



Florida Laws and Rules for Professional Engineers 1 PDH

**Florida Board of Professional Engineers
Course Number: 0010297
Biennium 2019-2021**

1

**Professional Development Hours (PDH) or
Continuing Education Hours (CE)
Online PDH or CE course**

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Course description:

Florida Professional Engineers Laws and Rules has been designed based on the Florida rules 61G15-22.0105 requirements, subsection 2 as following:

- (a) Course materials, including the course syllabus and a detailed outline of the contents of the course;
- (b) The total number of classroom or interactive distance learning continuing education hours;
- (c) For courses in Laws and Rules, course content that shall include:
 - 1. Changes to Chapters 455 and 471, F.S., and rules adopted, amended or repealed during the immediately preceding biennium;
 - 2. A list of resources used to develop the course content.
- (d) For courses in laws and rules, course content may also include:
 - 1. Application of the provisions of Chapter 471, F.S., to individual disciplinary cases and unlicensed practice cases during the immediately preceding biennium.
 - 2. The laws and rules of the Board pertaining to signing and sealing, responsibility rules, certification and responsible charge.

Total hours: Total number of PDH hours for this course is **1 hour**

Grading: The passing grade for this course is **70%**. You can take the course as many times as you like in order to pass.

To Contact us:

- 1- You can contact us through **email: fdapdh@gmail.com**
- 2- Or by the telephone phone during the week from M-F between 9 am-4 pm Central Time.
Telephone No. 713-787-6810
- 3- Or by fax. **Fax No: 713-787-6825**

Chapter 1: Florida Rules and Laws Basics:

The Florida Legislature determined, in the interest of public health, life, property and safety, to regulate the practice of engineering in the State of Florida. To accomplish this task the Legislature created Chapter 471, Florida Statutes. As provided in this law, the Florida Board of Professional Engineers is responsible for reviewing applications, administering examinations, licensing qualified applicants, and otherwise regulating the practice of engineering throughout the state.

Licensees are expected to know the laws and rules governing their professions and are expected to provide services in accordance with current regulations, codes, ordinances and recognized standards. When appropriate, the Board has the authority to discipline those individuals and firms (licensed and unlicensed) that offer and/or practice engineering in the State of Florida. The Board has the power to suspend, revoke, or refuse to issue, restore or renew a certificate of authorization for a firm, or a certificate of licensure for an individual, or place on probation, fine or reprimand any firm, professional engineer, or individual found guilty of violating Florida Statutes and Rules.

The Legal Department, consisting of the Chief Prosecuting Attorney, Investigator, and a Paralegal/Compliance Officer, manage the complaint and disciplinary processes. The department's duties include review of complaints, coordination of investigations, preparation of probable cause panel and board meeting materials, preparation of administrative complaints and orders, litigation of cases at the Division of Administrative Hearings (DOAH), handling appeals to the court system and assuring compliance with Board decisions.

All the Florida Administrative Code, Florida Statutes can be downloaded from

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

FLORIDA ADMINISTRATIVE CODE

[Chapter 61G15 Board of Professional Engineers Organization & Purpose](#)

FLORIDA STATUTES

[Chapter 471 – Engineering](#)

[Chapter 455 – Business & Professional Regulation – General Provisions](#)

FLORIDA BUILDING CODE

[DBPR Building Code Information System – Florida Building Code](#)

What is FBPE?

With over 35,000 active licensed engineers in the State of Florida, the Florida Board of Professional Engineers (FBPE) is committed to protecting the interest of public health and safety by properly regulating the practice of engineering.

The Florida Board of Professional Engineers is established under the Engineering Registration Law, Chapter 471, Florida Statutes and is comprised of 11 members, nine of whom are licensed professional engineers representing multiple disciplines and two laypersons who are not and never have been engineers or members of any closely related profession or occupation. All members are appointed by the Governor for terms of four years each.

The Florida Legislature found it necessary in the interest of public health and safety to regulate the practice of engineering in the State of Florida, creating Chapter 471, Florida Statutes, making the FBPE responsible for reviewing applications, administering exams, licensing qualified applicants, and regulating and enforcing the proper practice of engineering in the state.

The FBPE meets six times a year in designated locations around the state. The schedule and locations of all meetings can be found on the Board calendar. All meetings of the Board are open to the public, and Licensees and members of the public are welcome and encouraged to attend. Board meeting agendas and materials are available for download under the Meetings and Information section of our website

What is FEMC?

FDA, Inc.

Under Section 471.038, Florida Statutes, administrative, investigative and prosecutorial services are provided to the Florida Board of Professional Engineers by the Florida Engineers Management Corporation (FEMC). FEMC is a non-profit, single purpose corporation that operates through a contract with the Department of Business and Professional Regulation.

The FEMC Board of Directors is composed of seven members. Five members are appointed by the Florida Board of Professional Engineers and must be Florida registrants. Two members are appointed by the Secretary of the Department of Business and Professional Regulation and must be laypersons not regulated by the Board.

Chapter 2: All the changes made to Chapter 455 and 471, Florida Statutes biennium 2017-2019

1- The Changes to Chapter 471 in the biennium 2017-2019

<https://fbpe.org/wp-content/uploads/2018/10/Chapter-471-2018.pdf>

Changes to 471 in 2017:

471.045 Professional engineers performing building code inspector duties.—

Notwithstanding any other provision of law, a person who is currently licensed under this chapter to practice as a professional engineer may provide building code inspection services described in s. 468.603(5) and (8) 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; s. 8, ch. 2017-149.

Changes to 471 in 2018

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 former part I of chapter 553, Florida Statutes 2001, or under any special act or ordinance when working on any construction project which:
 - 1. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value of \$125,000 or less; and
 - 2.a. Requires an aggregate service capacity of 600 amperes (240 volts) or less on a residential electrical system or 800 amperes (240 volts) or less on a commercial or industrial electrical system;
 - b. Requires a plumbing system with fewer than 250 fixture units; or
 - c. Requires a heating, ventilation, and air-conditioning system not to exceed a 15-ton-per-system capacity, or if the project is designed to accommodate 100 or fewer persons.
 - (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; s. 1, ch. 2003-425; s. 4, ch. 2004-332; s. 64, ch. 2009-195; s. 64, ch. 2018-110.

2- The changes to Chapter 455 biennium 2017-2019:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0455/0455.html

Changes in 2017

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

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

(2) A spouse of a member of the Armed Services of the United States who is married to a member during a period of active duty, or a surviving spouse of a member who at the time of death was serving on active duty, who is in good standing with any of the boards or programs

listed in s. 20.165 shall be kept in good standing by the applicable board or program as described in subsection (1) and shall be exempt from licensure renewal provisions, but only in cases of his or her absence from the state because of his or her spouse's duties with the Armed Forces.

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

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

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

3. The applicant, where required by the specific practice act, has complied with insurance or bonding requirements.

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

b. The Department of Law Enforcement shall forward the fingerprints submitted pursuant to sub-subparagraph a. to the Federal Bureau of Investigation for a national criminal history check. The department shall, and the board may, review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing shall be borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor shall collect the required processing fees and remit the fees to the Department of Law Enforcement.

