

or insurer must also provide contract comparison information to the senior consumer utilizing form DFS-HI-XXXX, Disclosure and Comparison of Annuity Contracts, incorporated in subsection (1) above.

(c) The type face for all printed questions or requests for information directly from the consumer, and all portions of the referenced forms relating to the disclosure requirements pursuant to paragraphs (3)(a) and (b) above, must be of least 12-point type.

(d) Nothing in this rule shall prevent the insurer from adapting the forms adopted in subsection (1) for its use, provided the forms still contain all of the same information as the department forms referenced above, and meet the type size requirement of paragraph (3)(c) above.

Specific Authority 624.308(1), 627.4554(9) FS. Law Implemented 627.4554 FS. History—New \_\_\_\_\_.

## Section II Proposed Rules

### DEPARTMENT OF EDUCATION

#### Education Practices Commission

RULE NO.: 6B-11.007                      RULE TITLE: Disciplinary Guidelines

PURPOSE AND EFFECT: The Commission proposes the rule amendment to delete unnecessary language and add new language to clarify disciplinary actions and penalties.

SUMMARY: The rule amendment will delete unnecessary language and add new language to clarify disciplinary actions and penalties.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. It was determined that this rule will not affect small businesses.

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.

SPECIFIC AUTHORITY: 1012.79(7), 1012.795(6)(b) FS.

LAW IMPLEMENTED: 1012.795, 1012.796(7), (8) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Kathleen Richards, Executive Director, Education Practices Commission, 325 West Gaines Street, Turlington Building, Tallahassee, Florida 32399

THE FULL TEXT OF THE PROPOSED RULE IS:

6B-11.007 Disciplinary Guidelines.

(1) No change.

(2) The following disciplinary guidelines shall apply to violations of the below listed statutory and rule violations and to the described actions which may be basis for determining violations of particular statutory or rule provisions. Each of the following disciplinary guidelines shall be interpreted to include “probation,” “Recovery Network Program,” “letter of reprimand,” “restrict scope of practice,” “fine,” and “administrative fees and/or costs” with applicable terms thereof as additional penalty provisions. The terms “suspension” and “revocation” shall mean any length of suspension or revocation, including permanent revocation, permitted by statute, and shall include a comparable period of denial of an application for an educator’s certificate.

(2)(a)1. through (2)(i)12. No change.

13.a. Improperly assisting a ~~Reprimand~~ Suspension student with testing in violation of ~~– Revocation~~ paragraphs 6B-1.006(3)(a), (5)(a), F.A.C.

b. When standardized testing is ~~Probation~~-Revocation involved.

Specific Authority 1012.79(7), 1012.795(6)(b) FS. Law Implemented 1012.795, 1012.796(7),(8) FS. History—New 2-27-94, Amended 3-22-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Education Practices Commission

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Education Practices Commission

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 18, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 24, 2008

### BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

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

### DEPARTMENT OF CORRECTIONS

RULE NO.: 33-208.507                      RULE TITLE: Responsibilities of Staff Housing Occupants

PURPOSE AND EFFECT: The purpose and effect of the proposed rule is to amend Rule 33-208.507, F.A.C., to eliminate a discrepancy that prohibits adult occupants from possessing electronic weapons or devices while allowing minors to possess such weapons under adult supervision.

SUMMARY: The proposed amendment clarifies that electronic weapons are prohibited in staff housing.

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

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

SPECIFIC AUTHORITY: 20.315, 944.09(1), 945.025(1) FS. LAW IMPLEMENTED: 20.315, 944.09(1), 944.10, 945.025(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Perri King Dale, Office of the General Counsel, Department of Corrections, 2601 Blair Stone Road, Tallahassee, Florida 32399-2500

THE FULL TEXT OF THE PROPOSED RULE IS:

- 33-208.507 Responsibilities of Staff Housing Occupants.
- (1) through (3) No change.
- (4) Firearms.
- (a) through (e) No change.
- (f) Occupants of staff housing shall follow the restrictions placed on the possession and use of BB guns or air or gas-operated guns, or electric weapons or devices by minors under 16 in accordance with Section 790.22, F.S.

Specific Authority 20.315, 944.09(1), 945.025(1) FS. Law Implemented 20.315, 944.09(1), 944.10, 945.025(1) FS. History—New 9-1-88, Formerly 33-26.007 33-602.507, Amended 8-16-00, 1-19-03, 3-30-05, 10-29-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: George Sapp, Assistant Secretary of Institutions  
NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Walter A McNeil, Secretary  
DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 17, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 12, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Board of Professional Engineers**

RULE NOS.:	RULE TITLES:
61G15-23.002	Seal, Signature and Date Shall Be Affixed
61G15-23.003	Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: The purpose and effect is to update procedures for electronically signing and sealing engineering documents.

SUMMARY: Procedures for electronically signing and sealing engineering documents are updated.

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

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

SPECIFIC AUTHORITY: 471.025, 668.006 FS. LAW IMPLEMENTED: 471.025 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Carrie Flynn, Executive Director, Board of Professional Engineers, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32301

THE FULL TEXT OF THE PROPOSED RULES IS:

61G15-23.002 Seal, Signature and Date Shall be Affixed.

(1) A professional engineer shall sign by hand the licensee's handwritten signature (facsimiles are not acceptable) his name and affix the licensee's his seal.

(a) To all final drawings, specifications, plans, reports, or documents prepared or issued by the licensee and being filed for public record; and, to all plans, specifications, reports, final bid documents provided to the owner or the owner's representative, or other documents prepared or issued by said registrant and being filed for public record.

(b) To all final documents provided to the owner or the owner's representative;

(c) In addition, tThe date that the signature and seal is affixed as provided herein shall be entered on said plans, specifications, reports, or other documents immediately adjacent to under the signature of the professional engineer.

(d) In order to comply with the requirements of this Rule, a licensee is not required to seal, sign and date documents other than those referenced in paragraph (a) or (b). This provision does not obviate any requirement of any public entity or any provision of contract which may require the sealing, signing and dating of additional original documents.

(2)(a) ~~Every~~ ~~Each~~ sheet of plans and prints which must be sealed under the provisions of Chapter 471, F.S., shall be sealed, signed and dated by the professional engineer in responsible charge.

(b) When an engineer must seal, sign and date engineering specifications or calculations under the provisions of Section 471.025, F.S., and subsection (1) of this Rule, an index sheet

for engineering specifications and calculations may be used. The index sheet must be signed, sealed and dated by those professional engineers in responsible charge of the production and preparation of each section of the engineering specifications or calculations, with sufficient information on index sheet so that the user will be aware of each portion of the specifications or calculations for which each professional engineer is responsible. In addition, the index sheet shall include at a minimum:

1. The name, address and license number of each engineer in responsible charge of the production of any portion of the calculations or specifications.

2. Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

3. Identification of the applicable building code and chapter(s) that the design is intended to meet.

4. Identification of any computer program used for engineering the specifications or calculations.

(c) Engineering reports which must be signed, sealed and dated under the provisions of Section 471.025, F.S., and subsection (1) of this Rule shall be sealed, signed and dated by utilizing a signature page or cover letter that is sealed, signed and dated by each professional engineer who is in responsible charge of any portion of the report.

(3)(a) A title block shall be used on each sheet of plans or prints and shall contain the printed name, address, and license number of the engineer who has sealed, signed and dated the plans or prints, or if applicable, the name and license number of the engineer, and

(b) If the engineer sealing, signing and dating engineering plans or prints is practicing through a duly authorized engineering business, the title block required by paragraph (2)(a) shall contain the name, address and certificate of authorization number of the engineering business.

(c) If the licensee(s) sealing signing and dating engineering specifications, calculations or reports is practicing through a duly authorized engineering business, the name, address and certificate of authorization number of the engineering business shall be placed on the index sheet, signature page or cover letter incorporated into or accompanying all engineering specifications, calculations or reports.

(4) Engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and shall may indicate the name and address of the agency on all documents that are required to be sealed, signed and dated. A cover or index sheet for engineering specifications may be used and that sheet must be signed, sealed and dated by those professional engineers in responsible charge of the production and preparation of each section of the

engineering specification, and if practicing through a duly authorized engineering business, the name, address and certificate of authorization number of the engineering business, with sufficient information on the cover sheet or index so that the user will be aware of each portion of the specifications for which each professional engineer is responsible. Engineering reports must be signed, sealed and dated on a signature page or cover letter by each professional engineer who is in responsible charge of any portion of the report, and if practicing through a duly authorized engineering business, the name, address and certificate of authorization number of the engineering business.

(5) A professional engineer may only seal an engineering report, plan, print or specification if that professional engineer was in responsible charge, as that term is defined in subsection 61G15-18.011(1), F.A.C., of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document in question.

(6)(3) A professional engineer shall should not seal original documents made of mylar, linen, sepia or other materials which can be changed by the entity with whom such document(s) are filed unless the professional engineer accompanies such document(s) with a signed and sealed letter making the receiver aware that copies of the original document as designed by the professional engineer have been retained by the professional engineer and that the professional engineer will not be responsible for any subsequent changes to the reproducible original documents.

(7)(4) A professional engineer shall should not seal plans, reports or other documents preliminary plans which are not final documents unless the professional engineer intended for permit, construction, or bidding purposes. If a permitting agency requires that preliminary plans submitted for review purposes be signed and sealed, then the engineer should clearly notes any such limitations on the use of the documents or plans on the face of the documents or plans, by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any other suitable statement which denotes that the documents are for limited use, are not final design review only and are not intended for permit, construction, or bidding purposes.

(8)(5) Engineers who wish to sign and seal electronically transmitted plans, specifications, reports, final bid documents, or other documents shall follow the procedures set forth in Rule 61G15-23.003, F.A.C.

Specific Authority 471.025 FS. Law Implemented 471.025 FS. History—New 1-8-80, Amended 1-20-85, Formerly 21H-23.02, Amended 5-14-86, Formerly 21H-23.002, Amended 11-15-94, 8-18-98, 2-3-00, 2-22-01, 2-5-04, 1-31-08,\_\_\_\_\_.

(Substantial rewriting of Rule 61G15-23.003. See Florida Administrative Code for present text)

61G15-23.003 Procedures for Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) Engineering work which must be sealed under the provisions of Chapter 471.025, F.S., may be signed electronically or digitally as provided herein by the professional engineer in responsible charge. As used herein, the terms “digital signature” and “electronic signature” shall have the meanings ascribed to them in Sections 668.003(3) and (4), Florida Statutes. The affixing of a digital or electronic signature to engineering work as provided herein shall constitute the sealing of such work.

(a) A scanned image of an original signature shall not be used in lieu of a digital or electronic signature.

(b) The date that the electronic signature file was created or the digital signature was placed into the document must appear on the document in the same manner as date is required to be applied when a licensee uses the manual sealing procedure set out in Rule 61G15-23.002, F.A.C.

(2) A professional engineer utilizing a digital signature to seal engineering work shall assure that the digital signature is

(a) Unique to the person using it;

(b) Capable of verification;

(c) Under the sole control of the person using it;

(d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document are changed;

(3) A professional engineer utilizing an electronic signature to seal engineering work shall create a “signature” file that contains the engineer's name and PE number, a brief overall description of the engineering documents, and a list of the electronic files to be sealed. Each file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board's Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <ftp://ftp.isi.edu/in-notes/rfc1738.txt>. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 “Secure Hash Standard,” 1995 April 17, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.itl.nist.gov/div897/pubs/fip180-1.htm>. The licenses shall then create a report that contains the engineer's name and PE number, a brief overall description of the engineering documents in question and the authentication code of the signature file. This report shall be printed and manually signed, dated, and sealed by the professional engineer in responsible charge. The signature file is defined as sealed if the signature file's authentication code matches the authentication code on

the printed, manually signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code in the signature file matches the electronic file's computed authentication code.

