



## Florida—Laws & Rules for Professional Engineers

One (1) Continuing Education Unit  
Course #0010038

Approved Continuing Education for Licensed Professional Engineers

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**FBPE Provider: 0006346**



### **Course Description:**

The Florida Laws and Rules course satisfies the continuing education requirement of 1 hour of Florida Laws.

The course is designed as a distance learning interactive course that enables the practicing professional engineer to keep up to date on the legal aspects that govern the practice of engineering in the state of Florida.

### **Objectives:**

The primary objective of this course is to familiarize the student with the recent changes to the laws and rules regulating the practice of engineering in the state of Florida.

Upon successful completion of the course, the student will be well versed in all these changes and will have a better understanding of the disciplinary process.

### **Grading:**

Students must achieve a minimum score of 70% on the online quiz to pass this course.

The quiz may be taken as many times as necessary.

The student will be asked at the end of the quiz to attest that he or she has personally and successfully completed all chapters of instruction.

The quiz may be viewed in the final chapter of this course.

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# Florida Rules: 61G15 Changes

Florida Rules: 61G15: Board of Professional Engineers (61G15-18 to 61G15-37) – rules adopted, amended, or repealed during the immediate preceding biennium

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Note: Strike-through ~~text~~ indicates Deleted  
High-lighted text indicates Added

EFFECTIVE DATE: 8/26/2019

61G15-18.005 Probable Cause Determination

PURPOSE AND EFFECT: The purpose of the amendment is to update the language and to allow flexibility in panel assignments to ensure statutory quorum requirements are met.

SUMMARY: Update rule text.

## 61G15-18.005 Probable Cause Determination.

Probable cause determination as to a violation of Chapter 471 or 455, F.S., and rules promulgated pursuant thereto shall be made by a probable cause panel of three (3) ~~board~~ members, which must include one (1) current and a combination of ~~or~~ two (2) current or former board members and one (1) ~~past board member~~. Said members shall be as appointed by the Chair as a standing probable cause committee at the first board meeting of each calendar year and shall serve for a period of one (1) year. All proceedings of the probable cause panel shall be conducted in accordance with Chapters 120 and 455, F.S.

EFFECTIVE DATE: 5/27/2020

### 61G15-18.011 Definitions

**PURPOSE AND EFFECT:** The purpose of the amendment is to update to the rule language to include the current edition of the Florida Building Code and Florida Fire Prevention Code.

**SUMMARY:** Update to current edition of the Florida Building Code and Florida Fire Prevention Code.

### **61G15-18.011 Definitions.**

As used in Chapter 471, F.S., and in these rules where the context will permit the following terms have the following meanings:

(1) through (5) No change.

(6) The term "Florida Building Code" shall mean the Florida Building Code, 76th Edition, (202017), adopted by the Florida Building Commission through Rule 61G20-1.001, F.A.C., effective 12-31-20, which rule is incorporated herein by reference and which may be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> and which is incorporated herein by reference. ~~The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.~~

(7) The term "Florida Fire Prevention Code" shall mean the Florida Fire Prevention Code, 75th Edition, (202014), adopted by the Division of State Fire Marshal through Rule 69A-3.012, F.A.C., effective 12-31-20, which rule is incorporated herein by reference and which may be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> and which is incorporated herein by reference. ~~The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.~~

(8) No change.

EFFECTIVE DATE: 11/16/2020

61G15-18.012 Other Board Business for Which Compensation is Allowed

PURPOSE AND EFFECT: The purpose of the amendment is to update and clarify the rule language.

SUMMARY: Update the rule language.

### **61G15-18.012 Other Board Business for Which Compensation is Allowed.**

The following are considered to be other business involving the Board as required by Section 455.207(4), F.S.:

(1) through (2) No change.

(3) Where a Board member has been requested by the Secretary of the Department, the Executive Office of the Governor, or the Chair of a Legislative Committee to participate in a meeting or hearing.

(4) No change.

~~(5) Any telephone conference calls.~~

~~(5)(6)~~ All activity of Board members, if authorized by the Board, when grading, proctoring or reviewing examinations ~~given by FEMC~~.

~~(6)(7)~~ All participation in Board authorized meetings with professional associations of which the Board is a member or invitee. This would include all meetings of national associations ~~of registration Boards~~ of which the Board is a member as well as Board authorized participation in meetings of national or professional associations or organizations involved in educating, regulating or reviewing the profession over which the Board has statutory authority.

~~(7)(8)~~ No change.

(8) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

EFFECTIVE DATE: 12/29/2019

61G15-19.001 Grounds for Disciplinary Proceedings

61G15-19.0051 Notice of Noncompliance

61G15-19.0071 Citations

PURPOSE AND EFFECT: The purpose of the amendments is to update the rules due to statutory changes from Chapter 2019-86, Laws of Florida, and any additional changes as necessary to effectuate the legislative intent.

SUMMARY: Update rule texts.

### 61G15-19.001 Grounds for Disciplinary Proceedings.

(1) through (2) No change.

(3) A professional engineer, corporation or partnership, or other qualified business organization ("firm") shall not practice engineering under an assumed, fictitious or corporate name that is misleading as to the identity, responsibility or status of those practicing thereunder or is otherwise false, fraudulent, misleading or deceptive within the meaning of subsection 61G15-19.001(2), F.A.C. When an qualified business organization or individual is practicing engineering as a sole proprietor under a combination of his own given name, and terms such as "engineering," "and associates" or "and company," then said person or qualified business organization is practicing engineering under a fictitious name, and must be qualified by a Florida professional engineer ~~obtain a certificate of authorization pursuant to Section 471.023(2), F.S. The name of a corporation or partnership, if otherwise authorized, may include the name or names of one or more deceased or retired members of the firm, or of a predecessor firm in a continuing line of succession. An engineering firm may not offer services to the public under a firm name which contains only the name of an individual not licensed as a professional engineer, registered architect, land surveyor, landscape architect, or professional geologist, in any state.~~

(4) through (5) No change.

(6) A professional engineer shall not commit misconduct in the practice of engineering. Misconduct in the practice of engineering as set forth in Section 471.033(1)(g), F.S., shall include, but not be limited to:

(a) through (n) No change.

(o) Failure on the part of any professional engineer or qualified business organization ~~certificate holder~~ to obey the terms of a final order imposing discipline upon said professional engineer or qualified business organization ~~certificate holder~~;

(p) through (s) No change.

(7) through (8) No change.

### **61G15-19.0051 Notice of Noncompliance.**

(1) As an alternative to investigation and prosecution, when a complaint is received, FEMC shall provide a licensee with a notice of noncompliance for an initial offense for the following violations:

(a) through (b) No change.

(c) Licensee practicing through a business organization ~~Firm practicing~~ that is not properly qualified without the Board for ~~a current certificate of authorization~~ less than one month.

(d) through (g) No change.

(2) No Change.

### **61G15-19.0071 Citations.**

(1) As used in this rule, "citation" means an instrument which meets the requirements set forth in Section 455.224, F.S., and which is served upon a licensee or qualified business organization ~~certificate holder~~ for the purpose of assessing a penalty in an amount established by this rule.

(2) No change.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) An engineer who has practiced or offered to practice engineering through a corporation, partnership, or fictitious name which has not been properly qualified with the board ~~duly certified~~. The fine shall be \$100 for each month or fraction thereof of said activity, up to a maximum of \$5,000. (See Sections 455.227(1)(j), 471.023, and 471.033(1)(a), F.S.)

(b) No change.

(c) Business organization ~~Firm~~ practicing without being properly qualified with the board ~~a current certificate of authorization~~ more than one month or if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be \$100 for each month or fraction thereof. (See Section 471.023, F.S.)

(d) through (e) No change.

(4) through (7) No change.

**EFFECTIVE DATE:** 12/29/2019

**61G15-19.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances**

**PURPOSE AND EFFECT:** The Board proposes the rule amendment to update the rule based on the statutory changes from Chapter 2019-86, Laws of Florida.

**SUMMARY:** Update rule text due to statutory changes.

**61G15-19.004 Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.**

(1) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners (including **qualified business organizations** ~~holders of certificate of authorization~~) guilty of violating Chapter 471, F.S. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 471, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 471, F.S., or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the Board’s discretion. All impositions of probation as a penalty shall include successful completion of the Engineering Law and Rules Study Guide, completion of a Board-approved course in Engineering Professionalism and Ethics, and an appearance before the Board at the option of the Board at the end of the probationary period. Other terms may be imposed by the Board at its discretion.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated and the full statute or rule cited should be consulted to determine the prohibited conduct.

VIOLATION	PENALTY RANGE	
	FIRST VIOLATION	SECOND AND SUBSEQUENT VIOLATIONS
(a) No change.		

<p>1. through 3. No change.</p>		
<p>4. Firm practicing without <b>proper qualification</b> certificate of authorization.  (Section 471.023, F.S., and subsection 61G15-19.001(3), F.A.C.)</p>	<p>Reprimand, \$1,000.00 fine to one (1) year suspension and \$5,000.00 fine.</p>	<p>Reprimand, <del>one (1) year suspension and \$5,000.00 fine to</del> Revocation.</p>
<p>5. through 13. No change</p>		
<p>14. Improperly interfering with an investigation or inspection or disciplinary proceeding.  (Section 455.227(1)(r), F.S.)</p>	<p>\$1,000.00 fine and probation for one (1) year; to suspension.</p>	<p>Reprimand and \$5,000.00 fine to Revocation.</p>
<p>(b) through (c) No change.</p>		
<p>(d)1. Being convicted or found guilty of, or entering a plea of nolo contendere to a crime which relates to the practice or ability to practice.  (Sections 471.033(1)(d) and 455.227(1)(c), F.S.)</p>	<p>Depending on the severity of the crime, from Reprimand \$1,000.00 fine, and one (1) year probation, to Revocation.</p>	<p>Depending on the severity of the crime, from one (1) year suspension with 2 years' probation to Revocation.</p>
<p>2. Conviction of crime related to building code inspection or plans examination.  (paragraph 61G15-19.001(7)(a), F.A.C.)</p>	<p>Reprimand \$1,000.00 fine, and one (1) year probation.</p>	<p>One (1) year suspension with 2 years' probation to Revocation.</p>
<p>(e) Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing.  (Sections 471.033(1)(e), 455.227(1)(l), F.S. and paragraph 61G15-19.001(7)(c), F.A.C.)</p>	<p>Reprimand and \$1,000.00 fine to one (1) year suspension, two (2) years probation.</p>	<p>One (1) year suspension, 2 years' probation, and \$1,000.00 fine, to Revocation and \$5,000.00 fine.</p>

(f) through (h) No change.		
(i) Practicing on a revoked, suspended, inactive or delinquent license, <u>or through a business organization not properly qualified.</u>  (Sections 471.033(1)(i) and 471.031(1)(e), F.S.)		
1. through 4. No change.		
<u>5. Business Organization not properly qualified.</u>	<u>Reprimand; \$500.00 fine to \$5,000.00 fine, and one (1) year suspension.</u>	<u>One (1) year suspension and \$5,000.00 fine to Revocation.</u>
(j) through (m) No change.		

