

Section I
Notice of Development of Proposed Rules
and Negotiated Rulemaking

DEPARTMENT OF LEGAL AFFAIRS

Division of Victim Services and Criminal Justice Programs

RULE NO.: RULE TITLE:
2A-5.005 Minimum Safety Standards for Convenience
Businesses

PURPOSE AND EFFECT: The Department proposes several
amendments to this rule to provide clarification and to merge
language currently contained in rule 2A-5.010 and 5.011 into
this rule.

SUBJECT AREA TO BE ADDRESSED: Amendments to
provide clarification and to merge language currently contained
in rule 2A-5.010 and 5.011 into this rule.

RULEMAKING AUTHORITY: 812.176 FS.

LAW IMPLEMENTED: 812.173, 812.174, 812.175 FS

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

THE PERSON TO BE CONTACTED REGARDING THE
PROPOSED RULE DEVELOPMENT AND A COPY OF
THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Edward
A. Tellechea, Chief Assistant Attorney General, PL-01, The
Capitol, Tallahassee, Florida 32399-1050, or by email at
Ed.Tellechea@myfloridalegal.com

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

STATE BOARD OF ADMINISTRATION

RULE NO.: RULE TITLE:
19-8.010 Reimbursement Contract

PURPOSE AND EFFECT: To discuss proposed amendments
to Rule 19-8.010, F.A.C., Reimbursement Contract.

SUBJECT AREA TO BE ADDRESSED: Reimbursement
Contract requirements for the 2021-2022 Contract Year.

RULEMAKING AUTHORITY: 215.555, F.S.

LAW IMPLEMENTED: 215.555, F.S.

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

DATE AND TIME: August 27, 2020, 9:00 a.m. (ET) until
conclusion of meeting.

PLACE: Conference Call in Number: 1 (888)585-9008,
Participant Code 973-664-296

Pursuant to the provisions of the Americans with Disabilities
Act, any person requiring special accommodations to

participate in this workshop/meeting is asked to advise the
agency at least 7 days before the workshop/meeting by
contacting: Mary Linzee Branham, Florida Hurricane
Catastrophe Fund, State Board of Administration, P.O. Box
13300, Tallahassee, Florida 32317-3300; (850) 413-1335;
marylinzee.branham@sbafla.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: Mary
Linzee Branham at the number or email listed above.

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

Section II
Proposed Rules

FLORIDA DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES

Division of Consumer Services

Table with 2 columns: RULE NOS. and RULE TITLES. Lists various rule numbers and titles such as Definitions, Bureau of Fair Rides Inspection Forms, etc.

PURPOSE AND EFFECT: The purpose of this rulemaking is
to amend the rule chapter to comply with statutory language, to
update incorporated forms, to adopt new rules for high speed

concession go-karts, and to amend the rule chapter with general updates. Significant changes were made to Section 616.242, Florida Statutes, during the 2020 legislative session.

SUMMARY: The proposed rules amend rules to reflect statutory changes, update and incorporate new department forms, update definitions, permits, nondestructive testing of amusement rides, inspections, signage, fees, enforcement, penalty, reporting of accidents, go-karts, water parks and exemption rules.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS (SERC) AND LEGISLATIVE RATIFICATION: The Agency has determined that this rule will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or, if no SERC is required, the information expressly relied upon and described herein:

According to the department’s economic analysis, the adverse impact or potential regulatory costs of the proposed rules do not exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. The proposed changes will amend rules to reflect statutory changes, update and incorporate new department forms, update definitions, permits, nondestructive testing of amusement rides, inspections, signage, enforcement, penalty, reporting of accidents, go-karts, water parks and exemption rules. There are no anticipated increased regulatory costs associated with these changes. Permitting fees for both permanent and temporary amusement rides have been reduced. The regulatory costs associated with this change are indeterminate but are not expected to exceed any of the criteria established in Section 120.541(2)(a), Florida Statutes. No interested party submitted additional information regarding the economic impact.

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

RULEMAKING AUTHORITY: 616.165, 616.242, (3)(p), (3)(q), (4), (4)(b), (4)(c), (4)(d), (5), (6), (7), (8), (9), (10)(a)1., (10)(b), (11), (11)(a)1., (11)(b), (11)(c), (12), (12)(k), (13), (14), (15), (16), (17) FS.

LAW IMPLEMENTED: 616.001, 616.242, (4), (4)(b), (5), (6), (7), (8), (10)(a)1., (11), (11)(a)1., (14), (15), (16), (17), (18), (19), (21) FS.

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

ANNOUNCED IN THE FLORIDA ADMINISTRATIVE REGISTER.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Michelle Faulk, 2005 Apalachee Parkway, Tallahassee, Florida 32399; (850)410-3838.

THE FULL TEXT OF THE PROPOSED RULE IS:

5J-18.001 Definitions.

The definitions in sections 616.001 and 616.242(3), F.S., and the following definitions shall apply:

(1) through (3) No change.

(4) Super Amusement Ride – Means an amusement ride which, because of its design, size, passenger capacity, restraint system or operating characteristics, requires an extensive or extraordinary amount of inspection time to assure compliance with requirements of law and rule, when compared with kiddie or non-kiddie amusement rides. The following amusement rides, and all like rides are classified as super amusement rides.

| Amusement Ride | Amusement Ride Name |
|----------------------------|--|
| Manufacturer | |
| AK Rides | Swing Tower, Starflyer, Skyflyer, <u>Airflyer</u> |
| <u>Aerodium</u> | <u>Wind Tunnel</u> |
| <u>Technology</u> | |
| Allen Hershell | Flying Bobs, <u>Skywheel</u> |
| <u>Alta Cable Ski</u> | <u>Cable Ski</u> |
| <u>ARM</u> | <u>Ali Baba, 1001 Nights, Full Tilt, Typhoon, Drop Zone, Supershot, Touchdown, Vertigo</u> |
| Arrow Dynamics | Flume Ride |
| <u>Battech Ent.</u> | <u>Downdraft</u> |
| Bertazzon | Super Himalaya, Swing Carousel, <u>Music Express, Rock and Roll</u> |
| Blackmon | Vertical Accelerator |
| Engineering | |
| <u>Bojux Co.</u> | <u>Surf Bench, Crazy Dance</u> |
| Bruno Rixen | Cable Water Ski, Knee Ski |
| Bungee Adventure | Ejection Seat, Ripline |
| Chance Rides | Century Wheel, Giant Wheel, Chaos, Falling Star, Gentle Giant, Gondola Wheel, Inverter, Slingshot, Sky Wheel, Flying Bobs, Alpine Bobs, Thunderbolt, Rock-n-Roll, Music Fest, Himalaya |
| <u>Cheer Manufacturing</u> | <u>Skyrides, Zipline Roller Coaster</u> |
| <u>Confolding S.R.O.</u> | <u>Extreme</u> |
| Cosmont | Jaguar Express, <u>Tidal Wave, Wipeout, Yo Yo</u> |
| <u>Custom Fabrications</u> | <u>Great American 19</u> |
| <u>Custom Locomotives</u> | <u>Victorian, General Trains</u> |
| <u>Doppelmayer</u> | <u>Gondola Lift</u> |

| | | | |
|---------------------------|---|----------------------------|---|
| <u>Drop Zone LTD</u> | <u>Power Fan</u> | O.D. Hopkins | Sky Lift, Sky Ride, Sky Glider |
| <u>Dutch Wheels</u> | <u>Giant Wheel</u> | Oceaneering | Shuttle Launch Experience |
| <u>Eli Bridge Company</u> | <u>Big Eli Wheel, Hy-5, Eagle 16, Ferris Wheel</u> | International Philadelphia | Roller Coaster |
| Euro Rides | Double Shock, Shock Wave | Toboggan | |
| <u>Expo Wheels LLC</u> | <u>Expo Wheel</u> | Pinfari | Looping Roller Coaster, Zyclon, Emerald Coaster, RC 48 Coaster, Super Cyclone, <u>Bullet Train Coaster</u> |
| FarFabri/Fabbri | Backlash, Banzi, Bonzai, Crazy Dance, Evolution, Flipper, Footloose, Force 10, Megadrops, Space Loop, <u>Kamikaze, Looping, Screamer, Drop Zone, Jungle Drop, Giant Wheel</u> | Pro Drag LLC | Nitro Alley Dragster |
| Funtime | Ejection Seat | Reverchon | Explorer, Log Flume, White Water, Niagra Flume, Roc-N-Rapids, White Water Flume, Wild River, Himalaya, Bee Bop Express, Polar Express, <u>Crazy Mouse, Super Himalaya</u> |
| Funtime Handles | Slingshot, Orlando Starflyer, <u>Vomatron</u> | Rides R Us | Human Slingshot |
| Future Amusements | Wild Thang | <u>Ronald Bussink</u> | <u>Super Wheel</u> |
| <u>GCI</u> | <u>White Lightning</u> | S & S Power | Double Shot Towers, Snow Shot, Space Shot, Screamin Swing |
| <u>Gravity Krafts</u> | <u>Mine Blower</u> | <u>SBF</u> | <u>Drop-N-Twist</u> |
| Gravity Works | Blender, Ejection Seat, Skyscraper | <u>SDC</u> | <u>Himalaya, Hurricane Rollercoaster, Pirate Ship, Wild Cat, Windtorm Coaster, Moonraker, Mark I, Gondola Wheel, Hang 10</u> |
| <u>HK Power Co.</u> | <u>Train</u> | <u>Sartori</u> | <u>Kamikaze, Looping, Screamer</u> |
| Harper & Parsons | Vertical Accelerator | Schiff | Roller Coaster |
| Heinrich Mack | Runaway Trains, See Sturm Bahn, Raupen Bahn, Polar Express, Cortina Bob | Schwarzkopf | Dopple Loop, Log Flume, Wildcat Coaster, Swiss Bobs, Enterprise |
| <u>Inta Fair Holland</u> | <u>Giant Wheel</u> | <u>Sesitec GMBH</u> | <u>Cable Ski</u> |
| <u>Hi Roller</u> | <u>Ring of Fire</u> | <u>S.P.C.</u> | Moonraker, Mark I, Gondola Wheel, Pirate Ship, Hang 10 |
| <u>High Lite Rides</u> | <u>Fair Wheel, Family Wheel</u> | Sky Fun I | Sky Coaster |
| Huss Heiner | 1001 Nachts, Enterprise, Pirate, Pirate Ship, Rainbow, Top Spin, Tornado, <u>Frisbee</u> | Sky Venture | I Fly |
| <u>In His Name</u> | <u>Sky Flyer</u> | Soriani Moser | Crazy Flip, Dream Machine, Drop of Fear, Extacy, Flip N Out, G Force, Star Force, Wild River Raft, Wind Shear, <u>Sky Flyer</u> |
| <u>Inta Fair Holland</u> | <u>Giant Wheel</u> | Technical Park | Dream Wheel, Extreme, Street Fighter, Street Fighter 360, High Energy, Ciclone, Vortex, Chaos, Fly Surf, Pegasus, Delusion, Stinger, Hyperloop, S.F. Revolution, <u>Dream Catcher, Ferris Wheel, Star Dancer, Sky Fighter</u> |
| Intamin Inc. | Island In the Sky, Parachute Ride, Orlando Eye | The Joseph Co. | Vertical Accelerator |
| Interpark | Galaxy Coaster, Zyclon | Top Fun | Terminator |
| K.T. Emmitt | Devastator | Tivoli | Force 10, Spinout, Orbitor, Predator, Scorpion, Typhoon, <u>Remix, Techno Power</u> |
| K.T. Enterprises | Twister | Tower Specialties | Ricky's Rocket, Vertical Accelerator |
| K.M.G. | Fireball, Wild Claw, Tango, Space Port, Cyclops, Freakout, Speed, Inversion, Super Spin, Experience, Sky Swing, Fun Factory, Hurricane, Khaos, Air Raid, Hydra, <u>Rock It, The Beast</u> | <u>UA Attractions</u> | <u>Ninja Course</u> |
| <u>Lamberink</u> | <u>Midway Sky Eye</u> | Universal | Sky Ride |
| Larson/Hi Mfg/LMC | RollerRing of Fire, Superloop, Fireball, <u>Stardancer</u> | <u>Vekoma</u> | <u>Freedom Flyer</u> |
| Leap of Faith | Wild Claw, <u>Wild Thang, Cyclone</u> | | |
| Majestic Rides Mfg. | Music Express | | |
| MCL Park | Giant Wheel, Gondola Wheel | | |
| <u>Mecca Productions</u> | <u>Ice Slide</u> | | |
| <u>Miler</u> | <u>The Hurricane</u> | | |
| Modail | Space Roller, Fighter, <u>Magnum</u> | | |
| Mulligan Enterprises | Giant Wheel, Gondola Wheel, <u>Mulligan Wheel</u> | | |

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|---|--|-------|------------------|---|
| <u>Vickers</u> | <u>Abbot Tank, APC</u> | FDACS | 07/19 | Fair Rides Owner's Daily Inspection Report (Bungy), |
| <u>Visa Intl.</u> | <u>Cyclon Coaster, Midi Dance Party, Euro Slide, Slide 8</u> | 03427 | | http://www.flrules.org/Gateway/reference.asp?No=Ref-11149 |
| <u>White Water</u> | <u>Log Flume, Roaring Springs</u> | FDACS | 07/19 | Fair Rides Written Accident Report, |
| <u>Widsom/WMI Industries</u> | <u>Gravitron/Starship type amusement rides; Stampede, Himalaya, Rip Curl, Music Express, Y Factor, Jungle Twist, Matterhorn, Polar Express</u> | 03428 | | http://www.flrules.org/Gateway/reference.asp?No=Ref-11150 |
| <u>Winkler</u> | <u>Swing Tower, Starflyer, Skyflyer</u> | FDACS | 07/20 | Fair Rides Mechanical, Structural or Electrical Defect/Failure Report, |
| <u>Zierer</u> | <u>Flitzer, Racing Flitzer, Wave Swinger, Indy 500</u> | 03430 | 07/19 | http://www.flrules.org/Gateway/reference.asp?No=Ref-11151 |
| <u>Zamperla</u> | <u>Energy Storm, Mixer, Power Surge, Turbo Force, Windstorm Roller Coaster, Wave Swinger, Crazy Mouse, Nitro, Vertical Swing, Star Tower, Wild Mouse</u> | FDACS | 07/19 | Fair Rides Employee Training Record, |
| <u>Zierer</u> | <u>Flitzer, Racing Flitzer, Wave Swinger, Indy 500</u> | 03431 | | http://www.flrules.org/Gateway/reference.asp?No=Ref-11152 |
| <u>Zig Zag</u> | <u>Zig Zag Rail</u> | FDACS | 07/20 | Fair Rides Affidavit of Compliance and Nondestructive Testing, |
| <u>Multiple Manufacturers</u> | <u>Elevated Go-Kart Tracks</u> | 03433 | 07/19 | http://www.flrules.org/Gateway/reference.asp?No=Ref-11153 |
| <u>Multiple Manufacturers</u> | <u>High Speed Go-Kart Tracks</u> | FDACS | 07/20 | Affidavit of Annual Inspection for Exempt Facilities, |
| <u>Multiple Manufacturers</u> | <u>Waterslides (same platform, multiple slides)</u> | 03434 | 07/19 | http://www.flrules.org/Gateway/reference.asp?No=Ref-08472 |
| <u>Multiple Manufacturers</u> | <u>Zipline/Aerial Adventure Courses</u> | FDACS | 07/19 | Fair Rides Request for Inspection or Re-Inspection & Annual Permit Application |
| <u>Rulemaking Authority 616.165, 616.242(4)(b) FS. Law Implemented 616.001, 616.242 FS. History--New 9-15-92, Amended 9-21-93, 2-23-94, 2-14-99, 1-22-02, Formerly 5F-8.001, Amended 7-5-16, 10-29-19, _____.</u> | | 03435 | | http://www.flrules.org/Gateway/reference.asp?No=Ref-11154 |
| | | FDACS | 07/20 | Fair Rides Request for Temporary Amusement Ride Permit Inspection or Re-Inspection, |
| | | 03438 | | http://www.flrules.org/Gateway/reference.asp?No=Ref- |
| | | FDACS | 07/20 | Fair Rides Request for Annual Permit Inspection or Re-Inspection, |
| | | 03439 | | http://www.flrules.org/Gateway/reference.asp?No=Ref- |
| | | | | Rulemaking Authority 616.165, 616.242(4), (5), (6), (7), (8), (10)(a)1, (11)(a)1, (12), (14), (15), (16), (17) FS. Law Implemented 616.242(4), (5), (6), (7), (8), (10)(a)1, (11)(a)1, (12), (14), (15), (16), (17) FS. History--New 2-14-99, Amended 5-30-05, 10-2-07, 5-30-10, Formerly 5F-8.0012, Amended 2-26-14, 7-27-17, 10-14-18, 10-29-19, _____. |
| | | | | 5J-18.002 Application for Annual Permit or Temporary Amusement Ride Permit, Request for Re-Inspection, USAID Number. |
| | | | | (1) The owner or manager of a permanent amusement ride shall make application by email or by fax transmission to the department for an annual permit and inspection, or re-inspection for each amusement ride in accordance with Section 616.242(5), F.S., on department form FDACS 03439, Fair Rides Request for Annual Permit Inspection or Re-Inspection, |
| | | | | 07/20 03435, Fair Rides Request for Inspection or Re- |