Specific Authority ~~471.025(1) 282-75~~, 668.006 FS. Law Implemented 471.025 FS. History—New 8-18-98, Amended 9-4-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 2, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: August 1, 2008

## **DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

### **Florida Real Estate Appraisal Board**

RULE NO.:                      RULE TITLE:

61J1-3.004                      Issuance of Certification

PURPOSE AND EFFECT: The purpose and effect is to correct an erroneous rule number reference; to delete the requirement to provide proof of passing the written examination specified in Section 476.616, F.S., and to clarify language pertaining to the Florida Supplemental exam.

SUMMARY: An erroneous rule number reference is corrected; the requirement to provide proof of passing the written examination specified in Section 476.616, F.S., is deleted, and language pertaining to the Florida Supplemental exam is clarified.

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

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

SPECIFIC AUTHORITY: 475.613(2), 475.614, 475.6171 FS.

LAW IMPLEMENTED: 475.6171 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-3.004 Issuance of Certification.

Any applicant requesting the issuance of his or her certification shall submit an application after completing the required education and experience components and shall submit to the Board the following in order for the applicant's certification to be issued:

(1) No change.

(2) Provide the Board with proof of successful completion of the education component as specified in Section 475.617, F.S., and as further defined in Rules 61J1-10.002, 61J1-10.003, 61J1-10.004 ~~Rule 61J1-4.001~~, F.A.C. The education component completed by the applicant for certification must have conformed to the Appraisal Qualifications Board's ("AQB's") education criteria in effect at the time the applicant's education component was completed. Specifically, the education component completed by the applicant for certification prior to January 1, 2008, must have conformed to the AQB's education criteria effective on January 1, 2003. Education completed on or after January 1, 2008, must comply with the AQB's education criteria in effect on January 1, 2008;

(3) No change.

~~(4) Provide the Board with proof of passing a written examination as specified in Section 475.616, F.S., and as further defined by Rule 61J1-5.001, F.A.C., if a written examination is required. Examination results are only valid for a maximum period of 24 months from the exam date.~~

~~(4)(5)~~ Effective January 1, 2009, the education and experience for all applicants requesting appraiser certification must conform to the AQB's education and experience criteria effective January 1, 2008.

~~(5)(6)~~ Effective January 1, 2008, the Department of Business and Professional Regulation shall issue a license to an applicant without evidence of the required education and experience who:

(a) through (d) No change.

(e) Demonstrates successful completion of the Florida Supplemental ~~this state laws and rules~~ exam with a passing score; and

(f) No change.

Specific Authority 475.613(2), 475.614, 475.6171 FS. Law Implemented 475.6171 FS. History--New 5-14-07, Amended 12-11-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-4.001  
RULE TITLE: Education

PURPOSE AND EFFECT: The Board proposes the rule amendment to amend the rule title to clarify that the rule addresses education; to delete requirements for registration that are set forth in other rules; and to include references to specific rules that set forth which entities have board approval to provide appraisal courses.

SUMMARY: The rule title will be amended to clarify that the rule addresses education; to delete requirements for registration that are set forth in other rules; and to include references to specific rules that set forth which entities have board approval to provide appraisal courses.

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

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.613, 475.615, 475.617 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-4.001 Education Requirements.

~~(1)(a) Persons desiring to become registered as a trainee appraiser must satisfactorily complete 100 classroom hours, inclusive of examination, of Board approved academic courses in subjects related to real estate appraisal, which shall include coverage of the Uniform Standards of Professional Appraisal Practice.~~

~~(b) If a registration expires due to failure to renew pursuant to Rule 61J1-4.007, F.A.C., the education completed to become a registered trainee appraiser will be invalid and may not be used to secure another registration.~~

~~(c) If an initial application to become registered is not received within 2 years after the successful completion of the course as provided in paragraph (1)(a), the applicant must take the 15 classroom hour Uniform Standards of Professional Appraisal Practice course.~~

(2) Persons desiring to become certified as a residential appraiser must successfully complete 120 classroom hours, inclusive of examination, of Board approved academic courses in subjects related to real estate appraisal, which shall include the 15-hour National USPAP course or its equivalent, taught by an AQB-certified USPAP instructor. The 120 classroom hours may include the classroom pre-license education required to become a registered trainee appraiser, the classroom pre-license education required to become a licensed appraiser, or the applicable classroom hours of post-license education for registered trainee appraisers.

(3) Persons desiring to become certified as a general appraiser must successfully complete 180 classroom hours, inclusive of examination, of Board approved academic courses in subjects related to real estate appraisal, which shall include the 15-hour National USPAP course or its equivalent, taught by an AQB-certified USPAP instructor. The 180 classroom hours may include the classroom pre-licensing education required to become a registered trainee appraiser, the classroom pre-license education required to become a licensed appraiser, or the 120-classroom hours requirement for becoming certified as a residential appraiser, or the applicable post license education for registered trainee appraisers.

(4) Credit towards the classroom-hour requirement shall only be granted where the length of the educational offering is at least 15 classroom hours, and the person successfully completes an examination pertinent to that educational offering. A classroom hour is defined as 50 minutes out of each 60-minute segment.

(5) Board approved pre-registration courses for trainee appraisers must include the following subject matter:

- (a) Real property concepts and characteristics;
- (b) Legal consideration;
- (c) Influences on real estate values;
- (d) Types of value;
- (e) Economic principles;
- (f) Overview of real estate markets and analysis;
- (g) Ethics and how they apply in appraisal theory and practice;
- (h) Overview of approaches to value;
- (i) Valuation procedures;
- (j) Property description;
- (k) Residential applications;
- (l) Coverage of the Uniform Standards of Professional Appraisal Practice; and
- (m) Coverage of Florida rules and regulations that pertain to the practice of appraisal. Effective January 1, 2008, Board approved pre-registration courses for trainee appraisers must include a minimum of six (6) hours coverage of Florida laws, rules, and regulations that pertain to the practice of appraisal; and

(n) Effective January 1, 2008, Board approved pre-registration courses for trainee appraisers must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

1. The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611(1)(o), F.S.

2. Review of Chapter 475, Part II, F.S., sections regarding the postlicensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records.

3. Review of Chapter 61J1, F.A.C., sections regarding postlicensing education for registered trainee appraisers, supervision of registered trainee appraisers, displaying and disclosure of registration, licensure or certification designation and advertising.

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J 9.001, F.A.C., including at least the following topics: USPAP Advisory Opinion 31, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

(6) Board approved pre-certification courses for certified residential appraisers must include the following subject matter:

- (a) Residential market analysis;
- (b) Residential highest and best use;
- (c) Residential site valuation;
- (d) Residential cost approach;
- (e) Residential sales comparison approach;
- (f) Residential income approach;
- (g) Residential report writing;
- (h) Residential case studies;
- (i) Statistics;
- (j) Modeling;
- (k) Finance;
- (l) Advanced residential applications;
- (m) Advanced residential case studies;
- (n) Appraisal standards and ethics; and
- (o) National Uniform Standards of Professional Appraisal Practice; and

(p) Effective January 1, 2008, Board approved pre-certification courses for certified residential appraisers must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

1. The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611, F.S.

2. Review of Chapter 475, Part II, F.S., sections regarding the postlicensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records.

3. Review of Chapter 61J1, F.A.C., sections regarding postlicensing education for registered trainee appraisers, supervision of registered trainee appraisers, displaying and disclosure of registration, licensure or certification designation and advertising.

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J-9.001, F.A.C., including at least the following topics: USPAP Advisory Opinion 5, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

(7) Board approved pre-certification courses for certified general appraisers must include the following subject matter:

- (a) General appraiser market analysis;
- (b) General appraiser highest and best use;
- (c) General appraiser sales comparison approach;
- (d) General appraiser site valuation and cost approach;
- (e) General appraiser income approach; and
- (f) General appraiser report writing and case studies; and
- (g) Effective January 1, 2008, Board approved pre-certification courses for certified general appraisers must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

1. The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611, F.S.

2. Review of Chapter 475, Part II, F.S., sections regarding the postlicensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records.

3. Review of Chapter 61J1, F.A.C., sections regarding postlicensing education for registered trainee appraisers, supervision of registered trainee appraisers, displaying and disclosure of registration, licensure or certification designation and advertising.

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J1-9.001, F.A.C., including at least the following topics: USPAP Advisory Opinion 31, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

(1)(8) Board prescribed or approved courses and end-of-course examinations shall be offered by a nationally or state recognized appraisal organization, accredited universities, colleges, community colleges, area vocational-technical centers, state or federal agencies or commissions, or proprietary real estate schools registered pursuant to Section 475.451, F.S. A copy of the course application shall be submitted to the board for evaluation at least 90 days prior to use. The provider must submit two complete copies of the course materials, a detailed course timeline, learning objectives and end-of-course examinations. The Board will notify the entity within 60 days whether the course and exams meet the criteria set out in subsections (5), (6) and (7) above and subsection (2)(9) below and Rules 61J1-10.001, 61J1-10.002, 61J1-10.003, 61J1-10.004, F.A.C. Approval must be granted before the course is conducted. Institutions, entities and schools offering Board prescribed or approved appraisal educational courses are responsible for keeping the course subject matter current and accurate.

(2)(9) The Board shall also approve past appraisal courses which cover substantially the same subject matter, classroom hours of attendance, and completion standards as the board approved courses offered by the entities as set out in subsections (1)(4), (5), (6), (7), (8) and (3)(4) and Rules 61J1-10.001, 61J1-10.002, 61J1-10.003, 61J1-10.004, F.A.C. If the requested information is found lacking to show course equivalency the Board may request supportive documentation to determine course equivalency.

(10) through (13) renumbered (3) through (6) No change.

(14) A certified or licensed appraiser from Florida or another jurisdiction who is AQB compliant satisfies the criteria of subsections 61J1-4.001(2) and (3), F.A.C.

Specific Authority 475.614 FS. Law Implemented 475.613, 475.615, 475.617 FS. History—New 10-15-91, Formerly 21VV-4.001, Amended 1-9-94, 3-10-98, 9-6-98, 10-10-99, 5-25-04, 5-15-05, 1-17-06, 2-6-07, 12-6-07, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
 Florida Real Estate Appraisal Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-5.001  
 RULE TITLE: Appraisal Examination Areas of Competency

PURPOSE AND EFFECT: The purpose and effect is to correct and clarify existing language in the rule pertaining to the Florida Supplemental examination.

SUMMARY: Existing language in the rule pertaining to the Florida Supplemental examination is corrected and clarified.

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

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

SPECIFIC AUTHORITY: 455.217, 475.614 FS.

LAW IMPLEMENTED: 455.217, 475.616 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Jr., Executive Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-5.001 Appraisal Examination Areas of Competency.

(1) No change.

(2)(a) The Board adopts the passing score for the national uniform examination as determined by the Appraisal Qualifications Board (AQB) of the Appraisal Foundation or any successor body recognized by federal law.

(b) A passing score on the Florida Supplemental laws and rules examination shall be a score of 75% or better. All questions shall be weighed equally and percentages shall be rounded off to whole numbers. In rounding percentages, any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages less than point five (.5) shall be dropped. The passing score is valid for 24 months from the date of the examination.

(3) No change.

Specific Authority 455.217, 475.614 FS. Law Implemented 455.217, 475.616 FS. History--New 10-15-91, Formerly 21VV-5.001, Amended 2-16-04, 12-11-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Florida Real Estate Appraisal Board

RULE NO.: 61J1-7.003 RULE TITLE: Advertising

PURPOSE AND EFFECT: The Board proposes the rule amendment to add internet advertising to the list of regulated types of advertising and to make a grammatical change.

SUMMARY: Internet advertising will be added to the list of regulated types of advertising and a grammatical change will be made.

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

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.622 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Executive Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

THE FULL TEXT OF THE PROPOSED RULE IS:

61J1-7.003 Advertising.