EFFECTIVE DATE: 12/29/2019

61G15-20.001 Definitions

61G15-20.002 Experience

61G15-20.006 Educational Requirements

61G15-20.007 Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees

61G15-20.100 Certificates of Authorization

**PURPOSE AND EFFECT:** The purpose of the rule amendments is to implement the statutory changes in Sections 5 and 6, Chapter 2019-86, Laws of Florida, which establishes a pathway for applicants holding engineering technology degrees to establish eligibility for licensure in Florida.

**SUMMARY:** Implement statutory changes to rule text.

### **61G15-20.001 Definitions.**

As used hereinafter in this chapter the following words or phrases shall be defined as follows:

(1) No change.

(2) "Board approved engineering programs" shall mean:

(a) Engineering programs accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET or EAC/M-ABET). The Term "engineering program" is synonymous with the term "engineering science" used in section 471.013(1)(a)1. and "engineering degree," as used elsewhere in this Chapter; or

(b) No change.

(c) Engineering technology programs accredited by the Engineering Technology Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (ETAC/ABET); or

(d) In the case of an applicant who did not graduate from an approved program as set forth in paragraph (2)(a), ~~or~~ (2)(b), or (2)(c), above, and who:

1. Holds a baccalaureate degree from an engineering program that is not accredited by EAC/ABET, provided the applicant meets the educational requirements set forth in subsection 61G15-20.007(1), F.A.C., or

2. Holds a baccalaureate degree from an engineering technology program that is not accredited by ETAC/ABET, provided the applicant meets the educational requirements set forth in subsection 61G15-20.008(1), F.A.C., or

(e)(d) In the case of an applicant who holds a non-engineering baccalaureate degree coupled with a master's and/or doctoral degree in engineering, provided the applicant meets the educational requirements set forth in subsection 61G15-20.007(1), F.A.C. or subsection 61G15-20.008(1), F.A.C., respectively; or

(f)(e) No change.

### 61G15-20.002 Experience.

(1)(a) In order to qualify for licensure ~~meet the prerequisites for entry into the engineering examination~~, an applicant is required to have the requisite number of ~~four~~ years of acceptable experience in engineering at the time of application for licensure and ~~four years of~~ acceptable educational qualifications. In determining whether an applicant's experience background is sufficient to meet the requirements set forth in sections 471.015(2)3(4)(a)1. and 2., F.S., the Board has determined that an individual must have the requisite number of years of acceptable engineering experience gained through education and through the requisite amount of full-time employment in engineering. The type of employment which shall be acceptable must principally involve activities in the field of engineering as defined in section 471.005(7), F.S. The Board may accept engineering experience in foreign countries if such experience is properly verified by the Board from evidence supplied by the applicant to be equivalent to that accepted as experience by the Board as to any state or territory.

(b) Because the evaluation of experience is a complex and subjective matter, the Board establishes the following guidelines which shall be generally applicable absent extraordinary evidence and documentation supporting a departure therefrom:

1. No change.

2. Engineering experience obtained prior to the completion of the approved engineering program degree is usually of a subprofessional nature. If the full-time experience is obtained within the 2 years immediately preceding completion of the approved engineering program degree, and involves tasks and responsibilities consistent with the disciplines of engineering, experience credit may be awarded at 50% of actual time. In any event, the total engineering experience credit allowable for pregraduation experience shall not exceed 12 months.

3. Experience credit is based on a 40 hour per week full-time **employment** basis. **Applicants whose employer authorizes or requires less than 40 hours per week may still be determined to be employed full-time but must demonstrate sufficient hours worked to establish 40 hour per week equivalency.** No additional credit is allowable for overtime work, or for part-time work experience obtained while pursuing engineering education on a full-time basis, or for the pursuit of a master's or doctoral degree while obtaining full-time work experience.

4. through 15. No change.

(2) In order to verify an applicant's experience record, the Board will require evidence of employment from employers or supervisors who are employed in the engineering profession or are professional engineers, who shall set forth the quality and character of the applicant's duties and responsibilities. In addition to the employer verification, an applicant must list three **current** personal references who are professional engineers. Should the Board find the information submitted by the applicant is insufficient or incomplete, the Board may require the applicant to supply additional references or evidence regarding the applicant's experience and background or both so that an intelligent decision may be made on whether admittance to the examination is allowable.

The Board will accept as equivalent to one year's experience a master's degree in engineering from an EAC/M-ABET-accredited program or from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level. The Board will also accept as equivalent to one year's experience a doctorate in engineering from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level. Experience equivalents will be given for the master's or doctoral degree only if the applicant has earned a prior engineering **or engineering technology** degree from a college or university that solely meets the requirements of a Board-approved engineering program as defined in subsection 61G15-20.001(2), F.A.C. Experience equivalents shall not be given for a master's or doctoral degree if credits earned for the degree are used to satisfy educational requirements of rules 61G15-20.007, F.A.C. **or 61G15-20.008, F.A.C.** The combination of experience equivalents and work experience shall not exceed the number of actual months during which the experience is claimed.

### **61G15-20.006 Educational Requirements.**

(1) The evaluation of curricula and standards of accreditation for approval of degree programs required by section 471.013, F.S., shall be made by the Education Advisory Committee and shall be based upon an overview of engineering programs within the United States accredited by the Engineering Accreditation Commission **or Engineering Technology Accreditation Commission** of the Accreditation Board for Engineering and Technology, Inc., (EAC/ABET **or ETAC/ABET**), and an evaluation of such programs and

schools, following the definition of the practice of engineering set forth in section 471.005(7), F.S. Acceptable curricula requirements and degree programs shall conform to the criteria for accrediting engineering programs set forth by the Engineering Accreditation Commission or Engineering Technology Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., (EAC/ABET or ETAC/ABET) and found in the applicable Annual Report of EAC/ABET or ETAC/ABET.

(2) A non-EAC/ABET or ETAC/ABET accredited engineering degree program (hereinafter "engineering program") which seeks approval pursuant to section 471.013(1)(a), F.S., shall submit the following to the Board:

(a) through (b) No change.

(3) No change.

(4) The Meaning of Approval.

(a) Purpose.

1. Approval of an engineering program is the responsibility of the Board and is based on standards established by the Board. The same standards as are applied in the accreditation of engineering programs by EAC/ABET or ETAC/ABET will be applied for approval of an engineering program.

2. through 3. No change.

(b) No change.

(5) Objectives.

(a) An essential objective of a program in engineering education leading to a Bachelor's of Science in Engineering (BSE) or Bachelor's of Science in Engineering Technology (BSET) degree must be to meet the standards herein described for approval that its graduates will be prepared to qualify for licensure, to provide competent engineering services and to have the educational background necessary for lifelong learning. An engineering program may establish additional objectives consistent with its available resources. Objectives must be defined in writing and made known to faculty and students. While recognizing the existence and appropriateness of diverse institutional missions and educational objectives, the Board subscribes to the proposition that local circumstances do not justify approval of a program that fails to meet the standards as set forth in this rule.

(b) No change.

(6) No change.

(7) Administration.

(a) through (b) No change.

(c) Design and Management.

1. The program's faculty must be responsible for the design, implementation, and evaluation of the educational program. A faculty committee should undertake this responsibility with full support of the chief academic officer and staff. The curriculum of the program leading to the professional engineering **or engineering technology** degree must be designed to provide a general professional education, recognizing that, this alone, is insufficient to prepare a graduate for independent, unsupervised practice throughout a professional lifetime.

2. No change.

(d) Content.

1. through 4. No change.

5. The faculty committee responsible for curriculum should develop, and the chief academic officer should enforce, the same rigorous standards for the content of each year of the program leading to the BSE **or BSET**. The final year should complement and supplement the curriculum of the individual student so that each student will acquire appropriate competence in general engineering care regardless of subsequent career specialty.

6. No change.

(e) No change.

(8) Resources for the Educational Program.

(a) Finances. The cost of conducting a certified educational program leading to the BSE **or BSET** must be supported by sufficient financial resources. Dependence upon tuition must not cause schools to seek enrollment of more students than their total resources can accommodate and provide with a sound education experience.

(b) through (c) No change.

(9) No change.

(10) Board Approval.

(a) through (c) No change.

(d) Provisional approval may be granted where deficiencies exist but are not of such magnitude to warrant denial entirely. The Board shall determine the period of provisional approval, not to exceed three **(3)** years, based on the nature of the deficiencies found, and an estimate of the reasonable period of time which may be necessary to remedy the deficiencies. Failure to remedy the deficiencies within the time specified by the Board may be grounds for denial of approval. The Board may, however, extend the period within which deficiencies may be remedied, if there is good cause to do so. A site visit may be

required by the Board if it deems it necessary to determine whether the deficiencies have been adequately remedied and whether any other conditions may have changed during the period of provisional approval.

(e) No change.

(f) Periodic surveys and evaluations of all approved schools shall be made at least every four **(4)** years.

(g) No change.

### **61G15-20.007 Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees.**

(1) Applicants having engineering degrees from programs that are not accredited by EAC/ABET must demonstrate:

(a) 30 college semester credit hours of higher mathematics and basic sciences. Credit hours may be substituted with engineering science courses that are in excess of the requirements of paragraph (1)(c).

1. No change.

2. The hours in basic sciences, must include at least two courses. These courses must be in general chemistry, calculus-based physics, biological sciences, or earth sciences (geology, ecology, or oceanography), but the two courses may not be in the same area. For an applicant who has earned both a baccalaureate degree in engineering and a graduate degree in engineering, only one of the two courses is required. Additional courses towards the requisite 30 hours of mathematics and basic sciences may include physical science, natural science, and/or an advanced science. ~~Astronomy~~, computer skills and/or programming courses cannot be used to satisfy basic science requirements.

(b) through (c) No change.

~~(d) In addition, competency in English must be presented. Satisfactory evidence includes the following: transcripts of course work completed; course content syllabi; testimonials from employers; college level advanced placement tests; Test of English as a Foreign Language (TOEFL) scores of at least 550 on the paper-based version, 80 on the internet-based version, or 213 on the computer-based version.~~

(2) through (3) No change.

(4) The FBPE education committee shall make the final decision regarding equivalency of education credentials and shall make recommendations to the Board as to whether an applicant shall be approved for admittance to the examination or for licensure by endorsement. **The applicant requesting an equivalency determination by the Board bears the burden of presenting evidence regarding equivalency to the Board.**

(5) No change.

(6) Credit toward meeting the education requirements will only be given for coursework with a Grade of "C" or better.

### **61G15-20.100 Qualified Business Organizations Certificates of Authorization.**

(1) Pursuant to Section 471.023, F.S., the practice or offer to practice engineering or engineering services to the public through a business organization, or by a business organization or other person practicing under a fictitious name, is permitted only if the business organization is qualified by a Florida licensed professional engineer. possesses a Certificate of Authorization issued by the Board. In addition, Certificates of Authorization must be renewed every two (2) years, and each business organization issued a Certificate of Authorization A qualifying agent who is the professional engineer qualifying the business organization must notify the Board of any change in the name of the business organization or the business organization's qualifying professional engineer within thirty (30) days of such change.