~~Inspection & Annual Permit Application, 07/19, as incorporated by reference in Rule 5J-18.0012, F.A.C.~~

~~(2) The owner or manager of a temporary amusement ride shall make application by email or by fax transmission to the department for the temporary amusement ride permit and inspection, or re-inspection for each amusement ride in accordance with Section 616.242(6), F.S., on department form FDACS 03438, Fair Rides Request for Temporary Amusement Ride Permit Inspection or Re-Inspection, 07/20 as incorporated by reference in Rule 5J-18.0012, F.A.C.~~

~~(3)(a) The following documents shall be on file with the department or accompany the written application:~~

~~(a)1- Manufacturer's ride operations manual, including all bulletins concerning safety, operation or maintenance of the amusement ride.~~

~~(b)2- Amusement ride operating document specified in section 5.1 of ASTM International F770-18, as incorporated by reference in Rule 5J-18.0011, F.A.C.~~

~~(c)3- Maintenance checklist for each ride. Checklist shall be in accordance with ASTM International F770-18, as incorporated by reference in Rule 5J-18.0011, F.A.C.~~

~~(4)(2) The current Fair Rides Affidavit of Compliance and Nondestructive Testing required by Section 616.242(7)(4), F.S., shall be submitted with the written application for an annual permit on file or provided at time of inspection on department form FDACS 03433, Fair Rides Affidavit of Compliance and Nondestructive Testing, Rev. 07/20 07/19, as incorporated by reference in Rule 5J-18.0012, F.A.C.~~

~~(5)(3) The current Fair Rides Affidavit of Compliance and Nondestructive Testing required by Section 616.242(7)(a)(6)(a), F.S., shall be submitted with the written application for an annual permit on file or provided at time of inspection on department form FDACS 03433, Fair Rides Affidavit of Compliance and Nondestructive Testing, Rev. 07/20 07/19, as incorporated by reference in Rule 5J-18.0012, F.A.C., unless the amusement ride is exempt pursuant to Section 616.242(7)(d) (6)(d), F.S.~~

~~(4) The request for inspection required by Section 616.242(5)(b)6., F.S., shall be submitted on department form FDACS 03435, Fair Rides Request for Inspection or Re-Inspection & Annual Permit Application, 07/19, as incorporated by reference in Rule 5J-18.0012, F.A.C.~~

~~(6)(5) No change.~~

~~(7) If an application for a permanent amusement ride permit is received by the department less than 15 days before the date of first intended use at a new location, the department shall assess a late request fee as provided by Rule 5J-18.012, F.A.C.~~

~~(8) If an application for a temporary amusement ride permit is received by the department less than 14 days before the date~~

of first intended use at a new location, the department shall assess a late request fee as provided by Rule 5J-18.012, F.A.C.

(9) After a permit application is received by the department and an inspection of the amusement ride is not needed by the owner requesting a permit, that owner or manager shall cancel the request for inspection by email or by fax transmission at least three working days prior to the scheduled date of the inspection. If an owner fails to timely cancel a request for inspection or upon arrival rides are not ready for inspection, the department shall assess a failure to cancel fee as provided by Rule 5J-18.012, F.A.C. If an owner cancels an inspection request that is included in a late permit application, a failure to cancel fee as provided by Rule 5J-18.012, F.A.C., shall be assessed.

(10) When a permit application is timely submitted, the department will allow a variation of plus or minus 10% from the number and type of rides for which inspection was initially requested, without assessing additional fees for late inspection requests or for failing to cancel inspection requests, as set forth in Rule 5J-18.012, F.A.C.

(11) Department forms and cancellation requests sent by email or fax transmission and received outside of normal business hours, 8:00 a.m. through 5:00 p.m., or on a day other than a working day, will be considered received by the department on the next working day.

(12) If the department returns to a site to reinspect an amusement ride for failure to pass any department inspection, the department shall assess a reinspection fee as provided by Rule 5J-18.012, F.A.C.

(13) If the department returns to an amusement ride while still on site during the scheduled event inspection to reinspect an amusement ride for failure to pass any department inspection, the department shall assess a reinspection fee as provided by Rule 5J-18.012, F.A.C.

(14) Reinspections will not be conducted on weekends or state holidays.

(15) Separate requests for permit inspection on devices with the same USAID numbers, at the same event locations during the same or consecutive dates will not be accepted. Requests for reinspection will not be accepted for rides for which an inspection or reinspection has already been scheduled but has not been either completed or cancelled.

(16) Event location changes for permit applications and associated inspection requests must be requested at least three business days prior to the requested inspection date. If an owner or manager requests an event location change less than three business days prior to the requested inspection date, a late inspection request fee shall be assessed as provided by Rule 5J-18.012, F.A.C. Event location changes will be granted based on inspection staff availability.

(17) Where a manufacturer has not determined nor specified the capacity of a kiddie ride the department will determine the capacity as follows:

(a) A department Inspector will count the number of carrier units or tubs per ride. The number of carrier units or tubs per ride is based on the manufacturer's intended configuration of the ride in order to make it fully operational. Upon inspection of a ride if evidence exists that indicates the ride has been altered from the original manufacturer's configuration by removing carrier units or tubs, then the ride must be inspected by a professional engineer in accordance with Section 616.242(13) (12), F.S. Arbitrary reduction of carrier units by operators is not permitted.

(b) Having determined the number of carrier units or tubs per ride, the department inspector will count the number of passenger positions per carrier unit, or individual tub, i.e., the number of seat belts, pre-formed seating spots or other identifiable seating arrangements. With no identifiable passenger positions, the inspectors will determine the number of positions based on the number of 12-year-old passengers that can be positioned safely in the carrier unit, i.e., each passenger must have a separate position and meet the required height and/or weight requirements for that ride. Sitting on laps to qualify as one position will not be permitted.

Rulemaking Authority 616.165, 616.242(5), (8) FS. Law Implemented 616.242 FS. History—New 9-15-92, Amended 2-23-94, 2-14-99, 5-30-05, Formerly 5F-8.002, Amended 10-29-19, _____.

5J-18.003 Qualified Inspectors.

(1) Each person seeking to perform amusement ride inspections as a Qualified Inspector (QI) for an insurance underwriter and execute the FDACS 03433, Fair Rides Affidavit of Compliance and Nondestructive Testing, 07/20 07/49, as incorporated by reference in Rule 5J-18.0012, F.A.C., ~~required for the annual permit~~ shall provide the department the following documents and information:

(a) through (d) No change.

(e) When a Qualified Inspector possesses the requisite qualifications the department will provide the applicant a qualified inspector number designating that person as a qualified inspector for the purpose of executing the Fair Rides Affidavit of Compliance and Nondestructive Testing ~~required for the annual permit~~. The qualified inspector number shall be used when executing the required affidavits. The qualified inspector number issued by the department to a qualified inspector shall be valid for one year, so long as the applicant possesses the qualifications required by Section 616.242(3)(q), F.S.

(f) through (g) No change.

(2) Each person seeking authorization to perform amusement ride inspection as a Professional Engineer (PE) and

execute the Fair Rides Affidavit of Compliance and Nondestructive Testing ~~required for the Annual Permit~~ shall submit to the department a copy of his or her professional engineer's license issued by the Department of Business and Professional Regulation of the State of Florida or the equivalent licensing body in another state. Upon receipt of proof of current licensure the department will acknowledge receipt of that license in writing. A PE shall use their professional engineer's license number when executing the Fair Rides Affidavit of Compliance and Nondestructive Testing ~~required for the annual permit~~. The authorization to execute the Fair Rides Affidavit of Compliance and Nondestructive Testing shall remain valid for one year, unless the QI or PE ceases to possess the qualifications required by law.

(3) through (4) No change.

(5) When a QI or PE no longer possesses the qualifications required by Section 616.242(3)(p) or (3)(q), F.S., that person shall immediately notify the department by fax: (850)410-3797; or by email to FairRides@FDACS.gov, and shall cease to act as a qualified inspector.

Rulemaking Authority 616.165, 616.242(3)(p), (3)(q), (5) FS. Law Implemented 616.242 FS. History—New 9-15-92, Amended 2-23-94, 2-14-99, 10-10-01, 5-30-05, 10-2-07, Formerly 5F-8.003, Amended 10-29-19, _____.

5J-18.004 Nondestructive Testing of Amusement Rides.

(1) In accordance with the requirements of Section 616.242(7)(~~6~~), F.S., nondestructive testing of amusement rides shall be conducted on all inspection points identified, including all relevant bulletins and shall be reported to the department for each amusement ride by the Qualified Inspector or PE on department form FDACS-03433, Fair Rides Affidavit of Compliance and Nondestructive Testing, Rev. 07/20 07/49, incorporated by reference Rule 5J-18.0012, F.A.C.

(2) through (4) No change.

(5) During annual affidavit of compliance and nondestructive testing, additional testing of components where padding or other covering prevents daily visual checks shall be conducted.

(6) In addition to all other requirements, affiants conducting nondestructive testing on go-karts or go-kart tracks shall certify the following:

(a) The speed of the go-karts is governed or otherwise limited in accordance with rule 5J-18.015 or rule 5J-18.0152; and

(b) The track is designed to accommodate go-karts traveling at speeds at which the go-karts are being operated on the track; and

(c) The barriers on the track are appropriate to be used with the go-karts being operated on the track.

Rulemaking Authority 616.165, 616.242(4), (7) (~~6~~) FS. Law Implemented 616.242(4)(b), (7) (~~6~~) FS. History—New 9-15-92,

Amended 9-21-93, 2-23-94, 2-14-99, 5-30-05, Formerly 5F-8.004, Amended 2-22-18, 10-14-18, 10-29-19,_____.

5J-18.005 Request for Inspections, Reinspections.

Rulemaking Authority 616.165, 616.242 (7) FS. Law Implemented 616.242 FS. History—New 9-15-92, Amended 2-23-94, 2-14-99, 11-4-02, 5-30-05, Formerly 5F-8.005, Amended 10-14-18, 10-29-19, Repealed_____.

5J-18.0051 Inspection Standards.

(1) Each owner, manager, or designee, as specified in subsections 5J-18.014(2) and (3), F.A.C., must indicate that each amusement ride meets the requirements of Section 616.242(12) ~~(11)~~, F.S., and is ready for operation prior to inspection by the department.

(2) through (4) No change.

Rulemaking Authority 616.165, 616.242(12) ~~(11)~~ FS. Law Implemented 616.242 FS. History—New 9-21-93, Amended 2-23-94, 2-14-99, 5-30-05, Formerly 5F-8.0051, Amended 10-29-19, _____.

5J-18.007 Signage.

(1) If required or recommended by the manufacturer of an amusement ride, each owner or manager shall have signage prominently displayed at the entrance of the amusement ride including the following instructions and information for operation:

(a) through (f) No change.

(2) Due to accidents or unforeseen events, and in addition to the amusement ride manufacturer's required or recommended instructions and information for operation, each owner or manager shall have additional signage prominently displayed at the entrances of the following amusement rides:

a. through b. No change

(3) FDACS P-02159, 07/20, Fair Rides sign, shall be conspicuously displayed at all patron entrances of a temporary amusement ride facility in full view of the public, and is hereby incorporated by reference. A sample copy of the sign may be accessed _____ online _____ at: <http://www.flrules.org/Gateway/reference.asp?No=Ref-XXXX>.

(4) The amusement ride annual permit or temporary amusement ride permit shall be affixed at the entrance of the ride in a location visible to the public.

Rulemaking Authority 616.165, 616.242(4)(b), (c), (d), (12)(k) FS. Law Implemented 616.242 FS. History—New 7-27-17,_____.

5J-18.009 Inspections by Owner or Manager.

(1) Prior to opening on each day of operation and prior to any inspection by the department the owner or manager of each amusement ride shall inspect and test the amusement ride in accordance with the requirements of Section 616.242(16) ~~(15)~~, F.S., and record the inspection on the applicable department

form FDACS-03424, Rev. 07/19, Fair Rides Owner's Daily Inspection Report (Carnival Type); FDACS-03425, Rev. 07/19, Fair Rides Owner's Daily Inspection Report (Water Park); FDACS-03426, Rev. 07/19, Fair Rides Owner's Daily Inspection Report (Go-Kart Track and Vehicle); FDACS-03427, Rev. 07/20 ~~07/19~~, Fair Rides Owner's Daily Inspection Report (Bungy). In lieu of the forms referenced in this section and incorporated by reference in Rule 5J-18.0012, F.A.C., the owner or manager may request approval of an alternative form by submitting the form to the department by email to FairRides@FDACS.gov, by fax to (850)410-3797, or by mail to Bureau of Fair Rides Inspection, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500. The department shall approve the alternative form for use if the alternative form includes, at a minimum, all information required on the applicable department form. Upon approval, an alternative form may be used to document daily inspections as required by Section 616.242(16) ~~(15)~~, F.S.

(2) Inspections shall be consistent with inspection programs outlined in ASTM F770-18, as incorporated by reference in Rule 5J-18.0011, F.A.C. to include inspections and testing of the following, at a minimum:

(a) through (k) No change.

Inspection documentation shall be reviewed and approved by the owner, manager, or designee, as specified in subsections 5J-18.014(2) and (3), F.A.C.

(3) The owner or manager shall implement a program of maintenance based on manufacturer recommendations and ASTM F770-18, as incorporated by reference in Rule 5J-18.0011, F.A.C. This program of maintenance shall include a checklist with the following information, at a minimum:

(a) through (g) No change.

Maintenance documentation shall be reviewed and approved by the owner, manager, or designee, as specified in subsections 5J-18.014(2) and (3), F.A.C.

(4) through (6) No change.

Rulemaking Authority 616.165, 616.242(4), (16) ~~(15)~~ FS. Law Implemented 616.242 FS. History—New 9-15-92, Amended 2-23-94, 2-14-99, 5-30-05, 5-30-10, Formerly 5F-8.009, Amended 7-27-17, 10-29-19,_____.

5J-18.010 Accredited Trade Organization

(1) Accredited trade organization means a nationally-recognized organization whose mission is to promote the safety of non-mechanical amusement ride operation, design, use, and maintenance. Such organizations must have demonstrable competency, authority, and credibility in amusement ride inspections that have been approved by the department.

(a) To obtain department approval, an organization must provide documentation establishing that the

organization has the proper experience, procedures, and authority over members and that demonstrates the required competency, authority, and credibility in amusement ride inspections.

(b) Approval for such organizations will expire five years from the approval date.

(2) In order for the department to waive an inspection pursuant to section 616.242(8)(a)2., Florida Statutes:

(a) The amusement ride must be a non-mechanical amusement ride such as an aerial adventure course, ropes course, zipline, water slide or other device with similar operating characteristics.

(b) The amusement ride must have no outstanding correction notices.

(c) The amusement ride must be inspected by an inspector certified by the accredited trade organization and who is either a professional engineer or a qualified inspector, as defined in sections 616.242(3)(p) and (q), Florida Statutes, and

(d) The amusement ride must have an inspection certificate issued by the accredited trade organization that indicates that the inspection was reviewed and approved by the accredited trade organization, and the amusement ride meets all applicable requirements of section 616.242, Florida Statutes, and rule chapter 5J-18, Florida Administrative Code.

