

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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| RULE NOS.: | RULE TITLES: |
| 64B15-12.003 | Applications for Licensure |
| 64B15-12.005 | Limited Licensure |
| 64B15-12.009 | Osteopathic Faculty Certificate |
| 64B15-12.010 | Temporary Certificate to Practice in an Area of Critical Need |
| 64B15-12.011 | Temporary Certificate for Active Duty Military and Veterans Practicing in Areas of Critical Need |

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate revised applications into the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application.

RULEMAKING AUTHORITY: 456.013, 459.005, 459.0055, 459.0075, 459.0077, 459.0092 FS.

LAW IMPLEMENTED: 456.013, 456.0135, 456.0635, 456.039, 456.50, 456.0635, 459.0055, 459.0075, 459.0076, 459.00761, 459.0077, 459.0085, 459.0092 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by email at Kama.Monroe@flhealth.gov.

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

DEPARTMENT OF HEALTH

Board of Osteopathic Medicine

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| RULE NO.: | RULE TITLE: |
| 64B15-22.004 | Mandatory Registration of Unlicensed Physicians |

PURPOSE AND EFFECT: The Board proposes the development of a rule amendment to incorporate the revised application into the rule.

SUBJECT AREA TO BE ADDRESSED: Incorporation of the revised application.

RULEMAKING AUTHORITY: 459.005, 459.021 FS.

LAW IMPLEMENTED: 459.021 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Kama Monroe, Executive Director, Board of Osteopathic Medicine/MQA, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3256, or by email at Kama.Monroe@flhealth.gov.

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

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

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| RULE NO.: | RULE TITLE: |
| 69A-37.056 | Specifications for Certifiable Training |

PURPOSE AND EFFECT: : Section 633.408, F.S., requires the Division of State Fire Marshal to establish by rule a Minimum Standards Course and course examination to provide training required to obtain a Firefighter Certificate of Compliance. The proposed amendments will update and clarify the current training criteria set forth in Rule 69A-37.056, F.A.C.

SUBJECT AREA TO BE ADDRESSED: Specifications for certifiable training.

RULEMAKING AUTHORITY: 633.128(1)(a), (b), (2)(a), 633.408(1) FS.

LAW IMPLEMENTED: 633.128(1)(a), (b), 633.408, 633.412 FS.

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 2, 2021, 10:00 – 11:30 a.m.

PLACE: Florida State Fire College, 11655 NW Gainesville Road, Ocala, FL. If state office buildings remain closed to the public at the time of this hearing due to the COVID-19 outbreak, the workshop (if requested) will only take place via conference call and the phone number is (850)413-1558, access code: 9603561.

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 days before the workshop/meeting by contacting: Mike Tucker at (352)369-2833 or Mike.Tucker@myfloridacfo.com. If you are hearing or speech

impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Mike Tucker, Superintendent, Florida State Fire College, 11655 N.W. Gainesville Road, Ocala, Florida 34482-1486, (352)369-2839 or Mike.Tucker@myfloridacfo.com. THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS AVAILABLE AT NO CHARGE FROM THE CONTACT PERSON LISTED ABOVE.

Section II Proposed Rules

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: RULE TITLE:
61E14-3.002 Special Assessment

PURPOSE AND EFFECT: The rule is being repealed as a result of it's no longer functionally relevant or necessary.

SUMMARY: The rule is no longer functionally relevant or necessary, because it requires a licensee licensed on or before January 1, 2002, to pay a special assessment of \$200.00 to the Department by 5pm on September 30, 2002.

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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 455.219(2) FS.

LAW IMPLEMENTED: 455.219(2) 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: Krista B. Woodard, Executive Director, Regulatory Council of Community Association Managers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

THE FULL TEXT OF THE PROPOSED RULE IS:

61E14-3.002 Special Assessment.

Rulemaking Authority 455.219(2) FS. Law Implemented 455.219(2) FS. History—New 6-18-02, Formerly 61-20.505, Repealed.

NAME OF PERSON ORIGINATING PROPOSED RULE: Regulatory Council of Community Association Managers' Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Regulatory Council of Community Association Managers' Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 6, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: N/A

DEPARTMENT OF HEALTH

Board of Orthotists and Prosthetists

RULE NOS.: RULE TITLES:
64B14-4.003 Documentation of Eligibility for Licensure
64B14-4.005 Documentation of Eligibility for Registration

PURPOSE AND EFFECT: The proposed rule amendments are intended to update the revised language and applications.

SUMMARY: The proposed rule amendments intend to update the revised language and applications.

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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.802, 468.803 FS.

LAW IMPLEMENTED: 456.013(1), (7), 456.0635, 468.803 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: Janet Hartman, Executive Director, Board of Orthotists & Prosthetists, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B14-4.003 Documentation of Eligibility for Licensure.

(1) In order to establish eligibility for licensure as an orthotist, prosthetist, orthotic fitter, orthotic fitter assistant, or pedorthist under section 468.803(5)(a), (b), (c), (d) or (e), F.S., the applicant must submit an Orthotist, Prosthetist, Orthotist – Prosthetist, Orthotic Fitter, Orthotic Fitter Assistant, Pedorthist – Application for Licensure, form DH-MQA 1132, 7/202008/2017, herein incorporated by reference, which is available at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09988>, or at the Board’s website <http://floridasorthotistsprosthetists.gov/>, and provide:

(a) An official transcript from the ~~regionally~~ accredited institution at which the applicant’s Baccalaureate or post-graduate Bachelor of Science degree was awarded, indicating the degree awarded.

(b) No Change.

(c) If the applicant completed a residency program certified by NCOPE, documentation from NCOPE certifying completion of the residency program ~~an original letter from the~~

~~head of the residency program attesting to successful completion of the program.~~

(d)1. If the applicant completed an internship, documentation from the qualified supervisor a patient log signed by the applicant’s qualified supervisor(s), including the types of patients treated, the types of treatment provided, and the number of hours worked, that specifies the number of hours worked demonstrates compliance with rule 64B14-4.100, F.A.C., or

2. The Board ~~will shall~~ accept written documentation from NCOPE ABC establishing the completion of an internship. Such documentation must be submitted to the Board office directly from NCOPE ABC ~~and must demonstrate the applicant’s internship was in compliance with rule 64B14-4.100, F.A.C.~~

(e) No change.

(f) Sections 468.803(4)(a)2., (4)(b)2., (5)(a)2., and (5)(b)2., F.S., require that an applicant for examination or license must first complete a ~~1-year~~ qualified experience internship or residency. Experience gained in Florida, ~~either through a residency or internship,~~ is deemed “qualified” beginning only after the issuance date of a valid Registration to practice in Florida as ~~either an intern or a~~ resident.

(2) In order to establish eligibility for licensure as an orthotic fitter under section 468.803(5)(c), F.S., the applicant must provide at a minimum:

(a) No change.

(b) Proof of successful completion of an orthotic fitter pre-certification course consisting of a minimum of 32 hours and approved by the American Board for Certification in Orthotics, Prosthetics, and Pedorthics. Alternative orthotic fitter courses consisting of at least 32 hours may be considered by the Board when the following knowledge and skills are documented: anatomy and physiology, pathologies, biomechanics, patient assessment, treatment plans, equipment and tools, follow-up plans, and practice management. An original or certified copy of a certificate of completion of the Trulife Healthcare or the Surgical Appliance Industries orthotics course and examination

(c) through (e) No change.

(3) In order to establish eligibility for licensure as an orthotic fitter assistant under section 468.803(5)(d), F.S., the applicant must provide at a minimum:

(a) No change.

(b) Proof of successful completion of an orthotic fitter pre-certification course consisting of a minimum of 32 hours and approved by the American Board for Certification in Orthotics, Prosthetics, and Pedorthics. Alternative orthotic fitter courses consisting of at least 32 hours may be considered by the Board when the following knowledge and skills are documented: anatomy and physiology, pathologies, biomechanics, patient assessment, treatment plans, equipment and tools, follow-up

~~plans, and practice management. An original or certified copy of a certificate of completion of the Trulife Healthcare or the Surgical Appliance Industries orthotics course and examination~~

(c) through (d) No change.

(4) In order to establish eligibility for licensure as a pedorthist under section 468.803(5)(e), F.S., the applicant must provide at a minimum:

(a) through (b) No change.

(c) Documentation from a qualified supervisor specifying a patient log signed by the applicant's qualified supervisor(s), including the types of patients treated, the types of treatment provided, and the number of hours worked.

(d) No change.

Rulemaking Authority 468.802 FS. Law Implemented 456.013(1), (7), 456.0635, 468.803 FS. History—New 12-10-98, Amended 11-11-02, 11-1-05, 9-21-06, 4-19-09, 4-12-10, Amended 6-19-12, 11-13-12, 6-10-13, 3-5-15, 10-21-18,_____.

64B14-4.005 Documentation of Eligibility for Registration.

~~Each~~ In order to establish eligibility for registration as an orthotic, prosthetic, or orthotic-prosthetic; resident participating in a residency program in this state shall register with the Board within sixty (60) days of the date of commencement of residency using the or intern under section 468.803(3)(a) or (b), F.S., the applicant must submit a completed Internship/Orthotist or Prosthetist Application for Initial Residency Registration, form number DH-MQA 1126, 7/2020 8/2017, hereby adopted and incorporated by reference, which is available from: <http://www.flrules.org/Gateway/reference.asp?No=Ref-09325>, or the Board office or at the Board's website <http://floridasorthotistsprosthetists.gov/>, and provide:

(1)(a) An official transcript from the regionally accredited institution at which the applicant's Baccalaureate or post-graduate ~~Bachelor of Science~~ degree was awarded, indicating the degree awarded.

(b) Applicants for initial registration—~~only~~, having completed their degree requirements at a recognized prosthetics and orthotics degree program within forty-five (45) days of their registration application, and whose transcript is not yet available, may instead ~~of an official transcript~~, submit both of the following:

1. A letter sent directly to the Board on school letterhead signed by the orthotics and prosthetics degree program's director, documenting the applicant has completed the required prosthetic and orthotic's degree curriculum and is eligible and due to graduate, and specifying the degree to be awarded; and,
2. A copy of the applicant's request for a certified transcript addressed to be sent directly to the Board.

(2) If the applicant's degree was not awarded in orthotics and prosthetics, documentation from the CAAHEP approved program certifying completion of an orthotics, ~~or prosthetics, or orthotics-prosthetics~~ program, as applicable.

~~(3) For registration as a resident the applicant must provide~~ Documentation of enrollment in an NCOPE approved residency program.

~~(4) For registration as an intern the applicant must provide documentation of a proposed internship meeting the requirement of rule 64B14 4.100, F.A.C.~~

~~(4)(5)~~ Documentation of completion of the mandatory courses.

Rulemaking Authority 468.802, 468.803 FS. Law Implemented 468.803, 456.0635 FS. History—New 12-9-10, Amended 5-15-12, 11-13-12, 5-6-18,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Orthotists & Prosthetists
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Orthotists & Prosthetists
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 30, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: September 16, 2020

DEPARTMENT OF HEALTH

Board of Speech-Language Pathology and Audiology

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| RULE NOS.: | RULE TITLES: |
| 64B20-4.003 | On-the-Job Training, Role and Observation of Speech-Language Pathology and Audiology Assistants |
| 64B20-4.004 | Supervision of Speech-Language Pathology Assistants and Audiology Assistants |
| 64B20-4.0046 | Board Established and Approved Protocols for Audiology Assistants |

PURPOSE AND EFFECT: The proposed rules are intended to amend rule language, add new language, and incorporate a new application regarding protocols for Audiology Assistants.

SUMMARY: The Board proposes to add new language and a new application regarding protocols for Audiology Assistants.

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: During discussion of the economic impact of this rule at its Board meeting, the Board concluded that this rule change will not have any impact on licensees and their businesses or the businesses that employ them. The rule will not increase any fees, business costs, personnel costs, will not decrease profit opportunities, and will not require any specialized knowledge to comply. This change will not increase any direct or indirect regulatory costs. Hence, the Board determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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: 468.1125(9), 468.1135(4) FS. LAW IMPLEMENTED: 468.1125(3), (4), (9), 468.1215 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: Kama Monroe, Executive Director, Board of Speech-Language Pathology and Audiology, 4052 Bald Cypress Way, Bin # C06, Tallahassee, Florida 32399-3256.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B20-4.003 On-the-Job Training, Role and Observation of Speech-Language Pathology and Audiology Assistants.

(1) through (6) No change.

(7) The audiology licensee may permit the audiology assistant to perform the following services under the direct supervision of the supervising licensee or when acting pursuant to Board of Speech Language Pathology and Audiology approved protocols as established in Rule 64B20-4.0046, F.A.C., in order for the licensee to be available for consultation and direction:

(a) through (i) No change.

(8) through (11) No change.

Rulemaking Authority 468.1135(4) FS. Law Implemented 468.1125(3), (4), 468.1215 FS. History—New 3-14-91, Formerly 21LL-4.003, 61F14-4.003, Amended 9-8-94, 8-17-95, Formerly 59BB-4.003, Amended 2-2-04, 2-21-05, 9-9-13, 3-18-20, _____.

64B20-4.004 Supervision of Speech-Language Pathology Assistants and Audiology Assistants.

(1) through (2) No change.

(3) Assistants must be under the direct supervision of a licensee who has met all the requirements of Section 468.1185, F.S. Direct supervision requires the physical presence of the

licensee in the same facility when the assistant is carrying out assigned responsibilities, unless acting pursuant to Board of Speech Language Pathology and Audiology approved protocols as established in Rule 64B20-4.0045 or Rule 64B20-4.0046, F.A.C., in order for the licensee to be available for consultation and direction. The supervising licensee shall make provisions for emergency situations including the designation of another licensee who has agreed to be available to provide direct supervision to the assistant when the supervising licensee is not available. In the event that a supervising licensee is not on the premises, the assistant may only perform duties not involving direct client contact unless acting pursuant to Board of Speech Language Pathology and Audiology approved protocols as established in Rule 64B20-4.0045 or Rule 64B20-4.0046, F.A.C.

(4) through (5) No change.

Rulemaking Authority 468.1125(9) FS. Law Implemented 468.1125(3), (4), (9) FS. History—New 3-14-91, Amended 11-3-92, 2-4-93, Formerly 21LL-4.004, 61F14-4.004, Amended 9-8-94, 8-17-95, 5-22-96, Formerly 59BB-4.004, Amended 9-9-13, 3-18-20, _____.

64B20-4.0046 Board Established and Approved Protocols for Audiology Assistants.

(1) The following are Board of Speech-Language Pathology and Audiology established and approved protocols for consultation and supervision of audiology assistants prior to providing services in a location distant to the supervising licensee pursuant to Section 468.1125(9), F.S., Rules 64B20-4.003 and 64B20-4.004, F.A.C.

(2) Competency of duties for which the assistant has been specifically trained and is authorized to perform under Chapter 468, F.S. and Rule 64B20, F.A.C. in the areas defined in subsection 64B20-4.003(7), F.A.C.

(a) Once competency is achieved, Form DH-MQA 5063 entitled, "Audiology Assistant Collaborative Practice Agreement," (11/2020), which is incorporated by reference herein, and can be obtained from <http://www.flrules.org/Gateway/reference.asp?No=Ref->, must be signed by supervising licensee and audiology assistant confirming the mutual agreement between the licensee and the assistant are acting under established and approved Board of Speech-Language Pathology and Audiology protocols.

(b) The written protocol Form DH-MQA 5063-11/2020 signed by the licensed Audiologist (AUD) and the Audiology Assistant (AA) shall minimally include the following:

1. General Information
2. Description of Duties of the AA
3. Description of Duties of the AUD
4. Certification
5. Designated Licensee

(c) Supervising licensee shall require the availability of the supervising audiologist for consultation with and direction of

the supervised assistant must be available via synchronous telecommunication.

(3) The licensed supervising audiologist will maintain full ethical and legal responsibility for all actions of the assistant when services are provided.

(4) The licensed supervising audiologist must hold a clear and active license within the state of Florida.

Rulemaking Authority 468.1125(9) FS. Law Implemented 468.1125(3), (9) FS. History—New _____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
Board of Speech-Language Pathology and Audiology
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Speech-Language Pathology and Audiology
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: October 23, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: December 29, 2020

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NOS.: 68D-21.001
RULE TITLES: Requirements for Applications
68D-21.004 Criteria for Approval of Ordinances

PURPOSE AND EFFECT: These rule amendments will provide clarity regarding the application and approval process for ordinances creating boating restricted areas.

SUMMARY: These rules provide guidelines for local governments regarding applications for approval of ordinances establishing boating restricted areas, and the proposed changes are intended to provide clarity regarding the application and approval process. Specific proposed changes include defining “launching and landing facilities,” adding written warnings to the proofs considered in assessing whether there is competent substantial evidence to support that a boating restricted area is necessary to protect public safety, and providing clarification of traffic congestion metrics. These updates will add transparency to the ordinance application process used by local governments to establish boating restricted areas, such as slow speed zones, within their jurisdictions. The overall result of these rule amendments will be a more efficient application and ordinance review process.

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 nature of the rule and the preliminary analysis conducted to determine whether a SERC was required.

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: 327.04, 327.46 FS.

LAW IMPLEMENTED: 327.46, 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: Major Robert Rowe, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600, robert.rowe@myfwc.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

68D-21.001 Requirements for Applications.

(1) Approval by the Florida Fish and Wildlife Conservation Commission is not required for ordinances adopted pursuant to Section 327.46(1)(b), F.S. Regulatory markers necessary for implementing those ordinances must be permitted as required in Sections 327.40 and 327.41, F.S., and as provided in Chapter 68D-23, F.A.C.

(2) Any municipality or county application for approval of an ordinance establishing a boating-restricted area pursuant to Section 327.46(1)(c), F.S., must be submitted to: Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section.

(3) Each application must include:

(a) The name of the applicant municipality or county.

(b) The name, mailing address, telephone number, and any email address or facsimile number of the applicant’s:

1. Primary contact person; and,

2. Attorney or qualified representative.

(c) A certified copy of the adopted ordinance for which approval is sought. A county or municipality may submit a draft ordinance for review and approval. Approval, if granted, is conditioned upon the draft ordinance being adopted without amendment and does not become effective until a certified copy of the ordinance as adopted is received by the Boating and Waterways Section. If the draft ordinance is amended, approval of the draft ordinance will be rescinded and the ordinance as adopted will be reviewed.

(d) A statement identifying the provision within Section 327.46(1)(c), F.S., authorizing regulation of vessel speed or operation by the ordinance.

(e) One or more scaled drawings no larger than 8 1/2 inches by 11 inches, reproducible in black and white on standard office photocopying equipment which clearly show the following:

1. The jurisdictional boundaries of the municipality or county enacting the ordinance and, for county ordinances, the jurisdictional boundaries of any municipality in which a boating-restricted area is located.

2. The exact boundaries of each boating-restricted area established by the ordinance and the restrictions on vessel operation imposed within each boating-restricted area.

3. Any other known boating-restricted area (federal, state, county, other municipality, etc.) located within 2,500 feet of any boating-restricted area established by the ordinance.

4. The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area, identified with a label or legend as to whether or not it is available for use by the general public:

a. Any boat ramp, hoist, marine railway, or other launching or landing facility. For purposes of this Chapter, and in interpreting s. 327.46, F.S., a "launching or landing facility" shall be any improvement built or installed upon land that facilitates a vessel transitioning from the land to the water and vice versa. A launching or landing facility shall not include any amenity built near or adjacent to the water which does not facilitate a vessel transitioning from the land to water, or vice versa.

b. Any fuel pump or dispenser at any marine fueling facility or licensed terminal facility.

c. Any lock structure.

d. Any designated public bathing beach or swim area.

5. The location of any of the following within a proposed boating-restricted area or used as a basis for establishing a boating restricted area:

a. Any bridge, including any bridge fender system, if present.

b. Any dam, spillway, or flood control structure.

c. Any confluence of water bodies presenting a blind corner.

d. Any bend or other intervening obstruction to visibility that may obscure other vessels or other users of the waterway in a narrow channel, fairway, or other similar area within the meaning of Inland Navigation Rule 9 (33 U.S.C. §2009) as adopted by Section 327.33, F.S.

e. Any specific hazards to navigation (with a label or legend describing the hazard).

6. If relied upon as a basis for establishing the boating-restricted area, the location and description of any of the following within the proposed boating restricted area boundary:

a. Any specific area subject to unsafe levels of vessel traffic congestion, together with documentation showing these unsafe levels, as provided in Rule 68D-21.004.

b. Any specific area subject to hazardous water levels or currents, together with documentation showing these hazardous levels, as provided in Rule 68D-21.004.

c. Any reported boating accident for which speed, wake, or operation of a vessel was a primary contributing factor.

d. Any issuance of a Uniform Boating Citation or written warning related to vessel speed, wake, or operation. The Applicant shall be responsible for reviewing citations and written warnings to ensure they are relevant to the application as provided in Rule 68D-21.004(3)(c)3.b. Applications submitted with citations or written warnings that are outside the scope of Rule 68D-21.004(3)(c)3.b. will be denied without prejudice to the Applicant reapplying with only citations and written warnings identified in Rule 68D-21.004(3)(c)3.b.

7. The shoreline-to-shoreline width of the body of water upon which the boating restricted area is to be established and, if the water body is a lake or pond, the total surface area expressed in acres.

(f) Documentation that the ordinance was developed, prior to presenting language for adoption, in consultation and coordination with:

1. The governing body of every other county or municipality sharing jurisdiction over the area in which the boating-restricted area is located.

2. The United States Coast Guard if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. §2.36(a) (2009), which is adopted by reference and is available at <http://www.gpoaccess.gov/cfr/index.html>.

3. The United States Army Corps of Engineers if the boating-restricted area is to be established on navigable waters of the United States as defined in 33 C.F.R. §329.4 (2009), which is adopted by reference and is available at <http://www.gpoaccess.gov/cfr/index.html>.

(g) A summary of the facts and circumstances the applicant contends justifies the establishment of the restriction on speed or operation and a list of the evidence in support of that contention the applicant desires for the agency to review.

(h) An appendix containing all evidence listed in paragraph (g), above, except that the appendix need not include the following:

1. Copies of Boating Accident Reports or Boating Accident Investigation Reports if those reports are identified by law enforcement agency case number and provided in a list. If the Boating and Waterways Section does not have a copy on file of one or more such reports, it will request that the applicant supplement the application appendix with copies of those reports.

2. Copies of Florida Uniform Boating Citations or written warnings if identified by citation number or warning number in a list. If one or more citations or written warnings are not already entered into the ArrestNet Database maintained by the Commission Field Services Section, the Boating and Waterways Section will request the applicant ~~to~~ supplement the application appendix with copies of those citations or warnings. The applicant can request information regarding citations or warnings that are contained within the ArrestNet database by emailing DLE.reports@myfwc.com.

(i) Proof that the applicant has at its own cost published, as provided by Sections 50.011-.031, F.S., once a week for 2 consecutive weeks, prior notice of the public hearing on the ordinance in a newspaper of general circulation in the area(s) affected by the ordinance.

(j) The signature of the applicant’s attorney or qualified representative.

(k) The date the application is submitted.

(4) Complete applications may be submitted:

(a) By mail or in person to the Fish and Wildlife Conservation Commission, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, or

(b) As a Portable Document Format (.pdf) file attached to an email addressed to waterway.management@myfwc.com.

(5) The Boating and Waterways Section will not process partial or incomplete applications.

Rulemaking Authority 327.04, 327.46 FS. Law Implemented 327.46 FS. History—New 10-6-10.

68D-21.004 Criteria for Approval of Ordinances.

(1) Any ordinance submitted pursuant to Section 327.46(1)(c), F.S., and in compliance with Chapter 68D-21, F.A.C., is subject to review and approval by the Commission.

(2) An ordinance establishing either an “idle speed, no wake” or a “slow speed, minimum wake” boating restricted area will be approved for areas not more than 300 feet from a confluence (intersection) of water bodies presenting a blind corner, a bend in a narrow channel or fairway, or such other area if an intervening obstruction to visibility may obscure other vessels or other users of the waterway.

(a) A blind corner is presented where an intervening obstruction to visibility prevents the operator of a vessel on one of the water bodies from seeing a vessel on the other water body at a distance of 300 feet or less from the confluence.

(b) A bend or other intervening obstruction to visibility in a narrow channel, fairway, or other similar water body within the meaning of Inland Navigation Rule 9 (33 U.S.C. §2009) as adopted by Section 327.33, F.S., is presented where a decision sight distance of less than 300 feet exists and prevents the operator of a vessel from seeing other vessels or other users of the waterway.

(3) An ordinance establishing a “slow speed, minimum wake” boating-restricted area or numerical speed limit boating-restricted area regulated at 25 or 30 miles per hour will be approved for areas:

(a) Subject to hazardous water levels or currents if:

1. The boating-restricted area established in the ordinance is active and enforceable only when the water levels are at or above flood stage on a river gauge operated or reported by the National Weather Service’s River Forecast Center (<http://www.srh.noaa.gov/serfc/>) or at the equivalent level on a river gauge operated or reported by the United States Geological Survey’s National Water Information System (<http://waterdata.usgs.gov/fl/nwis/rt>) and the specific gauge and flood stage water level is specified in the ordinance.

~~2. The United States Coast Pilot (<http://www.nauticalcharts.noaa.gov/nsd/epdownload.htm>) identifies the area as being subject to hazardous tides or currents.~~

~~2-3.~~ A navigation chart published by the National Oceanic and Atmospheric Administration’s National Ocean Service (<http://www.nauticalcharts.noaa.gov/>) identifies the area as being subject to hazardous tides or currents.

~~3-4.~~ Creditable data demonstrate that the area is subject to water levels or currents that endanger vessels operating in the area or the occupants of such vessels.

(b) Containing a documented navigational hazard of a nature that vessel operation in its vicinity at speed in excess of slow speed, minimum wake endangers the vessel or its occupants. Navigational hazards are presumed to exist within the marked boundaries of mooring fields as permitted by Section 327.40, F.S.

(c) Subject to unsafe levels of vessel traffic congestion, ~~seasonally seasonal~~ or year-round, such that:

1. The traffic density including concentration of fishing vessels or any other vessels would require that vessels slacken speed under Inland Navigation Rule 6(a)(ii) (33 U.S.C. §2006) as adopted by Section 327.33, F.S., or

2. It presents a significant risk of collision or a significant threat to boating safety.

3. Unsafe levels of vessel traffic congestion, a significant risk of collision, or a significant threat to boating safety may be demonstrated by:

a. Accident reports – The following reports of boating accidents are acceptable if prepared contemporaneously with the boating accident being reported and if such reports reflect law enforcement’s determination that vessel traffic congestion or the speed, ~~or~~ wake, or operation of a vessel involved in the accident was a primary contributing factor in caused or contributed to the accident:

I. Florida Boating Accident Investigation Report, form FWCDLE 146, or Florida Boating Accident Self Report, form

FWCDLE 146C, supplied by the Commission as provided in Section 327.302, F.S.; United States Coast Guard Recreational Boating Accident Report, form CG-3865, ~~as provided in 33 C.F.R. §§173.55, 173.57~~; United States Coast Guard Report of Marine Casualty, Injury or Death, form CG-2692, ~~as provided in 46 C.F.R. §4.05-10~~. The current versions of these forms are adopted by reference in subsection (7) ~~(5)~~; prior editions of these forms are also acceptable.

II. A law enforcement agency's official offense or incident report prepared and signed by an officer authorized under Section 327.70, F.S., to enforce the provisions of Chapters 327 and 328, F.S.

III. Medical records, including EMS and medical examiner reports, if they document death or injuries as a result of a boating accident and specify the nature and location of the boating accident;

b. Uniform boating citations issued on citation forms supplied by the Commission as provided in Section 327.74, F.S., or written warnings if the violation alleged in the citation or warning is related to the cited vessel's speed, ~~or~~ wake, or operation. Citations and written warnings unrelated to vessel speed, wake, or operation will not be considered, nor will verbal warnings. In no event will citations or written warnings issued for violations of chapter 328, or sections 327.50, 327.53, 327.54, 327.65, 327.66, Florida Statutes be considered.

c. A vessel traffic study demonstrating that vessel traffic congestion or the speed, wake, or operation of vessels in the area create unsafe levels of vessel traffic congestion, a significant risk of collision, or a significant threat to boating safety. The if the conclusions of the study are, as determined by the Boating and Waterways Section, must be based upon sufficient facts or data, be are the product of reliable principles and methods, and apply if the study has applied the principles and methods reliably to the facts or data considered. In assessing the creditability of a vessel traffic study, the following factors (as applicable) shall be among those considered:

I. Whether the study's methodology can be or has been tested (i.e., whether the study's methodology can be challenged in some objective sense, or whether it is instead simply a subjective, conclusory approach that cannot reasonably be assessed for reliability),

II. Whether the study's methodology has been subject to peer review and publication,

III. The known or potential rate of error of the study's methodology,

IV. The existence and maintenance of standards and controls; and,

V. Whether the methodology has been generally accepted in the scientific community.

Vessel traffic studies must identify the number of vessels transmitting the proposed boating restricted area each hour for

no less than six hours out of each twenty-four-hour period documented and provided to the Commission. When this minimum threshold is met, the area will be evaluated taking all other relevant factors into consideration, including width of the waterway, vessel types using the waterway, navigational hazards, and other conditions specific to the proposed boating restricted area.

d. Other creditable data. For the purposes of this subparagraph, "other creditable data" means facts or data that are of a type reasonably relied upon by experts in the fields of boating safety, maritime safety, navigation safety, ports and waterways safety assessments, or vessel traffic management, as contemplated in Section 90.704, F.S.

4. When relying upon vessel traffic studies for reviews under this Rule, video surveillance made during a vessel traffic study may be submitted with a corresponding log documenting number of vessels, vessel types, examples of careless or reckless operation of vessels, navigation rule violations, actions taken to avoid collisions, unsafe vessel speeds, near misses of navigational hazards by vessels, or any other specific criteria the applicant wants considered, along with relevant video time stamps for each item. Without such a corresponding log documenting the specific identified issues, video surveillance will not be considered. Video surveillance which has been altered or edited will not be considered.

(d) That could have been established as an idle speed, no wake boating-restricted area under Section 327.46(1)(b)1., F.S., provided the applicant demonstrates by competent substantial evidence how the specific regulation will adequately solve public safety concerns in the area.

(4) An ordinance establishing a vessel exclusion zone (an area from which all vessels or certain classes of vessels are excluded) will be approved if the area is reserved exclusively:

1. As a canoe trail or otherwise limits vessel propulsion if the applicant demonstrates by competent substantial evidence how the restriction is necessary to protect public safety pursuant to Section 327.46, F.S., and if:

a. One of the following restrictions, as defined in Rule 68D-23.103, F.A.C., is imposed: "No Motorized Vessels" or "No Motorboats" or "Motorboats Prohibited;" "No Power-driven Vessels;" "No Internal Combustion Motors;" "Manually Propelled Vessels Only;" and,

b. Imposition of the restriction will not unreasonably or unnecessarily endanger navigation or interfere with the use of a navigation channel that is lawfully marked with lateral aids to navigation.

2. For a particular specified activity (e.g.: sailing instruction, marine research, water skiing, personal watercraft use, sailboard use, etc.) if the applicant demonstrates by competent substantial evidence how certain classes of vessels (including all vessels if appropriate under the prevailing

circumstances) endanger or are likely to endanger those participating in the specified activity and that the specified classes of vessels must be excluded from the area in order to adequately protect the safety of those participating in the specified activity.

(5) The Commission may approve an ordinance creating a year-round boating restricted area when the documentation provided reflects competent substantial evidence that such a restriction is necessary to protect public safety throughout the entire year. When vessel traffic studies alone are relied upon to apply for a year-round boating restricted area, the studies must document the area for a minimum of four consecutive, non-holiday (those days not identified as “holidays” in 68D-23.103) days, for each season (spring, summer, fall, and winter).

(6) The Commission may approve an ordinance creating a seasonal boating restricted area when the documentation provided reflects competent substantial evidence that such a restriction is necessary to protect public safety throughout the requested season. When vessel traffic studies alone are relied upon to apply for a seasonal boating restricted area, the studies must document the area for a minimum of four consecutive, non-holiday days (those days not identified as “holidays” in 68D-23.103), for each season sought to be regulated. For purposes of this Chapter, a seasonal boating restricted area shall mean a boating restricted area in force and effect for any time period less than a complete calendar year.

(7)(5) The following forms are adopted and incorporated by reference:

(a) Florida Boating Accident Investigation Report, form FWCDLE 146 (07/2010), available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____ and Florida Boating Accident Self Report, form FWCDLE 146C (07/2010), available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____, supplied by the Commission as provided in Sections 327.301 and 327.302, F.S. These forms may also be obtained from the Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600.

(b) United States Coast Guard Recreational Boating Accident Report, form CG-3865 (Rev. 09/18) (~~Rev. 07/08~~), as provided in 33 C.F.R. §§173.55, 173.57, available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____. This form may also be obtained from Commandant (CG-5422), U.S. Coast Guard Headquarters, 2100 Second St. S.W., Stop 7581, Washington, DC 20593-7581, ~~or downloaded at <http://www.usegboating.org/assets/1/Publications/cg3865barform2008.pdf>~~.

