Professional Engineer Update

Laws and Rules of the Florida Board of Professional Engineers. This continuing education activity is designed as carrying four (4) Professional Development Hours. Approved under Continuing Education Provider # 55

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A NOTE TO COURSE PARTICIPANTS

The laws and rules offered in this self-study activity were current at the time of printing. However, the Board and the Legislature frequently propose and enact updated laws and rules. Please visit the Florida Board of Professional Engineers' website (*www.fbpe.org*) to view recent news and the most current versions of the laws and rules.

OBJECTIVES

Successful completion of this continuing education activity will better enable course participants to:

1. Identify definitions of critical terminology used in Chapter 471 of the Florida Statutes and section 61G15 of the Florida Administrative Code.
2. List the requirements for licensure in the State of Florida.
3. Discuss the continuing education requirements for Professional Engineers in the State of Florida.
4. Discuss conditions under which Professional Engineers may enter the lands of third parties.
5. Discuss the requirements for building code training for engineers licensed in Florida.
6. Identify the three license statuses and discuss how to make an inactive license active.
7. Discuss the purpose and authority of the Florida Engineers Management Corporation.
8. Discuss disciplinary guidelines for breaking Board rules.

INSTRUCTIONS FOR COMPLETING THIS INTERACTIVE PROGRAM

1. Read all sections of this activity booklet for which you wish to receive credit.
2. Complete the self-assessment questions.
3. Record all of your answers on the self-assessment answer sheet. A score of 85% is required in order to earn credit. Use TELEPASS, FAXPASS, or NETPASS to assess if you have attained a passing score before mailing your answer sheet and payment.
4. Remove and complete the course evaluation form. Your completion of this form provides data that can be used in subsequent programs. We value and appreciate your opinions and comments.
5. Affix postage and mail the enclosed envelope with your completed answer sheet, course evaluation form and check or money order, payable to **Informed,** in the amount of **$35.00.**
6. Upon receipt of your answer sheet and evaluation, your certificate for 4 hours credit will be ***mailed*** within 1 business day. Your certificate is proof of your completion for the Florida Laws and Rules education requirement under Florida Statutes.

THREE TIME SAVING FEATURES TO IMMEDIATELY CONFIRM A PASSING SCORE

NETPASS: Go to our website at **http://www.PE.cme.edu** and follow the prompts on the screen. You will be guided through the process of completing your self-assessment, evaluation and submission of participation fee payment. Your certificate will be processed within one working day of completion and mailed to the address you provide. **Certificates of completion may be printed directly from the website.**

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SECTION 1: CHAPTER 471, Florida Statutes

This section is developed in a question and answer format. A specific question is posed and the portion of Chapter 471, Florida Statute that answers the specific question is indicated below the question.

INTRODUCTION

This section provides the course participant with:

- code chapter numbers for the Florida laws which affect Professional Engineers,
- definitions for critical terms used in the laws and rules,
- an explanation of who makes up the Florida Board of Professional Engineers,
- the function of the Board and duties of its members,
- the qualifications needed to become a Board member and how members are appointed,
- general qualifications for licensure by the Board of Professional Engineers including age and/or educational requirements, requirements for training,
- the ability to practice by individuals holding out-of state licenses and,
- the specific fees required by the Board for obtaining and maintaining a professional license.
- an explanation in detail the full continuing education requirements for maintaining and reactivating licenses in the State of Florida including the requirements for Building Code training,
- a discussion regarding qualifying and non-qualifying activities that may be used toward these requirements,
- standards for converting education to Professional Development Hours (PDH) and the exemptions which may apply to these requirements, and
- an explanation of the three different license statuses, active, inactive and delinquent and provides information on how to convert from inactive or delinquent status to active,
- an explanation of the purpose and authority of the Florida Engineers Management Corporation (FEMC),
- the financial, directorial and organizational structure of the FEMC as proscribed by F.S 471 including the methods by which the Board of Directors are appointed and the term limits by which they must abide.
- A listing of prohibited actions that will subject a licensee to discipline and gives the maximum fines that may be occurred for such actions
- Information on how licensees may pay their fines,
- an explanation of the differences in disciplinary procedures within the Board of Professional Engineers and the Department of Business and Professional Regulation, and
- closes with a listing of specific citation violations ordered by the monetary penalties incurred for violation.

Chapter 471, Florida Statutes

What is the purpose of the Florida Board of Engineers?

471.001 Purpose.-- The Legislature deems it necessary in the interest of public health and safety to regulate the practice of engineering in this state.
History.--ss. 1, 42, ch. 79-243; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 5, ch. 2000-332.

What qualifications are required to practice as a Professional Engineer and are there any exemptions?

471.003 Qualifications for practice; exemptions.--
(1) No person other than a duly licensed engineer shall practice engineering or use the name or title of "licensed engineer," "professional engineer," or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer in this state.
(2) The following persons are not required to be licensed under the provisions of this chapter as a licensed engineer:
(a) Any person practicing engineering for the improvement of, or otherwise affecting, property legally owned by her or him, unless such practice involves a public utility or the public health, safety, or welfare or the safety or health of employees. This paragraph shall not be construed as authorizing the practice of engineering through an agent or employee who is not duly licensed under the provisions of this chapter.
(b)1. A person acting as a public officer employed by any state, county, municipal, or other governmental unit of this state when working on any project the total estimated cost of which is $10,000 or less.
2. Persons who are employees of any state, county, municipal, or other governmental unit of this state and who are the subordinates of a person in responsible charge licensed under this chapter, to the extent that the supervision meets standards adopted by rule of the board.
(c) Regular full-time employees of a corporation not engaged in the practice of engineering as such, whose practice of engineering for such corporation is limited to the design or fabrication of manufactured products and servicing of such products.
(d) Regular full-time employees of a public utility or other entity subject to regulation by the Florida Public Service Commission, Federal Energy Regulatory Commission, or Federal Communications Commission.
(e) Employees of a firm, corporation, or partnership who are the subordinates of a person in responsible charge, licensed under this chapter.
(f) Any person as contractor in the execution of work designed by a professional engineer or in the supervision of the construction of work as a foreman or superintendent.
(g) A licensed surveyor and mapper who takes, or contracts for, professional engineering services incidental to her or his practice of surveying and mapping and who delegates such engineering services to a licensed professional engineer qualified within her or his firm or contracts for such professional engineering services to be performed by others who are licensed professional engineers under the provisions of this chapter.
(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 part I of chapter 553, 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 $50,000 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.
(i) Any general contractor, certified or registered pursuant to the provisions of chapter 489, when negotiating or performing services under a design-build contract as long as the engineering services offered or rendered in connection with the contract are offered and rendered by an engineer licensed in accordance with this chapter.
(j) Any defense, space, or aerospace company, whether a sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other business entity, subsidiary, or affiliate, or any employee, contract worker, subcontractor, or independent contractor of the defense, space, or aerospace company who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, or other defense, space, or aerospace-related product or services, or components thereof.
(3) Notwithstanding the provisions of this chapter or of any other law, no licensed engineer whose principal practice is civil or structural engineering, or employee or subordinate under the responsible supervision or control of the engineer, is precluded from performing architectural services which are purely incidental to her or his engineering practice, nor is any licensed architect, or employee or subordinate under the responsible supervision or control of the architect, precluded from performing engineering services which are purely incidental to her or his architectural practice. However, no engineer shall practice architecture or use the designation "architect" or any term derived therefrom, and no architect shall practice engineering or use the designation "engineer" or any term derived therefrom.
History.--ss. 10, 42, ch. 79-243; ss. 3, 10, ch. 81-302; ss. 2, 3, ch. 81-318; s. 5, ch. 82-179; s. 3, ch. 83-160; ss. 46, 119, ch. 83-329; s. 1, ch. 85-134; s. 57, ch. 87-225; s. 2, ch. 87-341; s. 2, ch. 87-349; ss. 1, 14, 15, ch. 89-30; s. 1, ch. 89-115; s. 67, ch. 89-162; s. 4, ch. 91-429; ss. 80, 118, ch. 94-119; s. 330, ch. 97-103; s. 65, ch. 98-287; s. 31, ch. 2000-356; s. 16, ch. 2002-299,ch. 2003-425.

What are the requirements of instructors in postsecondary education institutions, and are there any exemptions from registration requirement?

471.0035 Instructors in postsecondary educational For the sole purpose of teaching the principles and methods of engineering design, notwithstanding the provisions of s. 471.005(7), a person employed by a public postsecondary educational institution, or by an independent postsecondary educational institution licensed or exempt from licensure pursuant to the provisions of chapter 1005, is not required to be licensed under the provisions of this chapter as a professional engineer.
History.--s. 11, ch. 99-252; s. 32, ch. 2000-356; s. 4, ch. 2000-372; s. 17, ch. 2002-299; s. 1017, ch. 2002-387.

What is the definition of terms used in this Chapter 471, Florida Statutes?

471.005 Definitions.-- As used in this chapter, the term:
(1) "Board" means the Board of Professional Engineers.
(2) "Board of directors" means the board of directors of the Florida Engineers Management Corporation.
(3) "Certificate of authorization" means a license to practice engineering issued by the management corporation to a corporation or partnership.
(4) "Department" means the Department of Business and Professional Regulation.
(5) "Engineer" includes the terms "professional engineer" and "licensed engineer" and means a person who is licensed to engage in the practice of engineering under this chapter.
(6) "Engineer intern" means a person who has graduated from an engineering curriculum approved by the board and has passed the fundamentals of engineering examination as provided by rules adopted by the board.
(7) "Engineering" includes the term "professional engineering" and means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, teaching of the principles and methods of engineering design, engineering surveys, and the inspection of construction for the purpose of determining in general if the work is proceeding in compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property; and includes such other professional services as may be necessary to the planning, progress, and completion of any engineering services. A person who practices any branch of engineering; who, by verbal claim, sign, advertisement, letterhead, or card, or in any other way, represents himself or herself to be an engineer or, through the use of some other title, implies that he or she is an engineer or that he or she is licensed under this chapter; or who holds himself or herself out as able to perform, or does perform, any engineering service or work or any other service designated by the practitioner which is recognized as engineering shall be construed to practice or offer to practice engineering within the meaning and intent of this chapter.
(8) "License" means the licensing of engineers or certification of businesses to practice engineering in this state.
(9) "Management corporation" means the Florida Engineers Management Corporation.
(10) "Retired professional engineer" or "professional engineer, retired" means a person who has been duly licensed as a professional engineer by the board and who chooses to relinquish or not to renew his or her license and applies to and is approved by the board to be granted the title "Professional Engineer, Retired."

(11) "Secretary" means the Secretary of Business and Professional Regulation.
(12) “Space or aerospace company” means any business entity concerned with the design, manufacture, or support of aircraft, rockets, missiles, spacecraft, satellites, space vehicles, space stations, space facilities, or components thereof, and equipment, systems, facilities, simulators, programs, products, services, and activities related thereto.
(13) “Defense company” means any business entity that holds a valid Department of Defense contract or any business entity that is a subcontractor under a valid Department of Defense contract. The term includes any business entity that holds valid contracts or subcontracts for products or services for military use under prime contracts with the United States Department of Defense, the United States Department of State, or the United States Coast Guard.
History.--ss. 2, 42, ch. 79-243; ss. 4, 10, ch. 81-302; ss. 2, 3, ch. 81-318; s. 4, ch. 83-160; s. 4, ch. 84-365; ss. 2, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 151, ch. 94-218; s. 331, ch. 97-103; s. 33, ch. 2000-356; s. 3, ch. 2000-372; s. 18, ch. 2002-299, ch. 2003-425.

What is the composition of members of Florida Board of Professional Engineers?

471.007 Board of Professional Engineers
There is created in the department the Board of Professional Engineers. The board shall consist of eleven members, nine of whom shall be licensed engineers and two of whom shall be laypersons who are not and have never been engineers or members of any closely related profession or occupation. Of the members who are licensed engineers, three shall be civil engineers, one shall be a structural engineer, one shall be either an electrical or electronic engineer, one shall be a mechanical engineer, one shall be an industrial engineer, one shall be an engineering educator, and one shall be from any discipline of engineering other than civil engineering. Members shall be appointed by the Governor for terms of 4 years each.
History.--ss. 3, 42, ch. 79-243; ss. 5, 9, 10, ch. 81-302; ss. 2, 3, ch. 81-318; ss. 3, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 152, ch. 94-218; s. 19, ch. 2002-299, ch. 2004-332.

What is the rulemaking authority of the Florida Board of Professional Engineers?

471.008 Rulemaking authority.--The board has authority to adopt rules pursuant to ss. 120.536(1) and 120.54 to implement provisions of this chapter or chapter 455 conferring duties upon it.
History.--s. 1, ch. 87-341; s. 1, ch. 87-349; s. 1, ch. 88-303; ss. 4, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 109, ch. 98-166; s. 142, ch. 98-200; s. 170, ch. 2000-160.

Where is the Board located?

471.009 Board headquarters.--The location of the Board of Professional Engineers shall be in Leon County.
History.--ss. 3, 42, ch. 79-243; ss. 6, 10, ch. 81-302; ss. 2, 3, ch. 81-318; ss. 5, 14, 15, ch. 89-30; s. 4, ch. 91-429.
Specifically, the Board is located at: FBPE, 2507 Callaway Road, Suite 200, Tallahassee, Florida 32303-5267.

What are the fees for applications, examination, reexamination, licensing and renewal, etc.?

471.011 Fees.--
(1) The board by rule may establish fees to be paid for applications, examination, reexamination, licensing and renewal, inactive status application and reactivation of inactive licenses, and recordmaking and recordkeeping. The board may also establish by rule a delinquency fee. The board shall establish fees that are adequate to ensure the continued operation of the board. Fees shall be based on department estimates of the revenue required to implement this chapter and the provisions of law with respect to the regulation of engineers.
(2) The initial application and examination fee shall not exceed $125 plus the actual per applicant cost to the management corporation to purchase the examination from the National Council of Examiners for Engineering and Surveying or a similar national organization. The examination fee shall be in an amount which covers the cost of obtaining and administering the examination and shall be refunded if the applicant is found ineligible to sit for the examination. The application fee shall be nonrefundable.
(3) The initial license fee shall not exceed $125.
(4) The fee for a certificate of authorization shall not exceed $125.
(5) The biennial renewal fee shall not exceed $125.
(6) The fee for a temporary registration or certificate to practice engineering shall not exceed $25 for an individual or $50 for a business firm.
(7) The fee for licensure by endorsement shall not exceed $150.
(8) The fee for application for inactive status or for reactivation of an inactive license shall not exceed $150.
History.--ss. 4, 42, ch. 79-243; ss. 2, 3, ch. 81-318; s. 20, ch. 88-205; ss. 6, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 212, ch. 94-119; s. 1, ch. 97-312; s. 34, ch. 2000-356; s. 5, ch. 2000-372.

What are the requirements which must be fulfilled in order to be entitled to take an examination for the purpose of determining whether one is qualified to practice in the State of Florida?

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 curriculum of 4 years or more in a school, college, or university which has been approved by the board 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 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.
(b) A person shall be entitled to take the fundamentals examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer intern if she or he is in the final year of, or is a graduate of, an approved engineering curriculum in a school, college, or university approved by the board.
(c) A person shall not be entitled to take the principles and practice examination until that person has successfully completed the fundamentals examination.
(d) The board shall deem that an applicant who seeks licensure by examination has passed the fundamentals examination when such applicant has received a doctorate degree in engineering from an institution that has an undergraduate engineering program that is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., and has taught engineering full time for at least 3 years, at the baccalaureate level or higher, after receiving that degree.
(e) Every applicant who is qualified to take the fundamentals examination or the principles and practice examination shall be allowed to take either examination three times, notwithstanding the number of times either examination has been previously failed. If an applicant fails either examination three times, the board shall require the applicant to complete additional college-level education courses as a condition of future eligibility to take that examination.
(2)(a) The board may refuse to certify an applicant for failure to satisfy the requirement of good moral character only if:
1. There is a substantial connection between the lack of good moral character of the applicant and the professional responsibilities of a licensed engineer; and
2. The finding by the board of lack of good moral character is supported by clear and convincing evidence.
(b) When an applicant is found to be unqualified for a license because of a lack of good moral character, the board shall furnish the applicant a statement containing the findings of the board, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.
History.--ss. 5, 42, ch. 79-243; s. 340, ch. 81-259; ss. 7, 10, ch. 81-302; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 141, ch. 92-149; s. 332, ch. 97-103; s. 20, ch. 2002-299, ch. 2004-332.

What are the requirements for licensure?

471.015 Licensure.--
(1) The management corporation shall issue a license to any applicant who the board certifies is qualified to practice engineering and who has passed the fundamentals examination and the principles and practice examination.
(2) The board shall certify for licensure any applicant who satisfies the requirements of s. 471.013. 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 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.
(4) The management corporation shall not issue a license by endorsement to any applicant who is under investigation in another state for any act that would constitute a violation of this chapter or of chapter 455 until such time as the investigation is complete and disciplinary proceedings have been terminated.
(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:
1. Has held a valid professional engineer's license in another state for 15 years and has had 20 years of continuous professional-level engineering experience;
2. Has received a doctorate degree in engineering from an institution that has an undergraduate engineering degree program which is accredited by the Accreditation Board for Engineering Technology; or
3. Has received a doctorate degree in engineering and has taught engineering full time for at least 3 years, at the baccalaureate level or higher, after receiving that degree.
(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 practice examination when such applicant has held a valid professional engineer's license in another state for 25 years and has had 30 years of continuous professional-level engineering experience.
(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.
(7) The board shall, by rule, establish qualifications for certification of licensees as special inspectors of threshold buildings, as defined in ss. 553.71 and 553.79, and shall compile a list of persons who are certified. A special inspector is not required to meet standards for certification other than those established by the board, and the fee owner of a threshold building may not be prohibited from selecting any person certified by the board to be a special inspector. The board shall develop minimum qualifications for the qualified representative of the special inspector who is authorized to perform inspections of threshold buildings on behalf of the special inspector under s. 553.79.
History.--ss. 6, 42, ch. 79-243; ss. 2, 3, ch. 81-318; s. 2, ch. 85-134; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; ss. 82, 216, ch. 94-119; s. 32, ch. 95-392; s. 110, ch. 98-166; s. 37, ch. 2000-141; s. 171, ch. 2000-160; s. 35, ch. 2000-356; s. 6, ch. 2000-372; s. 21, ch. 2002-299.

What are the requirements for license renewal?

471.017 Renewal of license.--
(1) The management corporation shall renew a license upon receipt of the renewal application and fee.
(2) The board shall adopt rules establishing a procedure for the biennial renewal of licenses.
(3) The board shall require a demonstration of continuing professional competency of engineers as a condition of license renewal or relicensure. Every licensee must complete 4 professional development hours, for each year of the license renewal period. For each renewal period for such continuing education, 4 hours shall relate to this chapter and the rules adopted under this chapter and the remaining 4 hours shall relate to the licensee's area of practice. The board shall adopt rules that are consistent with the guidelines of the National Council of Examiners for Engineering and Surveying for multijurisdictional licensees for the purpose of avoiding proprietary continuing professional competency requirements and shall allow nonclassroom hours to be credited. The board may, by rule, exempt from continuing professional competency requirements retired professional engineers who no longer sign and seal engineering documents and licensees in unique circumstances that severely limit opportunities to obtain the required professional development hours.
History.--ss. 7, 42, ch. 79-243; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 213, ch. 94-119; s. 11, ch. 98-287; s. 36, ch. 2000-356; s. 7, ch. 2000-372.

What are the requirements for reactivation of a license?

471.019 Reactivation.--The board shall prescribe by rule continuing education requirements for reactivating a license. The continuing education requirements for reactivating a license for a licensed engineer may not exceed 12 classroom hours for each year the license was inactive.
History.--ss. 8, 42, ch. 79-243; s. 341, ch. 81-259; ss. 2, 3, ch. 81-318; s. 104, ch. 83-329; ss. 7, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 214, ch. 94-119; s. 12, ch. 98-287; s. 37, ch. 2000-356; s. 22, ch. 2002-299.

What training is required relative to the Florida Building Code?

471.0195 Florida Building Code training for engineers.--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 shall take continuing education courses and submit proof to the board, at such times and in such manner as established by the board by rule, that the licensee has completed the core curriculum courses and any specialized or advanced courses on any portion of the Florida Building Code applicable to the licensee's area of practice or has passed the appropriate equivalency test of the Building Code Training Program established by s. 553.841. The board shall record reported continuing education courses on a system easily accessed by code enforcement jurisdictions for evaluation when determining license status for purposes of processing design documents. Local jurisdictions shall be responsible for notifying the board when design documents are submitted for building construction permits by persons who are not in compliance with this section. The board shall take appropriate action as provided by its rules when such noncompliance is determined to exist.
History.--s. 38, ch. 2000-356; s. 23, ch. 2002-299.

Are temporary certificates to practice available in the State of Florida?

471.021 Engineers and firms of other states; temporary 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 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 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 license in accordance with subsection (1).
(3) The application for a temporary license shall 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 license was issued.
History.--ss. 9, 42, ch. 79-243; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 142, ch. 92-149; s. 8, ch. 2000-372; s. 24, ch. 2002-299.

What rules relate to certification of partnerships and corporations?

471.023 Certification of partnerships and corporations.--
(1) The practice of, or the offer to practice, engineering by licensees 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 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. 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) 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 business organization certified under this section must notify the board within 1 month after any change in the information contained in the application upon which the certification is based.
(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.