(e) The owner or operator requesting the waiver shall have no safety violations that resulted in the issuance of a Stop Operation Order and/or an Administrative Complaint within three years immediately preceding the date of the requested waiver.

Rulemaking Authority 616.165, 616.242(4) FS. Law Implemented 616.242(8)(a)2. FS. History—New _____.

5J-18.012 Fees.

The following fees are adopted:

| | |
|---|---------------------|
| (1) Annual permit for any amusement ride: | \$500.00 |
| (2) Annual permit for any Bungy jump: | \$500.00 |
| (3) Inspection fee for each inspection of a kiddie amusement ride: | \$45.00 |
| (4) Inspection fee for each inspection of a non-kiddie amusement ride: | \$90.00 |
| (5) Inspection fee for each inspection of a super amusement ride: | \$175.00 |
| (6) Inspection fee per go kart, in addition to the track inspection fee: | \$10.00 |
| (7) Reinspection fee (return to site): | \$500.00 |
| (8) Reinspection fee (return on site): | \$100.00 |
| (9) Fee to replace a lost U.S. Amusement Identification (USAID) plate: | \$100.00 |
| (10) Fee per amusement ride for late inspection request: | \$100.00 |

| | |
|--|---------------------|
| (11) Fee per amusement ride for failure to cancel inspection request: | \$100.00 |
| (12) Additional fee per amusement ride for inspections on weekend or state holiday: | \$75.00 |

(1) Permanent Amusement Ride:

(a) Annual permit fee for each permanent park kiddie amusement ride: \$300

(b) Annual permit fee for each permanent park non-kiddie amusement ride: \$400

(c) Annual permit fee for each permanent park super amusement ride: \$600

One half of the annual permit fee shall be paid on the date of the annual permit inspection, and the remaining balance shall be paid within six months following the annual permit inspection.

(2) Temporary Amusement Ride:

(a) Permit fee for each temporary kiddie amusement ride: \$150

(b) Permit fee for each temporary non-kiddie amusement ride: \$200

(c) Permit fee for each temporary super amusement ride: \$300

(3) Permanent or Temporary Amusement Rides:

(a) Inspection fee per go kart, in addition to the track permit fee: \$10/kart

(b) Reinspection fee (return to site): \$500

(c) Reinspection fee (return on-site): \$100

(d) Fee to replace a lost US Amusement Identification Plate (USAID): \$100

(e) Fee per amusement ride for late inspection request: \$100

(f) Fee per amusement ride for failure to cancel inspection request: \$100

(g) Additional fee per amusement ride for inspection on weekend or state holiday: \$75

(h) Inspection fee per harness, in addition to the ropes course/zipline permit fee: \$5

Rulemaking Authority 616.165, 616.242(7), (8), (9), (13), (14) FS. Law Implemented 616.242(8)(9) FS. History—New 9-15-92, Amended 2-23-94, 5-27-96, 9-23-97, 2-14-99, 3-21-00, 12-4-00, 1-22-02, 5-30-05, Formerly 5F-8.012, Amended 10-29-19,

5J-18.0127 Enforcement Actions and Administrative Penalties.

(1) No change.

(2) The department will enforce compliance with Chapter 616, F.S., and this rule chapter by issuing an administrative

complaint, notice of noncompliance, and/or an immediate final order for violations of Chapter 616, F.S., and this rule chapter.

(3) Stop Operation Orders. A stop operation order, which acts as an immediate final order, is necessary to effectuate the statutory duties of the dDepartment in the interest of public health, safety, and welfare and is necessary to promote patron safety in the design, construction, assembly, disassembly, maintenance, and operation of amusement rides in Florida. A stop operation order will be used to prohibit the operation of an amusement ride that fails to comply with the requirements of Chapter 616, F.S., or this rule chapter. Once the amusement ride is in compliance with the requirements of Chapter 616, F.S., and this rule chapter, the stop operation order shall be released by the department.

~~(4) Nothing in this chapter shall limit the ability of the Department to informally dispose of administrative actions by settlement agreement, consent order, or other lawful means.~~

~~(4)(5)~~ Rule Not All-Inclusive. This rule contains illustrative violations. It does not, and is not intended to encompass all possible violations of statute or department rule that might be committed by any person. The absence of any violation from this rule shall in no way be construed to indicate that the violation does not cause harm to the public or is not subject to a penalty. In any instance where the violation is not listed in this rule, it will be penalized in accordance with paragraph ~~(9)(c)~~ ~~(9)(b)~~ of this rule.

~~(5)(6)~~ Aggravating and Mitigating Factors. The department will consider aggravating and mitigating factors in determining penalties for violations of Chapter 616, F.S., and this rule chapter. The factors shall be applied against each single count of the listed violation. ~~If a notice of noncompliance is issued for an initial violation, a second violation within a three-year period shall result in a fine of at least \$250, not to exceed \$2,500. Both aggravating and mitigating factors, if present, shall be applied against each single count of the listed violation regardless of whether the violation is a minor violation or a major Tier I or Tier II violation as described in subsection (9), below.~~

(a) Aggravating factors shall include:

1. through 2. No change.
3. Previous violations within the preceding three years for the same or a similar offense that resulted in imposition of administrative penalties, issuance of a notice of noncompliance, or suspension or revocation of a permit ~~or inspection certificate.~~
4. No change.
5. The violator impeded, or otherwise failed to cooperate with, the dDepartment's inspection or investigation.
6. Previous disciplinary action against the violator in this or any other jurisdiction ~~and the deterrent effect of the penalty imposed.~~

7. through 8. No change.

9. The violation resulted from ~~negligence~~ or an intentional act.

10. No change.

~~11. The number of other violations proven in the same proceeding.~~

~~11.12.~~ The benefit to the violator.

(b) Mitigating factors shall include:

1. through 3. No change.

4. Acts of God or nature that impair the ability of the violator to comply with Chapter 616, F.S., or this rule chapter.

5. No change.

~~6. The number and seriousness of the counts in the administrative complaint.~~

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

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

~~(6)(7)~~ The provisions of this rule chapter shall not be construed so as to prohibit or limit any other civil action or criminal prosecution that may be brought.

~~(8) In addition to the penalties established in this rule, the Department reserves the right to seek to recover any other costs, penalties, attorney's fees, court costs, service fees, collection costs, and damages allowed by law. Additionally, the Department reserves the right to seek to recover any costs, penalties, attorney's fees, court costs, service fees, collection costs, and costs resulting from a payment that is returned for insufficient funds to the Department.~~

~~(7)(9)~~ Penalties.

(a) Notice of Noncompliance. Any dDepartment investigation or inspection which reveals minor violations of this rule chapter in which the dDepartment determines that the violator was unaware of the rule or unclear as to how to comply with it will result in the issuance of a notice of noncompliance as the dDepartment's first response to the violation. If a notice of noncompliance is issued for an initial violation, a second violation within a three-year period shall be penalized in accordance with paragraph (7)(b) of this rule. Any subsequent violation within a three-year period shall be penalized in accordance with paragraph (7)(c) of this rule. For the purposes of this rule, the following violations shall result in the issuance of a notice of noncompliance for the first violation only:

1. Failure to maintain or make immediately available to the dDepartment upon request the required Owner's Daily Inspection Reports.

2. Failure to maintain or make immediately available to the dDepartment upon request employee training records (employee trained, but no records).

3. Failure to provide the ~~d~~Department a copy of the manufacturer's operating instructions, operating fact sheet, or written manufacturer's bulletins.

4. Failure to maintain the required operations manual written in the English language for each go-kart and go-kart track that includes a detailed scaled drawing of the go-kart type course, manufacturer's maintenance instructions and specification for each go-kart, and written emergency plans.

5. Failure to maintain the required operations manual written in the English language for water parks that contain general maintenance and cleanup procedures, equipment operation instructions and written emergency plans.

(b) ~~Minor Tier I~~ Violations. ~~Minor Tier I~~ violations shall result in the imposition of an administrative fine against the owner or manager of the amusement ride of up to \$5,000 ~~\$250~~ per violation, per day. For the purposes of this rule, the following violations shall be considered ~~minor Tier I~~ violations:

1. Failure to maintain or make immediately available to the ~~d~~Department upon request the required Owner's Daily Inspection Reports.

2. Failure to maintain or make immediately available to the ~~d~~Department upon request employee training records (employee trained, but no records).

3. Failure to provide the ~~d~~Department a copy of the manufacturer's manual, operating document, maintenance checklist instructions, operating fact sheet, or written manufacturer's bulletins.

4. Failure to maintain the required operations manual written in the English language for each go-kart and go-kart track that includes a detailed scaled drawing of the go-kart type course, manufacturer's maintenance instructions and specification for each go-kart, and written emergency plans.

5. Failure to maintain the required operations manual written in the English language for water parks that contain general maintenance and cleanup procedures, equipment operation instructions and written emergency plans.

6. Failure to maintain the required operations manual written in the English language for amusement devices that are not included in subparagraphs 4. or 5. of this paragraph.

7. Failure to report an accident as required by Section 616.242, F.S.

8. Failure to prominently display required signage ~~at the entrance of each amusement ride~~.

(c) ~~Major Tier II~~ Violations. ~~Major Tier II~~ violations shall result in the imposition of an administrative fine against the owner or manager of the amusement ride of up to \$10,000 ~~\$1,000~~ per violation, per day or suspension of the owner's or manager's permit or inspection certificate for not more than one year or revocation of the owner's or manager's permit or inspection certificate or any combination thereof. For the purposes of this rule, the following violations shall be

considered ~~major Tier II~~ violations due to their high potential for consumer harm:

1. Operation of an amusement ride by an employee(s) who is/are not trained to operate or maintain the ride.

2. Operating an amusement ride in a manner or circumstance that presents a risk of serious injury to patrons, ~~which does not result in a reportable accident~~.

3. Operating an amusement ride with a structural, mechanical or electrical defect/~~failure~~, that affects patron safety, of which the owner or manager has knowledge, or through the exercise of reasonable diligence, should have knowledge, ~~which does not result in a reportable accident~~.

4. ~~Operating an amusement ride in a manner or circumstance that presents a risk of serious injury to patrons, which results in a reportable accident.~~

5. ~~Operating an amusement ride with a structural, mechanical or electrical defect, that affects patron safety, of which the owner or manager has knowledge, or through the exercise of reasonable diligence, should have knowledge, which results in a reportable accident.~~

4.6. Operating an amusement ride which has not been inspected and tested by the owner or manager in accordance with the requirements of Section 616.242(16) (15), F.S.

5.7. Operating an amusement ride without a current permit, as outlined in Section 616.242(5) and (6), F.S.

6.8. Operating an amusement ride without an affidavit of compliance/non-destructive testing, as outlined in Section 616.242(7) (6), F.S.

7.9. Presenting a ride as ready for inspection when it has a defect that affects patron safety, and when the owner or manager had or should have had knowledge of the defect. ~~Operating an amusement ride without an inspection certificate, as outlined in Section 616.242(7), F.S.~~

8.10. Operating an amusement ride without insurance, as outlined in Section 616.242(10) (9), F.S.

9.11. Operating an amusement ride by an employee who is under the influence of drugs or alcohol.

10.12. Operating an amusement ride that has undergone a major modification without certification from a professional engineer that the amusement ride is in compliance with Section 616.242, F.S., ~~and~~ Chapter 5J-18, F.A.C.

11.13. Operating an amusement ride in violation of any order of the ~~d~~Department, or any court, or an Immediate Final Order.

12.14. Failure to provide track safety barriers that are constructed to prevent a vehicle from overturning or running over or under the barrier, as required by paragraph 5J-18.015(6)(b), F.A.C.

13.15. ~~Failure to describe and demonstrate to patrons emergency signals prior to operation of vehicles, as required by paragraph 5J-18.015(4)(n), F.A.C.~~

~~14.16.~~ Failure to instruct patrons as to safe operation procedures, as required by paragraph 5J-18.015(4)(o), F.A.C.

~~15.17.~~ Failure to enforce rules for safe operations, as required by paragraph 5J-18.015(4)(p), F.A.C.

~~16.18.~~ Operation of an amusement ride at a speed in excess of its maximum safe operating speed.

~~17.19.~~ Operating in violation of any requirement set forth in Rule 5J-18.0152, F.A.C.

~~18.20.~~ Failure to timely correct a violation as directed in a notice of correction.

19. Failure to report an accident as required by section 616.242, F.S.

20. Violations of section 616.242(15)(b), F.S.

Rulemaking Authority 616.165, 616.242(4) FS. Law Implemented 616.242(4)(b), ~~(48)~~, (19), (21) FS. History—New 5-30-10, Formerly 5F-8.0127, Amended 7-27-17, 10-29-19, _____.

5J-18.0128 Resolution of Violations, Settlement, and Additional Enforcement Remedies.

~~(1) The Department and person charged with a violation may agree to resolve violations prior to an administrative hearing, or may enter into settlement pursuant to Section 120.57(4), F.S. The penalties addressed in this rule chapter shall not be construed to limit the authority of the Department to resolve violations prior to or after initiation of any administrative action or to settle with any party. The Department shall utilize all available remedies to ensure compliance including administrative action, civil actions, settlements, and referrals for criminal prosecution. The Department shall enforce a failure to comply with an agreement to resolve violations or a settlement agreement with the penalties and remedies provided in the agreement and as authorized by Chapters 120 or 616, F.S.~~

~~(1)(2)~~ Failure to respond to an administrative complaint shall result in the entry of a ~~d~~Default Final Order ~~against the violator or entity responsible for the violation.~~ The ~~d~~Department shall impose administrative fines in a ~~d~~Default Final Order equal to the maximum amount allowable under Section 616.242(~~21~~) ~~(19)~~, F.S.

~~(2)(3)~~ A failure to comply with either a Final Order or a ~~d~~Default Final Order of the ~~d~~Department shall result in revocation of the amusement ride owner's permit or inspection certificate and an administrative fine against the owner or manager of the amusement ride of \$2,500 per violation, per day. Additional penalties shall be sought through the enforcement of the order in circuit court.

Rulemaking Authority 616.165, 616.242(4) FS. Law Implemented 616.242(4)(b), ~~(48)~~, (19), (21) FS. History—New 5-30-10, Formerly 5F-8.0128.

5J-18.014 Training of Managers, Attendants, and Maintenance Persons.

(1) The owner or manager shall maintain the record of employee training required by Section 616.242(~~17~~)(~~46~~), F.S., on department form FDACS-03431, Rev. 07/19, Fair Rides Employee Training Record. In lieu of form FDACS-03431 as incorporated by reference in Rule 5J-18.0012, F.A.C., the owner or manager may request approval of an alternative form by submitting the form to the department by email to FairRides@FDACS.gov, by fax to (850)410-3797, or by mail to Bureau of Fair Rides Inspection, 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500. The department shall approve the alternative form for use if the alternative form includes, at a minimum, all information required on the applicable department form. Upon approval, an alternative form may be used to document employee training as required by Section 616.242(~~17~~)(~~46~~), F.S.

(2) In order to facilitate safe installation and operation, and in addition to the requirements of subsections 616.242(5), ~~and (6), and (7)~~, F.S., any owner or manager applying for a permit to operate an amusement ride must demonstrate competency by holding a valid National Association of Amusement Ride Safety Officials (NAARSO) certification, or a valid Amusement Industry Manufacturers and Suppliers International (AIMS) inspection or maintenance certification, or certification from another professional organization that meets or exceeds the certification requirements set forth above unless a professional organization does not exist for the type of amusement device(s) operated by the owner or manager.

(3) In lieu of holding the qualifications listed in subsection (2), the owner or manager may designate a representative who meets the requirements set forth therein.

(4) No change.

Rulemaking Authority 616.165, 616.242(4), (17) ~~(46)~~ FS. Law Implemented 616.242 (17) ~~(46)~~ FS. History—New 7-31-94, Amended 2-14-99, 5-30-05, 5-30-10, Formerly 5F-8.014, Amended 7-27-17, 10-29-19, _____.

5J-18.0142 Reporting of Accidents and Mechanical, Structural or Electrical Defects.