~~(2) Applications for an initial Certificate of Authorization or notification of the change of name of the business organization or of the qualifying Professional Engineer, shall be made on Form FBPE/030, 04/17, Application for Certificate of Authorization, which is incorporated by reference herein and may be obtained from <https://fbpe.org/licensure/application-process/certificate-of-authorization/> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08595>. All applications must be accompanied by the fee as specified in Rule 61G15-24.001, F.A.C.~~

~~(3) Applications for renewal of a Certificate of Authorization shall be made on Form FBPE/031, 06/17, Certificate of Authorization Renewal Application And Instructions, which is incorporated by reference herein and may be obtained from <https://fbpe.org/licensure/application-process/certificate-of-authorization/> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08596>. All renewal applications must be accompanied by the fee as specified in Rule 61G15-24.001, F.A.C.~~

EFFECTIVE DATE: 5/27/2020

61G15-20.0010 Application for Licensure as Professional Engineer

61G15-20.007 Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees

61G15-20.008 Educational Requirements for Applicants without ETAC/ABET Accredited Engineering Technology Degrees

PURPOSE AND EFFECT: The purpose of the amendments is to delete unnecessary language and to add new language to update and clarify and update the incorporated application.

SUMMARY: Update rule text and incorporated application.

### **61G15-20.0010 Application for Licensure as Professional Engineer.**

(1) Any person desiring licensure as a professional engineer in Florida shall submit an application to the Board. The instructions and application Form FBPE/002 (~~1209/19~~), entitled, "Application for Licensure as Professional Engineer," is hereby incorporated by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; from the Board's website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-11409>. The Board shall certify as eligible for licensure only those applicants who have completed the application form, remitted the application and examination fee(s) required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

(a) through (d) No change

(2) through (5) No change.

(6) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

### **61G15-20.007 Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees.**

(1) Applicants having engineering degrees from programs that are not accredited by EAC/ABET must demonstrate:

(a) No change.

(b) 9 college semester credit hours in general education. Examples of acceptable courses include philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, (micro and macro), professional ethics, and social responsibility. Examples of other general education courses deemed acceptable include management (such as organizational behavior), accounting, written and oral communications, business, and law. No more than 6 credit hours can come from courses in management, accounting, business, or law. Courses in engineering economics, engineering management, construction management, systems engineering/analysis, production, or industrial engineering/management will not be counted. Up to 6 credit hours of languages other than the applicant's native language are acceptable for credit. English and foreign language courses in literature and civilization may be considered in this area. Courses that instill cultural values are acceptable, ~~while routine exercises of personal craft are not~~. Other means towards satisfying the general education requirement are as follows: Earning a doctoral degree is equivalent to 10 credit hours if the degree is from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level.

(c) 45 college semester credit hours of engineering science and engineering design taught within the college or by the faculty of engineering. ~~Courses in this area shall have their roots in mathematics and basic sciences but carry knowledge further toward creative application of engineering principles.~~ Examples of approved engineering science courses are mechanics, thermodynamics, heat transfer, electrical and electronic circuits, materials science, transport phenomena, engineering economics, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. Graduate-level engineering courses may be included to fulfill curricular requirements in this area. A maximum of six credit hours will be granted for thesis, dissertation, special topics and independent study at any level. Graphics, surveying, or engineering technology courses will not be considered to meet engineering science and design requirements. Cooperative training, practicums, internships, and continuing education activities will not receive credit.

~~(2) An applicant whose only educational deficiency is under paragraph (1)(b), above, shall be entitled to receive conditional approval to take the Fundamentals of Engineering examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours required in paragraph (1)(b), above.~~

(3) through (6) renumbered (2) through (5) No change .

(6) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

### **61G15-20.008 Educational Requirements for Applicants without ETAC/ABET Accredited Engineering Technology Degrees.**

(1) Applicants having a baccalaureate degree in engineering technology from programs that are not accredited by ETAC/ABET must demonstrate:

(a) No change.

(b) A minimum of 9 college semester credit hours in general education. Examples of acceptable courses include philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics (micro and macro), professional ethics, and social responsibility. Examples of other general education courses deemed acceptable include management (such as organizational behavior), accounting, written and oral communications, business, and law. No more than 6 credit hours can come from courses in management, accounting, business, or law. Courses in engineering economics, engineering management, construction management, systems engineering/analysis, production, or industrial engineering/management will not be counted. Up to 6 credit hours of languages other than the applicant's native language are acceptable for credit. English and foreign language courses in literature and civilization may be considered in this area. Courses that instill cultural values are acceptable, while routine exercises of personal craft are not. Other means towards satisfying the general education requirement are as follows: Earning a doctoral degree is equivalent to 10 credit hours if the degree is from a college or university in the U.S. that has an EAC/ABET-accredited engineering or ETAC/ABET engineering technology program in a related discipline at the baccalaureate level.

(c) A minimum of 40 college semester credit hours of engineering technology, engineering science, or engineering design taught within the college or by the faculty of engineering. ~~Courses in this area shall have their roots in mathematics and basic sciences but carry knowledge further toward creative application of engineering principles.~~ Examples of approved engineering technology courses are mechanics, thermodynamics, heat transfer, electrical and electronic circuits, materials science, transport phenomena, engineering economics, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. All engineering course work should incorporate hands-on laboratory work as described in ETAC/ABET criteria, and shall contain a sufficiently designed engineering technology program to provide minimal competency in the use of engineering algorithms and procedures. Graduate-level

engineering courses may be included to fulfill curricular requirements in this area. A maximum of six credit hours will be granted for thesis, dissertation, special topics and independent study at any level. Graphics or surveying courses will not be considered to meet engineering technology, science and design requirements. Cooperative training, practicums, internships, and continuing education activities will not receive credit.

~~(d) Credit will also be given for other technical coursework that enhances the applicant's ability to practice engineering as defined in Section 471.005(7), F.S.~~

~~(2) An applicant whose only educational deficiency is under paragraph (1)(b), above, shall be entitled to receive conditional approval to take the Fundamentals of Engineering examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours required in paragraph (1)(b), above.~~

(3) through (6) renumbered (2) through (5) No change.

(6) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

EFFECTIVE DATE: 12/29/2019

61G15-20.0010 Application for Licensure as Professional Engineer

61G15-20.0015 Application for Certification as Engineering Intern

PURPOSE AND EFFECT: The purpose of the amendment is to create for professional engineer and engineer intern licensure by combining the examination and endorsement applications into one rule; each updating licensure requirements as required by Chapter 2019-86, Laws of Florida; and creating new combined application forms for each.

SUMMARY: Substantial rewrite of the rule text to combine licensure requirements.

## **61G15-20.0010 Application for Licensure as Professional Engineer.**

(1) Any person desiring licensure as a professional engineer in Florida shall submit an application to the Board. The instructions and application Form FBPE/002

(09/19), entitled, "Application for Licensure as Professional Engineer," is hereby incorporated by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; from the Board's website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> . The Board shall certify as eligible for licensure only those applicants who have completed the application form, remitted the application and examination fee(s) required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

(a) Are graduates of a "Board approved engineering program" as required by section 471.013(1)(a), F.S. and defined by subsection 61G15-20.001(2), F.A.C.;

(b) Have the requisite number of years of acceptable engineering experience as required by Section 471.015(2), F.S. and defined by rule 61G15-20.002, F.A.C.;

(c) Have passed the examinations required by section 471.013(1)(b) and (c), F.S. and as defined by Rule 61G15-21.001, F.A.C.; and

(d) Have passed the Laws and Rules Study Guide as required by Rule 61G15-20.0016, F.A.C.

(2) If an applicant for licensure satisfies the conditions found in section 471.015(5)(a), F.S., then the Board shall deem that the applicant has passed an examination substantially equivalent to Part I, fundamentals of the engineering examination. If an applicant for licensure by endorsement satisfies the conditions found in section 471.015(5)(b), F.S., then the Board shall deem that the applicant has passed an examination substantially equivalent to Part I, fundamentals, and Part II, principles and practice, of the engineering examination.

(3) The Board shall deem that an applicant for licensure, who has an engineering or engineering technology degree from a program that is not EAC/ABET accredited, has demonstrated substantial equivalency to an EAC/ABET or ETAC/ABET accredited engineering program, as required by rules 61G15-20.007 and 61G15-20.008, F.A.C., when such applicant has held a valid professional engineer's license in another state for 15 years and has had 20 years of professional-level engineering experience, to include the active practice of engineering for at least 3 to 5 years.

(4) An applicant who previously held licensure as a professional engineer in the State of Florida and whose license became void because of non-renewal may not reapply for licensure pursuant to this rule. Such applicants must apply for reinstatement of the void license pursuant to the provisions of Rule 61G15-22.0002, F.A.C. Such applicants, if otherwise eligible, shall be subject to disciplinary sanctions as a condition of licensure if it is demonstrated that they practiced engineering during any period their license was delinquent and/or void.

(5) Upon submission of an application, the Board will timely notify an applicant of any apparent errors or omissions, or any additional information which is required to complete the application. All errors and omissions, and any additional information, must be submitted before the application can be presented to the Board for review, unless

the applicant notifies the Board to process the application as submitted. If an applicant fails to correct any errors or omissions, or supply any requested information, within one (1) year of notification, the application will be presented to the Board for review and decision on the application as submitted.

### **61G15-20.0015 Application for Certification as Engineering Intern.**

(1) Any person desiring to be licensed as an engineering intern in this state shall submit an application to the Board. The application FBPE/003 (09/19), entitled "Application For Engineer Intern Certification," is hereby incorporated by reference and may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board's website at <http://www.fbpe.org/licensure/application-process> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-> . The Board shall certify applicants who have completed the application form, remitted the application fee(s) required by chapter 61G15-24, F.A.C., achieved a passing score on the Fundamentals of Engineering (FE) Examination and Florida Study Guide, and have graduated from, "a Board approved engineering program" as defined by subsection 61G15-20.001(2), F.A.C.: (a) The applicant meets the current criteria listed in section 471.013, F.S.

(3) Upon submission of an application, the Board will timely notify an applicant of any apparent errors or omissions, or any additional information which is required to complete the application. All errors and omissions, and any additional information, must be submitted before the application can be presented to the Board for review, unless the applicant notifies the Board to process the application as submitted. If an applicant fails to correct any errors or omissions, or supply any requested information, within one (1) year of notification, the application will be presented to the Board for review and decision on the application as submitted.

EFFECTIVE DATE: 8/6/2019

61G15-20.0019 Active Duty Armed Forces Member/Spouse Application for Licensure

PURPOSE AND EFFECT: The purpose of the rule amendment to update the application, add consolidated statutory language for qualifications, experience, expiration of time and to update the title.

SUMMARY: Update application, add consolidated statutory language and change the rule title.

