

FDLE Annual Regulatory Plan for Fiscal Year 2023 – 2024

Rule Number	Rule Name	Description of Rule Revision and Reason for the Revision
11B-20.001(2)(a)	Definitions and Minimum Requirements for General Certification of Instructors	Incorporates the revised Instructor Certification Application, form CJSTC-71, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.
11B-20.001(3)(a)3.a.	Definitions and Minimum Requirements for General Certification of Instructors	Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.
11B-20.0013(3)(e)	Commission Instructor Certification Categories	Adds Breath Test Instructor Certification-Intoxilyzer 9000 to the list of Commission-approved Specialized Instructor Certification, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.
11B-20.0014(1)(d)	Minimum Requirements for High-Liability and Specialized Instructor Certifications	Incorporates the revised Instructor Competency Checklist, form CJSTC-81, to add Breath Test-9000 to the instructor certification categories, pursuant to the implementation of CMI, Inc., Intoxilyzer 9000.
11B-20.0014(2)(a)2.	Minimum Requirements for High-Liability and Specialized Instructor Certifications	Removes Vehicle Operations Instructor Course retirement date.
11B-20.0014(2)(b)2.	Minimum Requirements for High-Liability and Specialized Instructor Certifications	Removes Firearms Instructor Course retirement date.
11B-20.0014(2)(d)3.	Minimum Requirements for High-Liability and Specialized Instructor Certifications	Removes First Responder Instructor Course retirement date.
11B-20.0014(3)(d)3.	Minimum Requirements for High-Liability and Specialized Instructor Certifications	Revises the Breath Test Instructor Certification terminology to reflect that instructor applicants may have a minimum of three years' experience as a "permitted" breath test operator and agency inspector rather than "certified".

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11B-20.0014(3)(e)	Minimum Requirements for High-Liability and Specialized Instructor Certifications	Adds Breath Test Instructor Certification-Intoxilyzer 9000 as a Commission-approved Specialized Instructor Certification course, pursuant to CMI Inc., Intoxilyzer 9000, and includes certification requirements for Intoxilyzer 9000 Breath Test Operator, Agency Inspector, Breath Test Instructor, and associated renewal courses.
11B-20.0016(2)	Inspection of Instructor Certification Applications	Incorporates the revised Instructor Certification Deficiency Notification, form CJSTC-271, to add Breath Test-Intoxilyzer 9000 to the instructor certification categories, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.
11B-20.0017	Maintenance and Duration of Instructor Certifications	Incorporates the revised Instructor Compliance Application, form CJSTC-84, to add Breath Test-Intoxilyzer 9000 to the list of specialized topics and continuing training and education categories, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.
11B-20.0017(5)(b) 11B-20.0017(8)	Maintenance and Duration of Instructor Certifications	Updates the rule reference and rule language, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.
11B-20.0017(9)	Maintenance and Duration of Instructor Certifications	Updates the rule reference and rule language to include Breath Test Instructor Renewal Course-Intoxilyzer 9000, pursuant to implementation of the CMI Inc., Intoxilyzer 9000.
11B-21.005(4)(a) 11B-21.005(5) 11B-21.005(6) 11B-21.005(7)	Criminal Justice Training School Requirements for Certification and Re-Certification	Incorporates the following revised forms due to the removal of Chest Seals (2) from the first aid kit and requirements: Driving Range Facility and Equipment Requirements, form CJSTC-202; Defensive Tactics Facility and Equipment Requirements, form CJSTC-203; Firing Range Facility and Equipment Requirements, form CJSTC-201; and First Aid Instructional Requirements, form CJSTC-208,
11B-27.0011(4)(b)1. Law: 2023-268	Moral Character	Amends current rule language to add the charge of “introduction of contraband” to the list of misdemeanor moral character violations and associated penalty guideline because statutory changes were made in 2019 and 2020 to reclassify the introduction of written communication, currency or coins, food or clothing, tobacco products, cigarettes, cigars, and any intoxicating beverage from third-degree felonies to first-degree misdemeanors, including the “introduction of a vapor-generating electronic device” into a state correctional facility.
11B-27.00212(14)	Maintenance of Officer Certification	Incorporates the revised Law Enforcement Officer Firearms Qualification Standard, form CJSTC-86A, to ensure more uniformity with the remaining high liability forms and reflect the updated requirement of demonstrating proficiency to comply with the firearms standard.

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Rule Number	Rule Name	Description of Rule Revision and Reason for the Revision
11B-27.00212(16)(a) 11B-27.00212(16)(b) Law: 2023-086	Maintenance of Officer Certification	Updates the training requirements to “Identifying and Investigating Human Trafficking Training” which resulted from the Florida Legislature’s change to the underlying statute during the 2023 Legislative Session.
11B-27.00212(16)(c)	Maintenance of Officer Certification	Amends the rule language because the word “officers” was inadvertently omitted previously.
11B-27.005(5)(a)6.-21. Law: 2023-268	Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances	Modifies and renumbers the list of violations and penalties that constitute felony offenses by removing the felony charge of “other introduction of contraband” into both state prisons and county correctional facilities.
11B-27.005(5)(a)6. Law: 2023-268	Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances	Amends the enumerated penalty guidelines to remove felony charges of “other introduction of contraband” for both state prisons and county correctional facilities.
11B-27.005(5)(b)22. Law: 2023-268	Revocation or Disciplinary Actions; Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances	Adds the enumerated penalty guideline for the misdemeanor moral character violation of “introduction of contraband”.
11B-35.0021(4)	Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration	Reformats Rule 11B-35.0021(4), F.A.C., to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, to the list of specialized instructor courses.