(1) Accidents shall be reported to the department in accordance with Section 616.242(~~15~~)(~~44~~), F.S. Accidents shall be reported in writing on department form FDACS 03428, Fair Rides Written Accident Report, Rev. 07/19, incorporated by reference in Rule 5J-18.0012, F.A.C.

(2) Relevant to the application and enforcement of Section 616.242(~~15~~)(~~44~~), F.S., “transport” shall be defined as the conveyance of a patron from one place to another. “Transport” is not limited by reference to a specific means of transportation.

(3) Mechanical, Structural or Electrical defects or failures shall be reported to the department, in writing, in accordance with Section 616.242(15)(14), F.S., on department form FDACS 03430, Fair Rides Mechanical, Structural or Electrical Defect/Failure Report, Rev. 07/20 07/19, incorporated by reference in Rule 5J-18.0012, F.A.C.

(a) Rides shall remain closed until repairs are reviewed by the department.

(b) Before resuming operation, rides must be released for operation by the department.

Rulemaking Authority 616.165, 616.242(4)(b) FS. Law Implemented 616.242(15) (14), FS. History—New 2-14-99, Amended 5-30-05, Formerly 5F-8.0142, Amended 7-5-16, 10-29-19, _____.

5J-18.015 Regulation of Go-Kart Tracks and Similar Vehicles.

(1) Purpose. This section establishes specific requirements for go-kart amusement rides operating up to 30 miles per hour in addition to the other requirements contained in this chapter pertaining to amusement rides. Amusement rides guided by an automatic steering system are exempt from this section. These requirements help insure that go-kart rides constructed permanently or temporarily in the State are safely operated and maintained. ~~Owners that provide G~~go-kart vehicles and tracks shall at a minimum meet these requirements.

(2) Definitions. As used in this rule section, the following definitions shall apply:

(a) Adult Track means a ~~go-kart~~ track that is designed to operate adult vehicles or kiddie vehicles but not at the same time unless alternative specifications are provided by the manufacturer.

(b) through (e) No change.

~~(f) Go Kart, is synonymous with vehicle as defined herein.~~

~~(g) Go Kart device means a course containing a track on which vehicles are operated by patrons.~~

~~(f)(h)~~ No change.

~~(i) Headrest is a structure designed to prevent head injury.~~

(j) through (k) renumbered (g) through (h) No change.

~~(l) Patron means a person operating or riding in a vehicle on a track within a course.~~

(m) through (n) renumbered (i) though (j) No change.

~~(k)(o)~~ Remote Control Speed Limiting Device means a speed limiting component which allows the operator of the ~~go-kart~~ track to bring the throttle back to idle of any ~~go-kart~~ vehicle on the track.

(p) through (r) renumbered (l) through (n) No change.

~~(o)(s)~~ Track Safety Barrier means a physical obstruction designed to prevent a vehicle from leaving the track ~~or which will bring a vehicle to a safe stop in a short distance if the vehicle leaves the track.~~

~~(p)(t)~~ No change.

(3) Posted Signs. ~~Each owner shall have A~~ a sign shall be posted at the entrance to each track or in the pit area containing the following instructions and information for operation:

(a) through (d) No change.

(e) Signs indicating ~~indicate~~ direction of travel ~~and~~ must be obeyed;

(f) No change.

(4) Operations.

(a) through (d) No change.

(e) ~~Go-kart Attendants~~ shall be positioned so that they can observe ~~go-kart track~~ operations and reach any section of the ~~go-kart~~ track immediately. In addition, observation of ~~go-kart~~ facility operations may be supplemented by electronic visual and audio means. Attendants shall not be engaged in the operation of other amusement rides although they may observe ~~go-kart vehicle~~ operations on an adjacent track.

(f) through (j) No change.

(k) ~~Owners shall at a minimum provide T~~he following instructions shall be provided to patrons prior to their permitting operation of the vehicles ~~go-karts~~:

1. Smoking shall not be permitted in vehicles or pit areas.

2. Vehicle patrons must remain seated and inside vehicles at all times while on the course.

~~(l) Owners shall provide T~~he track shall be equipped with adequate lighting for night operation, if applicable.

(m) No change.

(n) ~~Track Owners or~~ attendants must describe and demonstrate to patrons all emergency signals prior to operation of vehicles.

(o) ~~Track Owners or~~ attendants must instruct all patrons as to safe operation procedures.

(p) ~~Track Owners or~~ attendants shall enforce all rules for safe operations.

(q) ~~Track Owners or~~ attendants shall prohibit operations of ~~go-karts~~ vehicles by patrons under the influence of drugs or alcohol.

(5) Vehicle Requirements. In addition to the other requirements found in this chapter:

(a) Each owner or manager of a ~~go-kart device~~ shall have a detailed operational manual written in the English language for each ~~go-kart and go-kart track~~ and the vehicle in operation on the track to include:

1. A detailed, scaled drawing of each track ~~Go Kart type~~ course.

2. No change.

3. Manufacturer's maintenance instructions and specifications for each type of ~~go-kart~~ vehicle.

(b) The speed of every vehicle shall be limited or governed so as not to exceed the maximum speed for which the track ~~or vehicle~~ is designed.

(c) through (e) No change.

(f) No more than one person shall occupy a vehicle at any one time unless the vehicle is designed for such operation by the vehicle manufacturer and insured for such operation by the go-kart track's insurance carrier.

(g) through (h) No change.

(i) To minimize the risk of injury to patrons in the event of a collision or upset, the steering wheel support column, of the steering wheel, headrests, roll bar, and other components which will come in contact with the patron shall be padded. If patrons wear helmets, the roll bar need not be padded.

(j) No change.

(k) All vehicles shall be provided with impact bumpers or impact-absorbing body absorbing parts surrounding all sides of the vehicle. ~~Cars which are released at time intervals so as to run individually are exempt.~~

(l) All wheels of a vehicle shall be so enclosed, designed, or guarded so that they cannot interlock with or ride over the wheels of another vehicle. ~~Cars which are released at timed intervals so as to run individually are exempt.~~

(m) through (n) No change.

(o) All parts fasteners on the vehicles must equal or exceed the manufacturer's specifications.

(p) No change.

(q) ~~Owners shall provide all V~~vehicles must have with safety restraints for each patron and roll bars unless the manufacturer specifically prohibits the use of such devices.

(6) Track and Course Requirements.

(a) No change.

(b) ~~Owners shall provide T~~track safety barriers, as required pursuant to this rule, must be ~~that are~~ constructed to prevent a vehicle from overturning or running over or under the barrier.

(c) Track safety barriers shall be ~~provided and be~~ firmly secured and must provide an uninterrupted continuous barrier along the entire length of both sides of the track with the exception of the pit area. located:

~~1. Between the track and every obstruction or hazard that is located within 10 feet of the track,~~

~~2. Along all non access and non egress edges of the pit area,~~

~~3. Between tracks or sections of track that are within 10 feet of each other,~~

~~4. Between the track and any area where spectators have access.~~

~~(d) Cars that run individually and are equipped with remote control speed limiting devices are exempt from barriers required under this chapter.~~

(e) through (f) redesignated (d) through (e) No change.

(f)(g) ~~Owners shall have E~~electrical systems must be ~~that~~ are in compliance with the local building code.

(7) Fire Protection.

(a) ~~Owners shall provide F~~ully charged ABC dry chemical fire extinguishers having a minimum ten pound capacity must be available.

(b) ~~Owners shall provide F~~ire extinguishers must be located within 70 feet of every section of the track and at least one fire extinguisher shall be kept next to the refueling area and one at the passenger loading area. The fire extinguishers shall be easily accessible and mounted off the ground.

(c) through (e) No change.

(8) Refueling.

(a) ~~Owners shall refuel V~~ehicles shall be refueled in a designated refuel area. No patrons or spectators are allowed in the area during the time of refueling.

(b) No change.

(9) Inspection Requirement. Prior to inspection of a vehicle there must be present on location:

(a) No change.

(b) The vehicle's prior inspection reports, as required by section 616.242(16), F.S. conducted by the owner or their designee.

Rulemaking Authority 616.165, 616.242(4), ~~(16) (45)~~ FS. Law Implemented 616.242 FS. History—New 12-6-93, Amended 2-14-99, 5-30-10, Formerly 5F-8.015, Amended 7-27-17, 10-29-19, _____.

5J-18.0152 Regulation of High Speed Go-Kart Tracks Open for Rental Concession Operation.

(1) Purpose. This section establishes specific requirements for high speed go-kart tracks and high speed go-karts open to the public for rental use in addition to the other requirements contained in this chapter pertaining to amusement rides. Owners that provide high speed go-kart tracks and high speed go-karts for rental use shall at a minimum meet these requirements. This rule does not pertain to go kart tracks surrounded by a barrier system defined in rule paragraphs 5J-18.015(6)(b) and (c), F.A.C.

(2) Definitions. As used in this rule, the following definitions shall apply:

(a) Driver means a patron responsible for operating a high speed go-kart. Drivers must be over 10 years of age and must have attended an instructional briefing. Drivers must be of sufficient stature and physical ability to properly reach and manipulate all controls on the go-kart.

(b) Frame means the primary supporting members of the go-kart.

(c) High speed go-kart means a go-kart with a maximum operating speed greater than 30mph.

1. Class I means a high speed go-kart governed or otherwise limited to a maximum operating speed of between 30 and 35 mph.

2. Class II means a high speed go-kart governed or otherwise limited to a maximum operating speed of between 35 and 50 mph.

(d) Instructional briefing means an on-site, off-track instructional session led by a track operator or attendant, describing safe operations of the high speed go kart.

(e) Pit area means a designated area where patrons are loaded or unloaded into and out of go-karts.

(f) Refuel area means that area where engine fueling is accomplished.

(g) Roll bar means a frame or structure which extends above the patron's head and is designed to support the weight of the high speed go-kart, and protect the patron should the go-kart turn over.

(h) Safety restraint means an adjustable lap belt and cross body safety restraints or harness.

(3) Posted Signs.

(a) A sign shall be posted at the entrance to each track or in the pit area containing the following instructions and information for patrons:

1. Helmets required.

2. Closed toe shoes required.

3. Eye protection required.

4. Karts must be operated in a safe manner.

5. Signs indicating direction of travel must be obeyed.

6. The maximum number of Class I or Class II go-karts allowed in operation during a race.

7. Properly secure loose clothing and hair as to not interfere with safe operations.

8. Patrons under the influence of drugs or alcohol are not permitted to operate the high speed go-karts.

(b) If the go-karts are prohibited from having safety restraints or roll bars by the manufacturer the following signage will also be required:

1. Neck guards required.

2. Chest and rib protectors required.

3. Long pants and abrasion resistant jackets required.

(4) High Speed Go-Kart Requirements.

(a) A detailed operational manual for each model high speed go-kart and high speed go-kart track must be kept onsite at all times. Each operational manual must be written in English and must include:

1. A detailed, scaled drawing of each go-kart course, including course measurements.

2. Written emergency plans which also must be posted in the employee's work area.

3. Manufacturer's maintenance instructions and specifications for each type of go-kart.

(b) The governor or speed-limiting device shall not be accessible to the patron of the high speed go-kart.

(c) Rotating, moving, or hot engine parts of a high speed go-kart shall be shielded from contact by patrons while exiting, riding, or entering to prevent injury to patrons.

(d) No more than one person shall occupy a high speed go-kart at any one time.

(e) A high speed go-kart shall have brakes that operate as designed by the original manufacturer or as approved by a licensed professional engineer.

(f) The brake and throttle controls on a high speed go-kart shall:

1. Be visually labeled, "stop" for brake, and "go" for gas (fuel), or be color-coded, red for brake, green for go, and

2. Return automatically to a non-operational position when released.

(g) All high speed go-karts shall be equipped with safety restraints and roll bars unless the manufacturer specifically prohibits such devices.

(h) All high speed go-karts shall be equipped with impact bumpers or impact-absorbing parts surrounding the body of the high speed go-kart.

(i) All wheels of a high speed go-kart shall be enclosed, designed, or guarded so that they cannot interlock with or ride over the wheels of another go-kart.

(j) The fuel tank of a high speed go-kart shall be designed and mounted so that when the high speed go-kart is inverted, leakage or seepage of fuel does not exceed 1 ounce in 5 minutes from any source.

(k) All parts on go-karts must meet or exceed the manufacturer's specifications.

(l) Each high speed go-kart shall be individually identified. This identification shall be permanently affixed to the frame in a consistent and a readily visible location.

(m) High speed go-karts shall not operate at speeds higher than those established in paragraph (2)(c).

(5) Track and Facility Requirements.

(a) Each track shall meet the following criteria:

1. Hard surface tracks shall have a smooth and consistent gripping surface.

2. The width of all tracks shall be a minimum of three times the width of the widest car or 12 feet, whichever is greater, except where cars run individually, and

3. No intersecting course configurations shall be permitted to operate at the same time; however, pit area entrances and exits are permitted.

(b) Track safety barriers must be constructed to stop the go-kart in a manner so as to minimize the risk of injury to a driver in the event of collision.

(c) Track safety barriers shall be:

1. Between the track and every obstruction or hazard that presents risk of injury.

2. Along all non-access and non-egress edges of the pit area.

3. Between tracks or sections of track that are within 50 feet of each other,

4. Between the track and any area where spectators have access,

5. Of sufficient height and present a vertical face to minimize the risk of the kart climbing and/or crossing the barrier per manufacturer or insurance requirements, and

6. Maintained in a condition that would not create a hazard or present an unnecessary risk to a driver should they come in contact.

(d) The pit area, for patron loading and unloading:

1. Must be separated from the track, and

2. Must have separate entrances and exits to the track.

(e) The property where the track is located shall be surrounded by a fence or barrier to avoid inadvertent patron entry. Fences and gates shall be in accordance with rule 5J-18.0125, F.A.C.

(6) In addition to all other requirements, high speed go kart facilities must meet the following requirements:

(a) The speed of the go-karts is governed or otherwise limited in accordance with this rule,

(b) The track is designed to accommodate go-karts travelling at speeds at which the go-karts are being operated on the track, and

(c) The barriers on the track are appropriate to be used with the go-karts being operated on the track.

(7) Safety Equipment.

(a) At least one fully charged ABC dry chemical fire extinguishers having a minimum ten pound capacity must be located in every passenger loading areas, in every refueling areas, in each employee monitoring stations, and on all recovery/response vehicles.

(b) The location of each fire extinguisher shall be marked and off the ground, and the fire extinguisher shall be easily accessible.

(c) Fire extinguishers must be inspected annually by the local fire marshal or a recognized service.

(d) Staff involved in controlling any ride cycle must be equipped with two-way radios or similar communication devices to ensure clear communication at all times.

(e) The following safety equipment is required to operate a high speed go-kart:

1. Helmet - each helmet must meet or exceed the Federal Motor Vehicle Safety Standard 218, section 571.218, Title 49, Code of Federal Regulations, incorporated by reference in rule 5J-18.0011, F.A.C. A copy of this material may be obtained by writing to Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, or may

be inspected at the Division of Consumer Services, Bureau of Fair Rides Inspection at 2005 Apalachee Parkway, Tallahassee, Florida 32399-6500, or may be accessed online at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08484>,

2. Closed toe shoes, and

3. Eye protection.

(f) In addition to the safety equipment listed in paragraph (6)(e), the following equipment is required to operate a high speed go-kart if restraints or rollbars are prohibited by the manufacturer:

1. Neck guards,

2. Chest and rib protectors, and

3. Long pants and abrasion resistant jackets.

(g) The following safety equipment shall be available if requested by the driver of a high speed go-kart:

1. Neck guards, and

2. Chest and rib protectors.

(8) Refueling.

(a) Go-karts shall be refueled in a designated area. No patrons or spectators are allowed in the area during the time of refueling.

(b) No Smoking signs must be posted next to the refueling dispenser.

(9) Inspection Requirement. Prior to a department inspection of a high speed go-kart, there must be present on location:

(a) The high speed go-kart's operational manual written in English, and

(b) The high speed go-kart's prior inspection reports conducted by the owner or their designee.

(10) Operations.

