



Florida-Laws & Rules for Professional Engineers

One (1) Continuing Education Unit
Course #0010038

Approved Continuing Education for Licensed Professional Engineers

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Course Description:

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Florida Rules: 61G15: Board of Professional Engineers (61G15-18 to 61G15-37) – rules adopted, amended, or repealed during the immediate preceding biennium

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

EFFECTIVE DATE: 03/04/2018

RULE NO.: RULE TITLE:

61G15-18.011 Definitions

PURPOSE AND EFFECT: The purpose of the amendment is to revise the **definition as used in the Boards' rules to the Florida Building Code 6th Edition (2017).**

SUMMARY: Update the definition of the Florida Building Code 6th Edition (2017).

EFFECTIVE DATE: 02/22/2017

RULE NO.: RULE TITLE:

61G15-18.011 Definitions

PURPOSE AND EFFECT: The purpose of the amendment is to incorporate **the Florida Fire Prevention Code into the Board's rules** by reference.

SUMMARY: To incorporate the 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, 6th 5th Edition, (2017 2014), 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, 5th Edition, (2014), 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.

EFFECTIVE DATE: 05/08/2018

RULE NO.: RULE TITLE:

61G15-19.0051 Notice of Noncompliance

PURPOSE AND EFFECT: The purpose of the amendment is to update the language with an additional minor violation.

SUMMARY: To update the language.

EFFECTIVE DATE: 12/31/2017

RULE NO.: RULE TITLE:

61G15-19.0051 Notice of Noncompliance

PURPOSE AND EFFECT: The Board proposes the rule amendment to make needed updates, changes, or corrections to the rule, including identification of additional minor violations.

SUMMARY: **Updates, changes, or corrections to the rule's provisions.**

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 (d) No change.

(e) Failure to complete a Board approved Advanced Building Code course as required by subsection 61G15-22.001(3), F.A.C., prior to submission of engineering documents in connection with buildings, structures, or facilities and systems covered by the Florida Building Code to an Authority Having Jurisdiction.

(f) Failure to produce documentation of compliance with continuing education requirements within sixty (60) days of notification to the licensee of the requirement to produce said documentation – paragraph 61G15-22.006(2)(b), F.A.C.

(g) Failure to comply with the location, content, or formatting requirements of paragraphs 61G15-23.004(3)(a)-(d) or 61G15-23.005(4)(a)-(d), F.A.C.

(2) No change.

EFFECTIVE DATE: 12/18/2018

RULE NO.: RULE TITLE:

61G15-20.0010 Application for Licensure by Examination

61G15-20.0015 Application for Licensure by Endorsement

61G15-20.002 Experience

PURPOSE AND EFFECT: The purpose of the amendments is to update and clarify the rules requirements, including the processing of incomplete or deficient applications and clarification of creditable experience following licensure in another jurisdiction.

SUMMARY: Clarify and update the rules requirements regarding incomplete or deficient applications and creditable licensure experience received in another jurisdiction.

61G15-20.0010 Application for Licensure by Examination.

(1) Any person desiring to be licensed as a professional engineer shall submit an ~~completed~~ application to the Board. The instructions and application Form FBPE/001 (rev. 12/16), entitled, "Application for Principles and Practice Examination," 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/principles-practice-examination> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08043>. The Board shall certify as eligible to take the licensure examination only those applicants who have completed the application form, remitted the application and examination fee required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

(a) through (b) No change.

(2) Any person desiring to take the fundamentals examination for the purpose of determining whether he or she is qualified to practice as an engineering intern in this state shall submit an ~~n~~ completed application to the Board. The instructions and application **Form FBPE/003 (rev. 12/16), entitled, "Application for Fundamentals of Engineering,"** is hereby incorporated by reference, and 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-08044>. The Board shall certify as eligible to take the Fundamentals Examination only those applicants who have completed the application form, remitted the application fee required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or **have graduated from, "a Board approved engineering program" as defined by subsection 61G15-20.001(2), F.A.C.**

(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.

61G15-20.0015 Application for Licensure by Endorsement.

(1) Any person desiring to be licensed as a professional engineer by endorsement shall submit an ~~n~~ completed application form to the Board. The instructions and application **Form FBPE/002 (12/16), entitled "Application For Licensure By Endorsement,"** which is hereby incorporated herein by reference, copies of which 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-08045>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application

form, remitted the application fee for licensure by endorsement required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that:

(a) through (b) No change.

(2) through (4) No change.

(5) Any person desiring to practice as an engineering intern in this state by endorsement shall submit an ~~completed~~ application to the Board. The instructions and application Form FBPE/004 (12/16), entitled, **"Application for Engineer Intern by Endorsement,"** 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 <https://www.flrules.org/Gateway/reference.asp?No=Ref-08046>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, **"a Board approved engineering program"** as defined by subsection 61G15-20.001(2), F.A.C., and have passed the Fundamentals of Engineering Examination prior to application.

(6) 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.

61G15-20.002 Experience.

1. through 14. No change.

15. Engineering experience gained after licensure as a Professional Engineer in another jurisdiction is creditable.

(2) No change.

EFFECTIVE DATE: 06/20/2018

RULE NO.: RULE TITLE:

61G15-20.0018 Application for Low Income and Military Veterans Fee Waiver

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

PURPOSE AND EFFECT: The purpose of the new rule is to implement the changes to Sections 455.02(3), 455.213(12) and 455.219(7), F.S., made in Chapter 2017-135, Laws of Florida, which create fee waivers for members of the military or low income individuals, and an expedited application for licensure for certain members of the military.

SUMMARY: Implement changes to Sections 455.02(3), 455.213(12) and 455.219(7), F.S.

61G15-20.0018 Application for Low Income and Military Veterans Fee Waiver.

(1) Pursuant to section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for members of the Armed Services of the United States and their spouses or surviving spouses. In addition, pursuant to Section 455.213(12), F.S., the Board shall waive the application fee, initial licensure fee, and initial unlicensed activity fee for military veteran or his or her spouse at the time of discharge, if he or she applies within sixty (6) months of honorable discharge from any branch of the United States Armed Forces. Application for waiver of the initial application and licensing fees shall be made on Form FBPE MVL 002, 12/17, Members of the Armed Forces/Spouse Fee Waiver and Military Service Verification, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/other_forms/military_fee_waiver or at <https://www.flrules.org/Gateway/reference.asp?No=Ref->

(2) Pursuant to section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for a low-income individual, as defined in that section. Application for waiver of the initial licensing fee by a low-income individual shall be made on Form FBPE/LI 001, 12/17, Application for Low Income Waiver of Initial Licensing Fee, which is incorporated by

reference herein and may be obtained from https://fbpe.org/licensure/other_forms/low_income_waiver or at <https://www.flrules.org/Gateway/reference.asp?No=Ref->.