(c) United States Coast Guard Report of Marine Casualty, Commercial Diving Casualty, or OCS Related Casualty Injury ~~or Death~~, form CG-2692 (Rev. 07/19) (~~Rev. 06/04~~), as provided

~~in _____ 46 _____ C.F.R. _____ §4.05-10 available at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____. This form may also be obtained from the Coast Guard Sector Office, Coast Guard Marine Inspection Office or Coast Guard Group Office nearest the scene of the marine casualty, or from Commander, USCG Seventh District, Brickell Plaza Federal Building, 909 S.E. 1st Avenue, Miami, FL 33131-3050, or _____ downloaded _____ at http://www.useg.mil/forms/CG/CG_2692.pdf. Rulemaking Authority 327.04, 327.302, 327.46 FS. Law Implemented 327.302, 327.46 FS. History–New 10-6-10, _____.~~

NAME OF PERSON ORIGINATING PROPOSED RULE: Major Robert Rowe, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian St., Tallahassee, Florida 32399-1600, (850)488-5600, robert.rowe@myfwc.com.

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

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 17, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: August 5, 2020

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

| RULE NOS.: | RULE TITLES: |
|------------|---|
| 69A-51.001 | Scope |
| 69A-51.005 | Definitions |
| 69A-51.010 | Codes Adopted |
| 69A-51.015 | Administration |
| 69A-51.017 | Other Provisions |
| 69A-51.020 | Certificates of Competency |
| 69A-51.025 | Certificate of Compliance |
| 69A-51.035 | Examinations |
| 69A-51.045 | Scope |
| 69A-51.050 | Inspection Requirements |
| 69A-51.060 | Requirements for New Installations |
| 69A-51.065 | Requirements for Existing Installations |
| 69A-51.075 | Repairs |
| 69A-51.080 | Condemned Boilers |
| 69A-51.085 | Accidents |

PURPOSE AND EFFECT: Section 554.103, F.S., requires the Department to adopt by rule a State Boiler Code for the safe construction, installation, inspection, maintenance, and repair of boilers in this state.

SUMMARY: The proposed amendments will update the rules to incorporate recent legislative changes to chapter 554, F.S., and to update existing forms and incorporate several new forms by reference. The State Boiler Code will be updated to incorporate the 2017 edition of the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel

Code by reference; incorporate the 2018 edition of the ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers, by reference; incorporate the 2017 edition of the National Board Inspection Code by reference; and incorporate the 2018 edition of the ASME B31.1, Power Piping, by reference. Rule 69A-51.035, F.A.C., is repealed.

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 potential impact of the proposed rule amendments determined that there will be no adverse economic impact or increased regulatory costs that would 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: 554.1021, 554.103, 554.104, 554.108 FS.

LAW IMPLEMENTED: 554.1021, 554.103, 554.104, 554.105, 554.106, 554.107, 554.108, 554.1081, 554.109, 554.1101, 554.111, 554.114, 554.115 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE HELD AT THE DATE, TIME AND PLACE SHOWN BELOW:

DATE AND TIME: February 8, 2021, 2:00 p.m.

PLACE: 325 John Knox Road, Atrium Building, 3rd Floor, Tallahassee, FL. If state office buildings remain closed to the public at the time of this hearing due to the COVID-19 outbreak, the hearing (if requested) will only take place via conference call. Anyone wishing to participate in this hearing must participate via a telephone conference call using the phone number (850)413-1558 and access code: 307038.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: David Warburton at (850) 413-3614 or David.Warburton@myfloridacfo.com.. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Warburton, Chief Boiler Inspector, 200 E. Gaines Street, Tallahassee, FL 32399-0342, (850)413-3614, or David.Warburton@myfloridacfo.com.

THE FULL TEXT OF THE PROPOSED RULE IS:

69A-51.001 Scope of State Boiler Code.

(1) This rule chapter ~~The rules contained in this chapter shall~~ establishes provisions to safeguard life, limb, and property by specifying minimum standards for the construction, installation, operation, maintenance, inspection, and repair of boilers located in this state after October 1, 1987, and for the inspection of boilers in places of public assembly. There shall be a joint responsibility among the owner, the user, and the operating employees for compliance with this rule chapter.

(2) This rule chapter does ~~These rules do~~ not presume to limit in any way the builder’s right to choose any method of design or form of construction which conforms to the codes and standards adopted in Rule 69A-51.010, F.A.C. ~~these rules~~. The codes and standards adopted contain fundamental features of construction and leave a number of details to the judgment of designers and authorized inspectors.

(3) Special designs which are not covered by the codes and standards may be determined by the manufacturer in cooperation with the purchaser, subject to the approval of the Boiler Safety Program of the Department of Financial Services.

(4) This rule chapter ~~These rules~~ shall be enforced in conjunction with the codes adopted in Rule 69A-51.010, F.A.C. ~~herein~~.

Rulemaking Authority 554.103, 554.104, 554.108 FS. Law Implemented 554.103, 554.104, 554.108, 554.1101 FS. History—New 2-27-89, Formerly 4A-51.001, Amended 4-10-16, _____.

69A-51.005 Definitions.

As used in this rule chapter, the term:

(1) ~~“The Act”~~ means chapter 554, F.S., the “Boiler Safety Act.”

(2) ~~“Alteration” shall~~ means any change in the item described on the original manufacturer’s data report which affects the pressure containing capability of the boiler or pressure vessel. Non-physical changes such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or pressure vessel shall be considered an alteration. A reduction in minimum temperature such that additional mechanical tests are required shall also be considered alteration.

(3) ~~“ANSI” means The American National Standards Institute, 1899 L Street, NW, 11th Floor, Washington, DC 20036, (202)293-8020~~  ~~1430 Broadway, New York, NY 10018.~~

(4) “Antique boiler” means any closed vessel used solely for display and demonstration purposes, in which water is heated, steam is superheated, or any combination thereof, under pressure or in a vacuum, for use externally to itself, by direct application of heat from the combustion of fuels, or from electricity. The term shall include fired vessels, used solely for display and demonstration purposes, for heating or vaporizing liquids other than water where these vessels are separate from processing systems and are complete within themselves.

(5) “Approved” means permitted by the Boiler Safety Program of the Department of Financial Services.

(6) “ASME Code” means The American Society of Mechanical Engineers (ASME) International Boiler and Pressure Vessel Code published by that Society, which are incorporated by reference in Rule 69A-51.010, F.A.C. including addenda and interpretations existing at the time this rule is adopted.

(7) “Authorized inspection agency” means:

(a) Any county, municipality, town, or other governmental subdivision that has adopted into law the ASME Code and the National Board Inspection Code for the construction, installation, inspection, maintenance, and repair of boilers to regulate boilers in public assembly locations and whose boiler inspectors hold valid certificates of competency in accordance with section 554.104, F.S.; A jurisdiction which has adopted and which administers one or more sections of the ASME Boiler and Pressure Vessel Code as a legal requirement, one which shall be Section 1, and whose inspectors hold valid commissions issued by the National Board of Boiler and Pressure Vessel Inspectors, or in accordance with Section 554.112, F.S., or

(b) An insurer authorized by a subsisting certificate of authority, issued by the Office of Insurance Regulation, to transact boiler and machinery insurance in this state and whose boiler inspectors hold valid certificates of competency in accordance with section 554.104, F.S.; or An insurance company which has been licensed or registered by the appropriate authority of a state of the United States or a province of Canada to write and does write boiler and pressure vessel insurance, and to provide inspection service of boilers and pressure vessels in such state or province and whose inspectors hold valid commissions issued by the National Board of Boiler and Pressure Vessel Inspectors, or in accordance with Section 554.112, F.S.

(c) An inspecting agency accredited in accordance with the National Board of Boiler and Pressure Vessel Inspector’s program entitled “Accreditation of Authorized Inspection Agencies (AIA) Performing Inservice or Repair/Alteration Inspection Activities,” document number NB-369, and whose boiler inspectors hold valid certificates of competency in accordance with section 554.104, F.S. Such an inspection

agency may inspect uninsured boilers at the request of the owner/user or, at the direction of an insurance company, may inspect a boiler insured by that insurance company. Document number NB-369 (Eff. 10/03/16) is hereby incorporated by reference and is available on the following link: <insert DOS link >; or can be viewed, during regular business hours, Monday through Friday, at the offices of the Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3614/3723.

(8) “Authorized inspector” means the chief boiler inspector, a deputy boiler inspector, or a special boiler inspector.

(9) Definitions of boilers (additional boiler definitions may be found at section 554.1021, F.S.):

(a) “Electric boiler” means a power boiler or heating boiler in which the source of heat is electricity.

(b) “Miniature boiler” means a power boiler or high-temperature boiler which does not exceed any of the following limits:

1. 16" inside diameter of shell,
2. 20 sq. ft. of heating surface (not applicable to electric boilers),
3. 5 cu. ft. gross volume, exclusive of casing and insulation; and,
4. 100 psig maximum allowable working pressure.

(c) “Portable boiler” means a boiler which is primarily intended for temporary location and the construction and usage permits it to be readily moved from one location to another.

(d) “Coil type hot water boiler” means a boiler without any steam space where water flashes into steam when released through a manually operated nozzle.

(e) “Lined storage water heater” means a water heater which consists of a coil or closed tank heated either by direct flame, electrical heating elements or solar energy and which exceeds any of the following limits:

1. Maximum heat input of 400,000 BTUH or 117.2 KW,
2. Water temperature of 210 degrees F; and,
3. Nominal water containing capacity of 120 U.S. gallons. Such water heaters shall be equipped with safety devices in accordance with the requirements of Section IV, Article 8, HLW 800, “Installation Requirements,” ASME Code, as adopted herein.

(f) “Standard boiler” means a boiler which has been designed, constructed, inspected and stamped in accordance with the ~~as per~~ ASME Code and registered with the National Board.

(g) “Non-standard boiler” means a boiler that does not bear a stamp or does not comply with the Act or this rule chapter these rules.

(h) “Reinstalled boiler” means a boiler removed from its original setting and reinstalled at the same location or at a new location without change of ownership.

(i) “Condemned boiler” means a boiler which has been inspected and declared unsafe by an authorized ~~the chief boiler~~ inspector.

(j) “Boiler status” means a boiler operational status/classification description.

1. Open – A computer file that has been created.

2. Active – A boiler that has been deemed to be operational.

3. Secured boiler – A boiler that has been physically disconnected from the system including from fuel, water, steam, electricity, and stack; or locked out and tagged out pursuant to section 554.1021(3)(h), F.S.

4. Out of business – A boiler inside a closed business, where the inspector cannot verify its status.

5. Removed – A boiler that has been removed from its current location.

6. Exempt- A boiler that is exempt as defined by section 554.109, F.S.

(10) “Certificate of competency” means a document issued to a person who has satisfied the minimum competency requirements for a boiler inspector under chapter 554, F.S.

(11) “Certificate of operation” means a document issued to the owner of a boiler which authorizes the owner to operate the boiler, subject to any restrictions endorsed thereon.

(12)(10) “Commission” means:

(a) ~~A written credential issued by the Boiler Safety Program to a deputy inspector or special inspector stating the inspection agency by whom he is employed and the category or categories of inspection he is authorized to make, or~~

(b) a written credential issued by the National Board of Boiler and Pressure Vessel Inspectors to the holder of a certificate of competency who desires to make shop inspections and field inspections ~~inspectors~~ in accordance with the National Board Inspection Code ~~adopted herein~~.

(13)(11) “Chief boiler inspector” means the chief boiler inspector appointed by the Chief Financial Officer Act.

(14) “Department” means the Department of Financial Services, Division of State Fire Marshal, Bureau of Fire Prevention, Boiler Safety Program.

(15)(12) “Deputy boiler inspector” means any deputy boiler inspector employed ~~appointed~~ by the Chief Inspector of the Boiler Safety Program of the Department of Financial Services.

(16)(13) “Existing installation” means any boiler installed in this state before October 1, 1987.

(17)(14) “External inspection” means an inspection made when a boiler is in operation, ~~if possible or when examination of the interior surfaces of the pressure parts cannot be made.~~

(18)(15) “Fusion welding” is a generic term for welding processes that rely on melting to join materials of similar compositions and melting points ~~means a process of welding metals in a molten and vaporous state, without the application of mechanical pressure or blows.~~

(19)(16) “Horsepower” means a unit of measurement in which one boiler horsepower = 34.5 lbs. steam per hour or 33,479 BTUH (British Thermal Units per Hour) (BTUH).

(20)(17) “Internal inspection” means an inspection made ~~after when~~ a boiler is shut down and becomes cold, using the National Board Inspection Code ~~and the handholes, manholes, or other inspection openings are opened for an interior inspection of the interior.~~

(21)(18) “Jurisdiction” means a state, commonwealth, or municipality of the United States or a Province of Canada, which has adopted one or more sections of the ASME ~~Boiler and Pressure Vessel Code~~, one of which is Section I, and which maintains a duly constituted governmental unit for the purpose of enforcement of the code.

(22)(19) “Major repair” means a repair affecting the strength of the boiler.

(23)(20) “National Board” means the National Board of Boiler and Pressure Vessel Inspectors (NB), 1055 Crupper Avenue, Columbus, Ohio 43229, (614)888-8320[®], whose membership is composed of chief boiler inspectors of jurisdictions who, or other officials who hold a National Board Commission and are charged with the enforcement of the provisions of the Boiler and Pressure Vessel Safety Act.

(24)(21) “National Board Inspection Code” means the code for jurisdictional authorities, inspectors, users, and organizations performing repairs and alterations to pressure-retaining parts. It is published by the National Board and is developed under procedures accredited as meeting the criteria for American National Standards.

(25)(22) “New boiler installation” means all boilers constructed, installed and placed in operation after October 1, 1987.

(26)(23) “Owner” or “user” means any person, firm or corporation legally responsible for the safe installation, operation, and maintenance of any boiler within this state.

(27)(24) “Other locations open to the general public,” as used in the definition of “public assembly locations” in section 554.1021(9), F.S., means a building, facility, occupancy, or portion thereof, or an area open to the public for educational purposes or for trade or commerce including the following; ~~but not limited to~~, public and private schools, universities, child care centers, city, county and state government buildings, commerce facilities, shopping malls, departmental stores, grocery stores, motels, hotels, resorts, vacation clubs, fitness centers, and restaurants; meeting rooms, game rooms, and similar places where the public is invited or permitted to gather,

as well as boiler rooms, located in apartment complexes, condominiums, cooperatives, or similar multi-family dwellings; dry cleaners, laundries or laundromats; retirement homes; religious schools; bus or train stations; colleges and other institutions of higher learning; fraternal organizations; any club open to guests and the public; and any building or area in which persons may assemble for civic, educational, religious, recreational, entertainment or other purposes, or in which passengers may await public transportation. The term “public assembly locations” also means “places of public assembly” as used in this rule chapter.

~~(28)~~⁽²⁵⁾ “Pressure retaining item” (PRI) means a boiler, pressure vessel, piping or material used for the containment of pressure, either internal or external. The pressure may be obtained from an external source or by the application of heat from the direct source, or any combination thereof.

~~(29)~~⁽²⁶⁾ “Pressure vessel” means containers for the containment of pressure, either internal or external. This pressure may be obtained from an external source or by the application of heat from a direct or indirect source, or any combination thereof.

~~(30)~~⁽²⁷⁾ “PSIG” means pounds per square inch gauge.

~~(31)~~⁽²⁸⁾ “Repair” means the work necessary to restore a boiler or pressure vessel to a safe and satisfactory operating condition.

~~(32)~~⁽²⁹⁾ “Repair organizations” shall means:

~~(a)~~ An entity which holds a valid National Board certificate authorizing the use of the “R,” “VR,” or “NR” stamps; or

~~(b)~~ The holder of a valid ASME certificate of authorization for use of the appropriate code symbol stamp; or

~~(c)~~ One which is authorized by the Boiler Safety Program.

~~(33)~~⁽³⁰⁾ “Rules” means this rule chapter unless otherwise specified.

~~(34)~~⁽³¹⁾ “Rerating” means the increase of the maximum allowable working pressure or temperature of a boiler regardless of whether or not physical work is carried out on the boiler. Rerating shall be considered an alteration.

~~(35)~~⁽³²⁾ “Special boiler inspector” means an inspector who holds a Florida certificate of competency and who is ~~regularly~~ employed by an authorized inspection agency insurance company authorized to insure against loss from explosion of boiler and pressure vessels in this state.

Rulemaking Authority 554.103, 554.104, 554.108 FS. Law Implemented 554.1021, 554.103, 554.104, 554.105, 554.106, 554.107, 554.108, 554.1081, 554.1101, 554.1011, 115 FS. History—New 2-27-89, Amended 10-23-00, Formerly 4A-51.005, Amended _____.

Substantial rewording of Rule 69A-51.010 follows. See Florida Administrative Code for present text.

69A-51.010 ~~State Boiler Codes Adopted.~~

(1) The Department of Financial Services hereby adopts and incorporates by reference the following national codes as the State Boiler Code for the safe construction, installation, inspection, maintenance, and repair of boilers.

(a) The ASME Boiler and Pressure Vessel Code, Sections I; II, Parts A, B, C and D; IV; V; VI; VII; VIII, Division 1, Appendix 19; and IX; 2017 edition; and the ASME CSD-1, Controls and Safety Devices for Automatically Fired Boilers, 2018 edition.

(b) The National Board Inspection Code (NBIC), Parts 1, 2, 3, and 4, and NB-263, RCI-1, Rules for Commissioned Inspectors, 2017 edition.

(c) ASME B31.1, Power Piping, 2018 edition.

(2) The ASME standards referenced in subsection (1) are copyrighted materials and cannot be copied but may be obtained by contacting: The American Society of Mechanical Engineers, 150 Clove Road, Little Falls, New Jersey 07424 or WWW.ASME.Org; Phone: 1(800)THE-ASME.

(3) The NBIC standards referenced in subsection (1) are are copyrighted materials and cannot be copied but may be obtained by contacting: The National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229 or <https://www.nationalboard.org/>; Phone: (614)888-8320 .

(4) The copyrighted ASME and NBIC standards referenced in subsection (1) may be viewed, during regular business hours, at the offices of:

1. The Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3614/3723; or

2. The Florida Administrative Code and Register, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, Phone (850)245-6270.

Rulemaking Authority 554.103, 554.108 FS. Law Implemented 554.103, 554.108 FS. History—New 2-27-89, Amended 10-23-00, Formerly 4A-51.010, Amended _____.

69A-51.015 Chief Boiler Inspector; Deputy Boiler Inspectors; Special Boiler Inspectors Administration.

(1) Chief boiler inspector.

~~(a)~~ The Chief Financial Officer shall appoint a chief boiler inspector who must have at least ~~shall have not less than~~ five (5) years’ experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure, high temperature water boilers and pressure vessels and who holds a commission from the National Board of Boiler and Pressure Vessel Inspectors ~~or and~~ a certificate of competency from the Department. Such chief boiler inspector serves at the pleasure of the Chief Financial Officer.

~~(b) The chief inspector, authorized by the Department, is charged, directed and empowered:~~

- ~~1. To take action necessary for the enforcement of the State Boiler Safety Act and the rules adopted pursuant thereto.~~
- ~~2. To be responsible for the conduct of the Boiler Safety Program and the supervision of the Program's employees and shall report to the Chief, Bureau of Fire Prevention, Division of State Fire Marshal, Department of Financial Services.~~
- ~~3. To keep a complete record of the type, dimensions, owner or user, maximum allowable working pressure, age, location, and the date of last recorded inspection of all boilers in places of public assembly in the State of Florida.~~
- ~~4. To publish and make available to anyone so requesting copies of the rules adopted by the Boiler Safety Program.~~
- ~~5. To issue, suspend, or revoke certificates of competency and certificates of compliance as provided for in these rules.~~
- ~~6. To conduct examinations for applicants for a certificate of competency or Florida Commission as an inspector of boilers.~~
- ~~7. To revoke commissions and commission credential cards for cause.~~
- ~~8. To issue, receive, approve and file manufacturer's data reports and inspection reports covering all boilers under the jurisdiction of the Boiler Safety Program.~~
- ~~9. To draft proposed amendments to this rule chapter.~~
- ~~10. To exercise general supervision over the inspectors and employees of the Boiler Safety Program.~~
- ~~11. To cause the prosecution of all violators of the provisions of chapter 554, F.S., and this rule chapter.~~

(2) Deputy boiler inspectors. The Department shall employ deputy boiler inspectors who shall be responsible to the chief boiler inspector and who shall have at the time of appointment not less than three (3) years practical experience in the construction, maintenance, repair, inspection, installation, or operation of high pressure boilers and pressure vessels as a mechanical engineer, steam engineer, boilermaker, or boiler inspector. A deputy boiler inspector shall hold a commission from the National Board of Boiler and Pressure Vessel Inspectors shall have passed the examination provided for in this rule chapter, and who shall hold a certificate of competency from the Department.

(3) Special boiler inspectors.

(a) Certificates of competency designating special boiler inspectors of boiler and pressure vessels shall be issued by the chief boiler inspector upon application by request of any authorized inspection agency as provided in Rule 69A-51.020, F.A.C. which has been licensed by the appropriate authority of this state. All such Authorized Inspection Agencies shall provide boiler and pressure vessel insurance coverage and be actively engaged in writing this type of coverage.

(b) Special boiler inspectors shall perform inspections of insured boilers in accordance with the inspection frequency set forth in section 554.108, F.S. Special boiler inspectors shall not receive any salary or reimbursement of expenses from the state. The certificate of competency issued to a special inspector shall be valid only so long as such special inspector is in the full-time employment of an authorized inspection agency.

(c) Special boiler inspectors may inspect uninsured boilers at the request of the owner or user. Upon termination of employment from an authorized inspection agency, the agency shall, in writing, notify the chief inspector of such termination within fifteen (15) days following the date of termination.

(d) Special inspectors shall inspect all boilers covered by these rules that are located in places of public assembly and insured by their respective Authorized Inspection Agencies. All boilers, when so inspected, shall be exempt from payment to the state for inspection fees. Special boiler inspectors may conduct shop or field inspections of new boilers and pressure vessels in accordance with the applicable National Board Inspection Code requirements.

(4) Inspectors who hold a certificate of competency from the Department commissioned by the State of Florida shall not engage in the sale of an article or device relating to boilers or their appurtenances or in any activity which would be in conflict with their official duties as an authorized inspector. Rulemaking Authority 554.103, 554.104(8), 554.108(6) FS. Law Implemented 554.104, 554.105, 554.106, 554.107, 554.108, 554.109, 554.114, 554.115 FS. History—New 2-27-89, Formerly 4A-51.015, Amended _____.

69A-51.017 Other Provisions; Power Piping.

(1) All installations after September 30, 1987, must shall be designed, constructed, inspected, and stamped in accordance with the ASME Code, as adopted herein, and the latest addenda thereto which is incorporated by reference in Rule 69A-51.010, F.A.C. in effect. In addition, all boilers shall bear the National Board stamping and the manufacturer's N.B. numbers as registered with the National Board of Boiler and Pressure Vessel Inspectors. A copy of the manufacturer's data report signed by the manufacturer's representative and the National Board Commissioned Inspector employed by the Authorized Inspection Agency shall be submitted to the Chief Inspector of the Boiler Safety Program not more than 90 days following the inservice date of the boiler.

(2) Power Piping. Piping external to power boilers from the boiler to the first stop valve of a single boiler and to the second stop valve in a battery of two or more boilers is subject to the requirements of Section I of the ASME Code, and the design, fabrication, installation, and testing of the valves and piping shall be in accordance with ASME B31.1, Power Piping ANSI B31.1-0, which are incorporated by reference in Rule 69A-51.010, F.A.C. as adopted and incorporated by reference herein.

Welded piping is subject to the ASME Code requirements for proper code certification including stamping in conformance with the code and furnishing of applicable manufacturer's data report forms to the owner and the chief boiler inspector, which are incorporated by reference in Rule 69A-51.010, F.A.C.

Rulemaking Authority 554.103, 554.108(6) FS. Law Implemented 554.103, 554.108 FS. History—New 2-27-89, Formerly 4A-51.017, Amended _____.

Substantial rewording of Rule 69A-51.020 follows. See Florida Administrative Code for present text.

69A-51.020 Certificates of Competency; Training Course; Renewals.

(1) A person shall not be, act as, or advertise or hold himself or herself out to be an inspector of a boiler that is subject to regulation by chapter 554, F.S., unless he or she currently holds a certificate of competency issued by the Department.

(2) A certificate of competency will be issued to a person who meets the following:

(a) Has successfully passed the examination administered by the National Board of Boiler and Pressure Vessel Inspectors;

(b) Holds a commission from the National Board of Boiler and Pressure Vessel Inspectors;

(c) Has completed the 2-hour training course required by section 554.104(4), F.S., no later than 12 months before issuance of an initial or renewal certificate of competency;

(d) Is employed by an authorized inspection agency or the Department; and

(e) Has submitted the application form and paid the fee.

(3) Training course. A person must complete the Department's two-hour training course to obtain a certificate of competency. The training course may be obtained online at the Department's _____ website at: <http://www.myfloridacfo.com/division/sfm/bfp/boilersafety/>; or by contacting the Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3614/3723.

(4) Special boiler inspectors.

(a) A certificate of competency designating a special boiler inspector will be issued by the chief boiler inspector upon application by an authorized inspection agency. An application must be submitted on Form DFS-K3-404, Application for Original and Renewal Certificate of Competency Special Boiler and Deputy Boiler Inspectors (Rev. 01/18), which is hereby incorporated by reference, and available at the following link: <insert DOS website address>; or on the Department's website at:

<http://www.myfloridacfo.com/division/sfm/bfp/boilersafety/>;

or by contacting the Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3614/3723.

(b) An employee of an NB-369 authorized inspection agency defined in Rule 69A-51.005(7)(c), F.A.C., must provide a certificate or letter showing proof of professional liability insurance coverage.

(c) The certificate of competency of a special boiler inspector remains in effect only so long as the special boiler inspector is employed by an authorized inspection agency and expires on December 31 of each year. Upon termination of employment, the authorized inspection agency must give written notice to the chief boiler inspector within 15 days following the date of termination.

(5) Deputy boiler inspectors.

(a) The Department will issue a certificate of competency to a deputy boiler inspector who who meets the requirements of subsection (2) of this rule and section 554.104, F.S.

(b) An application must be submitted on Form DFS-K3-404, Application for Original and Renewal Certificate of Competency Special Boiler and Deputy Boiler Inspectors, which is incorporated by reference in subsection (4).

(c) The certificate of competency of a deputy boiler inspector remains in effect only so long as the deputy boiler inspector is employed by the Department and expires on December 31 of each year.

(6) Renewals.

(a) Every certificate of competency issued by the Department will expire on December 31 of each year. Applications for renewal must be made on Form DFS-K3-404, which is incorporated by reference in subsection (4). The renewal application must be completed, signed, and forwarded to the Department. Upon receipt of the application, an invoice for the fee set forth in section 554.111(1)(a), F.S., will be sent to the authorized inspection agency.

(b) A certificate of competency which is not timely renewed is inoperative. As a consequence, inspection reports dated after December 31 will not be accepted and the boilers to which they relate must be reinspected by an authorized inspector holding a valid certificate of competency.

(7) A revocation of a certificate of competency is permanent, and a revoked certificate of competency shall not be reinstated, nor shall a new certificate of competency be issued to the same person.

(8) A suspension of a certificate of competency shall remain in effect until all violations have been corrected.

Rulemaking Authority 554.1021(2), 554.103, 554.104(8) FS. Law Implemented 554.1021, 554.104, 554.105, 554.106, 554.107, 554.108, 554.111, ~~554.112, 554.113~~ 554.114, 554.115 FS. History—New 2-27-89, Amended 7-15-98, Formerly 4A-51.020, Amended 5-26-10, _____.

69A-51.025 Certificate of Operation Compliance.

~~(1) A certificate of operation compliance is required to operate a boiler located in a public assembly location in this state shall be issued only to boilers located in places of public assembly in this State. A certificate of operation is only valid for the boiler for which it was issued.~~

~~(2) Upon receipt of an inspection report filed pursuant to section 554.108, F.S., showing a boiler to be in compliance with the State Boiler Code, and upon receipt of the inspection/certificate fee, the chief boiler inspector will issue a certificate of operation to the owner. If, upon making the internal and/or external inspection, the inspector finds the boiler to be in safe working order, provided with the appurtenances necessary to safety, and properly set up, the chief inspector, upon receipt of an inspection report from the inspector and of the fee established in Section 554.111, F.S., shall issue to the owner or user thereof a certificate of compliance and, Upon receipt of the certificate of operation, such owner or user may operate the boiler described in the certificate until the date of expiration unless such certificate is suspended, shall be sooner withdrawn or revoked, or not renewed.~~

(3) The certificate of operation compliance issued by the Department shall state the name of the owner or user; the location; the Florida state serial number; date of inspection; date of expiration of the certificate; the maximum pressure at which the boiler may operate; name of person who made the inspection; signature of the Chief Financial Officer; manufacturer; type of boiler; National Board number; and authorized inspection agency doing the inspection.

(4) The certificate of operation compliance must ~~shall~~ be conspicuously placed so it can be readily identified with the certified certificated boiler, preferably in the boiler room. The certificate of operation must be posted under glass, or be similarly protected, in the room containing the boiler. The certificate of operation compliance for a portable boiler must ~~shall~~ be kept on the premises and must ~~shall~~ be accessible at all times.

~~(5) If an inspector at any inspection finds that the boiler is not in safe working condition, or is not provided with the appurtenances necessary to safety, or if the appurtenances are improperly arranged, he shall immediately notify the owner or user and person in charge of the boiler to shut down the boiler and shall report the same to the chief boiler inspector who shall place or cause to be placed on the boiler an official state seal to prevent further use of said boiler, and such seal shall remain in place until said boiler is restored to a condition to insure safety of operation. All such actions shall be in compliance with chapter 120, F.S. The owner and/or user shall not operate the boiler or permit it to operate until a certificate of compliance has been issued or restored. Official state boiler seals may be~~

~~attached or removed by special inspectors only after permission has been obtained from the chief boiler inspector of the Boiler Safety Program.~~

~~(5) (6) The certificate of operation compliance for a power boiler or a high pressure, high temperature water boiler is valid for a period of 12 months from the date of the certificate inspection.~~

~~(6) (7) The certificate of operation compliance for a heating boiler or a hot water supply boiler is valid for a period of 24 months from the date of the certificate inspection.~~

~~(7) A suspension of a certificate of operation shall continue in effect until all violations have been corrected, and for boiler safety violations, until the boiler has been inspected by an authorized inspector and shown to be in a safe working condition. The certificate of compliance shall be posted under glass, or be similarly protected.~~

Rulemaking Authority 554.103, 554.108(6) ~~554.1101, 554.113~~ FS. Law Implemented 554.105, 554.106, 554.107, 554.108, 554.109, 554.1101, 554.114 ~~554.113~~ FS. History—New 2-27-89, Formerly 4A-51.025, Amended _____.

69A-51.035 Examinations.

Rulemaking Authority 624.307, 624.308(1) FS. Law Implemented 554.103, 554.111, 554.112 FS. History—New 2-27-89, Amended 1-27-99, 10-23-00, Formerly 4A-51.035, Repealed _____.

69A-51.045 Existing and New Boiler Installations in Public Assembly Locations; Exemptions Scope.

(1) The provisions of Rules 69A-51.045 and 69A-51.050, F.A.C., this part shall apply to existing and new installations of boilers in public assembly locations.

(2) Existing installations are those boilers installed in public assembly locations before October 1, 1987.

(3) For existing installations:

(a) The maximum allowable working pressure of a boiler carrying the ASME Code symbol stamp must shall be determined by the applicable sections of the ASME Code, which is incorporated by reference in Rule 69A-51.010, F.A.C., under which it was constructed and stamped.

(b) The maximum allowable working pressure of a boiler that which does not carry the ASME Code symbol must shall be computed in accordance with the National Board Inspection Code inspection code of the National Board of Boiler and Pressure Vessel Inspectors, which is as adopted and incorporated by reference in Rule 69A-51.010, F.A.C. herein.

~~(c) These rules shall not be construed to prevent the use, sale or reinstallation of a boiler in a public assembly location, provided it has been made to conform to the rules in this rule chapter governing existing installations and, provided further, that it has not been found upon inspection to be in an unsafe condition.~~

(4) New installations are those boilers installed in public assembly locations after September 30, 1987.

~~(5) For new installations, no boiler which does not conform to the rules in this rule chapter governing new construction and installation shall be installed and operated in public K locations in this state unless the boiler is of special design or construction, and is not inconsistent with the spirit and safety objectives of these rules in which case a permit for a state special must be applied for in writing by the Florida user. After specific approval, the issuance of a Florida State Special Number and a certificate of compliance may be granted at the discretion of the chief inspector of the Boiler Safety Program.~~

~~(5) (6) No boiler shall be installed in a public assembly location in this state unless it has been constructed, inspected, and stamped in conformity with the ASME Code, which is incorporated by reference in Rule 69A-51.010, F.A.C., except:~~

~~(a) Those exempted by the Act; or~~

~~(b) Boilers which are federally owned and federally inspected; or~~

~~(c) Coil type hot water boilers without any steam space where water flashes into steam when released through a manually operated nozzle unless one of the following limitations is exceeded:~~

~~1. A 3/4" inch diameter tubing or pipe size with no drum or headers attached; or~~

~~2. Nominal water containing capacity does not exceed six U.S. gallons; or~~

~~3. Water temperature does not exceed 350° F; or~~

~~4. Steam is not generated within the coil; or~~

~~(d) Those potable water heaters exempted by Part HLW-101, "Service Limits Restriction and Exception," Section IV of the ASME Code, which is incorporated by reference in Rule 69A-51.010, F.A.C. or~~

~~(e) Those approved as a Florida State Special.~~

~~Rulemaking Authority 554.103, 554.108 FS. Law Implemented 554.103, 554.104, 554.105, 554.106, 554.107, 554.108, 554.109, 554.1101 FS. History—New 2-27-89, Formerly 4A-51.045, Amended _____.~~

69A-51.050 Inspection Requirements for Boilers in Public Assembly Locations.