(b) The department shall waive the applicant's initial licensure application fee.

(c) An applicant who is issued a license under this section may renew such license upon completion of the conditions for renewal required of licenseholders under the applicable practice act, including, without limitation, continuing education requirements. This paragraph does not limit waiver of initial licensure requirements under this subsection.

History.—s. 2, ch. 21885, 1943; s. 5, ch. 79-36; s. 95, ch. 83-329; s. 1, ch. 84-15; s. 71, ch. 85-81; s. 6, ch. 93-220; s. 186, ch. 97-103; s. 5, ch. 2010-106; s. 4, ch. 2010-182; s. 2, ch. 2017-135.

Note.—Former s. 485.02.

455.218 Foreign-trained professionals; special examination and license provisions.—

(1) When not otherwise provided by law, the department shall by rule provide procedures under which exiled professionals may be examined within each practice act. A person shall be eligible for such examination if the person:

- (a) Immigrated to the United States after leaving the person's home country because of political reasons, provided such country is located in the Western Hemisphere and lacks diplomatic relations with the United States;
- (b) Applies to the department and submits a fee;
- (c) Was a Florida resident immediately preceding the person's application;
- (d) Demonstrates to the department, through submission of documentation verified by the applicant's respective professional association in exile, that the applicant was graduated with an appropriate professional or occupational degree from a college or university; however, the department may not require receipt of any documentation from the Republic of Cuba as a condition of eligibility under this section;
- (e) Lawfully practiced the profession for at least 3 years;
- (f) Prior to 1980, successfully completed an approved course of study pursuant to chapters 74-105 and 75-177, Laws of Florida; and
- (g) Presents a certificate demonstrating the successful completion of a continuing education program which offers a course of study that will prepare the applicant for the examination offered under subsection (2). The department shall develop rules for the approval of such programs for its boards.

(2) Upon request of a person who meets the requirements of subsection (1) and submits an examination fee, the department, for its boards, shall provide a written practical examination that tests the person's current ability to practice the profession competently in accordance with the actual practice of the profession. Evidence of meeting the requirements of subsection (1) shall be treated by the department as evidence of the applicant's preparation in the academic and preprofessional fundamentals necessary for successful professional practice, and the applicant shall not be examined by the department on such fundamentals.

(3) The fees charged for the examinations offered under subsection (2) shall be established by the department, for its boards, by rule and shall be sufficient to develop or to contract for the development of the examination and its administration, grading, and grade reviews.

(4) The department shall examine any applicant who meets the requirements of subsections (1) and (2). Upon passing the examination and the issuance of the license, a licensee is subject to the administrative requirements of this chapter and the respective practice act under which the license is issued. Each applicant so licensed is subject to all provisions of this chapter and the respective practice act under which the license was issued.

(5) Upon a request by an applicant otherwise qualified under this section, the examinations offered under subsection (2) may be given in the applicant's native language, provided that any translation costs are borne by the applicant.

(6) The department, for its boards, shall not issue an initial license to, or renew a license of, any applicant or licensee who is under investigation or prosecution in any jurisdiction for an action which would constitute a violation of this chapter or the professional practice acts administered by the department and the boards until such time as the investigation or prosecution is complete, at which time the provisions of the professional practice acts shall apply.

History.—s. 1, ch. 86-90; s. 7, ch. 88-205; s. 7, ch. 88-392; s. 48, ch. 92-33; s. 16, ch. 92-149; s. 23, ch. 93-129; s. 312, ch. 94-119; s. 72, ch. 94-218; s. 14, ch. 97-261; s. 3, ch. 98-166; s. 29, ch. 2000-160.

455.2185 Exemption for certain out-of-state or foreign professionals; limited practice permitted.—

(1) A professional of any other state or of any territory or other jurisdiction of the United States or of any other nation or foreign jurisdiction is exempt from the requirements of licensure under this chapter and the applicable professional practice act under the agency with regulatory jurisdiction over the profession if that profession is regulated in this state under the agency with regulatory jurisdiction over the profession and if that person:

(a) Holds, if so required in the jurisdiction in which that person practices, an active license to practice that profession.

(b) Engages in the active practice of that profession outside the state.

(c) Is employed or designated in that professional capacity by a sports entity visiting the state for a specific sporting event.

(2) A professional's practice under this section is limited to the members, coaches, and staff of the team for which that professional is employed or designated and to any animals used if the sporting event for which that professional is employed or designated involves animals. A professional practicing under authority of this section shall not have practice privileges in any licensed veterinary facility without the approval of that facility.

History.—s. 1, ch. 94-96; s. 15, ch. 97-261; s. 30, ch. 2000-160.

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

(1) Each board within the department shall determine by rule the amount of license fees for its profession, based upon department-prepared long-range estimates of the revenue required to implement all provisions of law relating to the regulation of professions by the department and any board; however, when the department has determined, based on the long-range estimates of such revenue, that a profession's trust fund moneys are in excess of the amount required to cover the necessary functions of the board, or the department when there is no board, the department

may adopt rules to implement a waiver of license renewal fees for that profession for a period not to exceed 2 years, as determined by the department. Each board, or the department when there is no board, shall ensure license fees are adequate to cover all anticipated costs and to maintain a reasonable cash balance, as determined by rule of the department, with advice of the applicable board. If sufficient action is not taken by a board within 1 year of notification by the department that license fees are projected to be inadequate, the department shall set license fees on behalf of the applicable board to cover anticipated costs and to maintain the required cash balance. The department shall include recommended fee cap increases in its annual report to the Legislature. Further, it is legislative intent that no regulated profession operate with a negative cash balance. The department may provide by rule for the advancement of sufficient funds to any profession or the Florida State Boxing Commission operating with a negative cash balance. Such advancement may be for a period not to exceed 2 consecutive years and shall require interest to be paid by the regulated profession. Interest shall be calculated at the current rate earned on Professional Regulation Trust Fund investments. Interest earned shall be allocated to the various funds in accordance with the allocation of investment earnings during the period of the advance.

(2) Each board, or the department if there is no board, may, by rule, assess and collect a one-time fee from each active and each voluntary inactive licensee in an amount necessary to eliminate a cash deficit or, if there is not a cash deficit, in an amount sufficient to maintain the financial integrity of such professions as required in this section. No more than one such assessment may be made in any 4-year period without specific legislative authorization.