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

(1) 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.

(2) Application for licensure shall be made on Form FBPE/MVL 003, 12/17, Application for Professional Licensure for Active Duty Armed Forces Members or the Spouse 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->.

EFFECTIVE DATE: 02/19/2018
 RULE NO.: 61G15-21.007
 RULE TITLE: Re-examination

PURPOSE AND EFFECT: The purpose of the rule amendment is to update the language and incorporate additional applications for re-examination and additional disciplines.

SUMMARY: To update the rule language and incorporate additional applications.

61G15-21.007 Re-examination; Additional requirements after third failure; Examinations in additional disciplines.

(1) Re-examinations. Any applicant desiring to retake either the Fundamentals of Engineering or Principles and Practice of Engineering examination must reapply to the Board by submitting a completed application and remitting the appropriate reapplication fee. Applicants wishing to retake Fundamentals of Engineering shall reapply using Form FBPE/013 (08/17), Application for Fundamentals of Engineering Re-Examination, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/application-process/fundamentals-examination/FE_Re_Exam_Application or at <https://www.flrules.org/Gateway/reference.asp?No=Ref->. Applicants

wishing to retake Principles and Practice of Engineering shall reapply using Form FBPE/005 (08/17), Application for Principles and Practice Re-Examination, which is incorporated by reference herein and may be obtained from <https://fbpe.org/licensure/application-process/principles-practices-examination/PE-Re-Exam-Application> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> . All applications must be accompanied by the fee as specified in Rule 61G15-24.001, F.A.C.

(2) Additional Requirements after third failure. If an applicant fails three (3) times to pass either the examination, the applicant must take additional courses in order to reapply for examination. The applicant may either:

(a) ~~(1)~~ No change

(b) ~~(2)~~ Submit evidence of completion of one of the following board approved engineering examination review courses; the selected course must cover content for the examination in the engineering discipline the applicant intends to take.

(a) through (g) renumbered 1. through 7. No change.

(3) Examination in additional engineering discipline. Applicants wishing to take the Principles and Practices of Engineering Examination in an additional engineering discipline shall apply on Form FBPE/010, Principles and Practice Additional Discipline Application (08/17), which is incorporated by reference herein and may be obtained from <https://fbpe.org/licensure/application-process/principles-practice-examination/PE-Additional-Discipline-Examination> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> , and submit the required application fee.

EFFECTIVE DATE: 02/27/2017

RULE NO.: RULE TITLE:

61G15-22.0001 Renewal of Active Licenses

61G15-22.0002 Renewal of Inactive Licenses

PURPOSE AND EFFECT: The purpose of the amendments is to update rule text and incorporated forms.

SUMMARY: Update rules and incorporated forms.

61G15-22.0001 License ~~Renewal of Active Licenses.~~

(1) To renew an active or inactive status license, the licensee must remit to FEMC a completed renewal application and the biennial renewal licensure fee for active or inactive status licenses as specified by Rule 61G15-24.001, F.A.C. The application form FBPE/020,

09/16, Professional Engineer License Renewal Application and Instructions, is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____ and a statement certifying that the licensee has completed the eighteen (18) hours of approved continuing education which were required during the last biennium. All applications for renewal of inactive status licenses must also contain a statement certifying that the licensee has neither practiced engineering in Florida nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

(2) Pursuant to 455.271(6)(a), F.S., licensees with delinquent status licenses must affirmatively apply for either active or inactive status during the renewal cycle in which the license becomes delinquent; failure to do so by the end of the renewal cycle renders the license void without further action by the Board.

Rulemaking Authority 455.02(1), 455.271(5), 471.017(2) FS. Law Implemented 455.02(1), 455.271(5), 471.017 FS. History—New 8-1-02, Amended 2-18-16,_____.

61G15-22.0002 Licensure Change of Status ~~Renewal of Inactive Licenses~~.

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

(2) Inactive to Active Licensure Status. Licensees may change their licensure status from inactive to active by remitting to FEMC a completed Application To Change Status From Inactive To Active, Form FBPE/022, 09/16, 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/022 is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at https://www.flrules.org/Gateway/reference.asp?No=Ref-_____.

To maintain an inactive license on inactive status, the licensee must remit the biennial renewal fee for inactive status to FEMC and a statement certifying that the licensee has neither practiced engineering nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

Rulemaking Specific Authority 471.017(2) FS. Law Implemented 455.271, 471.017(2) FS. History—New 8-1-02,_____

EFFECTIVE DATE: 11/21/2017
 RULE NO.: 61G15-22.0001 RULE TITLE: License Renewal
 PURPOSE AND EFFECT: The purpose of the amendment is to update the incorporated form to reflect the new, lowered delinquency fee.
 SUMMARY: Update incorporated form.

61G15-22.0001 License Renewal.

(1) To renew an active or inactive status license, the licensee must remit to FEMC a completed renewal application and the biennial renewal licensure fee for active or inactive status licenses as specified by Rule 61G15-24.001, F.A.C. The application form FBPE/020, 06/17 12/16, Professional Engineer License Renewal Application And Instructions, is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07862>. All applications for renewal of inactive status licenses must also contain a statement certifying that the licensee has neither practiced engineering in Florida nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

(2) No change.

EFFECTIVE DATE: 05/28/2018
 RULE NO.: 61G15-22.0001 RULE TITLE: License Renewal
 PURPOSE AND EFFECT: The proposed amendment updates the application form and adds a requirement that delinquent status licensees must attach documentation of completion of required continuing education (CE) hours when renewing.
 SUMMARY: Requirements for renewal of delinquent status licensees and application form.

61G15-22.0001 License Renewal.