(1) Access for inspection. The authorized inspector shall have full access during mutually agreeable hours, to any place of public assembly in the state of Florida where a boiler is being constructed, installed, or operated for the purpose of ascertaining whether such boiler is being constructed, installed, or operated in accordance with the requirements of this rule chapter. Immediate access shall be provided in the event of an accident.

(2) Inspection requirements. Each boiler used or proposed to be used in a place of public assembly within this state, except boilers exempted under subsection 69A-51.045(6), F.A.C.,

shall be thoroughly inspected as to its construction, installation and condition as follows:

(a) Power boilers and high pressure, high temperature water boilers shall receive a certificate inspection annually. They shall be inspected annually both internally, where construction permits, and externally while not under pressure. They shall also be inspected annually externally while under pressure, if possible, within six (6) months of the internal inspection.

~~(b) Heating boilers, except those constructed of cast iron, must shall receive a certificate inspection biennially. This inspection may be an external inspection unless an internal inspection is required by the authorized inspector. The authorized inspector, due to operating conditions, may require additional inspections.~~

~~(c) Heating Hot water boilers and hot water supply boilers, except those constructed of cast iron, must shall receive a certificate inspection biennially with an internal inspection every four (4) years if the construction of the boiler so permits.~~

~~(d) Heating boilers and hot water supply boilers constructed of cast iron must shall receive a certificate inspection biennially.~~

(3) The Boiler Safety Program is responsible for providing for the safety of life, limb and property and therefore has jurisdiction over the interpretation and application of the inspection requirements as provided herein. Inspection during construction and installation shall certify as to the minimum requirements for safety as defined in the ASME ~~Boiler and Pressure Vessel Code or other construction standard acceptable to the Boiler Safety Program.~~ Inspection frequency must shall be in accordance with generally accepted practice and compatible with actual service conditions such as:

(a) Previous experience, based on records of inspection, performance, and maintenance.

(b) Location with respect to personal hazard.

(c) Quality of inspection and operating personnel.

(d) Provisions for related safe operation control.

(e) Interrelation with other operations outside the scope of this rule chapter.

(4) Based upon documentation regarding actual service conditions, the Boiler Safety Program may, in its discretion, permit variations in the inspection requirements.

(5) The inspections herein required, including shop inspections, must shall be made by the authorized inspector.

(6) If, at the discretion of the authorized inspector, a hydrostatic test ~~is shall be~~ deemed necessary, the test must shall be performed and the expense shall be borne by the owner or user of the boiler and the test must shall be witnessed by the authorized inspector.

(7) All boilers installed in a place of public assembly in this state shall be inspected ~~prior to use~~ by an authorized inspector

holding a valid certificate of competency issued by the Department State of Florida.

(8) Inspection reports.

(a) Each boiler subject to inspection must be inspected within 30 days after the expiration of the boiler's certificate of operation. An inspection report must be received by the chief boiler inspector no later than 30 days after the projected expiration date of the certificate of operation. If, upon inspection, the authorized inspector finds that a boiler is in violation of any provision of the State Boiler Code, the authorized inspector must promptly notify the owner or user and state what repairs or other corrective measures are needed. An authorized inspector shall file a written report with the chief boiler inspector on each certificate inspection within 15 days after such inspection using the following forms:

1. For the first jurisdictional inspection, a special boiler inspector shall use the National Board of Boiler and Pressure Vessel Inspectors' Form NB-5, Boiler or Pressure Vessel Data Report (Eff. 01/18).

2. For all subsequent inspections, a special boiler inspector shall use the National Board of Boiler and Pressure Vessel Inspectors' Form NB-6, Report of Inspection (Eff. 01/18).

(b) Form NB-5 and Form NB-6 are hereby incorporated by reference. Form NB-5 is available at the following link: <insert DOS website addresses>. Form NB-6 is available at the following link: <insert DOS website address>. The forms are also available from the National Board of Boiler and Pressure Vessel Inspectors' website at <http://www.nationalboard.org/Index.aspx?pageID=113&ID=171>. Each authorized inspection agency employing certified special inspectors and each certified deputy inspector shall, within fifteen (15) days following each certificate inspection made by such inspectors, file a report of the inspection with the chief inspector of the Boiler Safety Program using the following forms, which are hereby adopted and incorporated by reference: Form DI4 380, 10/01/00, "Boiler or Pressure Vessel Data Report — First Internal Inspection," and Form DI4 379, 10/01/00, "Boiler Fired Pressure Vessel Report of Inspection." Authorized inspection agencies may reproduce these forms for their own use. Copies may be obtained from the Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399 0342.

(9) Upon a determination by the chief boiler inspector that a boiler cannot be safely operated, the boiler must immediately be shut down. The chief boiler inspector or a deputy boiler inspector shall attach a tag to the boiler indicating that the boiler has been shut down due to an unsafe condition. The boiler must remain shut down until a reinspection by the chief boiler inspector or a deputy boiler inspector determines that the boiler may be operated safely. A boiler that may not be safely

operated, as determined by the chief boiler inspector, is deemed to constitute an imminent danger to the public health, safety, and welfare. If, upon inspection, the authorized inspector finds that a boiler is unsafe for further operation and poses an imminent danger to the public health, safety and welfare, he may immediately order the boiler to be shut down. He shall promptly notify the owner or user stating what repairs or other corrective measures are needed. The boiler shall remain shut down until a reinspection by an authorized inspector determines that all violations have been corrected, that the boiler is safe to operate, and that a certificate of compliance may be issued. Any such action shall be in compliance with chapter 120, F.S.

(10) If an insured boiler with a certificate of operation compliance ceases to be insured, that certificate shall be valid until the indicated expiration date.

(11) All authorized inspection agencies shall notify the chief boiler inspector of the Boiler Safety Program within ~~thirty~~ (30) days of all boiler installation risks written, cancelled, or not renewed in places of public assembly in this state.

(12) Inspection exemptions.

(a) Any authorized inspection agency licensed to sell boiler and pressure vessel insurance in this state and insuring a boiler in a place of public assembly located in the state shall inspect such boiler so insured.

(b) Such inspection shall be performed by a special boiler inspector holding a certificate of competency from this state.

(c) Upon filing of a report of satisfactory inspection with the Department, such boiler is exempt from inspection by the Department.

(13) Inspection numbers.

(a) Upon completion of installation and/or at the time of the first jurisdictional inspection, all boilers shall have attached, by the authorized inspector making the inspection, a metal self-locking seal or non-corrosive tag which bears the Florida state serial number. The tags seals are to be attached in a conspicuous place where they cannot be easily removed, such as around the connecting water column pipes, steam gauge pigtail or siphon or around the piping connecting the boiler and its safety or relief valve.

(b) A block of Florida state serial numbers will be furnished, upon request application, by the chief boiler inspector to authorized inspection agencies for use by special boiler inspectors on boilers insured and inspected by their companies. The furnishing and installing of non-corrosive tags is the responsibility of the authorized inspection agency. The approximate size of the non-corrosive tag shall be one inch by three inches (1" x 3").

(c) Boilers which are brought into the state for temporary use shall not be assigned Florida state serial numbers.

(d) It shall be the duty of every authorized inspector, at the time of the certificate inspection, to determine if the boiler has

~~attached~~ the required metal ~~self locking seal or~~ non-corrosive tag bearing the Florida state serial number ~~attached~~.

(e) Florida state serial numbers 0001 through 49,999 shall be referred to as high pressure numbers and used for power boilers and high pressure, high temperature water boilers. Florida state serial numbers 50,000 and above shall be referred to as low pressure numbers and used for low pressure steam, ~~hot water heating boilers,~~ and hot water supply boilers.

(f) Stamping of Florida state serial numbers on non-corrosive tags shall be as follows:

FL000000

Florida state serial numbers shall be stamped with numbers and letters not less than 5/16" ~~inch~~ in height.

(14) Types of authorized inspection agencies.

(a) ~~The Department's Boiler Safety Program, Bureau Fire Prevention, Department of Financial Services, State of Florida.~~

(b) ~~The authorized inspection agencies defined in section 554.1021(2), F.S. Any insurance company licensed to insure boilers and pressure vessels in the State of Florida.~~

~~(15) Registration requirements. Any company insuring boilers and pressure vessels in this state which maintains a regularly established inspection department and employs qualified supervisors and authorized inspectors shall apply on its letterhead stating the inspection categories (either boilers or pressure vessels or both) for which registration is requested. The company's application letter shall include sufficient information on which a decision may be based including the make up of its supervisory staff and their qualifications to supervise the company's authorized inspectors.~~

~~(15) (16) Existing non-standard boilers.~~

(a) Non-standard boilers which were installed in the state of Florida prior to October 1, 1987, ~~are shall be~~ subject to the provisions of the ASME ~~Boiler and Pressure Vessel Code, Section I, paragraphs A-33 and A-36 (1989 edition), which are hereby incorporated by reference.~~ The factor of safety for boilers shall not be less than the following:

1. 5.0 for boilers 20 to 25 years old. The existing factor of safety may be continuous if subparagraph 2., below, has been complied with.

2. For each five (5) years thereafter, the factor of safety of boilers ~~must shall~~ be increased by not less than five-tenths (5/10); provided, however, that after a thorough internal and external inspection and a hydrostatic test to one and one-half (1½) times the pressure allowed, during which no distress or leakage develops, the pressure allowed may be continued at its present factor of safety. The owner or user of such boiler shall prepare the boiler for hydrostatic pressure test by uncovering all riveted joints.

3. When boilers of the horizontal return tubular, flue, cylinder, or locomotive type having a longitudinal lap joint reach the age of ~~thirty five (35) years,~~ the maximum allowable

working pressure shall not be in excess of ~~fifteen (15) pounds~~ per square inch.

4. In no case ~~may shall~~ the maximum allowable working pressure on a non-standard boiler be increased, unless it is being operated at a lesser pressure than would be allowed for ASME Code Boilers.

5. Any non-standard boiler which has been or is now located in a place of public assembly within this state, and which ~~is shall be~~ removed from and returned to the state, cannot be used in Florida for permanent service, but ~~is shall be~~ subject to the rules in this rule chapter governing temporary boilers if it is to be operated in Florida.

(b) 1. The ASME standards referenced in paragraph (15)(a) are copyrighted materials and cannot be copied, but may be obtained by contacting: The American Society of Mechanical Engineers, 150 Clove Road, Little Falls, New Jersey 07424 or WWW.ASME.Org; Phone: 1(800)THE-ASME.

2. The copyrighted ASME standards referenced in paragraph (15)(a) may be viewed, during regular business hours, at the offices of:

a. The Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3614/3723; or

b. The Florida Administrative Code and Register, R.A. Gray Building, 500 South Bronough Street, Tallahassee, Florida 32399-0250, Phone (850)245-6270.

~~(16) (b) Non-standard Boilers brought into the state for temporary use.~~

~~(a) Any person, firm, or corporation desiring to bring a non-standard boiler into this state for temporary use at a place of public assembly shall contact make application to the chief boiler inspector by email (boiler.safety@myfloridacfo.com) to schedule an inspection prior for permission to using use such boiler, stating the location where the boiler is to be used and the approximate length of time it is to be used, and shall comply with the requirements in the following subparagraphs.~~

~~(b) No It shall be unlawful to operate any temporary boiler may be operated in a place of public assembly within this state until an internal inspection has been made, a hydrostatic pressure test has been applied, a report has been submitted to the chief boiler inspector, and a certificate of operation compliance has been issued.~~

~~(c) This inspection must shall consist of an internal and external inspection, together with an operational hydrostatic test of one and one half (1½) times the safe working pressure. The boiler must shall be operated at a pressure not greater than that permitted by the authorized inspector at the time of inspection and stipulated on the certificate of operation compliance.~~

(d)4. The boiler may be inspected by the chief boiler inspector, ~~or~~ a special boiler inspector, or a deputy boiler inspector. The inspection must be made at the time the boiler is first brought into Florida and before being put into service, provided an inspection of it has not been made and a hydrostatic test applied within the preceding ~~thirty (30)~~ days. In such cases, a copy of the inspection report together with the required certificate of inspection fee shall be forwarded to the Department within three (3) days and, if the condition of the boiler warrants, a certificate of operation compliance will be issued.

~~5. No certificate shall be issued for a longer period of time than six (6) months from the date of inspection. However, if the temporary work is not completed at the expiration of that time, the certificate may be extended for three (3) months, after another inspection (but not necessarily a hydrostatic test), and upon payment of an additional certificate fee, after which time the boiler must be taken out of service. In no case shall the boiler change ownership and remain in the state without permission from the Boiler Safety Program. The certificate must be available at all times at the location where the temporary boiler is operating.~~

(e)6. When a temporary boiler is examined by the chief boiler inspector or a deputy boiler inspector, the fee required by section 554.111, F.S., must shall be paid and forwarded to the Department.

(f)7. Temporary boilers shall ~~not~~ be assigned a Florida state serial number.

(17) Additional inspections.

(a) ~~This rule is~~ These rules are intended to provide reasonable and adequate requirements for the construction, maintenance, inspection, and use of boilers, and to provide for the inspection during fabrication, repair, or alteration of those pressure vessels that are required by the owner and/or user to:

1. ~~(a)~~ Meet ASME Code and National Board Inspection Code NBIC requirements; and

2. ~~(b)~~ Be stamped as meeting those requirements.

(b) ~~This rule is~~ These rules are not designed to provide an inspection program for unfired pressure vessels, except as provided for by chapter 554, F.S. However, inspections will be provided when requested by the owner or the user. This rule is ~~The rules are~~ intended to promote uniform standards for the design, fabrication, repair, alteration, and inspection of steam and hot water boilers, and the inspection during fabrication, repair, or alteration of those pressure vessels that are required by the owner or user to: (1a) meet ASME Code and National Board Inspection Code NBIC requirements; and (2b) be stamped as meeting those requirements.

(18) Notice of internal inspection of boilers. The owner or user of a boiler not exempted by chapter 554, F.S., or by Rule 69A-51.045(6), F.A.C., ~~these rules~~ shall be given ~~fourteen (14)~~

days notice of an impending internal inspection, by the responsible authorized inspector. No such notice may shall be required for external inspections.

(19) Preparation for internal inspection.

(a) The owner or user shall prepare each boiler for internal inspection and shall prepare for and apply a hydrostatic pressure test, whenever necessary, on the date arranged by the authorized inspector. The boiler shall be prepared for internal inspection in accordance with National Board Inspection Code, Part 2, Section 2.2.6, which is incorporated by reference in Rule 69A-51.010, F.A.C., as follows:

1. The fuel supply and ignition system shall be locked out.

2. The boiler, ~~furnace and setting~~ must shall be sufficiently cooled for inspection to prevent damage to any part.

3. Water must shall be drawn off and the water side thoroughly washed out.

4. The manhole and handhole plates, washout plugs, as well as inspection plugs in water column connections, must shall be removed as required by the authorized inspector.

5. All grates of internally fired boilers must shall be removed.

6. Insulation and brickwork must shall be removed as required by the authorized inspector in order to determine the condition of the boiler, headers, furnace, supports, or other parts.

7. The pressure gauge must shall be removed for testing when required by the authorized inspector.

8. Any leakage of steam or hot water into the boiler must shall be prevented by disconnecting the pipe or valve at the most convenient point or any appropriate means approved by the authorized inspector.

9. Before opening the manhole(s) or handhole covers and entering any part of a boiler which is connected to a common header with other boilers, the required steam or water system stop valves shall be closed, tagged, and padlocked, and the drain valves or cocks between the two closed stop valves opened. The feed valves must be closed, tagged, and padlocked. Alternatively, lines may be blanked or sections of pipe removed. Blowoff lines, where practicable, shall be disconnected between pressure parts and valves. All drains and vent lines shall be open. The owner shall comply with any other safety operation required by the authorized inspector.

10. No owner or user shall permit entry into a boiler, nor shall an employee or authorized inspector enter a boiler, until the plant inspector or supervisor and the person entering the boiler have confirmed that all stop valves on inlet and outlet piping (not vented to the atmosphere) have been closed and tagged. Where not valved, the piping must shall be disconnected or blanked. In addition, plant personnel shall make appropriate tests to ensure assure that there is no oxygen

deficiency or hazardous or toxic gasses in the drums to be entered by the authorized inspector.

(b) All automatic low water fuel cutoff and water feeding devices ~~must shall~~ be examined to ensure that they are properly installed; and ~~must shall~~ have the float chamber types or control devices disassembled and the float linkage and connections examined for wear. The float chamber ~~must shall~~ be examined to ensure that it is free of sludge or other accumulation. Any necessary corrective action ~~must should~~ be taken before the device is placed back in service.

(20) Boilers improperly prepared for inspection. If a boiler has not been properly prepared for an internal inspection, or if an owner or user has failed to comply with the requirements for a pressure test as set forth in ~~this rule these rules~~, the authorized inspector may decline to make the inspection or test, and the certificate of ~~operation compliance will shall~~ be withheld or suspended until the owner or user complies with the requirements.

(21) Removal of covering to permit inspection. If a boiler is jacketed so that the longitudinal seams of shells, drums, or domes cannot be seen, sufficient jacketing, setting wall, or other form of casing or housing ~~must shall~~ be removed to permit reasonable inspection of the seams and other areas necessary to determine the condition and safety of the boiler, provided such information cannot be determined by other means.

(22) Inspection of power boilers. The internal and external inspection of power boilers ~~must shall~~ meet the requirements of ~~subsection C6 of the ASME Code, Section VII, Recommended Guidelines Rules~~ for ~~the~~ Care of Power Boilers; and the National Board Inspection Code, which are incorporated by reference in Rule 69A-51.010, F.A.C.

(23) Inspection of heating, supply, and potable water boilers. The internal (when required) and external inspections of steam and hot water heating, hot water supply, and potable water heaters (lined storage water heaters), ~~must shall~~ meet the guidelines of ~~7.09 and 8.09~~ of the ASME Code, Section VI, Recommended Rules for ~~the~~ Care and Operation of Heating Boilers, and the National Board Inspection Code, which are incorporated by reference in Rule 69A-51.010, F.A.C.

Rulemaking Authority 554.103, ~~554.108(6)~~ FS. Law Implemented 554.103, 554.108, 554.109, 554.1101, ~~554.114~~ FS. History—New 2-27-89, Amended 10-23-00, Formerly 4A-51.050, Amended 4-10-16,

69A-51.060 Requirements for New Boiler Installations in Places of Public Assembly.

(1) The provisions of this ~~rule part shall~~ apply to new installations of power boilers, high pressure, high temperature ~~hot~~ water boilers, ~~low pressure~~ heating boilers, and hot water supply boilers located in places of public assembly. The installer of any boiler placed in use in this state after January 1, 2018, must, before installing the boiler, electronically apply for

a permit to install the boiler from the chief boiler inspector using Form No. DFS-K3-2203, Registration for New Boiler (Eff. 02/19), which is hereby incorporated by reference, and available at the following link: <insert DOS website address>. The form may also be obtained online and submitted for approval on the Department's website at: <http://www.myfloridacfo.com/division/sfm/bfp/boilersafety/>; or from the Boiler Safety Program, Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, Third Floor, Atrium Building, Tallahassee, Florida 32303, Phone: (850)413-3614/3723. The application must include the boiler's ASME manufacturer's data report. The installer must contact the chief boiler inspector to schedule an inspection for each boiler no later than seven (7) days before the boiler is placed in service.

(1) Requirements for new installations:

(a) No boiler except those exempted by Rule 69A-51.045(6), F.A.C., the provisions of Part III of these rules may shall be installed in this state unless it has been constructed, inspected, stamped, and installed in conformity with the ASME ~~Boiler and Pressure Vessel Code, which is incorporated by reference in Rule 69A-51.010, F.A.C., as adopted herein,~~ and registered with the National Board of Boiler and Pressure Vessel Inspectors, and registered directly with the Boiler Safety Program by the authorized inspection agency.

(b) A boiler constructed equivalent to the required standards or having a standard stamping of another state that has adopted a standard of construction equivalent to the standards of the state of Florida may be accepted by the Department, provided, however, that the person desiring to install the boiler ~~shall~~ requests permission by email (boiler.safety@myfloridacfo.com) from the chief boiler inspector prior to installation and supplies shall supply the chief boiler inspector with the documentation required by Rule 69A-51.010, F.A.C., the manufacture's data report covering the construction of the boiler and with any other information reasonably calculated to permit the chief boiler inspector to make an informed decision.

(c) A boiler ~~must shall~~ include or accommodate any equipment that is necessary to allow for the close, physical inspection of manways, pressure relieving devices, and boiler appurtenances. Such equipment may either be permanently installed or be of a design intended for temporary use. Temporary equipment ~~must shall~~ be positioned by the boiler owner or user at the time of the inspections required under section 554.108, F.S.

(2) Electrically heated boilers.

(a) All electrically heated boilers ~~must shall~~ bear the applicable ASME Code Stamp and the Underwriters Laboratory label. The boilers ~~must shall~~ be supplied by the

manufacturer as a complete unit and ~~must shall~~ not be converted in the field.

(b) Electrically heated boilers ~~must shall~~ be permanently grounded in accordance with National Fire Protection Association (NFPA) 70, the National Electrical Code®, which is incorporated by reference as adopted in Rule 69A-3.012, F.A.C.

(c) A suitable screen or guard ~~must shall~~ be provided around high tension bushings and a sign posted warning of high voltage. This screen or guard ~~must shall~~ be so located that it will be impossible for anyone working around the boiler to accidentally come in contact with the high tension circuits.

(3) Power boilers.

(a) Exit from the boiler rooms. All boiler rooms exceeding ~~five hundred (500)~~ square feet of floor area and containing one (1) or more boilers having a fuel-burning capacity of 1,000,000 BTU's ~~must shall~~ have at least two (2) means of exit. Each boiler room exit must shall have at least two (2) means of egress, each remotely located from the other.

(b) Inspection space. In accordance with National Board Inspection Code, Part 1, Section 2.3.3, which is incorporated by reference in Rule 69A-51.010, F.A.C., all All boilers ~~must shall~~ be located so that adequate space ~~is shall~~ be provided for the proper operation of the boiler and its appurtenances; for the inspection of all surfaces, drums, tubes, waterwalls, economizers, piping, valves, and other equipment; and for necessary maintenance and repair.

(c) Explosion doors. Explosion doors, if used ~~and if located in the setting walls within seven (7) feet of the firing floor or operating platform,~~ ~~must shall~~ be equipped provided with substantial deflectors to divert the blast.

(d) ~~Clearance. When new power boilers are installed in new buildings, a minimum height of at least seven (7) feet shall be provided between the top of the boiler proper and the ceiling, except in the single installations of self-contained boilers where a minimum height of at least three (3) feet shall be provided between the highest point of any valve stem or fitting and the ceiling. It is recommended that these requirements be followed as nearly as possible when replacing boilers in existing buildings.~~

(d) ~~(e)~~ Blow-off tanks.

1. Blow-off piping from a power boiler ~~must shall~~ not discharge directly into a sewer. A blow-off tank ~~must shall~~ be used where conditions do not provide adequate and safe open discharge.

2. Blow-off tanks installed after the effective date of this rule, if of metal, ~~must shall~~ have a plate thickness of not less than 5/16" and ~~must shall~~ be designed for a minimum working pressure of 50 psig. Blow-off tanks ~~must shall~~ be built, stamped, and installed in accordance with the requirements of the National Board Inspection Code and the ASME ~~Boiler and~~

~~Pressure Vessel Code, which are incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein.~~

(e) ~~(f)~~ The discharge of safety valves ~~must shall~~ vent to the atmosphere and the outlets ~~must shall~~ be located so as to prevent injury to personnel. Blow-off pipes and other outlets ~~must shall~~ also be located so as to prevent injury to personnel.

(f) ~~(g)~~ The stamping of the boiler and safety valves ~~must shall~~ not be concealed by lagging or paint and ~~must shall~~ be exposed at all times unless a suitable record is kept of the location of the boiler stamping so it may be readily uncovered at any time.

(g) ~~(h)~~ Safety valves.

1. Each boiler ~~must shall~~ have at least one (1) ASME Code certified safety valve, and if it has more than 500 sq. ft. of bare tube water heating surface, or an electric power input of more than 1100 KW, it ~~must shall~~ have two (2) or more safety valves of the same type.

2. The valve or valves ~~must shall~~ be connected to the boiler, independent of any other steam connectors and attached as close as possible to the boiler without any intervening valves.

3. The safety valve capacity of each boiler ~~must shall~~ be such that the safety valve or valves will discharge all of the steam that can be generated by the boiler without allowing the pressure to rise more than six (6) percent above the highest pressure to which the valve is set and in no case to more than six (6) percent above the maximum allowable working pressure.

4. The safety valve or safety relief valve capacity ~~must shall~~ be in compliance with Section I, Part PG, PG-70, "Capacity of Pressure Relief Valves," of the ASME ~~Boiler and Pressure Vessel Code, which is incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein,~~ but ~~must shall~~ not be less than the maximum designed steaming capacity as determined by the manufacturer.

5. No boiler ~~may shall~~ be operated without an ASME Code certified safety valve installed, nor have the safety valves act at a pressure in excess of the safe working pressure stated on the certificate of operation compliance.

6. Repairs to safety and safety relief valves ~~must shall~~ be conducted only by the manufacturer or by holders of the National Board "VR" certificate of authorization.

7. The use of weighted-lever safety valves or safety valves having either the seat or disk of cast iron are prohibited; valves of this type of construction ~~must shall~~ be replaced by direct, spring-loaded, pop-type valves that conform to the requirements of the ASME Code, Section I, which is incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein.

(h) ~~(i)~~ Boiler feeding.

1. Each boiler ~~must shall~~ have a feed supply which will permit it to be fed at anytime while under pressure.

2. Boiler feed to all boilers ~~must shall~~ conform to the requirements of the ASME ~~Boiler and Pressure Vessel Code~~ and to the National Board Inspection Code, which are incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein.

(i) ~~(j)~~ Water level indicators.

1. Each boiler, except forced-flow steam generators with no fixed steam and waterline, and except high temperature water boilers of the forced circulation type that have no steam and waterline, ~~must shall~~ have at least one (1) water gauge glass.

2. Water level indicators ~~must shall~~ conform to the requirements of the ASME ~~Boiler and Pressure Vessel Code~~ and to the National Board Inspection Code, which are incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein.

(j) ~~(k)~~ Pressure gauges. Boiler pressure gauges ~~must shall~~ conform to the requirements of the ASME ~~Boiler and Pressure Vessel Code~~ and to the National Board Inspection Code, which are incorporated by reference in Rule 69A-51.010, F.A.C. adopted herein.

(k) ~~(l)~~ Pressure reducing valves.

1. Where pressure reducing valves are used, one (1) or more safety relief valves ~~must shall~~ be provided on the low pressure side of the reducing valve when the piping or equipment on the low pressure side does not meet the requirements for the full initial pressure. The safety or safety relief valves ~~must shall~~ be located adjoining or as close as possible to the reducing valve. Proper protection ~~must shall~~ be provided to prevent injury or damage caused by escaping fluid from the discharge of the safety relief valves if vented to the atmosphere. The combined discharge capacity of the safety or safety relief valves ~~must shall~~ be such that the pressure rating is ~~shall not be~~ exceeded in case the reducing valve fails in the open position.

2. The use of hand controlled bypasses around the reducing valves is permissible. If a bypass is used around a reducing valve, the safety valve required on the low pressure side ~~must shall~~ be of sufficient capacity to relieve all the fluid that can pass through the bypass without overpressuring the low pressure side.

3. A pressure gauge ~~must shall~~ be installed on the low pressure side of the reducing valve.

(l) ~~(m)~~ Supports. Each boiler ~~must shall~~ be supported by masonry or structural supports of sufficient strength and rigidity to safely support the boiler and its contents. There ~~must shall~~ be no excessive vibration in either the boiler or its connecting piping.

(m) ~~(n)~~ Air and ventilation requirements – Combustion air supply and ventilation of boiler room.

4. A ~~permanent~~ source of outside air ~~must shall~~ be provided for each boiler ~~room~~ to permit satisfactory combustion of the fuel as well as proper ventilation of the boiler room under normal operating conditions.

2. To determine the total requirements of the burners for all fired ~~pressure vessels and fired equipment in the boiler room,~~ the formula following the table below shall be used to find the square foot area of a louvered air inlet, ~~where fired by combustible fuels. The minimum net free louvered area shall in no event be less than one square foot. The table below is based on the formula and either the table or the formula shall be used to determine the net louvered area required, expressed in square feet:~~

| INPUT BTU/HOUR | REQUIRED AIR CU. FT./MIN. | MIN. NET LOUVERED AREA—SQ. FT. |
|--------------------|------------------------------|---|
| 500,000 | 125 | 1.0 |
| 1,000,000 | 250 | 1.0 |
| 2,000,000 | 500 | 1.6 |
| 3,000,000 | 750 | 2.5 |
| 4,000,000 | 1000 | 3.3 |
| 5,000,000 | 1250 | 4.1 |
| 6,000,000 | 1500 | 5.0 |
| 7,000,000 | 1750 | 5.8 |
| 8,000,000 | 2000 | 6.6 |
| 9,000,000 | 2250 | 7.5 |
| 10,000,000 | 2500 | 8.3 |
| Formula: BTU/HR | -2.5 = AIR, CFM | = Min. Net Area Sq. Ft. |
| 10,000 | 300 | |
| BTU/HR | -2.5 = REQUIRED AIR | = Min. Net Area Sq. Ft. |
| 10,000 | 300 | |

3. ~~When mechanical ventilation is used in lieu of subparagraph 2., above, the supply of combustion and ventilation air to the boiler room and the firing device shall be interlocked with the fan so the firing device will not operate with the fan off. The velocity of the air through the ventilating fan shall not exceed 500 feet per minute and the total air delivered shall be equal to or greater than shown in subparagraph 2., above.~~

(4) ~~Heating and hot water supply boilers. All new steam heating, hot water heating, and hot water supply boilers shall be installed in accordance with the requirements of these rules.~~

Rulemaking Authority 554.103, 554.108(6) FS. Law Implemented 554.103, 554.104, 554.105, 554.106, 554.107, 554.108 FS. History-

New 2-27-89, Amended 10-23-00, Formerly 4A-51.060, Amended 9-30-10, 5-21-12, _____.

69A-51.065 Requirements for Existing Boiler Installations.

(1) Standard boilers. The maximum allowable working pressure ~~must not shall in no case~~ exceed the pressure indicated by the manufacturer, either stamped or cast on the boiler or on a plate secured to it.

(2) Non-standard riveted boilers. The maximum allowable working pressure on the shell of a non-standard riveted heating boiler ~~must shall~~ be determined in accordance with the National Board Inspection Code, ~~which is as adopted and~~ incorporated by reference in Rule 69A-51.010, F.A.C., ~~herein~~, except that:

(a) ~~The in no case shall the~~ maximum allowable working pressure of a steam heating boiler ~~must not~~ exceed 15 psig; and,

(b) ~~The in no case shall the~~ maximum allowable working pressure of a hot water heating boiler ~~must not~~ exceed 160 psig nor ~~shall~~ the temperature exceed 250° F.

(3) Non-standard welded boilers. The maximum allowable working pressure of non-standard steel or wrought iron heating boilers of welded construction ~~must shall~~ not exceed 15 psig for steam. For other than steam service, the maximum allowable working pressure ~~must shall~~ be calculated in accordance with Section IV of the ASME ~~Boiler and Pressure Vessel~~ Code, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein.~~

(4) Non-standard cast iron boilers. The maximum allowable working pressure of a non-standard boiler composed principally of cast iron ~~must shall~~ not exceed 15 psig for steam service or 30 psig for hot water service. The maximum allowable working pressure of a non-standard boiler having a cast iron shell or heads and steel or wrought iron tubes ~~must shall~~ not exceed 15 psig for steam service or 30 psig for hot water service.

(5) Parts and appurtenances. All parts and appurtenances attached to low pressure heating and hot water supply boilers that come under ~~this rule chapter these rules must shall~~ conform to the requirements of the ASME ~~Boiler and Pressure Vessel~~ Code and the National Board Inspection Code, ~~which are incorporated by reference in Rule 69A-51.010, F.A.C., and must shall~~ include safety valves, safety relief valves, steam gauges, pressure or altitude gauges, water gauge glasses, stop and check valves, feed water connections, and return pumps.

(6) Automatic low water fuel cutoff and/or water feeding device.

(a) Each automatically-fired steam boiler ~~must shall~~ have an automatic low water fuel cutoff so located as to automatically cut off the fuel supply when the surface of the water falls to the lowest visible part of the water gauge glass. If a water feeding device is installed, it ~~must shall~~ be so

constructed that the water inlet valve cannot feed water into the boiler through the float chamber and so located as to supply requisite feedwater. Such a fuel cutoff or water feeding device ~~must shall~~ comply with Section IV, Part HG, Article 6, HG-606, “Automatic Low-Water Fuel Cutoff and/or Water Feeding Device,” of the ASME Code, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C. adopted herein.~~

(b) Each automatically-fired hot water heating boiler with heat input greater than 400,000 BTU/HR ~~must shall~~ have an automatic low water fuel cutoff which has been designed for hot water service, and it ~~must shall~~ be located so as to automatically cut off the fuel supply when the surface of the water falls to the lowest safe water level established by the boiler manufacturer. Such low water fuel cutoff ~~must shall~~ comply with Section IV, Part HG, Article 6, HG-614, “Low-Water Fuel Cutoff,” of the ASME Code, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C. as adopted herein.~~

(7) Repairs and renewals of fittings and appliances. Whenever repairs are made to fittings or appliances, or it becomes necessary to replace them, the repairs must comply with Section IV of the ASME ~~Boiler and Pressure Vessel~~ Code for new construction, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C.~~

Rulemaking Authority 554.103, ~~554.108(6)~~ FS. Law Implemented 554.103, ~~554.104~~, 554.105, 554.106, 554.107, ~~554.108~~ FS. History—New 2-27-89, Formerly 4A-51.065, Amended _____.