(a) No person shall be permitted to drive a go-kart without attending an on-site instructional briefing designed specifically for the go-kart course being driven. Instructional briefings attended within the previous 30 days will meet this requirement if the instructional briefing content has not changed. The briefing shall include, at a minimum:

1. Discussion of the course design, a visual representation of the course, and specific instructions on how to drive the course,

2. Explanation of the colors of flags and any other signals which will be used during the ride cycle, to include those used when issuing warnings and indicating cessation of operations,

3. Instructions regarding kart gas and braking, to include description and explanation of proper acceleration and deceleration of the high speed go-kart,

4. Instructions on the proper use of safety equipment,

5. Instructions prohibiting blocking, bumping, and reckless driving.

6. Instructions regarding proper operation of vehicle controls.

7. Information regarding the importance of following rules and instructions.

8. Description and demonstration of all emergency signals.

9. Instructions on safe operation procedures, and

10. Instructions on course requirements.

(b) All high speed go-karts that are operated simultaneously on a track shall have body parts, bumpers, and wheels that are size compatible.

(c) High speed go-karts brought by members of the public shall not be operated with high speed rental go-karts unless all high speed go-karts meet all requirements of this section.

(d) Class I and Class II high speed go-karts shall not operate on the track at the same time.

(e) Class II drivers must be over 16 years of age with a valid driver's license or 18 years of age or older.

(f) Drivers who do not meet Class II requirements but who have safely raced the course in a Class I go-kart a minimum of five sessions may be granted permission to operate a Class II go-kart by the owner or operator of the track. Proof of prior Class I go-kart operation must be recorded and retained by the owner.

(g) The number of high speed go-karts permitted to operate on a track at one time is limited to the number of go-karts the track was designed to safely contain. Documentation of the maximum number of Class I or Class II go-karts that can safely operate on the track at the same time must be maintained by the track owner. Documentation from the track designer, manufacturer, or a professional engineer will meet this requirement.

(h) High speed go-kart attendants shall:

1. Ensure all required safety equipment is being properly used.

2. Be positioned so that they can observe all sections of the track and reach any section of the track immediately. Electronic visual and audio means may be used to supplement attendants' observation of the track.

3. Observe each patron to ensure proper karting knowledge and driving proficiency.

4. Not be engaged in the operation of other amusement rides during go-kart operations.

5. Ensure drivers are not under the influence of drugs or alcohol during operations.

6. Provide the track with adequate lighting for night operation, if applicable, and

7. Enforce all rules for safe operations.

(i) Tracks shall be free of oil and fuel spills. A high speed go-kart losing oil or fuel shall be immediately removed from the track. In the event of an oil or fuel spill, all operations shall

cease until the spill has been cleaned up and the track is deemed by attendants to be safe for operations.

Rulemaking Authority 616.165, 616.242(4) FS. Law Implemented 616.242 FS. History—New _____.

5J-18.016 Regulation of Water Parks.

(1) No change.

(2) Definitions. As used in this section, the following definitions shall apply:

(a) Catch pool means a pool at the base of the water related amusement ride from which patrons exit. ~~Catch pool attendant means an attendant who directly monitors the activity in the plunge pool and immediate vicinity.~~

(b) Catch pool attendant means an attendant who directly monitors the activity in the catch pool and immediate vicinity. ~~Dispatcher means an attendant who supervises the operation at the top of the water related amusement ride.~~

(c) No change.

(d) Plunge or Catch pool means a pool at the base of the water related amusement ride from which patrons exit.

(d) (e) No change.

~~(f) Start pool means a shallow trough or pool at the top of the water related amusement ride where the patron enters the flume.~~

~~(g) Water park means an amusement park with water related amusement rides.~~

(e) (h) Water related amusement ride means any amusement ride involving immersion of the body totally or partially in the water.

(f) (i) Water slide means a water related amusement ride used as a recreational device which:

1. through 2. No change.

3. Is designed to provide a descending ride into a catch pool, ~~or~~ runoff ~~or~~ body of water at the base of the water related amusement ride.

(3) Manual.

(a) Each owner or manager of a water related amusement ride shall maintain an operational manual or other written instructions for all operation and maintenance.

(b) No change.

(4) Posted Signs. At the water park's entrance or at each water related amusement ride, the owner or manager shall provide a sign that conveys the meaning of the following instructions and information:

(a) No change.

(b) Any other instructions recommended or required by the manufacturer, ~~or~~ owner or manager to be posted.

(5) Daily Inspections. During operations, the owner, manager, or the owner's designee shall:

(a) No change.

(b) Maintain appropriate water related amusement ride inspection records as required in Section 616.242(16) (15), F.S., and section 4.1.4, F770-18, ASTM International Committee F-24 on Amusement Rides and Devices Designation, as incorporated by reference in Rule 5J-18.0011, F.A.C.

(6) Operation.

(a) The owner or manager shall operate each water related amusement ride in accordance with its operations manual and manufacturer requirements.

(b) through (c) No change.

(d) Owners, managers or attendants shall instruct all patrons as to safe operation procedures.

(e) Owners, managers or attendants shall enforce the rules for patron safety set out in the owner’s operations manual and in manufacturer’s requirements.

(7) Criteria.

(a) No change.

(b) The water park shall be fenced. Fencing and gating shall be in accordance with ASTM International Committee F-24 on Amusement Rides and Devices Designations F1159-16 and F2291-18 as incorporated by reference in Rule 5J-18.0011, F.A.C. Rule 5J-18.0125, F.A.C. Individual water related amusement rides need not be fenced when the water park is fenced.

(c) through (d) No change.

(8) Ingress, Egress, and Walking Surfaces. The owner or manager shall maintain the means of ingress, egress and walking surfaces of the amusement ride so that they are slip resistant with a textured surface which is not conducive to slipping under contact of bare feet.

Rulemaking Authority 616.165, 616.242(4)(c) FS. Law Implemented 616.242(4) FS. History–New 12-6-93, Amended 2-14-99, 5-30-10, Formerly 5F-8.016, Amended 7-27-17, 5-2-19, 10-29-19,

5J-18.024 Exempt ~~Nonmotorized~~ or ~~Human Powered~~ Amusement Rides.

The following amusement rides, and those of comparable construction or function, are exempt from permitting and inspection by the department pursuant to Section 616.242(11)(c) (10)(b), F.S., ~~because they are nonmotorized or human powered.~~

(1) through (12) No change.

(13) Motion simulators or other comparable equipment that uses motion picture simulation along with mechanical movement, and does not rotate or move more than 45 degrees in any direction.

(14) Free Driving Machinery, such as a monster truck, combine harvester or military equipment, that is not confined to a metal track but is driven in a confined area.

(15) Ice Slides or other comparable equipment which has a total vertical drop of less than ten feet, and which has ice or refrigeration applied to its surface.

Rulemaking Authority 616.165, 616.242(4)(b), (11)(c) (10)(b) FS. Law Implemented 616.242 FS. History–New 10-10-01, Amended 5-30-05, Formerly 5F-8.024, Amended 10-14-18, 10-29-19,_____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Michelle Faulk, Bureau of Fair Rides Inspection
 NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Commissioner of Agriculture Nicole Fried
 DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 11, 2020
 DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 2, 2020

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: 6A-4.0311
 RULE TITLE: Specialization Requirements for Certification in School Psychologist (Grades PK-12) - Specialty Class Beginning July 1, 1992

PURPOSE AND EFFECT: To update certification requirements to align with current national standards in school psychology and create a re-specialization pathway to help address school psychologist shortages. The effect will allow more professionals to become eligible for certification as a school psychologist and potentially improve the ratio of school psychologists to students in Florida public schools.

SUMMARY: Certification requirements for school psychologists.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: Based upon the nature of the changes, this proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification. No increase in regulatory costs are anticipated as a result of the rule changes.

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: 1001.02, 1012.55, 1012.56, F.S.

LAW IMPLEMENTED: 1012.54, 1012.55, 1012.56, F.S.

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

DATE AND TIME: September 23, 2020, 9:00 a.m.

PLACE: Florida Holocaust Museum, 55 5th St S., Saint Petersburg, FL 33701.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Melissa Ramsey, Vice Chancellor, Division of Public Schools, 325 West Gaines Street, Tallahassee, FL 32399-0400, 850-245-0475.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-4.0311 Specialization Requirements for Certification in School ~~Psychology~~ Psychologist (Grades PK-12) – Specialty Class ~~Beginning July 1, 1992.~~

(1) Plan One. A doctorate degree with a specialization in school psychology which includes a twelve-hundred (1200-hour), supervised internship with at least six-hundred (600) hours completed in an elementary or secondary school setting; A specialist’s or higher degree with a major in school psychology at the specialist’s or higher degree level which includes six (6) semester hours of graduate credit in a year-long supervised school psychology internship in an elementary or secondary school; or

(2) Plan Two. A degree from a specialist-level program of study (e.g., EdS, PsyS, CAGS, Master’s) from a National Association of School Psychologists (NASP) or American Psychological Association (APA) accredited or approved graduate training program in school psychology that includes the following: A master’s or higher degree and completion of a graduate program in school psychology which includes sixty (60) semester hours of graduate credit in school psychology to include the areas specified below:

(a) A minimum of sixty (60) semester hours of graduate credit in school psychology; Credit in each of the following six core competency areas:

1. Psychological foundations;
2. Educational foundations;
3. Psychoeducational assessment;
4. Interventions and specialized techniques;
5. Statistics, measurement, and research design; and,
6. Professional school psychology.

(b) Completion of a minimum of three (3) semester hours of supervised and sequenced practica experiences prior to the

internship in paragraph (2)(c); Three (3) semester hours in a supervised practicum in school psychology in addition to the internship in paragraph (2)(e) of this rule; and,

(c) Completion of a twelve-hundred (1200) hour, supervised internship with at least six-hundred (600) hours completed in an elementary or secondary school setting. No more than six (6) hours of internship credit may be applied to the sixty (60) semester hour requirement in paragraph (2)(a); Six (6) semester hours in a year-long supervised school psychology internship in an elementary or secondary school. No more than twelve (12) semester hours of credit in the internship shall be accepted; or

(3) Plan Three. A valid credential as a Nationally Certified School Psychologist issued by the National Association of School Psychologists (NASP); A master’s or higher degree with completion of a graduate program in school psychology and three (3) years of full time experience as a school psychologist in an elementary or secondary school. The experience shall be acceptable provided the applicant held a valid full time school psychologist certificate issued by the state where the experience was gained; or

(4) Plan Four. A doctorate degree or a degree from a specialist-level program of study in clinical psychology or counseling psychology with a non-degree respecialization in school psychology. Respecialization must include: A master’s or higher degree with sixty (60) semester hours of graduate credit in school psychology to include the areas specified below:

(a) Completion of an individualized plan of study and supervised field experiences in a NASP-approved graduate preparation program in Florida that grants recognition for previously completed, relevant coursework and field experiences, and identifies additional graduate courses and supervised experiences consistent with the NASP Graduate Preparation Standards. A minimum of fifteen (15) credits must be completed in the school psychology training program that documents eligibility for non-degree certification. Twelve (12) semester hours in psychological foundations. Courses in this area include: abnormal psychology, biological bases of behavior, cultural diversity, child psychology, adolescent psychology, psychology of exceptional students, human learning, personality, and social bases of behavior;

(b) Completion of a twelve-hundred (1200) hour, supervised internship with six-hundred (600) hours of a supervised school psychology internship completed in an elementary or secondary school setting. Supervised internships previously completed as part of the health services psychology graduate training program may meet up to six-hundred (600) hours of the school psychology internship requirement. Six (6) semester hours in educational foundations. Courses in this area

~~include: education of exceptional learners, instructional and remedial techniques, and organization and operation of schools;~~

~~(c) Documentation from the school psychology graduate training program that the candidate demonstrates the competencies of a professional school psychologist across the NASP Domains of Professional Practice and meets the criteria for non-degree certification as a school psychologist. Nine (9) semester hours in psychoeducational assessment to include three (3) semester hours in individual intellectual assessment. Courses in this area include individual intellectual assessment, psychoeducational assessment, and personality or behavior assessment;~~

~~(d) Nine (9) semester hours in interventions and specialized techniques. Courses in this area include consultation, counseling, applied behavioral analysis, behavior management, and prescriptive intervention;~~

~~(e) Six (6) semester hours in statistics, measurement, and research design. Courses in this area include: statistics, testing and measurement, research design, and program evaluation;~~

~~(f) Three (3) semester hours in professional school psychology. Courses in this area include: history and foundations of school psychology, legal and ethical issues, professional issues affecting school psychologists, and rules and functions of the school psychologist;~~

~~(g) Three (3) semester hours in a supervised practicum in school psychology in addition to the internship in paragraph (4)(h) of this rule. Three (3) years of full-time experience as a school psychologist in an elementary or secondary school will satisfy the supervised practicum requirement. The experience shall be acceptable provided the applicant held a valid full-time school psychologist certificate issued by the state where the experience was gained; and,~~

~~(h) Six (6) semester hours in a year-long supervised school psychology internship in an elementary or secondary school. The internship shall total at least twelve hundred (1200) clock hours with at least six hundred (600) clock hours in an elementary or secondary school. The internship shall be completed at an institution which offers a master's or higher degree major in school psychology. No more than twelve semester hours of credit in the internship shall be accepted. Three (3) years of full-time experience as a school psychologist as described in paragraph (4)(g) of this rule will satisfy the internship requirement; or~~

~~(5) Plan Five. A valid certificate as a Nationally Certified School Psychologist issued by the National School Psychology Certification System.~~

~~Rulemaking Authority 1001.02, 1012.55, 1012.56 FS. Law Implemented 1012.54, 1012.55, 1012.56 FS. History—New 7-1-92,~~

NAME OF PERSON ORIGINATING PROPOSED RULE:
Melissa Ramsey, Vice Chancellor, Division of Public Schools.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 04, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 8, 2020

DEPARTMENT OF EDUCATION

State Board of Education

RULE NO.: RULE TITLE:

6A-6.0573: Industry Certification Process.

PURPOSE AND EFFECT: To update the rule to adopt the most recent CAPE Industry Certification Funding List, recommendations from CareerSource Florida and the Department of Agriculture and Consumer Services, and required forms. In addition, updates are included on remote proctoring. The effect of the rule development is to ensure that appropriate certifications are included on the most recent CAPE Industry Certification Funding List.

SUMMARY: The amendment includes revisions to the rule and documents incorporated by reference as follows: 1) Adoption by reference of the 2020-2021 CAPE Industry Certification Funding List; 2) Adoption by reference of the industry certification recommendations from CareerSource Florida; 3) Adoption of required forms; 4) Updates on remote testing and proctoring; and 5) Clarifying language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: The amendment authorizes industry certifications which school districts are provided incentives to offer. These certifications have been evaluated to be rigorous and tied to the statewide occupational demand in Florida. Based upon the nature of the changes, this proposed rule is not expected to have any adverse impact on economic growth, business competitiveness or any other factors listed in s. 120.541(2)(a), F.S., and will not require legislative ratification.

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

RULEMAKING AUTHORITY: 1003.4203(9), 1003.492(3), 1008.44, 1011.62(1)(o), F.S.

LAW IMPLEMENTED: 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1)(o), F.S.

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

DATE AND TIME: September 23, 2020, 9:00 a.m.

PLACE: Florida Holocaust Museum, 55 5th St S., Saint Petersburg, FL 33701.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Tara Goodman, Vice Chancellor, Division of Career and Adult Education, 325 West Gaines Street, Room 744, Tallahassee, Florida 32399-0400, Phone 850-245-9001, Tara.Goodman@fldoe.org.

THE FULL TEXT OF THE PROPOSED RULE IS:

6A-6.0573 Industry Certification Process.

(1) Purpose. The purpose of this rule is to specify the procedures and timelines for implementation of an industry certification process.

(2) through (l) no change.

(m) “Remote proctoring” is the process of taking an exam while the test taker is in one location and the virtual proctor is in another location.

(n) “Virtual proctor” is a live human who remotely watches the test taker during the exam. This person must see the test candidate and the exam synchronously, as well as the environment in which the test is taken.

(3) Adoption of the 2020-2021 ~~2019-2020~~ CareerSource Florida Recommendations. CareerSource Florida’s list of recommended industry certifications (<https://www.flrules.org/Gateway/reference.asp?No=Ref->), is adopted by the State Board of Education and incorporated by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(4) No change.