(1) **Active or Inactive Status.** To renew an active or inactive status license, the licensee must remit to FEMC a completed renewal application and the biennial renewal licensure fee for active or inactive status licenses as specified by Rule 61G15-24.001, F.A.C. The application form FBPE/020, 12/06/17, Professional Engineer License Renewal Application And Instructions, is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08781>. All applications for renewal of inactive status licenses must also contain a statement certifying that the licensee has neither practiced engineering in Florida nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

(2) **Delinquent status.**

(a) Pursuant to Section 455.271(6)(a), F.S., licensees with delinquent status licenses must affirmatively apply for either active or inactive status during the renewal cycle in which the license becomes delinquent; failure to do so by the end of the renewal cycle renders the license void without further action by the Board.

(b) **Application for renewal of a delinquent status license shall be made on form FBPE/020, and shall be accompanied by all fees as specified by section 455.271(7), F.S. and Rule 61G15-24.001, F.A.C. In addition, applications for renewal of a delinquent status license must be accompanied by documentation of the licensee's compliance with the continuing education requirements established by section 471.017(3)(a), F.S. and Rule 61G15-22.001, F.A.C.**

EFFECTIVE DATE: 08/01/2018

RULE NO.: 61G15-22.001
 RULE TITLE: Continuing Education Requirements

61G15-22.006
 Demonstrating Compliance; Audits; Investigations

PURPOSE AND EFFECT: For Rule 61G15-22.001, F.A.C., the purpose of the amendment is to clarify that the 1 hour of professional ethics and 1 hour of laws and rules CE required by statute must be obtained from Florida Board approved courses only. For Rule 61G15-22.006, F.A.C., the purpose of the amendment is to add a requirement that any investigation of a licensee for alleged disciplinary violations shall be expanded to include investigation of whether the licensee is in **compliance with the Board's continuing education requirements.**

SUMMARY: CE requirements and investigation of licensees for alleged violations.

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. The 1 hour of professional ethics and 1 hour of laws and rules required by section 471.017 must be obtained from courses approved by the Board pursuant to Rule 61G15-22.015, F.A.C.

(2) through (4) No change.

61G15-22.006 Demonstrating Compliance: Audits; Investigations.

(1) through (3) No change.

(4) In addition to auditing licensee compliance as provided in subsection (2), to monitor licensee compliance with continuing education requirements, any investigation conducted pursuant to section 455.225, F.S., shall be expanded to include investigation of compliance with continuing education.

EFFECTIVE DATE: 04/01/2019
 RULE NO.: 61G15-22.0001
 RULE TITLE: License Renewal

PURPOSE AND EFFECT: The purpose of the amendment is to update the language and incorporate the new application for armed forces members/veterans/spouses license renewal.

SUMMARY: Update language and incorporate new application.

61G15-22.0001 License Renewal.

(1) through (2) No change

(3) Members of the Armed Forces and Spouses. 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 section 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 or at <https://www.flrules.org/Gateway/reference.asp?No=Ref->

EFFECTIVE DATE: 01/02/2018
 RULE NO.: 61G15-22.006:
 RULE TITLE: Demonstrating Compliance

PURPOSE AND EFFECT: The Board proposes the rule amendment to delete unnecessary language and add new language to clarify **procedures for demonstrating licensee's compliance with continuing education requirements.**

SUMMARY: Compliance with continuing education requirements for licensure renewal.

61G15-22.006 Demonstrating Compliance.

(1) In order to demonstrate compliance with continuing education requirements, licensees must affirmatively declare attest to completion of the continuing education requirements upon licensure renewal.

(2) The Board will randomly audit a minimum of three percent (3%) ~~at random a number of~~ licensees ~~as is necessary~~ to assure that the continuing education requirements are met.

(a) In addition, licensees audited in the previous biennium who failed to demonstrate compliance will be included with the group of licensees audited for the current renewal cycle.

(b) 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 paragraphs 61G15-19.004(2)(g)4.i., F.A.C.

~~(3)~~ (2) The licensee shall retain such receipts, vouchers, certificates, or other papers as may be necessary to document completion of the continuing education pursuant to an audit for four (4) years from the date of completion of the continuing education activity.

In addition, the Board shall use attendance information submitted by the provider to determine whether licensees can demonstrate compliance.

EFFECTIVE DATE: 05/08/2018

RULE NO.: RULE TITLE:

61G15-22.011 Board Approval of Continuing Education Providers

61G15-22.012 Obligations of Continuing Education Providers

PURPOSE AND EFFECT: The Board proposes the rule amendments to add an additional accrediting agency and to update the new provider **application, and to clarify the provider's delegation to provide potential participants substantive information regarding course content.**

SUMMARY: To add additional accrediting agency, clarify obligations and requirements for providers of continuing education and update the application.

61G15-22.011 Board Approval of Continuing Education Providers.

(1) Applicants for continuing education provider status must either be registered as a continuing education provider with the Registered Continuing Education Program (RCEP) of the American Council of Engineering Companies (ACEC) or International Association for Continuing Education and Training (IACET) as of March 1, 2015, or meet the requirements of subsection (2) of this rule to demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice.

(2) No change

(3) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following:

(a) A completed Application For Continuing Education Provider New Provider Application, Form FBPE/007 (rev. 10/17~~10/15~~), incorporated by reference herein, which may be obtained from www.fbpe.org/licensure/application-process or at <https://www.flrules.org/gateway/reference.asp?No=Ref-06096>.

(b) No change.

(c) Proof of registration as continuing education provider with ACEC or IACET, or if the applicant is not registered as a continuing education provider with ACEC or IACET, the applicant must submit the following:

1. through 8. No change.

(4) through (9) No change.

61G15-22.012 Obligations of Continuing Education Providers.

To maintain status as a continuing education provider, the provider must:

(1) through (9) renumbered to (1)(a) through (i) No change

(2) Providers must make available to potential participants course information sufficient to allow a participant to clearly understand the course content, learning objectives and outcomes, and level of difficulty prior to enrolling in the course. This requirement may be satisfied by either posting a detailed course description or representative excerpts of the course materials, if course materials in their entirety are not made available for review prior to course registration.

EFFECTIVE DATE: 06/19/2018

RULE NO.: RULE TITLE:

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 clarify that while formatting of the seal may be altered or changed, the language must be identical to that in the rule.

SUMMARY: Formatting of the seal and language.

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 (c) No change.

(d) Formatting of seals and text similar to that depicted below may be used. **While the formatting may be altered, the text must remain identical.**

1. through 2. No change.

(e) through (f) No change.

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 (c) No change.