69A-51.075 Repairs.

(1) Repairs to all boilers and appurtenances thereof that come under ~~this rule chapter these rules must shall~~ conform to the National Board Inspection Code, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C. and this rule chapter.~~ Where a repair affecting the safety of the boiler is necessary, the owner and/or user shall call an authorized inspector for consultation and advice as to the best method of making the repair, and the completed work ~~is shall be~~ subject to ~~the authorized inspector's his~~ approval.

(2) No company ~~may shall~~ undertake a repair to a boiler unless the contemplated repairs have first been approved by an authorized inspector.

(3) Should a repair outside the scope of ~~this rule chapter these rules~~ be deemed feasible by an authorized inspector, such a repair may be undertaken only with the full knowledge and consent of the chief boiler inspector ~~of the~~ Boiler Safety Program.

(4) ~~This rule applies These rules are intended to apply~~ to repairs or alterations to boilers which come under ~~this rule chapter these rules~~. The repairs made in accordance with ~~this rule chapter these rules~~ shall result in a boiler ~~that is~~ as safe ~~to operate~~ as when it was ~~new originally constructed~~.

(5) Upon completion of repairs of an unsafe condition, the authorized inspection agency responsible for the issuance of the withheld certificate of ~~operation compliance~~ shall submit a reinspection report to the ~~chief boiler inspector Department~~. The reinspection report shall include pertinent data pertaining to the required repairs including a copy of the ~~“Report of Welded Repair”~~ in the National Board of Boiler and Pressure Vessel Inspectors’ ~~Inspection Code Form R-1, Report of Repair (Rev. 12/16), if applicable, which is hereby incorporated by reference and is available at the following link: <insert DOS website address>; or from the National Board’s website at: https://www.nationalboard.org/SiteDocuments/Online%20Ordering/R-1Form_NB-66.pdf.~~

(6) Lap seam crack. The shell or drum of a boiler in which a lap seam crack is discovered along a longitudinal riveted joint ~~must shall~~ be immediately removed from service. If the boiler is not more than 15 years old, a complete new course of the original thickness may be installed at the discretion of the ~~authorized~~ inspector (with the approval of the chief ~~boiler~~ inspector). Patching is prohibited.

(7) Hydrostatic pressure test.

(a) A hydrostatic pressure test, when applied to boilers of riveted or welded construction, ~~must shall~~ not exceed one and one-half (1½) times the maximum allowable working pressure. Hydrostatic pressure applied to glass-lined vessels ~~must shall~~ not exceed the maximum allowable working pressure. During the hydrostatic pressure test, the safety valve or valves ~~must shall~~ be removed or each valve disk ~~must shall~~ be held down by means of a testing clamp and not by applying additional load to the spring with the compression screw. The minimum temperature of the water used to apply a hydrostatic test ~~must shall~~ be not less than ~~60° F 70° F.~~, and the maximum temperature ~~must shall~~ not exceed 120° F.

(b) When a hydrostatic test is to be applied to existing installations, the pressure ~~must shall~~ be as follows:

1. For all cases involving the question of tightness, the pressure ~~must shall~~ be equal to the release or set pressure of the safety valve or valves having the lowest release setting.

2. For all cases involving the question of safety, the pressure ~~must shall~~ be equal to one and one-half (1½) times, the maximum allowable working pressure.

(8) Riveted patches. In applying riveted patches, the design of the patch and the method of installation ~~must shall~~ be in accordance with the rules for riveted patches as required by the National Board Inspection Code, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C.~~

(9) Repairs by fusion welding.

~~(a)~~ When repairs are to be made involving the use of welding, permission to proceed with the work must be obtained from an authorized inspector. All repairs by welding ~~must shall~~ be completed in accordance with the rules for repairs for fusion

welding to boilers and pressure vessels in the National Board Inspection Code, ~~which is incorporated by reference in Rule 69A-51.010, F.A.C.~~

(10) ~~(b)~~ Repair organization. ~~All repairs must be made by an authorized repair organization as defined in Rule 69A-51.005, F.A.C.~~

~~1. A holder of a valid National Board certificate of authorization, authorizing the use of the “R” stamp, or~~

~~2. The holder of a valid ASME certificate of authorization for use of the appropriate code symbol stamp, or~~

~~3. One which is authorized by the Boiler Safety Program.~~

~~(11) (e) Inspection and hydrostatic test.~~

~~(10) Repairs No repairs by welding may not shall~~ be made without the approval of an authorized inspector who shall, if he or she considers it necessary, make an inspection of the boiler to be repaired before granting approval of the contemplated repairs. If in the opinion of the authorized inspector a hydrostatic test is necessary, such a test ~~must shall~~ be applied after the repairs have been completed.

Rulemaking Authority 554.103, ~~554.108(6)~~ FS. Law Implemented 554.103, ~~554.108~~ FS. History—New 2-27-89, Formerly 4A-51.075, Amended 4-10-16, _____.

69A-51.080 Condemned Boilers.

~~(1) Any boiler which has comes under these rules, having been inspected and declared unsafe by an authorized inspector must shall, after approval by the chief boiler inspector, be stamped by the authorized inspector with an arrow head stamp having an overall length of 1/2" and width of 3/8" on either side of the letter “XXX” and the letters of the state as shown by the following facsimile, which will designate a condemned boiler. In addition, the word “CONDEMNED” must shall be stamped under the condemned facsimile.~~

XXX FL XXX

Condemned

~~(2) Any person, firm, partnership or corporation using or offering for sale a condemned boiler which comes under these rules for operation in a place of public assembly within the state shall be subject to the penalty provided in Section 775.083, F.S. Rulemaking Authority 554.103, ~~554.108~~ FS. Law Implemented 554.103, ~~554.108~~ ~~554.114~~ FS. History—New 2-27-89, Formerly 4A-51.080, Amended _____.~~

69A-51.085 Accidents or Explosions; Notice to Chief Boiler Inspector.

When an accident occurs involving a boiler located in a place of public assembly, the owner or user shall promptly notify the chief ~~boiler~~ inspector ~~by submitting a detailed report of the accident. When a In the event of personal injury or any explosion occurs, notice must shall be given immediately by calling (850)413-3614 3645 or by emailing to boiler.safety@myfloridacfo.com~~

~~Fire.Prevention@MyFloridaCFO.com~~, and neither the boiler, nor any parts thereof, ~~may shall~~ be removed or disturbed before permission has been given by the chief ~~boiler~~ inspector, except for the purposes of saving human life or ~~and~~ limiting consequential damage.

Rulemaking Authority 554.103, ~~554.108(6)~~ FS. Law Implemented 554.103, 554.108, 554.109, 554.114, 554.115 FS. History--New 2-27-89, Formerly 4A-51.085, Amended 4-10-16,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE:
David Warburton, Chief Boiler Inspector
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Jimmy Patronis, Chief Financial Officer and State Fire Marshal
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 30, 2020
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: April 25, 2018

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: RULE TITLE:
61E14-1.001 Prelicensure Education Requirements
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 206, October 21, 2020 issue of the Florida Administrative Register.

The Board received written comments from the Joint Administrative Procedures Committee on Rule 61E14-1.001. On November 6, 2020, the Board approved changes to the proposed rule language:

- 61E14-1.001 Prelicensure Education Requirements.
- (1) All community association manager applicants must satisfactorily complete a minimum of 16 ~~in-person-classroom~~ in-person classroom hours of ~~classroom~~ instruction of 50 minutes each within 12 months prior to the date of examination. No applicant shall be allowed to take the licensure examination unless the applicant provides documentation of completion of the requisite prelicensure education. Each contact hour shall consist of at least 50 minutes of classroom instruction.
- (2) No change.
- (3) In-person classroom hours of instruction means that required hours must be in person or from interactive, real-time courses. An interactive, real-time course may be a web-based,

satellite-transmitted, telephone or video conference, or online instruction program that allows or requires the applicant to interact in real-time, including live chat, with the instructor during the presentation of the program or in a question and answer session upon completion of the program.

Rulemaking Authority 468.4315(2), 468.433(2)(d) FS. Law Implemented 468.433(2)(d) FS. History--New 1-3-01, Formerly 61-20.5011, Amended 8-15-19,_____.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Krista B. Woodard, Executive Director, Regulatory Council of Community Association Managers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

DEPARTMENT OF HEALTH

Board of Nursing

RULE NO.: RULE TITLE:
64B9-15.005 Standards for Certified Nursing Assistant Training Programs

NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 46 No. 244, December 17, 2020 issue of the Florida Administrative Register.

The corrections are as follows:
In subsection (6) of the rule, underline coding was used on text that is already in effect in the Florida Administrative Code, becoming effective November 28, 2019. The coding in subsection (6) will be removed.

The Rulemaking Authority, Law Implemented, and the rule history was listed incorrectly. It should have read:
Rulemaking Authority 464.202, 464.203 FS. Law Implemented 464.203 FS. History--New 5-25-03, Amended 8-10-08, 6-5-12, 9-9-15, 11-28-19,_____.

This Notice of Correction does not affect the substance of the Notice of Proposed Rule.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Joe Baker, Jr., Executive Director, Board of Nursing, 4052 Bald Cypress Way, Bin #C02, Tallahassee, Florida 32399; MQA.Nursing@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:
64B11-4.003 Standards of Practice; Discipline
NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 46 No. 154, August 7, 2020 issue of the Florida Administrative Register.

The Board received written comments from the Joint Administrative Procedures Committee on Rule 64B11-4.003. On November 9, 2020, the Board approved changes to the proposed rule language:

THE TEXT OF THE PROPOSED RULE WILL NOW READ:

64B11-4.003 Standards of Practice; Discipline.

(1) through (3) No change.

(4) Violations and Range of Penalties. In imposing discipline upon applicants and licensees, in proceedings pursuant to Sections 120.57(1) and (2), F.S., the Board shall act in accordance with the following disciplinary guidelines and shall impose a penalty within the range corresponding to the violations set forth below. The verbal identification of offenses are descriptive only; the full language of each statutory provision cited must be consulted in order to determine the conduct included. For applicants, any and all offenses listed herein are sufficient for refusal to certify an application for licensure.

In addition to the penalty imposed, the Board shall recover the costs of investigation and prosecution of the case. Additionally, if the Board makes a finding of pecuniary benefit or self-gain related to the violation, then the Board shall require refund of fees billed and collected from the patient or a third party on behalf of the patient.

| | | |
|-----------|---------------|---------|
| VIOLATION | PENALTY RANGE | |
| | MINIMUM | MAXIMUM |

| | | |
|---|---|---|
| (a) Attempting to obtain, obtaining, or renewing a license to practice a profession by bribery, fraudulent misrepresentation, or through an error of the Department or the Board. (Sections 468.217(1)(a), and 456.072(1)(h), F.S.) First Offense | 6 months probation with conditions or certify application with restrictions and \$1,000 fine. | <u>1 year suspension and \$5,000 fine.</u> Permanent revocation with ability to reapply and \$3,000 fine. |
|---|---|---|

| | | |
|--------------------------------|---|--|
| Second and Subsequent Offenses | Restriction of practice or license or denial of licensure and \$5,000 fine. | Permanent revocation or denial of licensure and \$10,000 fine. |
|--------------------------------|---|--|

However, if the violation is not through an error but is for making a false or fraudulent representation or bribery, the fine is increased to \$10,000 per count or offense.

(b) Action taken against license by another jurisdiction.
(Sections 468.217(1)(b), and 456.072(1)(f), F.S.)
First Offense

| | | |
|-----------------------------------|----------------------|--|
| Letter of concern and \$500 fine. | Permanent revocation | <u>Imposition of discipline which would have been if the substantive violation occurred in Florida</u> |
|-----------------------------------|----------------------|--|

| | | |
|--------------------------------|---|---|
| Second and Subsequent Offenses | <u>Imposition of discipline which would have been if the substantive violation occurred in Florida</u> 4-year suspension and a \$2,500 \$1,000 fine. | Permanent revocation and \$10,000 fine. |
|--------------------------------|---|---|

(c) Guilt of a crime directly relating to practice or ability to practice.
(Section 468.217(1)(c), F.S.)

| | | |
|---------------|---|--|
| First Offense | 6 months probation with conditions and \$1,000 fine. | Permanent revocation and \$5,000 fine. |
|---------------|---|--|

Misdemeanor

| | | | | | |
|--|---|---|--|---|---|
| <u>Felony</u> | <u>Reprimand and \$250 fine.</u> | <u>1 year probation with conditions and \$500 fine.</u> | (Section 468.217(1)(p), F.S.) First Offense | Letter of concern and \$500 fine. | 6 months probation with conditions and \$2,500 fine. |
| <u>Felony crimes having a factual basis related to assault, battery, abuse, or which otherwise caused bodily harm.</u> | <u>1 year probation with conditions and \$1,000 fine.</u> | <u>1 year suspension and \$2,500 fine.</u> | Second and Subsequent Offenses | 1 year probation with conditions <u>3 months suspension</u> and \$2,500 fine. | Restriction of practice or license <u>Permanent revocation</u> and \$10,000 fine. |
| <u>Crimes involving fraudulent misrepresentation</u> | <u>1 year suspension and \$5,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> | | | |
| Second and Subsequent Offenses | 1 year suspension and \$5,000 fine. | Permanent revocation and \$10,000 fine. | (q) through (s) No Change. | | |
| <u>Misdemeanor</u> | <u>1 year probation with conditions and \$500 fine.</u> | <u>1 year suspension and \$1,000 fine.</u> | (t) Inability to practice occupational therapy with skill and safety. (Sections 468.217(1)(t), 456.072(1)(z), F.S.) | | |
| <u>Felony</u> | <u>1 year suspension and \$2,500 fine.</u> | <u>Permanent revocation and \$5,000 fine.</u> | | | |
| <u>Felony crimes having a factual basis related to assault, battery, abuse, or which otherwise caused bodily harm.</u> | <u>2 - year suspension and \$10,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> | First Offense | Submit to mental/physical examination and impose conditions on practice. | Submit to mental/physical examination and suspension until able to demonstrate ability to practice with reasonable skill and safety, followed by probation with conditions. |
| <u>Crimes involving fraudulent misrepresentation</u> | <u>2 - year suspension and \$10,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> | | | |
| (d) through (o) No Change. | | | | | |
| (p) Performing professional services not authorized by patient. | | | Second and Subsequent Offenses | <u>1 year suspension and then s</u> Submit to mental/physical examination | Permanent Revocation and \$5,000 fine. |

| | | | | | |
|--|---|---|--|---|--|
| | and suspension until able to demonstrate ability to practice with reasonable skill and safety, followed by probation with conditions. | | <u>Crimes involving fraudulent misrepresentation.</u> | <u>1 year suspension and \$5,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> |
| | | | Second and Subsequent Offenses | <u>Restriction of practice or license 1 year suspension and \$5,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> |
| (u) through (z) No Change | | | <u>Misdemeanor</u> | <u>1 year probation with conditions and \$500 fine.</u> | <u>1 year suspension and \$1,000 fine.</u> |
| (aa) Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice a licensee's profession. (Section 456.072(1)(c), F.S.) | | | <u>Felony</u> | <u>1 year suspension and \$2,500 fine.</u> | <u>Permanent revocation and \$5,000 fine.</u> |
| | | | <u>Felony crimes having a factual basis related to assault, battery, abuse, or which otherwise caused bodily harm.</u> | <u>2 year suspension and \$10,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> |
| | | | <u>Crimes involving fraudulent misrepresentation.</u> | <u>2 year suspension and \$10,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> |
| | | | (bb) - (oo) No Change. | | |
| First Offense | 6 months probation with conditions and \$1,000 fine. | | (pp) <u>Providing information, including written documentation, indicating that a person's need for an emotional support animal under s.760.27 without personal knowledge of the person's disability or disability-related need for the specific emotional support animal. (Section 456.072(1)(pp), F.S.</u> | <u>1 year probation with conditions and a \$5,000 fine.</u> | <u>6 months suspension, 6 months probation with conditions, and a \$10,000 fine.</u> |
| <u>Misdemeanor</u> | <u>Reprimand and \$250 fine.</u> | <u>1 year probation with conditions and \$500 fine.</u> | | | |
| <u>Felony</u> | <u>1 year probation with conditions and \$1,000 fine.</u> | <u>1 year suspension and \$2,500 fine.</u> | | | |
| <u>Felony crimes having a factual basis related to assault, battery, abuse, or which otherwise caused bodily harm.</u> | <u>1 year suspension and \$5,000 fine.</u> | <u>Permanent revocation and \$10,000 fine.</u> | | <u>1 year suspension, 1 year probation with conditions, and a \$5,000 fine.</u> | <u>Permanent revocation and a \$10,000 fine.</u> |

First Offense

Second _____ and
Subsequent
Offenses

(5) through (7) No Change.

Rulemaking Authority 456.079, 468.204 FS. Law Implemented 456.072, 456.079, 468.217 FS. History—New 9-12-88, Amended 11-9-92, Formerly 21M-15.002, 61F6-15.002, 59R-63.002, Amended 1-27-00, 12-27-01, 12-27-05, 4-10-08, 8-5-10, 4-18-12, 1-10-17, _____.

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

**Section IV
Emergency Rules**

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER21-4 Game Number 1478, \$1 GOLD RUSH SUPREME

SUMMARY: This emergency rule describes Game Number 1478, "\$1 GOLD RUSH SUPREME," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-4 Game Number 1478, \$1 GOLD RUSH SUPREME.

(1) Name of Game. Game Number 1478, \$1 GOLD RUSH SUPREME.

(2) Game Number 1478, \$1 GOLD RUSH SUPREME is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$1 GOLD RUSH SUPREME lottery tickets sell for \$1.00 per ticket.

(4) \$1 GOLD RUSH SUPREME lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$1 GOLD RUSH SUPREME lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-3, *Payment of Prizes, F.A.C.*

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | | | | | | |
|---------------------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|
| 1 | 2 | 3 | 4 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| ONE | TWO | THREE | FOUR | SIX | SEVEN | EIGHT | NINE | TEN | ELEVEN | TWELVE |
| 5X STIMES | | | | | | | | | | |

(6) The play symbols and play symbol captions that may appear in the WINNING NUMBER play area are as follows:

| | | | | | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|
| 1 | 2 | 3 | 4 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| ONE | TWO | THREE | FOUR | SIX | SEVEN | EIGHT | NINE | TEN | ELEVEN | TWELVE |

(7) The play symbols and play symbol captions that may appear in the BONUS spot play area are as follows:

| | | | | | | | | | | |
|----------|----------|----------|----------|----------|----------|----------|----------|-----------|-----------|-----------|
| 1 | 2 | 3 | 4 | 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| ONE | TWO | THREE | FOUR | SIX | SEVEN | EIGHT | NINE | TEN | ELEVEN | TWELVE |

(8) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | |
|----------------|----------------|----------------|---------------|----------------|-----------------|
| \$1.00 | \$2.00 | \$4.00 | \$5.00 | \$10.00 | \$20.00 |
| ONE | TWO | FOUR | FIVE | TEN | TWENTY |
| \$30.00 | \$40.00 | \$50.00 | \$100 | \$200 | \$10,000 |
| THIRTY | FORTY | FIFTY | ONE HUN | TWO HUN | TEN THOU |

(9) The legends are as follows:

| | | |
|-------------------|--------------|---------------|
| WINNING NUMBER | YOUR NUMBERS | \$10 BONUS |
|-------------------|--------------|---------------|

(10) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches the play symbol and corresponding play symbol caption in the WINNING NUMBER play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a **5X** STIMES symbol in the YOUR NUMBERS play area shall entitle the prizewinner to five times the prize shown for that symbol.

(b) BONUS SPOT. A ticket having a play symbol and corresponding play symbol caption in the \$10 BONUS spot play area that matches the play symbol and corresponding play symbol caption in the WINNING NUMBER play area shall entitle the prizewinner to a prize of \$10.

(c) A player may win up to six times on a ticket.

(11) The odds of winning, value, and number of prizes in Game Number 1478 are as follows:

| GAME PLAY | WIN | ODDS OF 1 IN | NUMBER OF |
|--------------------------------|-------|--------------|---|
| | | | WINNERS IN 163.71 POOLS OF 240,000 TICKETS PER POOL |
| \$1 | \$1 | 10.71 | 3,667,195 |
| \$1 x 2 | \$2 | 25.00 | 1,571,464 |
| \$2 | \$2 | 33.33 | 1,178,879 |
| \$1 x 4 | \$4 | 300.24 | 130,860 |
| \$2 x 2 | \$4 | 149.94 | 262,032 |
| (\$1 x 2) + \$2 | \$4 | 150.06 | 261,824 |
| \$4 | \$4 | 299.76 | 131,068 |
| (\$1 x 3) + \$2 | \$5 | 750.01 | 52,385 |
| \$1 (5X) | \$5 | 751.03 | 52,314 |
| \$1 + (\$2 x 2) | \$5 | 749.75 | 52,403 |
| \$1 + \$4 | \$5 | 749.68 | 52,408 |
| \$5 | \$5 | 749.54 | 52,418 |
| (\$1 x 2) + (\$2 x 2) + \$4 | \$10 | 500.11 | 78,561 |
| \$2 (5X) | \$10 | 500.14 | 78,556 |
| \$2 x 5 | \$10 | 500.21 | 78,546 |
| \$5 x 2 | \$10 | 500.00 | 78,579 |
| \$10 | \$10 | 499.54 | 78,650 |
| (\$2 x 5) + \$10 | \$20 | 1,502.86 | 26,143 |
| \$2 + (\$4 x 2) + (\$5 x 2) | \$20 | 1,501.25 | 26,171 |
| \$2 (5X) + (\$5 x 2) | \$20 | 1,497.76 | 26,232 |
| \$4 (5X) | \$20 | 1,500.96 | 26,176 |
| \$20 | \$20 | 1,497.19 | 26,242 |
| (\$4 x 5) + \$10 | \$30 | 8,619.83 | 4,558 |
| \$2 + (\$4 x 2) + (\$10 x 2) | \$30 | 8,541.13 | 4,600 |
| \$10 + \$20 | \$30 | 8,694.22 | 4,519 |
| \$2 (5X) + \$4 (5X) | \$30 | 9,201.22 | 4,270 |
| \$2 (5X) x 3 | \$30 | 9,196.91 | 4,272 |
| \$30 | \$30 | 12,040.82 | 3,263 |
| (\$5 x 4) + (\$10 x 2) | \$40 | 12,048.21 | 3,261 |
| \$10 x 4 | \$40 | 11,877.03 | 3,308 |
| \$5 + \$5 (5X) + \$10 | \$40 | 11,956.54 | 3,286 |
| \$4 (5X) + (\$10 x 2) | \$40 | 11,978.41 | 3,280 |
| \$20 x 2 | \$40 | 12,011.37 | 3,271 |
| \$40 | \$40 | 12,070.41 | 3,255 |
| (\$20 x 4) + (\$10 x 2) | \$100 | 19,813.01 | 1,983 |
| \$20 + (\$40 x 2) | \$100 | 20,252.16 | 1,940 |
| (\$20 x 2) + (\$30 x 2) | \$100 | 21,730.75 | 1,808 |
| \$10 (5X) x 2 | \$100 | 23,986.08 | 1,638 |
| \$20 (5X) | \$100 | 23,898.54 | 1,644 |
| \$100 | \$100 | 24,163.10 | 1,626 |
| (\$50 x 3) + (\$20 x 2) + \$10 | \$200 | 79,856.10 | 492 |
| \$10 + (\$30 x 3) + \$100 | \$200 | 79,372.12 | 495 |
| \$40 (5X) | \$200 | 79,052.72 | 497 |

| | | | |
|-------------------------------|----------|------------|-----|
| \$30 (5X) + (\$20 x 2) + \$10 | \$200 | 79,856.10 | 492 |
| \$100 x 2 | \$200 | 80,018.74 | 491 |
| \$200 | \$200 | 120,519.02 | 326 |
| \$10,000 | \$10,000 | 392,892.00 | 100 |

(12) The overall odds of winning some prize in Game Number 1478 are 1 in 4.88. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Game Number 1478, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for \$1 GOLD RUSH SUPREME lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 1-14-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 14, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-5
 RULE TITLE: Game Number 1479, \$2 GOLD RUSH SUPREME

SUMMARY: This emergency rule describes Game Number 1479, "\$2 GOLD RUSH SUPREME," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-5 Game Number 1479, \$2 GOLD RUSH SUPREME.

(1) Name of Game. Game Number 1479, \$2 GOLD RUSH SUPREME.

(2) Game Number 1479, \$2 GOLD RUSH SUPREME is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$2 GOLD RUSH SUPREME lottery tickets sell for \$2.00 per ticket.

(4) \$2 GOLD RUSH SUPREME lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$2 GOLD RUSH SUPREME lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-3, *Payment of Prizes, F.A.C.*

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | | | | | |
|----------------------|------------------------|-----------------------|-----------------------|----------------------|----------------------|------------------------|-----------------------|-----------------------|---------------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 5X 5 TIMES | 10X 10 TIMES | | | | | | | | |

(6) The play symbols and play symbol captions that may appear in the WINNING NUMBERS play area are as follows:

| | | | | | | | | | |
|---------------------|---------------------|-----------------------|-----------------------|----------------------|----------------------|------------------------|-----------------------|-----------------------|---------------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |

(7) The play symbols and play symbol captions that may appear in the BONUS spots play area are as follows:

| | | | | | | | | | |
|---------------------|---------------------|-----------------------|-----------------------|----------------------|----------------------|------------------------|-----------------------|-----------------------|---------------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |

(8) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | |
|-------------------------|-------------------------|--------------------------|----------------------------|----------------------------------|--------------------------|
| \$1.00 ONE | \$2.00 TWO | \$4.00 FOUR | \$5.00 FIVE | \$10.00 TEN | \$20.00 TWENTY |
| \$50.00 FIFTY | \$100 ONE HUN | \$400 FOUR HUN | \$1,000 ONE THOU | \$100,000 ONE HUN THOU | |

(9) The legends are as follows:

| | | | | |
|--------------------|--------------|-------|---------------|---------------|
| WINNING NUMBERS | YOUR NUMBERS | PRIZE | \$10 BONUS | \$20 BONUS |
|--------------------|--------------|-------|---------------|---------------|

(10) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding PRIZE shown for that symbol. A ticket having a **5X** symbol in the YOUR NUMBERS play area shall entitle the prizewinner to five times the prize shown for that symbol. A ticket having a **10X** symbol in the YOUR NUMBERS play area shall entitle the prizewinner to ten times the prize shown for that symbol.

(b) BONUS SPOTS. A ticket having a play symbol and corresponding play symbol caption in the \$10 BONUS spot

play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$10. A ticket having a play symbol and corresponding play symbol caption in the \$20 BONUS spot play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$20.

(c) A player may win up to twelve times on a ticket.

(11) The odds of winning, value, and number of prizes in Game Number 1479 are as follows:

| GAME PLAY | WIN | ODDS OF 1 IN | NUMBER OF WINNERS IN 364.71 POOLS OF 180,000 TICKETS PER POOL |
|-------------------------------|-------|--------------|---|
| \$2 | \$2 | 10.71 | 6,127,140 |
| \$1 x 4 | \$4 | 75.01 | 875,228 |
| (\$1 x 2) + \$2 | \$4 | 74.99 | 875,359 |
| \$2 x 2 | \$4 | 37.50 | 1,750,529 |
| \$4 | \$4 | 50.00 | 1,313,012 |
| \$1 x 5 | \$5 | 375.10 | 175,013 |
| (\$1 x 3) + \$2 | \$5 | 375.12 | 175,005 |
| (\$2 x 2) + \$1 | \$5 | 374.96 | 175,076 |
| \$1 + \$4 | \$5 | 374.84 | 175,134 |
| \$5 | \$5 | 374.98 | 175,068 |
| \$1 x 10 | \$10 | 250.02 | 262,572 |
| \$2 (5X) | \$10 | 250.07 | 262,514 |
| \$1 (10X) | \$10 | 250.01 | 262,580 |
| \$2 + (\$4 x 2) | \$10 | 249.96 | 262,635 |
| \$10 | \$10 | 249.95 | 262,643 |
| \$2 x 10 | \$20 | 750.22 | 87,504 |
| \$2 (10X) | \$20 | 750.25 | 87,501 |
| \$4 (5X) | \$20 | 749.61 | 87,575 |
| \$2 (5X) + \$10 | \$20 | 749.75 | 87,559 |
| \$20 | \$20 | 750.18 | 87,509 |
| (\$2 x 10) + \$10 + \$20 | \$50 | 1,795.85 | 36,555 |
| \$5 x 10 | \$50 | 1,802.75 | 36,415 |
| \$5 (10X) | \$50 | 1,794.87 | 36,575 |
| \$4 (10X) + (\$5 x 2) | \$50 | 1,801.27 | 36,445 |
| \$10 (5X) | \$50 | 1,200.02 | 54,705 |
| (\$5 x 6) + (\$10 x 2) | \$50 | 1,198.84 | 54,759 |
| \$10 + (\$20 x 2) | \$50 | 1,199.61 | 54,724 |
| \$50 | \$50 | 1,801.51 | 36,440 |
| (\$4 x 5) + (\$10 x 6) + \$20 | \$100 | 4,497.92 | 14,595 |
| \$10 x 10 | \$100 | 5,988.62 | 10,962 |
| \$10 (10X) | \$100 | 4,987.25 | 13,163 |
| \$10 (5X) x 2 | \$100 | 6,012.75 | 10,918 |
| \$20 (5X) | \$100 | 6,008.90 | 10,925 |

| | | | |
|---|-----------|--------------|--------|
| \$50 x 2 | \$100 | 6,027.66 | 10,891 |
| \$100 | \$100 | 5,982.61 | 10,973 |
| (\$20 x 4) + (\$50 x 6) + (\$10 x 2) | \$400 | 177,905.69 | 369 |
| (\$20 x 5) + (\$50 x 4) + \$100 | \$400 | 177,905.69 | 369 |
| \$20 (5X) + \$20 (10X) + \$100 | \$400 | 179,855.34 | 365 |
| \$20 (5X) + \$50 (5X) + \$50 | \$400 | 178,875.20 | 367 |
| (\$50 x 2) + (\$100 x 3) | \$400 | 178,389.13 | 368 |
| \$400 | \$400 | 180,846.28 | 363 |
| (\$100 x 5) + (\$20 x 4) + (\$10 x 2) + \$400 | \$1,000 | 184,402.25 | 356 |
| \$100 x 10 | \$1,000 | 176,946.63 | 371 |
| \$100 (10X) | \$1,000 | 181,848.20 | 361 |
| \$100 (5X) x 2 | \$1,000 | 175,059.20 | 375 |
| \$50 (10X) x 2 | \$1,000 | 178,875.20 | 367 |
| (\$100 x 2) + (\$400 x 2) | \$1,000 | 177,424.86 | 370 |
| \$1,000 | \$1,000 | 181,345.86 | 362 |
| \$100,000 | \$100,000 | 1,823,533.33 | 36 |

(12) The overall odds of winning some prize in Game Number 1479 are 1 in 4.69. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(13) For reorders of Game Number 1479, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(14) Payment of prizes for \$2 GOLD RUSH SUPREME lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 1-14-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 14, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-6
 RULE TITLE: Game Number 1480, \$5 GOLD RUSH SUPREME

SUMMARY: This emergency rule describes Game Number 1480, "\$5 GOLD RUSH SUPREME," for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners;

estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-6 Game Number 1480, \$5 GOLD RUSH SUPREME.

(1) Name of Game. Game Number 1480, \$5 GOLD RUSH SUPREME.

(2) Game Number 1480, \$5 GOLD RUSH SUPREME is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$5 GOLD RUSH SUPREME lottery tickets sell for \$5.00 per ticket.