History.--ss. 11, 42, ch. 79-243; s. 1, ch. 80-223; ss. 2, 3, ch. 81-318; ss. 8, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 143, ch. 92-149; s. 333, ch. 97-103; s. 39, ch. 2000-356; s. 9, ch. 2000-372; s. 25, ch. 2002-299.

What are seals and what are the proper and required uses of seals?

471.025 Seals.--
(1) The board shall prescribe, by rule, one or more forms of seal to be used by licensees. Each licensee shall obtain at least one seal in the form approved by rule of the board and may, in addition, register his or her seal electronically in accordance with ss. 668.001-668.006. All final drawings, specifications, plans, reports, or documents prepared or issued by the licensee and being filed for public record and all final documents provided to the owner or the owner's representative shall be signed by the licensee, dated, and sealed with said seal. Such signature, date, and seal shall be evidence of the authenticity of that to which they are affixed. Drawings, specifications, plans, reports, final documents, or documents prepared or issued by a licensee may be transmitted electronically and may be signed by the licensee, dated, and sealed electronically with said seal in accordance with ss. 668.001-668.006.
(2) It is unlawful for any person to seal or digitally sign any document with a seal or digital signature after his or her license has expired or been revoked or suspended, unless such license has been reinstated or reissued. When an engineer's license has been revoked or suspended by the board, the licensee shall, within a period of 30 days after the revocation or suspension has become effective, surrender his or her seal to the executive director of the board and confirm to the executive director the cancellation of the licensee's digital signature in accordance with ss. 668.001-668.006. In the event the engineer's license has been suspended for a period of time, his or her seal shall be returned to him or her upon expiration of the suspension period.
(3) No licensee shall affix or permit to be affixed his or her seal, name, or digital signature to any plan, specification, drawing, final bid document, or other document that depicts work which he or she is not licensed to perform or which is beyond his or her profession or specialty therein.
History.--ss. 12, 42, ch. 79-243; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 144, ch. 92-149; s. 334, ch. 97-103; s. 4, ch. 97-241; s. 40, ch. 2000-356; s. 32, ch. 2000-372; s. 2, ch. 2001-63; s. 26, ch. 2002-299.

What are the conditions under which engineers are authorized to enter lands of third parties?

471.027 Engineers authorized to enter lands of third parties under certain conditions.-- Engineers are hereby granted permission and authority to go on, over, and upon the lands of others when necessary to make engineering surveys and, in so doing, to carry with them their agents and employees necessary for that purpose. Entry under the right hereby granted shall not constitute trespass, and engineers and their duly authorized agents or employees so entering shall not be liable to arrest or a civil action by reason of such entry; however, nothing in this section shall be construed as giving authority to said licensees, agents, or employees to destroy, injure, damage, or move anything on lands of another without the written permission of the landowner.
History.--ss. 17, 42, ch. 79-243; ss. 2, 3, ch. 81-318; ss. 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 27, ch. 2002-299.

What prohibitions and penalties exist for practicing engineering?

471.031 Prohibitions; penalties.--
(1) A person may not:
(a) Practice engineering unless the person is licensed or exempt from licensure under this chapter.
(b) 1. Except as provided in subparagraph 2. or subparagraph 3., use the name or title "professional engineer" or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under this chapter, including, but not limited to, the following titles: "agricultural engineer," "air-conditioning engineer," "architectural engineer," "building engineer," "chemical engineer," "civil engineer," "control systems engineer," "electrical engineer," "environmental engineer," "fire

protection engineer," "industrial engineer," "manufacturing engineer," "mechanical engineer," "metallurgical engineer," "mining engineer," "minerals engineer," "marine engineer," "nuclear engineer," "petroleum engineer," "plumbing engineer," "structural engineer," "transportation engineer," "software engineer," "computer hardware engineer," or "systems engineer".
2. Any person who is exempt from licensure under s. 471.003(2)(j) may use the title or personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "professional engineer," "registered engineer," "licensed engineer," "registered professional engineer," or "licensed professional engineer."
3. Any person who is exempt from licensure under s. 471.003(2)(c) or (e) may use the title or the personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "professional engineer," "registered engineer," "licensed engineer," "registered professional engineer," or "licensed professional engineer" and if that person is a graduate from an approved engineering curriculum of 4 years or more in a school, college, or university which has been approved by the board.
(c) Present as his or her own the license of another.
(d) Give false or forged evidence to the board or a member thereof.
(e) Use or attempt to use a license that has been suspended, revoked, or placed on inactive or delinquent status.
(f) Employ nonexempt unlicensed persons to practice engineering.
(g) Conceal information relative to violations of this chapter.
(2) Any person who violates any provision of this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.
History.--ss. 14, 42, ch. 79-243; ss. 2, 3, ch. 81-318; s. 47, ch. 83-329; ss. 9, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 215, ch. 94-119; s. 335, ch. 97-103; s. 41, ch. 2000-356; s. 28, ch. 2002-299, ch. 2003-425, ch. 2004-332.

What acts constitute disciplinary actions?

471.033 Disciplinary proceedings.--
(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:
(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.
(b) Attempting to procure a license to practice engineering by bribery or fraudulent misrepresentations.
(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.
(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.
(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.
(f) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.
(g) Engaging in fraud or deceit, negligence, incompetence, or misconduct, in the practice of engineering.
(h) Violating chapter 455.
(i) Practicing on a revoked, suspended, inactive, or delinquent license.
(j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any final drawings, specifications, plans, reports, or documents that were not prepared by him or her or under his or her responsible supervision, direction, or control.
(k) Violating any order of the board or department previously entered in a disciplinary hearing.
(2) The board shall specify, by rule, what acts or omissions constitute a violation of subsection (1).
(3) When the board finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:
(a) Denial of an application for licensure.
(b) Revocation or suspension of a license.
(c) Imposition of an administrative fine not to exceed $5,000 for each count or separate offense.
(d) Issuance of a reprimand.
(e) Placement of the licensee on probation for a period of time and subject to such conditions as the board may specify.
(f) Restriction of the authorized scope of practice by the licensee.
(g) Restitution.
(4) The management corporation shall reissue the license of a disciplined engineer or business upon certification by the board that the disciplined person has complied with all of the terms and conditions set forth in the final order.
History.--ss. 15, 42, ch. 79-243; ss. 8, 10, ch. 81-302; ss. 2, 3, ch. 81-318; s. 3, ch. 85-134; ss. 10, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 145, ch. 92-149; s. 217, ch. 94-119; s. 336, ch. 97-103; s. 5, ch. 97-241; s. 111, ch. 98-166; s. 13, ch. 98-287; s. 119, ch. 2000-141; s. 172, ch. 2000-160; s. 10, ch. 2000-372; s. 35, ch. 2001-186; s. 4, ch. 2001-372; s. 29, ch. 2002-299.

How does this Chapter affect local codes, law and ordinances?

471.037 Effect of chapter locally.--
(1) Nothing contained in this chapter shall be construed to repeal, amend, limit, or otherwise affect any local building code or zoning law or ordinance, now or hereafter enacted, which is more restrictive with respect to the services of licensed engineers than the provisions of this chapter.
(2) In counties or municipalities that issue building permits, such permits may not be issued in any case in which it is apparent from the application for the building permit that the provisions of this chapter have been violated. However, this subsection does not authorize the withholding of building permits in cases involving the exceptions and exemptions set out in s. 471.003.
History.--ss. 13, 42, ch. 79-243; ss. 2, 3, ch. 81-318; ss. 12, 14, 15, ch. 89-30; s. 4, ch. 91-429; s. 81, ch. 94-119; s. 42, ch. 2000-356; s. 30, ch. 2002-299.

What is the Florida Engineers Management Corporation Act and what is the Florida Engineers Management Corporation (FEMC)?

471.038 Florida Engineers Management Corporation.--
(1) This section may be cited as the "Florida Engineers Management Corporation Act."
(2) The purpose of this section is to create a public-private partnership by providing that a single nonprofit corporation be established to provide administrative, investigative, and prosecutorial services to the board and that no additional nonprofit corporation be created for these purposes.
(3) The Florida Engineers Management Corporation is created to provide administrative, investigative, and prosecutorial services to the board in accordance with the provisions of chapter 455 and this chapter. The management corporation may hire staff as necessary to carry out its functions. Such staff are not public employees for the purposes of chapter 110 or chapter 112, except that the board of directors and the staff are subject to the provisions of s. 112.061. The provisions of s. 768.28 apply to the management corporation, which is deemed to be a corporation primarily acting as an instrumentality of the state, but which is not an agency within the meaning of s. 20.03(11). The management corporation shall:
(a) Be a Florida corporation not for profit, incorporated under the provisions of chapter 617.
(b) Provide administrative, investigative, and prosecutorial services to the board in accordance with the provisions of chapter 455, this chapter, and the contract required by this section.
(c) Receive, hold, and administer property and make only prudent expenditures directly related to the responsibilities of the board, and in accordance with the contract required by this section.
(d) Be approved by the board, and the department, to operate for the benefit of the board and in the best interest of the state.
(e) Operate under a fiscal year that begins on July 1 of each year and ends on June 30 of the following year.
(f) Have a seven-member board of directors, five of whom are to be appointed by the board and must be registrants regulated by the board and two of whom are to be appointed by the secretary and must be laypersons not regulated by the board. All appointments shall be for 4-year terms. No member shall serve more than two consecutive terms. Failure to attend three consecutive meetings shall be deemed a resignation from the board, and the vacancy shall be filled by a new appointment.
(g) Select its officers in accordance with its bylaws. The members of the board of directors who were appointed by the board may be removed by the board.
(h) Select the president of the management corporation, who shall also serve as executive director to the board, subject to approval of the board.
(i) Use a portion of the interest derived from the management corporation account to offset the costs associated with the use of credit cards for payment of fees by applicants or licensees.
(j) Operate under a written contract with the department which is approved by the board. The contract must provide for, but is not limited to:
1. Submission by the management corporation of an annual budget that complies with board rules for approval by the board and the department.
2. Annual certification by the board and the department that the management corporation is complying with the terms of the contract in a manner consistent with the goals and purposes of the board and in the best interest of the state. This certification must be reported in the board's minutes. The contract must also provide for methods and mechanisms to resolve any situation in which the certification process determines noncompliance.
3. Funding of the management corporation through appropriations allocated to the regulation of professional engineers from the Professional Regulation Trust Fund.
4. The reversion to the board, or the state if the board ceases to exist, of moneys, records, data, and property held in trust by the management corporation for the benefit of the board, if the management corporation is no longer approved to operate for the board or the board ceases to exist. All records and data in a computerized database shall be returned to the department in a form that is compatible with the computerized database of the department.
5. The securing and maintaining by the management corporation, during the term of the contract and for all acts performed during the term of the contract, of all liability insurance coverages in an amount to be approved by the board to defend, indemnify, and hold harmless the management corporation and its officers and employees, the department and its employees, and the state against all claims arising from state and federal laws. Such insurance coverage must be with insurers qualified and doing business in the state. The management corporation must provide proof of insurance to the department. The department and its employees and the state are exempt from and are not liable for any sum of money which represents a deductible, which sums shall be the sole responsibility of the management corporation. Violation of this subparagraph shall be grounds for terminating the contract.
6. Payment by the management corporation, out of its allocated budget, to the department of all costs of representation by the board counsel, including salary and benefits, travel, and any other compensation traditionally paid by the department to other board counsels.
7. Payment by the management corporation, out of its allocated budget, to the department of all costs incurred by the management corporation or the board for the Division of Administrative Hearings of the Department of Management Services and any other cost for utilization of these state services.
8. Payment by the management corporation, out of its allocated budget, to the department of reasonable costs associated with the contract monitor.
(k) Provide for an annual financial audit of its financial accounts and records by an independent certified public accountant. The annual audit report shall include a management letter in accordance with s. 11.45 and a detailed supplemental schedule of expenditures for each expenditure category. The annual audit report must be submitted to the board, the department, and the Auditor General for review.
(l) Provide for persons not employed by the corporation who are charged with the responsibility of receiving and depositing fee and fine revenues to have a faithful

performance bond in such an amount and according to such terms as shall be determined in the contract.
(m) Submit to the secretary, the board, and the Legislature, on or before October 1 of each year, a report on the status of the corporation which includes, but is not limited to, information concerning the programs and funds that have been transferred to the corporation. The report must include: the number of license applications received; the number approved and denied and the number of licenses issued; the number of examinations administered and the number of applicants who passed or failed the examination; the number of complaints received; the number determined to be legally sufficient; the number dismissed; the number determined to have probable cause; the number of administrative complaints issued and the status of the complaints; and the number and nature of disciplinary actions taken by the board.
(n) Develop and submit to the department, performance standards and measurable outcomes for the board to adopt by rule in order to facilitate efficient and cost-effective regulation.
(4) The management corporation may not exercise any authority specifically assigned to the board under chapter 455 or this chapter, including determining probable cause to pursue disciplinary action against a licensee, taking final action on license applications or in disciplinary cases, or adopting administrative rules under chapter 120.
(5) Notwithstanding ss. 455.228 and 455.2281, the duties and authority of the department to receive complaints and to investigate and deter the unlicensed practice of engineering are delegated to the board. The board may use funds of the Board of Professional Engineers in the unlicensed activity account established under s. 455.2281 to perform the duties relating to unlicensed activity.
(6) The department shall retain the independent authority to open or investigate any cases or complaints, as necessary to protect the public health, safety, or welfare. In addition, the department may request that the management corporation prosecute such cases and shall retain sole authority to issue emergency suspension or restriction orders pursuant to s. 120.60.
(7) Management corporation records are public records subject to the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; however, public records exemptions set forth in ss. 455.217 and 455.229 for records created or maintained by the department shall apply to records created or maintained by the management corporation. In addition, all meetings of the board of directors are open to the public in accordance with s. 286.011 and s. 24(b), Art. I of the State Constitution. The exemptions set forth in s. 455.225, relating to complaints and information obtained pursuant to an investigation by the department, shall apply to such records created or obtained by the management corporation only until an investigation ceases to be active. For the purposes of this subsection, an investigation is considered active so long as the management corporation or any law enforcement or administrative agency is proceeding with reasonable dispatch and has a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation ceases to be active when the case is dismissed prior to a finding of probable cause and the board has not exercised its option to pursue the case or 10 days after the board makes a determination regarding probable cause. All information, records, and transcriptions regarding a complaint that has been determined to be legally sufficient to state a claim within the jurisdiction of the board become available to the public when the investigation ceases to be active, except information that is otherwise confidential or exempt from s. 119.07(1). However, in response to an inquiry about the licensure status of an individual, the management corporation shall disclose the existence of an active investigation if the nature of the violation under investigation involves the potential for substantial physical or financial harm to the public. The board shall designate by rule those violations that involve the potential for substantial physical or financial harm. The department and the board shall have access to all records of the management corporation, as necessary to exercise their authority to approve and supervise the contract.
(8) The management corporation is the sole source and depository for the records of the board, including all historical information and records. The management corporation shall maintain those records in accordance with the guidelines of the Department of State and shall not destroy any records prior to the limits imposed by the Department of State.
(9) The board shall provide by rule for the procedures the management corporation must follow to ensure that all licensure examinations are secure while under the responsibility of the management corporation and that there is an appropriate level of monitoring during the licensure examinations.
History.--ss. 2, 5, ch. 97-312; s. 112, ch. 98-166; s. 173, ch. 2000-160; ss. 1, 2, ch. 2000-372; s. 121, ch. 2001-266.

What shall occur if any provision of s 471.038 is held unconstitutional or violates the state or federal antitrust laws?

471.0385 Court action; effect.--If any provision of s. 471.038 is held to be unconstitutional or is held to violate the state or federal antitrust laws, the following shall occur:
(1) The corporation shall cease and desist from exercising any powers and duties enumerated in the act.
(2) The Department of Business and Professional Regulation shall resume the performance of such activities. The department shall regain and receive, hold, invest, and administer property and make expenditures for the benefit of the board.
(3) The Executive Office of the Governor, notwithstanding chapter 216, is authorized to reestablish positions, budget authority, and salary rate necessary to carry out the department's responsibilities related to the regulation of professional engineers.
History.--s. 3, ch. 97-312.

May Professional Engineers provide building inspections?

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(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.

History.--s. 7, ch. 98-419; s. 10, ch. 99-254; s. 28, ch. 2000-372.

SECTION 2: 61G15, FLORIDA ADMINISTRATIVE CODE

CHAPTER 61G15-18 ORGANIZATION AND PURPOSE
61G15-18.005 Probable Cause Determination
61G15-18.0071 Attendance at Board Meetings, Unexcused Absences.
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61G15-18.005 Probable Cause Determination
(1) Probable cause determination as to a violation of Chapter 471, or Chapter 455, F.S., and rules promulgated pursuant thereto shall be made by a probable cause panel of three (3) board members or two (2) board members and one (1) past board member. Said members shall be appointed 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, Florida Statutes.
(2) Notwithstanding the procedure outlined in subsection (1) above, the Board hereby delegates to the Department the determination of probable cause when the only charge that otherwise would go before the probable cause panel is that of failure to comply with the Board's final order pursuant to 471.033(1)(k), Florida Statutes and Rule 61G15-19.001(6)(o), Florida Administrative Code. Should an investigation support charges in addition to the failure to comply with the Board's final order, the case shall be presented to the probable cause panel for a determination of probable cause.
Specific Authority 455.225 FS. ■ Law Implemented 455.225 FS. ■ History--New 1-8-80, Amended 4-5-81, Formerly 21H-18.05, 21H-18.005, Amended 11-15-94, 1-6-02.

61G15-18.0071 Attendance at Board Meetings, Unexcused Absences.
(1) Board members shall attend all regularly scheduled Board meetings unless prevented from doing so by reason of court order, subpoena, business with a court which has the sole prerogative of setting the date of such business, conflict with other scheduled business of the Board, conflicting business previously authorized by the Board, death of family member, unavoidable travel delays or cancellations, or other extraordinary circumstances as approved by the Board.
(2) Three consecutive unexcused absences or absences constituting 50 percent or more of the board's meetings within any 12-month period shall cause the board membership of the member in question to become void, and the position shall be considered vacant. No Board member may be absent from three consecutive regularly scheduled Board meetings unless the absence is excused for one of the reasons stated in subsection (1) of this rule. An absence for any reason other than the reasons stated in subsection (1) constitutes an unexcused absence for the purpose of declaring a vacancy of the Board. An otherwise unexcused absence is not excused if the Board member fails to notify the Board's Administrator and Chairperson of the impending absence 48 hours prior to the regularly scheduled Board meeting at which the absence will occur or unless the failure to notify the Board's Administrator and Chairperson is the result of circumstances surrounding the reason for the absence which the Board itself excuses after the absence has occurred. The reason for the absence from a meeting shall be made part of the minutes of that meeting.
(3) "Family" consists of immediate family, nieces, nephews, cousins, and in-laws. (4) "Immediate family" consists of spouse, child, parents, parents-in-law, siblings, grandchildren, and grandparents.
Specific Authority 455.207(3) FS ■ Law Implemented 455.207(3) FS ■ History--New 1-6-02

61G15-18.008 Adoption of Model Rules of Procedure.
Except as hereinafter provided all administrative proceedings of the Board shall be conducted in accordance with Chapter 120, Florida Statutes, and Chapter 28, Florida Administrative Code (Model Rules of Administrative Procedure).
Specific Authority 120.53(1) FS. ■ Law Implemented 120.53(1) FS. ■ History--New 1-8-80, Formerly 21H-18.08, 21H-18.008.

61G15-18.010 Approved Schools and Colleges.
A list of the approved degree programs of schools and colleges acceptable to the Board, both as education and as experience, for admittance to the examination shall be maintained by the Board as an official record of the Board with such additions or deletions as the Board may determine by official act from time to time.
Specific Authority 120.53(1) FS. ■ Law Implemented 120.53(1), 471.013 FS. ■ History--New 1-8-80, Formerly 21H-18.10, 21H-18.010.