(3) All moneys collected by the department from fees or fines or from costs awarded to the department by a court shall be paid into the Professional Regulation Trust Fund, which fund is created in the department. The department may contract with public and private entities to receive and deposit revenue pursuant to this section. The Legislature shall appropriate funds from this trust fund sufficient to carry out the provisions of this chapter and the provisions of law with respect to professions regulated by the department and any board within the department. The department shall maintain separate accounts in the Professional Regulation Trust Fund for every profession within the department. To the maximum extent possible, the department shall directly charge all expenses to the account of each regulated profession. For the purpose of this subsection, direct charge expenses shall include, but not be limited to, costs for investigations, examinations, and legal services. For expenses that cannot be charged directly, the department shall provide for the proportionate allocation among the accounts of expenses incurred by the department in the performance of its duties with respect to each regulated profession. The department shall not expend funds from the account of a profession to pay for the expenses incurred on behalf of another profession. The department shall maintain adequate records to support its allocation of department expenses. The department shall provide any board with

reasonable access to these records upon request. Each board shall be provided an annual report of revenue and direct and allocated expenses related to the operation of that profession. These reports and the department's adopted long-range plan shall be used by the board to determine the amount of license fees. A condensed version of this information, with the department's recommendations, shall be included in the annual report to the Legislature prepared pursuant to s. 455.2285.

(4) A condensed management report of budgets, finances, performance statistics, and recommendations shall be provided to each board at least once a quarter. The department shall identify and include in such presentations any changes, or projected changes, made to the board's budget since the last presentation.

(5) If a duplicate license is required or requested by the licensee, the board or, if there is no board, the department may charge a fee as determined by rule not to exceed \$25 before issuance of the duplicate license.

(6) The department or the appropriate board shall charge a fee not to exceed \$25 for the certification of a public record. The fee shall be determined by rule of the department. The department or the appropriate board shall assess a fee for duplication of a public record as provided in s. 119.07(4).

(7)(a) The department, or a board thereunder, shall waive the initial licensing fee for a member of the Armed Services of the United States ¹who has served on active duty, the spouse of a member of the Armed Services of the United States who was married to the member during a period of active duty, the surviving spouse of a member of the Armed Services of the United States who at the time of death was serving on active duty, or a low-income individual upon application by the individual in a format prescribed by the department. The application format must include the applicant's signature, under penalty of perjury, and supporting documentation as required by the department. For purposes of this subsection, the term "low-income individual" means a person whose household income, before taxes, is at or below 130 percent of the federal poverty guidelines prescribed for the family's household size by the United States Department of Health and Human Services, proof of which may be shown through enrollment in a state or federal public assistance program that requires participants to be at or below 130 percent of the federal poverty guidelines to qualify.

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

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

History.—s. 5, ch. 79-36; s. 287, ch. 81-259; s. 2, ch. 84-271; s. 82, ch. 90-132; s. 4, ch. 90-228; s. 4, ch. 91-137; s. 17, ch. 92-149; s. 73, ch. 94-218; s. 8, ch. 2000-356; s. 44, ch. 2004-335; s. 3, ch. 2017-135.

¹**Note.**—The word “who” was substituted for the word “that” by the editors.

455.227 Grounds for discipline; penalties; enforcement.—

(1) The following acts shall constitute grounds for which the disciplinary actions specified in subsection (2) may be taken:

(a) Making misleading, deceptive, or fraudulent representations in or related to the practice of the licensee’s profession.

(b) Intentionally violating any rule adopted by the board or the department, as appropriate.

(c) Being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee’s profession.

(d) Using a Class III or a Class IV laser device or product, as defined by federal regulations, without having complied with the rules adopted pursuant to s. 501.122(2) governing the registration of such devices.

(e) Failing to comply with the educational course requirements for human immunodeficiency virus and acquired immune deficiency syndrome.

(f) Having a license or the authority to practice the regulated profession revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of any jurisdiction, including its agencies or subdivisions, for a violation that would constitute a violation under Florida law. The licensing authority’s acceptance of a relinquishment of licensure, stipulation, consent order, or other settlement, offered in response to or in anticipation of the filing of charges against the license, shall be construed as action against the license.

(g) Having been found liable in a civil proceeding for knowingly filing a false report or complaint with the department against another licensee.

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

(i) Failing to report to the department any person who the licensee knows is in violation of this chapter, the chapter regulating the alleged violator, or the rules of the department or the board.

(j) Aiding, assisting, procuring, employing, or advising any unlicensed person or entity to practice a profession contrary to this chapter, the chapter regulating the profession, or the rules of the department or the board.

- (k) Failing to perform any statutory or legal obligation placed upon a licensee.
 - (l) Making or filing a report which the licensee knows to be false, intentionally or negligently failing to file a report or record required by state or federal law, or willfully impeding or obstructing another person to do so. Such reports or records shall include only those that are signed in the capacity of a licensee.
 - (m) Making deceptive, untrue, or fraudulent representations in or related to the practice of a profession or employing a trick or scheme in or related to the practice of a profession.
 - (n) Exercising influence on the patient or client for the purpose of financial gain of the licensee or a third party.
 - (o) Practicing or offering to practice beyond the scope permitted by law or accepting and performing professional responsibilities the licensee knows, or has reason to know, the licensee is not competent to perform.
 - (p) Delegating or contracting for the performance of professional responsibilities by a person when the licensee delegating or contracting for performance of such responsibilities knows, or has reason to know, such person is not qualified by training, experience, and authorization when required to perform them.
 - (q) Violating any provision of this chapter, the applicable professional practice act, a rule of the department or the board, or a lawful order of the department or the board, or failing to comply with a lawfully issued subpoena of the department.
 - (r) Improperly interfering with an investigation or inspection authorized by statute, or with any disciplinary proceeding.
 - (s) Failing to comply with the educational course requirements for domestic violence.
 - (t) Failing to report in writing to the board or, if there is no board, to the department within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. A licensee must report a conviction, finding of guilt, plea, or adjudication entered before the effective date of this paragraph within 30 days after the effective date of this paragraph.
 - (u) Termination from an impaired practitioner program as described in s. 456.076 for failure to comply, without good cause, with the terms of the monitoring or participant contract entered into by the licensee or failing to successfully complete a drug or alcohol treatment program.
- (2) When the board, or the department when there is no board, finds any person guilty of the grounds set forth in subsection (1) or of any grounds set forth in the applicable practice act, including conduct constituting a substantial violation of subsection (1) or a violation of the applicable practice act which occurred prior to obtaining a license, it may enter an order imposing one or more of the following penalties:
- (a) Refusal to certify, or to certify with restrictions, an application for a license.