### **61G15-20.0019 ~~Active Duty~~ Armed Forces Member/Spouse Application for Licensure: Qualifications; Expiration.**

(1)(~~2~~) Application for Licensure. Application for licensure by United States Armed Forces members, former members or spouses of members shall be made on Form FBPE/MVL003, 04/19 ~~04/18~~, Application for Professional Licensure for ~~Active Duty~~ Armed Forces Members, Former Members, or the Spouses of ~~Active Duty~~ Armed Forces Members, which is incorporated by reference herein and may be obtained from [https://fbpe.org/licensure/other\\_forms/active\\_duty\\_member\\_or\\_spouse\\_or\\_at\\_https://www.flrules.org/Gateway/reference.asp?No=Ref-09493](https://fbpe.org/licensure/other_forms/active_duty_member_or_spouse_or_at_https://www.flrules.org/Gateway/reference.asp?No=Ref-09493).

(2) Active Duty United States Armed Forces. Pursuant to section 455.02(3)(a), F.S., the Board shall issue a license to an applicant who is or was an active duty member of the Armed Forces of the United States or who is or was married to an active duty member and who holds a valid license as a Professional Engineer in another jurisdiction and who meets the requirements for licensure after review of criminal history checks.

#### (3) Active Duty Florida National Guard / United States Armed Forces Reserves.

(a) Qualifications. Pursuant to section 250.483, F.S., upon request within six (6) months of release from active duty, a member of the Florida National Guard or United States Armed Forces Reserves is entitled to request licensure under the qualifications and criteria in effect at the time the member entered active duty and not those qualifications and criteria in effect at the time the licensure decision is made.

(b) Engineering Experience. As provided in subparagraph 61G15-20.002(1)(b)6., F.A.C., the Board will accept practical experience gained while serving in the Florida National Guard or United States Armed Forces Reserves determined by the Board to be substantially the same as the engineering experience required by the Rule.

EFFECTIVE DATE: 7/25/2019

61G15-22.0001 License Renewal

PURPOSE AND EFFECT: The purpose of the amendment is to update the language to include an extension period for active or inactive license members who are serving on federal active military duty.

SUMMARY: Update rule language.

### **61G15-22.0001 License Renewal.**

(1) through (2) No change.

(3) Members of the Armed Forces and Spouses.

**(a)** Members of the United States Armed Forces serving on active duty, or having been discharged within the twenty-four (24) months preceding renewal; or spouses or surviving spouses of active duty members, may renew a license as specified in sections 455.02(1) and (2), F.S. Applications for renewal shall be made by remitting to FEMC Form FBPE 040, 12/18, Renewal Application Military Change of Status, which is incorporated by reference herein and may be obtained from [www.fbpe.org/index.php/licensure/other-forms](http://www.fbpe.org/index.php/licensure/other-forms) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-10315>.

**(b)** The active or inactive license of a member of the Florida National Guard or United States Armed Forces Reserve shall not expire while that member is serving on federal active duty, and shall be extended through the period of federal active duty and for up to ninety (90) days thereafter, as provided by section 250.4815, F.S.

EFFECTIVE DATE: 12/29/2019

61G15-22.0002 Licensure Change of Status

PURPOSE AND EFFECT: The purpose of the amendment is to update the rule based on the statutory changes in Sections 2 and 7, Chapter 2019-86, Laws of Florida.

SUMMARY: Update rule text and application.

### 61G15-22.0002 Licensure Change of Status, Reactivation; Reinstatement of Void Licenses.

(1) Active to Inactive Licensure Status Change. Licensees may inactivate their license and change their licensure status from active to inactive by remitting to FEMC a completed Application To Change of Status Application from ACTIVE TO INACTIVE, Form FBPE/023 09/19 021, 12/16, and the fee specified by Rule 61G15-24.001, F.A.C. The application form FBPE/0231 is incorporated by reference herein and may be obtained from [www.fbpe.org/index.php/licensure/other-forms](http://www.fbpe.org/index.php/licensure/other-forms) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07863>.

(2) Reactivation of Inactive Licenses to Active Licensure Status. Licensees may reinstate an inactive license and change their licensure status from inactive to active by remitting to FEMC a completed Application To Change of Status Application from INACTIVE TO ACTIVE, Form FBPE/022, 12/16, referenced in paragraph 1, the fee specified by Rule 61G15-24.001, F.A.C., and proof of completion of eighteen (18) hours of continuing education obtained within the two (2) years immediately prior to application and in compliance with subsection 61G15-22.001(1), F.A.C. The application form FBPE/0212 is incorporated by reference herein and may be obtained from [www.fbpe.org/index.php/licensure/other-forms](http://www.fbpe.org/index.php/licensure/other-forms) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07864>.

(3) Reinstatement of Void Licenses. Persons previously licensed as professional engineers in Florida may not re-apply for licensure by examination or by endorsement pursuant to section 471.013 or 471.015, F.S. Rather, pursuant to sections 455.271(6) and 471.019, F.S., any person previously licensed as a professional engineer in Florida whose Florida license has become void must apply for reinstatement of the previous license. Application for reinstatement shall be made on form FBPE/023, Change of Status Application, referenced in paragraph 1. In addition to a completed application form, all applications for reinstatement shall be accompanied by the following.

(a) the fees specified by rule 61G15-24.001;

(b) documentation of satisfaction of any disciplinary obligations imposed against the void license; and

(c) documentation of one of the following:

1. Current active practice as a professional engineer in another U.S state or territory. Such documentation shall include verification of active licensure in good standing and compliance with such state or territory's continuing education requirements; or

2. Applicants not currently in active practice as a professional engineer must provide proof of completion of thirty-six (36) hours of continuing education, including two (2) hours of professional ethics and a one (1) hour course in Florida Laws and Rules. With the exception of the one (1) hour Florida Laws and Rules course, which can be taken online, the remaining thirty-five (35) hours must be in-person courses; online or distance learning courses will not be accepted.

EFFECTIVE DATE: 12/29/2019

61G15-22.001 Continuing Education Requirements

61G15-22.006 Demonstrating Compliance; Audits; Investigations

61G15-22.009 Exemptions

PURPOSE AND EFFECT: 61G15-22.001 - The Board proposes the rule amendment to update the rule's language to allow the professional ethics class to be obtained from any US jurisdiction; it no longer has to be Florida Board approved. 61G15-22.006 - The Board proposes the rule amendment to update the rule based on the statutory changes in Sections 2 and 7, Chapter 2019-86, Laws of Florida, and to specify that licensees with reinstated void licenses will be included in the biennial continuing education audit. 61G15-22.009 - The Board proposes the amendment to clarify the scope of the exemption from CE requirements only applies to new licensees by examination, not to endorsement or reinstated licenses.

SUMMARY: Update rules text.

### **61G15-22.001 Continuing Education Requirements.**

(1) Each licensee shall complete eighteen (18) continuing education hours during each license renewal biennium as a condition of license renewal. Four (4) hours shall relate to the licensee's area(s) of practice; one (1) hour must be related to professional ethics;

and one (1) hour shall relate to chapter 471, F.S., and the rules of the Board. The remaining hours may relate to any topic pertinent to the practice of engineering as defined in rule 61G15-22.002, F.A.C.

(a) The one (1) hour of professional ethics must be obtained from a professional ethics course approved for credit in any US jurisdiction.

(b) The one ~~and~~ (1) hour of laws and rules required by section 471.017, F.S., must be obtained from courses approved by the Board pursuant to rule 61G15-22.0105, F.A.C.

(c) Pursuant to section 471.017(3)(a), F.S., a licensee may earn the required professional ethics and laws and rules hours by serving as a member of the Legislature or as an elected state or local official.

(2) No change.

(3) Beginning with the Fifth Edition of the Florida Building Code, all licensees actively participating in the design of engineering works or systems in connection with buildings, structures, or facilities and systems covered by the Florida Building Code, as identified within section 553.73(1)(a), F.S., shall:

(a) Complete at least one (1) advanced Florida Building Code course within twelve (12) months of each edition of the Florida Building Code effective date,

(b) No change.

(4) No change.

### **61G15-22.006 Demonstrating Compliance; Audits; Investigations.**

(1) No change.

(2) The Board will randomly audit a minimum of three percent (3%) of licensees to assure that the continuing education requirements are met.

(a) No change.

(b) Licensees whose void license was reactivated during the previous renewal cycle will be included within the group of licensees audited for the current renewal cycle.

(c) A failure to produce documentation of compliance with continuing education requirements during an audit will result in the opening of a disciplinary complaint against the licensee for violation of paragraph 61G15-19.001(6)(s), F.A.C. If a violation is proven, the penalty shall be within the guidelines established by sub-subparagraph 61G15-19.004(2)(g)4.i., F.A.C.

(3) through (4) No change.

## 61G15-22.009 Exemptions.

(1) ~~New~~ licensees who have achieved licensure by examination, pursuant to Section 471.013, F.S., shall be exempt for their first renewal period. This exemption does not apply to licensees by endorsement, licensees who directly registered for examination with NCEES, or to licensees upon reinstatement of previously void licenses. This exemption does not apply to the requirement of section 471.0195, F.S., regarding Advanced Building Code training.

(2) through (3) No changes.

EFFECTIVE DATE: 11/16/2020

61G15-22.009 Exemptions from Continuing Education Requirements

PURPOSE AND EFFECT: The purpose of the amendment is to update the exemptions from continuing education requirements for new licensees.

SUMMARY: Updates exemptions from CE requirements for initial biennial renewal.

## 61G15-22.009 Exemptions from Continuing Education Requirements.

(1) Licensees who have passed a Principles and Practices of Engineering Examination and become licensed in Florida during the current biennium ~~achieved licensure by examination,~~ shall be exempt from continuing education requirements for that same biennium their first renewal period. ~~This exemption does not apply to licensees by endorsement, licensees who directly registered for examination with NCEES, or to licensees upon reinstatement of previously void licenses. This exemption does not apply to the requirement of Section 471.0195, F.S., regarding Advanced Building Code training.~~

(2) through (3) No change.

(4) Any licensee who is a member of the United States Armed Forces and maintains Florida licensure pursuant to section 455.02, F.S.

(5) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

EFFECTIVE DATE: 5/3/2020

61G15-22.011 Board Approval of Continuing Education Providers

PURPOSE AND EFFECT: The purpose of the amendment is to update the rule language to show the deletion of Certificates of Authorization and replace with engineering business organization.

SUMMARY: Update rule text.

### **61G15-22.011 Board Approval of Continuing Education Providers.**

(1) No change.

(2) To demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to promote the profession of engineering, an engineer with a Florida license to practice engineering who is not under disciplinary restrictions pursuant to any order of the Board, a vendor with specific knowledge related to the licensee's area of practice, or an engineering firm properly qualified as an engineering business organization ~~that possesses an active certificate of authorization issued by the Board pursuant to section 471.023, F.S.~~

(3) through (9) No change.