(1) All appraisers registered, licensed or certified pursuant to Part II, Chapter 475, Florida Statutes, shall include the appropriate designation and number as required in Section 475.622, Florida Statutes, and Rule 61J1-7.001, Florida Administrative Code, in the following forms of advertising:

(a) through (g) No change.

(h) Internet advertising.

(i) Any other type or form of advertising intended which purpose is to display the services of the appraiser.

(2) through (3) No change.

Specific Authority 475.614 FS. Law Implemented 475.622 FS. History--New 10-15-91, Formerly 21VV-7.003, Amended 7-5-94, 7-23-97, 1-8-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008



**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NO.: 61J1-9.001  
 RULE TITLE: Standards of Appraisal Practice  
 PURPOSE AND EFFECT: The Board proposes the rule amendment to update the version of the Uniform Standards of Professional Appraisal Practice incorporated into the rule.

SUMMARY: The version of the Uniform Standards of Professional Appraisal Practice incorporated in the rule will be updated.

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

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

SPECIFIC AUTHORITY: 475.613(2), 475.628 FS.

LAW IMPLEMENTED: 475.613(2), 475.628 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Thomas O'Bryant, Jr., Executive Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

61J1-9.001 Standards of Appraisal Practice.

All registered, licensed, or certified appraisers shall comply with the 2008-2009 ~~2006~~ Uniform Standards of Professional Appraisal Practice (USPAP), which is incorporated by reference.

Specific Authority 475.613(2), 475.628 FS. Law Implemented 475.613(2), 475.628 FS. History—New 8-29-06, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: March 21, 2008

**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**Florida Real Estate Appraisal Board**

RULE NOS.: 61J1-10.001, 61J1-10.002, 61J1-10.003, 61J1-10.004  
 RULE TITLES: General Requirements, Registered Trainee Real Estate Appraiser, Certified Residential Appraiser, Certified General Appraiser

PURPOSE AND EFFECT: The purpose and effect of the amendments to Rule 61J1-10.001, F.A.C., is to rearrange registration requirements previously specified in other rules. The purpose and effect of the amendments to Rules 61J1-10.002, 61J1-10.003 and 61J1-10.004, F.A.C., is to provide detailed enumeration of education requirements for registered trainee real estate appraisers, and to update the classroom hours and subject matter of the education requirements for certified residential real estate appraisers, and certified general real estate appraisers.

SUMMARY: In Rule 61J1-10.001, F.A.C., registration requirements will be rearranged; in Rules 61J1-10.002, 61J1-10.003 and 61J1-10.004, F.A.C., detailed enumeration of education requirements for registered trainee real estate appraisers is provided, and the classroom hours and subject matter of the education requirements for certified residential real estate appraisers, and certified general real estate appraisers is updated.

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

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

SPECIFIC AUTHORITY: 475.614 FS.

LAW IMPLEMENTED: 475.611(1)(n), (o), (p), (q), 475.613(2), 475.615(2), 475.616, 475.617(1), (2), (3) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Thomas O'Bryant, Jr., Director, Division of Real Estate, 400 West Robinson Street, Hurston Building, North Tower, Suite N801, Orlando, Florida 32801

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

61J1-10.001 General Requirements ~~Definitions~~.  
(1) Definitions.

~~(a)(1)~~ “Accredited” means accredited by the Commission on Colleges, a regional or national accreditation association, or by an accrediting agency that is recognized by the U.S. Secretary of Education.

~~(b)(2)~~ “AQB” means Appraiser Qualifications Board, which is an independent board of the Appraisal Foundation.

~~(c)(3)~~ “Classroom hour” is defined as 50 minutes out of each 60-minute segment.

~~(d)(4)~~ “USPAP” means Uniform Standards of Professional Appraisal Practice, and are the most recent standards approved and adopted by the Appraisal Standards Board of the Appraisal Foundation.

(2) Classroom Hours.

(a) The classroom hours may include the classroom pre-license education required to become a registered trainee appraiser, the classroom pre-license education required to become a licensed appraiser, the classroom pre-license education required to become a certified residential appraiser, or the applicable classroom hours of post-license education for registered trainee appraisers.

(b) Credit towards the classroom hour requirement shall only be granted where the length of the educational offering is at least 15 classroom hours, and the person successfully completes an examination pertinent to that educational offering. Any applicant requesting the issuance of his or her certification shall provide the Board with proof of passing a written examination as specified in Section 475.616, F.S., and as further defined by Rule 61J1-5.001, F.A.C., if a written examination is required. Examination results are only valid for a maximum period of 24 months from the exam date.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(q), 475.613(2), 475.615(2), 475.616, 475.617 FS. History—New 12-27-07, Amended \_\_\_\_\_.

61J1-10.002 Registered Trainee Real Estate Appraiser.

(1) An applicant for registration as a trainee real estate appraiser must present evidence satisfactory to the Board that the applicant has successfully completed at least 100 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required curriculum:

(a) through (c) No change.

(d) Appraisal Subject Matter Electives ~~(25)(20)~~ hours which shall include six (6) hours of the Florida laws and rules and three (3) hours of Roles and Responsibilities of Supervisors and Trainees.

(2) Board approved pre-registration courses for trainee appraisers must include the following subject matter:

(a) Real property concepts and characteristics;

(b) Legal consideration;

(c) Influences on real estate values;

(d) Types of value;

(e) Economic principles;

(f) Overview of real estate markets and analysis;

(g) Ethics and how they apply in appraisal theory and practice;

(h) Overview of approaches to value;

(i) Valuation procedures;

(j) Property description;

(k) Residential applications;

(l) Coverage of the Uniform Standards of Professional Appraisal Practice; and

(m) Coverage of Florida rules and regulations that pertain to the practice of appraisal. Effective January 1, 2008, Board approved pre-registration courses for trainee appraisers must include a minimum of six (6) hours coverage of Florida laws, rules, and regulations that pertain to the practice of appraisal; and

(n) Effective January 1, 2008, Board approved pre-registration courses for trainee appraisers must include a minimum of three (3) hours of instruction and cover the following topics regarding the roles and rules of supervisor and trainee appraisers:

1. The definitions of direct supervision, registered trainee appraiser, supervisory appraiser, training and work file pursuant to Section 475.611(1)(k), (n), (o), (p), (s), F.S.

2. Review of Chapter 475, Part II, F.S., sections regarding the postlicensure education requirement for a registered trainee appraiser, displaying and disclosure of licensure, certification or registration, employment of and by registered trainee real estate appraiser, supervision and training of registered trainee appraisers, and retention of records.

3. Review of Chapter 61J1, F.A.C., sections regarding postlicensing education for registered trainee appraisers, supervision of registered trainee appraisers, display and disclosure of registration, licensure or certification designation and advertising.

4. Review of the Uniform Standards of Professional Appraisal Practice as referenced and incorporated by Rule 61J1-9.001, F.A.C., including at least the following topics: USPAP Advisory Opinion 31, USPAP Standards Rules 2-3 and 3-3, signature authority and security, competency, and preparation of appraisals.

~~(3)(2)~~ An applicant must have passed examinations in the prerequisite courses set forth in subsection 61J1-10.002(1), F.A.C., for the courses to be acceptable.

~~(4)(3)~~ An applicant must have completed the 15-hour National USPAP course, or its equivalent, within the 2 years immediately preceding the receipt of the application for registration by the Board or department.

~~(5)(4)~~ An applicant who was previously registered as a trainee real estate appraiser and whose registration expired due to failure to renew pursuant to Rule 61J1-4.007, F.A.C., may not use the qualifying education for the void trainee real estate appraiser registration to obtain another trainee real estate appraiser registration.

Specific Authority 475.614 FS. Law Implemented 475.611(1)(n), (o), (p), 475.613(2), 475.615, 475.617(1) FS. History–New 12-27-07, Amended \_\_\_\_\_.

61J1-10.003 Certified Residential Appraiser.

An applicant for certification as a residential real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

- (1) Education requirement.
  - (a) through (b) No change.
  - (c) Satisfactory completion of at least 200 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:
    - 1. through 9. No change.
    - 10. Appraisal Subject Matter Electives (20 hours) which shall include six (6) hours of the Florida laws and rules and three (3) hours of the Roles and Responsibilities of Supervisors and Trainees.
      - (2) through (3) No change.

Specific Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(2) FS. History–New 12-27-07, Amended \_\_\_\_\_.

61J1-10.004 Certified General Appraiser.

An applicant for certification as a general real estate appraiser must present evidence satisfactory to the Board that the applicant meets the following minimum education, experience, and examination requirements:

- (1) Education requirement.
  - (a) through (b) No change.
  - (c) Satisfactory completion of at least 300 classroom hours in approved academic courses in subjects related to real estate appraisal, including the following required core curriculum that are prerequisites to taking the AQB-approved examination in subsection (3) of this rule:
    - 1. through 2. No change.
    - 3. The 15-hour National USPAP course, or its equivalent, taught by an AQB certified USPAP instructor (15 hours);
      - 4. through 9. No change.
      - 10. Appraisal Subject Matter Electives (30 hours) which shall include six (6) hours of the Florida laws and rules and three (3) hours of the Roles and Responsibilities of Supervisors and Trainees.
        - (2) through (3) No change.

Specific Authority 475.614 FS. Law Implemented 475.613(2), 475.615(2), 475.617(3) FS. History–New 12-27-07, Amended \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Florida Real Estate Appraisal Board  
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Florida Real Estate Appraisal Board  
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 9, 2008  
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: October 10, 2008

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NOS.:	RULE TITLES:
62-4.050	Procedures to Obtain Permits and Other Authorizations; Applications
62-4.053	Annual Operating License Fees for Public Water Systems

**PURPOSE AND EFFECT:** The Department proposes to amend the fee schedule in Rules 62-4.050 and 62-4.053, F.A.C., to comply with the requirements of Chapter 2008-150, Laws of Florida, as codified in Sections 373.109, 403.087, and 403.861, F.S., which established new fees and minimum fee requirements for environmental resource and wetland resource permit programs under Part IV of Chapter 373, F.S., and the drinking water and mangrove programs under Chapter 403, F.S. The fee changes under Part IV of Chapter 373, F.S., include a new \$250 minimum fee for noticed general permits and individual permits; a new \$100 minimum fee to verify qualification for an exemption; and a new \$100 minimum fee to conduct an informal wetland boundary determination. For the drinking water program, the rule includes a new minimum annual operation license fee of \$50 for each public water system, automatically increases the minimum fees for drinking water construction permits to \$500, and establishes the minimum permit fee for a drinking water distribution system permit, including a minimum fee for a general permit at \$500. These new fees and the minimum fees automatically went into effect on July 1, 2008.

The proposed rules also include an annual operation license fee schedule for public water systems and increases to the other fees charged by the Department under Part IV of Chapter 373, F.S., and the drinking water program to, at a minimum, reflect changes in the rate of inflation since the time each fee was established or most recently revised. Also, as required by the statute, the rule provides for the Department to adjust all of the fees every five years based on changes in the consumer price index (CPI), and identifies the inflation index used for making the fee adjustments. The inflation index used for making all fee adjustments is the price paid by all urban consumers for a

market basket of consumer goods and services; specifically, the CPI figures for the “CPI-U, U.S. City Average, All Items” established for the previous five years by the Bureau of Labor Statistics (BLS) ([www.bls.gov/cpi/](http://www.bls.gov/cpi/)), computed as provided in the BLS publication “Handbook of Methods,” Chapter 17 ([www.bls.gov/opub/hom/pdf/homch17.pdf](http://www.bls.gov/opub/hom/pdf/homch17.pdf)).

SUMMARY: Adoption of new fees and minimum fees for activities conducted under Part IV of Chapter 373, F.S., and Chapter 403, F.S., and adjustments to all fees to reflect inflation using the CPI-U, U.S. City Average, All Items and adopting the adjustment method.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Minimum fees were established by Chapter 2008-150, L.O.F., and existing fees were adjusted, within applicable statutory caps, to reflect the increase in the cost of living since those fees were last adjusted except for certain drinking water fees which increased more than the cost of living but in proportion to existing drinking water construction permit fees. The increased fees are generally scaled in consideration of project size and complexity with higher fees charged for larger and more complex projects.

