

Section I

Notices of Development of Proposed Rules and Negotiated Rulemaking

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-46.0165
RULE TITLE: Submission of the Application for a Water-Based Fire Protection Permit

PURPOSE AND EFFECT: To provide an alternative to holding a NICET certification to qualify for a water-based fire protection permit.

SUBJECT AREA TO BE ADDRESSED: Water-Based Fire Protection Permit.

RULEMAKING AUTHORITY: 633.01, 633.517(1), 633.524(1) FS.

LAW IMPLEMENTED: 633.01, 633.517(1), 633.521(10)(1) FS.

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

DATE AND TIME: Wednesday, April 20, 2011, 10:00 a.m.
PLACE: Lake Mary Fire Department Training Room, 911 Wallace Court, Lake Mary, Florida 32746

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: Casia Sinco, Safety Program Manager, 200 E. Gaines Street, Tallahassee, Florida 32399-0342; Telephone: (850)413-3670; Fax: (850)410-2467; Casia.Sinco@myflorida.cfo.com. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Casia Sinco, Safety Program Manager, 200 E. Gaines Street, Tallahassee, Florida 32399-0342; Telephone: (850)413-3670; Fax: (850)410-2467; Casia.Sinco@myfloridacfo.com

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

Section II
Proposed Rules

DEPARTMENT OF FINANCIAL SERVICES

Division of State Fire Marshal

RULE NO.: 69A-62.005	RULE TITLE: Exemption from 29 Code of Federal Regulations, Section 1910.134(g)(4)
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PURPOSE AND EFFECT: The purpose of the proposed rule repeal is to rid Rule Chapter 69A-62, F.A.C., of outdated language.

SUMMARY: Section 633.821(2), (3), F.S., directs the Department to adopt by rule 29 C.F.R. s. 1910.134(g)(4), the “two-in two-out” rule. Local government is given an implementation day of April 1, 2002. If unable to implement without adding additional personnel to its firefighting staff or expending significant additional funds, an extension of 6 months is provided, as long as the Department is notified of the election. If after that time the local government is still unable to comply, they become exempt from the requirement; however the Department must annually confirm entitlement to the exemption. The Department never received a notification of election to extend and therefore has nothing to confirm. This rule implemented the statute and is no longer required.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS: The Agency has determined that this will not have an impact on small business. An SERC has not been prepared by the agency.

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

RULEMAKING AUTHORITY: 633.01, 633.821(2) FS.

LAW IMPLEMENTED: 633.45(1)(a), 633.821(2) 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: Monday, April 25, 2011, 10:30 a.m.
PLACE: Third Floor Conference Room, The Atrium, 325 John Knox Road, Tallahassee, Florida 32303

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: Barry Baker, Chief, Division of Fire Standards and Training, (352)732-1433; Barry.Baker@myfloridacfo.com. If