- (b) Suspension or permanent revocation of a license.
 - (c) Restriction of practice.
 - (d) Imposition of an administrative fine not to exceed \$5,000 for each count or separate offense.
 - (e) Issuance of a reprimand.
 - (f) Placement of the licensee on probation for a period of time and subject to such conditions as the board, or the department when there is no board, may specify. Those conditions may include, but are not limited to, requiring the licensee to undergo treatment, attend continuing education courses, submit to be reexamined, work under the supervision of another licensee, or satisfy any terms which are reasonably tailored to the violations found.
 - (g) Corrective action.
- (3)(a) In addition to any other discipline imposed pursuant to this section or discipline imposed for a violation of any practice act, the board, or the department when there is no board, may assess costs related to the investigation and prosecution of the case excluding costs associated with an attorney's time.
- (b) In any case where the board or the department imposes a fine or assessment and the fine or assessment is not paid within a reasonable time, such reasonable time to be prescribed in the rules of the board, or the department when there is no board, or in the order assessing such fines or costs, the department or the Department of Legal Affairs may contract for the collection of, or bring a civil action to recover, the fine or assessment.
 - (c) The department shall not issue or renew a license to any person against whom or business against which the board has assessed a fine, interest, or costs associated with investigation and prosecution until the person or business has paid in full such fine, interest, or costs associated with investigation and prosecution or until the person or business complies with or satisfies all terms and conditions of the final order.
- (4) In addition to, or in lieu of, any other remedy or criminal prosecution, the department may file a proceeding in the name of the state seeking issuance of an injunction or a writ of mandamus against any person who violates any of the provisions of this chapter, or any provision of law with respect to professions regulated by the department, or any board therein, or the rules adopted pursuant thereto.
- (5) In the event the board, or the department when there is no board, determines that revocation of a license is the appropriate penalty, the revocation shall be permanent. However, the board may establish, by rule, requirements for reapplication by applicants whose licenses have been permanently revoked. Such requirements may include, but shall not be limited to, satisfying current requirements for an initial license.

History.—s. 5, ch. 79-36; s. 13, ch. 83-329; s. 5, ch. 88-380; s. 8, ch. 91-137; s. 55, ch. 92-33; s. 22, ch. 92-149; s. 23, ch. 93-129; s. 9, ch. 94-119; s. 80, ch. 94-218; s. 5, ch. 95-187; s. 22, ch. 97-261; s. 144, ch. 99-251; s. 32, ch. 2000-160; s. 2, ch. 2009-195; s. 12, ch. 2010-106; s. 5, ch. 2017-41.

455.271 Inactive and delinquent status.—

(1) A licensee may practice a profession only if the licensee has an active status license. A licensee who practices a profession without an active status license is in violation of this section and s. 455.227, and the board, or the department when there is no board, may impose discipline on the licensee.

(2) Each board, or the department when there is no board, shall permit a licensee to choose, at the time of licensure renewal, an active or inactive status.

(3) Each board, or the department when there is no board, shall, by rule, impose a fee for an inactive status license which is no greater than the fee for an active status license.

(4) An inactive status licensee may change to active status at any time, provided the licensee meets all requirements for active status, pays any additional licensure fees necessary to equal those imposed on an active status licensee, pays any applicable reactivation fees as set by the board, or the department when there is no board, and meets all continuing education requirements as specified in this section.

(5) A licensee shall apply with a complete application, as defined by rule of the board, or the department when there is no board, to renew an active or inactive status license before the license expires. Failure of a licensee to renew before the license expires shall cause the license to become delinquent in the license cycle following expiration.

(6)(a) A delinquent status licensee must affirmatively apply with a complete application, as defined by rule of the board, or the department if there is no board, for active or inactive status during the licensure cycle in which a licensee becomes delinquent. Failure by a delinquent status licensee to become active or inactive before the expiration of the current licensure cycle shall render the license void without any further action by the board or the department.

(b) Notwithstanding the provisions of the professional practice acts administered by the department, the department may, at its discretion, reinstate the license of an individual whose license has become void if the department determines that the individual failed to comply because of illness or economic hardship. The individual must apply to the department for reinstatement and pay an applicable fee in an amount determined by rule. The department shall

require that such individual meet all continuing education requirements prescribed by law, pay appropriate licensing fees, and otherwise be eligible for renewal of licensure under this chapter.

This subsection does not apply to individuals subject to regulation under chapter 473.

(7) Notwithstanding the provisions of the professional practice acts administered by the department, each board, or the department when there is no board, shall, by rule, impose an additional delinquency fee of \$25 on a delinquent status licensee when such licensee applies for active or inactive status.

(8) Each board, or the department when there is no board, shall, by rule, impose an additional fee, not to exceed the biennial renewal fee for an active status license, for processing a licensee's request to change licensure status at any time other than at the beginning of a licensure cycle.

(9) Each board, or the department when there is no board, may, by rule, impose reasonable conditions, excluding full reexamination but including part of a national examination or a special purpose examination to assess current competency, necessary to ensure that a licensee who has been on inactive status for more than two consecutive biennial licensure cycles and who applies for active status can practice with the care and skill sufficient to protect the health, safety, and welfare of the public. Reactivation requirements may differ depending on the length of time licensees are inactive. The costs to meet reactivation requirements shall be borne by licensees requesting reactivation.

(10) The board, or the department if there is no board, may not require an inactive or delinquent licensee, except for a licensee under chapter 473 or chapter 475, to complete more than one renewal cycle of continuing education to reactivate a license.

(11) The status or a change in status of a licensee shall not alter in any way the board's, or the department's when there is no board, right to impose discipline or to enforce discipline previously imposed on a licensee for acts or omissions committed by the licensee while holding a license, whether active, inactive, or delinquent.

(12) This section does not apply to a business establishment registered, permitted, or licensed by the department to do business or to a person licensed, permitted, registered, or certified pursuant to chapter 310 or chapter 475.

History.—s. 14, ch. 94-119; s. 1, ch. 2005-249; s. 2, ch. 2009-54; s. 3, ch. 2012-61; s. 5, ch. 2012-72; s. 8, ch. 2012-208; s. 1, ch. 2017-29.
Changes to 455 in 2018

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

(1) Any member of the United States Armed Forces now or hereafter on active duty who, at the time of becoming such a member, was in good standing with any of the boards or programs listed in s. 20.165 and was entitled to practice or engage in his or her profession or occupation in the state shall be kept in good standing by the applicable board or program, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the United States Armed Forces on active duty and for a period of 2 years after discharge from active duty. A member, during active duty and for a period of 2 years after discharge from active duty, engaged in his or her licensed profession or occupation in the private sector for profit in this state must complete all license renewal provisions except remitting the license renewal fee, which shall be waived by the department.

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

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

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

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

3. The applicant, where required by the specific practice act, has complied with insurance or bonding requirements.

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

b. The Department of Law Enforcement shall forward the fingerprints submitted pursuant to sub-subparagraph a. to the Federal Bureau of Investigation for a national criminal history check. The department shall, and the board may, review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing shall be borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor shall collect the required processing fees and remit the fees to the Department of Law Enforcement.

(b) The department shall waive the applicant's initial licensure application fee.

(c) An applicant who is issued a license under this section may renew such license upon completion of the conditions for renewal required of licenseholders under the applicable practice act, including, without limitation, continuing education requirements. This paragraph does not limit waiver of initial licensure requirements under this subsection.

History.—s. 2, ch. 21885, 1943; s. 5, ch. 79-36; s. 95, ch. 83-329; s. 1, ch. 84-15; s. 71, ch. 85-81; s. 6, ch. 93-220; s. 186, ch. 97-103; s. 5, ch. 2010-106; s. 4, ch. 2010-182; s. 2, ch. 2017-135; s. 7, ch. 2018-7.