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Rule Number	Rule Name	Description of Rule Revision and Reason for the Revision
11B-35.0021(4)(c)	Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration	Adds the Breath Test Instructor Course-Intoxilyzer 9000, number 1117 as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.
11B-35.0021(4)(e)	Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration	Adds the Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, as Commission-approved specialized instructor courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.
11B-35.0021(6)	Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration	Reformats Rule 11B-35.0021(6), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007.
11B-35.0021(6)(b) 11B-35.0021(8)(a) 11B-35.0024(3)	Courses and Requirements for Basic Recruit Training, Advanced, Specialized, and Instructor Training Requiring Proficiency Demonstration	Retires and removes the Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum.

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Rule Number	Rule Name	Description of Rule Revision and Reason for the Revision
11B-35.0024(3)(e)	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration	Removes the retired Safe Handling of Firearms course, number 2007, since all disciplines must take the current/new firearms curriculum; and repeals the Firearms Handling Performance Evaluation, form CJSTC-21, because it is only used with the Safe Handling of Firearms Course, number 2007.
11B-35.0024(3)(e)-(i)	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration	Reformats Rule 11B-35.0024(3)(e)-(i), F.A.C., because of the removal of the retired Safe Handling of Firearms course, number 2007, in paragraph (e).
11B-35.0024(4)	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration	Adds the following Breath Intoxilyzer 9000 courses in which individuals are required to demonstrate proficiency skills in basic recruit, advanced, specialized instructor, or specialized training program courses: Breath Test Instructor Course-Intoxilyzer 9000, Breath Test Instructor Renewal Course-Intoxilyzer 9000, Breath Test Operator Course-Intoxilyzer 9000, Breath Test Operator Renewal Course-Intoxilyzer 9000, Agency Inspector Course-Intoxilyzer 9000, and Agency Inspector Renewal Course-Intoxilyzer 9000.

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Rule Number	Rule Name	Description of Rule Revision and Reason for the Revision
11B-35.0024(4)(d)2.	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration	Incorporates the Breath Test Instructor Performance, form CJSTC-17, to add Breath Test Instructor Course-Intoxilyzer 9000, number 1117; and Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118, pursuant to the implementation of the CMI Inc., Intoxilyzer 9000.
11B-35.0024(4)(e)-(s) 11B-35.0024(4)(e) 11B-35.0024(4)(g)	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration	Reformats Rule 11B-35.0024(4)(e)-(s), F.A.C., to add Breath Test Intoxilyzer 9000 courses, pursuant to the implementation of CMI Inc., Intoxilyzer 9000. Adds Breath Test Instructor Course-Intoxilyzer 9000, number 1117. Adds Breath Test Instructor Renewal Course-Intoxilyzer 9000, number 1118.
11B-35.0024(4)(h) 11B-35.0024(4)(i) 11B-35.0024(4)(k) 11B-35.0024(4)(m) 11B-35.0024(4)(o)	Student Performance in Commission-approved High-Liability Basic Recruit Training Courses, Instructor Training Courses, and Specialized and Advanced Training Program Courses Requiring Proficiency Demonstration	Incorporates the revised Breath Testing Course Performance, form CJSTC-14, to update rule reference and add Breath Test Operator Course-Intoxilyzer 9000, number 852; Breath Test Operator Renewal Course-Intoxilyzer 9000, number 952; Agency Inspector Course-Intoxilyzer 9000, number 853; and Agency Inspector Renewal Course-Intoxilyzer 9000, number 953, pursuant to the implementation of CMI Inc., Intoxilyzer 9000.
11B-35.007(1)(b)-(c)	Specialized Training Program	Updates the rule references.

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11B-35.009(7) Law: 2023-086	Exemption from Basic Recruit Training	Updates the High-Liability Basic Recruit Training proficiency skills requirements to include “identifying and investigating human trafficking” pursuant to the Florida Legislature’s change to the underlying statute during the 2023 Legislative Session as it relates to Equivalency of Training applicants.
11C-4.008	Uniform Crime Reports Guide Manual	Updating rule to reflect current UCR Manual
11C-4.010	Criminal Justice Crime Data Reporting	Updating rule to reflect current hyperlink
11C-6.004	Procedures for Requesting Criminal History Records	Updating rule due to revising VECHS Qualified Entity Application form
11C-6.005	Access to Criminal Justice Information for Research or Statistical Purposes	Updating rule to include another option for persons to submit their research request
11C-6.009	Sale and Delivery of Firearms	Updating rule due to revisions in ATF 44 73 form and business processes
11C-8.001	Review Procedures	Updating rule to clarify records review process and allow additional avenues for persons to get fingerprints taken for their review
11D-6.001	Definitions	Updating rule
11D-6.003	Procedures	Updating rule

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Rule Number	Rule Name	Description of Rule Revision and Reason for the Revision
11D-8.003	Approved Breath Test Methods and Instruments	Updating rule to include Intoxilizer 9000
11D-8.0035	Approval of Alcohol Reference Solutions and Sources	Updating requirements for testing of reference solutions

All rule changes with *Laws of Florida* citation stated above in **RED** are those in which there was a Law enacted or amended on or after October 1, 2022, which creates or modifies the duties or authority of the agency, for which rulemaking is required to implement the law.

In addition, **2023-240** created Section 934.50(7)(f) which modifies the authority of FDLE and permits but does not require rulemaking. FDLE determined that rulemaking was not required to implement the requirements of the bill.

For these rules a Notice of Rule Development has not been filed as of October 1, 2023. FDLE anticipates filing the Notices Rule Development by November 1, 2023.

FDLE anticipates filing all Notices of Proposed Rule by April 1, 2024.