(d) Formatting of seals and text similar to that depicted below may be used. While the formatting may be altered, the text must remain identical.

1. through 2. No change.

EFFECTIVE DATE: 09/07/2017

RULE NO.: RULE TITLE:

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 Board proposes the rule amendments to update and refine the requirements for electronically and digitally signing and sealing documents.

SUMMARY: Update and refine requirements for electronically and digitally signing and sealing documents.

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 (b) No change.

(c) The engineering plans, specifications, reports or other documents being digitally signed and sealed shall include text to indicate the following and place it where an original signature would appear if the item were being physically signed, dated and sealed:

1. The same information required by subsection 61G15-23.002(2), F.A.C. if a digitally created **image of the** seal is not use;
2. The item has been **digitally** electronically signed and sealed ~~using a Digital Signature~~; and,
3. Printed copies of **this** ~~the~~ document are not considered signed and sealed and all signatures must be verified on any electronic copies.

(d) Formatting of seals and text similar to that depicted below may be used.

1. When a digitally created seal is used:



This item has been **digitally** electronically signed and sealed by C. S. Hammatt, PE. On [DATE] ~~using a Digital Signature~~.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies

2. When a digitally created seal is not used:

C. S. Hammatt, State of Florida, Professional Engineer, License No. X

This item has been **digitally** electronically signed and sealed by C. S. Hammatt, PE. On [DATE] ~~using a Digital Signature~~.

Printed copies of this document are not considered signed and sealed and the *SHA-1* authentication code must be verified on any electronic copies.

(e) through (f) No change.

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

- (1) No change.

(2) A professional engineer utilizing an electronic signature to electronically sign and seal engineering plans, specifications, reports or other documents using the Florida Department of Transportation (FDOT) Professionals' Electronic Data Delivery System (PEDDS) software shall:

(a) ~~Create a "signature" file that contains the licensee's given name, the licensee's license number, a brief overall description of the engineering documents to be signed and sealed, a list of the electronic files to be signed and sealed, and the SHA-1 authentication code or Secure Hash Standard for each electronic file to be signed and sealed.~~ The SHA-1 **or Secure Hash Standard** authentication code is described in Federal Information Processing Standard Publication 180-4 "Secure Hash Standard," August 2015, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05976>.

(b) ~~Create a "signature" report that contains the licensee's given name, the licensee's license number, a brief overall description of the engineering documents to be signed and sealed and the SHA-1 authentication code of the signature file;~~

(c) ~~Print and manually sign, date and seal the signature report in compliance with Rule 61G15-23.003, F.A.C.;~~

(d) ~~Transmit the signed, dated and sealed signature report to the receiving party along with the signed, dated and sealed signature file, either by hardcopy or electronic scan, if scanned and sent electronically. The hardcopy signed and sealed report shall be retained by the licensee in accordance with Rule 61G15-30.009; and;~~

(e) ~~The signature file is considered to be signed and sealed if the signature file's authentication code matches the authentication code on the manually signed, dated and sealed signature report. Each electronic file listed within the signed and sealed signature file is considered to be signed and sealed if the listed SHA-1 authentication code in the signature file matches the electronic file's SHA-1 authentication code.~~

(3) A professional engineer utilizing an electronic signature to electronically sign and seal engineering plans, specifications, reports or other documents other than through the FDOT PEDDS system shall:

(a) Create a static electronic version, such as PDF, of the engineering document(s) that is to be **electronically transmitted** signed and sealed;

(b) Compute an SHA-1 authentication code for each electronic engineering document;

(c) **Create a printable "signature report" that contains the licensee's given name, the licensee's license number, and a list of the electronic files to be signed and sealed that includes a brief description of each engineering document and the SHA-1 authentication code of each engineering document;**

(d) Print and **physically** ~~manually sign, date and seal the "signature report" in compliance with Rule 61G15-23.003, F.A.C.;~~ and,

(e) **Transmit the signed, dated and sealed "signature report" to the receiving party along with each electronically signed, dated and sealed engineering document either by**

hardcopy or electronic scan. If scanned and sent electronically, **The** The hardcopy of the signed and sealed report shall be retained by the licensee in accordance with Rule 61G15-30.009, F.A.C. Each engineering document is considered to be electronically signed and sealed if the document's ~~SHA-1~~ authentication code matches the ~~SHA-1~~ authentication code on the physically signed, dated and sealed "signature report."

(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 (b) No change.

~~(c) A scanned, facsimile, digitally created or copied image of the licensee's signature shall not be used on electronically signed and sealed engineering plans, specifications, reports or other documents.~~

(c) ~~(e)~~ The engineering plans, specifications, reports or other documents being electronically signed and sealed shall include text to indicate the following and place it where an original signature would appear if the item were being physically signed, dated and sealed:

1. No change.

2. The item has been electronically signed and sealed using a ~~SHA-1~~ authentication codes; and,

3. Printed copies of the document are not considered signed and sealed and all ~~SHA-1~~ authentication code must be verified on any electronic copies.

(d) ~~(e)~~ Formatting of seals and text similar to that depicted below may be used.

1. When a digitally created seal is used:



This item has been electronically signed and sealed by C. S. Hammatt, PE. On [DATE] using a ~~SHA-1~~ authentication code.

Printed copies of this document are not considered signed and sealed and the ~~SHA-1~~ authentication code must be verified on any electronic copies.

2. When a digitally created seal is not used:

C. S. Hammatt, State of Florida, Professional Engineer, License No. X

This item has been electronically signed and sealed by C. S. Hammatt, PE. On [DATE] using a ~~SHA-7~~ authentication code.

Printed copies of this document are not considered signed and sealed and the ~~SHA-7~~ authentication code must be verified on any electronic copies.

EFFECTIVE DATE: 08/08/2018

RULE NO.: RULE TITLE:

61G15-24.001 Schedule of Fees

PURPOSE AND EFFECT: The purpose of the amendment is to create a \$10 discount for early renewal of an active or inactive status license. The discount is intended as an incentive to renew prior to the deadline and reduce the workload and overtime issues that are created when the licensees wait until the deadline to try to renew.

SUMMARY: Create discount to encourage early renewal of active and inactive licenses prior to renewal deadline.

61G15-24.001 Schedule of Fees.

(1) 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: 10/30/2017

RULE NO.: RULE TITLE:

61G15-24.001 Schedule of Fees

PURPOSE AND EFFECT: The purpose of the amendment is to reduce the delinquency licensure fee.