61G15-18.011 Definitions.
As used in Chapter 471 and in these rules where the context will permit the following terms have the following meanings:
(1) “Responsible Charge” shall mean that degree of control an engineer is required to maintain over engineering decisions made personally or by others over which the engineer exercises supervisory direction and control authority. The engineer in responsible charge is the Engineer of Record as defined in subsection 61G15-30.002(1), F.A.C.
(a) The degree of control necessary for the Engineer of Record shall be such that the engineer:
1. Personally makes engineering decisions or reviews and approves proposed decisions prior to their implementation, including the consideration of alternatives, whenever engineering decisions which could affect the health, safety and welfare

of the public are made. In making said engineering decisions, the engineer shall be physically present or, if not physically present, be available in a reasonable period of time, through the use of electronic communication devices, such as electronic mail, videoconferencing, teleconferencing, computer networking, or via facsimile transmission.
2. Judges the validity and applicability of recommendations prior to their incorporation into the work, including the qualifications of those making the recommendations.
(b) Engineering decisions which must be made by and are the responsibility of the Engineer of Record are those decisions concerning permanent or temporary work which could create a danger to the health, safety, and welfare of the public, such as, but not limited to, the following:
1. The selection of engineering alternatives to be investigated and the comparison of alternatives for engineering works.
2. The selection or development of design standards or methods, and materials to be used.
3. The selection or development of techniques or methods of testing to be used in evaluating materials or completed works, either new or existing.
4. The development and control of operating and maintenance procedures.
(c) As a test to evaluate whether an engineer is the Engineer of Record, the following shall be considered:
1. The engineer shall be capable of answering questions relevant to the engineering decisions made during the engineer's work on the project, in sufficient detail as to leave little doubt as to the engineer's proficiency for the work performed and involvement in said work. It is not necessary to defend decisions as in an adversary situation, but only to demonstrate that the engineer in responsible charge made them and possessed sufficient knowledge of the project to make them. Examples of questions to be answered by the engineer could relate to criteria for design, applicable codes and standards, methods of analysis, selection of materials and systems, economics of alternate solutions, and environmental considerations. The individuals should be able to clearly define the span and degree of control and how it was exercised and to demonstrate that the engineer was answerable within said span and degree of control necessary for the engineering work done.
2. The engineer shall be completely in charge of, and satisfied with, the engineering aspects of the project.
3. The engineer shall have the ability to review design work at any time during the development of the project and shall be available to exercise judgment in reviewing these documents.
4. The engineer shall have personal knowledge of the technical abilities of the technical personnel doing the work and be satisfied that these capabilities are sufficient for the performance of the work.
(d) The term "responsible charge" relates to engineering decisions within the purview of the Professional Engineers Act and does not refer to management control in a hierarchy of professional engineers except as each of the individuals in the hierarchy exercises independent engineering judgement and thus responsible charge. It does not refer to administrative and personnel management functions. While an engineer may also have such duties in this position, it should not enhance or decrease one's status of being in responsible charge of the work. The phrase does not refer to the concept of financial liability.
(2) "Engineering Design" shall mean that the process of devising a system, component, or process to meet desired needs. It is a decision-making process (often iterative), in which the basic sciences, mathematics, and engineering sciences are applied to convert resources optimally to meet a stated objective. Among the fundamental elements of the design process are the establishment of objectives and criteria, synthesis, analysis, construction, testing and evaluation. Central to the process are the essential and complementary roles of synthesis and analysis. This definition is intended to be interpreted in its broadest sense. In particular the words "system, component, or process" and "convert resources optimally" operate to indicate that sociological, economic, aesthetic, legal, ethical, etc., considerations can be included.
(3) The term "evaluation of engineering works and systems" as used in the definition in the practice of engineering set forth in Chapter 471.005(4)(a), F.S., includes but is not limited to services provided by testing laboratories involving the following:
(a) The planning and implementation of any investigation or testing program for the purpose of developing design criteria either by an engineering testing laboratory or other professional engineers.
(b) The planning or implementation of any investigation, inspection or testing program for the purpose of determining the causes of failures.
(c) The preparation of any report documenting soils or other construction materials test data.
(d) The preparation of any report offering any engineering evaluation, advice or test results, whenever such reports go beyond the tabulation of test data. Reports which document soils or other construction materials test data will be considered as engineering reports.
(e) Services performed by any entity or provided by a testing laboratory for any entity subject to regulation by a state or federal regulatory agency which enforces standards as to testing shall be exempt from this rule except where the services otherwise would require the participation of a professional engineer.
(4) "Certification" shall mean a statement signed and/or sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(6), F.S., have been performed by the professional engineer, and based upon the professional engineer's knowledge, information and belief, and in accordance with commonly accepted procedures consistent with applicable standards of practice, and is not a guaranty or warranty, either expressed or implied.
(5) "FEMC" shall mean the Florida Engineers Management Corporation, created in Section 471.038(3), F.S.

Specific Authority 471.003(2)(f), 471.008, 471.013(1)(a)1.,2. FS. ■ Law Implemented 471.003(2)(f), 471.005(6), 471.013(1)(a)1.,2., 471.025(3), 471.033(1)(j) FS. ■ History–New 6-23-80, Amended 12-19-82, 11-22-83, Formerly 21H-18.11, Amended 1-16-91, 4-4-93, Formerly 21H-18.011, Amended 12-22-99, 4-19-01, 10-16-02, 9-15-04.

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 455.207(4), F.S.:

(1) All joint Board or Committee meetings required by statutes, Board rule or Board action.

(2) Meetings of Board members with FEMC staff or contractors of FEMC at FEMC's or the Board's request. Any participation or meeting of members noticed or unnoticed will be on file in the Board office.

(3) Where a Board member has been requested by the Secretary of the Department to participate in a meeting.

(4) Probable Cause Panel Meeting.

(5) Any telephone conference calls.

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

(7) All participation in Board authorized meetings with professional associates 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.

(8) Any and all other activities which are Board approved and which are necessary for Board members to attend in order to further protect the public health, safety and welfare, through the regulation of which the Board has statutory authority.

Specific Authority 120.53(1) FS, Ch. 81-302, § 28, Laws of Florida. ■ Law Implemented 120.53(1) FS, Ch. 81-302, § 28, Laws of Florida. ■ History--New 11-2-81, Formerly 21H-18.12, 21H-18.012.

61G15-18.015 Education Advisory Committee.

The Board shall appoint an Educational Advisory Committee which shall be composed of not less than one (1) member of the Board. The committee shall be advised by expert consultants retained by FEMC. Said consultants shall be individuals who have knowledge and experience of curricula of engineering schools and colleges and of national accreditation standards for professional degrees in engineering programs which shall have been gained either as a college faculty member or as a professional engineer. The Educational Advisory Committee shall examine and review applications for examination or licensure by endorsement made to the Board under the provisions of 61G15-20.006, to insure that the engineering curricula and applicants' degree programs meet required standards of accreditation. The Educational Advisory Committee shall make recommendations to the Board as to whether an applicant shall be approved for admittance to the examination or for licensure by endorsement.

Specific Authority 120.53(1) FS. ■ Law Implemented 120.53(1), 471.013 FS. ■ History--New 8-18-87, Amended 2-18-88, Formerly 21H-18.15, 21H-18.015.

CHAPTER 61G15-19 GROUNDS FOR DISCIPLINARY PROCEEDINGS

61G15-19.001 Grounds for Disciplinary Proceedings.

(1) Pursuant to 471.033(2), Florida Statutes, the Board, to the extent not otherwise set forth in Florida Statutes, hereby specifies that the following acts or omissions are grounds for disciplinary proceedings pursuant to 471.033(1)(f), Florida Statutes.

(2) A professional engineer shall not advertise in a false, fraudulent, deceptive or misleading manner. As used in 471.033(1)(f), Florida Statutes, the term "advertising goods or services in a manner which is fraudulent, false, deceptive, or misleading in form or content" shall include without limitation a false, fraudulent, misleading, or deceptive statement or claim which:

(a) contains a material misrepresentation of facts;

(b) omits to state any material fact necessary to make the statement in the light of all circumstances not misleading;

(c) is intended or is likely to create an unjustified expectation;

(d) states or implies that an engineer is a certified specialist in any area outside of his field of expertise;

(e) contains a representation or implication that is likely to cause an ordinary prudent person to misunderstand or be deceived or fails to contain reasonable warnings or disclaimers necessary to make a representation or implication not deceptive;

(f) falsifies or misrepresents the extent of his education, training or experience to any person or to the public at large, tending to establish or imply qualification for selection for engineering employment, advancement, or professional engagement. A professional engineer shall not misrepresent or exaggerate his degree of responsibility in or for the subject matter of prior assignments;
(g) in any brochure or other presentation made to any person or to the public at large, incident to the solicitation of an engineering employment, misrepresents pertinent facts concerning a professional engineer's employer, employees, associates, joint ventures, or his or their past accomplishments with the intent and purpose of enhancing his qualifications and his works.
(3) A professional engineer, corporation or partnership 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 61G15-19.001(2). When an 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 is practicing engineering under a fictitious name, and must 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) A professional engineer shall not be negligent in the practice of engineering. The term negligence set forth in 471.033(1)(g), Florida Statutes, 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.
(5) A professional engineer shall not be incompetent to practice engineering. Incompetence in the practice of engineering as set forth in 471.033(1)(g), Florida Statutes, shall mean the physical or mental incapacity or inability of a professional engineer to perform the duties normally required of the professional engineer.
(6) A professional engineer shall not commit misconduct in the practice of engineering. Misconduct in the practice of engineering as set forth in 471.033(1)(g), Florida Statutes, shall include, but not be limited to:
(a) expressing an opinion publicly on an engineering subject without being informed as to the facts relating thereto and being competent to form a sound opinion thereupon;
(b) being untruthful, deceptive, or misleading in any professional report, statement, or testimony whether or not under oath or omitting relevant and pertinent information from such report, statement or testimony when the result of such omission would or reasonably could lead to a fallacious conclusion on the part of the client, employer or the general public;
(c) performing an engineering assignment when not qualified by training or experience in the practice area involved;
1. All professional engineer asbestos consultants are subject to the provisions of Section 455.301-.309, F.S., Chapter 471, F.S., and Rule 61G15-19, F.A.C., and shall be disciplined as provided therein.
2. The approval of any professional engineer as a "special inspector" under the provisions of Chapter 553, Florida Statutes does not constitute acceptance by the Board that any such professional engineer is in fact qualified by training or experience to perform the duties of a "special inspector" by virtue of training or experience. Any such professional engineer must still be qualified by training or experience to perform such duties and failure to be so qualified could result in discipline under this chapter or Chapter 471;
(d) affixing a signature or seal to any engineering plan or document in a subject matter over which a professional engineer lacks competence because of inadequate training or experience;
(e) offering directly or indirectly any bribe or commission or tendering any gift to obtain selection or preferment for engineering employment with the exception of the payment of the usual commission for securing salaried positions through licensed employment agencies;
(f) becoming involved in a conflict of interest with an employer or client, without the knowledge and approval of the client or employer, but if unavoidable a professional engineer shall immediately take the following actions:
1. Disclose in writing to his employer or client the full circumstances as to a possible conflict of interest; and
2. Assure in writing that the conflict will in no manner influence the professional engineer's judgment or the quality of his services to his employer or client; and
3. Promptly inform his client or employer in writing of any business association, interest or circumstances which may be influencing his judgment or the quality of his services to his client or employer;
(g) soliciting or accepting financial or other valuable considerations from material or equipment suppliers for specifying their products without the written consent to the engineer's employer or client;

(h) soliciting or accepting gratuities directly or indirectly from contractors, their agents or other parties dealing with the professional engineer's client or employer in connection with work for which the professional engineer is responsible without the written consent of the engineer's employer or client;
(i) use by a professional engineer of his engineering expertise and/or his professional engineering statutes to commit a felony;
(j) affixing his seal and/or signature to plans, specifications, drawings, or other documents required to be sealed pursuant to 471.025(1), Florida Statutes, when such document has not been personally prepared by the engineer or prepared under his responsible supervision, direction and control;
(k) a professional engineer shall not knowingly associate with or permit the use of his name or firm name in a business venture by any person or firm which he knows or has reason to believe is engaging in business or professional practices of a fraudulent or dishonest nature;
(l) if his engineering judgment is overruled by an unqualified lay authority with the results that the public health and safety is threatened, failure by a professional engineer to inform his employer, responsible supervision and the responsible public authority of the possible circumstances;
(m) if a professional engineer has knowledge or reason to believe that any person or firm is guilty of violating any of the provisions of Chapter 471, Florida Statutes, or any of these rules of professional conduct, failure to immediately present this information to FEMC;
(n) violation of any law of the State of Florida directly regulating the practice of engineering;
(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;
(p) making any statement, criticism or argument on engineering matters which is inspired or paid for by interested parties, unless the professional engineer specifically identifies the interested parties on whose behalf he is speaking, and reveals any interest he or the interested parties have in such matters;
(q) sealing and signing all documents for an entire engineering project, unless each design segment is signed and sealed by the professional engineer in responsible charge of the preparation of that design segment;
(r) revealing facts, data or information obtained in a professional capacity without the prior consent of the professional engineer's client or employer except as authorized or required by law.
(7) A professional engineer who performs building code inspector or plans examiner duties in accordance with Section 471.045, Florida Statutes, or Sections 468.603(6),(7), Florida Statutes, shall be subject to disciplinary action for commission of the following:
(a) Violating or failing to comply with any provision of Chapter 471, Florida Statutes, or the rules of the Board of Professional Engineers;
(b) Having been convicted of a crime in any jurisdiction which directly relates to the practice of building code inspection or plans examination;
(c) Making or filing a false report or record, inducing another to file a false report or record, failing to file a report or record required by state or local law, impeding or obstructing such filing, or inducing another person to impede or obstruct such filing.
(8) A professional engineer shall not be negligent in the practice of engineering while performing duties as a special inspector. Negligence 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 and special inspection principles. Failure to comply with the procedures set forth in the Responsibility Rules for Professional Engineers Providing Threshold Building Inspection, as adopted by the Board of Professional Engineers, shall be considered 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 engineer.
Specific Authority 471.033(2) FS. ■ Law Implemented 471.025(1), 471.033(1)(f), (g), (2) FS. ■ History--New 1-8-80, Amended 6-23-80, 3-23-81, 6-4-85, Formerly 21H-19.01, Amended 5-14-86, 4-23-87, 11-8-88, 1-11-89, 7-3-90, 11-9-92, Formerly 21H-19.001, Amended 11-27-94. Amended 5-20-02.

61G15-19.002 Payments of Fine.
All fines imposed by the Board for violations of Section 471.033, F.S., shall be paid within a period of thirty (30) days from the date of the final order entered by the Board. This time limit may be modified by the Board at its discretion in order to prevent undue hardship to the public.
Specific Authority 455.227(2) FS. ■ Law Implemented 455.227(2), 471.033(3)(c) FS. ■ History--New 8-19-80, Formerly 21H-19.02, 21H-19.002.

61G15-19.003 Purpose.
To comply with the purpose of Chapter 471 which is to safeguard life, health, and property to promote the public welfare and to maintain a high standard of integrity and practice, the Board of Professional Engineers has developed Grounds for Disciplinary Proceeding. These rules shall be binding on every person holding a license to offer or perform engineering services in this State. All persons registered under Chapter 471 are required to be familiar with Chapter 471 and the rules promulgated thereto. The Grounds for Disciplinary Proceedings delineate specific obligations which must be met by a professional engineer.
Specific Authority 471.033(2), 120.53(1) FS. ■ Law Implemented 471.001, 471.033 FS. ■ History--New 5-14-86, Formerly 21H-19.003.

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 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:

VIOLATION	**PENALTY RANGE**	
	MINIMUM	**MAXIMUM**
(a) Failure to date plans (471.025(1), F.S.)	Reprimand	Reprimand and one (1) year probation
(b) Signing or sealing work not competent to perform (455.227(1)(o), F.S.) (471.025(3), F.S.) (Rule 61G15-19.001(6)(c),(d))	Reprimand and $1,000 fine and (1) year probation	Reprimand, $5,000 fine, one (1) year suspension and two (2) year probation
(c) "Plan stamping" (471.033(1)(j), F.S.) (Rule 61G15-19.001(6)(j), (q))	Reprimand, one (1) year probation and $1,000 fine	Reprimand, $5,000 fine, one (1) year suspension and two (2) year probation
(d) Violating a Final Order of the Board (455.227(1)(q), F.S.) (471.033(1)(k), F.S.) (Rule 61G15-19.001(6)(o))	Suspension and $1,000 fine	Revocation and $5,000 fine
(e) Attempting to procure or procuring a license by bribery or fraudulent misrepresentation (455.227(1)(h), F.S.) (471.033(1)(b), F.S.)	Revocation and $1,000 fine if licensed (denial of license and refer to State Attorney if not licensed)	
(f) License disciplined by another jurisdiction (455.227(1)(f), F.S.) (471.033(1)(c), F.S.)	Same penalty as imposed in other jurisdiction or as closely as possible to penalties set forth in Florida Statutes	
(g) Criminal Conviction relating to engineering (455.227(1)(c), F.S.) (471.033(1)(d), F.S.) (Rule 61G15-19.001(6)(i))	Misdemeanor: Reprimand & one (1) year probation Felony: Revocation and $1,000 fine	Reprimand $5,000 fine, one (1) year suspension and two (2) year probation
(h) Practice on inactive license (455.227(1)(q), F.S, (471.033(1)(i), F.S.)	Fine based on length of time in practice while inactive; $100/month or $1,000 maximum (penalty will require licensee to renew license or cease practice)	
(i) Practice on suspended license (455.227(1)(q), F.S.), (471.033(1)(i), F.S.)	Revocation and $1,000 fine	
(j) Practice on revoked license (455.227(1)(q), F.S.), (471.033(1)(i), F.S.)	Refer to State Attorney for criminal prosecution	
(k) Knowingly making or filing false report (455.227(1)(l), F.S.) (471.033(1)(e), F.S.) (Rule 61G15-19.001(6)(b))	One (1) year suspension, two (2) year probation and $1,000 fine	Revocation and $5,000 fine
(l) Fraudulent, false, deceptive, or misleading advertising (455.227(1)(a), F.S.), (471.033(1)(f), F.S.) (Rule 61G15-19.001(2))	Reprimand	Reprimand, one (1) year probation and $5,000 fine
(m) Negligence (455.227(1)(q), F.S.) (471.033(1)(g), F.S.)	Reprimand, two (2) year probation and $1,000 fine	Reprimand, $5,000 fine, five (5) year suspension and ten (10) year probation
(n) Fraud or deceit (455.227(a),(m), F.S.) (471.033(1)(g), F.S.)	Reprimand, one (1) year suspension, two (2) year probation and $1,000 fine	$5,000 fine and revocation
(o) Misconduct 1. Soliciting or accepting gratuities without client knowledge: (455.227(1)(q), F.S.) (471.033(1)(g), F.S.) (Rule 61G15-19.001(6)(g),(h))	Reprimand, one (1) year probation and $1,000 fine	Reprimand, one (1) year suspension, two (2) year probation and $5,000 fine

VIOLATION	PENALTY RANGE	
	MINIMUM	**MAXIMUM**
2. Failure to preserve client's confidence (455.227(1)(q), F.S.) (Rule 61G15-19.001(6)(r))	Reprimand, one (1) year probation and $1,000 fine	Reprimand, one (1) year suspension and two (2) year probation (if pecuniary benefit accrues to engineer)
3. Professional judgment is overruled by unqualified person: (455.227(1)(q), FS.) (Rule 61G15-19.001(6)(i))	Reprimand, one (1) year probation and $1,000 fine	Reprimand, one (1) year suspension, two (2) year probation and $5,000 fine
4. Use of name/firm in fraudulent venture (455.227(1)(q), F.S.) (Rule 61G15-19.001(6)(k)	Reprimand, one (1) year probation and $1,000 fine	Reprimand, $5,000 fine, one (1) year suspension and two (2) year probation
(p) Incompetence (mental or physical impairment) (455.227(1)(q), F.S (Rule 61G15-19.001(5))	Suspension until ability to practice proved followed by probation	
(q) Undisclosed conflict of interest (455.227(1)(q), F.S.) (Rule 61G15-19.001(6)(f),(p))	Reprimand, $1,000 fine, and two (2) year probation	Revocation and $5,000 fine
(r) Firm practicing without certificate of authorization (455.227(1)(q), F.S.) (471.023, F.S.)	Reprimand	
(s) Violation of any provision of Chapter 61G15, F.A.C. Chapter 471, F.S. (455.227, F.S.) (471.033,(1)(a), F.S.)	Reprimand, $1,000 fine, two (2) year probation	One (1) year suspension, and $5,000 fine
(t) Conviction of crime related to building code inspection or plans examination (61G15-19.001(7)(a))	Misdemeanor: reprimand & one (1) year probation Felony: revocation & $500 fine	Reprimand, $5,000 fine, one (1) year suspension and two (2) year probation
(u) False Reporting (61G15-19.001(7)(c))	One (1) year suspension, two (2) year probation and $1,000 fine	Revocation and $5,000 fine
(v) Negligence as a Special Investigator (61G15-19.001(8))	Reprimand, two (2) year probation and $1,000 fine	Reprimand, $5,000 fine, five (5) year suspension and ten (10) year probation, or revocation

(3) The board shall be entitled to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the board prior to the imposition of a final penalty. The fact that a Hearing Officer of the Division of Administrative Hearings may or may not have been aware of the below mentioned aggravating or mitigating circumstances prior to a recommendation of penalty in a Recommended Order shall not obviate the duty of the board to consider aggravating and mitigating circumstances brought to its attention prior to the issuance of a Final Order.

(a) Aggravating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the enhancement of a penalty beyond the maximum level of discipline in the guidelines shall include but not be limited to the following:

1. History of previous violations of the practice act and the rules promulgated thereto.
2. In the case of negligence; of the magnitude and scope of the project and the damage inflicted upon the general public by the licensee's misfeasance.
3. Evidence of violation of professional practice acts in other jurisdictions wherein the licensee has been disciplined by the appropriate regulatory authority.
4. Violation of the provision of the practice act wherein a letter of guidance as provided in F.S. 455.225(3) has previously been issued to the licensee.

(b) Mitigating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the lessening of a penalty beyond the minimum level of discipline in the guidelines shall include but not be limited to the following:

1. In cases of negligence, the minor nature of the project in question and lack of danger to the public health, safety and welfare resulting from the licensee's misfeasance.
2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices his profession.

3. Restitution of any damages suffered by the licensee's client.
4. The licensee's professional standing among his peers including continuing education.
5. Steps taken by the licensee or his firm to insure the non-occurrence of similar violations in the future.
Specific Authority 455.227, 471.008, 471.031, 471.033 FS. ■ Law Implemented 455.227, 471.031, 471.033 FS. ■ History--New 1-7-87, Formerly 21H-19.004, Amended 11-27-94, 5-22-2001, 11-15-01, 5-20-02

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) Failure to date documents when affixing signature and seal.
(b) Practice with an inactive or delinquent license less than one month.
(c) Firm practicing without a current certificate of authorization less than one month.
(2) A second offense shall result in issuance of a citation pursuant to Rule 61G15-19.0071.
Specific Authority 455.225 FS. ■ Law Implemented 455.224 FS. ■ History—New 4-2-00

61G15-19.006 Mediation
Pursuant to §455.2235, the Board designates the following areas as appropriate for mediation for a first offense:
(1) Practice with an improper seal (See Rule 61G15-23.001, F.A.C.)
(2) Failure to date documents when affixing signature and seal.
Specific Authority 455.2235 FS. ■ Law Implemented 455.2235 FS. ■ History—New 2-20-95, Amended 10-20-96, 4-2-00.

