
**FLORIDA ADMINISTRATIVE CODES
[COMMUNICATION MEDIA TECHNOLOGY]**

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FLORIDA ADMINISTRATIVE CODES | COMMUNICATIONS MEDIA TECHNOLOGY

CODES: 28-109.001 through 28-109.005

28-109.001 | GENERAL

This chapter implements the provisions of Section 120.54(5)(b)2., F.S., by providing general procedures to be followed when the agency desires to conduct a proceeding by means of communications media technology or to provide public access to a proceeding by the use of communications media technology.

Specific Authority 120.54(5) FS. Law Implemented 120.54(5)(b)2. FS. History–New 4-1-97.

28-109.002 | DEFINITIONS AS USED IN THIS RULE CHAPTER

(1) "Access point" means a designated place where a person interested in attending a communications media technology proceeding may go for the purpose of attending the proceeding.

(2) "Attend" means having access to the communications media technology network being used to conduct a proceeding, or being used to take evidence, testimony, or argument relative to issues being considered at a proceeding.

(3) "Communications media technology" (CMT) means the electronic transmission of printed matter, audio, full-motion video, freeze frame video, compressed video, and digital video by any method available.

Rulemaking Authority 14.202, 120.54(5) FS. Law Implemented 120.54(5) FS. History–New 4-1-97.

28-109.003 | APPLICATION AND CONSTRUCTION

(1) The agency may conduct a proceeding by using CMT and may provide CMT access to a proceeding for purposes of taking evidence, testimony, or argument.

(2) A proceeding is not a CMT proceeding merely because it is broadcast over a communications network.

Rulemaking Authority 14.202, 120.54(5) FS. Law Implemented 120.54(5) FS. History—New 4-1-97.

28-109.004 | GOVERNMENT IN THE SUNSHINE

(1) Nothing in this chapter shall be construed to permit the agency to conduct any proceeding otherwise subject to the provisions of Section 286.011, F.S., exclusively by means of CMT without making provision for the attendance of any member of the public who desires to attend.

(2) No proceeding otherwise subject to Section 286.011, F.S., shall be conducted exclusively by means of CMT if the available technology is insufficient to permit all interested persons to attend. If during the course of a CMT proceeding technical problems develop with the communications network that prevent interested persons from attending, the agency shall terminate the proceeding until the problems have been corrected.

Rulemaking Authority 14.202, 120.54(5) FS. Law Implemented 120.54(5) FS. History—New 4-1-97, Amended 1-15-07.

28-109.005 | NOTICE

When the agency chooses to conduct a CMT proceeding, it shall provide notice in the same manner as required for a non-CMT proceeding, and shall plainly state that such proceeding is to be conducted utilizing CMT and identify the specific type of CMT to be used. The notice shall describe how interested persons may attend and shall include:

- (1) The address or addresses of all access points, specifically designating those which are in locations normally open to the public.
- (2) The address of each access point where an interested person may go for the purpose of attending the proceeding.
- (3) An address, e-mail address, and telephone number where an interested person may write or call for additional information.
- (4) An address, e-mail address, and designated person to whom a person may submit written or other physical evidence which he or she intends to offer into evidence during the CMT proceedings.

Rulemaking Authority 14.202, 120.54(5) FS. Law Implemented 120.54(5) FS. History—New 4-1-97, Amended 1-15-07, 6-26-13.

APPENDIX

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