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.

SPECIFIC AUTHORITY: 373.026, 373.043, 373.109, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805, 403.861, 403.861(7), 403.861(8) FS.

LAW IMPLEMENTED: 373.109, 373.309, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.087(6), 403.0877, 403.088, 403.0885, 403.722, 403.861(7) FS.

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

DATE AND TIME: February 11, 2009, 10:00 a.m., ET  
 PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULES IS: Jim Stoutamire, Florida Department of Environmental Protection, Division of Water Resource Management, 2600 Blair Stone Road, MS 3500, Tallahassee, FL 32399-2400, telephone (850)245-8490, or e-mail: Jim.Stoutamire@dep.state.fl.us. Further information and updates on development of this rule also may be obtained from the Department’s Internet site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC # 08-1684)

THE FULL TEXT OF THE PROPOSED RULES IS:

62-4.050 Procedures to Obtain Permits and Other Authorizations; Applications.

(1) through (3) No change.

(4) Processing fees are as follows:

(a) through (d) No change.

(e) Wetland Resource Management (Dredge and Fill) Permits. This paragraph pertains to projects that have been grandfathered according to Sections 373.414(11) (1994 Supp.), (12)(a) (1994 Supp.), (13), (14), (15) or (16), F.S., and projects, or portions thereof, located in the Northwest Florida Water Management District.

1. Dredge and fill construction projects up to and including 5 years:

a. Standard form projects including dredge and fill activities that affect 10 or more acres of jurisdictional area pursuant to subsection 62-312.070(2), F.A.C. \$4,000

b. Standard form construction projects that involve the construction of new docking facilities pursuant to Rule 62-312.070, F.A.C., that provide:

- (I) 50 or more new boat slips \$4,000
- (II) 25 to – 49 new boat slips \$4,000 \$3000
- (III) 10 to – 24 new boat slips \$2,480 \$1500
- (IV) 3 to – 9 new boat slips \$830 \$500
- (V) 0 to – 2 new boat slips \$500 \$300

c. Short form construction projects involving dredging or and filling of activities that affect 9.99 acres or less of jurisdictional area, pursuant to subsection 62-312.070(2), F.A.C. \$830 \$500

d. Short form construction projects involving the construction of new docking or boardwalk facilities, pursuant to Rule 62-312.070, F.A.C., that provide:

- (I) 0 to – 2 new boat slips \$500 \$300
- (II) 3 to – 9 new boat slips \$830 \$500

(III) The addition of 3 to 20 docking slips to existing functional docking facilities where the total facility will not exceed 50 slips and the existing and proposed slips are not associated with commercial facilities or facilities which provide supplies or services required for boating activities.	\$760	\$500
e. Short form and standard form projects solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.	\$250	\$100
2. Dredge and fill construction permits in excess of 5 years:		
a. Short form permits from 6 years up to and including 10 years	\$4,950	\$3000
b. Standard form permits for 6 years	\$10,650	\$6000
c. Standard form permits for 7 years	\$12,430	\$7000
d. Standard form permits for 8 years	\$14,200	\$8000
e. Standard form permits for 9 years	\$15,980	\$9000
f. Standard form permits for 10 years	\$17,750	\$10,000
g. Standard form permits for 11 years	\$19,530	\$11,000
h. Standard form permits for 12 years	\$21,300	\$12,000
i. Standard form permits for 13 years	\$23,080	\$13,000
j. Standard form permits for 14 years	\$24,850	\$14,000
k. Standard form permits for 15 years	\$25,000	\$15,000
l. Standard form permits for 16 years	\$25,000	\$16,000
m. Standard form permits for 17 years	\$25,000	\$17,000
n. Standard form permits for 18 years	\$25,000	\$18,000
o. Standard form permits for 19 years	\$25,000	\$19,000
p. Standard form permits for 20 years	\$25,000	\$20,000
q. Standard form permits for 21 years	\$25,000	\$21,000
r. Standard form permits for 22 years	\$25,000	\$22,000
s. Standard form permits for 23 years	\$25,000	\$23,000
t. Standard form permits for 24 years	\$25,000	\$24,000
u. Standard form permits for 25 years	\$25,000	
v. No change.		
w. Permits for phosphate and attapulgitite mines with a duration of <u>greater than</u> >25 years pursuant to the provisions of Section 373.414(15), F.S.	\$25,000	
x. Modifications involving permits issued pursuant to Section 403.816, F.S., <u>or Chapter 62-45, F.A.C.</u>	\$1,000	
y. 6 to 25 year permits pursuant to Chapter 62-45, F.A.C., <u>and all permits under Section 403.816, F.S.</u>	\$5,000	
z. <del>Modifications to permits pursuant to Chapter 62-45, F.A.C.</del>	\$1000	
<del>z.(4)</del> Short form and standard form projects solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.	\$250	\$100
<u>3. Mitigation Banks</u>		
a. <u>Mitigation Bank Permit, other than Conceptual Approval Permit</u>	\$6,050	
b. <u>Credit Release (credit available for sale)</u>	\$330	
c. <u>Credit Withdrawal (actual use of credit)</u>	\$0	
d. <u>Mitigation Bank Conceptual Approval Permit</u>	\$6,050	
<u>4. Modifications:</u>		
a. <u>Major modifications of Standard Form and Short Form Permits, as determined by Rule 62-312.100, F.A.C., other than for Class I solid waste disposal facilities or as otherwise specified above</u>	Same fee as for a new application for the activity	
b. <u>Minor modifications of Standard Form and Short Form Permits, where the modification will not require substantial technical evaluation by the Department, will not lead to substantially different environmental impacts or will lessen the impacts of the original permit, and as further as determined by Rule 62-312.100, F.A.C., other than for Class I solid waste disposal facilities or as otherwise specified above:</u>		
(I) <u>To correct minor errors or typographical mistakes and that do not involve technical review</u>	\$0	

(II) To incorporate changes requested by the Department or required through permits issued by other regulatory agencies, and to change due dates for reporting or performance deadlines when such changes in the due date do not involve any new work, any new work locations, or any new activities, and will not alter, replace, or otherwise eliminate the requirements for otherwise performing the work required by the permit \$0

(III) That consist of transfers of permits or time extensions \$80

(IV) That consist of minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is less than \$300, except for modifications to permits issued pursuant to Section 403.816, F.S. \$250

(V) That consist of minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is more than or equal to \$300, except for permits issued pursuant to Section 403.816, F.S. \$420

(VI) For minor modifications for Class I solid waste disposal facilities \$2,110

3. Mangrove alteration permits:

a. Mangrove alteration permits which involve the alteration of less than 20 mangroves \$250

b. Mangrove alteration permits which involve the alteration of 20 or more mangroves \$500

5.4. For the purposes of determining the fee for wetlands resource management permits, the term of duration for the permit shall be reduced by the period of time (in yearly increments) during which no dredging or filling activity occurs or no reclamation, restoration, or mitigation occurs and only minor monitoring and maintenance activities are required. The fee for the full term shall be submitted with the application. After the Department determines the period of time that the term of the permit can be reduced, the excess fee shall be returned.

6.5. For permit applications which involve a combination of the project fee categories listed above, the highest fee that applies to the appropriate standard form or short form project, pursuant to Rule 62-312.070, F.A.C., shall be charged.

7.6. Variances from permitting standards, permit conditions, or water quality standards associated with a wetland resource or mangrove alteration permit application:

a. Under Section 403.812, F.S.

(I)a. Variances from the prohibition of subsection 62-312.080(7), F.A.C. \$170 \$100

b. Variances from the provisions of Chapter 62-321, F.A.C. \$100

(II)e. Other variances \$830 \$500

b. Under Section 120.542, F.S. \$0

8. Verification of qualification to use a general permit, except: \$250

a. Paving of existing municipally owned roads under Rule 62-312.824, F.A.C. \$0

b. Environmental enhancement and restoration activities conducted by the U.S. Army Corps of Engineers under Rule 62-312.825, F.A.C. \$0

9. Verification that an activity is exempt from regulation under Section 403.813, F.S., or Part IV of Chapter 373, F.S. \$100

(f) Mangrove Alteration and Trimming.

1. Alteration of less than 20 mangroves under Section 403.9328, F.S. \$420

2. Alteration of 20 or more mangroves under Section 403.9328, F.S. \$830

3. General Permit under Section 403.9327, F.S. \$250

4. Verification of an exemption for trimming or alteration \$0

5. Minor modification, other than transfer & time extensions \$250

6. Transfer of ownership or permit \$90

7. Time extension \$90

8. Variance under Section 403.9334, F.S. \$170

(g)(f) Stormwater Permits under Chapter 62-25, F.A.C.

This paragraph pertains to projects, or portions thereof, located in the Northwest Florida Water Management District.

1. Notice to use stormwater general permit per subparagraphs 62-25.801(1)(a) through (d), F.A.C. \$420 \$1,000

2. Conversion of construction permit to operation \$100

Operation permit for a stormwater facility \$100

(g) MSSW permits. This paragraph pertains to projects that have been grandfathered according to Sections 373.414(11) (1994 Supp.), (12)(a) (1994 Supp.), (13), (14), (15) or (16), F.S.

1. For MSSW facilities located within the boundaries of the St. Johns River Water Management District, the processing fee used by the Department shall be the same as set forth in paragraphs (5)(j) and (k) of Rule 40C 1.603, F.A.C., which is adopted and incorporated by reference.

2. For MSSW facilities located within the boundaries of the South Florida Water Management District, the processing fee used by the Department shall be the same as set forth in subparagraph (3)(a)4. and paragraph (3)(b) of Rule 40E 1.607, F.A.C., which is adopted and incorporated by reference.

3. For MSSW facilities located within the boundaries of the Southwest Florida Water Management District, the processing fee used by the Department shall be the same as set forth in subsections (4) and (5) of Rule 40D 1.607, F.A.C., which is adopted and incorporated by reference.

- (I) Is capable of impounding more than  $\geq 120$  acre feet;
- (II) Serves a total land area of  $\geq 100$  acres or more; or
- (III) Provides for the placement of  $\geq 12$  acres or more of impervious surface

\$3,510 \$2,500

b. For a system involving the following total acreage of construction or alteration in, on or over wetlands or other surface waters:

- (I)  $\geq 100$  acres or more
- (II)  ~~$< 100$  acres~~ and  $\geq 50$  acres up to less than 100 acres
- (III)  ~~$< 50$  acres~~ and  $\geq 10$  acres up to less than 50 acres
- (IV)  ~~$< 10$  acres~~ and  $\geq 5$  acres up to less than 10 acres
- (V)  ~~$< 5$  acres~~ and  $\geq 2$  acres up to less than 5 acres
- (VI)  ~~$< 2$  acres~~ and  $\geq 1$  acre up to less than 2 acres

\$14,020 \$10,000  
\$11,220 \$8,000  
\$9,120 \$6,500  
\$7,710 \$5,500  
\$5,610 \$4,000  
\$4,210 \$3,000

c. For a system involving 10 or more new boat slips and either capable of impounding  $\geq 40$  acre feet or more, serving a total land area  $\geq 40$  acres or more, providing for the placement of  $\geq 12$  acres or more of impervious surface, or involving construction or alteration (other than new boat slips) in, on or over wetlands or other surface waters, with the following number of new slips:

- (I) 50 or more
- (II) 30 to - 49
- (III) 10 to - 29

\$9,120 \$6,500  
\$7,710 \$5,500  
\$5,610 \$4,000

d. For a system involving 10 or more new boat slips and capable of impounding less than  $< 40$  acre feet, serving a total land area less than  $< 40$  acres, providing for the placement of less than  $< 12$  acres of impervious surface, and not involving construction or alteration (other than new boat slips) in, on or over wetlands or other surface waters, with the following number of new slips:

- (I) 50 or more
- (II) 30 to - 49
- (III) 10 to - 29

\$5,610 \$4,000  
\$4,210 \$3,000  
\$2,110 \$1,500

e. For a system involving a new Class I solid waste disposal facility

\$10,520 \$7,500  
\$11,920 \$8,500

f. Major modification of ~~For a system involving an existing~~ Class I solid waste disposal facility

\$250 \$100

g. Systems solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.