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 certificate holder for the purpose of assessing a penalty in an amount established by this rule.
(2) In lieu of the disciplinary procedures outlined in Section 455.225, F.S., FEMC is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint that is the basis for the citation. If a violation for which a citation may be issued is discovered during the course of an investigation for an unrelated violation, the citation must be issued within 6 months from the discovery of the violation and filing of the uniform complaint form by the investigator.
(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 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) Practice with an inactive or delinquent license 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 471.033(1)(i), F.S.)
(c) Firm practicing without 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) Failure to notify the Board of a change in the principal officer of the corporation or partner in a partnership who is the qualifying professional engineer for said corporation or partnership within one month of said change. The fine shall be $500. (See Section 471.023(4), F.S.)
(4) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a final order of the Board of Professional Engineers. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. Failure to pay the fine and costs within the prescribed time period constitutes a violation of Section 471.033(1)(k), F.S., which will result in further disciplinary action. All fines and costs are to be made payable to "Florida Engineers Management Corporation – Citation."
(5) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected.
(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of Chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 61G15-19.004, F.A.C.
(7) Subsequent violation(s) of the same rule or statute shall require the procedure of Section 455.225, F.S., to be followed. In addition, should the offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section 455.255, F.S. shall apply.
Specific Authority 455.224, 455.225 FS ■ Law Implemented 455.224, 455.227, 471.023, 471.033 FS ■ History—New 4-2-00. Amended 9-26-05

61G15-19.008 Confidentiality of Investigations
In accordance with Section 455.225, investigation records are confidential until an investigation ceases to be active. An investigation ceases to be active when the case is dismissed prior to a finding of probable cause and the board has not

exercised its option to pursue the case, or ten (10) days after the Board makes a determination regarding probable cause. However, in accordance with Section 471.038(6), Florida Statutes, in response to an inquiry about the licensure status of an individual, the management corporation shall disclose the existence of an active investigation if the nature of the violation under investigation involves the potential for substantial physical or financial harm to the public. The following violations have been deemed to involve the potential for substantial physical or financial harm to the public: Negligence, as defined in Rule 61G15-19.001(4), or misconduct, as defined in Rule 61G15-19.001(6), Florida Administrative Code, involving threshold buildings as defined in Section 553.71(7), Florida Statutes.
Specific Authority 471.038(6) FS. ■ Law Implemented 471.038(6) FS. ■ History–New 5-20-02

CHAPTER 61G15-20 APPLICATION FOR LICENSURE, EDUCATION REQUIREMENTS, AND EXPERIENCE

61G15-20.001 Definitions.
As used hereinafter in this chapter the following words or phrases shall be defined as follows:
(1) "Year" shall mean 12 months of full-time employment or a full-time academic year of graduate or undergraduate college education.
(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), programs approved by ABET as substantially equivalent to EAC/ABET accredited programs in the United States approved by the Board of Professional Engineers as substantially equivalent to an EAC/ABET accredited engineering program pursuant to Rule 61G15-20.007, F.A.C., or
(b) In the case of an applicant who did not graduate from an approved program as set forth in paragraph (2)(a) above, and who holds a post-baccalaureate degree from a school or college in the United States which has an EAC/ABET accredited engineering program in a related discipline at the baccalaureate level, provided the applicant can articulate a baccalaureate in engineering by demonstrating substantial equivalency to an EAC/ABET accredited program pursuant to Subsection 61G15-20.007(2), F.A.C., or
(c) Programs which have been approved by the Board of Professional Engineers under the provisions of F.S. 455.11(3).
Specific Authority 471.013(1)(a) FS. ■ Law Implemented 471.013(1)(a) FS. ■ History--New 1-8-80, Amended 4-15-80, 7-7-83, 9-13-83, Formerly 21H-20.01, Amended 4-20-86, 8-3-86, 5-20-92, 2-2-93, Formerly 21H-20.001, Amended 11-19-03, 3-13-05.

61G15-20.0010 Application for Licensure by Examination.
(1) Any person desiring to be licensed as a professional engineer shall submit a completed application to the Board. The instructions and application Form FBPE/001(06-01), entitled, “Application For Licensure By Examination”, which is hereby incorporated by reference, effective 9-27-01, copies of which may be obtained from the Board office. 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, and who have demonstrated to the Board that they:
(a) Are graduates of a “Board approved engineering program” as defined by rule 61G15-20.001(2), and
(b) Have four (4) years of acceptable engineering experience as defined by rule 61G15-20.002.
(2) Any person desiring to take an examination for the purpose of determining whether he or she is qualified to practice as an engineering intern in this state shall submit a completed application to the Board. There are two engineer intern applications from which to choose, the instructions and application Form FBPE/003(06-01), entitled, “Application For Engineer Intern, which is hereby incorporated by reference, effective 9-27-01, copies of which may be obtained from the Board office, or the instructions and application Form FBPE/004(06-01), entitled, “Application For Foreign Engineer Intern”, which is hereby incorporated by reference, effective September 27, 2001, copies of which may be obtained from the Board office. The Board shall certify as eligible to take the Fundamentals examination only those applicants who have completed the application form, remitted the application and examination fee required by Chapter 61G15-24 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 rule 61G15-20.001(2), F.A.C.
Specific Authority 471.008, 471.013, 471.015 FS. ■ Law Implemented 471.013, 471.015 FS. ■ History–New 9-27-01, Amended 11-19-03.

61G15-20.0015 Application for Licensure by Endorsement.
(1) Any person desiring to be licensed as a professional engineer by endorsement shall submit a completed application form to the Board. The instructions and application Form FBPE/002(06-01), entitled “Application For Licensure By

Endorsement", which is hereby incorporated herein by reference, effective 9-27-01, copies of which may be obtained from the Board office. 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, and who have demonstrated to the Board that:
(a) The applicant meets the current criteria listed in Section 471.013, F.S. (the burden of proving the equivalency of any examination shall rest with the applicant); or
(b) The applicant holds a valid license to practice engineering issued by another state or territory of the United States, provided that the criteria for issuing the license was substantially the same as the licensure criteria which existed in Florida at the time the license was issued.
(2) If an applicant for licensure by endorsement satisfies any one of the conditions found in Section 471.015(5)(a)1., 2., or 3., 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) An applicant for licensure by endorsement who has taken either the fundamentals or the principles and practice examinations more than five (5) times after October 1, 1992 must document compliance with rule 61G15-21.007(2), F.A.C., as a condition of eligibility for licensure by endorsement.
(4) An applicant for licensure by endorsement whose only educational deficiency under rule 61G15-20.007(2) involves humanities and social sciences and who has held a valid license and practiced in another state or territory of the United States for two (2) years or more shall be deemed to have satisfied that requirement.
(5) An applicant for licensure by endorsement who previously held licensure in the State of Florida and whose license became null and void because of non-renewal must establish that he or she meets all current requirements for initial licensure. 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 null and void.
Specific Authority 471.008, 471.013, 471.015 FS. ■ Law Implemented 471.013, 471.015 FS. ■ History–New 9-27-01

61G15-20.0016 Laws and Rules Examination.
All applicants for licensure shall successfully complete an examination in the Laws and Rules applicable to the practice of engineering in Florida as a condition of licensure. The Board hereby designates the "Laws and Rules Study Guide and Questionnaire" as the examination. A copy of said examination shall be provided to every applicant free of charge, and each applicant shall complete and submit said examination to the Board office. The examination shall consist of multiple choice questions concerning Chapter 471, Florida Statutes and Rule Chapter 61G15, Florida Administrative Code. A passing score of 90% or more is required.
Specific Authority 455.217(7) F.S. ■ Law Implemented 455.217(7) FS. ■ History – New 2-11-01

61G15-20.0017 Application for Retired Status.
(1) A person wishing to apply for Retired Status shall submit a completed application to the Board. The instructions and application Form FBPE/005(06-01), entitled "Application For Retired Status", which is incorporated by reference, effective 9-27-01, copies of which may be obtained from the Board office. The Board shall certify as eligible for Retired Status any applicant who has completed the application form and who has chosen to relinquish or not to renew his or her license.
(2) Engineers who have been approved for Retired Status shall be carried on the records of the Board as "P.E., Retired."
(3) Engineers on Retired Status may use the term "Professional Engineer, Retired" or "P.E., Retired;" however, such engineer shall refrain from the active practice of engineering and the use of his or her seal. Any engineer in Retired Status who wishes to become active shall make application for licensure and meet the licensure criteria in effect at the time of application.
Specific Authority 471.008, 471.013, 471.015 FS. ■ Law Implemented 471.005(10), 471.013, 471.015, 471.017(3) FS. ■ History–New 9-27-01

61G15-20.002 Experience.
(1)(a) In order to meet the prerequisites for entry into the engineering examination, an applicant is required to have four years of acceptable experience in engineering at the time of application and four years of acceptable educational qualifications. In determining whether an applicant's experience background is sufficient to meet the requirements set forth in subsection 471.013(1)(a)1. and 2., Florida Statutes, 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 subsection 471.005(7). 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. The acquisition of acceptable engineering experience should logically follow and constitute an application of the engineering education previously obtained.

2. Engineering experience obtained prior to the completion of the engineering degree is usually of a subprofessional nature. Such experience, if deemed acceptable and properly verified, may be awarded experience credit at 25% of the actual time. If the experience is obtained after the completion of a substantial number of engineering design courses, and involves matters of average or above average complexity, experience credit may be awarded at up to 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 basis. 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 part-time pursuit of a masters or doctorate degree while obtaining full-time work experience.
4. Experience must be progressive on engineering projects to indicate that it is of increasing quality and requiring greater responsibility.
5. Experience must not be obtained in violation of the licensure act.
6. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the applicant while in the armed services served in an engineering or engineering-related group.
7. Experience should be gained under the supervision of a licensed professional engineer or, if not, an explanation should be made showing why the experience should be considered acceptable.
8. For sales experience to be creditable, it must be demonstrated that engineering principles were required and used in gaining the experience.
9. Teaching experience, to be creditable, must be in engineering or engineering-related courses at an advanced level in a college or university offering an engineering program of four years or more that is approved by the board.
10. Experience gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.
11. Experience may not be anticipated. The experience must have been gained by the time of the application.
12. Experience in construction, to be creditable, must demonstrate the application of engineering principles.
13. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.
14. Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.
(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 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 masters degree in engineering from a college or university from a Board approved engineering program as defined in Rule 61G15-20.001(2), F.A.C. The Board will also accept as equivalent to one year's experience a doctorate in engineering from a college or university from a Board approved engineering program as defined in Rule 61G15-20.001(2), F.A.C.
Specific Authority 471.013(1)(a) FS. ■ Law Implemented 471.005(7), 471.013(1)(a) FS. ■ History--New 1-8-80, Amended 3-11-80, 6-23-80, 7-7-83, 9-13-84, Formerly 21H-20.01, Amended 8-18-87, 12-4-91, Formerly 21H-20.002, Amended 12-26-94. Amended 5-20-02, 4-5-04.

61G15-20.005 Rules Governing Candidates Qualifying Under the Provisions of 471.013(1)(a)3., F.S.
(1) The rules governing approval of candidates qualifying under Section 471.013(1)(a)3., F.S., shall be those rules of the Board of Professional Engineers in effect as of April 1, 1984.
(2) Compliance with the above does not indicate automatic acceptance for examination, nor does it exempt said applicant from meeting the criteria set forth in Sections 471.001 through 471.045, Florida Statutes, and Chapter 61G15, F.A.C. Each application filed will be reviewed and acted upon by the Board of Engineers on an individual basis.
Specific Authority 471.008 FS. ■ Law Implemented 471.013(1)(a)3. FS. ■ History--New 10-25-84, Formerly 21H-20.05, 21H-20.005, Amended 10-19-97, 11-19-03.

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 based upon:
(a) An overview of engineering programs within the United States accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., (ABET), and (b) An evaluation of such programs and schools, following the definition of the practice of engineering set forth in Section 471.005(6), F.S.
(2) This rule shall not apply to Board approved engineering programs or where ABET accreditation is available to a school or college of engineering.

(3) Acceptable curricula requirements and degree programs shall conform to the criteria for accrediting engineering programs set forth by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., (ABET) and found in the applicable Annual Report of ABET.
(4) The evaluation of the applicant's transcript and degree program shall include a determination of whether such a transcript and degree program is comparable to the above-mentioned model by the Education Advisory Committee as defined in Rule 61G15-18.015.
(5) In order to verify the applicant's curriculum and engineering program the Board may require evidence from the applicant's institution(s) at the cost of the applicant as to the areas mentioned in 61G15-20.006(3), including when the information necessary for the evaluation set forth in (4) above is not available, a site visit by Educational Advisory Committee of the Board at the expense of the applicant.
Specific Authority 471.013(1)(a)3. FS. ■ Law Implemented 471.013(1)(a)3., 471.005(6) FS. ■ History--New 8-18-87, Formerly 21H-20.006, Amended 12-26-94.

61G15-20.007 Foreign Degrees.
(1) Applicants having degrees from foreign institutions shall be required to document "substantial equivalency" to the 2002 ABET Accreditation Yearbook for Accreditation Cycle Ended Sept. 30, 2002 engineering criteria. This document is hereby incorporated by reference.
(2) In order to document "substantial equivalency" to an ABET accredited engineering program, the applicant must demonstrate:
(a) 32 college credit hours of higher mathematics and basic sciences. The hours of mathematics must be beyond algebra and trigonometry and must emphasize mathematical concepts and principles rather than computation. Courses in probability and statistics, differential calculus, integral calculus, and differential equations are required. Additional courses may include linear algebra, numerical analysis, and advanced calculus. As for the hours in basic sciences, courses in the general chemistry and calculus-based general physics are required, with at least a two semester (or equivalent) sequence of study in either area. Additional basic sciences courses may include life sciences (biology), earth sciences (geology), and advanced chemistry or physics. Computer skills and/or programming courses cannot be used to satisfy mathematics or basic science requirements.
(b) 16 college credit hours in humanities and social sciences. Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, and no more than 6 credit hours of languages other than English or other than the applicant's native language. Courses in technology and human affairs, history of technology, professional ethics and social responsibility are also acceptable. Courses such as accounting, industrial management, finance, personnel administration, engineering economics and military training are not acceptable. Courses which instill cultural values are acceptable, while routine exercises of personal craft are not.
(c) 48 college credit hours of engineering science and engineering design. Courses in this area have their roots in mathematics and basic sciences but carry knowledge further toward creative application. Examples of traditional engineering science courses are mechanics, thermodynamics, electrical and electronic circuits, materials science, transport phenomena, 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. In order to promote breadth, at least one engineering course outside the major disciplinary area is required.
(d) In addition, evidence of attainment of appropriate laboratory experience, competency in English, and understanding of the ethical, social, economic and safety considerations of engineering practice must be presented. As for competency in English, 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 in the paper-based version, or 213 in the computer-based version, will be accepted as satisfactory evidence.
(3) The FBPE Educational Advisory Committee shall make the final decision regarding equivalency of programs 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.
(4) The applicant must request an evaluation of substantial equivalency of his or her credentials to ABET standards through Engineering Credentials Evaluation International, 111 Market Place, #171, Baltimore, Maryland 21202; Foreign Credentials Service of America, 1910 Justin Lane, Austin, Texas 78757-2411; or Josef Silny & Associates, Inc., P.O. Box 248233, Coral Gables, Florida 33124.
(5) Any applicant whose only educational deficiency under paragraph (2) involves humanities and social sciences shall be entitled to receive conditional approval to take the Fundamentals examination. Such an applicant shall not become eligible for the Principles and Practice examination until satisfactory completion and documentation of the necessary hours in humanities and social sciences as provided in paragraph (2), or completion and documentation of a post baccalaureate degree in engineering as provided in paragraph (8).
Specific Authority 471.003 FS. ■ Law Implemented 471.003 FS. ■ History--New 7-20-95, Amended 6-5-96, 4-16-98, Amended 1-17-99. Amended 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-15-04, 3-13-05, 5-1-05.

CHAPTER 61G15-21 EXAMINATIONS

61G15-21.001 Written Examination Designated; General Requirements.

(1) The Florida Board of Engineers hereby determines that a written examination shall be given and passed prior to any applicant receiving a license to practice as a professional engineer, or as an engineer intern in the State of Florida except as provided in 471.015, Florida Statutes. The examination shall be provided by the National Council of Examiners for Engineers and Surveyors (NCEES). The examination consists of two parts, each of eight hours. The engineer intern examination is defined to be Part One of the written examination provided by the NCEES. Candidates are permitted to bring certain reference materials and calculators. A list of approved reference materials and calculators will be provided to all candidates prior to each examination. National examination security requirements as set forth by the NCEES shall be followed throughout the administration of the examination.

(2) Applicants for licensure by examination must be graduates of a Board-approved engineering program as defined in Rule 61G15-20.001, F.A.C. Acceptance into the engineering intern examination, either in Florida or elsewhere, does not indicate automatic acceptance for the professional engineers examination, nor does it exempt said applicant from meeting the criteria set forth in Chapter 471, F.S., and Chapter 21H, F.A.C.

Specific Authority 455.217(1) FS. ■ Law Implemented 471.015, 455.217(1) FS. ■ History--New 1-8-80, Formerly 21H-21.01, Amended 10-5-92, Formerly 21H-21.001, Amended 11-15-94, 10-14-02, 3-9-04, 2-3-05.

61G15-21.004 Passing Grade.

(1) The passing grade for the Engineering Fundamentals Examination is 70 or better.

(2) The passing grade for the Principles and Practice Examination is 70 or better.

Specific Authority 455.217(1)(c), 471.013 FS. ■ Law Implemented 455.217(1)(c), 471.03 FS. ■ History--New 1-8-80, Amended 3-23-81, 8-25-81, 2-21-84, 1-20-85, Formerly 21H-21.04, 21H-21.004. Amended 3-9-04.

61G15-21.007 Re-examination.

If an applicant fails three times to pass the examination, the applicant must take additional courses in order to reapply for examination. The applicant must submit to the Board of Professional Engineers transcripts for the enrollment and completion of twelve (12) college credit hours of college level courses in the applicant's area of deficiency. For applicants to take Part I of the engineer examination, such additional courses shall be undergraduate college courses in higher mathematics, basic sciences or engineering as described in Rule 61G15-20.007(2)(a), (b), and (d), F.A.C. For applicants to take Part II of the engineer examination, such additional courses shall be upper level or higher courses in engineering, as defined in Rule 61G15-20.007(2)(d), F.A.C.

Specific Authority 455.217(2) FS. ■ Law Implemented 455.217(2), 471.011 FS. ■ History--New 1-8-80, Amended 8-25-81, Formerly 21H-21.07, 21H-21.007, Amended 2-14-95. Amended 5-22-01, 12-10-02, 2-3-05.

61G15-21.009 Endorsement.

(1) An applicant shall be qualified for licensure by endorsement if:

(a) The applicant meets the current criteria listed in §471.013, F.S., and has passed a United States national, regional, state, territorial, or foreign national licensing examination that is substantially equivalent to the engineering fundamentals and the principles and practice examinations described in Rule 61G15-21.002, F.A.C. (the burden of proving such equivalency shall rest with the applicant); or

(b) The applicant holds a valid license to practice engineering issued by another state or territory of the United States, provided that the criteria for issuing the license was substantially the same as the licensure criteria which existed in Florida at the time the license was issued. If, at the time the applicant was licensed by the other jurisdiction, the applicant's qualifications would have rendered him or her eligible for licensure in Florida, the applicant is qualified for licensure by endorsement.

(2) The Board shall deem that an applicant for licensure by endorsement has passed the engineering fundamentals and principles and practice examinations consistent with the provisions of §471.015(5), F.S.

(3) An applicant for licensure by endorsement who has taken either the fundamentals or the principles and practice examinations more than five (5) times after October 1, 1992 must document compliance with Rule 61G15-21.007(2), F.A.C. as a condition of eligibility for licensure by endorsement.

Specific Authority: 471.008 FS ■ Law Implemented: 471.015(3), (5) FS ■ History - New 8-23-98

61G15-22 LICENSE RENEWAL, CONTINUING EDUCATION

61G15-22.002 Definitions.
61G15-22.003 Qualifying Activities for Area of Practice Requirement.
61G15-22.004 Conversion of Education Units to PDH.
61G15-22.005 Non-Qualifying Activities.
61G15-22.006 Demonstrating Compliance.
61G15-22.007 Noncompliance.
61G15-22.008 Record keeping.
61G15-22.009 Exemptions.
61G15-22.010 Continuing Education Courses in Laws and Rules.
61G15-22.011 Board Approval of Continuing Education Providers.
61G15-22.012 Obligations of Continuing Education Providers.
61G15-22.013 Evaluation of Providers.
61G15-22.014 Duration of Provider Status.

61G15-22.0001 Renewal of Active Licenses
To renew an active license, the licensee must remit to FEMC the biennial renewal licensure fee for active licenses, and a statement certifying that the licensee has completed the eight (8) hours of approved continuing education which were required during the last biennium.
Specific Authority: 471.017(2), FS. ■ Law Implemented: 471.017(2), FS ■ History— New 8-1-02.

