Suite 107P, Mendenhall Building A,  
 Florida State University, Tallahassee, Florida 32306-4152,  
 telephone, (850)645-0407.

The plans and specifications for campus service projects are  
 subject to reuse in accordance with the provisions of Section  
 287.055, Florida Statutes. As required by Section 287.133,  
 Florida Statutes, a consultant may not submit a proposal for this  
 project if it is on the convicted vendor list for a public entity  
 crime committed within the past 36 months. The selected  
 consultant must warrant that it will neither utilize the services  
 of, nor contract with, any supplier, subcontractor, or consultant  
 in excess of \$50,000.00 in connection with this project for a  
 period of 36 months from the date of their being placed on the  
 convicted vendor list.

\*\*\*\*PLEASE CAREFULLY NOTE NEW SUBMITTAL  
 INFORMATION\*\*\*\*

FSU utilizes an online electronic sourcing portal for accepting  
 professional qualifications submittals and Architect

Qualifications Supplement digitally. We do not accept hard copy submissions or submissions through other medium other than through FSU's Public Procurement Portal.

Your submission must be uploaded prior to the as indicated above. Note: We strongly recommend that you give yourself sufficient time and at least ONE (1) hour before the Closing date/time to begin the uploading process and to finalize your submission. Late submissions due to electronic uploading delays will not be considered.

- Each item of requested information is instantly sealed (no one from FSU can review) and will only be visible after the closing date/time. You may edit your submission as needed up to the closing date/time.
  - Responders may elect to utilize the import/export feature to export questions into Excel in order to work on responses offline and import into the system upon completion.
  - Keep in mind that when answering questions in the provided text box within the system (if applicable) there is a limit to the number of characters you can use in your response. The dynamic character limit counter at the bottom of each text box will display the remaining characters available.
  - Uploading large documents may take significant time, depending on the size of the file(s) and your Internet connection speed. The maximum upload file size is 50 MB.
  - Please do not embed any documents within your uploaded files, as they will not be accessible or evaluated.
  - Information submitted that is not requested by FSU or in the specific format requested will be considered to be supplemental and not subject to evaluation.
  - All sourcing event-related communications between vendors and FSU is managed and tracked through a Question and Answer Board within the RFQ event on the Public Procurement Portal. Any issues or questions related to logging in or technical issues, including attachments, can be submitted to our third party software host, Jaggaer via a Support form: <https://www.jaggaer.com/service-support/supplier-support/> or by calling 1(800)233-1121, option 2 then option 2.
- Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

#### DEPARTMENT OF EDUCATION

Florida State University

#### NOTICE TO PROFESSIONAL CONSULTANTS

Florida State University, State of Florida, announces that Professional services are required in the discipline of civil engineering from minor projects.

Project and Location: Minor Projects at Florida State University, Tallahassee, FL

Project Description: Professional services are required in the discipline of civil engineering services. Minor projects are specific projects for construction, renovation, alterations or

additions that have a basic construction budget estimated to be \$2,000,000 or less; or studies for which the fee for professional services is \$200,000 or less. Campus Service contracts for minor projects provide that the consultant will be available on an as-needed basis. The University intends to award multiple contracts for a three (3) year term beginning July 1, 2019. The University reserves the option to renew this contract for two (2) additional twelve (12) month periods.

Finalists will be provided with a description of the final review requirements and a copy of FSU's standard professional services agreement for minor projects. The Selection Committee may reject all proposals and stop the selection process at any time.

**INSTRUCTIONS:** Firms desiring to provide professional services shall utilize the online electronic sourcing portal to submit the required information for which they are applying. Firms shall complete the Florida State University "Professional Qualifications Supplement," and provide a copy of the applicant's current Professional Registration Certificate from the appropriate governing board via the online electronic sourcing portal as described below. Documents must be uploaded to the portal and are not to exceed 40 pages. Submittals that do not comply with these requirements or do not include the requested data will not be considered. Submissions must be uploaded by 3:00 p.m. ET, on Monday April 29, 2019. All applicants must be properly registered in the State of Florida to practice the required profession at the time of application. If the applicant is a corporation, it must be properly chartered by the Florida Department of State to operate in Florida.

The Florida State University Project Fact Sheet may be obtained on line at <https://www.facilities.fsu.edu/depts/designConstr/> or by contacting: James Johnson, Facilities Design & Construction, 969 Learning Way, Suite 107P, Mendenhall Building A, Florida State University, Tallahassee, Florida 32306-4152, telephone, (850)645-0407.

The plans and specifications for campus service projects are subject to reuse in accordance with the provisions of Section 287.055, Florida Statutes. As required by Section 287.133, Florida Statutes, a consultant may not submit a proposal for this project if it is on the convicted vendor list for a public entity crime committed within the past 36 months. The selected consultant must warrant that it will neither utilize the services of, nor contract with, any supplier, subcontractor, or consultant in excess of \$50,000.00 in connection with this project for a period of 36 months from the date of their being placed on the convicted vendor list.