2. Standard Permits and Standard General Permits (those systems below the thresholds listed in subparagraph 1. above):

a. For a system serving a project with a total land area of 40 or more acres, up to  $< 100$  acres and  $\geq 40$  acres, with the following additional activities:

(I) Both the construction of 1 to – 9 new boat slips and the construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters <u>less than</u> < 1 acre and <u>more than</u> > 0 acres	<u>\$2,110</u> <u>\$1,500</u>
(II) Either the construction of 1 to – 9 new boat slips or the construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters <u>less than</u> < 1 acre and <u>more than</u> > 0 acres	<u>\$1,410</u> <u>\$1,000</u>
(III) No construction or alteration in, on or over wetlands or other surface waters	<u>\$1,340</u> <u>\$700</u>
b. For a system serving a project with a total land area <u>less than</u> < 40 acres and <u>more than</u> > 1 acre, with the following additional activities:	
(I) 3 to – 9 new boat slips	<u>\$990</u> <u>\$700</u>
(II) 1 to – 2 new boat slips	<u>\$850</u> <u>\$600</u>
(III) Construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters <u>of more than 0 acre, but less than</u> < 1 acre <del>and &gt; 0 acres</del>	<u>\$850</u> <u>\$600</u>
c. For a system serving a project with a total land area <u>of</u> ≥ 1 acre <u>or more</u> , with the following additional activities:	
(I) 3 to – 9 new boat slips	<u>\$850</u> <u>\$600</u>
(II) 1 to – 2 new boat slips	<u>\$430</u> <u>\$300</u>
(III) Construction or alteration (other than new boat slips) in, on or over a total area of wetlands or other surface waters <u>less than</u> < 1 acre and <u>more than</u> > 0 acres	<u>\$710</u> <u>\$500</u>
d. Systems solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.	<u>\$250</u> <u>\$100</u>
3. <del>Mitigation Banks and Mitigation Bank Conceptual Approval Permits</del>	<u>\$4,000</u>
a. <u>Mitigation Bank Permit, other than Conceptual Approval</u>	<u>\$6,050</u>
b. <u>Credit Release (credit available for sale)</u>	<u>\$330</u>
c. <u>Credit Withdrawal (actual use of credit)</u>	<u>\$0</u>
d. <u>Mitigation Bank Conceptual Approval Permit</u>	<u>\$6,050</u>
4. Environmental Resource “ <u>Stormwater</u> ” Permit for a system serving a project with a total land area <u>less than</u> < 40 acres and:	
a. Involving no construction or alteration in, on or over wetlands or other surface waters; or	<u>\$420</u> <u>\$300</u>
b. That is solely for environmental restoration or enhancement activities, provided such activities are not associated with a mitigation bank and are not being implemented as mitigation for other activities that require a permit under Part IV of Chapter 373, F.S.	<u>\$250</u> <u>\$100</u>
5. <u>Verification of qualification to use</u> <del>For</del> a Noticed General Permit, <u>except:</u>	<u>\$250</u> <u>\$100</u>
a. <u>Paving of existing county or municipally owned roads under Rule 62-341.448, F.A.C.</u>	<u>\$0</u>
b. <u>Environmental enhancement and restoration activities conducted by the U.S. Army Corps of Engineers under Rule 62-341.486, F.A.C.</u>	<u>\$0</u>
6. Variances:	
a. <u>Under Section 373.414(17), F.S.</u>	
(I) <del>a. From</del> <del>the</del> prohibition of work in Class II Waters, approved for shellfish harvesting	<u>\$170</u> <u>\$100</u>
b. <del>To mangrove prohibitions in Chapter 62-321, F.A.C.</del>	<u>\$100</u>
(II) <del>e. Other variances</del>	<u>\$830</u> <u>\$500</u>
b. <u>Under Section 120.542, F.S.</u>	<u>\$0</u>
7. Modifications:	
a. <del>For major modifications of Individual and Conceptual Approval Permits (no increase in project area)</del>	<u>\$700</u>
b. <del>For major modifications of Individual and Conceptual Approval Permits (with an increase in project area)</del>	<u>\$2,000</u>
c. <del>For major modifications of Individual and Conceptual Approval Permits for solid waste facilities</del>	<u>\$4,000</u>
a. <del>For Major modifications of Individual (including Conceptual Approval) and Standard General Permits, as defined in paragraph 62-343.100(1)(b), F.A.C., other than for Class I solid waste disposal facilities</del>	<u>Same fee as for a new application for the activity</u> <u>50% of original application fee</u>



<u>b. Minor modifications of Individual (including Conceptual Approval) and Standard General Permits, where the modification will not require substantial technical evaluation by the Department, will not lead to substantially different environmental impacts or will lessen the impacts of the original permit, and as further defined in paragraph 62-343.100(1)(a), F.A.C., other than for Class I solid waste disposal facilities:</u>	
<u>e. For minor modifications of Individual and Conceptual Approval Permits for solid waste facilities</u>	\$1,500
<u>(I) To correct minor errors or typographical mistakes and that do not involve technical review</u>	\$0
<u>(II) To incorporate changes requested by the Department or required through permits issued by other regulatory agencies, and to change due dates for reporting or performance deadlines when such changes in the due date do not involve any new work, any new work locations, or any new activities, and will not alter, replace, or otherwise eliminate the requirements for otherwise performing the work required by the permit</u>	\$0
<u>f. For other minor modifications</u>	Fee specified in paragraph (4)(r)
<u>(III)g. That consist of transfers of For permits or time extensions</u>	\$80 \$50
<u>(IV) That consist of minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is less than \$300, except for modifications to permits issued pursuant to Section 403.816, F.S.</u>	\$250
<u>(V) That consist of minor technical changes which involve new work, new work locations, new activities, or any other change which alters, replaces, or otherwise eliminates the work authorized by the permit when the original permit fee of the issued permit is more than or equal to \$300, except for permits issued pursuant to Section 403.816, F.S.</u>	\$420
<u>(VI) For minor modifications of Individual and Conceptual Approval Permits for Class I solid waste disposal facilities</u>	\$2,110
<u>8. Verification that an activity is exempt from regulation under Section 403.813, F.S., or Part IV of Chapter 373, F.S.</u>	\$100
<u>(i) Petitions for Formal Determinations of the Landward Extent of Wetlands and Other Surface Waters:</u>	
<u>1. Petition application fees shall be based on the acreage of the entire property for which the petition is filed, according to the following schedule:</u>	
<u>a. <del>More than</del> &gt; 0 acres <del>and less than or equal to</del> ≤ 1 acre</u>	<del>\$350</del> \$250
<u>b. <del>More than</del> &gt; 1 acre and <del>less than or equal to</del> ≤ 10 acres</u>	<del>\$780</del> \$550
<u>c. <del>More than</del> &gt; 10 acres and <del>less than or equal to</del> ≤ 40 acres</u>	<del>\$1,060</del> \$750
<u>d. <del>More than</del> &gt; 40 acres and <del>less than or equal to</del> ≤ 100 acres</u>	<del>\$2,110</del> \$1,500
<u>e. For property greater than 100 acres in size, the fee will be <del>\$2,110</del> \$1,500 plus an additional <del>\$290</del> \$200 for each additional 100 acres (or portion thereof) that exceeds the first 100 acres.</u>	
<u>f. For a new formal determination for single-family residences of less than or equal to five acres within the territory of the South Florida District Office of the Department, under subsection 62-343.040(3), F.A.C.</u>	<del>\$300</del> \$250
<u>2. For a new formal determination that covers property on which a valid formal determination exists, provided that the petition for the new formal determination is filed within 60 days of the date of expiration of the existing formal determination and the physical conditions on the property have not changed, other than changes authorized by a permit, so as to alter the boundaries of surface waters or wetlands, and provided the methodology for determining the extent of surface waters and wetlands authorized by Sections 373.421 and 373.4211, F.S., has not been amended since the previous formal determination.</u>	<del>\$350</del> \$250
<u>(j) through (m) No change.</u>	
<u>(n) Drinking Water (Public Water Supply) Permits.</u>	

1. Construction permit for each Category I through III treatment plant, as defined in Rule 62-699.310, F.A.C., with treatment other than disinfection only.

- a. Treatment plant – 5 MGD and above \$12,500 \$7500
- b. Treatment plant – 1 MGD up to 5 MGD \$10,000 \$6000
- c. Treatment plant – 0.25 MGD up to 1 MGD \$7,000 \$4000
- d. Treatment plant – 0.1 MGD up to 0.25 MGD \$4,000 \$2000
- e. Treatment plant – up to 0.1 MGD \$2,000 \$1000

2. Construction permit for each Category IV treatment plant, as defined in Rule 62-699.310, F.A.C., with treatment other than disinfection only.

- a. Treatment plant – 5 MGD and above \$12,500 \$7500
- b. Treatment plant – 1 MGD up to 5 MGD \$10,000 \$6000
- c. Treatment plant – 0.25 MGD up to 1 MGD \$7,000 \$4000
- d. Treatment plant – 0.1 MGD up to 0.25 MGD \$4,000 \$2000
- e. Treatment plant – .01 up to 0.1 MGD \$2,000 \$1000
- f. Treatment plant – up to 0.01 MGD \$800 \$400

3. Construction permit for each Category V treatment plant, as defined in Rule 62-699.310, F.A.C., – Disinfection only.

- a. Treatment plant – 5 MGD and above \$10,000 \$5000
- b. Treatment plant – 1 MGD up to 5 MGD \$6,000 \$3000
- c. Treatment plant – 0.25 MGD up to 1 MGD \$2,000 \$1000
- d. Treatment plant – 0.1 MGD up to 0.25 MGD \$1,000 \$500
- e. Treatment plant – up to 0.1 MGD \$600 \$300

4. Distribution and transmission systems, including raw water lines into the plant, except those under general permit.

- a. Serving a community public water system \$900 \$500
- b. Serving a non-transient non-community public water system \$700 \$350
- c. Serving a transient non-community public water system \$500 \$250

5. Construction permit for each public water supply well.

- a. Well located in a delineated area pursuant to Chapter 62-524, F.A.C. \$1,000 \$500
- b. Any other public water supply well. \$500 \$250

6. Major modifications to systems that alter the existing treatment without expanding the capacity of the system and are not considered substantial changes pursuant to subsection 62-4.050(7) below.

- a. 1 MGD and above \$4,000 \$2000
- b. 0.1 MGD up to 1 MGD \$2,000 \$1000
- c. 0.01 up to 0.1 MGD \$1,000 \$500
- d. up to 0.01 MGD \$500 \$100

7. Minor modifications to systems that result in no change in the treatment or capacity.

- a. 0.1 MGD and above \$1,000 300
- b. up to 0.1 MGD \$500 100

8. General Permit fee for any General Permit not specifically in subparagraphs 1. through 7. above:

- a. General permits requiring Professional Engineer or Professional Geologist certification. \$650
- b. General permits not requiring Professional Engineer or Professional Geologist certification. \$500

(o) through (y) No change.