61G15-22.0002 Renewal of Inactive Licenses
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, Florida Statutes, since the date on which the license was first placed on inactive status.
Specific Authority: 471.017(2), FS ■ Law Implemented: 471.017(2), FS ■ History— New 8-1-02

61G15-22.0003 Exemption from Renewal Requirements for Spouses of Members of the Armed Forces of the United States.
Spouses of members of the Armed Forces of the United States are exempt from licensure renewal provisions, but only in cases of absence from the state because of their spouses' duties with the Armed Forces. Copies of the military orders requiring the change in duty station must be sent to the Board office in order to qualify for the exemption. Upon receipt of the military orders by the Board office confirming exemption eligibility, the spouse's license will be placed on inactive status with no fee required. Reactivation of the inactive license will not require payment of the fee set forth in Rule 61G15-24.001(2)(m), F.A.C. The license will remain in inactive status for up to two renewal cycles at which time the licensee must either renew this exemption, before expiration, by submitting a current set of orders establishing eligibility for the exemption or reactivate the license. The licensee may reactivate the license by submitting an application for change of status from inactive to active and will not be required to pay the fee set forth in Rule 61G15-24.001(2)(l), F.A.C., nor be required to comply with any rules setting conditions for reactivation of licensure, including continuing education requirements imposed by s. 455.27(10), F.S. If a license is not reactivated nor the exemption renewed by the expiration date, the license shall become delinquent. Reactivation of the delinquent license will not require payment of the fee set forth in Rule 61G15-24.001(2)(f), F.A.C.
Specific Authority: 455.02(2), FS. ■ Law Implemented: 455.02(2), FS ■ History – New 6-8-03

61G15-22.001 Continuing Education Requirements
(1) Each licensee shall complete eight professional development hours during each license renewal biennium as a condition of license renewal. Four hours shall relate to the licensee's area(s) of practice and four hours shall relate to Chapter 471, F.S. and the rules of the Board, Chapter 61G15, F.A.C.
(2) There shall be no carryover of hours permitted from one licensure renewal biennium to the next.
(3) A license that has been inactive for more than one year may be reactivated upon application to FEMC and demonstration to the Board by the licensee of having completed twelve hours of engineering related education per inactive year, or portion thereof, in excess of one year. The education shall be related to the licensee's area of practice. In addition, the licensee shall have completed four hours of education that shall involve the law and rules governing the practice of engineering in a course approved by the Board. Licensees who can demonstrate that they have continued the active practice of engineering during the inactive period, either through an active license to practice in another state or through practice in an exempt setting during that period, shall only be required to comply with the laws and rules requirement.
Specific Authority: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, FS. ■ Law Implemented: 415.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, FS. ■ History– New 8-19-80, Formerly 22H-22.01, Amended 5-14-86, Formerly 21H-22.001, Amended 6-122-99, 6-13-00, 2-22-01, 9-16-01.

61G15-22.002 Definitions.
(1) Area of Practice: An engineering discipline for which a Principles and Practice of Engineering examination is offered by the National Council for Examiners of Engineering and Surveying (NCEES).

(2) Professional Development Hour (PDH): A time measurement requiring a minimum of 50 minutes instruction or presentation per hour. The PDH is the common denominator for other units of credit.
(3) Continuing Education Unit (CEU): Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 hours of class in an approved continuing education course.
(4) College/Unit Semester/Quarter Hour: Credit for course in ABET-approved programs or other related engineering college course.
(5) Course/Activity: Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of practice.
(6) Commercial educator: An individual or business organization trained in teaching and offering education courses for a profit.
Specific Authority: 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, F.S. ■ History–New 9-16-01. Amended 8-1-02, 7-30-03.

61G15-22.003 Qualifying Activities for Area of Practice Requirement
(1) Successful completion of college courses.
(2) Successful completion of continuing education courses, successful completion of correspondence, televised, Internet, videotaped, and other short courses/tutorials or attending seminars, workshops, or professional and technical presentations at meetings, conventions or conferences presented/sponsored by a provider approved under Rule 61G15-22.011, FAC.
(3) Teaching or instructing in (1) or (2) above. However, teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty.
(4) Authoring published papers, articles, books, or accepted licensee examination items for NCEES.
(5) Patents.
(6) Active participation in professional or technical societies. Civic or trade organizations do not qualify under this provision. Credit for this activity requires that the licensee serve as an officer of the organization. PDH credits are not earned until the end of each year of completed service.
(7) Courses taken to satisfy continuing education requirements for P.E. licensure in other states may be used to satisfy the PDH area of practice requirements, if the courses are otherwise in compliance with these rules.
Specific Authority: 455.213(6), 455.2177, 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.004 Conversion of Education units to PDH:
(1) One (1) college or unit semester hour credit is equal to 15 PDH.
(2) One (1) college or unit quarter hour credit is equal to 10 PDH.
(3) One (1) continuing education unit is equal to 10 PDH.
(4) One (1) contact hour of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions, or conferences is equal to 1 PDH or, if teaching, 2 PDH.
(5) Each published paper, article, or book is equal to 10 PDH.
(6) Authoring accepted licensee examination items for NCEES is equal to 2 PDH.
(7) Each patent is equal to 10 PDH.
(8) Active participation in professional and technical societies as described in Rule 61G15-22.003(6). Each hour of participation is equal to 1 PDH, with a maximum credit of 2 PDH for each organization.
Specific Authority: 455.213(6), 455.2178, 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.005 Non-Qualifying Activities.
Activities that do not qualify as Professional Development Hours include but are not limited to the following:
(1) Self-generated courses, that being courses generated and presented by the licensee to himself or herself for continuing education credit.
(2) Personal self-improvement courses.
(3) Equipment demonstrations or trade show displays.
(4) Enrollment without attendance.
(5) Repetitive attendance or teaching of the same course.
(6) Tours of buildings, structures, schools, museums and such unless there is a clear objective to maintain and strengthen competency in a technical field.
(7) Regular employment.
(8) Personal, estate or financial planning.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.006 Demonstrating Compliance.
In order to demonstrate compliance, licensees must execute a signed statement at any time during the biennium and submit said statement to the Board office at that time or by accompanying their renewal form with said statement and return it to the

Board office with their renewal. For each qualifying activity listed, the following information must be included on the statement:
(1) Title of activity and a description.
(2) The date, location and provider of the activity.
(3) The area of practice to which the activity applies.
(4) The number of PDH credits claimed for each activity.
In addition, the Board shall use attendance information submitted by the provider to determine whether licensees can demonstrate compliance.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01, Amended 7-13-04.

61G15-22.007 Noncompliance.
In accordance with Section 471.017, Florida Statutes, completion of the required professional development hours is a condition of licensure renewal. No license will be renewed until the requirement is satisfied. If, after renewal, it is found that the licensee did not comply with these requirements, disciplinary proceedings will be initiated.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 417.017, 471.019, F.S. ■ History–New 9-16-01

61G15-22.008 Record keeping.
It is the licensee's responsibility to maintain sufficient records to demonstrate completion of qualifying professional development hours for at least two licensure cycles (four years).
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.009 Exemptions.
(1) New licensees who have achieved licensure by examination, pursuant to 471.013, F.S., shall be exempt for their first renewal period.
(2) Any licensee whose license is placed in retired status shall be exempt thereafter.
(3) Any licensee whose license is placed in inactive status, for so long as it remains inactive.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.010 Continuing Education Courses in Laws and Rules.
(1) In order to comply with the provisions of Section 471.017(3), F.S., licensees shall demonstrate professional competency relative to Chapter 471, Florida Statutes, and the Board's rules, by either completing a continuing education course, as detailed in Subsection (2) below, by attending a board meeting at which disciplinary hearings are conducted as detailed in Subsection (3) below, or by approval of the Board as a consulting engineer providing assistance to the Board in the performance of its duties, as detailed in Subsection (4) below.
(2) Successful completion of a course of continuing education for laws and rules of the Board which must consist of a minimum of four (4) PDH's in laws and rules of the Board.
(3) Four PDH's in laws and rules of the Board may be obtained by attending one full day, regardless of actual length, or eight (8) hours of a board meeting at which disciplinary hearings are conducted by the Board of Professional Engineers and complying with the following:
(a) The licensee must sign in with staff of the Board before the meeting day begins.
(b) The licensee must remain in continuous attendance.
(c) The licensee must sign out with staff of the Board at the end of the meeting day or at such other earlier time as affirmatively authorized by the Board. A licensee may receive PDH credit in laws and rules for attending the board meeting only if he or she is attending on that date solely for that purpose. He or she may not receive such credit if appearing at the Board meeting for another purpose.
(4) All consultant engineers used by the Board in the resolution of Board business, including rule making and prosecution of discipline cases and complaints, may receive credit for four (4) PDH's in laws and rules of the Board by specific approval of the Board of a written list of such consultants during each biennium.
Specific Authority: 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01. Amended 9-4-02, 1-16-03.

61G15-22.011 Board Approval of Continuing Education Providers.
(1) Applicants for continuing education provider status must meet the requirements of subsections (2) and (3) of this rule to demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice.
(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, or an engineer with a Florida license to practice engineering who is not under disciplinary restrictions pursuant to any order of the Board, or an engineering firm that possesses an active

certificate of authorization issued by the Board pursuant to s. 471.023, F.S. The continuing education provider shall not have any financial or commercial interest, direct or indirect, in any technology that is the subject of the instruction.
(3) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following:
(a) The name, address and telephone number of the prospective provider;
(b) A description of the type of courses or seminars the provider expects to conduct for credit;
(c) A description of the staffing capability of the applicant;
(d) A sample of intended course materials;
(e) A list of anticipated locations to conduct the courses;
(f) A complete course curriculum for each course the applicant intends to offer;
(g) A description of the means the applicant will use to update the course in response to rule or law changes;
(h) A description of the means the applicant will use to evaluate the licensee's performance in the course;
(i) A fee of $250.
(4) No engineer may conduct continuing education courses or seminars for credit upon the engineer's receipt of any disciplinary order from any professional regulatory board in any jurisdiction. Rather, the engineer must notify the Board office within ten (10) days of the engineer's receipt of any such order.
(5) Should the Board determine that the provider has failed to provide appropriate continuing education services, it shall request that the Department of Business and Professional Regulation issue an order requiring the provider cease and desist from offering any continuing education courses and shall request that the Department revoke any approval of the provider granted by the Board.
(6) No provider may allow an engineer to conduct any course or seminar offered by the provider if that engineer has been disciplined and has not been released from the terms of the final order in the disciplinary case. Upon receipt of notice that an instructor is under discipline, the provider shall, within seven (7) days, write to the Board office and confirm that the engineer is no longer conducting any course or seminar offered by the provider. For the purpose of this subsection, a letter of guidance or a reprimand shall not constitute "under discipline."
(7) The Board retains the right and authority to audit and/or monitor programs and review records and course materials given by any provider approved pursuant to this rule. The Board shall request that the Department of Business and Professional Regulation revoke the approved status of the provider or reject individual programs given by a provider if the provider disseminated any false or misleading information in connection with the continuing education programs, or if the provider fails to conform to and abide by the rules of the Board. Licensees will not lose credit for attending courses offered by approved providers that are later rejected or stopped by the Board.
(8) Members of the Board of Professional Engineers or the Florida Engineers Management Corporation Board of Directors are prohibited from being a continuing education provider.
(9) The following providers shall be approved as providers until July 1, 2006 and the Board shall accept their courses for continuing education credit:
(a) Educational Institutions teaching college level courses;
(b) Federal Governmental Agencies that establish rules, regulations, guidelines, or otherwise have an impact on the practice of engineering; and
(c) State and National Engineering Professional Associations approved by the Board.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01. Amended 9-4-02, 12-21-03, 8-8-05.

61G15-22.012 Obligations of Continuing Education Providers.
To maintain status as a continuing education provider, the provider must:
(1) Provide courses or seminars designed to enhance the education of engineers in the practice of engineering;
(2) Require each licensee to complete the entire course or seminar in order to receive a certificate of completion;
(3) Furnish each participant with an individual certificate of attendance. An attendance record shall be maintained by the provider for four years and shall be available for inspection by the Board and the Florida Engineers Management Corporation. Providers must electronically provide to the Florida Engineers Management Corporation a list of attendees taking a course within five (5) business days of the completion of the course. The list shall include the provider's name, the name and license number of the attendee, the date the course was completed, the course number and the total number of professional development hours successfully completed. All information or documentation, including electronic course rosters, submitted to the Board or to FEMC shall be submitted in a format acceptable to the Board and to FEMC. Failure to comply with time and form requirements will result in disciplinary action taken against the provider. If the instructor is receiving credit as set forth in Rule 61G15-22.003(3), F.A.C., the instructor shall be listed with the same information required above. Providers shall maintain security of attendance records and certificates. For correspondence study courses, the provider must electronically supply the list of those individuals successfully completing the course by the fifth of the month following the calendar month in which the provider received documentation and was able to determine the successful completion of the course by the individual.

(4) Ensure that all promotional material for courses or seminars offered to professional engineers for credit contain the provider number.
(5) Allow only one PDH for each hour of classroom, audio or video instruction, an "hour of classroom, audio or video instruction" being a minimum of 50 minutes instruction or presentation.
(6) Allow only one PDH for each "hour of correspondence study." The "hour of correspondence study" must be based on the average completion time of each course as established by the provider.
(7) Provide a written examination to each participating licensee in correspondence study courses. In order to complete the course, the licensee must sign and date the examination and receive a minimum grade of seventy percent (70%). If a licensee fails the examination, they will be permitted to take the examination again in order to achieve a passing grade.
(8) Notify the Board within fourteen (14) days of any change in the address or telephone number of the provider.
(9) Allow FEMC's and the Board's designee to have access to information concerning courses or seminars conducted by the provider for continuing education credit.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.013 Evaluations of Providers.
(1) The Board, or its designee, reserves the right to evaluate continuing education courses or seminars offered to engineers for credit by the following methods:
(a) Observing such courses or seminars; and
(b) Reviewing the files of the provider to gain information about any course or seminar offered to professional engineers for credit.
(2) The Board shall not revoke the continuing education credit given to any professional engineer for completion of any continuing education course or seminar about which the professional engineer registers a complaint with the Board.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

61G15-22.014 Duration of Provider Status.
(1) Continuing education providers are approved only for the biennium during which they applied and must reapply for provider status at the beginning of each biennium. The biennium for continuing education providers ends on May 31st of each odd-numbered year.
(2) A provider must reapply for approval ninety (90) days prior to the date of expiration of provider status in order to prevent a lapse in provider status.
Specific Authority: 455.213(6), 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ Law Implemented: 455.213(6), 455.2177, 455.2178, 455.2179, 471.008, 471.017(3), 471.019, F.S. ■ History–New 9-16-01

CHAPTER 61G15-23 SEALS

61G15-23.001 Seals Acceptable to the Board.
(1) Pursuant to 471.025, F.S., the Board hereby establishes as indicated below the forms of embossing impression seals which are acceptable to the Board. Said seal shall be a minimum of 1 7/8 inches in diameter. All engineers must be utilizing a seal as illustrated in this rule no later than January 1, 2006:

(2) The type of seal in the center may be used only by registrants who are in good standing under both Chapter 471 and Chapter 472, F.S.

Specific Authority 471.025 FS. ■ Law Implemented 471.025 FS. ■ History--New 1-8-80, Amended 6-23-80, Formerly 21H-23.01, 21H-23.001, Amended 4-1-97, 2-5-04, 8-8-05.

61G15-23.002 Seal, Signature and Date Shall Be Affixed.

(1) A professional engineer shall sign his name and affix his seal to all plans, specifications, reports, final bid documents provided to the owner or the owner's representative, or other documents prepared or issued by said registrant and being filed for public record. The date that the signature and seal is affixed as provided herein shall be entered on said plans, specifications, reports, or other documents immediately under the signature of the professional engineer.

(2) Each sheet of plans and prints which must be sealed under the provisions of Chapter 471 shall be sealed, signed and dated by the professional engineer in responsible charge. Engineers shall legibly indicate their name, address, and number on each sheet. If practicing through a duly authorized engineering business, engineers shall legibly indicate their name and license number, as well as, the name, address, and certificate of authorization number of the engineering business on each sheet. A title block on each sheet containing the printed name, address, and license number of the engineer or if applicable, the name and license number of the engineer, and the name, address and certificate of authorization number of the engineering business will satisfy this requirement. Engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and may indicate the name and address of the agency. A cover or index sheet for engineering specifications may be used and that sheet must be signed, sealed and dated by those professional engineers in responsible charge of the production and preparation of each section of the engineering specification with sufficient information on the cover sheet or index so that the user will be aware of each portion of the specifications for which each professional engineer is responsible. Engineering reports must be signed, sealed and dated on a signature page or cover letter by each professional engineer who is in responsible charge of any portion of the report. A professional engineer may only seal an engineering report, plan, print or specification if that professional engineer was in responsible charge of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document in question.

(3) A professional engineer should not seal original documents made of mylar, linen, sepia or other materials which can be changed by the entity with whom such document(s) are filed unless the professional engineer accompanies such document(s) with a signed and sealed letter making the receiver aware that copies of the original document as designed by the professional engineer have been retained by the professional engineer and that the professional engineer will not be responsible for any subsequent changes to the reproducible original documents.

(4) A professional engineer should not seal preliminary plans which are not intended for permit, construction, or bidding purposes. If a permitting agency requires that preliminary plans submitted for review purposes be signed and sealed, then the engineer should clearly note such limitations on the face of the plans, by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any suitable statement which denotes that the documents are for design review only and are not intended for permit, construction, or bidding purposes.

(5) Engineers who wish to sign and seal electronically transmitted plans, specifications, reports, final bid documents, or other documents shall follow the procedures set forth in Rule 61G15-23.003, F.A.C.

Specific Authority 471.025 FS. ■ Law Implemented 471.025 FS. ■ History--New 1-8-80, Amended 1-20-85, Formerly 21H-23.02, Amended 5-14-86, Formerly 21H-23.002, Amended 11-15-94, 8-18-98. Amended 2-3-00. Amended 2-22-01, 2-5-04.

61G15-23.003 Procedures for signing and sealing electronically transmitted plans, specifications, reports or other documents.

(1) Engineering work which must be sealed under the provisions of Chapter 471, F.S., stored or transmitted in an electronic format, shall be signed, dated and sealed by the professional engineer in responsible charge.

(2) A license holder may use a computer generated representation of his or her seal on electronically conveyed work; however, the final hard copy documents of such engineering work must contain an original signature of the license holder and date or the documents must be accompanied by an electronic signature as described in this section. A scanned image of an original signature shall not be used in lieu of an original signature or electronic signature. Engineering work that contains a computer generated seal shall be accompanied by the following text or similar wording: "The seal appearing on this document was authorized by [Example: Leslie H. Doe, P.E. 0112 on (date)]" unless accompanied by an electronic signature as described in this section.

(3) An electronic signature is a digital authentication process attached to or logically associated with an electronic document and shall carry the same weight, authority, and effect as an original signature. The electronic signature, which can be generated by using either public key infrastructure or signature dynamics technology, must be as follows:

(a) Unique to the person using it;

(b) Capable of verification;

(c) Under the sole control of the person using it;

(d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document are changed.

(4) Alternatively, electronic files may be signed and sealed by creating a "signature" file that contains the engineer's name and PE number, a brief overall description of the engineering documents, and a list of the electronic files to be sealed. Each

file in the list shall be identified by its file name utilizing relative Uniform Resource Locators (URL) syntax described in the Internet Architecture Board's Request for Comments (RFC) 1738, December 1994, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: ftp://ftp.isi.edu/ in-notes/rfc1738.txt. Each file shall have an authentication code defined as an SHA-1 message digest described in Federal Information Processing Standard Publication 180-1 "Secure Hash Standard," 1995 April 17, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: http://www.itl.nist.gov./div897/pubs/fip180-1.htm. A report shall be created that contains the engineer's name and PE number, a brief overall description of the engineering documents in question and the authentication code of the signature file. This report shall be printed and manually signed, dated, and sealed by the professional engineer in responsible charge. The signature file is defined as sealed if its authentication code matches the authentication code on the printed, manually signed, dated and sealed report. Each electronic file listed in a sealed signature file is defined as sealed if the listed authentication code matches the file's computed authentication code.
Specific Authority 282.75 FS ■ Law Implemented: 471.025 FS ■ History—New 8-18-98, Amended 9-4-05

CHAPTER 61G15-24 FEES
61G15-24.001 Schedule of Fees.
(1) Pursuant to Sections 471.011, 471.019, Florida Statutes, 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 -- $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 non-refundable.
(h) Initial fee for Certificate of Authorization - $125.00.
(i) Biennial Renewal fee for Certificate of Authorization (firm) -- $125.00.
(j) Inactive Status Fee -- $125.00.
(k) Reactivation fee -- $150.00.
(l) Duplicate Certificate -- $25.00.
(m) Verification of Licensure – $25.00.
(n) Special Inspector Certification fee – $100.00.
(o) Application fee for Special Inspector Certification - $125.00.
(3) Engineer Intern application fees - $30.00.
Specific Authority 455.213, 455.217(3), 455.219, 455.271, 471.011, 471.019 FS. ■ Law Implemented 119.07(1)(a), 455.217(3), 471.011, 471.019 FS. ■ History--New 1-8-80, Amended 8-26-81, 12-19-82, 6-2-83, 2-28-84, Formerly 21H-24.01, Amended 3-10-86, 12-11-86, 3-10-87, 4-12-88, 12-21-88, 1-10-90, 8-15-90, 1-6-93, Formerly 21H-24.001, Amended 11-15-94, 8-10-98, 6-16-99, 5-8-00, 11-15-01, 2-21-02, 9-18-02, 5-9-04, 6-5-05.