Note.—Former s. 485.02.

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

(1) Each board within the department shall determine by rule the amount of license fees for its profession, based upon department-prepared long-range estimates of the revenue required to implement all provisions of law relating to the regulation of professions by the department and any board; however, when the department has determined, based on the long-range estimates of such revenue, that a profession's trust fund moneys are in excess of the amount required to cover the necessary functions of the board, or the department when there is no board, the department may adopt rules to implement a waiver of license renewal fees for that profession for a period not to exceed 2 years, as determined by the department. Each board, or the department when there is no board, shall ensure license fees are adequate to cover all anticipated costs and to maintain a reasonable cash balance, as determined by rule of the department, with advice of the applicable board. If sufficient action is not taken by a board within 1 year of notification by the department that license fees are projected to be inadequate, the department shall set license fees on behalf of the applicable board to cover anticipated costs and to maintain the required cash balance. The department shall include recommended fee cap increases in its annual report to the Legislature. Further, it is legislative intent that no regulated profession operate with a negative

cash balance. The department may provide by rule for the advancement of sufficient funds to any profession or the Florida State Boxing Commission operating with a negative cash balance. Such advancement may be for a period not to exceed 2 consecutive years and shall require interest to be paid by the regulated profession. Interest shall be calculated at the current rate earned on Professional Regulation Trust Fund investments. Interest earned shall be allocated to the various funds in accordance with the allocation of investment earnings during the period of the advance.

(2) Each board, or the department if there is no board, may, by rule, assess and collect a one-time fee from each active and each voluntary inactive licensee in an amount necessary to eliminate a cash deficit or, if there is not a cash deficit, in an amount sufficient to maintain the financial integrity of such professions as required in this section. No more than one such assessment may be made in any 4-year period without specific legislative authorization.

(3) All moneys collected by the department from fees or fines or from costs awarded to the department by a court shall be paid into the Professional Regulation Trust Fund, which fund is created in the department. The department may contract with public and private entities to receive and deposit revenue pursuant to this section. The Legislature shall appropriate funds from this trust fund sufficient to carry out the provisions of this chapter and the provisions of law with respect to professions regulated by the department and any board within the department. The department shall maintain separate accounts in the Professional Regulation Trust Fund for every profession within the department. To the maximum extent possible, the department shall directly charge all expenses to the account of each regulated profession. For the purpose of this subsection, direct charge expenses shall include, but not be limited to, costs for investigations, examinations, and legal services. For expenses that cannot be charged directly, the department shall provide for the proportionate allocation among the accounts of expenses incurred by the department in the performance of its duties with respect to each regulated profession. The department shall not expend funds from the account of a profession to pay for the expenses incurred on behalf of another profession. The department shall maintain adequate records to support its allocation of department expenses. The department shall provide any board with reasonable access to these records upon request. Each board shall be provided an annual report of revenue and direct and allocated expenses related to the operation of that profession. These reports and the department's adopted long-range plan shall be used by the board to determine the amount of license fees. A condensed version of this information, with the department's recommendations, shall be included in the annual report to the Legislature prepared pursuant to s. 455.2285.

(4) A condensed management report of budgets, finances, performance statistics, and recommendations shall be provided to each board at least once a quarter. The department shall

identify and include in such presentations any changes, or projected changes, made to the board's budget since the last presentation.

(5) If a duplicate license is required or requested by the licensee, the board or, if there is no board, the department may charge a fee as determined by rule not to exceed \$25 before issuance of the duplicate license.

(6) The department or the appropriate board shall charge a fee not to exceed \$25 for the certification of a public record. The fee shall be determined by rule of the department. The department or the appropriate board shall assess a fee for duplication of a public record as provided in s. 119.07(4).

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

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

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

History.—s. 5, ch. 79-36; s. 287, ch. 81-259; s. 2, ch. 84-271; s. 82, ch. 90-132; s. 4, ch. 90-228; s. 4, ch. 91-137; s. 17, ch. 92-149; s. 73, ch. 94-218; s. 8, ch. 2000-356; s. 44, ch. 2004-335; s. 3, ch. 2017-135; s. 59, ch. 2018-110.

Chapter 3: All the changes made to Florid Rules: 61G15 biennium 2017-2019

The following are all the Changes made to Florid Rules for biennium 2017-2019.

Starting from the latest:

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 in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections on Threshold Buildings.

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

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

(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/006 (08/18) is hereby incorporated by reference, "Application for Special Inspector Certification." Copies of Form FBPE/006 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-10130>.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/006.

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

1. Name,
2. Florida license number,
3. A list of projects submitted for experience credit.
 - a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

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

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

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

4. 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/006.

(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) 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.

Rulemaking Authority 471.008, 471.015(7), 471.033(2) FS. Law Implemented 471.015(7), 471.033, 553.79(5)(a) FS. History—New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16, 6-26-17, 4-8-18, 12-27-18.

61G15-20.0010 Application for Licensure by Examination.

(1) Any person desiring to be licensed as a professional engineer shall submit an application to the Board. The instructions and application Form FBPE/001 (rev. 12/16), entitled, "Application for Principles and Practice Examination," is hereby incorporated by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee,

Florida 32303; from the Board’s website at <http://www.fbpe.org/licensure/application-process/principles-practice-examination> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08043>. The Board shall certify as eligible to take the licensure examination only those applicants who have completed the application form, remitted the application and examination fee required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

(a) Are graduates of a “Board approved engineering program” as defined by subsection 61G15-20.001(2), F.A.C.; and

(b) Have four (4) years of acceptable engineering experience as defined by rule 61G15-20.002, F.A.C.

(2) Any person desiring to take the fundamentals examination for the purpose of determining whether he or she is qualified to practice as an engineering intern in this state shall submit an application to the Board. The instructions and application Form FBPE/003 (rev. 12/16), entitled, “Application for Fundamentals of Engineering,” is hereby incorporated by reference, and may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; from the Board’s website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08044>. The Board shall certify as eligible to take the Fundamentals Examination only those applicants who have completed the application form, remitted the application fee required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, “a Board approved engineering program” as defined by subsection 61G15-20.001(2), F.A.C.

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

Rulemaking Authority 471.008, 471.013, 471.015 FS. Law Implemented 120.60(1), 471.013, 471.015 FS. History—New 9-27-01, Amended 11-19-03, 9-14-14, 3-19-17, 12-18-18.

61G15-20.0015 Application for Licensure by Endorsement.

(1) Any person desiring to be licensed as a professional engineer by endorsement shall submit an application form to the Board. The instructions and application Form FBPE/002 (12/16), entitled “Application For Licensure By Endorsement,” which is hereby incorporated herein by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board’s website at <http://www.fbpe.org/licensure/application-process> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08045>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by chapter 61G15-24, F.A.C., and who have

demonstrated to the Board that:

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

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

(4) 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 meet 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.