(z) The fees in paragraphs (e) through (i), and (n) shall be increased March 1, 2013, and at subsequent 5-year intervals to bring the fees up-to-date using the annual CPI average rate for each year of the five-year interval. The annual CPI average rate shall be calculated by averaging the previous five years of Consumer Price Index figures for the “CPI-U, U.S. City Average, All Items” established by the Bureau of Labor Statistics (BLS) ([www.bls.gov/cpi/](http://www.bls.gov/cpi/)), computed as provided in the BLS publication “Handbook of Methods,” Chapter 17 ([www.bls.gov/opub/hom/pdf/homch17.pdf](http://www.bls.gov/opub/hom/pdf/homch17.pdf)). The Department shall round any increased fees to the next highest whole ten dollar increment. In the event of deflation during the 5-year interval, the Department shall consult with the Executive Office of the Governor and the Legislature to determine whether downward fee adjustments are appropriate based on the current budget and appropriation considerations.

(5) through (8) No change.

Rulemaking Specific Authority 373.026, 373.043, 373.109, 373.414, 373.418, 373.421, 403.061, 403.087, 403.704(30), 403.805 FS. Law Implemented 373.109, 373.309, 373.409, 373.413, 373.4135, 373.414(9), (11), (12)(a), (13), (14), (15), (16), 373.4145, 373.418, 373.421, 403.061, 403.087, 403.0877, 403.088, 403.0885, 403.722, 403.861(7) FS. History—New 5-17-72, Amended 6-19-74, 7-8-82, Formerly 17-4.05, Amended 11-15-87, 8-31-88, 10-3-88, 4-4-89, 3-19-90, 6-11-90, 3-7-91, 3-18-91, 5-30-91, 10-30-91, 11-16-92, 12-21-92, 7-11-93, 2-2-94, Formerly 17-4.050, Amended 11-23-94, 4-30-95, 7-4-95, 12-15-98, 10-22-00, 6-1-01, 1-30-03, 2-19-03, 4-3-03, 5-1-03, 2-7-06, 10-31-07, \_\_\_\_\_.

62-4.053 Annual Operating License Fees for Public Water Systems.

(1) Scope and Intent. As authorized in Section 403.087(6), F.S., this rule implements annual regulatory program and surveillance fees (operating license fees) for public drinking water systems. These fees effect the legislative intent that the Department’s costs for administering the Florida Safe Drinking Water Act be borne by regulated parties. As such, the annual operating license fees are applicable only to public water systems subject to regulation under Chapters 62-550, 62-555 and 62-560, F.A.C., pursuant to Section 403.0885, F.S.

(2) The license fees described in paragraphs (a) through (c) of this subsection shall be the annual operating license fees for such facilities.

(a) Annual operating license fees shall be based on the type of public water system, or the population served, or the sum of permitted capacities of the treatment provided under their unique PWS ID Number, as set forth in subsections (3) through (6) below.

(b) Annual operating license fees are applicable for the period from July 1 to June 30 of the following year.

(c) Annual operating license fees for drinking water systems are not refundable and shall be due and payable as follows:

1. The annual operating license fees set forth in this section shall be required for all public water systems for which the Department is granted administrative authority. The amount due shall be the applicable annual operating license fee described in subsection (3), (4), (5), or (6) of this section, and are due and payable no later than 45 days after receipt of an operating license fee invoice from the Department for public water systems that are subject to regulation under Section 403.861, F.S., on that date.

2. When a new public water system is issued a permit and is cleared for operation to be put in service under Chapter 62-555, F.A.C., pursuant to Section 403.861, F.S., the first annual operating license fee shall be due no later than 45 days after receipt of an operating license fee invoice from the Department. The amount due shall be the applicable annual operating license fee described in subsections (3), (4), (5), or (6) of this section. The operating license fee shall be due and payable pursuant to paragraph 62-4.053(2)(b), F.A.C., above.

3. Non-payment or late payment of an annual operating license fee shall be grounds for enforcement action pursuant to Sections 403.121, 403.141, and 403.161, F.S. Non-payment of an annual operating license fee shall be grounds for revocation or denial of an application for a drinking water construction permit.

4. When a public water system changes in a manner which places the facility in a different annual operating license fee category:

a. The operating license fee shall be changed as appropriate and be in effect for the next operating year (July 1 – June 30).

b. The new operating license fee shall be due no later than 45 days after receipt of an operating license fee invoice from the Department following the change, and

c. No operating license fee is due for an inactive system.

(3) The annual operating license fees for community public water systems are based on the system’s permitted design capacity, and are as follows:

<u>Design Capacity</u>	<u>Fee</u>
(a) 10 MGD and above	\$6,000
(b) 5 MGD up to 10 MGD	\$4,000
(c) 1 MGD up to 5 MGD	\$2,000
(d) .33 MGD up to 1 MGD	\$1,000
(e) .05 MGD up to 0.33 MGD	\$500
(f) Less than 0.05 MGD	\$100

(4) The annual operating license fee for consecutive community public water systems shall be based on their population served as reported by the system during their most recent Sanitary Survey as follows:

<u>Population Served</u>	<u>Fee</u>
(a) 25-500	\$50
(b) 501-3,300	\$100
(c) 3,301-10,000	\$500
(d) 10,001-50,000	\$1,000
(e) 50,001-100,000	\$2,000
(f) >100,000	\$4,000

(5) The annual operating license fee for non-transient, non-community public water systems shall be \$100.

(6) The annual operating license fee for transient, non-community public water systems shall be \$50.

(7) Public water systems will be invoiced individually for the annual operating license fee.

(8) The annual operating license fee in this Section shall be adjusted for inflation using the methodology in paragraph 62-4.050(4)(z), F.A.C.

Specific Authority 403.061, 403.861(7), 403.861(8) FS. Law Implemented 403.087(6), 403.0885 FS. History--New .

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2008

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

RULE NO.: 62-346.071  
RULE TITLE: Fees

PURPOSE AND EFFECT: The proposed amendments increase the fees in Rule 62-346.071, F.A.C., for environmental resource permit (ERP) program activities under Part IV of Chapter 373, F.S., within the geographic area of the Northwest Florida Water Management District (NFWFMD). These amendments accomplish two primary objectives as required by the statute. First, these changes comply with Section 373.109, F.S., which established a new \$250 minimum fee for noticed general permits and individual permits; a new minimum fee of \$100 to verify qualification for an exemption; and a new \$100 minimum fee to conduct an informal wetland boundary determination. The new and minimum fees automatically became effective July 1, 2008.

Second, the rule is amended to increase all fees authorized under Part IV of Chapter 373, F.S., to reflect changes in the rate of inflation since the time each fee was established or most recently revised. Also, as required by the statute, the rule states that the Department will adjust all of the fees every five years based on changes in the consumer price index (CPI), and identifies the inflation index used for making the fee adjustments. The inflation index being used is the price paid by all urban consumers for a market basket of consumer goods and services; specifically, the CPI figures for the "CPI-U, U.S. City Average, All Items" established by the Bureau of Labor Statistics (BLS) ([www.bls.gov/cpi/](http://www.bls.gov/cpi/)), computed as provided in the BLS publication "Handbook of Methods," Chapter 17 ([www.bls.gov/opub/hom/pdf/homch17.pdf](http://www.bls.gov/opub/hom/pdf/homch17.pdf)).

These fees will apply to applications and notices for ERP activities reviewed and acted upon by the Department or the NFWFMD, in accordance with the division of responsibilities established by the Operating Agreement adopted in Chapter 62-113, F.A.C.

SUMMARY: New fees, minimum fees, and adjustments to all fees to reflect inflation, for ERP activities conducted under Part IV of Chapter 373, F.S., within the geographic area of the NFWFMD.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: Minimum fees were established by Chapter 2008-150, L.O.F., and existing fees were adjusted, within applicable statutory caps, to reflect the increase in the cost of living since those fees were last adjusted. The increased fees are generally scaled in consideration of project size and complexity with higher fees charged for larger and more complex projects.

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.

SPECIFIC AUTHORITY: 373.026(7), 373.043, 373.109, 373.4145, 373.418, 403.805(1) FS.

LAW IMPLEMENTED: 218.075, 373.109, 373.4145, 373.418, 373.421 FS.

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

DATE AND TIME: February 11, 2009, 10:00 a.m., ET

PLACE: Department of Environmental Protection, Bob Martinez Center, Room 609, 2600 Blair Stone Road, Tallahassee, Florida

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Mary VanTassel at (850)245-8486. 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: Jim Stoutamire, Florida Department of Environmental Protection, Division of Water Resource Management, 2600 Blair Stone Road, MS 3500, Tallahassee, FL 32399-2400, telephone (850)245-8490, or e-mail: [Jim.Stoutamire@dep.state.fl.us](mailto:Jim.Stoutamire@dep.state.fl.us). Further information and updates on development of this rule also may be obtained from the Department's Internet site at: <http://www.dep.state.fl.us/water/wetlands/erp/rules/rulestat.htm>. (OGC # 08-1673)

THE FULL TEXT OF THE PROPOSED RULE IS:

62-346.071 Fees.

(1) The fee required for the type of permit as provided in this chapter is as follows.

(a) Individual permits, including conceptual approval permits – the highest fee shall apply whenever an activity meets the criteria for more than one fee category in 1 through 3, below:

1. A project area of greater than or equal to 100 acres, or that is capable of impounding greater than or equal to 120 acre-feet of water	<del>\$3,510</del> <del>\$2,500</del>
2. A project area of less than 100 acres but greater than or equal to 40 acres, or that is capable of impounding less than 120 but more than 40 acre-feet of water, or that provides for the placement of 12 or more acres of impervious surface that also constitutes more than 40 percent of the total land area	<del>\$1,340</del> <del>\$1,300</del>
3. A project does not exceed any of the thresholds in subparagraph 1. or 2., above	<del>\$310</del> <del>\$300</del>
4. Retrofits of existing surface water management systems, in accordance with section 2.10, Applicant’s Handbook Volume II	<del>\$310</del> <del>\$300</del>
5. Activities requiring an individual permit involving the following types of Class I solid waste disposal facilities, as defined in subsection 62-701.340(3), F.A.C.:	
a. New Class I solid waste disposal facility	<del>\$10,520</del> <del>\$7,500</del>
b. Major modification of an existing Class I solid waste disposal facility	<del>\$11,920</del> <del>\$8,500</del>
(b) Major modifications (see Rule 62-346.100, F.A.C.)	Same fee as a new application
(c) Minor modifications (see Rule 62-346.100, F.A.C.):	
1. Minor modifications in accordance with paragraph 62-346.100(1)(d), F.A.C.	\$ 0
2. To convert an individual permit from the construction phase to the operation phase	\$ 0
3. That consist of a transfer of an individual permit, or a time extension	<del>\$80</del> <del>\$50</del>
4. <u>For minor modifications of Individual and Conceptual Approval Permits for Class I solid waste disposal facilities</u>	<del>\$2,110</del>
(d) <u>Verification of qualification to use a Noticed General Permit, except:</u>	<del>\$250</del> <del>\$100</del>
1. <u>Paving of existing municipally-owned roads under Rule Rule 62-312.824 or 62-341.448, F.A.C.</u>	<del>\$0</del>
2. <u>Environmental enhancement and restoration activities conducted by the U.S. Army Corps of Engineers under Rule 62-341.486, F.A.C.</u>	<del>\$0</del>
(e) Variances and waivers under Section 120.542, F.S.	<del>\$0</del>
(f) <u>Verification that an activity is exempt from regulation under Section 403.813, F.S., or Part IV of Chapter 373, F.S.</u>	<del>\$100</del>

(2) through (5) No change.

(6) The fees in subsection (1) shall be increased on March 1, 2013, and at subsequent 5-year intervals to bring the fees up-to-date using the annual CPI average rate for each year of

the five-year interval. The annual CPI average rate shall be calculated by averaging the previous five years of Consumer Price Index figures for the “CPI-U, US City Average, All Items” established by the Bureau of Labor Statistics (BLS) (www.bls.gov/cpi/), computed as provided in the BLS publication “Handbook of Methods,” Chapter 17 (www.bls.gov/opub/hom/pdf/homch17.pdf). The Department shall round any increased fees to the next highest whole ten dollar increment. In the event of deflation during the 5-year interval, the Department shall consult with the Executive Office of the Governor and the Legislature to determine whether downward fee adjustments are appropriate based on the current budget and appropriation considerations.