CHAPTER 61G15-26 SUPERVISION STANDARDS
61G15-26.001 Standards for Supervision of Governmental Employees by Professional Engineers.

61G15-26.001 Standards for Supervision of Governmental Employees by Professional Engineers.
(1) As required by F.S. 471.003(2)(b)2. employees of governmental entities must act under the responsible charge of professional engineers as defined in Rule 61G15-18.011(1) whenever they are performing engineering as that term is defined in F.S. 471.005(6). The supervision exercised over such employees by the professional engineer in responsible charge must be of such a quality as to be equivalent to that required of private firms. Further, all documents or reports which would be equivalent to those requiring a professional engineer's seal when filed for public record in the private sector will require the seal, signature and date of the supervising professional engineer when such documents or reports are filed or promulgated on behalf of a governmental entity. This rule shall prohibit non-professional employees governed by this rule from overriding, or approving, accepting or rejecting, or modifying engineering documents prepared by professional engineers unless such actions are concurred in by a professional engineer in responsible charge of the employee and that said professional engineer takes full responsibility for such a decision.
(2) No individual may be entitled or act in the capacity of "municipal", "city" or "county engineer" unless that individual is licensed as a professional engineer in this State.
Specific Authority 471.003(2)(b)2. FS. ■ Law Implemented 471.003(1), 471.003(2)(b)2., 471.003(2)(e), 471.005(6), 471.025(1), 471.023(1), 471.031(1)(b) FS. ■ History--New 4-2-87, Formerly 21H-26.001.

CHAPTER 61G15-27 PROCEDURES FOR THE ADOPTION OF ANOTHER'S WORK

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 contract documents 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. In other words, calculations, site visits, research and the like must be documented and produceable upon demand. Further, the successor professional engineer must take all professional and legal responsibility for the documents which he sealed and signed and can in no way exempt himself from such full responsibility. Plans 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 contract documents.
(2) Prior to sealing and signing work a successor professional engineer shall be required to notify the original professional engineer, his successors, or assigns by certified letter to the last known address of the original professional engineer of the successor's intention to use or reuse the original professional engineer's work. The successor professional engineer will take full responsibility for the drawing as though they were the successor professional engineer's original product.
Specific Authority 471.033(2) FS. ■ Law Implemented 471.033(1)(j), 471.005(6) FS. ■ History--New 8-25-87, Amended 4-21-88, 8-3-88, Formerly 21H-27.001.

CHAPTER 61G15-29 CERTIFICATION

61G15-29.001 Certification Definition, Procedures, Prohibitions.
(1) The term "Certification" as used herein shall be as set forth in Rule 61G15-18.011(4).
(2) When an engineer is presented with a certification to be signed and/or sealed, he or she should carefully evaluate that certification to determine if any of the circumstances set forth in subsection (3) would apply. If any of these circumstances would apply, that engineer shall either: (a) modify such certification to limit its scope to those matters which the engineer can properly sign and/or seal, or (b) decline to sign such certification.
(3) Engineers who sign and/or seal certifications which: (a) relate to matters which are beyond the engineer's technical competence, or (b) involve matters which are beyond the engineer's scope of services actually provided, or (c) relate to matters which were not prepared under engineer's responsible supervision, direction, or control; would be subject to discipline pursuant to Rule 61G15-19.001(6).
Specific Authority 471.008 FS. ■ Law Implemented 471.025(3), 471.033(1)(j) FS. ■ History--New 1-16-91, Formerly 21H-29.001.

CHAPTER 61G15-30 RESPONSIBILITY RULES COMMON TO ALL ENGINEERS

61G15-30.001 Purpose.
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 Rule 61G15-19.001(4), F.A.C., unless the deviation or departure therefrom is justified by the specific circumstances of the project in question and the sound professional judgment of the engineer. 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 any other rule promulgated pursuant thereto. These responsibility rules shall apply to every person holding a certificate of registration as a professional engineer, every certified engineer intern, and every 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 and the courts.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1) FS. ■ History--New 1-26-93, Formerly 21H-30.001.

61G15-30.002 Definitions Common to All Engineer's Responsibility Rules.
(1) Engineer of Record. A Florida professional engineer who is in responsible charge for the preparation, signing, dating, sealing and issuing of any engineering document(s) for any engineering service or creative work.

(2) Prime Professional. A Florida professional engineer, or a duly qualified engineering corporation or partnership, who is engaged by the client to provide any planning, design, coordination, arrangement and permitting for the project and for construction observations in connection with any engineering project, service or creative work. The prime professional engineer may also be an engineer of record on the same project.
(3) Delegated Engineer. A Florida professional engineer who undertakes a specialty service and provides services or creative work (delegated engineering document) regarding a portion of the engineering project. The delegated engineer is the engineer of record for that portion of the engineering project. A delegated engineer usually falls into one of the following categories:
(a) An independent consultant.
(b) An employee or officer of an entity supplying components to a fabricator or contractor, so long as the engineer acts as an independent consultant or through a duly qualified engineering corporation.
(c) An employee or officer of a fabricator or contractor, so long as the engineer acts as an independent consultant or through a duly qualified engineering corporation.
(4) Engineering Documents. Engineering documents are designs, plans specifications, drawings, prints, reports, or similar instruments of service in connection with engineering services or creative work that have been prepared and issued by the professional engineer or under his responsible supervision, direction or control.
(5) Delegated Engineering Documents. Delegated engineering documents are those engineering documents that are prepared by a delegated engineer.
(6) Public Record. An engineering document is "filed for public record" when said document is presented with the engineer of record's knowledge and consent to any federal, state, county, district, authority, municipal or other governmental agency in connection with the transaction of official business with said agency.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1), 471.023, 471.025 FS. ■ History--New 1-26-93, Formerly 21H-30.002.

61G15-30.003 Engineering Document Classification.
Engineers shall legibly indicate their name and business address, on engineering documents. Engineering documents which are issued for preliminary or conceptual use, shall clearly note the intended purpose of such documents. When elements of the project are shown on an engineering document only for information or clarification and the Engineer does not intend to accept responsibility for the elements, the engineer shall clearly note on the documents the extent of his responsibility.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g), 471.025(3) FS. ■ History--New 1-26-93, Formerly 21H-30.003.

61G15-30.004 Engineering Document Submittal to Public Agencies.
Engineers shall clearly note on any preliminary engineering documents that such documents are not in final form, but are being transmitted to the public agency to receive agency reviews, comments and interpretations. The documents may subsequently be revised by the engineer to reflect resolution of issues with the public agency prior to final action by the agency. Changes, revisions and modifications to a project may prompt additional document submittal for agency approval action on the same project.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g), 471.025 FS. ■ History--New 1-26-93, Formerly 21H-30.004.

61G15-30.005 Request for and Review of Delegated Engineering Documents.
(1) An engineer of record who delegates a portion of his responsibility to a delegated engineer is obligated to communicate in writing his engineering requirements to the delegated engineer.
(2) An engineer of record who delegates a portion of his design responsibility to a delegated engineer shall require submission of delegated engineering documents prepared by the delegated engineer and shall review those documents for compliance with his written engineering requirements and to confirm the following:
(a) That the delegated engineering documents have been prepared by an engineer.
(b) That the delegated engineering documents of the delegated engineer conform with the intent of the engineer of record and meet the written criteria.
(c) That the effect of the delegated engineer's work on the overall project generally conforms with the intent of the engineer of record.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-30.005.

61G15-30.006 Delegated Engineer's Responsibility.
(1) It is the delegated engineer's responsibility to review the Engineer of Record's written engineering requirements and authorization for the delegated engineering document to determine the appropriate scope of engineering.
(2) The delegated engineering document shall comply with the written engineering requirements received from the engineer of record. They shall include the project identification and the criteria used as a basis for its preparation. If a delegated engineer determines there are details, features or unanticipated project limits which conflict with the written engineering requirements provided by the engineer of record, the delegated engineer shall timely contact the engineer of record for resolution of conflicts.
(3) The delegated engineer shall forward the delegated engineering document to the engineer of record for review. All final delegated engineering documents require the impressed seal and signature of the delegated engineer and include:

(a) Drawings introducing engineering input such as defining the configuration or structural capacity of structural components and/or their assembly into structural systems.
(b) Calculations.
(c) Computer printouts which are an acceptable substitute for manual calculations provided they are accompanied by sufficient design assumptions and identified input and output information to permit their proper evaluation. Such information shall bear the impressed seal and signature of the delegated engineer as an indication that said engineer has accepted responsibility for the results.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-30.006.

61G15-30.007 Prime Professional's Responsibility.
It is the responsibility of the prime professional engineer to retain and coordinate the services of such other professionals as needed to complete the services contracted for the project.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-30.007.

61G15-30.008 Use of Computer Software and Hardware.
The engineer shall be responsible for the results generated by any computer software and hardware that he or she uses in providing engineering services.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-30.008.

61G15-30.009 Retention of Engineering Documents.
At least one copy of all documents containing the licensee's signature, seal, date and all related calculations shall be retained by the licensee or the licensee's employer for a minimum of three years from the date the documents were sealed.
Specific Authority 471.008, 471.033(2), FS. ■ Law Implemented 471.033(1)(g), 471.033(1)(j), FS. ■ History--New 5-9-04.

CHAPTER 61G15-31 RESPONSIBILITY RULES OF PROFESSIONAL ENGINEERS CONCERNING THE DESIGN OF STRUCTURES

61G15-31.001 General Responsibility.
The engineer of record for a structure is responsible for all structural aspects of the design of the structure including the design of all of the structure's systems and components. As noted herein the engineer of record for a structure may delegate responsibility for the design of a system or component part of the structure to a qualified delegated engineer. In either case the structural documents shall address, as a minimum, the items noted in the following subsections covering specific structural systems or components. Both the engineer of record for the structure and the delegated engineer, if utilized, shall comply with the requirements of the general responsibility rules, and with the requirements of the more specific structural responsibility rules contained herein.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.001.

61G15-31.002 Definitions.
(1) Engineer of Record for the Structure. The Florida registered professional engineer who develops the structural design criteria and structural framing concept for the structure, performs the analysis and is responsible for the preparation of the structural construction documents.
(2) Structural Component. An individual structural member designed to be part of a structural system.
(3) Structure. The entity to be built.
(4) Structural System. A portion of a structure comprising an assembly of structural components.
(5) Structural Engineering Documents. The structural drawings, specifications and other documents setting forth the overall design and requirements for the construction, alteration, modernization, repair, removal, demolition, arrangement and/or use of the structure, prepared by and signed and sealed by the engineer of record for the structure. Structural engineering documents shall identify the project and specify design criteria both for the overall structure and for structural components and structural systems. The drawings shall identify the nature, magnitude and location of all design loads to be imposed on the structure. The structural engineering documents shall provide construction requirements to indicate the nature and character of the work and to describe, detail, label and define the structure's components, systems, materials, assemblies, and equipment.

(6) Structural Submittals. Submittals required by the structural engineering documents which do not require the seal of a professional engineer, such as:
(a) Drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input such as reinforcing steel shop drawings, structural steel, and steel joist and joist girder erection drawings.
(b) Catalog information on standard products not fabricated for a specific project.
(7) Structural Delegated Engineering Documents. Documents prepared by a delegated engineer to whom the engineer of record for the structure has delegated responsibility for the design of a structural component or system.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g), (j) FS. ■ History--New 1-26-93, Formerly 21H-31.002, Amended 10-19-97.

61G15-31.003 Design of Structures Utilizing Prefabricated Wood Trusses.
(1) When a Structural Engineer of Record and a Delegated Engineer exist as may be determined by applicable Florida law, the apportionment of responsibilities between the Structural Engineer of Record and a Delegated Engineer shall be as set forth in Chapter 2 of ANSI/TPI 1-1995, wherein the Structural Engineer of Record is the Building Designer and the Delegated Engineer is the Truss Designer as those terms are defined in said standard.
(2) The Structural Engineer of Record shall provide design requirements in writing to the Delegated Engineer and shall review the design documents of the delegated engineer for conformance to his written instructions in accordance with Chapter 61G15-30.005, F.A.C.
(3) For the purposes of this rule, the following definitions shall apply:
(a) "Truss System" shall mean an assemblage of trusses and truss girders, together with all bracing, connections, and other structural elements and all spacing and locational criteria, that, in combination, function to support the dead, live and wind loads applicable to the roof of a structure with respect to a Truss System for the roof, and the floor of a structure with respect to a Truss System for the floor. A Truss System does not include walls, foundations, or any other structural support systems.
(b) "Truss System Engineer" shall mean an engineer who designs a Truss System.
(c) "Truss Design Engineer" shall mean an engineer who designs individual trusses, but does not design a Truss System.
(4) An engineer is a Truss System Engineer if he designs a Truss System. Each of the drawings in the Truss System design package for the Truss System shall include a title block bearing the printed name, address, and license number of the Truss System Engineer and the date of the drawing. The design documentation prepared by the Truss System Engineer shall also include a truss placement plan for the Truss System, showing the location and designation of each truss. Said design documentation for the Truss System shall be signed and sealed by the Truss System Engineer. The cover or index sheet of the Truss System design package may be signed and sealed in lieu of signing and sealing each individual sheet, provided that the cover or index sheet contains the following information:
(a) The name, address and license number of the Structural Engineer of Record, if there is one, and the name, address and license number of the Truss System Engineer.
(b) Identification of the project, by address or by lot number, block number, section or subdivision and city or county.
(c) Identification of the applicable building code and chapter(s) that the Truss System design is intended to meet, the engineer design criteria relied upon in designing the Truss System and the truss design loading.
(d) Identification of any computer program used for engineering the Truss System.
(e) An index of the attached Truss System design drawings. The naming and numbering system utilized for the drawings shall be clear as to how many drawings there are in the set and the date and sequence number of each of these drawings shall be included.
(5) An engineer is a Truss Design Engineer if he designs individual trusses, but does not design the Truss System. Each of the drawings in the truss design package for individual trusses shall include a title block bearing the printed name, address, and license number of the Truss Design Engineer and the date of the drawing. The Truss Design documents prepared by the Truss Design Engineer shall be signed and sealed by the Truss Design Engineer. The cover or index sheet of the truss design package may be signed and sealed in lieu of signing and sealing each individual sheet, provided that the cover or index sheet contains the following information:
(a) The name, address and license number of the Structural Engineer of Record, if there is one, and the name, address, and license number of the Truss Design Engineer.
(b) Identification of the project, by address or by lot number, block number, section or subdivision and city or county.
(c) Identification of the applicable building code and chapter(s) that the truss design is intended to meet, the engineering design criteria relied upon in designing the trusses and the truss design loading.
(d) Identification of any computer program used for engineering the trusses.
(e) An index of the attached truss design drawings. The naming and numbering system utilized for the drawings shall be clear as to how many drawings there are in the set and the date and sequence number of each of these drawings.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.003, Amended 6-16-99, 3-22-01, 4-30-03.

61G15-31.004 Design of Cast-In-Place Post-Tensioned Concrete Structural Systems.
(1) Structural engineering documents shall show the magnitude and location of all prestressing forces and all design assumptions.
(2) If the engineer of record for the structure elects to delegate the responsibility for preparation of calculations and installation drawings to a delegated engineer for the post-tensioning system(s), he shall require the submission of installation drawings for review by the engineer of record for the structure. Calculations shall also be submitted which show sufficient information to confirm that the number and size of tendons provided are adequate to provide the prestressing forces shown on the structural engineering documents. Installation drawings shall provide full details of materials to be used including necessary accessories and instructions for construction and shall identify the specific project. The installation drawings and calculations shall bear the impressed seal and signature of the delegated engineer who prepared them.
(3) It is the responsibility of the engineer of record for the structure to review the post-tensioning system installation drawings so that the drawings are coordinated with reinforcing steel shop drawings.
(4) The effect of post-tensioning on other parts of the building is the responsibility of the engineer of record for the structure.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.004.

61G15-31.005 Design of Structures Utilizing Precast and Prestressed Concrete Components.
(1) Structural engineering documents shall indicate the configuration of precast and prestressed components and shall include details of supports, anchors and connections for those components.
(2) The engineer of record for the structure may delegate responsibility for the design of precast or prestressed concrete components, or systems utilizing those components, to a delegated engineer. In that case the engineer of record for the structure shall require structural delegated engineering documents for his review as an indication that his intent has been understood and that the specified criteria have been used. Structural delegated engineering documents shall bear the impressed seal and signature of the delegated engineer.
(3) Structural delegated engineering documents shall include component details, calculations, and fabrications and erection drawings. All such submittals shall identify the specific project. The effect of precast and prestressed concrete members on other parts of the building is the responsibility of the engineer of record for the structure.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.005.

61G15-31.006 Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders.
(1) The Engineer of Record shall indicate on the Structural Engineering Documents the steel joist and joist girder designations from the 1997 Steel Joist Institute's Specifications and load tables and shall indicate the appropriate standards for joist and joist girder design, layout, end supports, anchorage, bridging requirements, etc., including connections to walls. These documents shall indicate special requirements for concentrated loads, non-uniform loads, openings, extended ends, and resistance to uplift loads.
(2) The steel joist and joist girder manufacturer shall design the steel joist and joist girder members in accordance with the 1997 Steel Joist Institute Specifications and load tables to support the loads per the Engineer of Record's specified joist and joist girder designations and/or special loading diagrams, as set forth in Structural Engineering Documents. The Engineer of Record may require the submission of the steel joist and joist girder design calculations as an indication of compliance. When required to submit the steel joist and joist girder calculations, the steel joist and joist girder manufacturer shall submit a cover letter along with the steel joist and joist girder design calculations. The cover letter shall bear the seal and signature of a Florida registered professional engineer responsible for design of the steel joist and joist girders.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g), (j) FS. ■ History--New 1-26-93, Formerly 21H-31.006, Amended 10-19-97.

61G15-31.007 Design of Pre-Engineered Structures.
(1) Structural engineering documents for pre-engineered structures shall indicate the necessary measures for adapting the structures to the specific site. They shall indicate all openings, concentrated loads and other special requirements. Foundation conditions assumed in the design shall be indicated as well as the location and magnitude of building reactions on that foundation under all design conditions.
(2) The engineer of record for the structure may delegate responsibility of the design of pre-engineered structures to a delegated engineer requiring submittal of structural delegated engineering documents.
(3) Structural delegated engineering documents shall identify the project and list loading other design criteria. Structural delegated engineering documents shall include fabrication and erection drawings which indicate in detail the construction of the standard structure used or as modified to comply with the requirements of the particular project. They shall indicate all connection details, openings and other special details. They shall show the magnitude and location of building reactions on the foundation under all design conditions. Calculations supporting the design shall be submitted not only for the standard structure but for modifications and for related components requiring structural design.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.007.

61G15-31.008 Design of Foundations.
(1) The structural engineering documents shall designate the foundation capacity and shall include data indicating the nature of the foundation material anticipated.
(2) Site preparation requirements, necessary to provide the foundation capacity, shall be specified in the structural engineering document(s).
(3) The foundation capacity shall be determined on the basis of scientific analysis utilizing investigations, tests or studies conducted or provided by the engineer of record for the structure or by a delegated engineer.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.008.

61G15-31.009 Design of Structural Steel Systems.
(1) The engineer of record for the structure is responsible for all aspects of the structure's design including the design of components and connections.
(2) The engineer of record for the structure may detail all structural connections on the structural engineering documents and require fabrication and erection in accordance with these details.
(3) Alternately, the engineer of record for the structure may specify criteria for the design of the structural connections and identify the nature, magnitude, and location of all design loads to be supported by the connections in his structural engineering documents. The engineer of record for the structure may then delegate design responsibility for the selection or modification of the structural connections to a delegated engineer and require delegated engineering submittal.
(4) The structural engineering documents may assign to the fabricator responsibility for implementing the design as specified and for maintaining fabrication and erection tolerances and for ensuring the fit and erectability of the structure.
(5) The fabricator shall forward fabrication and erection drawings for review by the engineer of record for the structure.
Specific Authority 471.033(2), 471.008 FS. ■ Law Implemented 471.033(1)(g) FS. ■ History--New 1-26-93, Formerly 21H-31.009.

CHAPTER 61G15-32 RESPONSIBILITY RULES OF PROFESSIONAL ENGINEERS CONCERNING THE DESIGN OF FIRE PROTECTION SYSTEMS

61G15-32.001 General Responsibility.
Fire protection engineering documents shall be prepared in accordance with applicable technology and the requirements of the authority having jurisdiction. The documents shall identify the Engineer of Record for the project. Both the engineer of record for the fire protection system and the delegated engineer, if utilized, shall comply with the requirements of the general responsibility rules, 61G15-30, F.A.C., and with the requirements of the more specific rules contained herein.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-32.001.

61G15-32.002 Definitions.
(1) Engineer of Record for the Fire Protection System(s): The Florida 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.
(2) Fire Protection Component: Any individual part, subsystem or device to be incorporated in a Fire Protection System.
(3) Fire Protection System: Any assembly of Fire Protection components, materials, equipment, which require design to form a fully functional fire protection system.
(4) Listed: A fire protection component tested by a nationally recognized fire protection equipment testing organization. Recognized organizations include, but are not limited to Underwriters Laboratories, Inc. and Factory Mutual Research Corporation.
(5) Fire Protection System Engineering Documents: The fire protection system engineering drawings, specifications, prescriptive and performance criteria, water supply analysis and other materials or representations, which are submitted with the general construction documents pursuant to 553.79(6)(c), FS, that set forth the overall design requirements and provide sufficient direction for the contractor to layout the construction, alteration, demolition, renovation, repair, modification, permitting and such, for any public or private fire protection system(s), which are prepared, signed, dated and sealed by the Engineer of Record for the Fire Protection System(s).