(10) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

EFFECTIVE DATE: 12/29/2019

61G15-23.001 Signature, Date and Seal Shall Be Affixed

PURPOSE AND EFFECT: The purpose of the amendment is to update the rule based on the statutory changes in Sections 3 and 9, Chapter 2019-86, Laws of Florida.

SUMMARY: Update rule language regarding statutory changes.

### 61G15-23.001 Signature, Date and Seal Shall Be Affixed.

(1) through (3) No change.

(4) Additional Requirements for Plans or Prints, Engineering Specifications and Calculations, and Engineering Reports or Other Documents. When an engineer signs, dates and seals any of the following types of documents plans or prints under the provisions of Section 471.025, F.S., and subsection (1) of this rule, the following additional information must be included:

(a) Plans and Prints. Every sheet within the plans and prints must be signed, dated and sealed by the professional engineer in responsible charge.

1. No change.

2. If the engineer signing, dating and sealing engineering plans or prints is practicing through a duly authorized **qualified** engineering business **organization**; the title block shall contain the printed name **and**, address ~~and certificate of authorization number~~ of the **qualified** engineering business **organization**.

(b) Engineering Specifications and Calculations. An index sheet shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the engineering specifications or calculations.

1. No change.

2. The index sheet shall include at a minimum:

a. No change.

b. If the engineer signing, dating and sealing calculations or specifications is practicing through a duly **qualified** ~~authorized~~ engineering business **organization**; the printed name **and**, address ~~and certificate of authorization number~~ of the **qualified** engineering business **organization**.

c. through e. No change.

(c) Engineering Reports or Other Documents.

1. No change.

2. If the engineer signing, dating and sealing an engineering report or other document is practicing through a duly **qualified** ~~authorized~~ engineering business **organization**, the printed name ~~and~~, address ~~and~~ certificate of authorization number of the **qualified** engineering business **organization** shall be placed on the signature page or cover letter.

(d) No change.

EFFECTIVE DATE: 11/16/2020

61G15-23.002 Seals Acceptable to the Board

PURPOSE AND EFFECT: To clarify the minimum size requirement of a wet, embossed, or digitally created seal.

SUMMARY: The amendment clarifies the 1 7/8" minimum seal size is established for the document's native format; it may be scaled in enlarged/reduced document sizes..

### **61G15-23.002 Seals Acceptable to the Board.**

(1) No change.

(2) Wet Seals, Embossing Seals and Digitally Created Seals shall be a minimum of 1-7/8 inches in diameter and shall be of a design similar to those set forth in subsections (a), (b) and (c) below. **When utilizing Digitally Created Seals, the requirement of a minimum diameter of 1-7/8 inches shall be met when the image is represented in native (unreduced) document size.**

(a) through (d) No change.

EFFECTIVE DATE: 11/2/2020

61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

PURPOSE AND EFFECT: The purpose of the amendment is to allow printed copies of digitally or electronically sealed documents to be used for any purpose through December 31, 2020.

SUMMARY: Update rules text.

### **61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.**

(1) through (2) No change.

(3) The affixing of a digital signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) through (f) No change.

(g) Beginning on the effective date of this rule amendment, {insert effective date}, and continuing until December 31, 2020, the restriction contained in subparagraph (3)(c)3., above, and the text of required language illustrated in subparagraphs (3)(d)1. and 2., that printed copies of digitally signed and sealed plans or documents are not considered signed and sealed is removed, and printed copies of said plans or documents are deemed validly signed and sealed for any purpose allowed by law. After December 31, 2020, the existing restriction is reinstated. Any licensee seeking to use printed copies of digitally signed and sealed plans or documents must retain an original copy of the signed and sealed plans.

### **61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.**

(1) through (3) No change.

(4) The affixing of an electronic signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) through (d) No change.

(e) Beginning on the effective date of this rule amendment, {insert effective date}, and continuing until December 31, 2020, the restriction contained in subparagraph (4)(c)3., above, and the text of required language illustrated in subparagraphs (4)(d)1. and 2., that printed copies of electronically signed and sealed plans or documents are not considered signed and sealed is removed, and printed copies of said plans or documents are deemed validly signed and sealed for any purpose allowed by law. After December 31, 2020, the existing restriction is reinstated. Any licensee seeking to use printed copies of electronically signed and sealed plans or documents must retain an original copy of the signed and sealed plans.

EFFECTIVE DATE: 12/29/2019

61G15-24.001 Schedule of Fees

PURPOSE AND EFFECT: The purpose of the rule amendment to implement the statutory changes from Chapter 2019-86, Laws of Florida.

SUMMARY: Implement statutory changes.

### **61G15-24.001 Schedule of Fees.**

(1) No change.

(2) Engineering licensure fees (individuals and firms):

(a) through (e) No change.

(f) Temporary license (qualified business organization) ~~Certificate of Authorization (firm)~~ – \$50.00.

(g) Reinstatement fee - \$150.00. ~~Application fee for a Certificate of Authorization (firm) \$125.00 non-refundable.~~

~~(h) Initial fee for Certificate of Authorization – \$100.00.~~

~~(i) Biennial Renewal fee for Certificate of Authorization (firm) – \$93.75.~~

(j) through (p) renumbered (h) through (n) No change.

(3) through (5) No change.

(6) Discount for Early Renewal. For active or inactive status licensees who renew their license no later than January 15 of the year the biennium ends, the biennial renewal fee is discounted by ten dollars (\$10), to \$83.75. Licensees renewing after this date receive no discount and must pay the full fee specified in paragraph (2)(c). ~~There is no discount for early renewal of Certificates of Authorization.~~

EFFECTIVE DATE: 12/29/2019

**61G15-27.001 Procedures for a Successor Professional Engineer Adopting As His Own the Work of Another Engineer**

**PURPOSE AND EFFECT:** The purpose of the amendment is to update the rule based on the statutory changes in Section 10, Chapter 2019-86, Laws of Florida, which creates subsection 471.025(4), F.S.

**SUMMARY:** Update rule text.

### **61G15-27.001 Procedures for a Successor Professional Engineer Adopting As His Own the Work of Another Engineer.**

(1) A successor professional engineer seeking to reuse already sealed plans, prints, engineering specifications, and/or engineering calculations ~~used for permitted works under the successor professional engineer's seal must be able to document and produce upon request evidence that he has in fact recreated all the work done by the original professional engineer~~ shall do so in compliance with section 471.025(4), F.S. In other words, calculations, site visits, research and the like must be documented and producible upon demand. ~~Further, the successor professional engineer must take all professional and legal responsibility for the plans, prints, engineering specifications, and/or engineering calculations used for permitted works which he sealed and signed and can in no way exempt himself from such full responsibility.~~ Plans, prints, engineering specifications, and/or engineering calculations ~~used for permitted works~~ need not be redrawn by the successor professional engineer; however, justification for such action must be available through well kept and complete documentation on the part of the successor professional engineer as to his having rethought and reworked the entire design process. A successor professional engineer must use his own title block, seal and signature and must remove the title block, seal and signature of the original professional engineer before reusing any sealed, prints, engineering specifications, and/or engineering calculations used for permitted works.

(2) Prior to sealing and signing **such** work a successor professional engineer shall be required to notify the original professional engineer, his successors, or assigns of the successor's intention to use or reuse the original professional engineer's work. Notification shall be by certified letter or other verifiable communication to the last known physical or electronic address of the original professional engineer.

**(3) A professional engineer's reliance upon and legal use of another's engineering work, in the normal course of providing original service, is not reuse or adoption of such other engineer's work as contemplated by section 471.025(4), F.S., and the professional engineer relying upon such work is not a "successor engineer" as used in that section. Such engineering work includes but is not limited to, geotechnical reports, soil investigation reports, legal surveys, and other works that may be sealed, but which are used to support the professional engineer's work and are not adopted as the professional engineer's original service or work product.**

EFFECTIVE DATE: 5/14/2020

61G15-30.001 Purpose

PURPOSE AND EFFECT: The purpose of the amendment is to update Chapter 61G15 regarding the deletion of Certificates of Authorization and replacement with engineering business organizations.

SUMMARY: Update rule text.

### **61G15-30.001 Purpose.**

**(1)** The Board has adopted these responsibility rules pursuant to Section 471.033(2), F.S., to safeguard the life, health, property and welfare of the public by promoting proper conduct in the practice of engineering and due care and regard for acceptable engineering principles and standards. The Board considers that professional engineers may avoid disciplinary actions by observing the procedures set forth herein. Failure to comply with these rules may be considered as noncompliance with subsection 61G15-19.001(4), F.A.C., unless the deviation or departure therefrom is justified by the specific circumstances of the project in question. Furthermore, these rules are intended to apply as general guidelines where no contractual relationship exists between the parties addressed herein. These rules are not intended to take precedence over contractual relationships developed between the parties addressed herein, so long as those contractual relationships do not violate Chapter 471, F.S., or the stated purpose of these responsibility rules. These responsibility rules shall apply to every person holding a **license**

certificate of registration as a professional engineer, every certified engineer intern, and every **qualified engineering business organization**, holder of a certificate of authorization, as appropriate. A professional engineer's practices, education, training, experience, qualifications, technical competence, conduct, and responsibilities in connection with his authorized engineering practice, services, and creative work are subject to regulation solely by the Board of professional engineers, the courts, and local jurisdictions.

**(2) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.**

EFFECTIVE DATE: 12/29/2019

61G15-32.002 Definitions

PURPOSE AND EFFECT: The purpose of the amendment is to delete unnecessary language and add new language to update and clarify the rules.

SUMMARY: Update required certifications.

### **61G15-32.002 Definitions.**

(1) Engineer of Record for the Fire Protection System(s): The Florida **licensed** Registered Professional Engineer who develops the Fire Protection System(s) design criteria; performs analysis as required; and is responsible for the preparation of the Fire Protection System Engineering Documents. Except to the limited extent provided in subsection 61G15-32.002(10), F.A.C., the Engineer of Record for the Fire Protection system(s) is responsible for providing sealed, signed and dated Fire Protection System Engineering Documents that are in full conformity with the applicable design standards set forth in rule chapter 61G15-32, F.A.C.

(2) through (5) No change.

(6) Fire Protection System Layout Documents: Layout drawings, **supporting** hydraulic calculations, catalog information on standard products, and other construction data prepared by **either a** the licensed contractor or **a licensed** Engineer of Record that provides detail on the location of risers, **service** cross mains, **distribution** branch lines, **devices, equipment,** sprinkler heads, sizing of pipe **and/or curcuits,** hanger locations, and **supporting** hydraulic calculations and also serves as a guide for fabrication and installation of a fire protection system. Fire Protection System Layout Documents are based upon

engineering direction provided in the Fire Protection System Engineering Documents and require no additional engineering input.

(a) If prepared by a licensed contractor, tThese documents do not require the seal of a Florida licensed registered engineer.

(b) If prepared by a licensed engineer, these documents are Engineering Documents and therefore meet the definition of Engineering Documents in Rule 61G15-30.002(4) and accordingly, require sealing by a Florida licensed engineer in accordance with Rule 61G15-23.001, F.A.C., Signature, Date and Seal Shall Be Affixed.