Specific Authority 373.026(7), 373.043, 373.4145, 373.418, 403.805(1) FS. Law Implemented 218.075, 373.109, 373.4145, 373.418, 373.421 FS. History—New 10-1-07, Amended.

NAME OF PERSON ORIGINATING PROPOSED RULE: Janet G. Llewellyn, Director, Division of Water Resource Management

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Michael W. Sole, Secretary

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: January 6, 2009

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: June 27, 2008

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.: 64B6-2.003  
 RULE TITLE: Licensure by Examination

PURPOSE AND EFFECT: The Board proposes the rule amendment to incorporate the Licensure by Examination Application by reference; to require an applicant to apply 120 days prior to the examination; and to require proof of completion of a two-hour Laws and Rules Course prior to licensure.

SUMMARY: The rule amendment adds language to adopt and incorporate by reference the Licensure by Examination Application; changes the time limits for submitting an application; requires licensees to provide proof of completion of a two-hour laws and rules course prior to licensure and specifies the licensees must complete the prevention of medical errors course prior to licensure.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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

SPECIFIC AUTHORITY: 456.017(1)(c), (6), 484.044, 484.0445(1) FS.

LAW IMPLEMENTED: 456.017(1)(c), 484.045, 484.0445(1) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-2.003 Licensure by Examination.

Any person desiring to be licensed as a hearing aid specialist shall apply to the Department at least one hundred twenty days (120) ninety (90) days prior to the date the examination is to be administered.

(1) The Board, or its designee, shall certify for examination each applicant who:

(a) Has completed the Board of Hearing Aid Specialists Licensure by Examination Form, Form DH-MQA 1155 (Revised 10/08), hereby adopted and incorporated by reference, which can be obtained from the Board of Hearing Aid Specialists' website at <http://www.doh.state.fl.us/mqa/HearingAid/> application form, and remitted the application applicable fee to the Bboard, and has paid the examination fee;

(b) through (e) No change.

2.a. through b. No change.

(f) Has submitted proof of completion of a two-hour course relating to Florida Laws and Rules taught by an instructor approved by the Board or its designee and shall include the following subject areas: Chapter 484, Part II, F.S., Rule Chapter 64B6, Florida Administrative Code and Chapter 456, F.S.; certified knowledge of state laws and rules relating to the fitting and dispensing of hearing aids by signing an affidavit attesting to this knowledge.

(g) Has submitted proof of completion of a two-hour course approved by the Board relating to the prevention of medical errors taken all courses required for licensure pursuant to Section 456.013, F.S.

(2) through (3) No change.

Specific Authority 456.017(1)(c), (6), 484.044, 484.0445(1) FS. Law Implemented 456.017(1)(c), 484.045, 484.0445(1) FS. History—New 8-9-84, Amended 1-20-85, Formerly 21JJ-4.01, 21JJ-4.001, Amended 12-21-86, 5-22-90, 3-5-91, Formerly 21JJ-2.003, Amended 8-18-93, 6-28-95, Formerly 61G9-2.003, Amended 1-24-02, 3-4-08, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 5, 2008

**DEPARTMENT OF HEALTH**

**Board of Hearing Aid Specialists**

RULE NO.: RULE TITLE:

64B6-2.005 Reexamination

PURPOSE AND EFFECT: The Board proposes the rule amendment to require an applicant seeking reexamination to use the form set forth in Rule 64B6-2.003, F.A.C., and to clarify whether a person may perform hearing aid dispensing services if he or she fails the next examination.

SUMMARY: The amendment directs an applicant for reexamination to the approved form for reexamination and clarifies when an applicant can continue to provide dispensing services when he or she either failed or did not sit for the examination.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: A statement of Estimated Regulatory Cost was prepared. The Board determined the proposed rule will not have an impact on small business.

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

SPECIFIC AUTHORITY: 456.017(2), 484.044, 484.0445 FS.

LAW IMPLEMENTED: 484.0445, 484.045 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Hearing Aid Specialists/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B6-2.005 Reexamination.

(1) An applicant who fails the licensure examination may retake the examination by submitting to the board office a completed application form and; application fee and examination fee. The application shall be made as set forth in Rule 64B6-2.003, F.A.C.

(2) No person may further perform any hearing aid dispensing services if she or he fails to either sit for or pass the next available examination for which he or she qualifies, unless he or she is eligible to continue in the training program pursuant to subsection 64B6-8.003(6), F.A.C.

Specific Authority 456.017(2), 484.044, 484.0445 FS. Law Implemented 484.0445, 484.045 FS. History–New 12-21-86, Amended 2-16-89, 5-22-90, Formerly 21JJ-2.006, 61G9-2.006, Amended 6-6-02, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Hearing Aid Specialists

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Hearing Aid Specialists

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 14, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 5, 2008

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: 64B12-9.0015  
RULE TITLE: Application for Examination and Licensure

PURPOSE AND EFFECT: The Board proposes the rule amendment to modify and adopt the application for examination and to delete language in the subsection regarding application after revocation of license.

SUMMARY: The rule amendment will modify and adopt the application for examination and to delete language in the subsection regarding application after revocation of license.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. It was determined that this rule would not affect small businesses.

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.

SPECIFIC AUTHORITY: 456.013, 456.017, 456.072, 484.005, 484.007, 484.014(2) FS.

LAW IMPLEMENTED: 456.013, 456.017, 484.007, 484.014(2) FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-9.0015 Application for Examination and Licensure.

(1) Any person seeking licensure as an optician shall submit to the Board a completed application to take the examination on Form DH-MQA 1065, Application for Licensure Examination, (revised 11/08), hereby adopted and incorporated by reference, which can be obtained from the Board of Opticianry’s website at [www.doh.state.fl.us/mqa/opticianry](http://www.doh.state.fl.us/mqa/opticianry) 3/02 provided by the Department. The application shall be accompanied with the application fee specified in Rule 64B12-11.002, F.A.C., which is non-refundable, and the examination fee specified in Rule 64B-1.016, F.A.C., which shall be refunded if the applicant is denied examination or does not timely complete application.

(2) through (6) No change.

~~(7) A licensee whose license has been revoked may reapply for licensure. Such applicant shall satisfy all current requirements and qualifications required by an initial applicant including examination and shall pay all outstanding administrative fines and penalties before reapplying for licensure. The applicant shall follow the same application procedures as initial applicants for licensure.~~

Specific Authority 456.013, 456.017, 456.072, 484.005, 484.007, 484.014(2) FS. Law Implemented 456.013, 456.017, 456.072, 484.007, 484.014(2) FS. History–New 3-30-89, Amended 3-29-92, 2-18-93, Formerly 21P-9.0015, Amended 5-2-94, Formerly 61G13-9.0015, 59U-9.0015, Amended 1-4-98, 11-28-02, 8-28-05, \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Opticianry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 5, 2008

**DEPARTMENT OF HEALTH**

**Board of Opticianry**

RULE NO.: 64B12-16.003  
RULE TITLE: Apprenticeship Requirements and Training Program

PURPOSE AND EFFECT: The board proposes the rule amendment to modify and adopt the Apprentice Optician application form and to modify the Apprenticeship Sponsor Form.

SUMMARY: The rule amendment will modify and adopt the Apprentice Optician application form and to modify the Apprenticeship Sponsor Form.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: No Statement of Estimated Regulatory Cost was prepared. It was determined that this rule would not affect small businesses.

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.

SPECIFIC AUTHORITY: 484.005 FS.

LAW IMPLEMENTED: 484.002, 484.007(1)(d)4. FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Sue Foster, Executive Director, Board of Opticianry/MQA, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258

THE FULL TEXT OF THE PROPOSED RULE IS:

64B12-16.003 Apprenticeship Requirements and Training Program.

(1) Any persons seeking to be registered as an apprentice optician shall submit to the Board an Apprentice Optician Application (Form 1180, revised 11/08), hereby adopted and incorporated by reference, which can be obtained from the Board's website at [www.doh.state.fl.us/mqa/opticianry](http://www.doh.state.fl.us/mqa/opticianry). All apprenticeship training must be conducted by the sponsor(s) with whom the apprentice is currently registered with the Agency. Credits shall be granted to apprentices if the training is properly documented according to this rule. An apprentice shall not receive credit for any training received from a person other than the properly registered sponsor(s). However, an apprentice can receive credit for attending continuing education courses by a board-approved provider pursuant to this rule.

(2) An apprentice shall have no more than two sponsors at any given time. If an apprentice has two sponsors, one sponsor shall be the primary sponsor responsible for the secondary sponsor and the apprentice. The primary sponsor shall be responsible for the completion, filing, signature and verification of the Apprenticeship Sponsor ~~Attestation~~ Form (DH-MQA 1063, revised 11/08 ~~1/02~~) which is hereby adopted and incorporated by reference, and is available from the Board office at Department of Health, Board of Opticianry, 4052 Bald Cypress Way, Bin #C08, Tallahassee, Florida 32399-3258. The secondary sponsor may work with the apprentice in a store or office other than the primary store or office as long as the apprentice works under the apprenticeship requirements and training program.

(3) through (6) No change.

Specific Authority 484.005 FS. Law Implemented 484.002, 484.007(1)(d)4. FS. History—New 10-12-80, Amended 8-31-83, 8-30-84, Formerly 21P-16.03, Amended 3-5-87, 7-15-87, 1-26-88, 3-30-89, 10-17-90, 5-27-92, 9-30-92, 1-27-93, Formerly 21P-16.003, Amended 9-14-93, 5-2-94, Formerly 61G13-16.003, Amended 2-21-96, 4-23-97, Formerly 59U-16.003, Amended 10-1-97, 2-16-99, 6-25-02, 4-11-06, 9-27-06, 4-19-07, 11-20-07,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Opticianry

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Opticianry

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: November 7, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: December 5, 2008

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NOS.:	RULE TITLES:
64B17-3.001	Licensure as a Physical Therapist by Examination
64B17-3.002	Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination
64B17-3.003	Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendments for incorporation of forms.

SUMMARY: Forms will be incorporated into the rules.

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

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.

SPECIFIC AUTHORITY: 456.017, 486.025, 486.031(3), 486.051, 486.081 FS.

LAW IMPLEMENTED: 456.017, 486.031, 486.051, 486.081 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B17-3.001 Licensure as a Physical Therapist by Examination.

Every physical therapist who applies for licensure by examination shall file DOH Form #DH-MQA 1142 Application for Licensure, Revised 12/08, satisfy and demonstrate to the Board that the applicant:

(1) through (4) No change.



Specific Authority 486.025(1), 486.031(3) FS. Law Implemented 456.017, 486.031, 486.051 FS. History—New 8-6-84, Amended 6-2-85, Formerly 21M-7.20, Amended 5-18-86, Formerly 21M-7.020, 21MM-3.001, Amended 3-1-94, Formerly 61F11-3.001, Amended 12-22-94, 4-10-96, Formerly 59Y-3.001, Amended 12-30-98, 1-23-03, 4-9-06, 9-19-06, 3-13-07, 5-11-08,\_\_\_\_\_.

64B17-3.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination.

(1) through (2) No change.

(3) An applicant must reapply, using DOH Form #DH-MQA 1143, Re-Exam Application, Revised 12/08, in order to retake the examination. If an applicant wishes to take the examination for the fourth time, the applicant must submit to the Board for approval satisfactory evidence of having successfully completed the following since the last taking of the examination: successful completion of a course of study or internship designed to prepare the applicant for the physical therapy examination. An applicant who has completed these additional requirements may take the examination on two more occasions.

(4) All applicants for licensure including those licensed by endorsement under Rule 64B17-3.003, F.A.C., are required to take and pass the Florida Jurisprudence Examination developed by the Federation of State Boards of Physical Therapy.