(4) \$5 GOLD RUSH SUPREME lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$5 GOLD RUSH SUPREME lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-3, *Payment of Prizes, F.A.C.*

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | | | | | |
|-----------------|-----------------|--|------------------|------------------|-----------------|-------------------|-------------------|------------------|--------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 21 TWENTYONE | 22 TWENTYTWO | 23 TWENTYTHREE | 24 TWENTYFOUR | 25 TWENTYFIVE | 26 TWENTYSIX | 27 TWENTYSEVEN | 28 TWENTYEIGHT | 29 TWENTYNINE | 30 THIRTY |
| 5X 5TIMES | 10X 10TIMES |  WIN \$500 | | | | | | | |

(6) The play symbols and play symbol captions that may appear in the WINNING NUMBERS play area are as follows:

| | | | | | | | | | |
|-----------------|-----------------|-------------------|------------------|------------------|-----------------|-------------------|-------------------|------------------|--------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 21 TWENTYONE | 22 TWENTYTWO | 23 TWENTYTHREE | 24 TWENTYFOUR | 25 TWENTYFIVE | 26 TWENTYSIX | 27 TWENTYSEVEN | 28 TWENTYEIGHT | 29 TWENTYNINE | 30 THIRTY |

(7) The play symbols and play symbol captions that may appear in the BONUS spots play area are as follows:

| | | | | | | | | | |
|-----------------|-----------------|-------------------|------------------|------------------|-----------------|-------------------|-------------------|------------------|--------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 21 TWENTYONE | 22 TWENTYTWO | 23 TWENTYTHREE | 24 TWENTYFOUR | 25 TWENTYFIVE | 26 TWENTYSIX | 27 TWENTYSEVEN | 28 TWENTYEIGHT | 29 TWENTYNINE | 30 THIRTY |

(8) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | | |
|------------------|------------------|-------------------|---------------------|------------------------|----------------------|------------------------------|
| \$2.00 TWO | \$5.00 FIVE | \$10.00 TEN | \$20.00 TWENTY | \$25.00 TWENTY FIVE | \$40.00 FORTY | \$50.00 FIFTY |
| \$100 ONE HUN | \$200 TWO HUN | \$500 FIVE HUN | \$1,000 ONE THOU | \$2,000 TWO THOU | \$10,000 TEN THOU | \$1,000,000 \$40K/1K/251K |

(9) The legends are as follows:

| | | |
|-----------------|---------------|---------------|
| \$10 BONUS | \$20 BONUS | \$50 BONUS |
| WINNING NUMBERS | YOUR NUMBERS | |

(10) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a ^{5X} symbol in the YOUR NUMBERS play area shall entitle the prizewinner to five times the prize shown

for that symbol. A ticket having a ^{10X} symbol in the YOUR NUMBERS play area shall entitle the prizewinner to ten times

the prize shown for that symbol. A ticket having a ^{WIN\$500} play symbol and corresponding play symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to a prize of \$500.

(b) BONUS SPOTS. A ticket having a play symbol and corresponding play symbol caption in the \$10 BONUS spot play area that matches the play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$10. A ticket having a play symbol and corresponding play symbol caption in the \$20 BONUS spot play area that matches the play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$20. A ticket having a play symbol and corresponding play symbol caption in the \$50 BONUS spot play area that matches the play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$50.

(c) A player may win up to fifteen times on a ticket.

(11) \$1,000,000 Top Prize Payment Options.

(a) A winner of a \$1,000,000 top prize may choose one of two payment options for receiving his or her prize. Payment options are Cash Option or Annual Payment. At the time the \$1,000,000 top prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days after the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final. The Annual Payment method of payment will also be final when it is applied due to a top prize

winner not making his or her payment election within sixty (60) days after the player claim instructions ticket is produced.

(b) Cash Option prizes will be paid in a single cash payment. A winner of a \$1,000,000 top prize who elects the Cash Option shall receive a single cash payment of \$880,000, less applicable federal income tax withholding.

(c) Annual Payment prizes will be paid in twenty-five (25) equal annual installments. A winner of a \$1,000,000 top prize who elects the Annual Payment option, or who has had the Annual Payment option applied as described in paragraph (11)(a) above, shall receive annual installments of \$40,000 per year, less applicable federal tax withholding.

(12) The odds of winning, value, and number of prizes in Game Number 1480 are as follows:

| GAME PLAY | WIN | ODDS OF 1 IN | NUMBER OF WINNERS IN 484.66 POOLS OF 120,000 TICKETS PER POOL |
|-----------------------------|-------|--------------|---|
| | | | |
| \$5 | \$5 | 8.57 | 6,785,639 |
| \$5 x 2 | \$10 | 30.00 | 1,938,630 |
| \$2 (5X) | \$10 | 20.00 | 2,908,150 |
| \$10 | \$10 | 60.01 | 969,110 |
| \$2 (10X) | \$20 | 300.13 | 193,776 |
| \$2 (5X) + (\$5 x 2) | \$20 | 299.89 | 193,936 |
| \$5 x 4 | \$20 | 300.27 | 193,686 |
| \$10 x 2 | \$20 | 299.92 | 193,912 |
| \$20 | \$20 | 299.78 | 194,005 |
| \$5 x 5 | \$25 | 800.82 | 72,624 |
| \$5 (5X) | \$25 | 800.15 | 72,685 |
| \$2 (5X) + \$5 + \$10 | \$25 | 798.86 | 72,802 |
| \$5 + \$20 | \$25 | 799.81 | 72,716 |
| \$25 | \$25 | 799.96 | 72,702 |
| \$5 x 8 | \$40 | 749.54 | 77,593 |
| \$10 x 4 | \$40 | 599.71 | 96,978 |
| \$5 + \$5 (5X) + \$10 | \$40 | 748.39 | 77,712 |
| \$20 x 2 | \$40 | 600.66 | 96,825 |
| \$40 | \$40 | 1,199.99 | 48,466 |
| \$5 x 10 | \$50 | 6,028.08 | 9,648 |
| \$5 (5X) + \$5 + (\$10 x 2) | \$50 | 6,008.15 | 9,680 |
| \$10 (5X) | \$50 | 1,335.24 | 43,557 |
| \$5 (10X) | \$50 | 5,724.86 | 10,159 |
| \$10 + \$40 | \$50 | 5,971.75 | 9,739 |
| \$50 | \$50 | 6,029.33 | 9,646 |
| (\$10 x 8) + (\$5 x 4) | \$100 | 3,242.40 | 17,937 |
| (\$5 x 10) + (\$25 x 2) | \$100 | 3,424.94 | 16,981 |
| \$10 (5X) + (\$10 x 5) | \$100 | 3,428.98 | 16,961 |
| \$20 (5X) | \$100 | 1,500.18 | 38,768 |

| | | | |
|--|-----------|--------------|--------|
| \$10 (10X) | \$100 | 3,425.54 | 16,978 |
| \$20 + (\$40 x 2) | \$100 | 1,501.46 | 38,735 |
| \$50 x 2 | \$100 | 3,334.42 | 17,442 |
| \$100 | \$100 | 3,877.00 | 15,001 |
| (\$5 x 10) + (\$20 x 2) + (\$50 x 2) + \$10 | \$200 | 24,012.76 | 2,422 |
| (\$10 x 10) + (\$50 x 2) | \$200 | 24,182.49 | 2,405 |
| \$10 (10X) x 2 | \$200 | 24,152.37 | 2,408 |
| \$20 (10X) | \$200 | 23,757.72 | 2,448 |
| \$40 (5X) | \$200 | 24,092.34 | 2,414 |
| \$100 x 2 | \$200 | 24,042.54 | 2,419 |
| \$200 | \$200 | 30,071.82 | 1,934 |
| (\$20 x 10) + (\$100 x 2) + \$50 + \$40 + \$10 | \$500 | 29,871.03 | 1,947 |
| (\$40 x 10) + (\$50 x 2) | \$500 | 39,862.17 | 1,459 |
| (\$25 x 2) + \$50 (5X) + (\$100 x 2) | \$500 | 39,999.24 | 1,454 |
| \$50 (10X) | \$500 | 39,944.30 | 1,456 |
| \$100 (5X) | \$500 | 40,054.34 | 1,452 |
| \$100 + (\$200 x 2) | \$500 | 60,456.24 | 962 |
| \$500 (GOLD BAR) | \$500 | 39,862.17 | 1,459 |
| (\$100 x 8) + (\$50 x 4) | \$1,000 | 60,019.50 | 969 |
| (\$40 x 10) + \$100 + \$500 | \$1,000 | 119,915.26 | 485 |
| \$100 (5X) + (\$100 x 5) | \$1,000 | 120,163.02 | 484 |
| \$100 (5X) x 2 | \$1,000 | 118,449.90 | 491 |
| \$100 (10X) | \$1,000 | 119,178.07 | 488 |
| (\$100 x 5) + \$500 (GOLD BAR) | \$1,000 | 117,730.57 | 494 |
| \$1,000 | \$1,000 | 120,912.47 | 481 |
| (\$200 x 8) + (\$100 x 4) | \$2,000 | 59,895.88 | 971 |
| \$200 x 10 | \$2,000 | 120,163.02 | 484 |
| \$200 (10X) | \$2,000 | 119,668.52 | 486 |
| \$100 + (\$200 x 7) + \$500 (GOLD BAR) | \$2,000 | 119,422.79 | 487 |
| \$2,000 | \$2,000 | 118,934.36 | 489 |
| \$10,000 | \$10,000 | 120,163.02 | 484 |
| \$1,000,000 (\$40K/YR/25YRS) | Top Prize | 2,423,287.50 | 24 |

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 1-14-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 14, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: 53ER21-7
 RULE TITLE: Game Number 1481, \$10 GOLD RUSH SUPREME

SUMMARY: This emergency rule describes Game Number 1481, “\$10 GOLD RUSH SUPREME,” for which the Department of the Lottery will start selling tickets on a date to be determined by the Secretary of the Department. The rule sets forth the specifics of the game; determination of prizewinners; estimated odds of winning, value and number of prizes in the game.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-7 Game Number 1481, \$10 GOLD RUSH SUPREME.

(1) Name of Game. Game Number 1481, \$10 GOLD RUSH SUPREME.

(2) Game Number 1481, \$10 GOLD RUSH SUPREME is a Scratch-Off lottery game (also known as an instant lottery game).

(3) Price. \$10 GOLD RUSH SUPREME lottery tickets sell for \$10.00 per ticket.

(4) \$10 GOLD RUSH SUPREME lottery tickets shall have a series of numbers in machine readable code (or bar code) on the back of the ticket, along with a validation number under the latex area on the ticket. To be a valid winning \$10 GOLD RUSH SUPREME lottery ticket, the ticket must meet the applicable requirements of Rule 53ER21-3, Payment of Prizes, F.A.C.

(5) The play symbols and play symbol captions that may appear in the YOUR NUMBERS play area are as follows:

(13) The overall odds of winning some prize in Game Number 1480 are 1 in 3.97. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(14) For reorders of Game Number 1480, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(15) Payment of prizes for \$5 GOLD RUSH SUPREME lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

| | | | | | | | | | |
|-----------------|-----------------|---|------------------|------------------|-----------------|-------------------|-------------------|------------------|--------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 21 TWENTYONE | 22 TWENTYTWO | 23 TWENTYTHREE | 24 TWENTYFOUR | 25 TWENTYFIVE | 26 TWENTYSIX | 27 TWENTYSEVEN | 28 TWENTYEIGHT | 29 TWENTYNINE | 30 THIRTY |
| 31 THIRTYONE | 32 THIRTYTWO | 33 THIRTYTHREE | 34 THIRTYFOUR | 35 THIRTYFIVE | 36 THIRTYSIX | 37 THIRTYSEVEN | 38 THIRTYEIGHT | 39 THIRTYNINE | 40 FORTY |
| 5X 5TIMES | 10X 10TIMES |  | | | | | | | |

(6) The play symbols and play symbol captions that may appear in the WINNING NUMBERS play area are as follows:

| | | | | | | | | | |
|-----------------|-----------------|-------------------|------------------|------------------|-----------------|-------------------|-------------------|------------------|--------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 21 TWENTYONE | 22 TWENTYTWO | 23 TWENTYTHREE | 24 TWENTYFOUR | 25 TWENTYFIVE | 26 TWENTYSIX | 27 TWENTYSEVEN | 28 TWENTYEIGHT | 29 TWENTYNINE | 30 THIRTY |
| 31 THIRTYONE | 32 THIRTYTWO | 33 THIRTYTHREE | 34 THIRTYFOUR | 35 THIRTYFIVE | 36 THIRTYSIX | 37 THIRTYSEVEN | 38 THIRTYEIGHT | 39 THIRTYNINE | 40 FORTY |

(7) The play symbols and play symbol captions that may appear in the BONUS spots play area are as follows:

| | | | | | | | | | |
|-----------------|-----------------|-------------------|------------------|------------------|-----------------|-------------------|-------------------|------------------|--------------|
| 1 ONE | 2 TWO | 3 THREE | 4 FOUR | 6 SIX | 7 SEVEN | 8 EIGHT | 9 NINE | | |
| 11 ELEVEN | 12 TWELVE | 13 THIRTEEN | 14 FOURTEEN | 15 FIFTEEN | 16 SIXTEEN | 17 SEVENTEEN | 18 EIGHTEEN | 19 NINETEEN | 20 TWENTY |
| 21 TWENTYONE | 22 TWENTYTWO | 23 TWENTYTHREE | 24 TWENTYFOUR | 25 TWENTYFIVE | 26 TWENTYSIX | 27 TWENTYSEVEN | 28 TWENTYEIGHT | 29 TWENTYNINE | 30 THIRTY |
| 31 THIRTYONE | 32 THIRTYTWO | 33 THIRTYTHREE | 34 THIRTYFOUR | 35 THIRTYFIVE | 36 THIRTYSIX | 37 THIRTYSEVEN | 38 THIRTYEIGHT | 39 THIRTYNINE | 40 FORTY |

(8) The prize symbols and prize symbol captions that may appear in the YOUR NUMBERS play area are as follows:

| | | | | | | | | |
|------------------|------------------|----------------------|----------------------|-------------------|------------------------|----------------------|---------------------------|------------------------------|
| \$2.00 TWO | \$5.00 FIVE | \$10.00 TEN | \$15.00 FIFTEEN | \$20.00 TWENTY | \$25.00 TWENTY FIVE | \$30.00 THIRTY | \$40.00 FORTY | |
| \$50.00 FIFTY | \$100 ONE HUN | \$150 ONE HUN FTY | \$250 TWO HUN FTY | \$500 FIVE HUN | \$1,000 ONE THOU | \$10,000 TEN THOU | \$100,000 ONE HUN THOU | \$2,000,000 \$200,000,000 |

(9) The legends are as follows:

| WINNING NUMBERS | YOUR NUMBERS |
|-----------------|--------------|
| \$10 BONUS | \$20 BONUS |
| \$50 BONUS | \$100 BONUS |
| \$100 BONUS | \$500 BONUS |

(10) Determination of Prizewinners.

(a) A ticket having a play symbol and corresponding play symbol caption in the YOUR NUMBERS play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to the corresponding prize shown for that symbol.

A ticket having a  symbol in the YOUR NUMBERS play area shall entitle the prizewinner to five times the prize shown for that symbol. A ticket having a  symbol in the YOUR NUMBERS play area shall entitle the prizewinner to ten times the prize shown for that symbol. A ticket having a 

play symbol and corresponding play symbol caption in the YOUR NUMBERS play area shall entitle the prizewinner to a prize of \$500.

(b) BONUS SPOTS. A ticket having a play symbol and corresponding play symbol caption in the \$10 BONUS spot play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$10. A ticket having a play symbol and corresponding play symbol caption in the \$20 BONUS spot play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$20. A ticket having a play symbol and corresponding play symbol caption in the \$50 BONUS spot play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$50. A ticket having a play symbol and corresponding play symbol caption in the \$100 BONUS spot play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$100. A ticket having a play symbol and corresponding play symbol caption in the \$500 BONUS spot play area that matches a play symbol and corresponding play symbol caption in the WINNING NUMBERS play area shall entitle the prizewinner to a prize of \$500.

(c) A player may win up to twenty times on a ticket.

(11) \$2,000,000 Top Prize Payment Options.

(a) A winner of a \$2,000,000 top prize may choose one of two payment options for receiving his or her prize. Payment options are Cash Option or Annual Payment. At the time the \$2,000,000 top prize is claimed, the terminal will produce a player claim instructions ticket. The winner has sixty (60) days after the date the player claim instructions ticket is produced to file a claim choosing the Cash Option. Once the winner files a claim and exercises the winner's chosen option, the election of that option shall be final. The Annual Payment method of payment will also be final when it is applied due to a top prize winner not making his or her payment election within sixty (60) days after the player claim instructions ticket is produced.

(b) Cash Option prizes will be paid in a single cash payment. A winner of a \$2,000,000 top prize who elects the Cash Option shall receive a single cash payment of \$1,760,000, less applicable federal income tax withholding.

(c) Annual Payment prizes will be paid in twenty-five (25) equal annual installments. A winner of a \$2,000,000 top prize who elects the Annual Payment option, or who has had the Annual Payment option applied as described in paragraph (11)(a) above, shall receive annual installments of \$80,000 per year, less applicable federal tax withholding.

(12) The odds of winning, value, and number of prizes in Game Number 1481 are as follows:

| GAME PLAY | WIN | ODDS OF 1 IN | NUMBER OF WINNERS IN 280.84 POOLS OF 120,000 TICKETS PER POOL |
|--------------------------------------|-------|--------------|---|
| \$5 x 2 | \$10 | 29.99 | 1,123.656 |
| \$2 (5X) | \$10 | 30.01 | 1,123.140 |
| \$10 | \$10 | 30.00 | 1,123.190 |
| \$5 x 3 | \$15 | 59.99 | 561,740 |
| \$5 + \$10 | \$15 | 60.00 | 561,679 |
| \$2 (5X) + \$5 | \$15 | 59.99 | 561,767 |
| \$15 | \$15 | 60.01 | 561,591 |
| \$5 x 4 | \$20 | 150.01 | 224,663 |
| \$2 (5X) + \$10 | \$20 | 60.00 | 561,679 |
| \$10 x 2 | \$20 | 100.00 | 337,016 |
| \$2 (10X) | \$20 | 60.01 | 561,618 |
| \$20 | \$20 | 60.00 | 561,679 |
| \$5 x 5 | \$25 | 399.46 | 84,365 |
| \$5 (5X) | \$25 | 299.66 | 112,464 |
| \$5 + (\$10 x 2) | \$25 | 374.78 | 89,921 |
| \$2 (10X) + \$5 | \$25 | 299.58 | 112,494 |
| \$25 | \$25 | 400.06 | 84,239 |
| \$2 x 15 | \$30 | 400.13 | 84,224 |
| \$2 (5X) + (\$10 x 2) | \$30 | 400.21 | 84,208 |
| \$2 (10X) + \$10 | \$30 | 399.85 | 84,283 |
| \$15 x 2 | \$30 | 599.79 | 56,188 |
| \$30 | \$30 | 399.62 | 84,332 |
| \$10 x 4 | \$40 | 599.97 | 56,171 |
| \$2 (5X) + (\$10 x 3) | \$40 | 601.28 | 56,048 |
| \$2 (10X) + \$20 | \$40 | 599.97 | 56,171 |
| \$20 x 2 | \$40 | 600.55 | 56,116 |
| \$40 | \$40 | 600.79 | 56,094 |
| \$5 x 10 | \$50 | 1,197.74 | 28,137 |
| \$5 (10X) | \$50 | 1,199.36 | 28,099 |
| \$2 (5X) + (\$20 x 2) | \$50 | 1,200.94 | 28,062 |
| \$25 x 2 | \$50 | 1,203.98 | 27,991 |
| \$50 | \$50 | 1,198.25 | 28,125 |
| (\$5 x 10) + (\$10 x 5) | \$100 | 480.64 | 70,117 |
| (\$10 x 2) + (\$15 x 2) + (\$25 x 2) | \$100 | 599.54 | 56,211 |
| \$20 (5X) | \$100 | 480.34 | 70,160 |

| | | | |
|---|-----------|--------------|--------|
| \$10 (10X) | \$100 | 479.75 | 70,247 |
| \$5 (5X) + \$25 + \$50 | \$100 | 480.27 | 70,171 |
| \$50 x 2 | \$100 | 598.83 | 56,278 |
| \$100 | \$100 | 599.80 | 56,187 |
| \$10 x 15 | \$150 | 12,074.79 | 2,791 |
| \$15 (10X) | \$150 | 11,954.86 | 2,819 |
| \$10 (10X) + (\$10 x 5) | \$150 | 10,038.95 | 3,357 |
| \$30 (5X) | \$150 | 9,929.51 | 3,394 |
| \$50 x 3 | \$150 | 12,044.58 | 2,798 |
| (\$25 x 2) + (\$50 x 2) | \$150 | 12,027.39 | 2,802 |
| \$150 | \$150 | 11,954.86 | 2,819 |
| (\$15 x 10) + (\$20 x 5) | \$250 | 11,993.15 | 2,810 |
| (\$15 x 10) + (\$50 x 2) | \$250 | 12,014.52 | 2,805 |
| (\$20 (5X) x 2) + \$50 | \$250 | 11,904.18 | 2,831 |
| \$25 (10X) | \$250 | 12,048.89 | 2,797 |
| \$50 + (\$100 x 2) | \$250 | 12,057.51 | 2,795 |
| \$50 (5X) | \$250 | 12,070.47 | 2,792 |
| \$250 | \$250 | 11,976.10 | 2,814 |
| (\$25 x 10) + (\$50 x 5) | \$500 | 30,116.84 | 1,119 |
| \$50 x 10 | \$500 | 29,692.28 | 1,135 |
| \$50 (10X) | \$500 | 29,797.29 | 1,131 |
| \$100 (5X) | \$500 | 30,664.91 | 1,099 |
| (\$50 x 4) + (\$100 x 3) | \$500 | 30,170.76 | 1,117 |
| \$500 (GOLD BAR) | \$500 | 29,666.14 | 1,136 |
| (\$10 x 7) + (\$20 x 6) + (\$30 x 2) + (\$50 x 3) + \$100 + \$500 | \$1,000 | 19,929.47 | 1,691 |
| \$100 + \$150 + \$250 + \$500 (GOLD BAR) | \$1,000 | 20,143.90 | 1,673 |
| \$100 (10X) | \$1,000 | 19,964.89 | 1,688 |
| \$40 (5X) x 5 | \$1,000 | 19,847.31 | 1,698 |
| (\$100 x 5) + \$500 (GOLD BAR) | \$1,000 | 20,095.85 | 1,677 |
| \$1,000 | \$1,000 | 19,870.72 | 1,696 |
| \$1,000 (5X) x 2 | \$10,000 | 121,225.68 | 278 |
| \$1,000 (10X) | \$10,000 | 122,104.13 | 276 |
| \$10,000 | \$10,000 | 116,611.56 | 289 |
| \$100,000 | \$100,000 | 495,599.12 | 68 |
| \$2,000,000 (\$80K/YR/25YRS) | Top Prize | 4,212,592.50 | 8 |

(13) The overall odds of winning some prize in Game Number 1481 are 1 in 3.49. Prizes, including the top prizes, are subject to availability at the time of ticket purchase. Prizes may be unavailable due to prior sales or other causes occurring in the normal course of business including, but not limited to, ticket damage, defect, theft, or loss.

(14) For reorders of Game Number 1481, the odds of winning, value, and number of prizes shall be proportionate to the number of tickets reordered.

(15) Payment of prizes for \$10 GOLD RUSH SUPREME lottery tickets shall be made in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the

current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

Rulemaking Authority 24.105(9)(a), (b), (c), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), 24.115(1) FS. History- New 1-14-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 14, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER21-8 Gold Rush Supreme Bonus Play Promotion

SUMMARY: This emergency rule describes the Gold Rush Supreme Bonus Play Promotion that will begin January 18, 2021 and continue through January 3, 2022. Eight drawings will be held, and cash prizes awarded.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-8 Gold Rush Supreme Bonus Play Promotion

(1) Beginning January 18, 2021, and continuing through January 3, 2022, ("Promotion Period") the Florida Lottery will conduct the Gold Rush Supreme Bonus Play Promotion ("Promotion") in which players can enter non-winning Florida Lottery Scratch-Off tickets (also known as instant tickets) from the following GOLD RUSH SUPREME family of games into a Gold Rush Supreme Bonus Play drawing for a chance to win a cash prizes:

- (a) Game Number 1478, \$1 GOLD RUSH SUPREME;
- (b) Game Number 1479, \$2 GOLD RUSH SUPREME;
- (c) Game Number 1480, \$5 GOLD RUSH SUPREME;
- (d) Game Number 1481, \$10 GOLD RUSH SUPREME;

and

- (e) Game Number 1485, BILLION DOLLAR GOLD RUSH SUPREME.

Non-winning Scratch-Off lottery tickets from Game Number 1478, \$1 GOLD RUSH SUPREME, Game Number 1479, \$2 GOLD RUSH SUPREME; Game Number 1480, \$5 GOLD RUSH SUPREME; and Game Number 1481, \$10 GOLD RUSH SUPREME may be entered throughout the entire Promotion Period for entry into the next available drawing. Non-winning Scratch-Off lottery tickets from Game Number 1485, BILLION DOLLAR GOLD RUSH SUPREME may only be entered during the period of February 22, 2021, through January 3, 2022, for entry into the next available drawing.

Winning Scratch-Off tickets from the above-listed GOLD RUSH SUPREME family of games cannot be used for entry into a Gold Rush Supreme Bonus Play drawing.

(2) How to Enter.

(a) To enter a non-winning GOLD RUSH SUPREME Scratch-Off lottery ticket into one of the Gold Rush Supreme Bonus Play drawings, a player may use the Florida Lottery's website at flalottery.com, or use the Florida Lottery's Mobile Convenience App ("App"). On the home page of the Florida Lottery's website, players are to click on the Second Chance tab, select the Gold Rush Supreme Bonus Play Promotion and follow the directions. Players will be prompted to log-in or register. On the App, players may click on either of the Promotions buttons, select the Gold Rush Supreme Bonus Play Promotion and follow the directions. Players will be prompted to log-in or register if not already logged in. A Promotions button is located on the main menu and also on the bottom navigation bar. Players are to scratch off the coating on the front of the ticket to reveal the number and enter the entire 24-digit ticket serial number and 3-digit PIN number in the designated ticket entry area on the website or scan the ticket barcode located under the Scratch-Off ticket coating on the front of the ticket using the App. The 24-digit ticket serial number (4-digit game number and 20-digit ticket number) is located below the play area on the front of a GOLD RUSH SUPREME Scratch-Off ticket under the latex covering. The 3-digit PIN number is located within the 24-digit ticket serial number. Each digit of the PIN number is surrounded by a box. Players may enter a qualifying ticket into the Promotion at any time of day during the Promotion Period; however, on occasion, entry capabilities on the website and App may be temporarily unavailable due to routine maintenance or technical difficulties.

(b) Entry Determination. For each non-winning GOLD RUSH SUPREME Scratch-Off lottery ticket entered, the player will receive the minimum number of draw entries that is equal to the price of the ticket. Additionally, after entering the ticket, the player will be provided the chance to earn more entries by spinning the wheel in a play-for-fun interactive game that will reveal the multiplied number of draw entries earned. A player will receive from 1 to 5 times the price of the ticket entered in draw entries. For example, a \$10 ticket will receive 10, 20, 30, 40 or 50 entries. If the player chooses not to play the interactive game, he or she may click the SKIP button in order to bypass the animated reveal and instantly reveal the total number of entries earned. Skipping the interactive game will not change the player's outcome. The range for the number of entries associated with each ticket price point and percentage outcome associated with each multiplier award is shown in the tables below.

| <u>Game</u> | <u>Price Point</u> | <u>Range for the Number of Entries</u> |
|--|--------------------|--|
| <u>\$1 GOLD RUSH SUPREME - 1478</u> | <u>\$1</u> | <u>1-5</u> |
| <u>\$2 GOLD RUSH SUPREME - 1479</u> | <u>\$2</u> | <u>2-10</u> |
| <u>\$5 GOLD RUSH SUPREME - 1480</u> | <u>\$5</u> | <u>5-25</u> |
| <u>\$10 GOLD RUSH SUPREME - 1481</u> | <u>\$10</u> | <u>10-50</u> |
| <u>BILLION DOLLAR GOLD RUSH SUPREME - 1485</u> | <u>\$30</u> | <u>30-150</u> |

| <u>Multiplier Award</u> | <u>Percentage of Outcome</u> |
|--|------------------------------|
| <u>1 times the price of the ticket</u> | <u>30%</u> |
| <u>2 times the price of the ticket</u> | <u>25%</u> |
| <u>3 times the price of the ticket</u> | <u>20%</u> |
| <u>4 times the price of the ticket</u> | <u>15%</u> |
| <u>5 times the price of the ticket</u> | <u>10%</u> |

(c) Coupons. During the Promotion Period, a total of 550,000 coupons will be generated for every “nth” ticket scanned or entered. When a coupon is awarded, a “bonus” notification will pop-up on the ticket entry page at the conclusion of the entry process. The specific coupon details will be available on the Ticket History page of the player’s account. The following coupons will be awarded during the Promotion:

1. \$1.00 Scratch-Off Coupon
2. \$5.00 Scratch-Off Coupon
3. \$10.00 Scratch-Off Coupon
4. \$25.00 Cash Coupon

The number and value of coupons to be awarded are as follows:

| <u>Coupon Award</u> | <u>Total Number of Coupons</u> |
|----------------------------------|--------------------------------|
| <u>\$1.00 Scratch-Off Coupon</u> | <u>200,000</u> |

| | |
|-----------------------------------|----------------|
| <u>\$5.00 Scratch-Off Coupon</u> | <u>150,000</u> |
| <u>\$10.00 Scratch-Off Coupon</u> | <u>100,000</u> |
| <u>\$25.00 Cash Coupon</u> | <u>100,000</u> |
| <u>Total</u> | <u>550,000</u> |

A Scratch-Off Coupon may be redeemed for a Scratch-Off ticket of the same value, or the coupon may be applied towards the purchase of a higher valued Scratch-Off ticket. Coupons may be redeemed by players at a Florida Lottery retailer or a Florida Lottery District Office by presenting the coupon barcode on their mobile device for scanning, or players may redeem the coupon by printing the coupon from the website and presenting a hardcopy. Coupons may not be redeemed by mail. Coupons are valid for one use only and must be redeemed by 11:59:59 ET on March 4, 2022.

(d) Regardless of whether a player chooses to participate in the Promotion by smartphone, tablet or web browser the following provisions shall apply:

1. the player may use the same account login information to enter tickets;
2. the player will only be required to register one time; and
3. the player’s entry history will be cumulative among the entry platforms.

(e) Each valid non-winning ticket number may only be entered one time and only into one drawing during the Promotion Period. A player may enter a maximum of 200 non-winning GOLD RUSH SUPREME Scratch-Off tickets per day. Tickets should not be mailed to the Florida Lottery unless players are contacted by the Florida Lottery and requested to do so. Non-winning tickets received in the mail by the Florida Lottery will not be entered in a drawing and will not be returned. A player may only create one account. Any attempt by a player to use more than one account by using multiple or different email addresses, identities, registrations, logins, or any other methods will subject the player and any associated entries to disqualification. The odds of winning depend on the number of entries entered. All entries are subject to validation by the Florida Lottery and may be disqualified if eligibility requirements are not met.

(4) Drawings and Number of Prizes.

(a) There will be eight drawings over the life of the Promotion. Prizewinners for each drawing will be randomly selected from entries earned, submitted and received before midnight on the last day of the entry period for that drawing. Prizewinners will be randomly selected using a certified random number generation process. Each drawing shall be public and witnessed by an accountant employed by an

independent certified public accounting firm. The drawing date and entry periods are as follows:

| <u>Drawing</u> | <u>Entry Period</u> | <u>Drawing Date</u> | <u>Winners Announced</u> |
|----------------|--|---------------------------|---------------------------|
| <u>1</u> | <u>January 18, 2021 - February 22, 2021</u> | <u>February 24, 2021</u> | <u>March 1, 2021</u> |
| <u>2</u> | <u>February 23, 2021 – April 5, 2021</u> | <u>April 07, 2021</u> | <u>April 12, 2021</u> |
| <u>3</u> | <u>April 06, 2021 - May 17, 2021</u> | <u>May 19, 2021</u> | <u>May 24, 2021</u> |
| <u>4</u> | <u>May 18, 2021 - June 28, 2021</u> | <u>June 30, 2021</u> | <u>July 5, 2021</u> |
| <u>5</u> | <u>June 29, 2021 - August 9, 2021</u> | <u>August 11, 2021</u> | <u>August 16, 2021</u> |
| <u>6</u> | <u>August 10, 2021 - September 20, 2021</u> | <u>September 22, 2021</u> | <u>September 27, 2021</u> |
| <u>7</u> | <u>September 21, 2021 - November 1, 2021</u> | <u>November 3, 2021</u> | <u>November 8, 2021</u> |
| <u>8</u> | <u>November 2, 2021 - January 3, 2022</u> | <u>January 5, 2022</u> | <u>January 10, 2022</u> |

In each drawing, a total of 75 entries will be selected. The first valid entry drawn will win the Gold Rush Supreme jackpot prize. The second through sixth valid entries drawn will each win a second prize of \$5,000. The seventh through twenty-first valid entries drawn will each win a third prize of \$1,000. The twenty-second through forty-first valid entries drawn will each win a fourth prize of \$500. The forty-second through the remaining valid entries drawn will be alternates and used in the order in which they were drawn and in the order of need to select an alternate prizewinner in the event a jackpot, second, third or fourth prize cannot be awarded.

(b) The number of prizes and prize amounts are as follows:

| <u>Prize</u> | <u>Winners per Drawing</u> | <u>Total Winners in the Promotion</u> |
|--------------|----------------------------|---------------------------------------|
|--------------|----------------------------|---------------------------------------|

| | | |
|----------------------------------|-----------|------------|
| <u>Gold Rush Supreme Jackpot</u> | <u>1</u> | <u>8</u> |
| <u>\$5,000</u> | <u>5</u> | <u>40</u> |
| <u>\$1,000</u> | <u>15</u> | <u>120</u> |
| <u>\$500</u> | <u>20</u> | <u>160</u> |

(5) Gold Rush Supreme Jackpot. At the beginning of each entry period, the Gold Rush Supreme Jackpot will start at \$10,000 and as GOLD RUSH SUPREME Scratch-Off lottery ticket sales increase, the jackpot amount will also increase proportionally until the entry period ends. The jackpot amount will be determined following the end of the entry period and shall be based on sales data for the games in the GOLD RUSH SUPREME family. The jackpot contribution per dollar of sales, per game is as follows:

| <u>GAME NAME</u> | <u>JACKPOT CONTRIBUTION PER DOLLAR OF SALES</u> |
|--|---|
| <u>Game Number 1478, \$1 GOLD RUSH SUPREME</u> | <u>0.43402778%</u> |
| <u>Game Number 1479, \$2 GOLD RUSH SUPREME</u> | <u>0.47814208%</u> |
| <u>Game Number 1480, \$5 GOLD RUSH SUPREME</u> | <u>0.48209366%</u> |
| <u>Game Number 1481, \$10 GOLD RUSH SUPREME</u> | <u>0.52083333%</u> |
| <u>Game Number 1485, \$30 BILLION DOLLAR GOLD RUSH SUPREME</u> | <u>0.52943293%</u> |

The minimum jackpot prize amount for each drawing is \$50,000. A representation of the increasing jackpot in the form of a “ticker” will be available to players on the Florida Lottery’s website and App as the jackpot progresses. The ticker is for illustrative purposes only and is not a reflection of real-time sales.