(5) Any person desiring to practice as an engineering intern in this state by endorsement shall submit an application to the Board. The instructions and application Form FBPE/004 (12/16), entitled, "Application for Engineer Intern by Endorsement," is hereby incorporated by reference and may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board's website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08046>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, "a Board approved engineering program" as defined by subsection 61G15-20.001(2), F.A.C., and have passed the Fundamentals of Engineering Examination prior to application.

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

Rulemaking Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS.

History—New 9-27-01, Amended 4-9-07, 10-15-09, 11-16-10, 9-14-14, 7-7-15, 11-2-15, 3-19-17, 6-24-18, 12-18-18.

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 sections 471.013(1)(a)1. and 2., F.S., the Board has determined that an individual must have the requisite number of years of acceptable engineering experience gained through education and through the requisite amount of full-time employment in engineering. The type of employment which shall be acceptable must principally involve activities in the field of engineering as defined in section 471.005(7), F.S. The Board may accept engineering experience in foreign countries if such experience is properly verified by the Board from evidence supplied by the applicant to be equivalent to that accepted as experience by the Board as to any state or territory.

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

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

3. Experience credit is based on a 40 hour per week full-time 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 pursuit of a master's or doctoral 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.

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

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

Rulemaking Authority 471.008, 471.013(1)(a) FS. Law Implemented 471.005(6), 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, 5-20-02, 4-5-04, 11-2-15,

8-8-18, 12-18-18.

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 sections 471.013(1)(a)1. and 2., F.S., the Board has determined that an individual must have the requisite number of years of acceptable engineering experience gained through education and through the requisite amount of full-time employment in engineering. The type of employment which shall be acceptable must principally involve activities in the field of engineering as defined in section 471.005(7), F.S. The Board may accept engineering experience in foreign countries if such experience is properly verified by the Board from evidence supplied by the applicant to be equivalent to that accepted as experience by the Board as to any state or territory.

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

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

3. Experience credit is based on a 40 hour per week full-time 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 pursuit of a master's or doctoral 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 master's degree in engineering from an EAC/M-ABET-accredited program or from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level. The Board will also accept as equivalent to one year's experience a doctorate in engineering from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level. Experience equivalents will be given for the master's or doctoral degree only if the applicant has earned a prior engineering degree from a college or university that solely meets the requirements of a Board-approved engineering program as defined in subsection 61G15-20.001(2), F.A.C. Experience equivalents shall not be given for a master's or doctoral degree if credits earned for the degree are used to satisfy educational requirements of rule 61G15-20.007, F.A.C. The combination of experience equivalents and work experience shall not exceed the number of actual months during which the experience is claimed.

Rulemaking Authority 471.008, 471.013(1)(a) FS. Law Implemented 471.005(6), 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, 5-20-02, 4-5-04, 11-2-15, 8-8-18.

61G15-24.001 Schedule of Fees.

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

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

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

(b) Initial license fee – \$100.00.

(c) Biennial renewal fee – \$93.75.

(d) Delinquency fee – \$25.00.

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

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

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

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

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

(j) Inactive Status fee – \$125.00.

(k) Reactivation fee – \$150.00.

(l) Change of Status fee (Active/Inactive) – \$93.75.

(m) Duplicate Certificate – \$25.00.

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

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

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

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

(4) Continuing Education provider fees:

Application fee for continuing education provider status – \$250.00.

(5) Unlicensed Activity Fee collected by the Department of Business and Professional Regulation pursuant to Section 455.2281, F.S. – \$5.00.

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

Rulemaking Authority 455.213, 455.2179(3), 455.219, 455.271, 471.008, 471.011 FS. Law Implemented 455.217(3), (7), 455.2179(3), 471.011, 471.015, 471.021 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, 9-16-02, 5-9-04, 6-5-05, 3-5-06, 7-17-14, 3-29-17, 10-30-17, 8-8-18.

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

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

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

Rulemaking 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, Amended 8-8-18.

61G15-22.001 Continuing Education Requirements.

(1) Each licensee shall complete eighteen (18) continuing education hours during each license renewal biennium as a condition of license renewal. Four (4) hours shall relate to the licensee's area(s) of practice; one (1) hour must be related to professional ethics; and one (1) hour shall relate to chapter 471, F.S., and the rules of the Board. The remaining hours may relate to any topic pertinent to the practice of engineering as defined in rule 61G15-22.002, F.A.C. The 1 hour of professional ethics and 1 hour of laws and rules required by section 471.017, F.S., must be obtained from courses approved by the Board pursuant to rule 61G15-22.0105, F.A.C.

(2) There shall be no carryover of hours permitted from one licensure renewal biennium to the next.

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

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

(b) Provide the Board with a copy of a certificate of completion which shows: course number, course hours, Code edition year, and Code or course focus. This course may also count towards the area of practice requirement for continuing education set forth in rule 61G15-22.001, F.A.C.

(4) The Board shall approve all Advanced Florida Building Code courses. Courses submitted for approval shall have been designated an “Advanced” course by the Florida Building Commission and shall be within the discipline of civil structure, mechanical, electrical or general engineering.

Rulemaking Authority 471.008, 471.017(3), 471.0195 FS. Law Implemented 471.017(3), 471.0195 FS. History—New 8-19-80, Formerly 21H-22.01, Amended 5-14-86, Formerly 21H-22.001, Amended 6-22-99, 6-13-00, 2-22-01, 9-16-01, 3-7-13, 9-29-14, 2-18-16, 8-1-18.

61G15-22.006 Demonstrating Compliance; Audits; Investigations.

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

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

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

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

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

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

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

Rulemaking Authority 455.213(6), 455.2178, 471.008, 471.017(3) FS. Law Implemented

455.2177, 455.2178, 471.017(3) FS. History—New 9-16-01, Amended 7-13-04, 8-20-12, 1-2-18, 8-1-18.

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 (12/16), entitled “Application For Licensure By Endorsement,” which is hereby incorporated herein by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board’s website at <http://www.fbpe.org/licensure/application-process> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08045>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that:

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

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

(4) 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 meet 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.

(5) Any person desiring to practice as an engineering intern in this state by endorsement shall submit a completed application to the Board. The instructions and application Form FBPE/004

(12/16), entitled, “Application for Engineer Intern by Endorsement,” is hereby incorporated by reference and may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board’s website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08046>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, “a Board approved engineering program” as defined by subsection 61G15-20.001(2), F.A.C., and have passed the Fundamentals of Engineering Examination prior to application.

Rulemaking Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS. History—New 9-27-01, Amended 4-9-07, 10-15-09, 11-16-10, 9-14-14, 7-7-15, 11-2-15, 3-19-17, 6-24-18.

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

(1) Pursuant to section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for members of the Armed Services of the United States and their spouses or surviving spouses. In addition, pursuant to section 455.213(12), F.S., the Board shall waive the application fee, initial licensure fee, and initial unlicensed activity fee for military veteran or his or her spouse at the time of discharge, if he or she applies within sixty (60) months of honorable discharge from any branch of the United States Armed Forces. Application for waiver of the initial application and licensing fees shall be made on Form FBPE MVL 002, 12/17, Members of the Armed Forces/Spouse Fee Waiver and Military Service Verification, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/other_forms/military_fee_waiver or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09491>.