(5) Adoption of an annual “CAPE Industry Certification Funding List.” The “CAPE Industry Certification Funding List” is composed of industry certifications, certificates, and courses as specified in sections 1008.44 and 1011.62(1), F.S.

(a) The list includes the following certifications and certificates:

1. “CAPE Industry Certifications,”
2. “CAPE Acceleration Industry Certifications;” and,
3. “CAPE Digital Tool Certificates.”

(b) This list will be known as the “2020-2021 ~~2019-2020~~ CAPE Industry Certification Funding List, ~~Updated~~” (<http://www.flrules.org/Gateway/reference.asp?No=Ref->) published by the Department of Education and is incorporated

by reference in this rule. The list may be obtained from the Department of Education, Room 744, Turlington Building, 325 West Gaines Street, Tallahassee, FL 32399.

(6) through (9) no change.

(10) Requirements for inclusion of “CAPE Industry Certifications” for farm occupations on the “CAPE Industry Certification Funding List.” Pursuant to section 570.07(43), F.S., the Florida Department of Agriculture and Consumer Services (~~FDACS~~ ~~DOACS~~) shall submit industry certifications for farm occupations to the “CAPE Industry Certification Funding List” according to the following requirements:

(a) The request must be received by the Department no later than March 15;

(b) The request must be submitted on official ~~FDACS~~~~DOACS~~ letterhead; and,

(c) The request must include the following:

1. The name of the certifying agency, contact information for the agency, and web link for the certification on a publicly searchable site maintained by the certifying agency,

2. Information on the requirements to earn the certification including required written and performance tests, work experience, or any other components of earning the certification,

3. Information on the test format and test administration policies and procedures including documentation that that the written exams are third-party developed, scored by the certifying agency, and given in a proctored testing environment; and,

4. Information on the farm occupations demonstrating that the certification addresses a critical local or statewide economic need.

(d) The Department of Education shall add the industry certification to the “CAPE Industry Certification Funding List” based on the following criteria:

1. The industry certification meets the statutory requirements in sections 570.07 and 1003.492, F.S.,

2. The request meets the requirements set forth in paragraphs (10)(a)-(c) of this rule,

3. The certification meets the following requirements:

a. Written exams are third-party developed, scored by the certifying agency, and given in a proctored testing environment,

b. The certification is achievable by students in a secondary level program; ~~and,~~

c. The certification requires a minimum of one hundred fifty (150) hours of instruction as assessed by the Department of Education; and,

d. The certification must lead to employment in a farm occupation as defined in paragraph (2)(j).

(e) In the event the requested industry certification does not meet the requirements for inclusion on the “CAPE Industry Certification Funding List,” the Department of Education shall

notify DOACS of deficiencies no later than April 15. DOACS shall provide any additional information that addresses the deficiencies by May 15 in order for the industry certification to be considered for inclusion on the “CAPE Industry Certification Funding List” for the following year.

(11) through (12) no change.

(13) Conditions for Florida Education Finance Program (FEFP) calculation and reporting.

(a) A school district shall be eligible for additional full-time equivalent (FTE) membership under the following conditions:

1. through 3. No change.

(b) Pursuant to section 1011.62(1), F.S., middle grades students who earn additional FTE membership for a CAPE Digital Tool Certificate may not use the previously funded examination to satisfy the requirements for earning a “CAPE Industry Certification,” “CAPE Acceleration Industry Certification,” or “CAPE Innovation Course.” The district shall not report a certification for which a portion of the industry certification exams were previously funded as a “CAPE Digital Tool Certificate.”

(c) In order for the district to report successful attainment of certifications, certificates, and course completion on the “CAPE Industry Certification Funding List,” the following test administration procedures for all examinations associated with earning the industry certification must be followed:

1. through 6. No change.

(d) School districts may report students who complete industry certifications during the update period allowed by the Department of Education for survey 5 after an initial submission as specified in rule 6A-1.0451, F.A.C.

(e) Postsecondary dual enrollment courses must be registered by the district as career-themed courses in order for the “CAPE Industry Certification” or “CAPE Acceleration Industry Certification” earned in these courses to be included in the additional FTE membership calculation, under the conditions specified in section 1011.62(1)(o)1.b., F.S.

(f) Exams may not be used to satisfy the requirements for more than one industry certification or certificate.

(14) No change.

(15) Registration of career-themed courses eligible for funding as specified in section 1011.62(1)(o), F.S. The Department of Education shall maintain a web-based application which shall be used by school districts for the annual submission of current information on each career-themed course by school.

(a) Eligible courses must be registered by the school district for an academic year during the following registration windows: October 16 to November 30, February 1 to March 1, and ~~July 15 August 1~~ to August 10.

(b) through (h) no change.

(16) through (18) no change.

(19) For students enrolled in the 2020-21 academic year and beyond, remote proctoring for industry certifications and digital tool certificates. Certifying agencies may elect to offer remotely proctored testing options.

(a) Remotely proctored exams must include:

1. Confirmation of student test taker’s identity,

2. Virtual proctor,

3. Secure delivery of electronic exam; and,

4. Process for identifying testing irregularities.

(b) The certifying agency must issue the same credential that would have been earned in the traditional proctoring setting.

(c) Certifications and certificates approved by the Department as meeting this criteria shall be posted on the following webpage: <http://www.fldoe.org/academics/career-adult-edu/cape-secondary/cape-industry-cert-funding-list-current.stml>

Rulemaking Authority 1001.02, 1003.4203(9), 1003.492(3), 1008.44, 1011.62(1) FS. Law Implemented 1003.4203, 1003.492, 1003.493, 1003.4935, 1008.44, 1011.62(1), 1012.796 FS. History—New 10-20-08, Amended 8-18-09, 6-22-10, 6-21-11, 10-25-11, 8-23-12, 3-25-13, 11-3-13, 6-25-14, 11-4-14, 5-19-15, 9-30-15, 7-26-16, 10-30-16, 4-25-17, 10-17-17, 6-19-18, 11-28-18, 2-19-19, 6-25-19, 10-24-19.

NAME OF PERSON ORIGINATING PROPOSED RULE: Tara Goodman, Vice Chancellor, Division of Career and Adult Education.

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Richard Corcoran, Commissioner, Department of Education.

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: August 04, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: June 22, 2020

DEPARTMENT OF HEALTH

Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

RULE NO.: RULE TITLE:

64B4-3.003 Examination for Licensure

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the language for examinations for licensure.

SUMMARY: To update rule language.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

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

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

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

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

RULEMAKING AUTHORITY: 456.017, 491.004(5) FS.

LAW IMPLEMENTED: 456.017, 491.005 FS.

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

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Janet Hartman, Executive Director, Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling, 4052 Bald Cypress Way, Bin # C08, Tallahassee, Florida 32399-3258.

THE FULL TEXT OF THE PROPOSED RULE IS:

64B4-3.003 Examination for Licensure.

(1) An applicant who has completed all requirements for the examination and has been certified eligible by the board will be admitted to the examination for licensure.

(2) Theory and practice examinations.

(a) The examination for Clinical Social Workers. The theory and practice examination for clinical social workers shall be the Clinical Level objective multiple choice examination developed by the Association of Social Work Boards (ASWB). Beginning June 1, 2021, applicants may be deemed eligible to take the examination after completion of 18 months of documented experience in clinical settings, not including the applicant's practicum or other experience received in the applicant's graduate program. The minimum passing score is the recommended cut off score provided by the national vendor established according to a standard setting method.

(b) The examination for Mental Health Counselors shall be the National Clinical Mental Health Counseling Examination (NCMHCE), shall be a clinical simulation examination developed by the National Board for Certified Counselors (NBCC). All options are given a weight based upon

~~the level of appropriateness for good client care. The minimum pass level shall be the recommended cut off score provided by the NBCC and established according to a content based modified Angoff procedure. Applicants for licensure by endorsement may use the National Counselor Examination for Licensure and Certification (NCE) if the exam was taken prior to the year 2000.~~

(c) The examination for Marriage and Family Therapists. The marital and family therapy examination shall be the an objective multiple choice examination developed by the Examination Advisory Committee of the Association of Marital and Family Therapy Regulatory Board (AMFTRB). All items will be weighted equally in scoring the examination.

(3) The minimum passing score is the recommended cut off score provided by the national vendor and shall be established by the respective test providers according to the Angoff procedure.

Rulemaking Authority 456.017, 491.004(5) FS. Law Implemented 456.017, 491.005 FS. History—New 3-21-90, Amended 7-31-91, 3-10-92, 6-1-92, 1-27-93, Formerly 21CC-3.003, Amended 3-14-94, 7-20-94, Formerly 61F4-3.003, Amended 12-22-94, 9-18-95, 11-13-96, 6-1-97, Formerly 59P-3.003, Amended 8-8-99, 1-11-00, 7-2-00, 8-24-00, 10-15-02, 7-8-03, 6-7-10, 8-30-15, 7-10-19, _____.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Clinical Social Work, Marriage and Family Therapy and Mental Health Counseling

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: May 7, 2020

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 24, 2020

Section III Notice of Changes, Corrections and Withdrawals

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Regulatory Council of Community Association Managers

RULE NO.: 61E14-2.001 RULE TITLE: Standards of Professional Conduct
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 46 No. 154, August 7, 2020 issue of the Florida Administrative Register.

The rule notice inadvertently listed the rule development date as July 15, 2020. The correct information for the publication of the rule development notice is Vol. 46, No. 116, of the June 15, 2020, issue of the Florida Administrative Register. The person

to be contacted regarding this rule is: Krista B. Woodard, Executive Director, Regulatory Council of Community Association Managers' Board, 2601 Blair Stone Road, Tallahassee, Florida 32399-0771.

DEPARTMENT OF HEALTH

Board of Occupational Therapy

RULE NO.: RULE TITLE:

64B11-4.003: Standards of Practice; Discipline
NOTICE OF CORRECTION

Notice is hereby given that the following correction has been made to the proposed rule in Vol. 46 No. 154, August 7, 2020 issue of the Florida Administrative Register.

The rule notice inadvertently listed the Purpose and Effect and the Summary as follows:

PURPOSE AND EFFECT: The proposed amendments will allow appropriately trained and supervised occupational therapists to use a neurofeedback device to treat patients. A "neurofeedback device" is a device that provides immediate feedback from a computer-based program that measures brainwave activity with the use of sound, visual and/or tactile input to cue the brain to reorganize and retrain itself.

SUMMARY: The proposed amendments pertain to use of a neurofeedback device by an Occupational Therapist or Occupational Therapy Assistant.

The correct Purpose and Effect and the Summary for the publication of the proposed rule notice is as follows:

PURPOSE AND EFFECT: The proposed amendments adjust the minimum and maximum disciplinary guidelines to clarify to licensees the ranges of discipline that can be expected if a violation occurs.

SUMMARY: The proposed amendments reflect changes made to the standards of practice and disciplinary guidelines for Florida's Occupational Therapists and Occupational Therapy Assistants.

The person to be contacted regarding this rule is: Allen Hall, Executive Director, Board of Occupational Therapy/MQA, 4052 Bald Cypress Way, Bin # C05, Tallahassee, Florida 32399-3253.

**Section IV
Emergency Rules**

NONE

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

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-13.081 Developmental Disabilities Individual Budgeting Waiver Services Provider Rate Table

NOTICE IS HEREBY GIVEN that on August 11, 2020, the Agency for Health Care Administration, received a petition for Variance from or Waiver of Rules 59G-13.081 and 59G-4.002 from Petitioner, C.R. Florida Administrative Code Rule 59G-13.081 incorporates by reference into rule the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Provider Rate Table ("Rate Table"). The Rate Table sets the reimbursable rate for Respite Services per Quarter Hour at \$3.22 per quarter hour. Petitioner seeks a variance from or waiver of the Respite Service Quarter Hour Rate of \$3.22 per quarter hour and is requesting to be authorized a rate of \$5.00 per quarter hour.

Florida Administrative Code Rule 59G-4.002 incorporates by reference into rule the Personal Care Services Fee Schedule. The Personal Care Services Fee Schedule sets the reimbursable rate for service code S9122 at \$15.00 per hour. Petitioner seeks a variance from or waiver of the rate of \$15.00 per hour for service code S9122 and is requesting to be authorized a rate of \$20.00 per hour.

Interested persons or agencies may submit written comments on the Petition within fourteen (14) days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308; Richard.shoop@ahca.myflorida.com; (850)412-3689.

AGENCY FOR HEALTH CARE ADMINISTRATION

Medicaid

RULE NO.: RULE TITLE:

59G-4.002 Provider Reimbursement Schedules and Billing Codes

NOTICE IS HEREBY GIVEN that on August 11, 2020, the Agency for Health Care Administration, received a petition for Variance from or Waiver of Rules 59G-13.081 and 59G-4.002 from Petitioner, C.R. Florida Administrative Code Rule 59G-13.081 incorporates by reference into rule the Florida Medicaid Developmental Disabilities Individual Budgeting Waiver Services Provider Rate Table ("Rate Table"). The Rate Table sets the reimbursable rate for Respite Services per Quarter Hour

at \$3.22 per quarter hour. Petitioner seeks a variance from or waiver of the Respite Service Quarter Hour Rate of \$3.22 per quarter hour and is requesting to be authorized a rate of \$5.00 per quarter hour.

Florida Administrative Code Rule 59G-4.002 incorporates by reference into rule the Personal Care Services Fee Schedule. The Personal Care Services Fee Schedule sets the reimbursable rate for service code S9122 at \$15.00 per hour. Petitioner seeks a variance from or waiver of the rate of \$15.00 per hour for service code S9122 and is requesting to be authorized a rate of \$20.00 per hour.

Interested persons or agencies may submit written comments on the Petition within fourteen (14) days after publication of this notice.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Richard J. Shoop, Agency Clerk, Agency for Health Care Administration, 2727 Mahan Drive, Mail Stop #3, Tallahassee, Florida 32308; Richard.shoop@ahca.myflorida.com, (850)412-3689.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

The Public Employees Relations Commission hereby gives notice: variance from Rule 60CC-4.002, F.A.C., from Nick Mrozowski and the Highlands County Education Association to allow the Highlands County Education Association to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-047. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Order or additional information may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on August 11, 2020, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Israel Santiago and the Highlands County Education Support Personnel Association D.B.A. Highlands County Educational Staff Professionals to allow the Highlands County Education Support Personnel Association D.B.A. Highlands County

Educational Staff Professionals to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-048. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on August 11, 2020, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Holly Hummell-Gorman and the United Teachers of Monroe to allow the United Teachers of Monroe to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-049. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF MANAGEMENT SERVICES

Public Employees Relations Commission

RULE NO.: RULE TITLE:

60CC-4.002 Ratification by Members of Bargaining Unit

NOTICE IS HEREBY GIVEN that on August 11, 2020, the Public Employees Relations Commission, received a petition for variance from Rule 60CC-4.002, F.A.C., from Dan Smith and the Seminole Education Association to allow the Seminole Education Association to conduct all aspects of a ratification election electronically. The petition was assigned Case No. MS-2020-050. Any interested person may submit written comments on this petition within 5 days of publication of this notice by mail to Commission Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by facsimile to (850)488-9704.

A copy of the Petition for Variance or Waiver may be obtained by contacting: The Clerk, Public Employees Relations Commission, 4708 Capital Circle Northwest, Suite 300, Tallahassee, Florida 32303-7256 or by email to Barry.Dunn@perc.myflorida.com.

DEPARTMENT OF HEALTH

Board of Optometry

RULE NO.: RULE TITLE:

64B13-4.001 Examination Requirements

NOTICE IS HEREBY GIVEN that on August 11, 2020, the Board of Optometry, received a petition for waiver or variance filed by Daniel Sanchez. Petitioner is seeking a variance or waiver of subparagraphs 64B13-4.001(1)(d)2. and 3., F.A.C., which states in part that the licensure examination authorized in subsection 463.006(2), F.S., shall consist of four parts with one being the Florida Practical Examination. The Florida Practical Examination shall consist of three (3) tested skills and the Board requires passage of all three (3) skills on the same test attempt. The three (3) skills are Biomicroscopy, Binocular Indirect Ophthalmoscopy, Dilated Biomicroscopy and Non-Contact Fundus Lens Evaluation and are weighted equally. The passing score for each skill shall be seventy-five percent (75%) or better, and a passing score on each of the three (3) skills must be obtained on the same test attempt.