(c) If prepared by a licensed engineer other than the engineer who prepared, signed, dated, and sealed the Fire Protection System Engineering documents, that engineer shall additionally meet the requirements of Rule 61G15-27.001, F.A.C., Procedures for a Successor Professional Engineer Adopting as His Own the Work of Another Engineer.

(7) through (10) No change.

EFFECTIVE DATE: 7/25/2019

61G15-32.002 Definitions

61G15-32.003 Common Requirements to All Fire Protection Engineering Documents

61G15-32.004 Design of Water Based Fire Protection Systems

61G15-32.008 Design of Fire Alarms and Detection Systems

61G15-32.010 Design of Smoke Control Systems

PURPOSE AND EFFECT: The purpose of the amendment is to add new language to update and clarify the rules.

SUMMARY: Update rule texts.

### **61G15-32.002 Definitions.**

(1) through (6) No change.

(7) Codes and Standards: Those nationally recognized codes and standards adopted directly or by reference in Chapter 633, F.S., Fire Prevention and Control; the Florida Building Code; and the Florida Fire Prevention Code. The Florida Building Code and the Florida Fire Prevention Code are incorporated by reference in Rule 61G15-18.011, F.A.C. Applicable codes and standards also include those promulgated by State and local

authorities having jurisdiction. In the event the codes and standards fail to cover or address a specific protection requirement, alternative research, test results, and engineering data may be utilized, relying on the Engineer of Record for the Fire Protection System to make an informed engineering decision. This definition is not intended to preclude the use of new technologies when said technology has been demonstrated to provide equivalent or improved protection above that of published National Fire Protection standards.

(8) Material Deviation: Any deviation or variance from the design parameters established and documented by the Engineer of Record that significantly alters the ultimate performance requirements of the system.

(9) through (10) No change.

### **61G15-32.003 Common Requirements to All Fire Protection System Engineering Documents.**

(1) through (3) No change.

(4) The applicable code(s) and standard(s) to be used in the preparation of the Fire Protection System Layout Documents shall be shown on the Fire Protection System Engineering Documents. When codes and standards are not available or applicable, and said layout documents are to be based on engineering judgment, any reasons and assumptions made to develop the fire protection concept shall be identified on the Fire Protection System Engineering Documents.

(5) No change.

(6) When Fire Protection Layout Documents contain material deviation from the ~~Engineer of Record's~~ Fire Protection System Engineering Documents, such Layout Documents are not compliant unless they are accompanied by revised Engineering Documents prepared, signed, dated ~~made~~ and sealed by the Engineer of Record for the Fire Protection System.

(7) through (8) No change.

(9) Fire Protection System Electrical Engineering Documents shall additionally meet the requirements of Rule 61G15-30.003, F.A.C., Engineering Documents.

### **61G15-32.004 Design of Water Based Fire Protection Systems.**

(1) Water Based Fire Protection Systems include, but are not limited to, automatic sprinkler systems of wet, dry, fine water spray (mist), manual, and deluge valve controlled types, pumping systems, standpipes, fire water mains, and dedicated fire protection water sources. Items to be considered in the design or analysis of water based fire protection systems are, as applicable to the particular project: water supply system.

occupancy and classification, control, installation requirements, interoperability and performance requirements.

(2) The design specifications shall be based on the Florida Building Code, the Florida Fire Prevention Code, or as required by the local authority having jurisdiction. The Florida Building Code and the Florida Fire Prevention Code are incorporated by reference in Rule 61G15-18.011, F.A.C.

(3) For systems below the threshold requirements for mandatory use of professional engineering services, the Engineer of Record may specify the minimum system requirements only.

(2) through (4) renumbered (4) through (6) No change.

### **61G15-32.008 Design of Fire Alarms, Signaling Systems, and Control Detection Systems.**

(1) Fire alarms and detection systems include fire protection supervision, emergency alarm circuits, activation of life safety system controls and remote signaling of emergency conditions. Items to be considered in the design or analysis of fire alarm and detection systems are, as applicable to the particular project: occupancy and classification, monitoring, control and communication, cabling and supervision requirements, installation requirements, interoperability and performance requirements.

(2) No change.

(3) ~~For fire alarm plans on small~~ systems below the threshold requirements for mandatory use of professional engineering services, the Engineer of Record may ~~shall~~ specify the minimum system requirements only.

(4) To ensure minimum design quality of Fire Alarm and Detection Systems Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) No change.

(b) Locate initiation and notification devices and connections to related systems on the floor plans and sections when needed for clarity. Related systems include elevator controls, smoke control systems, dampers, ~~and doors~~ release, any other systems or elements directly or indirectly controlled or monitored.

(c) through (g) No change.

(h) Identify and ~~locate~~ system devices that are subject to environmental factors, and indicate requirements for the protection of equipment from temperature, humidity or corrosive atmospheres, including coastal salt air.

(i) No change.

(j) In buildings where smoke detection will be obstructed by walls, beams or ceiling features, the Engineer of Record shall provide applicable design and details to direct the installer to mitigate the obstructions. In buildings with smoke detection under a pitched roof, the plans shall indicate the roof pitch and a building section shall be provided as part of the Engineering Design Documents.

(k) through (o) No change.

(5) through (6) No change.

(7) When the Engineer of Record determines that special requirements are required by the owner, insurance underwriter or local fire code amendments these requirements shall be documented or referenced on the Engineering Design Documents.

### **61G15-32.010 Design of Smoke Control Systems.**

(1) Smoke control systems include, but are not limited to, smoke exhaust systems and pressurization systems for the purpose of providing a tenable environment to allow occupants to exit the building

(2) The Fire Protection System(s) shall be based on the Florida Building Code, the Florida Fire Prevention Code, applicable NFPA standards, when available, or on alternative engineering sources and good engineering practice when required.

# Florida Statutes: Ch.471 Changes

*Florida Statutes: Ch. 471: Engineering (471.001 to 471.045) – rules adopted, amended, or repealed during the immediate preceding biennium*

EFFECTIVE DATE: 2019

471.005 Definitions

SUMMARY: The statute amendment amended to confirm the deletion of Certificate of Authorization

## **471.005 Definitions.—As used in this chapter, the term:**

~~(3) "Certificate of authorization" means a license to practice engineering issued by the management corporation to a corporation or partnership.~~

(8) "License" means the licensing of engineers or certification of businesses to practice engineering in this state.

EFFECTIVE DATE: 2019

471.011 Fees.—

SUMMARY: The statute amendment amended to confirm the deletion of fees of qualified business organizations

## **471.011 Fees.—**

(4) Qualification of a business organization under s. 471.023 shall not require payment of a fee ~~The fee for a certificate of authorization shall not exceed \$125.~~

EFFECTIVE DATE: 2019

471.013 Examinations; prerequisites.—

SUMMARY: The statute amendment revises the prerequisites for examination and deletes an obsolete provision

### 471.013 Examinations; prerequisites.—

(1)(a) A person shall be entitled to take an examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer if the person is of good moral character and:

1. Is a graduate from an approved engineering **science** curriculum of 4 years or more in a school, college, or university which has been approved by the board; **or** and has a record of 4 years of active engineering experience of a character indicating competence to be in responsible charge of engineering;

2. Is a graduate of an approved **engineering technology** curriculum of 4 years or more in a school, college, or university **which has been approved by the board** within the State University System, having been enrolled or having graduated prior to July 1, 1979, and has a record of 4 years of active engineering experience of a character indicating competence to be in responsible charge of engineering; or

3. Has, in lieu of such education and experience requirements, 10 years or more of active engineering work of a character indicating that the applicant is competent to be placed in responsible charge of engineering. However, this subparagraph does not apply unless such person notifies the department before July 1, 1984, that she or he was engaged in such work on July 1, 1981.

The board shall adopt rules providing for the review and approval of schools or colleges and the courses of study in engineering in such schools and colleges. The rules shall be based on the educational requirements for engineering as defined in s. 471.005. The board may adopt rules providing for the acceptance of the approval and accreditation of schools and courses of study by a nationally accepted accreditation organization.

EFFECTIVE DATE: 2019

471.015 Licensure.—

SUMMARY: The statute amendment revises licensure certification requirements to include active engineering experience and a minimum age providing that the time period in which a licensure application must be granted or denied is tolled if an applicant is required to make a personal appearance before the board and authorizes the board to deny a license if such an applicant fails to appear before the board within a specified timeframe

### 471.015 Licensure.—

(2)(a) The board shall certify for licensure any applicant who has submitted proof satisfactory to the board that he or she is at least 18 years of age and who:

1. Satisfies the requirements of s. 471.013(1)(a)1. and has a record of at least 4 years of active engineering experience of a character indicating competence to be in responsible charge of engineering; or

2. Satisfies the requirements of s. 471.013(1)(a)2. and has a record of at least 6 years of active engineering experience of a character indicating competence to be in responsible charge of engineering s. 471.013.

(b) The board may refuse to certify any applicant who has violated any of the provisions of s. 471.031.

(3) The board shall certify as qualified for a license by endorsement an applicant who:

(a) Qualifies to take the fundamentals examination and the principles and practice examination as set forth in s. 471.013, has passed a United States national, regional, state, or territorial licensing examination that is substantially equivalent to the fundamentals examination and principles and practice examination required by s. 471.013, and has satisfied the experience requirements set forth in paragraph (2)(a) and s. 471.013; or

(b) Holds a valid license to practice engineering issued by another state or territory of the United States, if the criteria for issuance of the license were substantially the same as the licensure criteria that existed in this state at the time the license was issued.

(6) The board may require a personal appearance by any applicant for licensure under this chapter. Any applicant of whom a personal appearance is required must be

given adequate notice of the time and place of the appearance and provided with a statement of the purpose of and reasons requiring the appearance. If an applicant is required to appear, the time period within which a licensure application must be granted or denied is tolled until such time as the applicant appears. However, if the applicant fails to appear before the board at either of the next two regularly scheduled board meetings, the application for licensure may be denied.

EFFECTIVE DATE: 2019

471.019                      Reactivation.—

SUMMARY: The statute amendment amended to require the board to establish by rule a reinstatement process for void licenses

#### **471.019 Reactivation.—**

The board shall establish by rule a reinstatement process for void licenses. The rule board shall prescribe appropriate by rule continuing education requirements for reactivating a license. The continuing education requirements for reactivating a license for a licensed engineer may not exceed the continuing education requirements prescribed pursuant to s. 471.017 12-classroom hours for each year the license was inactive.

EFFECTIVE DATE: 2019

471.021                      Engineers and firms of other states; temporary registration to practice in Florida.—

SUMMARY: The statute amendment amended to confirm provisions to changes made by the act

#### **471.021 Engineers and firms of other states; temporary registration certificates to practice in Florida.—**

(1) Upon approval of the board and payment of the fee set in s. 471.011, the management corporation shall issue a temporary registration license for work on one specified project in this state for a period not to exceed 1 year to an engineer holding a certificate to practice in another state, provided Florida licensees are similarly permitted to engage in work in such state and provided that the engineer be qualified for licensure by endorsement.