(6) Fire Protection System Layout Documents: Layout drawings, hydraulic calculations, catalog information on standard products, and other construction data prepared by the licensed contractor or Engineer of Record that provides detail on the location of risers, cross mains, branch lines, sprinkler heads, sizing of pipe, hanger locations, and 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. These documents do not require the seal of a Florida registered engineer.
(7) Codes and Standards: Those nationally recognized codes and standards adopted directly or by reference in Chapter 633, Florida Statutes. Applicable codes and standards also include those promulgated by the State Fire Marshal as well as 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 Fire Protection 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 from the design parameters established and documented by the Engineer of Record.
(9) Layout: The location of risers, cross mains, branch lines, sprinkler heads, sizing of pipe, hanger locations, and hydraulic calculations based on engineering documents.
Specific Authority 471.008, 471.033(2), FS ■ Law Implemented 471.005(7), 471.033(2), FS ■ History—New 5-19-93, Formerly 21H-32.002, Amended 4-2-2000, 6-26-01

61G15-32.003 Common Requirements to All Fire Protection Engineering Documents.
(1) The Fire Protection System Engineering Documents shall provide the engineering requirements to be used in the preparation of the Fire Protection System Layout Documents and to indicate the nature and scope of the work, and to describe, detail, dimension, label and define the Fire Protection Components, System(s), materials, assemblies, equipment and its structural and utility support system(s), insofar as they involve the safeguarding of life, health or property.
(2) The Fire Protection System Engineering Documents shall specify the applicable requirements for the acceptance testing of the fire protection system and components, which shall be based upon applicable codes and standards, where available.
(3) The occupancy of the area or description of a specific hazard being protected by the Fire Protection System(s) shall be shown on the Fire Protection System Engineering Documents.
(4) The applicable code and standard 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) Structural support and structural openings required by the Fire Protection System shall be shown on the Fire Protection System Engineering Documents and shall be referenced on structural engineering documents.
(6) When layout documents contain material deviation from the Engineer of Record's Fire Protection System Engineering Document, such layout documents are not compliant unless they are accompanied by revised Engineering Documents made and sealed by the Engineer of Record for the Fire Protection System.
(7) Requirements for activation control systems, sequence, operating parameters, interlocks, safety related devices, indicators and alarms, shall be shown on the Fire Protection System Engineering Documents, unless shown on other related documents.
(8) Any information deemed appropriate by the Engineer of Record to assist the Authority Having Jurisdiction in understanding the owner’s intended use and proposed protection of the building or facility and to provide sufficient direction to the installation contractor or other interested parties regarding the layout of the system(s), shall be included in the Fire Protection System Engineering Documents.
Specific Authority 471.008, 471.033(2), FS ■ Law Implemented 471.005(7), 471.033(2), FS ■ History—New 5-19-93, Formerly 21H-32.003, Amended 4-2-2000, 6-26-01

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.
(2) To ensure minimum design quality in Fire Protection System Engineering Documents, said documents shall include as a minimum the following information when applicable:
(a) The Point of Service for the fire protection water supply as defined by 633.021(18) F.S.
(b) Applicable NFPA standard to be applied, or in the case where no such standard exists, the engineering study, judgments, and/or performance based analysis and conclusions.
(c) Classification of hazard occupancy for each room or area.
(d) Design approach, which includes system type, densities, device temperature rating, and spacing for each separate hazard occupancy.

(e) Characteristics of water supply to be used, such as main size and location, whether it is dead-end or circulating; and if dead-end, the distance to the nearest circulating main, as well as its minimum duration and reliability for the most hydraulically demanding design area.
(f) When private or public water supplies are used, the flow test data, including date and time of test, who conducted test or supplied information, test elevation, static gauge pressure at no flow, flow rate with residual gauge pressure, hydrant butt coefficient, and location of test in relation to the hydraulic point of service.
(g) Valving and alarm requirements to minimize potential for impairments and unrecognized flow of water.
(h) Microbial Induced Corrosion (MIC). The Engineer of Record shall make reasonable efforts to identify water supplies that could lead to Microbial Induced Corrosion (MIC). Such efforts may consist of discussions with the local water purveyor and/or fire official, familiarity with conditions in the local area, or laboratory testing of water supplies. When conditions are found that may result in MIC contamination of the fire protection piping, the engineer shall design corrective measures.
(i) Backflow prevention and metering specifications and details to meet local water purveyor requirements including maximum allowable pressure drop.
(j) Quality and performance specifications of all yard and interior fire protection components.
(3) Contractor submittals which deviate from the above minimum design parameters shall be considered material deviations and require supplemental engineering approval and documentation.
(4) In the event the Engineer of Record provides more information and direction than is established above, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.
Specific Authority 471.008, 471.033(2), FS ■ Law Implemented 471.005(7), 471.033(2), FS ■ History—New 5-19-93, Formerly 21H-32.004, Amended 4-2-2000, 6-26-01, 7-12-05

61G15-32.005 Design of Gas Agent Fire Suppression Systems.
(1) Gas Agent Fire Suppression Systems include, but are not limited to, CO2, Halon, inerting and purge gases, and all other gaseous formulations and multi-phase agents released for the purpose of fire control or extinguishment.
(2) The Fire Protection System(s) design specifications shall be based on applicable NFPA standards when available, or alternative engineering sources and good engineering practice when required.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-32.005.

61G15-32.006 Design of Foam and Foam Water Fire Suppression Systems.
(1) Foam and Foam Water Fire Suppression Systems include local application, total flooding, high and low expansion foams, and foam-water sprinkler systems.
(2) The Fire Protection System design specifications shall be based on applicable NFPA standards, when available, or alternative engineering sources and good engineering practice when required.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-32.006.

61G15-32.007 Design of Dry Chemical and Miscellaneous Fire Suppression or Control Systems.
(1) Dry chemical and miscellaneous systems include, but are not limited to, dry chemical systems, explosion control systems, and fire control structures.
(2) The Fire Protection System design specifications shall be based on applicable NFPA standards, when available, or alternative engineering sources and good engineering practice when required.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-32.007.

61G15-32.008 Design of Fire Alarms, Signaling Systems and Control Systems.
(1) Fire alarms, signaling, and control systems include, but are not limited to, fire protection supervision and alarm circuits, activation controls, and remote signaling.
(2) The Fire Protection System design specifications shall be based on applicable NFPA standards, when available, or alternative engineering sources and good engineering practice when required, and shall comply with the provisions of Rule 61G15-33.006, F.A.C.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-32.008.

61G15-32.009 Design of Fine Water Spray (Mist) Fire Suppression and Control Systems
(1) Fine water spray (mist) systems include water based fire suppression and control systems based on NFPA 750.
(2) The fire protection system(s) shall be based on applicable NFPA standards when available or on alternative engineering sources including full scale fire testing and good engineering practice when no applicable standard exists.
(3) Design of fine water spray systems requires specific knowledge of hazards, physical containment and fire dynamics. A "pre-engineered" listed system shall be installed only after the engineer of record has evaluated the project specific protected hazard.
Specific Authority 471.008, 471.033(2) FS ■ Law Implemented 471.005(6), 471.033(2) FS ■ History—New 4-2-00

CHAPTER 61G15-33 RESPONSIBILITY RULES OF PROFESSIONAL ENGINEERS CONCERNING THE DESIGN OF ELECTRICAL SYSTEMS

61G15-33.001 General Responsibility.
Electrical Engineering documents shall be prepared in accordance with applicable technology and with the requirements of the authority having jurisdiction. The documents shall identify the Engineer of record for the electrical systems project. Electrical Engineering documents shall be prepared in accordance with the requirements of the applicable codes and standards as defined herein. The engineer of record is responsible for determining the applicability of appropriate codes and standards to a given project. In the event the codes and standards fail to cover or address a specific requirement or situation, alternative research, test results, engineering data, and engineering calculations shall be utilized. New technology may be utilized when said technology has been demonstrated to provide equivalent or improved performance. Construction documents shall indicate the nature and character of the electrical work and shall describe, label and define the required electrical systems components, processes, equipment and material and its structural utility support systems. Both the engineer of record for the electrical system and the delegated engineer, if utilized, shall comply with the requirements of the general responsibility rules, 61G15-30, F.A.C., and with the requirements of the more specific rules contained herein.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.001.

61G15-33.002 Definitions.
(1) Engineer of Record for the Electrical Systems. The Florida Registered Professional Engineer who develops the electrical system design criteria or performs the analysis and is responsible for the preparation of the electrical documents for the project.
(2) Electrical Component. An individual electrical device to be part of an electrical system.
(3) Electrical. Any device or mechanism that operates due to the action of electricity.
(4) Electrical System. Any system, assembly of electrical components, materials, utilities, equipment, work system, machines, products or devices which require electrical energy in order to perform its intended function.
(5) Electrical Engineering Documents. The electrical drawings, specifications, reports and other documents setting forth the overall design and requirements for the construction, alteration, modernization, repair, demolition, arrangement, and/or use of the electrical system, or analysis or recommendations, as prepared by the Engineer of Record for the Electrical System.
(6) Electrical Submittals. Submittals, catalog information on standard products, or drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input. These submittals do not require the seal of a Florida registered engineer.
(7) Codes and Standards. Those nationally recognized Codes and Standards adopted directly or by reference in Part II, Chapter 553, Florida Statutes. Applicable codes and standards also include those published by the National Fire Protection Association (NFPA), the Institute of Electrical and Electronic Engineers (IEEE), the Illuminating Engineering Society of North America (IESNA), as well as those promulgated by the state fire marshal and other state and local authorities having jurisdiction.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.002.

61G15-33.003 Design of Power Systems.
(1) Power systems convey or distribute electrical energy. Items to be included in the design and analysis of these systems are: steady state and transient loads, short circuit protection (design and analysis), load flow, voltage drop, harmonics, and protective device coordination.
(2) Electrical engineering documents applicable to power systems shall at a minimum indicate the following:
(a) System Riser Diagram
(b) Conductor Ampacities (sizes) and insulation type
(c) Protection devices and interrupting capability
(d) Main and distribution panelboard locations and sizes
(e) Circuitry of all outlets and devices
(f) Short circuit analysis
(g) Load computations
(h) Electrical legend

(i) Grounding and bonding
(j) Instrumentation control
Specific Authority 471.008, 471.033(2) FS.
Law Implemented 471.033 FS.
History--New 5-19-93, Formerly 21H-33.003.

61G15-33.004 Design of Lighting Systems.
(1) Lighting systems convert electrical energy into light. Items to be included in the lighting design and analysis are: Average illuminance, Equivalent spherical illuminance, Uniformity ratios, Visual comfort probability, special purpose lighting, and the requirements of the Florida Energy Efficiency Code, part IX, Chapter 553, Florida Statutes.
(2) Electrical engineering documents for lighting systems shall, at a minimum, indicate the following:
(a) Lighting fixture performance specifications and arrangements
(b) Emergency Lighting
(c) Exit Lighting
(d) Lighting Control and circuiting
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.004.

61G15-33.005 Design of Communications Systems.
(1) Communications systems are utilized to convey messages or data. Items to be included in the design or analysis of these systems are: Human factors engineering, cabling requirements, installation requirements, performance requirements, backup power requirements, the interrelationship of the various systems, and applicable regulatory requirements.
(2) Electrical engineering documents for communications systems shall, at a minimum, indicate the following:
(a) System riser diagram
(b) Equipment legend
(c) Conductor type and installation requirements
(d) Device type and locations
(e) Backup power sources where applicable
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.005.

61G15-33.006 Design of Alarm Systems.
(1) Alarm systems are used to monitor and alarm a fire or other emergency condition. Items to be included in the design or analysis of these systems are: structure alarm requirements, location and audibility, types of alarms and initiation devices, notification requirements, installation requirements, backup power requirements, applicable regulatory requirements, and the provisions of rule 61G15-32.007, F.A.C.
(2) Design documents for alarm systems shall, at a minimum, indicate the following:
(a) System riser diagram
(b) Device types and locations
(c) Type of conductors and installation requirements including rating identification and listing requirements
(d) Notification requirements
(e) Backup power requirements
(f) Where applicable, backup power sources and inter-ties to other systems/components
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.006.

61G15-33.007 Design of Lightning Protection Systems.
(1) Lightning Protection Systems are passive systems used to protect building and structures from damage caused by lightning and static discharges. Items to be considered in the design or analysis of this system include the requirements of NFPA-78.
(2) Electrical engineering documents for lightning protection systems shall indicate:
(a) Air terminals height and spacing
(b) Arrangement of Main and Down conductors
(c) Grounding points and spacing
(d) Legend
(e) Testing requirements of grounds
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.007.

61G15-33.008 Design of Grounding Systems.
(1) Grounding Systems are passive systems used to establish an electrical potential reference point in an electrical system for the proper dissipation of energy in case of abnormal or transient conditions.
(2) Design documents for grounding systems shall indicate at a minimum the following:
(a) type and location of grounding electrodes
(b) bonding requirements

(c) testing requirements
(d) conductor material type, size and protection requirements
(e) separate grounding systems, properly bonded, per code and use requirements
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.008.

61G15-33.009 Design of Instrumentation and Control Systems.
(1) Instrumentation and control systems are used to automate processes. Items to be included in the design and analysis of these systems are: reliability of control of critical processes, safety of personnel, and suitability of instruments and control devices in the environment in which they are installed.
(2) Electrical engineering documents for instrumentation and control systems shall indicate, at a minimum, the following:
(a) A description of the control system functions, or a functional diagram
(b) Specifications of control instruments and their location
(c) Type of conductors and cables, and requirements for their installation
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 5-19-93, Formerly 21H-33.009.

CHAPTER 61G15-34 MECHANICAL SYSTEMS

61G15-34.001 General Responsibility.
Mechanical Engineering documents shall be prepared in accordance with the applicable technology and with the requirements of the authority having jurisdiction. The documents shall identify the Engineer of Record for the mechanical systems project. Mechanical Engineering documents shall be prepared in accordance with the requirements of the applicable codes and standards as defined herein. The Engineer of Record is responsible for determining the applicability of appropriate codes and standards for a given project. In the event the codes and standards fail to cover or address a specific requirement or situation, alternative research, test results, engineering data, and engineering calculations shall be utilized. New technology may be utilized when said technology has been demonstrated to provide equivalent or improved performance. Construction documents shall indicate the nature and character of mechanical work and shall describe, label and define the required mechanical systems components, processes, equipment and material and its structural utility support systems. Both the Engineer of Record for the Mechanical System and the Delegated Engineer if utilized, shall comply with the requirements of the general responsibility rules, 61G15-30, F.A.C., and with the requirements of the specific rules contained herein.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.002 Definitions.
(1) Engineer of Record for the Mechanical Systems. The Florida Registered Professional Engineer who develops the mechanical systems design criteria or performs the analysis and is responsible for the preparation of the mechanical documents for the project.
(2) Mechanical Component. Any individual device to be part of a mechanical system.
(3) Mechanical. Any device or mechanism that operates due to the action of the material forces in nature acting on bodies or masses.
(4) Mechanical System. Any assembly of mechanical components, materials, equipment, work systems, machines, products, or devices which require design in accordance with mechanical engineering standards in order to perform its intended function.
(5) Mechanical Engineering Documents. The mechanical drawings, specifications, reports, and other documents setting forth the overall design and requirements for the construction, alteration, modernization, repair, demolition, arrangement, and/or use of the mechanical system(s), or analysis or recommendations, as prepared by the Engineer of Record for the mechanical system.
(6) Mechanical Submittals. Submittals, catalog information on standard products, or drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input. These submittals do not require the seal of a Florida Registered Professional Engineer.
(7) Codes and Standards. Those nationally recognized codes and standards adopted directly or by reference in Part II, Chapter 553, Florida Statutes. Applicable codes and standards are those promulgated by the State Fire Marshal and those required by the state and local authorities having jurisdiction. These codes and standards include those published by the National Fire

Protection Association (NFPA), The American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), The American Society for Testing Materials (ASTM), American Society for Mechanical Engineers (ASME), National Electrical Manufacturers Association (NEMA), American National Standards Institute (ANSI), Underwriters' Laboratories (UL), American Society of Plumbing Engineers (ASPE), Sheet Metal and Air Conditioning Contractor's Association (SMACCA), American Movement and Control Association (AMCA), Air Conditioning and Refrigeration Institute (ARI), SBCCA Mechanical and Plumbing Codes, Florida Energy Code, State Building Codes.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94, Amended 2-5-96.

61G15-34.003 Design of Heating, Ventilation and Air Conditioning Systems.
(1) Heating, Ventilating, and Air Conditioning (HVAC) Systems are those systems that control the temperature and/or humidity of a particular space or building. Items to be considered in the design and analysis of these systems are ambient dry and wet bulb temperatures, inside dry and wet bulb temperatures, inside design humidity, fresh air makeup, internal heat gains from any sources. Ventilation systems shall be designed to remove foul odors from a space or building, or to remove space heat from equipment rooms. All HVAC systems shall be designed in accordance with the ASHRAE Standards and Building Code as adopted by the authority having jurisdiction. The HVAC systems shall be designed and operated such that the entire building is under positive or neutral pressure when all primary HVAC systems are operating.
(2) Mechanical Engineering documents applicable to HVAC systems shall, where applicable, include but are not limited to the following:
(a) Equipment selection schedule for each piece of mechanical equipment. All equipment shall have capacities listed including efficiencies, electrical or fuel requirements, static pressure and fan air quantities as applicable to the system, fluid flow and pressure head quantities as applicable to the system, and heat transfer capacities.
(b) Floor plans; site plans; and building and mechanical system elevations as appropriate.
(c) Outside (fresh) air make-up conditions.
(d) Cooling coil requirements based on sensible heat, latent heat and total heat gains.
(e) Heating equipment requirements.
(f) Outside and inside design dry and wet bulb conditions.
(g) Exhaust riser diagrams.
(h) Outside air riser diagrams.
(i) Process flow diagrams with pipe sizes and fluid flow quantities.
(j) Condensate discharge piping with pipe sizes.
(k) Instrumentation and Control System diagrams and sequence of operation.
(l) Ductwork layout and sizing; insulation, supply, return, and exhaust inlet and outlet sizes; and outside air intake sizes. Air quantities shall be specified for inlets and outlets.
(m) Florida Energy Code calculations as applicable.
(n) NFPA Standards and all required fire protection devices and systems.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.004 Design of Process and Fluid Flow Systems.
(1) Process and Fluid Flow Systems are those systems that are designed to move fluids either by pumps, fans, or gravity as part of an industrial, commercial, or cogeneration process. Items to be included in the design of these systems are fluid type and characteristics, fluid flow quantities, fluid pressure head, pump type, fan type, piping specifications, ductwork, specifications and process type.
(2) Mechanical documents applicable to fluid flow systems shall at a minimum include the following:
(a) Equipment schedule for each piece of mechanical equipment including fluid type and characteristics, system pressure head and flow requirements, and electrical or fuel requirements.
(b) Floor plans, site plans, and building and system elevations.
(c) Process flow diagrams with pipe or ductwork layout.
(d) System piping or ductwork layout.
(e) Specific system design requirements to allow for independent project review.
(f) List of NFPA, ASHRAE, ASME, ANSI or other applicable design standards and requirements.
(g) Instrumentation and Control Diagrams and sequence of operation.
(h) Required fire protection systems and devices.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.005 Design of Heat and Energy Transfer Systems.
(1) Heat and Energy Transfer Systems are those systems that are designed to transfer heat or energy from one fluid to another, as part of an industrial, commercial, or cogeneration, process. Items to be included in the design of these systems are fluid type and characteristics, fluid flow quantities, fluid pressure head, pump type, fan type, heat exchanger type, piping specification, ductwork specification, and process type.
(2) Mechanical documents applicable to heat and energy transfer systems shall at a minimum include the following:

(a) Equipment schedule for each piece of mechanical equipment including fluid type and characteristics, system pressure head and flow requirements, and electrical or fuel requirements.
(b) Floor plans, site plans, and building and systems elevations.
(c) Process flow diagrams with pipe or ductwork sizes.
(d) System piping or ductwork layout.
(e) Specific system design requirements to allow independent project review.
(f) List of NFPA, ASHRAE, ASME, ANSI or other applicable design standards and requirements.
(g) Instrumentation and Control Diagrams and sequence of operation.
(h) Required fire protection systems and devices.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.006 Design of Material and Human Transfer Systems.
(1) Material and Human Transfer Systems are those systems that are designed to move materials or humans from one place to another as a part of an industrial or commercial process.
(2) Mechanical documents applicable to material and human transfer systems shall at a minimum include the following:
(a) Equipment schedule items to be included in the design of these systems are material type and characteristics, material flow quantities, material or human weight, conveyer types, elevator types, electrical and hydraulic requirements, and ventilation requirements.
(b) Floor plans, site plans, and building and system elevations.
(c) Process flow diagrams with appropriate system sizing information.
(d) System conveyor and/or elevator layout.
(e) Specific system design requirements to allow for independent project review.
(f) List of NFPA, ASHRAE, ASME or other applicable design codes, standards, and requirements.
(g) Instrumentation and Control Diagrams and sequence of operation.
(h) Required fire protection systems and devices.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.007 Design of Plumbing Systems.
(1) Plumbing systems are those systems within a building that convey fluids, and gases generally as required by building codes.
(2) Mechanical Engineering documents applicable to Plumbing Systems shall when applicable, include but are not limited to the following:
(a) Equipment schedules for all plumbing fixtures, water heaters, boilers, pumps, grease traps, septic tanks, storage tanks, expansion tanks, compression tanks and roof and floor drains.
(b) Floor plans, site plans, and building and plumbing system elevations are appropriate.
(c) Isometric diagrams with pipe sizes and total water fixture units.
(d) Sanitary riser diagrams with pipe sizes and total sanitary waste fixture units.
(e) Storm riser diagrams with pipe sizes and cumulative drain area square footages.
(f) Cold water, hot water, sanitary, and storm drainage piping layouts.
(g) System isometrics and flow diagrams of other fluids and gases.
(h) Design data for septic tank, grease trap(s), drain field sizing, when applicable.
(i) List of ASHRAE, ASME, ASPE, ANSI and other applicable codes, design standards, and requirements.
(j) Design shall be in accordance with handicap requirements adopted by the authority having jurisdiction.
(k) Instrumentation and Control Diagrams and sequence of operation.
(l) All plumbing fixtures, valves, pumps, tanks, accessories, specialties, enclosures, and such equipment shall be described and located on the drawings.
(m) Materials for all plumbing systems shall be specified.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.008 Design of Mechanical Machines and Motion Systems.
(1) Mechanical Machines and Motion Systems include any and all mechanical systems, devices, machines and equipment used by the public for conveyance, amusement, transportation, or facilitation of any process. These systems would include elevators, escalators, moveable walkways, amusement park rides, etc. Items to be included in the design of these systems include Building Code and permitting requirements, electrical requirements, hydraulic requirements, gear and drive sizes and materials, instrumentation and controls, handicap requirements, structural requirements, operating dynamics requirements.
(2) Mechanical documents applicable to mechanical machines and motion systems shall at a minimum include the following:
(a) Equipment schedule for each piece of mechanical equipment including material type and characteristics, systems weight loading requirements and electrical and hydraulic requirements.
(b) Floor plans, site plans, and building and system elevations.
(c) System diagrams and schematics with appropriate system sizing information.