A copy of the Petition for Variance or Waiver may be obtained by contacting: Anthony Spivey, Executive Director, Board of Optometry, 4052 Bald Cypress Way, Bin #C07, Tallahassee, Florida 32399-3257. Comments on this petition should be filed with the Board of Optometry within 14 days of publication of this notice.

Section VI

Notice of Meetings, Workshops and Public Hearings

DEPARTMENT OF EDUCATION

Education Practices Commission

The Education Practices Commission announces a public meeting to which all persons are invited.

DATE AND TIME: An Executive Director Hiring Committee Meeting will begin at 10:00 a.m. or as soon thereafter as can be heard on August 20, 2020.

PLACE: Phone Meeting, United States Toll-Free: 1(888)585-9008, Conference Room Number: 847-456-389

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Executive Director Hiring Committee Meeting is held for general business associated with the hiring process for the Executive Director.

A copy of the agenda may be obtained by contacting: Timothy Frizzell at Timothy.Frizzell@myfloridalegal.com.

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

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

For more information, you may contact: Timothy Frizzell at Timothy.Frizzell@myfloridalegal.com.

FLORIDA COMMISSION ON OFFENDER REVIEW

The Florida Commission on Offender Review announces a public meeting to which all persons are invited.

DATES AND TIMES: Wednesday, September 2, 2020, 9:00 a.m.; Thursday, September 3, 2020, 11:00 a.m.; Wednesday, September 16, 2020, 9:00 a.m.; Thursday, September 17, 2020, 11:00 a.m.; Wednesday, September 30, 2020, 9:00 a.m.; Thursday, October 1, 2020, 11:00 a.m.

PLACE: There will be no in person Commission meeting. The meeting will be held via conference call. To participate in the meeting, call United States (Toll Free): 1(877)309-2073 or United States: (571)317-3129 and dial access code 337-350-165. For questions and correspondence from inmate supporters, please email inmatessupporter@fcor.state.fl.us. For questions and correspondence regarding victims' rights, please email victimsquestions@fcor.state.fl.us.

GENERAL SUBJECT MATTER TO BE CONSIDERED: Regularly scheduled meeting for all Parole, Conditional Release, Conditional Medical Release, Addiction Recovery, Control Release and all other Commission business.

A copy of the agenda may be obtained by contacting: Florida Commission on Offender Review (850)488-1293.

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: Florida Commission on Offender Review at ada@fcor.state.fl.us. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

REGIONAL UTILITY AUTHORITIES

Tampa Bay Water - A Regional Water Supply Authority

The Tampa Bay Water, A Regional Water Supply Authority announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2020, 9:00 a.m. – 10:00 a.m. or until completion.

PLACE: Tampa Bay Water Administrative Offices, 2575 Enterprise Road, Clearwater, Florida 33763. Due to Covid-19 concerns this conference will also be offered via conference call. Interested person(s) may participate using the following Dial-In No. 1(877)568-4106, Conference Room No. 551-785-589#.

GENERAL SUBJECT MATTER TO BE CONSIDERED: A public meeting of the Selection Committee for the Request for Proposals for the Morris Bridge Wellfield Improvements Project, Contract No.: 2021-002. As a part of the selection process, the Selection Committee will meet to review and discuss the responses and ranking of the firms, determine if interviews are needed and review potential interview questions. A copy of the agenda may be obtained by contacting: Records Department at (727)796-2355.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Records Department at (727)796-2355. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Records Department at (727)796-2355.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

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

DATE AND TIME: August 25, 2020, 2:00 p.m.

PLACE: Webinar:
<https://attendee.gotowebinar.com/register/3148360695394604556>

GENERAL SUBJECT MATTER TO BE CONSIDERED: This is a public webinar for interested stakeholders to discuss the Indian River Lagoon Basin Management Action Plans (BMAPs). The BMAPs are the means for implementation of the adopted Total Maximum Daily Loads (TMDLs). The primary purposes of this webinar are to provide historical background information on development of the BMAPs and to provide information on the progress of updating the adopted BMAPs.

A copy of the agenda may be obtained by contacting: Stacy Cecil at Stacy.Cecil@floridadep.gov or Ted Saltos at Theodore.Saltos@floridadep.gov.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 48 hours before the workshop/meeting by contacting: Stacy Cecil at (850)245-8683 or Theodore Saltos at

(850)245-8521. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 18B Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: September 8, 2020, 11:00 a.m. – 11:15 a.m.

PLACE:

<https://us02web.zoom.us/j/86006133474?pwd=QURPQVRGbCtvdC9nUE1TNIZTeHFDdz09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Thelisha Thomas: Thelisha@healthystartseminole.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting:

Thelisha Thomas:

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

For more information, you may contact: Thelisha Thomas: Thelisha@healthystartseminole.org.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 18B Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: October 13, 2020, 11:00 a.m. – 11:15 a.m.

PLACE:

<https://us02web.zoom.us/j/89239378509?pwd=ZktoQkRBZW RKZU5SYIM2UihSU1ljUT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records.

records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Thelisha Thomas: Thelisha@healthystartseminole.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Thelisha Thomas:

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

For more information, you may contact: Thelisha Thomas: Thelisha@healthystartseminole.org.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 18B Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: November 10, 2020, 2:00 p.m. – 2:15 p.m.

PLACE:

<https://us02web.zoom.us/j/89982188361?pwd=bm0ydUxGTHM4YlpadXY1NTFNuDEwUT09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Thelisha Thomas: Thelisha@healthystartseminole.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Thelisha Thomas:

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

For more information, you may contact: Thelisha Thomas: Thelisha@healthystartseminole.org.

DEPARTMENT OF HEALTH

Division of Children's Medical Services

The Child Abuse Death Review Circuit 18B Committee announces a telephone conference call to which all persons are invited.

DATE AND TIME: December 8, 2020, 10:30 a.m. – 10:45 a.m.

PLACE:

<https://us02web.zoom.us/j/86563564597?pwd=MFNOTzR5UTdhZndMNEI5OXVYMIkxZDZ09>

GENERAL SUBJECT MATTER TO BE CONSIDERED: The Committee will address administrative issues, review cases, and discuss the CADR Action Plan. A portion of the meeting is required by paragraph 383.412(3)(a), F.S. to be closed to the public to allow the Committee to discuss information that is confidential and exempt from public meetings and public records. This portion of the meeting will be announced at the meeting.

A copy of the agenda may be obtained by contacting: Thelisha Thomas: Thelisha@healthystartseminole.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: Thelisha Thomas:

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

For more information, you may contact: Thelisha Thomas: Thelisha@healthystartseminole.org.

DEPARTMENT OF CHILDREN AND FAMILIES

Family Safety and Preservation Program

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

DATE AND TIME: August 31, 2020, 10:00 a.m. ET

PLACE: Conference Call Line 1(888)585-9008, Participation Code: 810 716 544#

GENERAL SUBJECT MATTER TO BE CONSIDERED: Grant Review Meeting for RFA #2021-02, CAPTA – Lead Agency Provides Home Visitation for Substance-Affected Infants and their Families in Rural Areas.

The RFA was advertised on the DMS Vendor Bid System Electronic Posting Site, http://www.myflorida.com/apps/vbs/vbs_www.main_menu.

A copy of the agenda may be obtained by contacting: Jessica Koburger, Procurement Officer at Jessica.Koburger@myflfamilies.com or (850)661-4407.

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: Jessica Koburger, Procurement Officer at Jessica.Koburger@myflfamilies.com or (850)661-4407. If you are hearing or speech impaired, please contact the agency using

the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Jessica Koburger, Procurement Officer at Jessica.Koburger@myflfamilies.com or (850)661-4407.

DEPARTMENT OF CHILDREN AND FAMILIES

Refugee Services

The Jacksonville Area Refugee Task Force announces a public meeting to which all persons are invited.

DATE AND TIME: Wednesday, September 9, 2020, 1:30 p.m. – 3:30 p.m.

PLACE: Meeting will take place via teleconference call: Call in Phone Number: 1(888)585-9008, Conference Room Number: 951-031-034

GENERAL SUBJECT MATTER TO BE CONSIDERED: The purpose of the Jacksonville Area Refugee Task Force meeting is to increase awareness of the refugee populations, share best practices, spot trends in refugee populations, build collaborations between agencies, help create good communication among service providers, get informed about upcoming community events, and discuss refugee program service needs and possible solutions to meeting those needs.

A copy of the agenda may be obtained by contacting: LeAndra Stafford at (904)485-9540 or David Draper at (407)317-7335.

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: LeAndra Stafford at (904)485-9540 or David Draper at (407)317-7335. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: LeAndra Stafford at (904)485-9540 or David Draper at (407)317-7335.

FLORIDA HOUSING FINANCE CORPORATION

The Florida Housing Finance Corporation announces a workshop to which all persons are invited.

DATE AND TIME: September 10, 2020, 10:00 a.m.

PLACE: available via webinar and telephone

GENERAL SUBJECT MATTER TO BE CONSIDERED: The workshop will be held to solicit comments and suggestions from interested persons relative to Florida Housing’s proposed RFA 2020-205 SAIL Financing of Affordable Multifamily Housing Developments To Be Used In Conjunction With Tax-Exempt Bonds And Non-Competitive Housing Credits. The

registration information for the workshop is posted to the following websites:

<https://www.floridahousing.org/programs/developers-multifamily-programs/competitive/2020/2020-205>.

A copy of the agenda may be obtained by contacting: Jean Salmonsens, (850)488-4197.

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: Jean Salmonsens, (850)488-4197. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

FLORIDA HOUSING FINANCE CORPORATION

The FHFC III, Inc., announces a public meeting to which all persons are invited.

DATE AND TIME: September 4, 2020, 2:30 p.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

PLACE: Call-in number: 1(888)339-2688, Passcode: 390 477 27

NOTE: Board Members will be meeting in person at the offices of Florida Housing Finance Corporation, 227 N. Bronough St., Tallahassee Florida; however, due to the current public health crisis and social distancing recommendations, all others wishing to participate in the meeting are asked to do so via the call-in information provided, if possible.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC III, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.
3. Consideration of all necessary actions with regard to any property owned or held by FHFC III, Inc.
4. Consideration of approval of underwriters for inclusion on approved master list and teams.
5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
6. Consideration of status, workouts, or modifications for existing projects.
7. Consideration of matters relating to the statutory purpose of FHFC III, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.

8. Such other matters as may be included on the Agenda for the September 4, 2020, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation’s website at www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197. If any person decides to appeal any decision made by FHFC III, Inc., with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

The FHFC II, INC. announces a public meeting to which all persons are invited.

DATE AND TIME: September 4, 2020, 2:30 p.m., or upon adjournment of the Florida Housing Finance Corporation Board of Directors meeting, until adjourned.

PLACE: Call-in number: 1(888)339-2688, Passcode: 390 477 27

NOTE: Board Members will be meeting in person at the offices of Florida Housing Finance Corporation, 227 N. Bronough St., Tallahassee Florida; however, due to the current public health crisis and social distancing recommendations, all others wishing to participate in the meeting are asked to do so via the call-in information provided, if possible.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Conduct business necessary for the organization of FHFC II, INC.

2. Consider adopting resolutions delegating operational authority to the Executive Director.

3. Consideration of all necessary actions with regard to any property owned or held by FHFC II, Inc.

4. Consideration of approval of underwriters for inclusion on approved master list and teams.

5. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.

6. Consideration of status, workouts, or modifications for existing projects.

7. Consideration of matters relating to the statutory purpose of FHFC II, Inc., to provide safe and sanitary housing that is affordable for the residents of Florida.

8. Such other matters as may be included on the Agenda for the September 4, 2020, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation’s website at www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197.

If any person decides to appeal any decision made by FHFC II, Inc., with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

FLORIDA HOUSING FINANCE CORPORATION

The FLORIDA HOUSING FINANCE CORPORATION announces a public meeting to which all persons are invited.

DATE AND TIME: September 4, 2020, 1:30 p.m. ET until adjourned

PLACE: Call-in number: 1(888)339-2688, Passcode: 390 477 27

NOTE: Board Members will be meeting in person at the offices of Florida Housing Finance Corporation, 227 N. Bronough St., Tallahassee Florida; however, due to the current public health crisis and social distancing recommendations, all others wishing to participate in the meeting are asked to do so via the call-in information provided, if possible.

GENERAL SUBJECT MATTER TO BE CONSIDERED: 1. Consider financing and acknowledgement resolutions for various multifamily developments, under any multifamily program, including the ranking of developments.

2. Consider appointment of professionals including but not limited to trustee and/or originator/servicer for upcoming and/or past multifamily programs and single-family programs.

3. Consider approval of all bond documents for and terms of all upcoming single-family and multifamily bond sales, including

those secured by third-party guarantors, letters-of-credit, insurance or other mechanisms.

4. Consider adopting resolutions authorizing negotiated or competitive sale of bonds on various single-family and multifamily issues.
5. Consider directing Staff to submit summaries of various TEFRA/Public Hearings to the Governor.
6. Consideration of policy issues concerning ongoing and upcoming single-family bond issues including initiation of request for proposals on an emergency basis, and structuring new issues.
7. Consideration of all necessary actions with regard to the Multifamily Bond Program.
8. Consideration of approval of underwriters for inclusion on approved master list and teams.
9. Consideration of all necessary actions with regard to the HOME Rental Program.
10. Consideration of all necessary actions with regard to the HC (Housing Credits) Program.
11. Consideration of all necessary actions with regard to the SAIL (State Apartment Incentive Loan) Program.
12. Consideration of all necessary actions with regard to the SHIP (State Housing Initiatives Partnership) Program.
13. Consideration of all necessary actions with regard to the PLP (Predevelopment Loan) Program.
14. Consideration of all necessary actions with regard to the Homeownership Programs.
15. Consideration of all necessary actions for initiating new rules or rule amendments on an emergency or non-emergency basis.
16. Consideration of Appeals from Requests for Applications funding selection with entry of final orders.
17. Consideration of workouts or modifications for existing projects funded by the Corporation.
18. Consideration of matters relating to the stated purpose of the Corporation to provide safe and sanitary housing that is affordable for the residents of Florida.
19. Consideration of funding additional reserves for the Guarantee Fund.
20. Consideration of audit issues.
21. Evaluation of professional and consultant performance.
22. Such other matters as may be included on the Agenda for the September 4, 2020, Board Meeting.

A copy of the agenda may be obtained by contacting: Approximately two days prior to the meeting by contacting Sheila Freaney, Board Liaison, Florida Housing Finance Corporation, 227 North Bronough Street, Suite 5000, Tallahassee, Florida 32301-1329, phone number (850)488-4197, or by visiting the Corporation's website at www.floridahousing.org.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 5 days before the workshop/meeting by contacting: Sheila Freaney at the Florida Housing Finance Corporation at (850)488-4197.

If any person decides to appeal any decision made by the Corporation with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings be made, which record includes the testimony and evidence upon which the appeal is to be based. 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).

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

DATE AND TIME: September 10, 2020, 3:00 p.m.

PLACE: The Human Resource/Compensation Committee meeting will take place as a video conference meeting. The meeting can be accessed by calling (415)655-0003, Password 1606157008## or using the following Webex link: <https://ccpcares.webex.com/webappng/sites/ccpcares/meeting/download/dd2d463e23e046a7990a6ac25d3a83e2?siteurl=ccpcares&MTID=m4c09194a966bd4f823eff41904c8d70b>.

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Human Resource/Compensation Committee to discuss general matters.

A copy of the agenda may be obtained by contacting: Migdalia Soto-Roba at mroba@ccpcares.org or (954)622-3227.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Susan Mansolillo at SMansolillo@ccpcares.org or (954)622-3232. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Justin Marshall, Esq., General Counsel, South Florida Community Care Network, LLC d/b/a Community Care Plan, at jmarshall@ccpcares.org or (954)622-3402.

SOUTH FLORIDA COMMUNITY CARE NETWORK

The South Florida Community Care Network, LLC d/b/a Community Care Plan announces a public meeting to which all persons are invited.

DATE AND TIME: August 27, 2020, 3:30 p.m.

PLACE: Change in Location (See below).