(a) The Florida Jurisprudence Examination has 40 scored questions and the content and approximate weights are:

1. Legislative Intent and Definitions 25%;
2. Board Powers and Duties 5%;
3. Licensure and Examination 7.5%;
4. Patient Care 35%;
5. Disciplinary Action and Unlawful Practice 15%; and
6. Consumer Advocacy 12.5%. In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score based upon a passing score study conducted by the Federation of State Boards of Physical Therapy.

(b) Applicants must reapply to retake the Florida Jurisprudence Examination, using DOH Form #DH-MQA 1143, Re-Exam Application, Revised 12/08.

Specific Authority 456.017, 486.025, 486.051 FS. Law Implemented 456.017, 486.051 FS. History—New 8-6-84, Formerly 21M-7.22, Amended 3-16-88, 6-20-89, Formerly 21M-7.022, Amended 6-6-90, 6-3-92, 3-24-93, Formerly 21MM-3.002, 61F11-3.002, Amended 12-22-94, Formerly 59Y-3.002, Amended 2-14-02, 4-23-02, 12-5-04, 4-9-06, 1-7-07, 6-27-07,\_\_\_\_\_.

64B17-3.003 Licensure by Endorsement.  
An applicant filing DOH Form #DH-MQA 1142 Application for Licensure, Revised 12/08, and demonstrating that he or she meets the requirements of Rule 64B17-3.001, F.A.C., may be licensed to practice physical therapy by endorsement by

presenting evidence satisfactory to the Board that the applicant has active licensure in another jurisdiction and has passed an examination before a similar, lawful, authorized examining board in physical therapy in such other jurisdiction if their standards for licensure are as high as those maintained in Florida. The standard for determining whether the standards of another jurisdiction are as high as the standards in Florida shall be whether the written examination taken for licensure in such other jurisdiction by applicants meeting Florida’s minimum educational qualifications was through the national physical therapy examination provider certified by the Department. An applicant who has failed to pass the National Physical Therapy Examination for Physical Therapists by or on the fifth attempt, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

Specific Authority 486.025, 486.081 FS. Law Implemented 486.081 FS. History—New 8-6-84, Formerly 21M-7.26, Amended 5-18-86, Formerly 21M-7.026, 21MM-3.004, 61F11-3.004, 59Y-3.004, Amended 4-21-02, 11-11-02, 11-1-04, 4-9-06,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE:  
Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2008

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NOS.:	RULE TITLES:
64B17-4.001	Licensure as a Physical Therapist Assistant by Examination
64B17-4.002	Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination
64B17-4.003	Licensure by Endorsement

PURPOSE AND EFFECT: The Board proposes the rule amendments for incorporation of forms.

SUMMARY: Forms will be incorporated into the rules.

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

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.

SPECIFIC AUTHORITY: 456.017, 486.025, 486.031(3), 486.051, 486.081 FS.

LAW IMPLEMENTED: 456.017, 486.031, 486.051, 486.081 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULES IS:

64B17-4.001 Licensure as a Physical Therapist Assistant by Examination.

Every physical therapist assistant who applies for licensure by examination shall file DOH Form #DH-MQA 1142 Application for Licensure, Revised 12/08, satisfy and demonstrate to the Board that the applicant:

- (1) through (5) No change.

Specific Authority 486.025, 486.102 FS. Law Implemented 456.017, 486.102(3), 486.104 FS. History–New 8-6-84, Amended 6-2-85, Formerly 21M-10.20, Amended 5-18-86, Formerly 21M-10.020, 21MM-4.001, Amended 3-1-94, Formerly 61F11-4.001, Amended 12-22-94, 4-10-96, Formerly 59Y-4.001, Amended 1-23-03, 4-9-06, 9-19-06,\_\_\_\_\_.

64B17-4.002 Licensure Examination Subjects and Passing Score; Additional Requirements After Third Failure; Florida Jurisprudence Examination.

- (1) through (2) No change.

(3) An applicant must reapply, using DOH Form #DH-MQA 1143, Re-Exam Application, Revised 12/08, in order to retake the examination. If an applicant wishes to take the examination for the fourth time, the applicant must submit to the Board for approval satisfactory evidence of having successfully completed the following since the last taking of the examination: successful completion of a course of study or internship designed to prepare the applicant for the physical therapy assistant examination. An applicant who has completed these additional requirements may take the examination on two more occasions.

(4) All applicants for licensure including those licensed by endorsement under Rule 64B17-4.003, F.A.C., are required to take and pass the Florida Jurisprudence Examination developed by the Federation of State Boards of Physical Therapy.

(a) The Florida Jurisprudence Examination has 40 scored questions and the content and approximate weights are:

- 1. Legislative Intent and Definitions 25%;
- 2. Board Powers and Duties 5%;
- 3. Licensure and Examination 7.5%;
- 4. Patient Care 35%;

5. Disciplinary Action and Unlawful Practice 15%; and

6. Consumer Advocacy 12.5%. In order to achieve a passing score on the examination, an applicant must obtain a score equal to or greater than the scaled score based upon a passing score study conducted by the Federation of State Boards of Physical Therapy.

(b) Applicants must reapply to retake the Florida Jurisprudence Examination, using DOH Form #DH-MQA 1143, Re-Exam Application, Revised 12/08.

Specific Authority 456.017(1)(b), 486.025, 486.104 FS. Law Implemented 456.017, 486.104 FS. History–New 8-6-84, Formerly 21M-10.22, Amended 4-12-87, 3-16-88, 6-20-89, Formerly 21M-10.022, Amended 6-3-92, 3-24-93, Formerly 21MM-4.002, 61F11-4.002, Amended 12-22-94, Formerly 59Y-4.002, Amended 2-14-02, 4-23-02, 12-5-04, 4-9-06, 6-27-07,\_\_\_\_\_.

64B17-4.003 Licensure by Endorsement.

An applicant, filing DOH Form #DH-MQA 1142 Application for Licensure, Revised 12/08, and demonstrating that he or she is licensed in another state may be licensed to practice as a physical therapist assistant by endorsement by presenting evidence of active licensure in another jurisdiction, under oath, and evidence satisfactory to the Board that the applicant from such other jurisdiction has been licensed under standards for licensure as high as those maintained in Florida. The standard for determining whether those requirements are as high as those in Florida shall be whether the applicant was required to meet educational standards equivalent to those set forth in subsection 64B17-4.001(3), F.A.C., and whether the written examination taken for licensure in such other jurisdiction was through the designated national physical therapist assistants examination provider certified by the Department. An applicant who has failed to pass the National Physical Therapy Examination for Physical Therapist Assistants by or on the fifth attempt, regardless of the jurisdiction through which the examination was taken, is precluded from licensure.

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

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2008

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-7.0027  
 RULE TITLE: Procedure for Compliance with Board Ordered Laws and Rules Exam

PURPOSE AND EFFECT: The Board proposes the rule promulgation for incorporation of forms.

SUMMARY: A form will be incorporated into the rule.

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

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.

SPECIFIC AUTHORITY: 456.036, 456.072, 456.079, 486.025 FS.

LAW IMPLEMENTED: 456.072, 456.073, 456.079, 486.125 FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-7.0027 Procedure for Compliance with Board Ordered Laws and Rules Exam.

Licensees ordered to take and pass the examination as a result of a disciplinary proceeding or reinstatement, must file DOH Form #DH-MQA 1144, PT Florida Laws and Rules Examination Application, Revised 12/08.

Specific Authority 456.036, 456.072, 456.079, 486.025 FS. Law Implemented 456.072, 456.073, 456.079, 486.125 FS. History–New \_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2008

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2008

**DEPARTMENT OF HEALTH**

**Board of Physical Therapy Practice**

RULE NO.: 64B17-9.001  
 RULE TITLE: Continuing Education

PURPOSE AND EFFECT: The Board proposes the rule amendment for incorporation of a form.

SUMMARY: A form will be incorporated into the rule.

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

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.

SPECIFIC AUTHORITY: 486.025 FS.

LAW IMPLEMENTED: 456.013(6), 486.109(2) FS.

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

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

THE FULL TEXT OF THE PROPOSED RULE IS:

64B17-9.001 Continuing Education.

(1) through (5) No change.

(6) The Board approves for continuing education credit:

(a) through (e) No change.

(f) Licensees who file DOH form #DH-MQA 1144, PT Florida Laws and Rules Examination Application, Revised 12/08, and take and pass the Florida laws and rules examination shall receive two (2) hours of continuing education per biennium. The continuing education credit shall be awarded only for the biennium in which the examination was taken and passed. Continuing education credit shall not be awarded to licensees that take and pass the examination as a result of a disciplinary proceeding or as a board ordered condition of initial licensure, re-activation or reinstatement.

(7) through (8) No change.

Specific Authority 486.025 FS. Law Implemented 456.013(6), 486.109(2) FS. History–New 4-6-92, Formerly 21MM-9.001, Amended 3-7-94, Formerly 61F11-9.001, Amended 12-5-95, Formerly 59Y-9.001, Amended 2-14-02, 4-21-02, 1-2-03, 6-28-04, 4-9-06, 5-28-06, 2-17-08,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Physical Therapy Practice

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Physical Therapy Practice

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: December 4, 2008  
DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAW: September 26, 2008

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

**DEPARTMENT OF STATE**

**Division of Cultural Affairs**

RULE NOS.:           RULE TITLES:  
IT-1.001            Division of Cultural Affairs  
IT-1.031            Application Requirements  
IT-1.032            Application Review

**NOTICE OF CORRECTION**

The hearing date and time for the above proposed rules published in Vol. 35, No. 1, January 9, 2009 issue of the Florida Administrative Weekly is incorrect.  
The correct hearing date should have read:  
DATE AND TIME: Monday, February 2, 2009, 9:00 a.m.

**BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND**

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

**REGIONAL PLANNING COUNCILS**

**Tampa Bay Regional Planning Council**

RULE NO.:           RULE TITLE:  
29H-1.005           Officers and Committees

**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. 34, No. 47, November 21, 2008 issue of the Florida Administrative Weekly.  
The changes are in response to written comments submitted by the staff of the Joint Administrative Procedures Committee. The changes are as follows:  
1. Subsection (8)(b) will be changed to make it clear that a preapplication conference will always be held either by the Clearinghouse Review Committee or by staff. The introductory sentence will be revised to read, "The Committee or the staff shall conduct a preapplication conference for each DRI to be assessed by the Council . . . ."

2. Subsection (8)(c) will be changed to remove the proposed discretionary language and return this rule to its current language, as follows, "A site inspection for committee members, other agency representatives and staff will be held,

as needed, during the month following the preapplication conference and shall be scheduled for the mutual convenience of the parties involved."

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

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

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

RULE NOS.:           RULE TITLES:  
64J-2.007           Trauma Agency Formation Requirements  
64J-2.008           Trauma Agency Plan Approval and Denial Process  
64J-2.009           Trauma Agency Implementation and Operation Requirements

**NOTICE OF CORRECTION**

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 35, No. 1, January 9, 2009 issue of the Florida Administrative Weekly. The date of the Notice of Proposed Rule Development published in the December 5, 2008, Vol. 34, No. 49 of the Florida Administrative Weekly was not accurate. The correct date of the Notice of Proposed Rule Development for the above referenced rules is September 5, 2008.

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

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

**NOTICE OF WITHDRAWAL**

Notice is hereby given that the above rule, as noticed in Vol. 34, No. 43, October 24, 2008 issue of the Florida Administrative Weekly has been withdrawn.

**DEPARTMENT OF HEALTH**

**Division of Emergency Medical Operations**

RULE NO.:           RULE TITLE:  
64J-3.001           Certification of 911 Emergency Dispatchers

**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. 34, No. 43, October 24, 2008 issue of the Florida Administrative Weekly.  
These changes reflect comments received from the Joint Administrative Procedures Committee. Changes to DH Form 5066 can be found at: <http://www.fl-ems.com/Rulesstatutes/rulesreghome.html>  
Proposed as Rule 64J-3.002.