(2) Pursuant to section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for a low-income individual. As defined in that section, a “low income individual” is a person whose household income, before taxes, is at or below one hundred thirty percent (130%) of the federal poverty guidelines prescribed for the family’s household size by the United States Department of Health and Human Services. The 2018 federal poverty guidelines, published on January 18, 2018 in 83 Federal Register 2642, are hereby incorporated by reference and may be obtained from <https://www.federalregister.gov/documents/2018/01/18/2018-00814/annual-update-of-the-hhs-poverty-guidelines> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09573>.

(a) Application for waiver of the initial licensing fee by a low-income individual shall be made on Form FBPE/LI 001, 04/18, Application for Low Income Waiver of Initial Licensing Fee, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/other_forms/low_income_waiver or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09492>.

(b) All applications for waiver of the initial licensing fee shall be accompanied by proof that the individual’s income is at or below 130% of the federal poverty guidelines. Proof of income may be established through documentation of enrollment in a state or federal program which requires participants to be at or below 130% of the federal poverty guidelines or by other means,

such as submission of Federal Income Tax Returns.

Rulemaking Authority 455.213(12), 455.219(7), 471.008 FS. Law Implemented 455.213(12), 455.219(7) FS. History—New 6-20-18.

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

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

(2) Application for licensure shall be made on Form FBPE/MVL003, 04/18, Application for Professional Licensure for Active Duty Armed Forces Members or the Spouse of Active Duty Armed Forces Members, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/other_forms/active_duty_member_or_spouse_or_at_https://www.flrules.org/Gateway/reference.asp?No=Ref-09493.

Rulemaking Authority 455.02(3) FS. Law Implemented 455.02(3) FS. History—New 6-20-18.

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

(1) Engineering plans, specifications, reports or other documents which must be signed, dated and sealed in accordance with the provisions of section 471.025, F.S., and rule 61G15-23.001, F.A.C., may be signed digitally as provided herein by the professional engineer in responsible charge. As used herein, the terms “certification authority,” and “digital signature” shall have the meanings ascribed to them in sections 668.003(2) and (3), F.S.

(2) A professional engineer utilizing a digital signature to electronically sign and seal engineering plans, specifications, reports or other documents shall have their identity authenticated by a certification authority and shall assure that the digital signature is:

- (a) Unique to the person using it;
- (b) Capable of verification;
- (c) Under the sole control of the person using it; and,

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

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

(a) A digitally created seal as set forth in rule 61G15-23.002, F.A.C., may be placed where it would appear if the item were being physically signed, dated and sealed.

(b) The date that the digital signature was placed into the document must appear on the

document in accordance with subsection 61G15-23.001(4), F.A.C., and where it would appear if the item were being physically signed, dated and sealed.

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

1. The same information required by subsection 61G15-23.002(2), F.A.C., if a digitally created image of the seal is not use;

2. The item has been digitally signed and sealed; and,

3. Printed copies of this document are not considered signed and sealed and all signatures must be verified on any electronic copies.

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

1. When a digitally created seal is used:



This item has been digitally signed and sealed by [NAME] on the date adjacent to the seal.

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

2. When a digitally created seal is not used:

[NAME], State of Florida, Professional Engineer, License No. [NUMBER]

This item has been digitally signed and sealed by [NAME] on the date indicated here.

(e) When engineering plans, specifications, reports or other documents contain multiple sheets or pages, the licensee may apply a single digital signature per electronically transmitted item as set out in rule 61G15-23.001, F.A.C. A digital signature applied to an item in electronic form shall have the same force and effect as signing all of the individual sheets or pages contained within that item unless otherwise limited as specified in subsection 61G15-30.003(3), F.A.C.

(f) In the case where multiple licensees sign and seal a single item, each licensee shall apply their digital signature and include qualifying language with those items required in paragraph (e) of this rule, thoroughly describing what portions the licensee is taking responsibility for.

Rulemaking Authority 471.025(1), 471.033(2), 471.008 FS. Law Implemented 471.025, 471.033(1)(j), 668.003, 668.006 FS. History—New 11-3-15, Amended 9-7-17, 6-19-18.

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

(1) Engineering plans, specifications, reports or other documents which must be signed, dated and sealed in accordance with the provisions of section 471.025, F.S., and rule 61G15-23.001, F.A.C., may be signed electronically as provided herein by the professional engineer in responsible charge. As used herein, the term “electronic signature” shall have the meanings ascribed to them in sections 668.003(2), (3) and (4), F.S.

(2) The SHA or Secure Hash Standard authentication code is described in Federal Information Processing Standard Publication 180-4 “Secure Hash Standard,” August 2015, which is hereby adopted and incorporated by reference by the Board and can be obtained from the internet website: <http://www.flrules.org/Gateway/reference.asp?No=Ref-05976>.

(3) A professional engineer utilizing an electronic signature to sign and seal engineering plans, specifications, reports or other documents shall:

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

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

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

(d) Print and physically sign, date and seal the “signature report” in compliance with rule 61G15-23.003, F.A.C.; and,

(e) Transmit the signed, dated and sealed “signature report” to the receiving party along with each electronically signed, dated and sealed engineering document either by hardcopy or electronic scan. If scanned and sent electronically, the hardcopy of the signed and sealed report shall be retained by the licensee in accordance with rule 61G15-30.009, F.A.C. Each engineering document is considered to be electronically signed and sealed if the document’s SHA authentication code matches the SHA authentication code on the physically signed, dated and sealed “signature report.”

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

(a) A digitally created seal as set forth in rule 61G15-23.002, F.A.C., may be placed where it would appear if the item were being physically signed, dated and sealed.

(b) The date that the electronic signature is to be placed into the document must appear on the document in accordance with subsection 61G15-23.001(5), F.A.C., and where it would appear if the item were being physically signed, dated and sealed.

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

1. The same information required by subsection 61G15-23.002(2), F.A.C. if a digitally created seal is not used,

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

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

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

1. When a digitally created seal is used:



This item has been electronically signed and sealed by [NAME] on the date adjacent to the seal using a *SHA* authentication code.

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

2. When a digitally created seal is not used:

[NAME], State of Florida, Professional Engineer, License No. [NUMBER]

This item has been electronically signed and sealed by [NAME] on the date indicated here using a *SHA* authentication code.

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

Rulemaking Authority 471.025(1), 471.033(2), 471.008 FS. Law Implemented 471.025, 668.006 FS. History—New 11-3-15, Amended 2-3-16, 10-26-16, 9-7-17, 6-19-18.

61G15-22.0001 License Renewal.