SUMMARY: Update delinquency licensure fee.

61G15-24.001 Schedule of Fees.

- (1) No change.
- (2) Engineering licensure fees (individuals and firms):
 - (a) through (c) No change.
 - (d) Delinquency fee – **\$25.00** ~~\$93.75~~.
 - (e) through (p) No change.
- (3) through (5) No change.

EFFECTIVE DATE: 03/29/2017

RULE NO.: RULE TITLE:

61G15-24.001 Schedule of Fees

PURPOSE AND EFFECT: The proposed rule amendment reduces licensure fees and establishes fees regarding continuing education courses.

SUMMARY: Updates and adds fees

61G15-24.001 Schedule of Fees.

(1) Pursuant to Section 471.011, F.S., the Board hereby establishes the following fees for applications, licensing and renewal, temporary registration, late renewal, licensure by endorsement, reactivation fee, and replacement of certificate.

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

(a) Application fee for licensure by examination or endorsement – \$125.00 non-refundable.

(b) Initial license fee – \$100.00.

(c) Biennial renewal fee – ~~\$93.75~~\$125.00.

(d) Delinquency fee – \$100.00.

(e) Temporary license (individual) – \$25.00.

(f) Temporary Certificate of Authorization (firm) – \$50.00.

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

(h) Initial fee for Certificate of Authorization – ~~\$100.00~~\$125.00.

(i) Biennial Renewal fee for Certificate of Authorization (firm) – ~~\$93.75~~\$125.00.

(j) Inactive Status fee – \$125.00.

(k) Reactivation fee – \$150.00.

(l) Change of Status fee (Active/Inactive) - \$125.00.

(m)~~(t)~~ Duplicate Certificate – \$25.00.

(n)~~(m)~~ Special Inspector Certification fee – \$100.00.

(o)~~(n)~~ Application fee for Special Inspector Certification – \$125.00.

(p)~~(e)~~ Engineer Intern Endorsement fee – \$100.00.

(3) Engineer Intern application fee – \$30.00.

(4) Continuing Education provider fees:

(a) Application fee for continuing education provider status - \$250.00.

(b) Application fee for Laws and Rules continuing education course (per course) - \$50.00.

(c) Application fee for Professional Ethics continuing education course (per course) - \$50.00

(5) Unlicensed Activity Fee pursuant to Sections 455.02281 and 471.038(5), F.S. - \$5.00

EFFECTIVE DATE: 12/27/2018
 RULE NO.: 61G15-35.003
 RULE TITLE: Qualification Program for Special Inspectors of Threshold Buildings

PURPOSE AND EFFECT: The proposed rule amendment is intended to update and clarify the incorporated application form, including separate pages for design and inspection experience and details on threshold building parameters.

SUMMARY: Clarify and update the incorporated application form.

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.

(1) No change.

(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/006 **(08/18)** ~~(12/17)~~ is hereby incorporated by reference, "Application for Special Inspector Certification." Copies of Form FBPE/006 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09183>.

(b) through (d) No change.

(3) No change.

EFFECTIVE DATE: 04/08/2018
 RULE NO.: 61G15-35.003
 RULE TITLE: Qualification Program for Special Inspectors of Threshold Buildings

PURPOSE AND EFFECT: The amendments refine the type of experience required to be certified as a Special Inspector of Threshold Buildings and update the incorporated form.

SUMMARY: Qualification for Special Inspector certification and update the incorporated form.

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.

(1) The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) No change.

(b) Licensed professional engineers whose principal practice is structural engineering shall also have three (3) years of experience in performing structural field inspections on Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of threshold buildings. For the purpose of these criteria, structural design shall mean the design of all structural components of the building and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(c) Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application.

(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/006 (12/17 04/17) is hereby incorporated by reference, **"Application for Special Inspector Certification." Copies of Form FBPE/006 may be obtained** from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08038>.

(b) No change.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. through 2. No change.

3. A list of projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

1. ~~a.~~ No change.

2. ~~b.~~ No change.

3. ~~c.~~ A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met, **including the components designed or inspected and details of the threshold/special inspection plan.**

b. Credible experience. **The Board will only grant experience for work on projects identified pursuant to subparagraph (2)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management).**

4. through 6. No change.

(3) No change.

EFFECTIVE DATE: 06/26/2017

RULE NO.: 61G15-35.003 RULE TITLE: Qualification Program for Special Inspectors of Threshold Buildings

PURPOSE AND EFFECT: The purpose of the amendment is to update the qualifications for certification as a special inspector of threshold buildings, as well as update the incorporated application form.

SUMMARY: Update qualifications for certification and incorporated application form.

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings.

(1) The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) No change

(b) Licensed professional engineers whose principal practice is structural engineering shall also have three (3) years of experience in performing structural field inspections on threshold buildings and two (2) years of experience in the structural design of threshold buildings after having achieved licensure as a professional engineer. ~~Such experience shall be within the seven (7) years preceding submission of the application.~~ For the purpose of these criteria, structural design shall mean the design of all structural components of the building and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(c) Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on Threshold Buildings ~~within the preceding seven (7) years prior to submission of the application~~ and possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., **at the time of application.**

(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/TBI/006 ~~(02/17-10/15)~~ **is hereby incorporated by reference, "Application for Special Inspector Certification."** Copies of Form FBPE/TBI/006 may be obtained from the Board

office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-06472>.

(b) No change

(c) Applications shall contain the following basic information pertaining to the applicant:

1. through 2. No change

3. **A list of projects submitted for experience credit. For each project identified, the following shall be clearly listed:** ~~Experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria has been met;~~

a. The beginning and ending experience dates;

b. The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and

c. A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met;

4. through 6. No change

(d) No change

(3) through (4) No change

EFFECTIVE DATE: 10/18/2017

RULE NO.: RULE TITLE:

61G15-35.004 Common Requirements to All Engineers Providing Threshold Building Inspection Services as Special Inspectors

PURPOSE AND EFFECT: The purpose of the amendment is to update the qualifications required to be an authorized representative of a Special Inspector.

SUMMARY: Update qualifications to be an authorized representative of a Special Inspector.

61G15-35.004 Common Requirements to All Engineers Providing Threshold Building Inspection Services as Special Inspectors.

(1) No change.