(d) System layout and design requirements.
(e) Specific system design requirements to allow for independent project review.
(f) List of NFPA, ASHRAE, ASME, ANSI or other applicable design codes, standards, and requirements.
(g) Instrumentation and Control Diagrams and sequence of operation.
(h) Required fire protection systems and devices.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

61G15-34.009 Design of Instrumentation and Control Systems.
(1) Instrumentation and Control Systems are used to automate processes, control and monitor HVAC systems, and monitor fire protection systems where applicable. Items to be included in the design of control systems are reliability of control of critical processes, design parameters of systems being controlled, safety of personnel, suitability of instruments and control devices in the environment in which they are to be installed, Building Code requirements, NFPA requirements, ASHRAE design standards for HVAC systems.
(2) Mechanical Engineering documents for instrumentation and controls shall indicate, at a minimum, the following:
(a) A description of the control systems functions, or a functional diagram.
(b) Specification of control instruments and their location.
(c) Floor plans showing the location of major control components.
(d) Control and Process System Diagrams.
(e) Electrical requirements including conductors and cables (may be on electrical drawings).
(f) Sequence of operation for each system.
Specific Authority 471.008, 471.033(2) FS. ■ Law Implemented 471.033 FS. ■ History--New 11-16-94.

CHAPTER 61G15-35 RESPONSIBILITY RULES OF PROFESSIONAL ENGINEERS PROVIDING THRESHOLD BUILDING INSPECTION

61G15-35.001 General Responsibility
Professional Engineers offering Threshold Building Inspection services pursuant to Section 553.79, F.S. shall provide inspections in accordance with the structural inspection plan provided by the engineer or architect of record to insure compliance with permitted documents. In addition to inspections in accordance with the structural inspection plan, the engineer shall determine that a professional engineer who specializes in shoring design has inspected the shoring and reshoring for conformance with shoring and reshoring plans submitted to the enforcing agency.
Specific Authority 471.008, 471.033(2), 553.79(5)a-d FS. ■ Law Implemented 471.033, 471.045 FS. ■ History-New 3-21-01. Amended 8-26-05.

61G15-35.002 Definitions
(1) Threshold Building Inspector: A registered professional engineer who meets the qualifications and standards set by this Rule Chapter.
(2) Authorized Representative: A representative of the Threshold Building Inspector who undertakes inspections and site visits under the responsible charge of the Threshold Building Inspector.
(3) Structural Inspection Plan: The plan filed for public record by the engineer of record to the enforcing agency to provide specific inspection procedures and schedules.
(4) Shoring and Reshoring Plan: The plan submitted to the enforcing agency regarding the shoring and reshoring of the building.
Specific Authority 471.008, 471.033(2), 553.79(5)a-d FS. ■ Law Implemented 471.033 FS. ■ History-New 3-21-01

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) Proof of current licensure in good standing as a licensed professional engineer whose principal practice is structural engineering in the State of Florida.
(b) Three years of experience in performing structural field inspections on threshold buildings.
(c) Two years of experience in the structural design of threshold buildings after having achieved licensure as a professional engineer. 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.
(d) Experience in the structural inspection and/or design of at least three threshold buildings. This experience must be within the ten calendar years preceding submission of the application.
(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/TBI/006(08/00) is hereby incorporated by reference, effective March 22, 2001, entitled "Special Inspector Application and Instructions". Copies of Form FBPE/TBI/006(08/00) may be obtained from the Board office, or by downloading it from the internet web site www.fbpe.org.
(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/TBI/006(08/00).
(c) Applications shall contain the following basic information pertaining to the applicant:
1. Name;
2. Florida license number;
3. Educational and experience dates and sufficient description of each to clearly demonstrate that the minimum qualification criteria has been met;
4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector;
5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and
6. Completed form FBPE/TBI/006(08/00).
(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.
(3) Temporary Certification. Professional engineers who have been granted temporary licensure in Florida pursuant to the provisions of Section 471.021, F.S., may also be granted temporary certification as a Special Inspector provided the criteria set forth in these rules have been met. Such temporary certification shall be limited to work on one specific project in this state for a period not to exceed one year.
(4) Roster of Special Inspectors. The Board shall maintain a roster of all persons certified as Special Inspectors pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Board office.
Specific Authority 471.008, 471.033(2), 553.79(5)a-d FS. ■ Law Implemented 471.033 FS. ■ History-New 4-19-01. Amended 7-7-02, 4-5-04, 11-29-04.

61G15-35.004 Common Requirements to All Engineers Providing Threshold Building Inspection Services:
(1) For each Threshold Building, a notice shall be filed for public record, bearing the name, address, signature, date and seal of the Special Inspector, certifying that the Special Inspector is competent to provide the engineering services for the specific type of structure.
(2) Special Inspectors utilizing Authorized Representatives shall insure the Authorized Representative is qualified by education or licensure to perform the duties assigned by the Special Inspector. The qualifications shall include licensure as a professional engineer or architect; graduation from an engineering education program in civil or structural engineering; graduation from an architectural education program; successful completion of the NCEES Fundamentals Examination; or registration as building inspector or general contractor.
(3) Special Inspectors shall be in responsible charge of the work of the Authorized Representative, including reviewing reports and spot checks.
(4) Special Inspectors shall institute quality assurance procedures to include but not be limited to requiring unscheduled visits, utilization or relevant checklists, use of a Daily Inspection Report and insuring that the Special Inspector or the Authorized Representative is at the project whenever so required by the inspection plan.
Specific Authority 471.008, 471.033(2), 553.79(5)a-d FS. ■ Law Implemented 471.033 FS. ■ History-New 3-21-01. Amended 4-5-04.

CHAPTER 61G15-36 PRODUCT EVALUATION

61G15-36.001 General Responsibility.
Product evaluation documents define procedures, materials, devices, fabrication, and methods of construction and installation of a product or standardized group of products. The product(s) that are the subject of the product evaluation will comply with the building codes listed in the documents when used in accordance with the product evaluation documents. The evaluation shall be based upon an engineering analysis of the assembly or system consisting of tested, listed, or approved components. The engineer of record and delegated engineer, if utilized, shall comply with the requirements of the general responsibility rules and the requirements of the more specific structural responsibility rules.
Specific Authority: 471.008, 471.033(2) FS. ■ Law Implemented: 553.842(6), 472.033 FS. ■ History–New 11-15-01

61G15-36.002 Definitions.
(1) Product. A manufactured product or system required to be approved and certified as complying with the standards specified by the Florida Building Code or by a local authority having jurisdiction.
(2) Product Evaluation Documents. Engineering documents that define procedures, materials, devices, fabrication, and methods of construction and installation of a product, or standardized group of products, through product evaluation or rational analysis, with the objective of obtaining approval from the authority having jurisdiction of that product for installation. Product evaluation documents shall be generic and do not include documents prepared for a site specific project.
(3) Contractor. The Florida licensed contractor who pulls the permit for construction of a project into which the product is to be incorporated. The contractor is responsible for the selection, purchase and installation of the product.
Specific Authority: 471.008, 471.033(2) FS. ■ Law Implemented: 553.842(6), 472.033 FS. ■ History–New 11-15-01

61G15-36.003 Common Requirements to all Product Evaluation Documents.
(1) The product evaluation for various sizes and design capacities shall be specific for each size and design capacity listed.
(2) The documents shall include engineering data presented in a manner that facilitates the application of the product at the project site. The documents shall be annotated to the effect that alterations or additions to the document are not permitted.
(3) The documents shall state under which conditions the product evaluation is suitable to be applied by the Contractor, or under which conditions the product evaluation is only for use by a licensed engineer or architect acting as a Delegated Engineer. The requirements for submission of delegated engineering documents found in Rule 61G15-30.005(2), FAC, may be waived at the option of the engineer who prepares the product evaluation documents.
(4) The documents shall comply with Chapter 61G15-23, FAC, regarding seals, and shall bear the original seal, signature and date, or shall meet the procedure for signing and sealing electronically transmitted plans, specifications, reports or other documents.
Specific Authority: 471.008, 471.033(2) FS. ■ Law Implemented: 553.842(6), 472.033 FS. ■ History–New 11-15-01

61G15-37.001 Performance Standards and Measurable Outcomes
In order to facilitate efficient and cost effective regulation by the Florida Engineers Management Corporation ("FEMC"), the following performance standards and measurable outcomes are adopted:
(1) FEMC shall make a determination of legal sufficiency within 30 days of receipt of a complaint.
(2) Within fifteen days of receiving a complaint that is determined to be legally sufficient, FEMC shall furnish to the subject or the subject's attorney a copy of the complaint or document that resulted in the initiation of the investigation.
(3) FEMC shall refer all unlicensed cases to the Department within 15 days.
(4) FEMC shall refer to the board any investigation or disciplinary proceeding not before the Division of Administrative Hearings pursuant to chapter 120 or otherwise completed by FEMC within 1 year after the filing of a complaint.
(5) FEMC shall periodically notify the person who filed the complaint the status of the investigation, whether probable cause has been found, and the status of any administrative proceeding or appeal.
(6) At least 90 days before the end of a licensure cycle, FEMC shall forward a licensure renewal notification to active or inactive licensees at the licensee's last known address of record with FEMC.
(7) At least 90 days before the end of a licensure cycle, FEMC shall forward a notice of pending cancellation of licensure to a delinquent status licensee at the licensee's last known address of record with FEMC.
(8) Upon receipt of an application for a license, FEMC shall examine the application and, within 30 days after such receipt, notify the applicant of any apparent errors or omissions and request any additional information FEMC is permitted by law to require.
(9) Every application for a license shall be approved or denied within 90 days after receipt of a completed application.
(10) If an applicant seeks a license for an activity that is exempt from licensure, FEMC shall notify the applicant and return any tendered application fee within 30 days after receipt of the original application.
Specific Authority: 471.038(3)(m) FS ■ Law Implemented: 471.038(3)(m) FS ■ History— New 11-12-02

Self-Assessment

Circle the appropriate answer for each question (one answer per question). Record answers on the Self-Assessment Answer Sheet located on page 51 of this update.

1 Which of the following individuals *are not* required to register under Chapter 471 F.S. as a "Licensed Engineer?"

a) A person practicing engineering for the improvement of property legally owned by that person and involving a public utility.
b) A state-employed public officer working on a project with a total estimated cost of $25,000.
c) Regular full-time employees of a public utility subject to regulation by the Florida Public Service Commission.
d) An electrical contractor working on a construction project requiring an aggregate service capacity of 800 amperes (240 volts) on a residential electrical system.

2 As defined in the Florida Statutes, the term "Engineer…"

a) …includes retired professional engineers.
b) …means, "a person who practices any branch of engineering.
c) …includes the term "engineer intern.".
d) …refers only to those persons licensed to practice under Chapter 471, F.S.

3 Of the eleven members of the Florida Board of Professional Engineers, how many are required by statute to be civil engineers?

a) 1
b) 2
c) 3
d) 4

4 An individual who has not graduated from an approved engineering or engineering technology curriculum may be eligible to take the engineering examination if they can demonstrate to the Board what length of active engineering work?

a) 4 years.
b) 6 years.
c) 8 years.
d) 10 years.

5 An applicant who seeks licensure by endorsement shall be deemed by the Board to have passed an examination substantially equivalent to the fundamentals examination under which of the following circumstances?

a) Applicant has received a doctorate degree in engineering and has then taught engineering full-time for 3 years at the baccalaureate level.
b) Applicant has received an undergraduate degree in an engineering institution accredited Accreditation Board of Engineering Technology.
c) Applicant has held a valid Professional Engineer license in another state for 10 years and has 15 years of continuous professional experience.
d) All of the above

6 Which of the following statements is true regarding the statutory requirements for continuing professional competency?

a) Nonclassroom hours will not be credited.
b) The Board may exempt retired professional engineers who no longer sign and seal engineering documents from this requirement.
c) Every licensee must complete 8 professional development hours for each year of the license renewal period.
d) The Board shall adopt rules consistent with the guidelines of the Accreditation Board for Engineering and Technology to avoid proprietary continuing professional competency requirements.

7 The statutory requirements for the certification of partnerships and corporations prohibits business organizations from joining together to offer engineering services even though each organization meets the certification requirements.

☐ **True** ☐ **False**

8 Which of the following is true regarding the statutory authorization of engineers to enter the lands of third parties?

a) Engineers must receive written permission from landowners before moving anything on such property.
b) Engineers are not authorized to carry unlicensed employees with them onto such property.
c) Engineers may be subject to civil action for making engineering surveys on such property.
d) None of the above.

9 Any person that is exempt from licensure under s. 471.003(2)(j) may use the title "registered engineer" in the scope of his or her work under that exemption.

☐ **True** ☐ **False**

10 Which of the following penalties *may not* be ordered when the Board finds any person guilty of acts outlined in s. 471.003(1)?

a) Issuance of a reprimand.
b) Revocation of license.
c) Restriction of the authorized scope of practice by the licensee.
d) $10,000 administrative fine for each count or separate offense.

11 Which of the following statements is true regarding the Florida Engineers Management Corporation?

a) Fiscal year runs from January 1 through December 31 of each year.
b) No Board of Director member may serve consecutive terms.
c) The President of the Management Corporation also serves as the Executive Director of the Florida Board of Professional Engineers.
d) Failure to attend a Board meeting shall be deemed a resignation from the Board.

12 Which of the following statements is true regarding the probable cause panel?

a) It may consist only of three current Board members.
b) It may include no more than one past Board member.
c) The panel must change for each Board meeting.
d) Committees are appointed at the last Board meeting of each calendar year to serve for the following year.

13 To evaluate whether an engineer is the "Engineer of Record," it is not necessary to defend decisions as in an adversary situation, but only to demonstrate that the engineer in responsible charge made them and possessed sufficient knowledge of the project to make them.

☐ **True** ☐ **False**

14 The maximum penalty for "plan stamping" (without aggravating circumstances) by a professional engineer is:

a) Reprimand, $5,000.00 fine, 1 year suspension and 2 years probation.
b) Reprimand and 1 year probation.
c) Revocation of license and $5,000.00 fine.
d) Referral to State Attorney for criminal prosecution.

15 What score is considered "passing" for applicants completing the "Laws and Rules Study Guide and Questionnaire" as a condition for licensure?

a) 60%.
b) 70%.
c) 80%.
d) 90%.

16 Regarding the written examination that must be taken and passed by all applicants for a Professional Engineer license…

a) The examination shall be provided by the Florida Board of Professional Engineers.
b) The examination consists of two parts, each of 4 hours.
c) A list of approved reference material and calculators will be provided to all candidates prior to each examination.
d) Acceptance into the engineering intern examination, either in Florida or elsewhere, indicates automatic acceptance into the Professional Engineer examination.

17 Which of the following activities *would not* qualify as professional development hours?

a) Authoring accepted license examination items for NCEES.
b) Receiving a Patent.
c) Self-Generated Courses.
d) Authoring a published paper.

18 As of January 1, 2006, all embossing impression seals must appear as illustrated in the rule and are required to have a minimum diameter of:

a) 1¾ inches.
b) 1⅞ inches.
c) 2 inches.
d) 2 ⅜ inches.

19 Under no circumstances may a Truss System Engineer sign and seal the cover or index sheet of a Truss System design package in lieu of signing and sealing each individual sheet.

☐ True ☐ False

20 Which of the following devices is an example of a Material and Human Transfer System?

a) A conveyor belt used in building automobiles.
b) An escalator in a department store.
c) A Roller Coaster.
d) A moveable walkway in an airport.

PROFESSIONAL ENGINEER UPDATE
Laws and Rules of the Florida Board of Professional Engineers

SELF-ASSESSMENT ANSWER SHEET

RETURN CERTIFICATE TO (please print):

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SELF-ASSESSMENT ANSWERS

MARK ONE ANSWER PER QUESTION

1	[A]	[B]	[C]	[D]
2	[A]	[B]	[C]	[D]
3	[A]	[B]	[C]	[D]
4	[A]	[B]	[C]	[D]
5	[A]	[B]	[C]	[D]
6	[A]	[B]	[C]	[D]
7	[TRUE]		[FALSE]	
8	[A]	[B]	[C]	[D]
9	[TRUE]		[FALSE]	
10	[A]	[B]	[C]	[D]
11	[A]	[B]	[C]	[D]
12	[A]	[B]	[C]	[D]
13	[TRUE]		[FALSE]	
14	[A]	[B]	[C]	[D]
15	[A]	[B]	[C]	[D]
16	[A]	[B]	[C]	[D]
17	[A]	[B]	[C]	[D]
18	[A]	[B]	[C]	[D]
19	[TRUE]		[FALSE]	
20	[A]	[B]	[C]	[D]

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COURSE EVALUATION FORM

We are committed to meeting the educational needs of professional engineers. We emphasize quality, convenience, and value. Your feedback is very important. It helps shape the future development of programs.

The objectives for this program are listed at the beginning of this program.

Please darken the number (●) that best describes how much you agree or disagree with the following statements using the legend indicated below:

⑤=Agree completely ④=Agree Somewhat ③=Neither agree nor disagree
②=Disagree somewhat ①=Disagree completely

	Overall					
1	The content of this program will help me in my job immediately or in the future	⑤	④	③	②	①
2	The content of this program updated my current knowledge	⑤	④	③	②	①
3	This program was easy to read	⑤	④	③	②	①
4	The format of this program is effective	⑤	④	③	②	①
	Having completed SECTION ONE:, Chapter 471 including the self-assessment questions, indicate your degree of agreement with the following:					
5	**SECTION ONE: Chapter 471** met the written objectives	⑤	④	③	②	①
6	The content was clear and well organized.	⑤	④	③	②	①
7	I found the information current and up-to-date	⑤	④	③	②	①
	Having completed SECTION TWO: Rules: Chapter 61G15, including the self-assessment questions, indicate your degree of agreement with the following:					
8	**SECTION TWO: Rules: Chapter 61G15** met the written objectives	⑤	④	③	②	①
9	The content was clear and well organized.	⑤	④	③	②	①
10	I found the information current and up-to-date	⑤	④	③	②	①

Do you currently use the internet for information regarding your profession (maintaining knowledge, news, information, etc.)?

❍ **YES** ❍ **NO (Skip next question)**

Please list two practice behaviors/patterns you plan to change as a result of this program.

_____

_____

_____

_____

Please briefly describe barriers you anticipate you may have to overcome to enable you to be successful in implementing these changes.

_____

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A NOTE TO COURSE PARTICIPANTS

The laws and rules offered in this self-study activity were current at the time of printing. However, the Board and the Legislature frequently propose and enact updated laws and rules. Please visit the Florida Board of Professional Engineers' website (*http://www.fbpe.org*) to view recent news and the most current versions of the laws and rules. Engineers may also track proposed rule changes by visiting the website for the Florida Administrative Weekly (*http://faw.dos.state.fl.us/index.html*)

NOTES

KEEPING YOU

I N F O R M E D

UPDATE FOR PROFESSIONAL ENGINEERS

NOTICE: THIS PROGRAM BOOKLET CONTAINS THE 4-HOUR COURSE ON THE LAWS AND RULES OF THE FLORIDA BOARD OF PROFESSIONAL ENGINEERS (FBPE)!!

FLORIDA STATUTE 471.017(3) REQUIRES ALL INDIVIDUALS LICENSED BY THE FLORIDA BOARD OF PROFESSIONAL ENGINEERS TO OBTAIN 4 PROFESSIONAL DEVELOPMENT HOURS ON THE LAWS AND RULES OF THE BOARD AS A CONDITION OF LICENSE RENEWAL.

THIS 4-HOUR REQUIREMENT MUST BE COMPLETED BEFORE THE FINAL DATE OF YOUR CURRENT LICENSE! USE THE ENCLOSED MATERIAL TO EARN 4 PROFESSIONAL DEVELOPMENT HOURS INSTEAD OF ATTENDING A FBPE BOARD MEETING!

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