(6) Prizewinner Notification.

(a) The prizewinners for each drawing will be announced and posted on flalottery.com on the dates listed in subsection (4) above, or as soon thereafter as practicable.

(b) The Florida Lottery will attempt to notify each prizewinner by telephone or email using the contact information provided in the prizewinner's registration data no later than one business day after the prizewinners are posted on the Florida Lottery's website. The Florida Lottery deems the prizewinner's registration data as the prizewinner's official contact information, including the physical mailing address. The Florida Lottery will not attempt to further locate a prizewinner if the attempt to reach the prizewinner by telephone

or email are unsuccessful. If the Florida Lottery is unable to have contact by telephone or email with a prizewinner within seven business days of the date the prizewinners are posted on the website, the prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will select an alternate prizewinner in accordance with subsection (4) above. If the Florida Lottery is unable to have contact by email or telephone with the alternate prizewinner within seven business days of the date of notification, the alternate prizewinner will forfeit his or her right to claim the prize and the Florida Lottery will select the next alternate prizewinner. This process will continue until an alternate is contacted or the Florida Lottery has exhausted the list of alternates due to unsuccessful notification attempts or due to failure by a prizewinner or an alternate prizewinner to timely provide required claim documentation as set forth in subsection (7) below. If the Florida Lottery exhausts the list of alternate prizewinners, the prize will not be awarded.

(7) How to Claim a Prize.

(a) To claim a jackpot, second or third prize in a drawing, the prizewinner must submit to the Florida Lottery the original valid non-winning GOLD RUSH SUPREME family Scratch-Off ticket bearing the entry number selected in the drawing. Without such ticket, the prizewinner will forfeit his or her right to claim a prize. A jackpot, second and third prizewinner must submit the entry ticket along with a completed Winner Claim Form DOL 173-2, revised 1/21, Winner Claim Form- Entity DOL 173-2E, effective 1/21, Spanish Winner Claim Form DOL 173-2S, revised 1/21, or Spanish Winner Claim Form- Entity DOL 173-2SE, effective 1/21 and a copy of acceptable identification as set forth in the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011. Forms DOL 173-2, DOL 173-2E, DOL 173-2S and DOL 173-2SE are hereby incorporated by reference and may be obtained at any Florida Lottery office or retailer, from the Florida Lottery's website at flalottery.com, or by writing to: Florida Lottery, Customer Service, 250 Marriott Drive, Tallahassee, Florida 32399-4016.

(b) To claim a fourth prize in a drawing, the prizewinner must submit to the Florida Lottery the original valid non-winning GOLD RUSH SUPREME family Scratch-Off ticket bearing the entry number selected in the drawing along with a copy of acceptable identification as set forth in the rule of the Florida Lottery governing the payment of prizes.

(c) For all prizes, the required documentation must be received by any Florida Lottery office no later than fourteen calendar days after the Florida Lottery has made personal contact with the prizewinner. If the Florida Lottery has not received the required documentation from a prizewinner by the fourteenth calendar day after notification, the prizewinner will

forfeit his or her right to claim the prize and the Florida Lottery will award the prize to an alternate prizewinner in accordance with subsections (4) and (6) above. The same timeframe for a prizewinner to return required documentation to the Florida Lottery shall apply to an alternate prizewinner.

(8) Award of Prizes.

(a) Jackpot Prize. Upon the Florida Lottery's timely receipt of a jackpot prize winner's required documentation, the Florida Lottery will award the determined jackpot prize for that drawing. The jackpot prize will be paid in a single, one-time payment, less applicable federal income tax withholding.

(b) Second Prize. Upon the Florida Lottery's timely receipt of a second prize winner's required documentation, the Florida Lottery will award a second prize of \$5,000.

(c) Third Prize. Upon the Florida Lottery's timely receipt of a third prize winner's required documentation, the Florida Lottery will award a third prize of \$1,000.

(d) Fourth Prize. Upon the Florida Lottery's timely receipt of a fourth prize winner's required documentation, the Florida Lottery will award a fourth prize of \$500.

(9) Taxes. Except as specifically described herein, all federal, state and/or local taxes or other fees on the prizes won in the Gold Rush Supreme Bonus Play Promotion will be the responsibility of the prizewinner. Thirty percent federal income tax withholding will be withheld from any prize won by a nonresident alien prizewinner in the Promotion, regardless of the amount of the prize. The reporting and subsequent payment of any additional federal, state and/or local taxes shall be the responsibility of the nonresident alien prizewinner.

(10) Other Restrictions and Provisions.

(a) All prizes are subject to the provisions of Chapter 24, Florida Statutes, and rules promulgated thereunder. Prizes shall be paid in accordance with the rule of the Florida Lottery governing payment of prizes. A copy of the current prize payment rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(b) All prizewinners, except fourth prizewinners, will be analyzed for state-owed debt. If a prizewinner is identified as owing an outstanding debt to any state agency or owes child support collected through a court, the debt will be offset in accordance with section 24.115(4), Florida Statutes. If the debt is an amount less than the amount of the prize, the balance of the prize after deduction of the debt shall be awarded. If the debt is an amount greater than the amount of the prize, the entire prize amount will be applied to the outstanding debt.

(c) Players must be at least 18 years of age. Persons prohibited by section 24.116, Florida Statutes, from purchasing a Florida Lottery ticket are not eligible to enter the Gold Rush Supreme Bonus Play Promotion.

(d) By entering the Gold Rush Supreme Bonus Play Promotion, a player gives his or her permission for the Florida Lottery to photograph and/or videotape and record the prizewinner with or without prior notification and to use the name, photograph, videotape, and/or recording of the prizewinner for advertising or publicity purposes without additional compensation.

Rulemaking Authority 24.105(9), 24.109(1), FS. Law Implemented 24.105(9), 24.115(1) FS. History – New 1-14-21.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 14, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER21-9 PICK 2™

SUMMARY: This emergency rule describes the Draw game PICK 2™ and is being updated to reflect changes to the game. This rule replaces Emergency Rule 53ER20-44.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-9 PICK 2™.

(1) How to Play PICK 2™.

(a) PICK 2 is a Draw lottery game (also known as an online terminal game) in which a player selects any two-digit number from 00 to 99 inclusive. The digits may be the same or different, for example, 11 and 12 are both valid selections. A player selects only one digit in a Front Number or Back Number play as further described in paragraphs (2)(d) and (e), below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a “play slip” is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK 2 game, or a digital play slip for the PICK 2 game generated using the Florida Lottery Mobile Convenience App (“App”). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term “play slip” shall be inclusive of both types of play slips.

(d) Players may make their PICK 2 ticket selections by: using a play slip; using a Florida Lottery vending machine (“vending machine”), if a vending machine for Draw game ticket purchases is available at the retailer location; by telling the Florida Lottery retailer their desired selections; or by requesting to use the Play it Again feature.

(e) Play Slips.

1. Paper Play Slip. There are five panels on a paper PICK 2 play slip. Each panel played prints on a separate ticket. Players electing to use a paper play slip to make their PICK 2 selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL® add-on feature by marking the “FIREBALL” box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 “Quick Picks” box to receive five \$1.00 tickets, each with one set of two randomly selected numbers (straight play) for the next available PICK 2 drawing; or may mark the \$10 “Quick Picks” box to receive ten \$1.00 tickets, each with one set of two randomly selected numbers (straight play) for the next available PICK 2 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f) below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery vending machine or processed by a Florida Lottery retailer to obtain a ticket.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 2 game icon and then click on “Pick Numbers.” The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the “Random Numbers” or “Shake to Play” feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 2 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f), below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1., he or she should click the FIREBALL button so that “yes” is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the “My Favorites” feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks “Create Playslip,” a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket

through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 2 digital play slip are available by clicking on the “How to Play” button on the main PICK 2 page.

(f) Advance Play. Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the “advance play” feature. To use the advance play feature, players may either select the number of drawings and drawing time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 2 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not be applied to selections when the \$5 or \$10 Quick Picks box is marked.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

In the event that a planned change in the PICK 2 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery’s website.

(g) Vending Machine. If a vending machine is available at a retailer, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending

machine provides that option; and process both paper and digital PICK 2 play slips. Neither a retailer nor a player can process the cancellation of a PICK 2 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 2 tickets that are purchased through a vending machine by using the retailer’s lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 2 ticket selections by telling the retailer must specify the play type, play amount, draw time(s), number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to “Play it Again” to replay a previously purchased PICK 2 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, play type, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in subparagraph (1)(i)2., below.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 2 game. Tickets older than sixty days cannot be replayed. Tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 2 Base Game Prizes. PICK 2 can be played and won as follows:

(a) “Straight” play. In a straight play, if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 2 winning numbers for the drawing, the player wins \$25 for a 50-cent play or \$50 for a \$1.00 play.

(b) “Box” play. A box play allows a player to win if the player’s digits match, in any order, the official PICK 2 winning numbers for the drawing. A “box” play pays a winner \$12.50 for a 50-cent play or \$25 for a \$1.00 play.

(c) “Straight and Box” play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play. A “Straight and box” play pays a winner \$37.50 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 2 winning numbers of the drawing, or \$12.50 if the player’s digits match, in any order, the official PICK 2 winning numbers for the drawing.

(d) “Front Number” play. A front number play allows a player to select only one digit and pays \$2.50 for a 50-cent play or \$5.00 for a \$1.00 play if the first digit as printed on the ticket matches the first number of the official PICK 2 winning numbers for the drawing.

(e) “Back Number” play. A back number play allows a player to select only one digit and pays \$2.50 for a 50-cent play or \$5.00 for a \$1.00 play if the last digit as printed on the ticket matches the last number of the official PICK 2 winning numbers for the drawing.

(3) PICK 2 Base Game Odds of Winning.

The odds of winning in PICK 2 are as follows:

(a) Straight 1 in 100

(b) Box 1 in 50

(c) Straight and Box 1 in 100 and 1 in 50

(d) Front Number 1 in 10

(e) Back Number 1 in 10

(4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 2 game. The FIREBALL option cannot be played independently of PICK 2 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace one of the two official PICK 2 winning numbers for that drawing to create two new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player’s numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the play type, numbers played and play amount purchased. For front number play and back number play, there will also be two new possible winning combinations created as the FIREBALL number will be a substitute for the front or back number and for the “X” number. Examples of FIREBALL wins follow:

| <u>Example A</u> | <u>Example B</u> |
|--|--|
| <u>Play Type: Straight</u> | <u>Play Type: Front Number</u> |
| <u>Play Amount: \$1.00</u> | <u>Play Amount: \$1.00</u> |
| <u>Player’s Numbers: 2-5</u> | <u>Player’s Number: 3-X</u> |
| <u>Drawing Results: 1-5</u> | <u>Drawing Results: 1-2</u> |
| <u>FIREBALL Number: 2</u> | <u>FIREBALL Number: 3</u> |
| <u>FIREBALL Winning Combinations:</u> | <u>FIREBALL Winning Combinations:</u> |
| <u>2-5; 1-2</u> | <u>3-2; 1-3</u> |
| <u>Player wins: one (1) FIREBALL prize of \$30</u> | <u>Player wins: one (1) FIREBALL prizes of \$3</u> |

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

| <u>PICK 2 with FIREBALL Prize Structure</u> | | | | |
|---|------------------------------------|-----------------------------------|------------------------------------|--|
| <u>Play Type</u> | <u>FIREBALL Prize 50-cent Play</u> | <u>FIREBALL Prize \$1.00 Play</u> | <u>FIREBALL Odds of Winning 1:</u> | <u>Maximum Number of FIREBALL Wins</u> |
| <u>Straight</u> | <u>\$15</u> | <u>\$30</u> | <u>50</u> | <u>2</u> |
| <u>Box</u> | <u>\$7.50</u> | <u>\$15</u> | <u>25</u> | <u>2</u> |
| <u>Straight/Box</u> | | <u>\$22.50 & \$7.50</u> | <u>50 & 25</u> | <u>3</u> |
| <u>Front Number</u> | <u>\$1.50</u> | <u>\$3</u> | <u>5</u> | <u>2</u> |
| <u>Back Number</u> | <u>\$1.50</u> | <u>\$3</u> | <u>5</u> | <u>2</u> |

(d) Players can win a FIREBALL prize with or without a winning base game prize.

(e) For all plays, if a player wins the base game prize and the FIREBALL number is the same as one or both of the PICK 2 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount purchased) in addition to the PICK 2 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL follow:

| <u>Example A</u> | <u>Example B</u> |
|---|---|
| <u>Play Type: Straight</u> | <u>Play Type: Front Number</u> |
| <u>Play Amount: \$1.00</u> | <u>Play Amount: \$1.00</u> |
| <u>Player’s Numbers: 1-2</u> | <u>Player’s Numbers: 1-X</u> |
| <u>Drawing Results: 1-2</u> | <u>Drawing Results: 1-3</u> |
| <u>FIREBALL Number: 2</u> | <u>FIREBALL Number: 1</u> |
| <u>FIREBALL Winning Combinations:</u> | <u>FIREBALL Winning Combinations:</u> |
| <u>1-2; 2-2</u> | <u>1-3; 1-1</u> |
| <u>Player wins: base prize of \$50 + one (1) FIREBALL prize of \$30 = \$80.</u> | <u>Player wins: base prize of \$5 + two (2) FIREBALL prizes of \$3 each = \$11.</u> |

(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at flalottery.com, Lottery district offices and retailer locations.

(6) A liability limit of \$1 million is established for PICK 2. When the play of a two-digit number for a drawing reaches the

Florida Lottery's PICK 2 liability limit of \$1 million, no further ticket sales for any type of play that would involve that two-digit number will be allowed for that drawing. In addition, no Front Number or Back Number play that involves the first or last digit of the two-digit number will be allowed for that drawing.

(7) PICK 2 Base Game Drawings.

(a) PICK 2 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 2 base game drawing shall be configured so that one ball is drawn from each of two units of balls numbered zero (0) through nine (9).

(c) Two balls will be selected in the drawing, one each into two separate display devices. The numbers shown on the two balls, after certification by the Draw Manager and the Accountant, shall be the official winning PICK 2 numbers for the drawing.

(d) FIREBALL Drawings.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 2™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 2 Rules and Prohibitions.

(a) By purchasing a PICK 2 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 2 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and gaming system availability, PICK 2 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 2 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 2 drawing will close approximately thirteen minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 2 draw date and draw time, unless the player specifies another PICK 2 draw date and draw time within the selection parameters.

(e) Retailer cancellations of PICK 2 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 2 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); the hours of gaming system availability; or the time of the related PICK 2 close of game for the related drawing. Ticket cancellations cannot be processed through a vending machine. If a player desires to cancel a ticket purchased through a vending machine, the player must present the ticket to the retailer location where the ticket was purchased for processing within the timeframe described above.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s) and times, play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER20-44, F.A.C.

(10) The effective date of this emergency rule is January 18, 2021.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History—New 1-18-21, Replaces 53ER20-44.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 14, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER21-10 PICK 3™

SUMMARY: This emergency rule describes the Draw game PICK 3™ and is being updated to reflect changes to the game. This rule replaces Emergency Rule 53ER20-45.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-10 PICK 3™.

(1) How to Play PICK 3™.

(a) PICK 3 is a Draw lottery game (also known as an online terminal game) in which a player selects any three-digit number from 000 to 999 inclusive. The digits may be the same, different or combination thereof; for example, 111, 122, and 123 are all valid selections. A player selects only two digits in a Front Pair or Back Pair play as further described in paragraphs (2)(e) and (f), below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a “play slip” is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK 3 game, or a digital play slip for the PICK 3 game generated using the Florida Lottery Mobile Convenience App (“App”). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term “play slip” shall be inclusive of both types of play slips.

(d) Players may make their PICK 3 ticket selections by: using a play slip; using a Florida Lottery vending machine (“vending machine”), if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting to use the Play it Again feature.

(e) Play Slip.

1. Paper Play Slips. There are five panels on a paper PICK 3 play slip. Players electing to use a paper play slip to make their PICK 3 selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL® add-on feature by marking the “FIREBALL” box

to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 “Quick Picks” box to receive five \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available PICK 3 drawing; or may mark the \$10 “Quick Picks” box to receive ten \$1.00 tickets, each with one set of three randomly selected numbers (straight play) for the next available PICK 3 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f), below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery full service vending machine or processed by a Florida Lottery retailer to obtain a ticket. A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way combo or 6-way combo play type as described in paragraph (2)(d), below. A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 3-way or 6-way box combination as described in paragraph (2)(b), below.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 3 game icon and then click on “Pick Numbers”. The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the “Random Numbers” or “Shake to Play” feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 3 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and, if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f) below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1., he or she should click the FIREBALL button so that “yes” is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the “My Favorites” feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks “Create Playslip,” a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 3 digital play slip are available by clicking on the “How to Play” button on the main PICK 3 page.

(f) Advance Play. Players may play future consecutive midday, evening or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the “advance play” feature. To use the advance play feature, players may either select the number of drawings and draw time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 3 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not be applied to selections when the \$5 or \$10 Quick Picks box is marked

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw time(s) selected, including the next available drawing.

In the event that a planned change in the PICK 3 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery’s website.

(g) Vending Machine. If a vending machine is available at a retailer location, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 3 play slips. Neither a retailer nor a player can process the cancellation of a PICK 3 ticket through a vending machine. At the request of a player, the retailer shall make a

good faith effort to cancel PICK 3 tickets that are purchased through a vending machine by using the retailer’s lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 3 ticket selections by telling the retailer must specify the play type, play amount, draw time, number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to “Play it Again” to replay a previously purchased PICK 3 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in subparagraph (1)(i)2., below.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 3 game. Tickets older than sixty days cannot be replayed. Tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 3 Base Game Prizes.

PICK 3 can be played and won as follows:

(a) “Straight” play. In a straight play, if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 3 winning numbers for the drawing, the player wins \$250.00 for a 50-cent play or \$500 for a \$1.00 play.

(b) “Box” play. A box play allows a player to win if the player’s digits match, in any order, the official PICK 3 winning numbers for the drawing.

1. A “3-way box” is a play in which the player has selected a number with two identical digits and one different digit (example 112) and covers the three possible combinations of the three digits. A 3-way box pays a winner \$80.00 for a 50-cent play or \$160.00 for a \$1.00 play.

2. A “6-way box” is a play in which the player has selected a number in which all three digits are different (example 123) and covers the six possible combinations of the three digits. A 6-way box pays a winner \$40.00 for a 50-cent play or \$80.00 for a \$1.00 play.

(c). “Straight and Box” play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

1. A “Straight and 3-way box” play pays a winner \$330.00 if a player’s digits as printed on the player’s ticket, match, in exact order, the official PICK 3 winning numbers for the drawing, or \$80.00 if the player’s digits match, in any other order, the official PICK 3 winning numbers for the drawing.

2. A “Straight and 6-way box” play pays a winner \$290.00 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 3 winning numbers for the drawing, or \$40.00 if the player’s digits match, in any other order, the official PICK 3 winning numbers for the drawing.

(d) “Combo” play. A combo is a play covering all straight combinations of a 3-digit number and will cost \$1.50 to \$6.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the 3-digit number selected.

1. A “3-way combo” is a play in which the player has selected a number with two identical digits and one different digit. The combo involves three straight play combinations; for example, a (122) 3-way combo covers the combinations 122, 212, and 221. A “3-way combo” pays \$250 for a \$1.50 play (50 cents per combination) or \$500 for a \$3.00 play (\$1.00 per combination).

2. A “6-way combo” is a play in which the player has selected a number in which all three digits are different. The combo involves six straight play combinations; for example, a (123) 6-way combo covers the combinations 123, 132, 213, 231, 312, and 321. A “6-way combo” pays \$250 for a \$3.00 play (50 cents per combination) or \$500 for a \$6.00 play (\$1.00 per combination).

(e) “Front Pair” play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player’s ticket match, in exact order, the first two numbers of the official PICK 3 winning numbers for the drawing.

(f) “Back Pair” play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player’s ticket match, in exact order, the last two numbers of the official PICK 3 winning numbers for the drawing.

(3) PICK 3 Base Game Odds of Winning.

The odds of winning in PICK 3 are as follows:

- (a) Straight 1 in 1000
 - (b) Box 3-Way 1 in 333.33
 - (c) Box 6-Way 1 in 166.67
 - (d) Straight and Box 3-Way 1 in 1000 and 1 in 333.33
 - (e) Straight and Box 6-Way 1 in 1000 and 1 in 166.67
 - (f) Combo 3-Way 1 in 333.33
 - (g) Combo 6-Way 1 in 166.67
 - (h) Front Pair 1 in 100
 - (i) Back Pair 1 in 100
- (4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 3 game. The FIREBALL option cannot be played independently of PICK 3 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace any of the three official PICK 3 winning numbers for that drawing to create three new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player’s numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the numbers played, play type and play amount purchased. For front pair play and back pair play, there will also be three new possible winning combinations created as the FIREBALL number will be a substitute for each number of the pair and for the “X” number. Examples of FIREBALL wins follow:

| Example A | Example B |
|---|---|
| Play Type: Straight | Play Type: Front Pair |
| Play Amount: \$1.00 | Play Amount: \$1.00 |
| Player’s Numbers: 2-5-3 | Player’s Numbers: 2-5-X |
| Drawing Results: 1-5-3 | Drawing Results: 1-5-4 |
| FIREBALL Number: 2 | FIREBALL Number: 2 |
| FIREBALL Winning Combinations: 2-5-3; 1-2-3; 1-5-2 | FIREBALL Winning Combinations: 2-5-4; 1-2-4; 1-5-2 |
| Player wins: one (1) | Player wins: one (1) |
| FIREBALL prize of \$200 | FIREBALL prizes of \$20 |

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

| PICK 3 with FIREBALL Prize Structure | | | | |
|--------------------------------------|-----------------------------------|----------------------------------|--|--|
| Play Type | FIREBALL Prize 50-cent Play | FIREBALL Prize \$1.00 Play | FIREBALL LL Odds of Winning 1: | Maximum Number of FIREBALL LL Wins |
| Straight | \$100 | \$200 | 333 | 3 |
| 3-Way | \$34 | \$68 | 111 | 3 |
| 6-Way | \$17 | \$34 | 56 | 2 |
| 3-Way Straight/Box | | \$134 & \$34 | 333 & 111 | 4 |
| 6-Way Straight/Box | | \$117 & 17 | 333 & 56 | 3 |

| | | | | |
|-------------|-------|-------|-----|---|
| Front Pair | \$10 | \$20 | 33 | 3 |
| Back Pair | \$10 | \$20 | 33 | 3 |
| 3-Way Combo | \$100 | \$200 | 111 | 3 |
| 6-Way Combo | \$100 | \$200 | 56 | 2 |

(d) Players can win a FIREBALL prize with or without winning a base game prize.

(e) For all play types, if a player wins the base game prize and the FIREBALL number is the same as one or more of the PICK 3 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount) in addition to the PICK 3 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL follow:

| <u>Example A</u> | <u>Example B</u> |
|--|---|
| <u>Play Type: Straight</u> | <u>Play Type: Back Pair</u> |
| <u>Play Amount: \$1.00</u> | <u>Play Amount: \$1.00</u> |
| <u>Player’s Numbers: 1-4-5</u> | <u>Player’s Numbers: X-1-2</u> |
| <u>Drawing Results 1-4-5</u> | <u>Drawing Results 2-1-2</u> |
| <u>FIREBALL Number: 5</u> | <u>FIREBALL Number: 2</u> |
| <u>FIREBALL Winning Combinations:</u> | <u>FIREBALL Winning Combinations:</u> |
| <u>5-4-5; 1-5-5; 1-4-5</u> | <u>2-1-2; 2-2-2; 2-1-2</u> |
| <u>Player wins: base prize of \$500 + one (1) FIREBALL prize of \$200 = \$700.</u> | <u>Player wins: base prize of \$50 + two (2) FIREBALL prizes of \$20 each = \$90.</u> |

(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at flalottery.com, Lottery district offices and retailer locations.

(6) A liability limit of \$ 8 million is established for PICK 3. When the play of a three-digit number for a drawing reaches the Florida Lottery’s PICK 3 liability limit of \$8 million, no further ticket sales for any type of play that would involve that three-digit number will be allowed for that drawing. In addition, no Front Pair or Back Pair play that involves the first two or last two digits, respectively, of the three-digit number will be allowed for that drawing.

(7) PICK 3 Base Game Drawings.

(a) PICK 3 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 3 base game drawing shall be configured so that one ball is drawn from each of three units of balls numbered zero (0) through nine (9).

(c) Three balls will be selected in the drawing, one each into three separate display devices. The numbers shown on the three balls, after certification by the Draw Manager and the

Accountant, shall be the official PICK 3 winning numbers for the drawing.

(d) FIREBALL Drawings.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 4™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 3 Rules and Prohibitions.

(a) By purchasing a PICK 3 ticket the player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 3 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and gaming system availability, PICK 3 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 3 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 3 drawing will close approximately eleven minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 3 draw date and draw time, unless the player specifies another PICK 3 draw date and draw time within the selection parameters.

(e) Retailer cancellations of PICK 3 tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two hours after printing, except that no PICK 3 ticket can be canceled after game close for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation; the cut off time for daily sales

(12:00 midnight (ET)); the hours of gaming system availability; or the time of the related PICK 3 close of game for the related drawing. Ticket cancellations cannot be processed through a vending machine. If a player desires to cancel a ticket purchased through a vending machine, the player must present the ticket to the retailer location where the ticket was purchased for processing within the timeframe described above.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s) and time(s), play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER20-45, F.A.C.

(10) The effective date of this emergency rule is January 18, 2021.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History—New 1-18-21, Replaces 53ER20-45.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 18, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO. RULE TITLE:
53ER21-11 PICK 4™

SUMMARY: This emergency rule describes the Draw game PICK 4™ and is being updated to reflect changes to the game. This rule replaces Emergency Rule 53ER20-46.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-11 PICK 4™

(1) How to Play PICK 4™

(a) PICK 4 is a Draw lottery game (also known as an online terminal game) in which a player selects any four-digit number from 0000 through 9999 inclusive. The digits may be the same, different or combination thereof; for example, 1111, 1213, and 1234 are all valid selections. A player selects only two digits in

a Front Pair, Mid Pair or Back Pair play as further described in paragraphs (2)(e), (f), and (g), below.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a "play slip" is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK4 game, or a digital play slip for the PICK 4 game generated using the Florida Lottery Mobile Convenience App ("App"). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term "play slip" shall be inclusive of both types of play slips.

(d) Players may make their PICK 4 ticket selections by: using a play slip; using a Florida Lottery vending machine ("vending machine"), if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting to use the Play it Again feature.

(e) Play Slip.

1. Paper Play Slips. There are five panels on a paper PICK 4 play slip. Players electing to use a paper play slip to make their PICK 4 ticket selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A "Void" box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL® add-on feature by marking the "FIREBALL" box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the \$5 "Quick Picks" box to receive five \$1.00 tickets, each with one set of four randomly selected numbers (straight play) for the next PICK 4 drawing; or may mark the \$10 "Quick Picks" box to receive ten \$1.00 tickets, each with one set of four randomly selected numbers (straight play) for the next available PICK 4 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f), below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery vending machine or processed by a Florida Lottery retailer to obtain a ticket. A player who selects the combo play type and who elects to use the quick pick feature will not be able to select the total cost of the ticket. The total cost will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way combo, 6-way combo, 12-way combo, or 24-way combo play type as described in paragraph (2)(d), below. A player who

selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 4-way box, 6-way box, 12-way box, or 24-way box combination as described in paragraph (2)(b), below.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 4 game icon and then click on "Pick Numbers." The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the "Random Numbers" or "Shake to Play" feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 4 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and, if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f), below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1., he or she should click the FIREBALL button so that "yes" is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the "My Favorites" feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks "Create Playslip," a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 4 digital play slip are available by clicking on the "How to Play" button on the main PICK 4 page.

(f) Advance Play. Players may play future consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the "advance play" feature. To use the advance play feature, players may either select the number of drawings and draw time(s) on the play slip or tell the retailer the advance play selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 4 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time(s) selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not apply to selections when the \$5 or \$10 Quick Picks box is marked.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

In the event that a planned change in the PICK 4 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website at flalottery.com.

(g) Vending Machine. If a vending machine is available at a retailer location, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 4 play slips. Neither a retailer nor a player can process the cancellation of a PICK 4 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 4 tickets that are purchased through a vending machine by using the retailer's lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing to make their PICK 4 ticket selections by telling the retailer must specify the play type, play amount, draw time(s), number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to "Play it Again" to replay a previously purchased PICK 4 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play

amount, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in subparagraph (1)(i)2., below.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 4 game. Tickets older than sixty days cannot be replayed. Tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 4 Base Game Prizes.

PICK 4 can be played and won as follows:

(a) “Straight” play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, the player wins \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

(b) “Box” play. A box play allows a player to win if the player's digits match, in any order, the official PICK 4 winning numbers for the drawing.

1. A “4-way box” is a play in which the player has selected a number with three identical digits and one different digit (example 1112) and covers the four possible combinations of the four digits. A 4-way box pays a winner \$599 for a 50-cent play or \$1,198 for a \$1.00 play.

2. A “6-way box” is a play in which the player has selected a number with two different pairs of identical digits (example 1122) and covers the six possible combinations of the four digits. A 6-way box pays a winner \$400 for a 50-cent play or \$800 for a \$1.00 play.

3. A “12-way box” is a play in which the player has selected a number with two identical digits and two different digits (example 1123) and covers the twelve possible combinations of the four digits. A 12-way box pays a winner \$200 for a 50-cent play or \$400 for a \$1.00 play.

4. A “24-way box” is a play in which the player has selected a number with four different digits (example 1234) and covers the twenty-four possible combinations of the four digits. A 24-way box pays a winner \$100 for a 50-cent play or \$200 for a \$1.00 play.

(c) “Straight and Box” play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

1. A “Straight and 4-way box” play pays a winner \$3,099 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$599 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

2. A “Straight and 6-way box” play pays a winner \$2,900 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the

drawing, or \$400 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

3. A “Straight and 12-way box” play pays a winner \$2,700 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$200 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

4. A “Straight and 24-way box” play pays a winner \$2,600 if a player's digits as printed on the player's ticket match, in exact order, the official PICK 4 winning numbers for the drawing, or \$100 if the player's digits match, in any other order, the official PICK 4 winning numbers for the drawing.

(d) “Combo” play. A combo is a play covering all straight combinations of a four-digit number and will cost \$2.00 to \$24.00 depending upon the amount played (50 cents or \$1.00) and the number of like digits in the four-digit number selected.

1. A “4-way combo” is a play in which the player has selected a number with three identical digits. The 4-way combo is comprised of four straight play combinations; for example, a (1112) 4-way combo covers the combinations 1112, 1121, 1211, and 2111 and pays a winner \$2,500 for a \$2.00 play or \$5,000 for a \$4.00 play.

2. A “6-way combo” is a play in which the player has selected a number with two different pairs of digits. The 6-way combo is comprised of six straight play combinations; for example, a (1122) 6-way combo covers the combinations 1122, 1212, 1221, 2112, 2121, and 2211, and pays a winner \$2,500 for a \$3.00 play or \$5,000 for a \$6.00 play.

3. A “12-way combo” is a play in which the player has selected a number with two identical digits and two different digits. The 12-way combo is comprised of twelve straight play combinations; for example, a (1123) 12-way combo covers combinations 1123, 1132, 1213, 1231, 1312, 1321, 2113, 2131, 2311, 3112, 3121, and 3211, and pays a winner \$2,500 for a \$6.00 play or \$5,000 for a \$12.00 play.

4. A “24-way combo” is a play in which the player has selected a number with four unique digits. The 24-way combo is comprised of twenty-four straight play combinations; for example, a (1234) 24-way combo covers the combinations 1234, 1243, 1324, 1342, 1423, 1432, 2134, 2143, 2314, 2341, 2413, 2431, 3124, 3142, 3214, 3241, 3412, 3421, 4123, 4132, 4213, 4231, 4312, and 4321, and pays a winner \$2,500 for a \$12.00 play or \$5,000 for a \$24.00 play.

(e) “Front Pair” play. A front pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the first two numbers of the official PICK 4 winning numbers for the drawing.

(f) “Mid Pair” play. A mid pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the

player's ticket match, in exact order, the middle two numbers of the official PICK 4 winning numbers for the drawing.

(g) "Back Pair" play. A back pair play allows a player to select only two digits and pays \$25.00 for a 50-cent play or \$50.00 for a \$1.00 play if the two digits as printed on the player's ticket match, in exact order, the last two numbers of the official PICK 4 winning numbers for the drawing.

(3) PICK 4 Base Game Odds of Winning.