(2) Special Inspectors utilizing Authorized Representatives shall ensure the Authorized Representative is qualified by education, licensure, or training to perform the duties assigned by the Special Inspector. Effective July 1, 2016, those qualifications shall include:

(a) through (e) No change.

(f) Possess **current** certification(s) in the following area(s) **at the time of submission of the Threshold Building Affidavit**:

1. **If inspecting** ~~Prior to inspection of~~ concrete components, certification from the American Concrete Institute (ACI) in concrete construction special inspection pursuant to the qualifications of such certification established by ACI on January 1, 2017~~3~~;

2. **If inspecting** ~~Prior to inspection of~~ masonry components, certification from the International Code Council (ICC) in structural masonry special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2017~~3~~;

3. **If inspecting** ~~Prior to inspection of~~ post-tensioned components, certification from the Post-Tensioning Institute (PTI) in post-tensioning inspection pursuant to the qualifications for such certification established by PTI on January 1, 2017~~3~~;

4. **If inspecting** ~~Prior to inspection of~~ structural steel components, certification from the International Code Council or American Institute of Steel Construction (AISC) in structural steel special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013 or AISC on January 1, 2017~~3~~;

5. **If inspecting** ~~Prior to inspection of~~ soil related components, certification from the International Code Council in basic soil special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2017~~3~~.

(3) through (4) No change.

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: 2018
STATUTE NO.: 471.003
STATUTE TITLE: Qualifications for practice; exemptions.
SUMMARY: The statute amendment modifies provisions for clarity.

471.003 Qualifications for practice; exemptions.

(2) The following persons are not required to be licensed under the provisions of this chapter as a licensed engineer:

(h) Any electrical, plumbing, air-conditioning, or mechanical contractor whose practice includes the design and fabrication of electrical, plumbing, air-conditioning, or mechanical systems, respectively, which she or he installs by virtue of a license issued under chapter 489, under **former** part I of chapter 553, **Florida Statutes 2001**, or under any special act or ordinance when working on any construction project which:

1. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value of \$125,000 or less; and

2.a. Requires an aggregate service capacity of 600 amperes (240 volts) or less on a residential electrical system or 800 amperes (240 volts) or less on a commercial or industrial electrical system;

b. Requires a plumbing system with fewer than 250 fixture units; or

c. Requires a heating, ventilation, and air-conditioning system not to exceed a 15-ton-per-system capacity, or if the project is designed to accommodate 100 or fewer persons.

EFFECTIVE DATE: 2017
STATUTE NO.: 471.045
STATUTE TITLE: Professional engineers performing building code inspector duties.
SUMMARY: The statute amendment conforms cross-references.

471.045 Professional engineers performing building code inspector duties.

—Notwithstanding any other provision of law, a person who is currently licensed under this chapter to practice as a professional engineer may provide building code inspection services described in s. **468.603(5) and (8)** ~~468.603(6) and (7)~~ to a local government or state agency upon its request, without being certified by the Florida Building Code Administrators and Inspectors Board under part XII of chapter 468. When performing these building code inspection services, the professional engineer is subject to the disciplinary guidelines of this chapter and s. 468.621(1)(c)-(h). Any complaint processing, investigation, and discipline that arise out of a **professional engineer's** performing building code inspection services shall be conducted by the Board of Professional Engineers rather than the Florida Building Code Administrators and Inspectors Board. A professional engineer may not perform plans review as an employee of a local government upon any job that the professional engineer or the **professional engineer's company designed**.

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: 2017

STATUTE NO.: STATUTE TITLE:

455.02 Licensure of members of the Armed Forces in good standing and their spouses or surviving spouses with administrative boards or programs.

455.219 Fees; receipts; disposition; periodic management reports.

SUMMARY: The statute amendment 1) revises the length of time that an active duty member of the Armed Forces of the United States may remain in good standing with an administrative board or program under certain circumstances; 2) requires that a spouse or surviving spouse be kept in good standing and be exempt from licensure renewal provisions under certain circumstances; 3) requires, rather than authorizes, the Department of Business and Professional Regulation to issue a professional license, rather than a temporary license, to specified applicants; 4) revises application requirements; 5) requires the **department to waive the applicant's initial** licensure application fee; authorizing licensure renewal; 6) provides for a fee waiver for active duty members of the Armed Forces, certain spouses or surviving spouses of an active duty member, and low-income individuals

455.02 Licensure of members of the Armed Forces in good standing and their spouses or surviving spouses with administrative boards or programs.

(1) Any member of the Armed Forces of the United States now or hereafter on active duty who, at the time of becoming such a member, was in good standing with any of

the boards or programs listed in s. 20.165 ~~administrative board of the state and was~~ entitled to practice or engage in his or her profession or vocation in the state shall be kept in good standing by the applicable ~~such administrative board~~ or program, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the Armed Forces of the United States on active duty and for a period of 2 years ~~6 months~~ after discharge from active duty as a member of the Armed Forces of the United States, if he or she is not engaged in his or her licensed profession or vocation in the private sector for profit.

(2) A spouse of a member of the Armed Services of the United States who is married to a member during a period of active duty, or a surviving spouse of a member who at the time of death was serving on active duty, ~~The boards listed in s. 20.165 shall adopt rules that exempt the spouse of a member of the Armed Forces of the United States who is in good standing with any of the boards or programs listed in s. 20.165 shall be kept in good standing~~ by the applicable board or program as described in subsection (1) and shall be exempt from licensure renewal provisions, but only in cases of his or her **absence from the state because of his or her spouse's duties with the Armed Forces.**

(3)(a) The department shall ~~may~~ issue a ~~temporary~~ professional license to an applicant who is or was ~~the spouse of an active duty member of the Armed Forces of the United States,~~ or who is a spouse or surviving spouse of such member, if the spouse upon application ~~applies~~ to the department in a ~~the~~ format prescribed by the department. An application must include proof that:

1. The applicant is or was an active duty member of the Armed Forces of the United States or is married to a member of the Armed Forces of the United States and was married to the member during any period of who is on active duty or was married to such a member who at the time of the member's death was serving on active duty. An applicant who was an active duty member of the Armed Forces of the United States must have received an honorable discharge upon separation or discharge from the Armed Forces of the United States.

2. The applicant holds a valid license for the profession issued by another state, the District of Columbia, any possession or territory of the United States, or any foreign jurisdiction.