**\*\*\*\*PLEASE CAREFULLY NOTE NEW SUBMITTAL INFORMATION\*\*\*\***

FSU utilizes an online electronic sourcing portal for accepting professional qualifications submittals and Architect

Qualifications Supplement digitally. We do not accept hard copy submissions or submissions through other medium other than through FSU’s Public Procurement Portal.

Your submission must be uploaded prior to the as indicated above. Note: We strongly recommend that you give yourself sufficient time and at least ONE (1) hour before the Closing date/time to begin the uploading process and to finalize your submission. Late submissions due to electronic uploading delays will not be considered.

- Each item of requested information is instantly sealed (no one from FSU can review) and will only be visible after the closing date/time. You may edit your submission as needed up to the closing date/time.
- Responders may elect to utilize the import/export feature to export questions into Excel in order to work on responses offline and import into the system upon completion.
- Keep in mind that when answering questions in the provided text box within the system (if applicable) there is a limit to the number of characters you can use in your response. The dynamic character limit counter at the bottom of each text box will display the remaining characters available.
- Uploading large documents may take significant time, depending on the size of the file(s) and your Internet connection speed. The maximum upload file size is 50 MB.
- Please do not embed any documents within your uploaded files, as they will not be accessible or evaluated.
- Information submitted that is not requested by FSU or in the specific format requested will be considered to be supplemental and not subject to evaluation.
- All sourcing event-related communications between vendors and FSU is managed and tracked through a Question and Answer Board within the RFQ event on the Public Procurement Portal. Any issues or questions related to logging in or technical issues, including attachments, can be submitted to our third party software host, Jaggaer via a Support form: <https://www.jaggaer.com/service-support/supplier-support/> or by calling 1(800)233-1121, option 2 then option 2. Applications that do not comply with the above instructions will not be considered. Application material will not be returned.

## Section XII Miscellaneous

### DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State

Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Wednesday, March 20, 2019 and 3:00 p.m., Tuesday, March 26, 2019.

Rule No.	File Date	Effective Date
61K1-3.043	3/26/2019	4/15/2019
64B1-4.0015	3/21/2019	4/10/2019
64B9-2.022	3/25/2019	4/14/2019
64B9-2.017	3/25/2019	4/14/2019
69I-25.001	3/20/2019	4/9/2019
69I-25.002	3/20/2019	4/9/2019
69I-25.003	3/20/2019	4/9/2019
69O-137.001	3/22/2019	4/11/2019
69O-138.001	3/22/2019	4/11/2019
69O-203.201	3/22/2019	4/11/2019
69O-203.202	3/22/2019	4/11/2019
69O-203.203	3/22/2019	4/11/2019
69O-203.204	3/22/2019	4/11/2019
69O-203.205	3/22/2019	4/11/2019
69O-203.210	3/22/2019	4/11/2019
69O-238.001	3/22/2019	4/11/2019
69O-238.002	3/22/2019	4/11/2019
<b>LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES</b>		
Rule No.	File Date	Effective Date
60FF1-5.009	7/21/2016	**/**/****
64B8-10.003	12/9/2015	**/**/****
69L-3.009	12/5/2018	**/**/****

### DEPARTMENT OF STATE

Division of Cultural Affairs

Florida Division of Cultural Affairs and National Endowment for the Arts Initiatives Partnership Program Formal Solicitation for Applications.

The Florida Department of State is currently soliciting applications for the Florida Division of Cultural Affairs and the National Endowment for the Arts Division Initiative Partnership Program for art and culture projects related to the Division of Cultural Affairs strategic plan.

The application submission period will open April 1, 2019, and end at 5:00 p.m., ET on May 1, 2019. Applications will only be accepted via email at [joshua.gates@dos.myflorida.com](mailto:joshua.gates@dos.myflorida.com) and must be complete to be considered for evaluation. Guidelines can be obtained by contacting grant staff at [joshua.gates@dos.myflorida.com](mailto:joshua.gates@dos.myflorida.com).

Funding availability will depend upon National Endowment for the Arts appropriation. Recommended grant awards will start at \$5,000 and not exceed \$50,000.

Grant staff can be contacted at: (850)245-6483, email: [joshua.gates@dos.myflorida.com](mailto:joshua.gates@dos.myflorida.com) or by visiting: <http://dos.myflorida.com/cultural/>.

---

DEPARTMENT OF HEALTH

Board of Nursing

Notice of Emergency Action

On March 26, 2019, State Surgeon General issued an Order Lifting Emergency Suspension of Certificate with regard to the certificate of Latasha N. Lewis Henry, C.N.A., Certificate No.: CNA 143847. Department orders that the Emergency Suspension of Certificate be lifted.

---

**Section XIII**  
**Index to Rules Filed During Preceding**  
**Week**

NOTE: The above section will be published on Tuesday beginning October 2, 2012, unless Monday is a holiday, then it will be published on Wednesday of that week.

---