(2) Upon approval by the board and payment of the fee set in s. 471.011, the management corporation shall issue a temporary **registration** ~~certificate of authorization~~ for work on one specified project in this state for a period not to exceed 1 year to an out-of-state corporation, partnership, or firm, provided one of the principal officers of the corporation, one of the partners of the partnership, or one of the principals in the fictitiously named firm has obtained a temporary **registration** license in accordance with subsection (1).

(3) The application for a temporary **registration** license shall **require** constitute appointment of the Department of State as an agent of the applicant for service of process in any action or proceeding against the applicant arising out of any transaction or operation connected with or incidental to the practice of engineering for which the temporary **registration** license was issued.

EFFECTIVE DATE: 2019

471.023 Qualification of business organizations.—

SUMMARY: The statute amendment provides requirements for qualification of a business organization, requirements for a qualifying agent; and deletes the administration of disciplinary action against a business organization

#### 471.023 **Qualification** ~~Certification~~ of business organizations.—

(1) The practice of, or the offer to practice, engineering by licensees or offering engineering services to the public through a business organization, including a partnership, corporation, business trust, or other legal entity or by a business organization, including a corporation, partnership, business trust, or other legal entity offering such services to the public through licensees under this chapter as agents, employees, officers, or partners is permitted only if the business organization **is qualified by an engineer licensed under this chapter** ~~possesses a certification issued by the management corporation pursuant to qualification by the board~~, subject to the provisions of this chapter. One or more of the principal officers of the business organization or one or more partners of the partnership and all personnel of the business organization who act in its behalf as engineers in this state shall be licensed as provided by this chapter. All final drawings, specifications, plans, reports, or documents involving practices licensed under this chapter which are prepared or approved for the use of the business organization or for public record within the state shall be dated and shall bear the signature and seal of the licensee who prepared or approved them. Nothing in this section shall be construed to mean that a license to practice engineering shall be held by a business organization. Nothing herein prohibits business

organizations from joining together to offer engineering services to the public, if each business organization otherwise meets the requirements of this section. No business organization shall be relieved of responsibility for the conduct or acts of its agents, employees, or officers by reason of its compliance with this section, nor shall any individual practicing engineering be relieved of responsibility for professional services performed by reason of his or her employment or relationship with a business organization.

(2) For the purposes of this section, a ~~certificate of authorization shall be required for any~~ business organization or other person practicing under a fictitious name, offering engineering services to the public **must be qualified by an engineer licensed under this chapter**. ~~However, when an individual is practicing engineering in his or her own given name, he or she shall not be required to be licensed under this section.~~

(3) Except as provided in s. 558.0035, the fact that a licensed engineer practices through a business organization does not relieve the licensee from personal liability for negligence, misconduct, or wrongful acts committed by him or her. Partnerships and all partners shall be jointly and severally liable for the negligence, misconduct, or wrongful acts committed by their agents, employees, or partners while acting in a professional capacity. Any officer, agent, or employee of a business organization other than a partnership shall be personally liable and accountable only for negligent acts, wrongful acts, or misconduct committed by him or her or committed by any person under his or her direct supervision and control, while rendering professional services on behalf of the business organization. The personal liability of a shareholder or owner of a business organization, in his or her capacity as shareholder or owner, shall be no greater than that of a shareholder-employee of a corporation incorporated under chapter 607. The business organization shall be liable up to the full value of its property for any negligent acts, wrongful acts, or misconduct committed by any of its officers, agents, or employees while they are engaged on its behalf in the rendering of professional services.

(4) ~~Each certification of authorization shall be renewed every 2 years. Each~~ **qualifying agent of a** business organization **qualified** certified under this section must notify the board within **30 days** ~~1 month~~ after any change in the information contained in the application upon which the **qualification** certification is based.

**(a) A qualifying agent who terminates an affiliation with a qualified business organization shall notify the management corporation of such termination within 24 hours. If such qualifying agent is the only qualifying agent for that business organization, the business organization must be qualified by another qualifying agent within 60 days after the termination. Except as provided in paragraph (b), the business organization may not engage in the practice of engineering until it is qualified by another qualifying agent.**

**(b) In the event a qualifying agent ceases employment with a qualified business organization and the qualifying agent is the only licensed individual affiliated with the**

business organization, the executive director of the management corporation or the chair of the board may authorize another licensee employed by the business organization to temporarily serve as its qualifying agent for a period of no more than 60 days to proceed with incomplete contracts. The business organization is not authorized to operate beyond such period under this chapter absent replacement of the qualifying agent.

(c) A qualifying agent shall notify the department in writing before engaging in the practice of engineering in the licensee's name or in affiliation with a different business organization.

~~(5) Disciplinary action against a business organization shall be administered in the same manner and on the same grounds as disciplinary action against a licensed engineer.~~

EFFECTIVE DATE: 2019

471.025 Seals.—

SUMMARY: The statute amendment provides requirements for requiring a successor engineer to be able to independently re-create certain work when seeking to reuse certain documents; specifying that a successor engineer assumes full professional and legal responsibility by signing or affixing his or her seal to assumed documents; and releasing the engineer who previously sealed the documents from any professional responsibility or civil liability for her or his work that is assumed by a successor engineer

#### 471.025 Seals.—

(4) A successor engineer seeking to reuse documents previously sealed by another engineer must be able to independently re-create all of the work done by the original engineer. A successor engineer assumes full professional and legal responsibility by signing and affixing his or her seal to the assumed documents. Such documents must be treated as though they were the successor engineer's original product, and the original engineer is released from any professional responsibility or civil liability for prior work assumed by the successor engineer. For the purposes of this subsection, the term "successor engineer" means an engineer who is using or relying upon the work, findings, or recommendations of the engineer who previously sealed the pertinent documents.

EFFECTIVE DATE: 2020

471.005 Definitions

SUMMARY: The statute amendment amended to confirm the editorial deletion of the word "or" to improve clarity

### **471.005 Definitions.—As used in this chapter, the term:**

(8) "License" means the licensing of engineers or to practice engineering in this state.

EFFECTIVE DATE: 2020

471.015 Licensure.—

SUMMARY: The statute amendment revises licensure requirements for engineers who hold specified licenses in another state.

### **471.015 Licensure.—**

(5)(a) The board shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination when such applicant has held a valid professional engineer's license in another state for **10** 15 years ~~and has had 20 years of continuous professional-level engineering experience.~~

(b) The board shall deem that an applicant who seeks licensure by endorsement has passed an examination substantially equivalent to the fundamentals examination and the principles and practices examination when such applicant has held a valid professional engineer's license in another state for **15** 25 years ~~and has had 30 years of continuous professional-level engineering experience.~~

# Florida Statutes: Ch.455 Changes

*Florida Statutes: Ch. 455: Engineering (455.01 to 455.32) – rules adopted, amended, or repealed during the immediate preceding biennium*

EFFECTIVE DATE: 2019

STATUTE NO.: STATUTE TITLE:

455.213 General licensing provisions.—

**SUMMARY:** The statute amendment provides for requiring certain boards and entities within the Divisions of the Department of Business and Professional Regulation to use a specified process for the review of an applicant's criminal record to determine the applicant's eligibility for certain licenses

## 455.213 General licensing provisions.—

(2) Before the issuance of any license, the department may charge an initial license fee as determined by rule of the applicable board or, if no such board exists, by rule of the department. Upon receipt of the appropriate license fee, except as provided in subsection (4) (3), the department shall issue a license to any person certified by the appropriate board, or its designee, or the department when there is no board, as having met the applicable requirements imposed by law or rule. However, an applicant who is not otherwise qualified for licensure is not entitled to licensure solely based on a passing score on a required examination. Upon a determination by the department that it erroneously issued a license, or upon the revocation of a license by the applicable board, or by the department when there is no board, the licensee must surrender his or her license to the department.

(3)(a) Notwithstanding any other law, the applicable board shall use the process in this subsection for review of an applicant's criminal record to determine his or her eligibility for licensure as:

1. A barber under chapter 476;

2. A cosmetologist or cosmetology specialist under chapter 477;

3. Any of the following construction professions under chapter 489:

a. Air-conditioning contractor;

b. Electrical contractor;

- c. Mechanical contractor;
- d. Plumbing contractor;
- e. Pollutant storage systems contractor;
- f. Roofing contractor;
- g. Sheet metal contractor;
- h. Solar contractor;
- i. Swimming pool and spa contractor;
- j. Underground utility and excavation contractor; or
- k. Other specialty contractors; or

4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program.

(b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.

2. The applicable board may consider the criminal history of an applicant for licensure under subparagraph (a)3. if such criminal history has been found to relate to good moral character.

(c)1. A person may apply for a license before his or her lawful release from confinement or supervision. The department may not charge an applicant an additional fee for being confined or under supervision. The applicable board may not deny an application for a license solely on the basis of the applicant's current confinement or supervision.

2. After a license application is approved, the applicable board may stay the issuance of a license until the applicant is lawfully released from confinement or supervision and the applicant notifies the applicable board of such release. The applicable board must verify the applicant's release with the Department of Corrections before it issues a license.

3. If an applicant is unable to appear in person due to his or her confinement or supervision, the applicable board must permit the applicant to appear by teleconference or video conference, as appropriate, at any meeting of the applicable board or other hearing by the agency concerning his or her application.

4. If an applicant is confined or under supervision, the Department of Corrections and the applicable board shall cooperate and coordinate to facilitate the appearance of the applicant at a board meeting or agency hearing in person, by teleconference, or by video conference, as appropriate.

(d) Each applicable board shall compile a list of crimes that, if committed and regardless of adjudication, do not relate to the practice of the profession or the ability to practice the profession and do not constitute grounds for denial of a license. This list must be made available on the department's website and updated annually. Beginning October 1, 2019, each applicable board shall compile a list of crimes that although reported by an applicant for licensure, were not used as a basis for denial. The list must identify for each such license application the crime reported and the date of conviction and whether there was a finding of guilt, a plea, or an adjudication entered or the date of sentencing.

(e) Each applicable board shall compile a list of crimes that have been used as a basis for denial of a license in the past 2 years and shall make the list available on the department's website. Starting October 1, 2019, and updated quarterly thereafter, the applicable board shall compile a list indicating each crime used as a basis for denial. For each crime listed, the applicable board must identify the date of conviction, finding of guilt, plea, or adjudication entered, or date of sentencing. Such denials must be made available to the public upon request.

EFFECTIVE DATE: 2020

STATUTE NO.: STATUTE TITLE:

455.213 General licensing provisions

SUMMARY: The statute amendment provides for requiring the department or a board to enter into reciprocal licensing agreements with other states under certain circumstances

### 455.213 General licensing provisions.

(14) The department or a board must enter into a reciprocal licensing agreement with other states if the practice act within the purview of this chapter permits such agreement. If a reciprocal licensing agreement exists or if the department or board has determined another state's licensing requirements or examinations to be substantially equivalent or more stringent to those under the practice act, the department or board must post on its website which jurisdictions have such reciprocal licensing agreements or substantially similar licenses.