3. The applicant, where required by the specific practice act, has complied with insurance or bonding requirements ~~The applicant's spouse is assigned to a duty station in this state and that the applicant is also assigned to a duty station in this state pursuant to the member's official active duty military orders.~~

4.a. A **complete set of the applicant's fingerprints is submitted to the Department of Law Enforcement for a statewide criminal history check.**

b. The Department of Law Enforcement shall forward the fingerprints submitted pursuant to sub-subparagraph a. to the Federal Bureau of Investigation for a national criminal history check. The department shall, and the board may, review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and

determine whether the applicant meets the licensure requirements. The costs of **fingerprint processing shall be borne by the applicant. If the applicant's fingerprints are** submitted through an authorized agency or vendor, the agency or vendor shall collect the required processing fees and remit the fees to the Department of Law Enforcement.

(b) **The department shall waive the applicant's initial licensure application fee.** An application must be accompanied by an application fee prescribed by the department that is sufficient to cover the cost of issuance of the temporary license.

(c) **An applicant who is issued a license under this section may renew such license upon completion of the conditions for renewal required of license holders under the applicable practice act, including, without limitation, continuing education requirements. This paragraph does not limit waiver of initial licensure requirements under this subsection.** A temporary license expires 6 months after the date of issuance and is not renewable.

455.219 Fees; receipts; disposition; periodic management reports.—

(7)(a) **The department, or a board thereunder, shall waive the initial licensing fee for a member of the Armed Services of the United States that has served on active duty, the spouse of a member of the Armed Services of the United States who was married to the member during a period of active duty, the surviving spouse of a member of the Armed Services of the United States who at the time of death was serving on active duty, or a low-income individual upon application by the individual in a format prescribed by the department. The application format must include the applicant's signature, under penalty of perjury, and supporting documentation as required by the department. For purposes of this subsection, the term "low-income individual" means a person whose household income, before taxes, is at or below 130 percent of the federal poverty guidelines prescribed for the family's household size by the United States Department of Health and Human Services, proof of which may be shown through enrollment in a state or federal public assistance program that requires participants to be at or below 130 percent of the federal poverty guidelines to qualify.**

(b) **The department, or a board thereunder, shall process an application for a fee waiver within 30 days of receiving it from the applicant.**

(c) **The department shall adopt rules necessary to implement the provisions of this subsection.**

Section 4. **For the 2017-2018 fiscal year, the nonrecurring sum of \$31,000 from the Administrative Trust Fund is appropriated to the Department of Business and Professional Regulation for costs associated with technology infrastructure and licensing modifications needed for the purposes of implementing this act.**

EFFECTIVE DATE: 2018

STATUTE NO.: 455.02

STATUTE TITLE: Licensure of members of the Armed Forces in good standing and their spouses or surviving spouses with administrative boards or programs.

SUMMARY: The statute amendment requires the DBPR to waive certain fees.

455.02 Licensure of members of the Armed Forces in good standing and their spouses or surviving spouses with administrative boards or programs.

(1) Any member of the United States Armed Forces ~~of the United States~~ now or hereafter on active duty who, at the time of becoming such a member, was in good standing with any of the boards or programs listed in s. 20.165 and was entitled to practice or engage in his or her profession or occupation ~~vocation~~ in the state shall be kept in good standing by the applicable board or program, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the United States Armed Forces ~~of the United States~~ on active duty and for a period of 2 years after discharge from active duty ~~as a member of the Armed Forces of the United States~~, if he or she is not engaged in his or her licensed profession or vocation in the private sector for profit. A member, during active duty and for a period of 2 years after discharge from active duty, engaged in his or her licensed profession or occupation in the private sector for profit in this state must complete all license renewal provisions except remitting the license renewal fee, which shall be waived by the department.

(2) A spouse of a member of the ~~Armed Services of the~~ United States Armed Forces who is married to a member during a period of active duty, or a surviving spouse of a member who at the time of death was serving on active duty, who is in good standing with any of the boards or programs listed in s. 20.165 shall be kept in good standing by the applicable board or program as described in subsection (1) and shall be exempt from licensure renewal provisions, but only in cases of his or her absence from the state **because of his or her spouse's duties** with the United States Armed Forces. The department or the appropriate board or program shall waive any license renewal fee for such spouse when he or she is present in this state because of such member's active duty and for a surviving spouse of a member who at the time of death was serving on active duty and died within the 2 years preceding the date of renewal.

EFFECTIVE DATE: 2018

STATUTE NO.: 455.219 STATUTE TITLE: Fees; receipts; disposition; periodic management reports.

SUMMARY: The statute amendment corrects grammatical errors.

455.219 Fees; receipts; disposition; periodic management reports.

(7)(a) The department, or a board thereunder, shall waive the initial licensing fee for a member of the Armed Services of the United States **who** ~~that~~ has served on active duty, the spouse of a member of the Armed Services of the United States who was married to the member during a period of active duty, the surviving spouse of a member of the Armed Services of the United States who at the time of death was serving on active duty, or a low- income individual upon application by the individual in a format **prescribed by the department. The application format must include the applicant's signature, under penalty of perjury, and supporting documentation as required by the department. For purposes of this subsection, the term "low- income individual" means a person whose household income, before taxes, is at or below 130 percent of the federal poverty guidelines prescribed for the family's household size by the United States Department of Health and Human Services, proof of which may be shown through enrollment in a state or federal public assistance program that requires participants to be at or below 130 percent of the federal poverty guidelines to qualify.-**

EFFECTIVE DATE: 2017

STATUTE NO.: 455.271 STATUTE TITLE: Inactive and delinquent status.

SUMMARY: The statute amendment revises the delinquency fee that a professional board or the department imposes on a delinquent status licensee.

455.271 Inactive and delinquent status.—

(7) **Notwithstanding the provisions of the professional practice acts administered by the department,** each board, or the department when there is no board, shall, by rule, impose an additional delinquency fee **of \$25,** ~~not to exceed the biennial renewal fee for~~

~~an active status license~~, on a delinquent status licensee when such licensee applies for active or inactive status.

Disciplinary Case Review

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

Note: For the purpose of this description of application of provisions, disciplinary cases regarding Chapter 471 violations, case numbers and names have been removed. These are real disciplinary cases involving board approved penalties.