The odds of winning in PICK 4 are as follows:

- (a) Straight 1 in 10,000
 - (b) Box 4-Way 1 in 2,500
 - (c) Box 6-Way 1 in 1,666.67
 - (d) Box 12-Way 1 in 833.33
 - (e) Box 24-Way 1 in 416.67
 - (f) Straight/ Box 4-Way 1 in 10,000 and 1 in 2,500
 - (g) Straight/ Box 6-Way 1 in 10,000 and 1 in 1,666.67
 - (h) Straight/ Box 12-Way 1 in 10,000 and 1 in 833.33
 - (i) Straight/ Box 24-Way 1 in 10,000 and 1 in 416.67
 - (j) Combo 4-Way 1 in 2,500
 - (k) Combo 6-Way 1 in 1,666.67
 - (l) Combo 12-Way 1 in 833.33
 - (m) Combo 24-Way 1 in 416.67
 - (n) Front Pair 1 in 100
 - (o) Middle Pair 1 in 100
 - (p) Back Pair 1 in 100
- (4) FIREBALL.**

(a) FIREBALL is an add-on play option available in association with the PICK 4 game. The FIREBALL option cannot be played independently of PICK 4 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace any of the four official PICK 4 winning numbers for that drawing to create four new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player's numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the numbers played, play type and play amount purchased. For front pair play, middle pair play and back pair play, there will also be four new possible winning combinations created as the FIREBALL number will be a substitute for each number of the pair and for each of the "X" numbers. Examples of FIREBALL wins follow:

| Example A | Example B |
|---------------------------|---------------------------|
| Play Type: Straight | Play Type: Front Pair |
| Play Amount: \$1.00 | Play Amount: \$1.00 |
| Player's Numbers: 1-5-3-2 | Player's Numbers: 2-5-X-X |
| Drawing Results: 1-5-3-4 | Drawing Results: 1-5-3-6 |

| | |
|---|---|
| <u>FIREBALL Number: 2</u> <u>FIREBALL Winning Combinations:</u> 2-5-3-4; 1-2-3-4; 1-5-2-4; 1-5-3-2 <u>Player wins: one (1)</u> <u>FIREBALL prize of \$1,500</u> | <u>FIREBALL Number: 2</u> <u>FIREBALL Winning Combinations:</u> 2-5-3-6; 1-2-3-6, 1-5-2-6, 1-5-3-2 <u>Player wins: one (1)</u> <u>FIREBALL prizes of \$15</u> |
|---|---|

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

| PICK 4 with FIREBALL Prize Structure | | | | |
|--------------------------------------|-----------------------------|----------------------------|-----------------------------|---------------------------------|
| Play Type | FIREBALL Prize 50-cent Play | FIREBALL Prize \$1.00 Play | FIREBALL Odds of Winning 1: | Maximum Number of FIREBALL Wins |
| Straight | \$750 | \$1,500 | 2,500 | 4 |
| 4-Way | \$190 | \$380 | 625 | 4 |
| 6-Way | \$126 | \$252 | 416.67 | 3 |
| 12-Way | \$63 | \$126 | 208 | 3 |
| 24-Way | \$31 | \$62 | 104 | 2 |
| 4-Way Straight/Box | | \$940 & \$190 | 2,500 & 625 | 6 |
| 6-Way Straight/Box | | \$876 & \$126 | 2,500 & 417 | 4 |
| 12-Way Straight/Box | | \$813 & \$63 | 2,500 & 208 | 4 |
| 24-Way Straight/Box | | \$781 & \$31 | \$2,500 & 104 | 3 |
| Front Pair | \$7.50 | \$15 | 25 | 4 |
| Mid Pair | \$7.50 | \$15 | 25 | 4 |
| Back Pair | \$7.50 | \$15 | 25 | 4 |
| 4-Way Combo | \$750 | \$1,500 | 625 | 4 |
| 6-Way Combo | \$750 | \$1,500 | 416.67 | 3 |
| 12-Way Combo | \$750 | \$1,500 | 208 | 3 |
| 24-Way Combo | \$750 | \$1,500 | 104 | 2 |

(d) Players can win a FIREBALL prize with or without winning a base game prize.

(e) For all play types, if a player wins the base game prize and the FIREBALL number is the same as one or more of the PICK 4 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount) in addition to the PICK 4 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL follow:

| Example A | Example B |
|--|---|
| Play Type: Straight | Play Type: Front Pair |
| Play Amount: \$1.00 | Play Amount: \$1.00 |
| Player's Numbers: 1-2-3-4 | Player's Numbers: 1-1-X-X |
| Drawing Results 1-2-3-4 | Drawing Results 1-1-3-5 |
| FIREBALL Number: 3 | FIREBALL Number: 1 |
| FIREBALL Winning Combinations: | FIREBALL Winning Combinations: |
| 3-2-3-4; 1-3-3-4; 1-2-3-4; 1-2-3-3 | 1-1-3-5; 1-1-3-5; 1-1-1-5; 1-1-3-1 |
| Player wins: base prize of \$5,000 + one (1) | Player wins: base prize of \$50 + four (4) FIREBALL prizes of \$15 each = \$110 |

| | |
|---|--|
| <p><u>FIREBALL prize of \$1,500</u> = \$6,500</p> | |
|---|--|

(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at flalottery.com, Lottery district offices and retailer locations.

(6) A liability limit of \$7 million is established for PICK 4. When the play of a four-digit number for a drawing reaches the Florida Lottery’s PICK 4 liability limit of \$7 million, no further ticket sales for any type of play that would involve that four-digit number will be allowed for that drawing.

(7) PICK 4 Base Game Drawings.

(a) PICK 4 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 4 base game drawing shall be configured so that one ball is drawn from each of four units of balls numbered zero (0) through nine (9).

(c) Four balls will be selected in the drawing, one each into four separate display devices. The numbers shown on the four balls, after certification by the Draw Manager and the Accountant, shall be the official PICK 4 winning numbers for the drawing.

(d) FIREBALL Drawing.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 4™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 4 Rules and Prohibitions.

(a) By purchasing a PICK 4 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 4 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida

Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer’s hours of operation and gaming system availability, PICK 4 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 4 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 4 drawing will close approximately ten minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 4 draw date and time unless the player specifies another PICK 4 draw date and time within the selection parameters.

(e) Retailer cancellations of PICK 4 tickets can only be performed by the retailer who sold the ticket, using the selling terminal’s optical mark reader, and within two hours after printing, except that no PICK 4 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer’s hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); the hours of gaming system availability; or the time of the related PICK 4 close of game for the related drawing.

(f) It is the player’s responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s), draw times, play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player’s selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER20-46, F.A.C.

(10) The effective date of this emergency rule is January 18, 2021.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History—New 1-18-21, Replaces 53ER20-46.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 18, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:
53ER21-12 PICK 5™

SUMMARY: This emergency rule describes the Draw game PICK 5™ and is being updated to reflect changes to the game. This rule replaces Emergency Rule 53ER20-47.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-12 PICK 5™.

(1) How to Play PICK 5™.

(a) PICK 5 is a Draw lottery game (also known as an online terminal game) in which a player selects any five-digit number from 00000 through 99999 inclusive. The digits may be the same, different or combination thereof; for example, 11111, 12123, and 12345 are all valid selections.

(b) Players may choose play amounts of \$.50 or \$1.00 per play, per drawing.

(c) For purposes of this rule, a “play slip” is defined as an original paper play slip issued and approved by the Florida Lottery for the PICK 5 game, or a digital play slip for the PICK 5 game generated using the Florida Lottery Mobile Convenience App (“App”). Except where necessary herein to differentiate between a paper play slip and a digital play slip, the term “play slip” shall be inclusive of both types of play slips.

(d) Players may make their PICK 5 ticket selections by: using a play slip; using a Florida Lottery vending machine (“vending machine”) if a vending machine for Draw game ticket purchases is available at the retailer location; telling the retailer their desired selections; or by requesting to use the Play it Again feature.

(e) Play Slip.

1. Paper Play Slips. There are five panels on a paper PICK 5 play slip. Players electing to use a paper play slip to make their PICK 5 ticket selections must mark one number in each column or mark the Quick Pick (QP) box located at the bottom of each panel for the terminal to randomly select one or more of the numbers for each panel played. The player may also mark the play type, draw time and play amount; however, if the play type, play amount, or draw time is not marked by the player, the terminal will default to a \$1.00 straight play for the next available draw. A “Void” box is also located at the bottom of each panel and should be marked by the player if an error was made in his or her selections in a panel. Players may choose the FIREBALL® add-on feature by marking the “FIREBALL” box to create more combinations. Adding FIREBALL will apply to and double the cost of all panels played. Players may mark the

\$5 “Quick Picks” box to receive five \$1.00 tickets, each with one set of five randomly selected numbers (straight play) for the next PICK 5 drawing; or may mark the \$10 “Quick Picks” box to receive ten \$1.00 tickets, each with one set of five randomly selected numbers (straight play) for the next available PICK 5 drawing. Players may mark Quick Picks in addition to panel plays. Advance play may also be added to play future drawings as further provided in paragraph (1)(f), below. Paper play slips must be Florida Lottery approved and players must use only blue or black ink or pencil for making selections. Paper play slips may be processed through a Florida Lottery vending machine or processed by a Florida Lottery retailer to obtain a ticket.

A player who selects the box play type or the straight/box play type and who elects to use the quick pick feature will not be able to select the type of box play. The type of box play will be determined by whether the quick pick numbers selected by the terminal comprise a 5-way box, 10-way box, 20-way box, or 30-way, 60-way or 120-way box combination as described in paragraph (2)(b), below.

2. Digital Play Slip. How to Create a Digital Play Slip. From the Landing Page on the App, a player should select the PICK 5 game icon and then click on “Pick Numbers.” The player may either select his or her numbers from a field of numbers described in paragraph (1)(a) or use the “Random Numbers” or “Shake to Play” feature for the App to provide the player random numbers. Up to five panels can be created on one digital PICK 5 play slip. A player must also select the play type, play amount and drawing time, which will apply to all panels played, and, if more than the default of one drawing is desired, select the number of drawings. The parameters for advance play are set forth in paragraph (1)(f), below. If a player desires to add FIREBALL as described in subparagraph (1)(e)1. above, he or she should click the FIREBALL button so that “yes” is selected. Adding FIREBALL will apply the feature to all panels played. Players may also use the “My Favorites” feature to save the digital play slip for later use. Once a digital play slip is created and the player clicks “Create Playslip,” a barcode will be displayed. The player may present the barcode appearing on his or her mobile device to the retailer to purchase a ticket through the retailer terminal or may use the barcode to purchase a ticket through a vending machine that provides for Draw game purchases. Illustrative instructions for creating a PICK 5 digital play slip are available by clicking on the “How to Play” button on the main PICK 5 page.

(f) Advance Play. Players may play future consecutive midday, evening, or both drawings within a fourteen-day period or non-consecutive drawings within a seven-day period by using the “advance play” feature. To use the advance play feature, players may either select the number of drawings and draw time(s) on the play slip or tell the retailer the advance play

selections and draw time(s) they desire. For purposes of this paragraph (1)(f), both a fourteen-day and a seven-day period begin on the date of the next available PICK 5 drawing for the draw time(s) selected and continue through the next thirteen /six consecutive days for the draw time selected.

1. Advance Play by Play Slip. Advance play selections made on a play slip are for consecutive drawings for only the selected draw time(s). The number of consecutive drawings selected will include the next available drawing for the draw time(s) selected and will apply to the panel(s) played. For paper play slips, advance play will not be applied to selections when the \$5 or \$10 Quick Picks box is marked.

a. If the midday (MID) box is selected, the ticket will be entered into the next available midday draw and consecutive midday draws through the selected number of days.

b. If the evening (EVE) box is selected, the ticket will be entered into the next available evening draw and consecutive evening draws through the selected number of days.

c. If the both (BOTH) box is selected, the ticket will be entered into the next available draw and consecutive midday and evening draws through the selected number of days.

2. Advance Play by Telling the Retailer. Players shall specify to the retailer their desired selections in one of the following advance play parameters:

a. Any single day for the draw time(s) selected in a seven-day period;

b. Any two non-consecutive days for the draw time(s) selected in a seven-day period;

c. Any two or more consecutive days for the draw time(s) selected in a seven-day period, not including the next available drawing.

d. Up to fourteen consecutive days for the draw times selected, including the next available drawing.

In the event that a planned change in the PICK 5 game requires that the number of advance plays available for purchase be reduced to zero before implementation of the change, an advance play countdown schedule will be posted on the Florida Lottery's website at flalottery.com.

(g) Vending Machine. If a vending machine is available at a retailer location, the vending machine may be used by a player to make Quick Pick selections; manual selections, if the vending machine provides that option; and process both paper and digital PICK 5 play slips. Neither a retailer nor a player can process the cancellation of a PICK 5 ticket through a vending machine. At the request of a player, the retailer shall make a good faith effort to cancel PICK 5 tickets that are purchased through a vending machine by using the retailer's lottery terminal in accordance with the cancellation provisions in paragraph (5)(e).

(h) Telling the Retailer. Retailers also are authorized to manually enter numbers selected by a player. Players electing

to make their PICK 5 ticket selections by telling the retailer must specify the play type, play amount, draw time(s), number of drawings and their desired number selections (or tell the retailer they desire to use the quick pick feature for the terminal to randomly select one or more of the numbers). Additionally, if a player desires to add FIREBALL, he or she must tell the retailer to add that option.

(i) Play it Again.

1. A player may request to "Play it Again" to replay a previously purchased PICK 5 ticket. If requested, a retailer shall process the original ticket provided by the player and print a new ticket which will have the same selected numbers, play amount, draw time(s), number of panels, and number of drawings as the original ticket, except as provided in subparagraph (1)(i) 2., below.

2. An original ticket with advance play will be rejected and cannot be replayed if the number of drawings on the ticket exceeds the number of advance play drawings that are available at the time of requested ticket replay due to implementation of an advance play countdown for the PICK 5 game. Tickets older than sixty days cannot be replayed. PICK 5 tickets purchased using the Play it Again feature have the same cancellation provisions as the original ticket.

(2) Determination of PICK 5 Base Game Prizes.

PICK 5 can be played and won as follows:

(a) "Straight" play. In a straight play, if a player's digits as printed on the player's ticket match, in exact order, the official PICK 5 winning numbers for the drawing, the player wins \$25,000 for a 50-cent play or \$50,000 for a \$1.00 play.

(b) "Box" play. A box play allows a player to win if the player's digits match, in any order, the official PICK 5 winning numbers for the drawing.

1. A "5-way box" is a play in which the player has selected a number with four identical digits and one different digit (example 11112) and covers the five possible combinations of the five digits. A 5-way box pays a winner \$5,000 for a 50-cent play or \$10,000 for a \$1.00 play.

2. A "10-way box" is a play in which the player has selected a number with three identical digits and two identical different digits (example 11122) and covers the ten possible combinations of the five digits. A 10-way box pays a winner \$2,500 for a 50-cent play or \$5,000 for a \$1.00 play.

3. A "20-way box" is a play in which the player has selected a number with three identical digits and two different digits (example 11123) and covers the twenty possible combinations of the five digits. A 20-way box pays a winner \$1,250 for a 50-cent play or \$2,500 for a \$1.00 play.

4. A "30-way box" is a play in which the player has selected a number with two different pairs of identical digits and one different digit (example 11223) and covers the thirty

possible combinations of the five digits. A 30-way box pays a winner \$830 for a 50-cent play or \$1,660 for a \$1.00 play.

5. A “60-way box” is a play in which the player has selected a number with two identical digits and three different digits (example 11234) and covers the sixty possible combinations of the five digits. A 60-way box pays a winner \$415 for a 50-cent play or \$830 for a \$1.00 play.

6. A “120-way box” is a play in which the player has selected a number with five different digits (example 12345) and covers the one hundred twenty possible combinations of the five digits. A 120-way box pays a winner \$208 for a 50-cent play or \$416 for a \$1.00 play.

(c) “Straight and Box” play. A straight and box play combines a 50-cent straight play and a 50-cent box play for a \$1.00 play.

1. A “Straight and 5-way box” play pays a winner \$30,000 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$5,000 if the player’s digits match, in any other order, the official PICK 5 winning numbers for the drawing.

2. A “Straight and 10-way box” play pays a winner \$27,500 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$2,500 if the player’s digits match, in any other order, the official PICK 5 winning numbers for the drawing.

3. A “Straight and 20-way box” play pays a winner \$26,250 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$1,250 if the player’s digits match, in any other order, the official PICK 5 winning numbers for the drawing.

4. A “Straight and 30-way box” play pays a winner \$25,830 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$830 if the player’s digits match, in any other order, the official PICK 5 winning numbers for the drawing.

5. A “Straight and 60-way box” play pays a winner \$25,415 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$415 if the player’s digits match, in any other order, the official PICK 5 winning numbers for the drawing.

6. A “Straight and 120-way box” play pays a winner \$25,208 if a player’s digits as printed on the player’s ticket match, in exact order, the official PICK 5 winning numbers for the drawing, or \$208 if the player’s digits match, in any other order, the official PICK 5 winning numbers for the drawing.

(3) PICK 5 Base Game Odds of Winning.

The odds of winning in PICK 5 are as follows:

- (a) Straight 1 in 100,000
- (b) Box 5-way 1 in 20,000
- (c) Box 10-way 1 in 10,000

- (d) Box 20-way 1 in 5,000
- (e) Box 30-way 1 in 3,333.33
- (f) Box 60-way 1 in 1,666.67
- (g) Box 120-way 1 in 833.33
- (h) Straight/Box 5-way 1 in 100,000 and 1 in 20,000
- (i) Straight/Box 10-way 1 in 100,000 and 1 in 10,000
- (j) Straight/Box 20-way 1 in 100,000 and 1 in 5,000
- (k) Straight/Box 30-way 1 in 100,000 and 1 in 3,333.33
- (l) Straight/Box 60-way 1 in 100,000 and 1 in 1,666.67
- (m) Straight/Box 120-way 1 in 100,000 and 1 in 833.33
- (4) FIREBALL.

(a) FIREBALL is an add-on play option available in association with the PICK 5 game. The FIREBALL option cannot be played independently of PICK 5 base game play. Selecting FIREBALL will double the cost of all panels played. FIREBALL is available with both 50-cent and \$1.00 play amounts.

(b) Players can use the FIREBALL number to replace one of the five official PICK 5 winning numbers for that drawing to create five new FIREBALL winning combinations. Created FIREBALL winning combinations may be duplicative of the base play winning combinations as well as duplicative of each other. If the player’s numbers on his or her ticket match any of the created FIREBALL winning combinations for that drawing, the player shall be entitled to one or more FIREBALL prizes based on the numbers played, play type and play amount purchased. An example of a FIREBALL win follows:

Example A

Play Type: Straight
 Play Amount: \$1.00
 Player’s Numbers: 2-3-4-5-6
 Drawing Results: 1-3-4-5-6
 FIREBALL Number: 2
 FIREBALL Winning Combinations:
 2-3-4-5-6; 1-2-4-5-6; 1-3-2-5-6; 1-3-4-2-6; 1-3-4-5-2
 Player wins: one (1) FIREBALL prize of \$12,000

(c) The FIREBALL prizes and odds of winning are set forth in the table below.

| PICK 5 with FIREBALL Prize Structure | | | | |
|--------------------------------------|--------------------------------|-------------------------------|-----------------------------------|--|
| Play Type | FIREBALL Prize 50-cent Play | FIREBALL Prize \$1.00 Play | FIREBALL Odds of Winning 1: | Maximum Number of FIREBALL Wins |
| Straight | \$6,000 | \$12,000 | 20,000 | 5 |
| 5-Way | \$1,200 | \$2,400 | 4,000 | 5 |
| 10-Way | \$600 | \$1,200 | 2,000 | 4 |
| 20-Way | \$300 | \$600 | 1,000 | 4 |
| 30-Way | \$200 | \$400 | 667 | 3 |
| 60-Way | \$100 | \$200 | 333 | 3 |
| 120-Way | \$50 | \$100 | 167 | 2 |
| 5-Way Straight/Box | | \$7,200 & \$1,200 | 20,000 & 4,000 | 8 |
| 10-Way Straight/Box | | \$6,600 & \$600 | 20,000 & 2,000 | 6 |
| 20-Way Straight/Box | | \$6,300 & \$300 | 20,000 & 1,000 | 6 |
| 30-Way | | \$6,200 & \$200 | 20,000 & 667 | 4 |

| | | | | |
|----------------------|--|-----------------|--------------|---|
| Straight/Box | | | | |
| 60-Way Straight/Box | | \$6,100 & \$100 | 20,000 & 333 | 4 |
| 120-Way Straight/Box | | \$6,050 & \$50 | 20,000 & 167 | 3 |

(d) Players can win a FIREBALL prize with or without winning a base game prize.

(e) For all play types, if a player wins the base game prize and the FIREBALL number is the same as one or more of the PICK 5 winning numbers, the player shall be entitled to one or more FIREBALL prizes (based on the play type, numbers played, winning numbers and play amount) in addition to the PICK 5 base game prize for the play amount purchased. The table above sets forth the maximum number of FIREBALL wins by play type. Examples of winning in both the base game and with FIREBALL follow:

| Example A | Example B |
|--|--|
| <u>Play Type: Straight</u> | <u>Play Type: Straight</u> |
| <u>Play Amount: \$1.00</u> | <u>Play Amount: \$1.00</u> |
| <u>Player's Numbers: 1-2-3-4-5</u> | <u>Player's Numbers: 1-1-2-3-4</u> |
| <u>Drawing Results: 1-2-3-4-5</u> | <u>Drawing Results: 1-1-2-3-4</u> |
| <u>FIREBALL Number: 1</u> | <u>FIREBALL Number: 1</u> |
| <u>FIREBALL Winning Combinations:</u> | <u>FIREBALL Winning Combinations:</u> |
| <u>1-2-3-4-5; 1-1-3-4-5; 1-2-1-4-5; 1-2-3-1-5; 1-2-3-4-1</u> | <u>1-1-2-3-4; 1-1-2-3-4; 1-1-1-3-4; 1-1-2-1-4; 1-1-2-3-1</u> |
| <u>Player wins: base prize of \$50,000 + one (1)</u> | <u>Player wins: base prize of \$50,000 + two (2)</u> |
| <u>FIREBALL prize of \$12,000 = \$62,000.</u> | <u>FIREBALL prizes of \$12,000 each = \$74,000.</u> |

(5) On occasion, increases in the prize amounts set forth in subsection (2) will be offered for promotional purposes. In such event, the increased prize amounts will be available at flalottery.com, Lottery district offices and retailer locations.

(6) A liability limit of \$5 million is established for PICK 5. When the play of a five-digit number for a drawing reaches the Florida Lottery's PICK 5 liability limit of \$5 million, no further ticket sales for any type of play that would involve that five-digit number will be allowed for that drawing.

(7) PICK 5 Base Game Drawings.

(a) PICK 5 base game drawings are conducted twice daily by the Florida Lottery.

(b) The equipment for the PICK 5 base game drawing shall be configured so that one ball is drawn from each of five units of balls numbered zero (0) through nine (9).

(c) Five balls will be selected in the drawing, one each into five separate display devices. The numbers shown on the five balls, after certification by the Draw Manager and the Accountant, shall be the official PICK 5 winning numbers for the drawing.

(d) FIREBALL Drawing.

1. FIREBALL drawings are conducted twice daily by the Florida Lottery.

2. After all four PICK Daily Games™ (PICK 2™, PICK 3™, PICK 4™ and PICK5™) drawings have been conducted for the draw time (either mid-day or evening) and date, the FIREBALL drawing will be conducted to select the FIREBALL number. The FIREBALL number drawn shall apply to all four PICK Daily Games.

3. The equipment for the FIREBALL drawing shall be configured so that one ball is drawn from one unit of balls numbered zero (0) through nine (9).

4. In the drawing, one ball will be drawn from the single unit of balls into a single display device. The number shown on the ball after certification by the Draw Manager and the Accountant shall be the official winning FIREBALL number for that drawing.

(e) The Florida Lottery shall not be responsible for incorrect circulation, publication or broadcast of official winning numbers.

(8) PICK 5 Rules and Prohibitions.

(a) By purchasing a PICK 5 ticket a player agrees to comply with and abide by all rules and regulations of the Florida Lottery.

(b) PICK 5 prize payments shall be made in accordance with rules of the Florida Lottery governing payment of prizes. A copy of the current rule can be obtained from the Florida Lottery, Office of the General Counsel, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

(c) Subject to a retailer's hours of operation and gaming system availability, PICK 5 lottery tickets are available for purchase daily between the hours of 6:00 a.m. and midnight, Eastern Time (ET).

(d) The scheduled time for the daily PICK 5 drawing is approximately 1:30 p.m. (ET) for the midday draw and approximately 9:45 p.m. (ET) for the evening draw. Ticket sales for a specific PICK 5 drawing will close approximately twelve minutes prior to that drawing. Any ticket sold after the close of game will be printed with the next available PICK 5 draw date and time unless the player specifies another PICK 5 draw date and time within the selection parameters.

(e) Retailer cancellations of PICK 5 tickets can only be performed by the retailer who sold the ticket, using the selling terminal's optical mark reader, and within two hours after printing, except that no PICK 5 ticket shall be canceled after close of game for the related drawing. The two-hour ticket cancellation period may be reduced due to the selling retailer's hours of business operation; the cut off time for daily sales (12:00 midnight (ET)); gaming system availability; or the time of the related PICK 5 close of game for the related drawing. Ticket cancellations cannot be processed through a vending machine. If a player desires to cancel a ticket purchased through

a vending machine, the player must present the ticket to the retailer where the ticket was purchased for processing within the timeframe described above.

(f) It is the player's responsibility to make sure his or her ticket(s) are printed exactly as requested before leaving the retailer, including verifying the number of ticket(s) printed, and to determine the accuracy of the selected panels of numbers, draw date(s), draw times, play amount and play type on tickets. In the event that a ticket given to the player by the retailer contains selections that are not consistent with the player's selections, it shall be the responsibility of the player to immediately advise the retailer of that fact. In such event and upon request of a player, the retailer shall make a good faith effort to cancel the ticket.

(9) This emergency rule replaces Emergency Rule 53ER20-47, F.A.C.

(10) The effective date of this emergency rule is January 18, 2021.

Rulemaking Authority 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.109(1), 24.115(1) FS. Law Implemented 24.105(2), 24.105(9)(a), (b), (c), (d), (e), (f), (h), 24.124(1) FS. History—New 1-18-21, Replaces 53ER20-47.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 18, 2021.

DEPARTMENT OF THE LOTTERY

RULE NO.: RULE TITLE:

53ER21-13 Draw Games Drawing Procedures

SUMMARY: This emergency rule sets forth the drawing procedures for the following Florida Lottery Draw games: FLORIDA LOTTO®; FANTASY 5®; JACKPOT TRIPLE PLAY™, PICK 2™, PICK 3™, PICK 4™ and PICK 5™ (PICK Daily Games™). The rule is being updated to reflect updates to the PICK Daily Games™ drawing procedures. This emergency rule replaces Emergency Rule 53ER20-80.

THE PERSON TO BE CONTACTED REGARDING THE EMERGENCY RULE IS: Diane D. Schmidt, Legal Analyst, Department of the Lottery, 250 Marriott Drive, Tallahassee, Florida 32399-4011.

THE FULL TEXT OF THE EMERGENCY RULE IS:

53ER21-13 Draw Games Drawing Procedures.

(1) This rule shall apply to Draw games (also known as online lottery games) drawings conducted by the Florida Lottery.

(2) Florida Lottery drawings shall be public and witnessed by an accountant employed by an independent certified public accounting firm ("Accountant") who shall certify to the

integrity, security and fairness of each drawing. All drawings shall be recorded by a video recorder.

(3) The ball sets and drawing machines used in Florida Lottery drawings shall be determined by random selection and shall be inspected by an employee of the Florida Lottery's Security Division ("Draw Manager") and the Accountant before and after each drawing. The Draw Manager and the Accountant shall ensure that all balls within a set contain the same security code. A primary and secondary ball set and drawing machine shall be selected for each draw.

(4) The primary ball sets shall be weighed. If the weight of the ball set is outside of the tolerance range provided by the manufacturer, the secondary ball set shall be weighed. If the secondary ball set is outside of the tolerance range, other ball sets shall be selected and weighed by the Draw Manager and Accountant until an acceptable set is determined.

(5) Once a ball set has been determined, it shall be loaded by the Draw Manager into the primary drawing machine and a number of test draws shall be conducted, as follows:

(a) FLORIDA LOTTO®.

1. For the FLORIDA LOTTO base game, six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

2. For Double Play, six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(b) For FANTASY 5®, seven test draws will be conducted. If the same digit is selected five times during the seven draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(c) For JACKPOT TRIPLE PLAY™ six test draws will be conducted. If the same digit is selected four times during the six draws, four additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(d) PICK Daily Games™.

1. For PICK 5™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

2. For PICK 4™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

3. For PICK 3™, five test draws will be conducted. If the same digit is selected three times during the five draws, three

additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

4. For PICK 2™, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

5. For the PICK Daily Games FIREBALL number, five test draws will be conducted. If the same digit is selected three times during the five draws, three additional test draws will be conducted. If the same digit is selected two additional times, a secondary ball set shall be used.

(6) If the secondary ball set does not pass the test drawing parameters, the backup drawing machine will be used. Tests will be conducted with ball sets whose weight falls within the tolerance range until an acceptable ball set and drawing machine have been determined.

(7) If the game for which a drawing is being held cannot be closed on the gaming system, the drawing will be delayed until the game can be closed.

(8) During the drawing, balls will be mixed and pushed into the display devices by the action of an air blower. A ball must be “trapped” in the display position at the top of the mixing chamber to be a winning number.

(9) In the event of a power failure, drawing equipment malfunction or error in the drawing process, including but not limited to the Host/Hostess announcing a ball number that was not trapped as specified in subsection (8), the drawing will be stopped and will resume as soon thereafter as possible. The balls drawn before the occurrence, if any, will be declared valid.

(10) If a Draw Host/Hostess incorrectly announces the number of a ball that has been trapped in the display position, the Draw Manager shall immediately correct the Draw Host/Hostess by announcing the correct number.

(11) Upon certification by the Draw Manager and the Accountant, the numbers shown on the balls will be announced as the official winning numbers for the drawing.

(12) Following removal of the balls from the drawing machine, the ball set will be weighed. If the weight of the ball set differs from the pre-draw weight by more than 1 gram or is outside of the tolerance range provided by the manufacturer, the ball set will be secured and delivered to the Florida Lottery’s Division of Security for investigation.

(13) In the event a problem occurs that is not contemplated under this rule, the Florida Lottery shall use such substitute procedures as are fair and effective to perform the drawing. Such substitute procedures shall be determined in consultation with the Accountant referred to in subsection (2). In using such substitute procedures, the Florida Lottery shall strive to maintain the highest level of public confidence, security and integrity.

(14) The effective date of this emergency rule is January 18, 2021.

Rulemaking Authority 24.105(9)(d), 24.109(1) FS. Law Implemented 24.105(9)(d), 24.108(6) FS. History—New 1-18-21, Replaces 53ER20-80.

THIS RULE TAKES EFFECT UPON BEING FILED WITH THE DEPARTMENT OF STATE UNLESS A LATER TIME AND DATE IS SPECIFIED IN THE RULE.

EFFECTIVE DATE: January 18, 2021.

Section V

Petitions and Dispositions Regarding Rule Variance or Waiver

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on January 14, 2021, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Jennifer Freeland and the Indian River County Education Association, Local 3617, American Federation of Teachers, National Education Association, Florida Education Association, AFL-CIO to allow the Indian River County Education Association, Local 3617, American Federation of Teachers, National Education Association, Florida Education Association, AFL-CIO to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2021-003. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF HEALTH

Board of Massage Therapy

RULE NO.: RULE TITLE:

64B7-28.009 Required Continuing Education for Massage Therapists

NOTICE IS HEREBY GIVEN that on December 29, 2020, the Board of Massage Therapy, received a petition for variance and waiver filed by Allison Kruczek. The Petitioner is seeking a variance or waiver of Rule 64B7-28.009, regarding continuing

education. Due to the threat of COVID19, Petitioner is requesting previous Myofascial course credits taken online be counted for license renewal. Comments on this petition should be filed with the Board of Massage Therapy, 4052 Bald Cypress Way, Bin #C06, Tallahassee, Florida 32399-3258, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Kama Monroe, Executive Director, Board of Massage Therapy, at the above listed address, (850)245-4162, or by electronic mail - kama.monroe@flhealth.gov.

DEPARTMENT OF HEALTH

Board of Physical Therapy Practice

NOTICE IS HEREBY GIVEN that on January 13, 2021, the Board of Physical Therapy Practice, received a petition for Variance or Waiver filed by Marlene S. Gearing. Petitioner seeks a variance or waiver of Rule 64B17-3.007, F.A.C., with regards to her educational equivalency credentials evaluation reports.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Allen Hall, Executive Director, Board of Physical Therapy Practice, 4052 Bald Cypress Way, Bin #C05, Tallahassee, Florida 32399-3253, Allen.Hall@flhealth.gov, within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

NOTICE IS HEREBY GIVEN that on December 7, 2020, the Board of Podiatric Medicine, received a petition for variance or waiver filed by Dr. Leonardo Zayas-Bazan, DPM. Petitioner seeks a permanent variance or waiver of subsection 64B18-16.006(1), F.A.C., which states that every podiatric resident participating in a residency program in a hospital in this state shall register with the Board within sixty (60) days of the date of commencement of residency using the Podiatric Resident Registration Form DH-MQA 1139. The citation to the statute being referenced in the rule is Sections 456.013, 456.0635, and 461.014, F.S.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-1708. Comments on this petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Board of Podiatric Medicine

RULE NO.: RULE TITLE:

64B18-16.006 Registration Requirements of Podiatric Residents

NOTICE IS HEREBY GIVEN that on December 7, 2020, the Board of Podiatric Medicine, received a petition for variance or

waiver filed by Lauren Gibson. Petitioner is seeking a variance or waiver of subsection 64B18-16.006(1), Florida Administrative Code, which requires that every podiatric resident participating in a residency program in a hospital in this state shall register with the Board within sixty (60) days of the date of commencement of residency using the Podiatric Resident Registration form.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Janet Hartman, Executive Director, Board of Podiatric Medicine, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258. Comments on the petition should be filed with the Board of Podiatric Medicine within 14 days of publication of this notice.