EFFECTIVE DATE: 2020

STATUTE NO.: STATUTE TITLE:

455.2278 Restriction on disciplinary action for student loan default.—

SUMMARY: The statute amendment provides for prohibiting the department or a board from suspending or revoking a person's license solely on the basis of a delinquency or default in the payment of his or her student loan

### **455.2278 Restriction on disciplinary action for student loan default.**

(1) **DEFINITIONS.—**As used in this section, the term:

(a) "Default" means the failure to repay a student loan according to the terms agreed to in the promissory note.

(b) "Delinquency" means the failure to make a student loan payment when it is due.

(c) "Student loan" means a federal-guaranteed or state-guaranteed loan for the purposes of postsecondary education.

(d) "Work-conditional scholarship" means an award of financial aid for a student to further his or her education which imposes an obligation on the student to complete certain work-related requirements to receive or to continue receiving the scholarship.

(2) **STUDENT LOAN DEFAULT; DELINQUENCY.—**The department or a board may not suspend or revoke a license that it has issued to any person who is in default on or delinquent in the payment of his or her student loans solely on the basis of such default or delinquency.

(3) **WORK-CONDITIONAL SCHOLARSHIP DEFAULT.—**The department or a board may not suspend or revoke a license that it has issued to any person who is in default on the satisfaction of the requirements of his or her work-conditional scholarship solely on the basis of such default.

# Disciplinary Case Review

*The following is a small sample of disciplinary actions which occurred in the previous biennium.*

## Case 1

Pedro J. Flaquer, PE #66753 (REVOKED)

Case No. 2018031733

Licensee was charged with violating Section 471.033(1)(d), Florida Statutes; being convicted or found guilty of, or entering a plea or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering; Sections 471.033(1)(a) and 455.227(1)(t), Florida Statutes; failing to report in writing to the board within 30 days after the licensee is convicted or found guilty of a crime in any jurisdiction; Section 471.033(1)(c), Florida Statutes; having a license to practice engineering acted against by the licensing authority of another state; Sections 455.227(1)(h) and 471.033(1)(b), Florida Statutes; obtaining a license to practice a profession by fraudulent misrepresentation. Mr. Flaquer pled guilty to bribery on May 22, 2003. Mr. Flaquer failed to report the plea or conviction of guilt to the Board. The State of New York charged Mr. Flaquer regarding the conviction and Mr. Flaquer relinquished his license as a result of those charges. Mr. Flaquer applied for licensure by endorsement in Florida in 2007. At the time of application, Mr. Flaquer answered "No" to the question on the application that asked: "Have you ever been convicted or found guilty of a crime in any jurisdiction?" Mr. Flaquer was aware of the conviction at the time of his application and failed to disclose the information. Mr. Flaquer was granted licensure based upon a fraudulent application.

**Ruling:** This case was presented to the full Board upon a Motion for Determination that Respondent Forfeited his Right to an Administrative Hearing. The Board imposed a REVOCATION of Mr. Flaquer's Professional Engineer license. Final Order was issued on Feb. 27, 2020.

**Violation:** Section 471.033(1)(d), Florida Statutes; Sections 471.033(1)(a) and 455.227(1)(t), F.S.; Section 471.033(1)(c), F.S.; and Sections 455.227(1)(h) and 471.033(1)(b), F.S.

### **Violation Reference**

**471.033(1)(a)** Violating any provision of s. 455.227(1), s. 471.025, or s. 471.031, or any other provision of this chapter or rule of the board or department.

**471.033(1)(b)** Attempting to procure a license to practice engineering by bribery or fraudulent misrepresentations.

**471.033(1)(c)** Having a license to practice engineering revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country, for any act that would constitute a violation of this chapter or chapter 455.

**471.033(1)(d)** Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering.

**455.227(1)(h)** Attempting to obtain, obtaining, or renewing a license to practice a profession by bribery, by fraudulent misrepresentation, or through an error of the department or the board.

**455.227(1)(t)** Failing to report in writing to the board or, if there is no board, to the department within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. A licensee must report a conviction, finding of guilt, plea, or adjudication entered before the effective date of this paragraph within 30 days after the effective date of this paragraph.

## Case 2

Carlton Forbes, PE #20699

Case No. 2018057617

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Mr. Forbes acted as Structural, Electrical and Mechanical Engineer of Record on projects. The Electrical and Mechanical design drawings contained material deficiencies. The deficiencies include, but are not limited to, the drawing contains an electrical riser diagram but no short circuit values and no voltage drop calculations for the feeders and customer-owner service conductors, there are incorrect specification of current interrupting capacity, no surge protection devices are shown on the drawings, the electrical drawing does not state specific codes, rules, or ordinances to which the electrical system must comply, the lighting design drawings contain no calculated values to demonstrate compliance as required, the HVAC drawing does not contain adequate information for the authority having jurisdiction to determine compliance with codes and ordinances, the drawing does not contain equipment capacities including static pressure, cooling coil requirements, no duct is shown for outside air intake, condensate discharge piping layout is not shown on the drawings, no plumbing equipment schedule is included, the plumbing drawings does not contain a potable water isometric diagram, total water fixture units are not shown on the drawing, no storm water riser diagram and area drainage calculations, etc.

**Ruling:** The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$2,000, Appearance before the Board, a Reprimand, a Board-approved course in Intermediate Engineering Professionalism and Ethics, the Board's Study Guide, and two years' Probation with terms. Terms include, a restriction from practicing any electrical and mechanical engineering until such time that he completes, passes and submits proof of passing the NCEES eight-hour Electrical Power examination and the NCEES eight-hour Mechanical HVAC examination. Subsequent to taking and passing the NCEES Electrical and Mechanical Examinations, project review at six and 18 months. Final Order was issued on April 20, 2020

**Violation:** Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code.

### **Violation Reference**

**471.003(g)** Engaging in fraud or deceit, negligence, incompetence, or misconduct, in the practice of engineering.

### Case 3

Gary A. Santti, PE #43731

Case No. 2019003809

Licensee was charged with violating Section 471.033(1)(k), Florida Statutes; failure to comply with the terms of any order of the Board. On June 28, 2018, a Final Order was entered by the Board in Case No. 2015023764. The Final Order provided in material part that:

Respondent shall pay an Administrative Fine of \$1,000.00 and Costs of \$14,603.25 to the Board one year of the date that the Final Order adopting this Stipulation is filed with the Agency Clerk. The Fine and Costs payments shall be made in quarterly payments of \$3900.81 each 90 days after the entry of the Final Order.

Respondent shall be placed on Probation for two years from the date the Final Order adopting this Stipulation is filed with the Agency Clerk, with the following terms: Respondent shall successfully complete a Board-approved course in Basic Engineering Professionalism and Ethics within one year of the date the Final Order adopting this Stipulation is filed with the Agency Clerk. Prior to that date, Respondent shall submit to the Board a Certificate of Completion of the course. It is the Respondent's responsibility to notify the Board that he has completed the course in a timely manner.

Respondent shall submit to the Board a detailed list of all completed projects (signed, sealed, and dated), by the Respondent for Project Review at six- and 18-month intervals from the date the Final Order adopting this Stipulation is filed with the Agency Clerk. The projects shall include: all geotechnical engineering (subsurface remediation) projects and reports signed and sealed by Respondent.

**Mr. Santti has not complied with any of the terms of the Final Order.**

**Ruling:** This case was presented to the full Board upon a Motion for Determination that Respondent Forfeited his right to an Administrative Hearing. The Board imposed a Suspension of Mr. Santti's license until such time that he appears before the Board and demonstrates that he has fully complied with all outstanding obligations from the previously entered Final Order. Final Order was issued on 11/7/19

**Violation:** Section 471.033(1)(k), Florida Statutes

#### **Violation Reference**

**471.033(1)(k)** Violating any order of the board or department previously entered in a disciplinary hearing.

# References

Florida Board of Professional Engineers: website Legal, Statutes and Rules

<https://fbpe.org/legal/statutes-and-rules/>

Florida Administrative Code, Chapter 61G15, Board of Professional Engineers Organization and Purpose

<https://www.flrules.org/gateway/organization.asp?id=267>

Florida Statutes, Title XXXII, Chapter 455, Business and Professional Regulation: General Provisions

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0400-0499/0455/0455.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0455/0455.html)

Florida Statutes, Title XXXII, Chapter 471, Engineering

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0400-0499/0471/0471.html](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0471/0471.html)

FBPE Disciplinary Actions

<https://fbpe.org/legal/disciplinary-actions/>

# Quiz Questions

Note: The following questions must be answered online in our learning system



[Click here to Access the Online Quiz](#)

1. *A probable cause panel consists of three (3) members, which include?*
  - a. Three (3) current board members
  - b. Two (2) current board member and one (1) current or former board member
  - c. One (1) current board member and a combination of two (2) current or former board members
  - d. None of the above
  
2. *For a firm to be a qualified business organization practicing engineering it must what?*
  - a. Obtain a certificate of authorization
  - b. Be qualified by a Florida professional engineer
  - c. Register and pay the required fee
  - d. All of the above
  
3. *A qualifying agent who is the professional engineer qualifying the business organization must notify the Board of any change in the name of the business organization or the business organization's qualifying professional engineer within how many days of such change?*
  - a. Ninety (90)
  - b. Thirty (30)
  - c. Ten (10)
  - d. Immediately

*4. The active or inactive license of a member of the Florida National Guard or United States Armed Forces Reserve shall not expire while that member is serving on federal active duty, and shall be extended through the period of federal active duty and for up to how many days thereafter?*

- a. Ninety (90)
- b. Thirty (30)
- c. Ten (10)
- d. Immediately

*5. For reinstatement of a void license, what must also accompany the application for reinstatement?*

- a. Fee
- b. Documentation of satisfaction of any disciplinary obligations imposed against the void license
- c. Documentation of either current active practice as a professional engineer in another U.S state or territory, or completion of thirty-six (36) hours of continuing education
- d. All of the above

*6. Which of the following licensees are exempt from the Advanced Building Code training?*

- a. New licensees within the first renewal biennium
- b. Licensees who are members of the United States Armed Forces
- c. Both of these
- d. None of the above

*7. True or False. A professional engineer's reliance upon and legal use of another's engineering work, in the normal course of providing original service is to not reuse or adopt any of the other engineer's work.*

*8. If a qualifying agent terminates their affiliation with a business and is the only qualifying agent for that business organization, the business organization must be qualified by another qualifying agent within how many days after the termination.*

- a. Ninety (90)

- b. Sixty (60)
- d. Thirty (30)
- d. Immediately

*9. In disciplinary review case 1, can the licensee currently practice engineering in Florida?*

- a. Yes, but must submit all work the board
- b. Only after paying the penalty and completing the required education
- c. No, his license was revoked
- d. None of the above

*10. In disciplinary review case 3, the licensee is under suspension until when?*

- a. Appears before the board
- b. Complied with the previous final order
- c. Both of these
- d. None of the above