GENERAL SUBJECT MATTER TO BE CONSIDERED: The meeting of the Members to discuss general matters has changed from an in-person meeting to a video conference meeting. The public may attend the meeting by using the link provided below:

<https://ccpcares.webex.com/webappng/sites/ccpcares/meeting/download/84b40a624ecc4c6496464213fac829c4?siteurl=ccpcares&MTID=m1d4ea07ebe8be8ce8223431d82314ec0>;

Meeting Number: 160 925 5163.

To attend the meeting by telephone, please dial (415)655-0003, Meeting Passcode: 1609255163##.

A copy of the agenda may be obtained by contacting: Migdalia Soto-Roba at mroba@ccpcares.org or (954)622-3227.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Susan Mansolillo at SMansolillo@ccpcares.org or (954)622-3232. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

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

For more information, you may contact: Justin Marshall, Esq., General Counsel, South Florida Community Care Network, LLC d/b/a Community Care Plan, at jmarshall@ccpcares.org or (954)622-3402.

FLORIDA BIRTH-RELATED NEUROLOGICAL INJURY COMPENSATION ASSOCIATION

The Florida Birth-Related Neurological Injury Compensation Association announces a telephone conference call to which all persons are invited.

DATE AND TIME: August 28, 2020, 9:30 a.m.

PLACE: via telephone

GENERAL SUBJECT MATTER TO BE CONSIDERED: General

A copy of the agenda may be obtained by contacting: NA

QUEST CORPORATION OF AMERICA, INC.

The Seminole County announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 20, 2020, 5:30 p.m.

PLACE: Virtual Project Update Meeting Using Zoom

GENERAL SUBJECT MATTER TO BE CONSIDERED: Orange Boulevard Safety Improvements

Seminole County will hold a virtual project update meeting using the Zoom platform on Thursday, August 20, 2020, 5:30 p.m., regarding proposed safety improvements along Orange Boulevard (C.R. 431) from S.R. 46 to Monroe Road (C.R.15). The goal of the project is to promote safety, address drainage deficiencies, enhance pedestrian and bicycle continuity, and improve access throughout the project corridor.

Persons interested in attending the virtual meeting can join online by visiting and registering at the website www.seminolecountyfl.gov/01785303. Additionally, the County will post project information, including a video presentation, illustrations, a project map, and other materials online at the website address referenced above for viewing at your convenience from August 15, 2020 to August 25, 2020. The meeting will provide an update on the status of the planned improvements and provide an opportunity for attendees to ask questions and provide input.

A copy of the agenda may be obtained by contacting: Consultant Project Manager Greg T. Smith, P.E., by phone at (407)562-4956, or via email at gsmith@jmt.com.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 7 days before the workshop/meeting by contacting: ADA coordinator Maria Ribas by email at MRibas@seminolecountyfl.gov or by phone at (407)665-7941. If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

For more information, you may contact: Consultant Project Manager Greg T. Smith, P.E., by phone at (407)562-4956, or via email at gsmith@jmt.com.

END HUMAN TRAFFICKING, INC.

The Florida Alliance to End Human Trafficking (End Human Trafficking, Inc.) announces a public meeting to which all persons are invited.

DATE AND TIME: Thursday, August 20, 10:00 a.m.

PLACE: Virtual

GENERAL SUBJECT MATTER TO BE CONSIDERED: General Business

A copy of the agenda may be obtained by contacting: Erin Collins, Executive Director, Erin@FloridaAllianceEndHT.com.

Section VII
Notice of Petitions and Dispositions
Regarding Declaratory Statements

DEPARTMENT OF FINANCIAL SERVICES

Finance

NOTICE IS HEREBY GIVEN that the Florida Office of Financial Regulation has received the petition for declaratory statement from Loyaltek, SA. The petition seeks the agency's opinion as to the applicability of Chapter 560, Florida Statutes, as it applies to the petitioner.

On August 12, 2020, the Florida Office of Financial Regulation (Consumer Finance) received a Petition for Declaratory Statement from Loyaltek, SA. The petition seeks a declaratory statement from the Office whether its proposed business model (to act as "program manager" within the state of Florida with respect to various card programs) falls under the Florida Money Transmitter Statute, Chapter 560, Florida Statutes.

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

Please refer all comments to: Agency Clerk, Office of Financial Regulation, P.O. Box 8050, Tallahassee, Florida 32314-8050, (850)410-9889, Agency.Clerk@flofr.com.

Section VIII
Notice of Petitions and Dispositions
Regarding the Validity of Rules

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

NONE

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

NONE

Section IX
Notice of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE

Section XI
Notices Regarding Bids, Proposals and
Purchasing

Florida A&M University Facilities Planning, Construction and Safety

FAMU Amphitheater Canopy Wings Structure

CALL FOR BIDS FAMU Board of Trustees

STATE OF FLORIDA

Made by Florida A&M University (FAMU), a unit of the Florida Board of Education (Division of Colleges and Universities).

PROJECT NAME: FAMU Amphitheater Canopy Wings Structure

PROJECT DESCRIPTION: Construction of Canopy Wings.

PROJECT NUMBER: ITB 0007-2020

LOCATION: Florida A & M University 1675 S. Martin Luther King Blvd. Tallahassee, FL 32307. This advertisement is for the FAMU Amphitheater Canopy Wings Structure to be located in Tallahassee, Florida.

QUALIFICATION: All bidders must be qualified at the time of bid opening in accordance with the instructions to Bidders, Article B-2. Bids shall be sent electronically to Purchasing@famuedu and copied to Craig.Talton@famuedu and will be received by:

DATE AND TIME: August 24, 2020, 2:00 p.m.; Bid Tabulations will be posted for 72 hours. PLACE: Office of Procurement Services Room 214, 2380 Wahnish Way, Florida A&M University, Tallahassee, FL, immediately after which time and place they will be publicly opened and read aloud.

PROPOSAL: Bids must be submitted in full and in accordance with the requirements of the Project Manual.

MINORITY PROGRAM: Bidders are encouraged to utilize Minority Business Enterprise certified by the Office of Supplier Diversity, Department of Management Services

PRE-SOLICITATION/PRE-BID MEETING: A meeting shall be held via Zoom Video Conferencing on August 11, 2020, 10:00 a.m. Minority Business Enterprise firms are invited to become familiar with the project and to become acquainted with contractors interested in bidding the project. This is a non mandatory meeting.

DOCUMENT AVAILABILITY AND PURCHASE: Full sets of bidding and contract documents including the Project Manual, Technical Specifications and Drawings may be downloaded from the FAMU’s Office and Operational Effectiveness and Procurement Services website: <http://www.famu.edu/index.cfm?Purchasing&NoticeofPosting>

PUBLIC ENTITY CRIMES: In accordance with FLORIDA A&M UNIVERSITY’s regulation 6.005(6): The University shall not accept a competitive solicitation from or contractual services from a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida’s convicted vendor list for a period of 36 months from the date of being added to the convicted vendor list.

Direct all project related questions in writing to the Owner’s Representative, Connor Ross at Gilchrist Ross Crowe Architects; CRoss@architects-gca.com or David Rosenfeld, Project Manager, FAMU Facilities Planning and Construction at David.Rosenfeld@famu.edu.

**Section XII
Miscellaneous**

DEPARTMENT OF STATE

Index of Administrative Rules Filed with the Secretary of State Pursuant to subparagraph 120.55(1)(b)6. – 7., F.S., the below list of rules were filed in the Office of the Secretary of State between 3:00 p.m., Thursday, August 6, 2020 and 3:00 p.m., Wednesday, August 12, 2020.

| Rule No. | File Date | Effective Date |
|--------------|-----------|----------------|
| 5H-17.002 | 8/6/2020 | 8/26/2020 |
| 5H-17.003 | 8/6/2020 | 8/26/2020 |
| 5H-17.005 | 8/6/2020 | 8/26/2020 |
| 6A-1.09401 | 8/7/2020 | 8/27/2020 |
| 59AER20-9 | 8/6/2020 | 8/6/2020 |
| 59AER20-10 | 8/6/2020 | 8/6/2020 |
| 62B-36.002 | 8/6/2020 | 8/26/2020 |
| 62B-36.005 | 8/6/2020 | 8/26/2020 |
| 62B-36.006 | 8/6/2020 | 8/26/2020 |
| 64B7-26.0035 | 8/11/2020 | 8/31/2020 |
| 64B7-32.001 | 8/11/2020 | 8/31/2020 |
| 64B7-32.003 | 8/11/2020 | 8/31/2020 |

| 64B11-5.011 | 8/11/2020 | 8/31/2020 |
|--|-----------|----------------|
| 64B15-16.002 | 8/10/2020 | 8/30/2020 |
| 64C-7.002 | 8/10/2020 | 8/30/2020 |
| LIST OF RULES AWAITING EPA APPROVAL PURSUANT TO SECTION 373.4146 (2), FLORIDA STATUTES | | |
| Rule No. | File Date | Effective Date |
| 62-330.010 | 7/21/2020 | **/**/**** |
| 62-330.050 | 6/26/2020 | **/**/**** |
| 62-330.060 | 6/26/2020 | **/**/**** |
| 62-330.090 | 6/26/2020 | **/**/**** |
| 62-330.201 | 6/26/2020 | **/**/**** |
| 62-330.340 | 6/26/2020 | **/**/**** |
| 62-330.402 | 6/26/2020 | **/**/**** |
| 62-331.010 | 7/21/2020 | **/**/**** |
| 62-331.020 | 6/11/2020 | **/**/**** |
| 62-331.030 | 6/11/2020 | **/**/**** |
| 62-331.040 | 6/11/2020 | **/**/**** |
| 62-331.050 | 6/11/2020 | **/**/**** |
| 62-331.051 | 7/21/2020 | **/**/**** |
| 62-331.052 | 7/21/2020 | **/**/**** |
| 62-331.053 | 7/21/2020 | **/**/**** |
| 62-331.054 | 7/21/2020 | **/**/**** |
| 62-331.060 | 7/21/2020 | **/**/**** |
| 62-331.070 | 6/11/2020 | **/**/**** |
| 62-331.080 | 7/21/2020 | **/**/**** |
| 62-331.090 | 7/21/2020 | **/**/**** |
| 62-331.100 | 6/11/2020 | **/**/**** |
| 62-331.110 | 7/21/2020 | **/**/**** |
| 62-331.120 | 7/21/2020 | **/**/**** |
| 62-331.130 | 6/11/2020 | **/**/**** |
| 62-331.140 | 6/11/2020 | **/**/**** |
| 62-331.160 | 7/21/2020 | **/**/**** |

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| 62-331.200 | 7/21/2020 | **/**/**** |
| 62-331.201 | 7/21/2020 | **/**/**** |
| 62-331.210 | 7/21/2020 | **/**/**** |
| 62-331.211 | 6/11/2020 | **/**/**** |
| 62-331.212 | 6/11/2020 | **/**/**** |
| 62-331.213 | 6/11/2020 | **/**/**** |
| 62-331.214 | 6/11/2020 | **/**/**** |
| 62-331.215 | 7/21/2020 | **/**/**** |
| 62-331.216 | 7/21/2020 | **/**/**** |
| 62-331.217 | 7/21/2020 | **/**/**** |
| 62-331.218 | 6/11/2020 | **/**/**** |
| 62-331.219 | 6/11/2020 | **/**/**** |
| 62-331.220 | 6/11/2020 | **/**/**** |
| 62-331.221 | 6/11/2020 | **/**/**** |
| 62-331.222 | 6/11/2020 | **/**/**** |
| 62-331.223 | 6/11/2020 | **/**/**** |
| 62-331.224 | 6/11/2020 | **/**/**** |
| 62-331.225 | 7/21/2020 | **/**/**** |
| 62-331.226 | 7/21/2020 | **/**/**** |
| 62-331.227 | 6/11/2020 | **/**/**** |
| 62-331.228 | 6/11/2020 | **/**/**** |
| 62-331.229 | 7/21/2020 | **/**/**** |
| 62-331.230 | 7/21/2020 | **/**/**** |
| 62-331.231 | 7/21/2020 | **/**/**** |
| 62-331.233 | 6/11/2020 | **/**/**** |
| 62-331.234 | 6/11/2020 | **/**/**** |
| 62-331.235 | 6/11/2020 | **/**/**** |
| 62-331.236 | 6/11/2020 | **/**/**** |
| 62-331.237 | 6/11/2020 | **/**/**** |
| 62-331.238 | 6/11/2020 | **/**/**** |
| 62-331.239 | 6/11/2020 | **/**/**** |
| 62-331.240 | 7/21/2020 | **/**/**** |

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|---|------------------|-----------------------|
| 62-331.241 | 6/11/2020 | **/**/**** |
| 62-331.242 | 7/21/2020 | **/**/**** |
| 62-331.243 | 6/11/2020 | **/**/**** |
| 62-331.244 | 6/11/2020 | **/**/**** |
| 62-331.245 | 6/11/2020 | **/**/**** |
| 62-331.246 | 6/11/2020 | **/**/**** |
| 62-331.247 | 6/11/2020 | **/**/**** |
| 62-331.248 | 7/21/2020 | **/**/**** |
| LIST OF RULES AWAITING LEGISLATIVE APPROVAL SECTIONS 120.541(3), 373.139(7) AND/OR 373.1391(6), FLORIDA STATUTES | | |
| Rule No. | File Date | Effective Date |
| 60FF1-5.009 | 7/21/2016 | **/**/**** |
| 60P-1.003 | 11/5/2019 | **/**/**** |
| 60P-2.002 | 11/5/2019 | **/**/**** |
| 60P-2.003 | 11/5/2019 | **/**/**** |
| 64B8-10.003 | 12/9/2015 | **/**/**** |

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Panama City Cycles, Inc., line-make CLUB Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of Less than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Club Car LLC, intends to allow the establishment of Panama City Cycles Inc., as a dealership for the sale of low-speed vehicles manufactured by Club Car LLC (line-make CLUB) at 1933 US Highway 231, Panama City, (Bay County), Florida 32405, on or after September 12, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Panama City Cycles Inc., are dealer operator(s): Ryan Crane, 1933 US Highway 231, Panama City, Florida 32405, principal investor(s): Mitchell Dean Crane, 1933 US Highway 231, Panama City, Florida 32405.

The notice indicates intent to establish the new point location in a county of less than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles, Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Mark Rickell, Club Car LLC, 4125 Washington Road, Evans, Georgia 30809.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

Division of Motor Vehicles

Establishment of Von Baron Motorcycles LLC, line-make URAL

Notice of Publication for a New Point

Franchise Motor Vehicle Dealer in a County of More than 300,000 Population

Pursuant to Section 320.642, Florida Statutes, notice is given that Irbit Motorworks of America Inc., intends to allow the establishment of Von Baron Motorcycles LLC, as a dealership for the sale of motorcycles manufactured by Ural (line-make URAL) at 16770 Link Court Suite 101, Fort Myers, (Lee County), Florida 33912, on or after September 12, 2020.

The name and address of the dealer operator(s) and principal investor(s) of Von Baron Motorcycles LLC are dealer operator(s): Christopher Kehl, 16770 Link Court #101, Fort Myers, Florida 33912; principal investor(s): Christopher Kehl, 16770 Link Court #101, Fort Myers, Florida 33912.

The notice indicates intent to establish the new point location in a county of more than 300,000 population, according to the latest population estimates of the University of Florida, Bureau of Economic and Business Research.

Certain dealerships of the same line-make may have standing, pursuant to Section 320.642, Florida Statutes, to file a petition or complaint protesting the application.

Written petitions or complaints must be received by the Department of Highway Safety and Motor Vehicles within 30 days of the date of publication of this notice and must be submitted to: Jaime Williams, Administrator, Dealer License Section, Department of Highway Safety and Motor Vehicles,

Room A-312 MS65, Neil Kirkman Building, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0635.

A copy of such petition or complaint must also be sent by US Mail to: Madina Merzhoeva, Irbit Motorworks of America Inc., 14700 Northeast 95th Street, Suite 102, Redmond, Washington 98052.

If no petitions or complaints are received within 30 days of the date of publication, a final order will be issued by the Department of Highway Safety and Motor Vehicles approving the establishment of the dealership, subject to the applicant's compliance with the provisions of Chapter 320, Florida Statutes.

Section XIII
Index to Rules Filed During Preceding
Week

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