DEPARTMENT OF HEALTH

Division of Environmental Health

RULE NO.: RULE TITLE:

64E-11.003 Food Hygiene Standards

NOTICE IS HEREBY GIVEN that on December 23, 2020, the Department of Health, received a petition for variance from Adam Friedman, representing Bento Nouveau Inc. The petitioner seeks a variance from Chapter 64E-11, Florida Administrative Code, which references section 3-502.11(c), 2013 FDA Food Code, requiring a food establishment to obtain a variance from the regulatory authority as specified in section 8-103.10 and under section 8-103.11 before using food additives or adding components such as vinegar to render a food so that it is not Time/Temperature Control of Safety food. Comments on this petition should be filed with: Agency Clerk, Department of Health, Office of the General Counsel, 4052 Bald Cypress Way, Bin A02, Tallahassee, Florida 32399-1710, within 14 days of publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: VaKasha Brown, Department of Health, 4052 Bald Cypress Way, Bin A08, Tallahassee, Florida 32399-1710, or by phone at (850)901-6590, or by electronic mail at VaKasha.Brown@FLHealth.gov.

FISH AND WILDLIFE CONSERVATION COMMISSION

Vessel Registration and Boating Safety

RULE NO.: RULE TITLE:

68D-23.109 Additional Specifications for Information, Danger, and Regulatory Markers

The Florida Fish and Wildlife Conservation Commission (Commission) hereby gives notice: On January 12, 2021, the Commission issued a Final Order in Case No. WV 21-01 granting an unopposed Petition for Variance from Rule 68D-23.109, Florida Administrative Code filed by the Pinellas County Parks and Conservation Resources Department. The variance allows the Petitioners to post smaller uniform waterway markers than those required by the rule along the eastern boundary of Weedon Island Preserve in Pinellas

County. The Commission determined that the Petitioner demonstrated that the purpose of the marker size requirements in the Rule would still be achieved by using the smaller markers in the specified area, and further demonstrated that Petitioner would suffer a substantial hardship if the variance was not granted. The petition was filed on November 9, 2020, and the notice of receipt of the petition was published on November 19, 2020, in Volume 46, Number 226, F.A.R. No comments were received to the petition.

A copy of the Order or additional information may be obtained by contacting: Paul Schulz, Florida Fish and Wildlife Conservation Commission, Division of Law Enforcement, Boating and Waterways Section, 620 South Meridian Street, Tallahassee, FL 32399-1600, (850)617-9530, waterway.management@myfwc.com.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

Division of Administration

The CRAFT Foundation, Inc. Board of Directors announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 28, 2021, 11:00 a.m.

PLACE: The meeting will be conducted exclusively using electronic communications media technology. Participants may join the Zoom meeting by visiting <https://us02web.zoom.us/j/87625895292?pwd=b3RjVERDTzVHS3FEUTA2b0hTY3RwZz09> and entering Meeting ID: 876 2589 5292 and Passcode: 385434. For audio, please dial (929)205-6099 and enter Meeting ID: 876 2589 5292 and Passcode: 385434.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The CRAFT Foundation Board of Directors will conduct a meeting to discuss and execute matters including, but not limited to, the review and approval of operating policies, financial audit and tax returns and CRAFT Cycle Two participant and vendor contracts.

A copy of the agenda may be obtained by contacting: Tamara Wood at 1(863)698-9276.

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: Tamara Wood at 1(863)698-9276. 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: Tamara Wood at 1(863)698-9276.

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a hearing to which all persons are invited.

DATE AND TIME: A Teacher Hearing Panel will begin at 2:00 p.m. or as soon thereafter as can be heard on January 29, 2021.

PLACE: Zoom Meeting:
<https://zoom.us/j/93493020198?pwd=SzhaSU0vekFrZXBaHdqT0F2Q0wrdz09>, Meeting ID: 934 9302 0198, Passcode: 3h2cHR

The following conference number will only be activated if the Zoom Video Hearing needs to be terminated.

Phone Meeting: United States Toll-Free: 1(888)585-9008, Conference Room Number: 847-456-389

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Hearing Panel of the Education Practices Commission will consider final agency action in matters dealing with the disciplining of certified educators.

A copy of the agenda may be obtained by contacting: Lisa Forbess at (850)245-0455.

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: Lisa Forbess at (850)245-0455. 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: Lisa Forbess at (850)245-0455.

REGIONAL PLANNING COUNCILS

West Florida Regional Planning Council

The Okaloosa-Walton Transportation Planning Organization and Advisory Committees announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, January 21, 2021, 3:00 p.m.

PLACE: Okaloosa County Administration Building 1250 North Eglin Parkway, Shalimar, Fla.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Okaloosa-Walton Transportation Planning Organization (TPO) will hold a public meeting at 3:00 p.m., Thursday, January 21, 2021 at the Okaloosa County Administration Building 1250 North Eglin Parkway, Shalimar, Fla. The Technical Coordinating Committee (TCC) will meet at 9:30 a.m. and the Citizens' Advisory Committee (CAC) will meet at 1:30 p.m. Both advisory committees will meet at the Okaloosa County Administration Building 1250 North Eglin Parkway, Shalimar, Fla.

The TPO and committees will have a physical location, however, for the convenience of our community members, the meetings can be accessed via video live stream or by phone. All in-person participants are REQUIRED to wear appropriate person protective equipment and will be required to comply with social distancing recommendations. Masks will be available for in-person participants.

The public can view the meeting and submit comments live on YouTube: www.ecrc.org/YouTube.

The public can also dial in by phone: United States: (669)224-3412, Access Code: 115-187-253

The TPO will consider:

- Accepting the FDOT Fiscal Years 2022 -2026 Tentative Work Program
- Amending the FY 2021-2025 Transportation Improvement Program to Add the Construction Phase for SR 188 (Racetrack Road) and SR 189 (Beal Parkway), Lighting Project as Project #4460362 in FY 2020/2021 in the amount of \$130,000
- Appointment of an Okaloosa-Walton TPO Member and Alternate to Serve on the Metropolitan Planning Organization Advisory Council (MPOAC) for Calendar Year 2021
- Approving an Addendum to the Interlocal Agreement Between the Emerald Coast Regional Council (ECRC), the Florida-Alabama, Okaloosa-Walton, and Bay County TPOs, and Washington and Holmes Counties, Naming the ECRC as the Designated Regional Transportation Area, Per Section 339, Florida Statute

A full agenda can be viewed at <http://www.ecrc.org/OWTPOMeetings>. Public input is valuable to the TPO, we encourage our communities to submit input through a variety of avenues. Comments for the public forum can be submitted via eComment Card, email, or phone, learn how at <http://www.ecrc.org/OWPublicForum>. All comments submitted will be disseminated to the board. Please email publicinvolvement@ecrc.org with additional questions or concerns.

In compliance with the Americans with Disabilities Act, reasonable accommodations to access meeting, and for limited English proficiency, are available upon request. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services

should contact Public Involvement toll-free at 1(800)226-8914 or TTY 711, at least 48 hours in advance. Para informacion en espanol, puede llamar a Ada Clark al (850)332-7976, ext. 278 o TTY 711. Si necesita acomodaciones especiales, por favor llame 48 horas de antemano.

Participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who believe they have been discriminated against on these conditions may file a complaint with the Title VI Coordinator, (850)332-7976, ext. 220.

The Okaloosa-Walton TPO is staffed by the Emerald Coast Regional Council, a regional entity providing professional technical assistance, planning, coordinating, and advisory services to local governments, state and federal agencies, and the public to preserve and enhance the quality of life in northwest Florida.

A copy of the agenda may be obtained by contacting: Public Involvement at publicinvolvement@ecrc.org or calling (850)332-7976.

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 days before the workshop/meeting by contacting: Public Involvement toll-free at 1(800)226-8914 or TTY 711. 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).

REGIONAL PLANNING COUNCILS

Southwest Florida Regional Planning Council

The Southwest Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2021, 9:00 a.m.

PLACE: Virtual Meeting – GoToMeeting

GENERAL SUBJECT MATTER TO BE CONSIDERED: Quarterly meeting of the Southwest Florida Regional Planning Council, 9:00 a.m.

A copy of the agenda may be obtained by contacting: Katelyn Kubasik, kkubasik@swfrpc.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 48 hours before the workshop/meeting by contacting: Katelyn Kubasik, kkubasik@swfrpc.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).

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

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Annual Meeting of the Southeast Florida Regional Prosperity Institute

A copy of the agenda may be obtained by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or sfadmin@sfrpc.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 5 days before the workshop/meeting by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or sfadmin@sfrpc.com.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

The South Florida Regional Planning Council announces a public meeting to which all persons are invited.

DATE AND TIME: Monday, January 25, 2021, 10:30 a.m.

PLACE: In Person / Virtual Meeting - "Go to Meeting" by the web or conference call; 1 Oakwood Boulevard, Suite 250, Hollywood, FL 33020. Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/157142165>

You can also dial in using your phone. United States (Toll Free): 1(877)309-2073 United States: (571)317-3129

Access Code: 157-142-165

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Review of Comprehensive Plan Amendments received prior to the meeting; General Council Business.

A copy of the agenda may be obtained by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or sfadmin@sfrpc.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 5 days before the workshop/meeting by contacting: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or sfadmin@sfrpc.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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: Administration at the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Hollywood, Florida 33020, (954)924-3653, or sfadmin@sfrpc.com.

WATER MANAGEMENT DISTRICTS

St. Johns River Water Management District

The St. Johns River Water Management District, Agricultural Advisory Committee announces a public meeting to which all persons are invited.

DATE AND TIME: January 27, 2021, 3:00 p.m.

PLACE: 13754 Deseret Lane, St. Cloud, FL 34773

GENERAL SUBJECT MATTER TO BE CONSIDERED:
Central Springs and East Coast Regional Water Supply Plan, Proposed Minimum Levels and Associated Recovery Strategy for Lakes Brooklyn and Geneva, Central Florida Water Initiative and the District's Agricultural Cost Share Program. One or more members of the District's Governing Board may attend this meeting.

A copy of the agenda may be obtained by contacting: A copy of the agenda may be obtained by contacting: Suzanne Archer, (407)215-1450 or sarcher@sjrwm.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 5 days before the workshop/meeting by contacting: Suzanne Archer, (407)215-1450. 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).

WATER MANAGEMENT DISTRICTS

South Florida Water Management District

The South Florida Water Management District announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 26, 2021, 10:00 a.m.

Quarterly meeting of the Everglades Technical Oversight Committee

PLACE: This meeting will be conducted via Zoom, a media technology free for the public to use. https://zoom.us/webinar/register/WN_NeA5toswSiynQ-URLfj7cQ

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Everglades Technical Oversight Committee meeting is a public meeting held quarterly to provide an update on water quality conditions in the Loxahatchee National Wildlife Refuge and at inflows to Everglades National Park relative to the 1991 Settlement Agreement, entered as a Consent Decree in 1992, and modified in 1995.

The public and stakeholders will have an opportunity to view and comment on the meeting by utilizing the following link: https://zoom.us/webinar/register/WN_NeA5toswSiynQ-URLfj7cQ

This link can also be found on the District’s website at www.SFWMD.gov/meetings and will go live at approximately 10:00 a.m. on January 26, 2021.

All this meeting will be conducted via media technology.

A copy of the agenda may be obtained by contacting: Julianne LaRock at (561)682-6747, jlalrock@sfwmd.gov, or www.SFWMD.gov/toc, seven days prior to the meeting.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least seven days before the workshop/meeting by contacting: Rosie Byrd at rbyrd@sfwmd.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: Julianne LaRock at (561)682-6747, or jlalrock@sfwmd.gov.

DEPARTMENT OF MANAGEMENT SERVICES

The Florida Cybersecurity Task Force Respond and Recover Workgroup announces a public meeting to which all persons are invited.

DATE AND TIME: Tuesday, January 19, 2021, 10:30 a.m. – 12:00 Noon ET

PLACE: Teleconference: 1(888)585-9008, Conference Room#: 261-924-180

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Cybersecurity Task Force, established pursuant to Chapter 2019-118, Laws of Florida, announces its agenda to include: Discussions related to workgroup recommendations and an Executive session. The public may participate by phone during the public portion of the agenda by dialing: United States (toll free) 1(888)585-9008, Access Code 261-924-180.

A copy of the agenda may be obtained by contacting: The agency website at

https://www.dms.myflorida.com/other_programs/cybersecurity_task_force.

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: Tyler.Jefferson@dms.fl.gov or (850)488-6285. 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 ENVIRONMENTAL PROTECTION

The Department of Environmental Protection (Department) announces a public meeting to which all persons are invited for the Clean Waterways Act Stormwater Rulemaking Technical Advisory Committee (TAC).

DATE AND TIME: January 27, 2021, 1:00 p.m. ET

PLACE: To ensure safe public participation given COVID-19 social distancing requirements, the Department is providing this public meeting by webinar. Parties can register to attend the webinar at the following link:

Webinar Link:
<https://attendee.gotowebinar.com/register/455249422249437195>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Department is holding the Second public meeting of the TAC. This TAC was established to provide public input to the Department and Florida’s water management districts (WMDs) on rule development to update stormwater design and operation regulations under Part IV, Chapter 373, Florida Statutes. These updates will utilize the latest scientific information, as directed by Florida’s Clean Waterways Act, specifically Section 5, Chapter 2020-150, Laws of Florida.

A copy of the agenda may be obtained by reviewing the Environmental Resource Permitting, Stormwater Rulemaking information at the following website: <https://floridadep.gov/water/water/content/water-resource-management-rules-development>. You may also request a copy of the agenda by contacting Charmaine Miller via email at: Stormwater2020@FloridaDEP.gov or via phone at: (850)245-8574.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting is asked to advise the agency at least 48 hours before the meeting by contacting Charmaine Miller as listed above. 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 the Department at Stormwater2020@FloridaDEP.gov.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Recreation and Parks

The Myakka River Management Coordinating Council announces a public meeting to which all persons are invited.

DATE AND TIME: January 29, 2021, 9:30 a.m. – 12:30 p.m.

PLACE: This workshop will be conducted virtually via media technology free for the public to use. Please contact Chris Oliver by email at james.oliver@dep.state.fl.us to register for the meeting.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Conduct Council Business for administering the Myakka River as a Wild and Scenic River.

A copy of the agenda may be obtained by contacting: Chris Oliver, Division of Recreation and Parks, District 4 Administration, 1843 S. Tamiami Tr. Osprey, FL 34229 or by calling (941)882-7206.

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: Chris Oliver, (941)882-7191. 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 Medicine

The Board of Medicine - Probation Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, March 5, 2021, 8:00 a.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/FloridaBoardofMedicine/march-2021-probation-meeting>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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 Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine – Credentials Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2021, 8:00 a.m. ET or soon thereafter

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/FloridaBoardofMedicine/february-2021-committee-meetings>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Wednesday and/or Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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 Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Council on Physician Assistants announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2021, 1:00 p.m. ET or soon thereafter

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/FloridaBoardofMedicine/february-2021-committee-meetings>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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 Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine - Rules/Legislative Committee announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, February 4, 2021, 1:45 p.m. ET or soon thereafter

PLACE: please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/FloridaBoardofMedicine/february-2021-committee-meetings>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Committee. The Board of Medicine announces that certain Committee meetings will be held on the Thursday, before each Full Board meeting. Committee meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: Board of Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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 Medicine (BOM) Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF HEALTH

Board of Medicine

The Board of Medicine –Full Board Meeting announces a public meeting to which all persons are invited.

DATE AND TIME: Friday, February 5, 2021, 8:00 a.m. ET

PLACE: Please join my meeting from your computer, tablet or smartphone.

<https://www.gotomeet.me/FloridaBoardofMedicine/february-2021-full-board-meeting>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: General business of the Board. Meetings may be cancelled prior to the meeting date. Please check the Board Web Site at <https://flboardofmedicine.gov/meeting-information/> for cancellations or changes to meeting dates or call the Board of Medicine at (850)245-4131 for information.

A copy of the agenda may be obtained by contacting: Board of Medicine at <https://flboardofmedicine.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 10 days before the workshop/meeting by contacting: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131. 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: BOM Meeting Materials at BOM.MeetingMaterials@flhealth.gov or call at (850)245-4131.

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Thursday, January 21, 2021, 9:00 a.m.

PLACE: CALL IN ONLY: 1(888)585-9008, code 191850997

GENERAL SUBJECT MATTER TO BE CONSIDERED: ongoing Charlotte County Community Alliance business.

A copy of the agenda may be obtained by contacting: stephanie.jones@myflfamilies.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 5 days 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).

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Friday, January 22, 2021, 8:30 a.m.

PLACE: CALL IN ONLY: 1(888)585-9008, code 191850997

GENERAL SUBJECT MATTER TO BE CONSIDERED: ongoing Lee County Community Alliance business.

A copy of the agenda may be obtained by contacting: stephanie.jones@myflfamilies.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 5 days 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).

DEPARTMENT OF CHILDREN AND FAMILIES

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

DATE AND TIME: Monday, January 25, 2021, 12:00 Noon

PLACE: CALL IN ONLY: 1(888)585-9008, code 191850997

GENERAL SUBJECT MATTER TO BE CONSIDERED: ongoing Collier County Community Alliance business.

A copy of the agenda may be obtained by contacting: stephanie.jones@myflfamilies.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 5 days 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).

For more information, you may contact: stephanie.jones@myflfamilies.com.

CENTER FOR INDEPENDENT LIVING IN CENTRAL FLORIDA, INC.

The Center for Independent Living Orlando announces a public meeting to which all persons are invited.

DATE AND TIME: January 21, 2021, 3:00 p.m.

PLACE: CIL Office

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Committee Meeting

A copy of the agenda may be obtained by contacting: Carla Campbell

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: Carla Campbell. 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: Carla Campbell

ABLE TRUST

The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, February 17, 2021, 1:00 p.m., Board Meeting

PLACE: Conference Call Line: (617)939-0999, Pin: 84718441

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Able Trust (Florida Endowment Foundation for Vocational Rehabilitation) will hold its quarterly Board of Directors meeting. The agenda will include review of financial reports, grant recommendations, and other business that may come before the organization.

A copy of the agenda may be obtained by contacting: The Able Trust at (850)224-4493 or at info@abletrust.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: The Able Trust at (850)224-4493 or at info@abletrust.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: The Able Trust at (850)224-4493 or at info@abletrust.org.

LEE COUNTY DEPARTMENT OF TRANSPORTATION

The Lee County Department of Transportation announces a hearing to which all persons are invited.

DATE AND TIMES: Thursday, January 28, 2021, 5:00 p.m. – 7:00 p.m., with a formal presentation at 6:00 p.m.

PLACE: Virtual: GoToWebinar: Register at www.BigCarlosBridgeProject.com and

In Person: Bay Oaks Recreation Center, 2731 Oak St., Fort Myers Beach, FL 33931

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Lee County Department of Transportation (DOT) invites the public to participate in a public hearing to learn about the Project Development and Environment (PD&E) Study to assess improvements to the Big Carlos Pass Bridge on Estero Boulevard (County Road 865). The public hearing will be conducted both online and in person.

The hearing begins with an open house at 5:00 p.m. and follows with a formal presentation and public comment period at 6:00 p.m. We encourage you to sign up for the GoToWebinar by visiting the project website. People attending the hearing can review project displays and speak one-on-one with project team members. Written statements or exhibits submitted at the hearing, emailed, or mailed and postmarked by Thursday, February 11, 2021, will become part of the official hearing transcript.

On December 18, 2018, the Lee County Board of Commissioners approved the fixed span bridge on the Gulf side of the existing bridge as the preferred alternative to move forward in the PD&E Study. Lee County DOT will present the preferred build alternative and the no-build rehabilitation alternative at the public hearing. The no-build rehabilitation alternative will remain viable option throughout the remainder of this study.

Project information and graphics showing the proposed improvements will be available for public viewing at two locations from January 4, 2021 to February 18, 2021. The location will be the Fort Myers Beach Public Library at 2755 Estero Blvd, Fort Myers Beach, Florida 33931. The library is open from 9:00 a.m. – 5:00 p.m., Monday through Friday and 9:00 a.m. – 1:00 p.m. Saturday; closed on Sunday. The second location is at the Lee County DOT office located at 1500 Monroe Street, third floor, Fort Myers, Florida 33901. Hours of operation are 8 a.m. to 5 p.m., Monday through Friday. Draft project documents are also available on the website, www.BigCarlosBridgeProject.com.

This public hearing was advertised consistent with federal and state requirements, Section 335.199, F.S., and developed in compliance with Title VI of the Civil Rights Act of 1964 and related statutes. Lee County DOT solicits public participation without regard to race, color, national origin, age, sex, religion, disability, or family status. In accordance with the Americans with Disabilities Act, Lee County will not discriminate against qualified individuals with disabilities in its services, programs, or activities.

The environmental review, consultation, and other actions required by applicable federal environmental laws for this project are being, or have been, carried out by the Florida Department of Transportation (FDOT) pursuant to 23 U.S.C. §327 and a Memorandum of Understanding dated December 14, 2016, and executed by the Federal Highway Administration and FDOT.

A copy of the agenda may be obtained by contacting: Kris Cella, Cella Molnar & Associates, Inc. (239)337-1071 or email kcella@cella.cc.

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: Joan LaGuardia, (239)533-2314, Florida Relay Service 711, or jlguardia@leegov.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Kris Cella, Cella Molnar & Associates, Inc. (239)337-1071 or email kcella@cella.cc.

HDR, INC.

The Florida Department of Transportation (FDOT), District Four announces a workshop to which all persons are invited.

DATE AND TIME: Wednesday, January 27, 2021, Open House, 5:30 p.m. – 6:30 p.m.

PLACE: To join the workshop, go to <https://attendee.gotowebinar.com/register/2141629159931409934> or call (213)929-4212 and then dial the Audio Access Code:436-984-198

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Florida Department of Transportation (FDOT) District Four, will be hosting a Virtual Public Information Workshop for the proposed improvements for the SR A1A North Causeway Bridge.

A copy of the agenda may be obtained by contacting: Mr. Donovan Pessoa, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4442 (Telephone), or toll free at 1(800)336-8435 ext. 4442 or via email at Donovan.Pessoa@dot.state.fl.us.

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability or family status.

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: Mr. Donovan Pessoa, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4442 (Telephone), or toll free at 1(800)336-8435 ext. 4442 or via email at Donovan.Pessoa@dot.state.fl.us.

If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice). Any persons who require translation services (free of charge) should also contact Mr. Donovan Pessoa, P.E., at least seven (7) days before the meeting. 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: Mr. Donovan Pessoa, P.E., Project Manager, Florida Department of Transportation District Four, 3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309, (954)777-4442 (Telephone), or toll free at 1(800)336-8435 ext. 4442 or via email at Donovan.Pessoa@dot.state.fl.us.

**Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements**

NONE

**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**

SENIOR CONNECTION CENTER, INC.
Community Care for the Elderly Program
Senior Connection Center, Inc., (SCC) is soliciting Request For Proposals (RFP) from organizations that have the operational capacity and interest in being designated as the Lead Agency for the Community Care for the Elderly Program (CCE) in Hardee, Highlands, Hillsborough, Manatee, and Polk counties for the contract period beginning July 1, 2021. A Lead Agency

designation will be made for each county noted above. Pursuant to Section 430, Florida Statutes, a designated Lead Agency will provide all case management services, and coordinate the provision of in-home and community-based services to frail elderly clients in each of the respective counties. Organizations interested in obtaining CCE Lead Agency designation are requested to submit written proposals detailing their respective qualifications and plans for providing case management services, coordination of core services, and other required Lead Agency functions of the CCE program. The bid package, including detailed instructions for submission of a Request For Proposal, will be available on the agency’s website (www.seniorconnectioncenter.org) beginning Friday, January 15, 2021. A mandatory Bidders’ Conference will be held on Friday, January 22, 2021, 10:00 a.m. at SCC’s offices, 8928 Brittany Way, Tampa, Florida 33619. The conference will be conducted via Zoom. Zoom access information will be posted on SCC’s website. Anyone attending the conference in person at SCC must practice social distancing and wear a mask. During the Bidders’ Conference at SCC, a computer display of the Zoom meeting will be available. A required Notice of Intent to Submit a Proposal is due by 3:00 p.m. on Friday, February 5, 2021. Sealed bid proposals are due by 3:00 p.m. on Friday, February 19, 2021.

**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., Friday, January 8, 2021 and 3:00 p.m., Thursday, January 14, 2021.

| Rule No. | File Date | Effective Date |
|------------|-----------|----------------|
| 5C-3.001 | 1/11/2021 | 1/31/2021 |
| 5C-3.004 | 1/11/2021 | 1/31/2021 |
| 5C-3.012 | 1/11/2021 | 1/31/2021 |
| 5C-3.015 | 1/11/2021 | 1/31/2021 |
| 40E-2.091 | 1/11/2021 | 1/31/2021 |
| 40E-10.021 | 1/11/2021 | 1/31/2021 |
| 40E-10.031 | 1/11/2021 | 1/31/2021 |
| 40E-10.061 | 1/11/2021 | 1/31/2021 |
| 53ER21-4 | 1/14/2021 | 1/14/2021 |

| | | |
|-------------|-----------|-----------|
| 53ER21-5 | 1/14/2021 | 1/14/2021 |
| 53ER21-6 | 1/14/2021 | 1/14/2021 |
| 53ER21-7 | 1/14/2021 | 1/14/2021 |
| 53ER21-8 | 1/14/2021 | 1/14/2021 |
| 53ER21-9 | 1/14/2021 | 1/18/2021 |
| 53ER21-10 | 1/14/2021 | 1/18/2021 |
| 53ER21-11 | 1/14/2021 | 1/18/2021 |
| 53ER21-12 | 1/14/2021 | 1/18/2021 |
| 53ER21-13 | 1/14/2021 | 1/18/2021 |
| 53ER21-14 | 1/14/2021 | 1/18/2021 |
| 59A-35.110 | 1/13/2021 | 2/2/2021 |
| 61G19-6.019 | 1/8/2021 | 1/28/2021 |
| 64B6-8.003 | 1/12/2021 | 2/1/2021 |
| 65G-4.0213 | 1/12/2021 | 7/1/2021 |
| 65G-4.0214 | 1/12/2021 | 7/1/2021 |
| 65G-4.0215 | 1/12/2021 | 7/1/2021 |
| 65G-4.0216 | 1/12/2021 | 7/1/2021 |
| 65G-4.0217 | 1/12/2021 | 7/1/2021 |
| 65G-4.0218 | 1/12/2021 | 7/1/2021 |

**LIST OF RULES AWAITING LEGISLATIVE
APPROVAL SECTIONS 120.541(3), 373.139(7)
AND/OR 373.1391(6), FLORIDA STATUTES**

| Rule No. | File Date | Effective Date |
|-------------|-----------|----------------|
| 60FF1-5.009 | 7/21/2016 | **/**/**** |
| 60P-1.003 | 11/5/2019 | **/**/**** |
| 60P-2.002 | 11/5/2019 | **/**/**** |
| 60P-2.003 | 11/5/2019 | **/**/**** |
| 64B8-10.003 | 12/9/2015 | **/**/**** |

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

The establishment of Jealse Scooters US, LLC, line-make JIAJ
Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population
 Pursuant to Section 320.642, Florida Statutes, notice is given that Triple J Import Inc., intends to allow the establishment of Jealse Scooters US, LLC, as a dealership for the sale of motorcycles manufactured by Zhejiang Jiajue Motorcycle Manufacturing Co (line-make JIAJ) at 572 East Osceola Parkway, Kissimmee, (Osceola County), Florida 34744, on or after February 14, 2021.

The name and address of the dealer operator(s) and principal investor(s) of Jealse Scooters US LLC are dealer operator(s): Fabio Alzate, 572 East Osceola Parkway, Kissimmee, Florida 34744; principal investor(s): Fabio Alzate, 572 East Osceola Parkway, Kissimmee, Florida 34744.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS 65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399.

A copy of such petition or complaint must also be sent by US Mail to: John Wu, Triple J Import Inc., 6654-A Jimmy Carter Boulevard, Peachtree Corners, Georgia 30071.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

REGIONAL PLANNING COUNCILS

South Florida Regional Planning Council

Notice of SFRPC Regulatory Plan

NOTICE OF REGULATORY PLAN

The South Florida Regional Planning Council has reviewed its regulatory plan. It is posted on its website: <http://sfregionalcouncil.org> and can be directly accessed at: <https://sfregionalcouncil.org/portfolio-items/agency-regulatory-plan/>

In its review the Council found as follows:

a. No laws were enacted or amended during the previous 12 months;

b. No new laws are expected to be implemented by rulemaking before the following July 1st; and

c. There is no desired update to the prior year's regulatory plan.

Should you need assistance, please contact the South Florida Regional Planning Council, 1 Oakwood Boulevard, Suite 250, Florida 33020; (954)924-3653. If you are hearing or speech impaired, please contact the South Florida Regional Planning Council using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA LAND AND WATER ADJUDICATORY COMMISSION

Notice of Receipt of Petition

Joint Petition to Amend the Boundaries of the Villages of Westport Community Development District

On September 1, 2020, the Florida Land and Water Adjudicatory Commission ("FLWAC" or "Commission") received a joint petition to amend the boundaries of the Villages of Westport Community Development District ("the District"). The Commission will follow the requirements of Chapter 42-1, F.A.C., and Chapter 190, F.S., as amended, in considering the joint petition.

SUMMARY OF CONTENTS OF JOINT PETITION: The joint petition requests amendment of the District by contracting 1,058.56 acres and adding approximately 3.63 acres of property to the District's boundaries. The District currently consists of approximately 1,476.34 acres of land located within the City of Jacksonville, Duval County, Florida. After contraction and expansion, the District will encompass a total of approximately 421.03 acres.

SUMMARY OF ESTIMATED REGULATORY COSTS: A statement of estimated regulatory costs (SERC) was prepared at the request of the District. The complete text of the SERC is contained as Exhibit 12 to the joint petition. Generally, the SERC indicates:

The proposed amendment to the District's boundaries will not have an adverse impact on economic growth, job creation, employment, private sector investment, business competitiveness, or regulatory costs;

The proposed amendment of the District will involve the State and its residents, and the City of Jacksonville, Duval County and its residents, property owners within the existing District and those to be added through District expansion, property owners of the contraction portions of the District, and future property owners;

The proposed amendment will result in limited review costs to the reviewing agency and other state and local government entities;

The expanded District will continue to incur costs for operations and maintenance of its facilities and for its

administration. These costs will be completely paid for from annual assessments against all properties within the expanded District benefiting from its facilities and its services. The contracted parcels will not be subject to the jurisdiction of the District or potential assessments;

The proposed amendment of the District will have no impact on state or local revenues;

There are no anticipated additional transaction costs associated with modifying the District boundaries to add the expansion area and removal of the contraction area; and,

The proposed amendment of the District will have no adverse impact on small businesses, counties or cities.

A LOCAL HEARING WILL BE CONDUCTED AT THE TIME, DATE AND IN THE MANNER SHOWN BELOW:

DATE AND TIME: January 29, 2021, 9:00 a.m.

PLACE: Remotely via Zoom communications media technology

and at: Holiday Inn Express, Bartram Park, 13934 Village Lake Circle, Jacksonville, Florida 32258

The Zoom invitation is as follows:

Topic: Judge Edward Early's Zoom Meeting

Time: January 29, 2021, 9:00 a.m. Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/82505049929?pwd=Yk9vdzM0dEJsZWJhU1BtUy9UTUtdz09>

Meeting ID: 825 0504 9929, Passcode: 113236

One tap mobile:

(312)626-6799, 82505049929#, 0#, 113236# US (Chicago)

(929)436-2866, 82505049929#, 0#, 113236# US (New York)

Dial by your location:

(312)626-6799, US (Chicago)

(929)436-2866, US (New York)

(301)715-8592, US (Washington D.C)

(346)248-7799, US (Houston)

(669)900-6833, US (San Jose)

(253)215-8782, US (Tacoma)

Meeting ID: 825 0504 9929, Passcode: 113236

Find your local number:

<https://us02web.zoom.us/j/82505049929?pwd=Yk9vdzM0dEJsZWJhU1BtUy9UTUtdz09>

Detailed instructions relating to participating remotely via Zoom communications media technology can be found in the Division of Administrative Hearings (DOAH) Amended Notice of Hearing by Zoom Conference in DOAH Case No. 20-4890 at www.doah.state.fl.us.

Copies of the joint petition may be obtained by contacting: Wesley Haber, Hopping Green & Sams, P.A., 119 South Monroe Street, Suite 300, Tallahassee, Florida 32301, telephone (850)222-7500, or Barbara Leighty, Office of the

Governor, The Capitol, Room 1802, Tallahassee, Florida 32399-0001, telephone (850)717-9513 or e-mail: barbara.leighty@laspbs.state.fl.us.

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.