Case No 201xxxxxxx

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing Professional Engineer license without having completed any of the required continuing education.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$169.65 and an Administrative Fine of \$500.00. Final Order was issued on Feb. 27, 2019.

Violation: Section 471.033(1)(a), Florida Statutes and Rule 61G15-19.001(6)(s) F.A.C.

Violation Reference

471.033 Disciplinary proceedings.

(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.

61G15-19.001 Grounds for Disciplinary Proceedings.

(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:

(s) Renewing or reactivating a license without completion of Continuing Education (CE) hours and subject areas as required by Section 471.017, F.S., and Rule 61G15-22.001, F.A.C.

Case No 201xxxxxx

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee entered into a contract for services and accepted money to provide said services. The services were never provided, and the money was not returned.

Licensee failed to respond to the properly serviced Administrative Complaint which constitutes a waiver of the right to elect a hearing involved disputed issues of material fact.

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board SUSPENDED the Professional Engineer license of Licensee until such time as he appears before the Board. Final Order was issued on 4/19/18.

Violation: Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4) F.A.C

Violation Reference

471.033 Disciplinary proceedings.

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

61G15-19.001 Grounds for Disciplinary Proceedings.

(4) A professional engineer shall not be negligent in the practice of engineering. The term negligence set forth in Section 471.033(1)(g), F.S., is herein defined as the failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles. Professional engineers shall approve and seal only those documents that conform to acceptable engineering standards and safeguard the life, health, property and welfare of the public.

Failure to comply with the procedures set forth in the Responsibility Rules as adopted by the Board of Professional Engineers shall be considered as non-compliance with this section unless the deviation or departures therefrom are justified by the specific circumstances of the project in question and the sound professional judgment of the professional engineer.

Case No 201xxxxxx

Licensee was charged with violating Section 471.031(1)(k), Florida Statutes; Florida Statutes; violating any order of the board or department previously entered in a disciplinary hearing. In Complaint #201xxxxxx Licensee was ordered to successfully complete a Board-approved course in Intermediate Engineering Professionalism and Ethics within one year of the date of the Final Order. Licensee failed to complete this item.

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board SUSPENDED the Professional Engineer license of Licensee until such time as licensee appears before the Board and imposed Costs in the amount of \$150.15. Final Order was issued on 1/10/19.

Violation: Section 471.033(1)(k), Florida Statutes and Rule 61G15-19.001(6)(o) F.A.C.

Violation Reference

471.033 Disciplinary proceedings.

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

61G15-19.001 Grounds for Disciplinary Proceedings.

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

Case No 201xxxxxxx

Licensee was charged with violating Section 471.033(1)(e), Florida Statutes; practicing engineering on a delinquent license. A Citation was issued to Licensee who disputed the Citation. In lieu of agreeing to the Citation, Licensee chose to voluntarily relinquish Professional Engineer license.

Ruling: This case was presented to the full Board upon a Voluntary Relinquishment. The Board accepted his Voluntary Relinquishment. Final Order was issued on 1/10/19.

Violation: Section 471.033(1)(e), Florida Statutes.

Violation Reference

471.033 Disciplinary proceedings.

(e) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a licensed engineer.

Case No. 201xxxxxxx

Licensee was charged with violating Section 471.031(1)(c), Florida Statutes; having a license to practice engineer acted against by the licensing authority or another state, territory, or country, for any act that would constitute a violation of Chapter 471, Florida Statutes. **Licensee's Alabama Professional Engineer license was charged with signing and sealing engineering documents that did not meet acceptable structural engineering standards and were not issued under licensee's adequate supervision and control. As a result, the State of Alabama imposed a three-month suspension of licensee's Alabama Professional Engineer license, a fine of \$1,800 and costs of \$4,939.40. The actions of the Alabama Professional Engineering Board constitutes discipline of licensee's Alabama professional engineering license for acts that would constitute violations of Chapter 471 if those actions had occurred in Florida. Licensee's actions in Alabama constituted engineering practice that did not show due care in performing in an engineering capacity and failure to have due regarding to acceptable standards of engineering principles.**

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Administrative Costs of \$2,226.20, a Reprimand, Appearance before the Board, completion of a Board-approved Basic Engineering Professionalism and Ethics **Course, and the Board's Study Guide. Licensee's license will be placed on Voluntary Inactive Status.** At such time that licensee wishes to resume practice in Florida, Licensee will request an appearance before the Board. Following said Board Appearance, licensee will be subject to probation for two years with project review at six and 18 months. Final Order was issued on Aug. 14, 2018.

Violation: Section 471.031(1)(c), Florida Statutes

Violation Reference

471.033 Disciplinary proceedings.

(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.

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

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

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. What must be completed prior to submission of engineering documents in connection with buildings, structures, or facilities and systems covered by the Florida Building Code?**
 - a. Notification to Florida Building Commission
 - b. Signed approval by a Florida licensed Building Inspector
 - c. Board approved continuing education course
 - d. All of the above

- 2. True or False? An inactive license does not require to be renewed.**
 - a. True
 - b. False

- 3. Which of the following license statuses require completion of continuing education requirements?**
 - a. Active
 - b. Inactive
 - c. Delinquent
 - d. All of the above

- 4. A licensee failed a continuing education audit a previous year, what are the chances that licensee will be audited again the following year?**
 - a. 0%
 - b. 3%
 - c. 50%
 - d. 100%

- 5. True or False? There is no difference between digitally signing and electronically signing?**
 - a. True
 - b. False

- 6. In regard to qualifications for special inspectors of threshold buildings, what is the maximum hours per week which may apply to work experience?**
 - a. 60 hours
 - b. 40 hours
 - c. 20 hours
 - d. Not stated

7. What administrative fine can be expected for failing a continuing education audit?

- a. \$500
- b. \$168.65
- c. \$93.75
- d. \$25

8. In one case the licensee did not complete an order by the board initiated from a previous disciplinary case, what was the penalty?

- a. License Suspension
- b. \$1,800 fine
- c. Complete an ethics course
- d. All of these

9. True or False? If a licensee is disciplined by another state licensing board, it will affect the licensee's Florida license.

- a. True
- b. False

10. Florida statutes and rules can be easily accessed anytime from where?

- a. Fbpe.org
- b. Any public library
- c. Morgan & Morgan
- d. Cannot be accessed as are not public record.

11. I have personally and successfully completed each chapter of instruction.

- a. Yes
- b. No