(1) Active or Inactive Status. To renew an active or inactive status license, the licensee must remit to FEMC a completed renewal application and the biennial renewal licensure fee for active or inactive status licenses as specified by rule 61G15-24.001, F.A.C. The application form FBPE/020, 12/17, Professional Engineer License Renewal Application And Instructions, is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09413>. All applications for renewal of inactive status licenses must also contain a statement certifying that the licensee has neither practiced engineering in Florida nor violated any of the provisions of section 471.033, F.S., since the date on which the license was first placed on inactive status.

(2) Delinquent status.

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

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

Rulemaking Authority 455.271(2), (5), (6)(a), (7), 471.011, 471.017(2) FS. Law Implemented 455.02(1), 455.271(2), (5), (6)(a), (7), 471.011, 471.017 FS. History—New 8-1-02, Amended 2-18-16, 2-27-17, 11-21-17, 5-28-18.

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.

(d) Failing to report a criminal conviction or plea of nolo contendere, regardless of adjudication, pursuant to section 455.227(1)(t), F.S., if the licensee self reports after 30 days from the date of conviction or plea but within one (1) year after the date of the conviction or plea.

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

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

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

(2) A second offense shall result in issuance of a citation pursuant to rule 61G15-19.0071, F.A.C.

Rulemaking Authority 455.225 FS. Law Implemented 455.224 FS. History—New 4-2-00, Amended 5-5-10, 8-26-13, 12-31-17, 5-8-18.

61G15-22.011 Board Approval of Continuing Education Providers.

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

(2) To demonstrate the education and/or the experience necessary to instruct professional engineers in the conduct of their practice for continuing education credit, an applicant for continuing education provider status must be a regionally accredited educational institution, a commercial educator, a governmental agency, a state or national professional association whose primary purpose is to promote the profession of engineering, an engineer with a Florida license to

practice engineering who is not under disciplinary restrictions pursuant to any order of the Board, a vendor with specific knowledge related to the licensee's area of practice, or an engineering firm that possesses an active certificate of authorization issued by the Board pursuant to section 471.023, F.S.

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

(a) A completed Application For Continuing Education Provider New Provider Application, Form FBPE/007 (10/17), incorporated by reference herein, which may be obtained from www.fbpe.org/licensure/application-process or at <https://www.flrules.org/gateway/reference.asp?No=Ref-09327>.

(b) The name, address and telephone number of the prospective provider; and,

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

1. A description of the type of courses or seminars the provider expects to conduct for credit;
2. A description of the staffing capability of the applicant;
3. A sample of intended course materials;
4. A list of anticipated locations to conduct the courses;
5. A complete course curriculum for each course the applicant intends to offer;
6. A description of the means the applicant will use to update the course in response to rule or law changes;
7. A description of the means the applicant will use to evaluate the licensee's performance in the course;
8. 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, and the Board shall accept their courses for continuing education credit:

(a) Educational Institutions teaching college level courses;

(b) Federal and State 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.

Rulemaking Authority 455.213(6), 455.2179, 471.008, 471.017(3) FS. Law Implemented 455.213(6), 455.2179, 471.017(3) FS. History—New 9-16-01, Amended 9-4-02, 12-21-03, 8-8-05, 6-11-06, 1-29-07, 6-3-07, 8-10-09, 7-8-10, 2-18-16, 5-8-18.

61G15-22.012 Obligations of Continuing Education Providers.

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

(1)(a) Provide courses or seminars designed to enhance the education of engineers in the practice of engineering;

(b) Require each licensee to complete the entire course or seminar in order to receive a certificate of completion;

(c) 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.

(d) Ensure that all promotional material for courses or seminars offered to professional engineers for credit contain the provider number.

(e) Allow only one continuing education hour 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.

(f) Allow only one continuing education hour 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.

(g) 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.

(h) Notify the Board within fourteen (14) days of any change in the address or telephone number of the provider.

(i) 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.

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

Rulemaking Authority 471.008, 471.017(3) FS. Law Implemented 471.017(3) FS. History—New 9-16-01, Amended 2-18-16, 5-8-18.

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

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

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

1. The hours of mathematics must be beyond algebra and trigonometry and must emphasize mathematical concepts and principles rather than computation. Courses in differential calculus and integral calculus are required. Additional courses may include differential equations, linear algebra, numerical analysis, probability and statistics, and advanced calculus. Computer skills and/or programming courses cannot be used to satisfy mathematics requirements.

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

(b) 9 college semester credit hours in general education. Examples of acceptable courses include philosophy, religion, history, literature, fine arts, sociology, psychology, political science,

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

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

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

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

(3) College Level Examination Programs (CLEP) examinations that are outlined at <http://clep.collegeboard.org/exams> may be recognized as satisfying education deficiencies, provided the exams are in courses that meet the requirements of paragraph (1)(b), above. CLEP exams in biology, chemistry, natural sciences, and/or calculus may be used to meet the requirements of paragraph (1)(a), above. For credit to be given, the applicant shall achieve a passing score as determined by CLEP; 3 credit hours shall be granted for each exam, unless the applicant provides evidence that a college or university with an EAC/ABET-accredited engineering program will grant more credit. College- or university-level courses can also be taken

to satisfy deficiencies. Credit shall not be given for a college, university, or CLEP course if credit in a similar course has already been earned.

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

(5) An applicant with an engineering degree from a non-EAC/ABET-accredited degree program must request an evaluation of his or her credentials through either of the following: National Council of Examiners for Engineering and Surveying, 280 Seneca Creek Road, Clemson, South Carolina 29678; or Joseph Silny & Associates, Inc., P.O. Box 248233, Coral Gables, Florida 33124.

Rulemaking Authority 471.008 FS. Law Implemented 471.013, 471.015 FS. History—New 7-20-95, Amended 6-5-96, 4-16-98, 1-17-99, 7-28-99, 1-6-02, 6-13-02, 6-30-02, 10-2-03, 6-16-04, 3-13-05, 5-1-05, 6-11-06, 1-29-07, 4-9-07, 1-31-08, 10-15-09, 11-27-11, 2-4-13, 3-17-16, 4-19-18.

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 in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections on Threshold Buildings.

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

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

(2) Applications.

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

(b) All applications for certification as a Special Inspector shall be submitted to the Board on

Form FBPE/006.

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

1. Name,
2. Florida license number,
3. A list of projects submitted for experience credit.

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

(I) The beginning and ending experience dates,

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

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

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

4. 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/006.

(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) 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.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.015(7), 471.033, 553.79(5)(a) FS. History—New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16, 6-26-17, 4-8-18.

61G15-18.011 Definitions.

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

(1) “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.

3. Approves the inclusion of standard engineering design details into the engineering work. Standard engineering design details include details mandated or directed to be contained in engineering documents by governmental agencies (such as the Florida Department of Transportation); and details contained in engineering design manuals and catalogues that are generally accepted as authoritative in the engineering profession. In order to approve the inclusion of such details the Engineer of Record must conduct such reasonable analysis of the content of the standard detail(s) as is necessary in the sound professional judgment of the Engineer of Record to be assured that the inclusion of such detail(s) into the engineering work is acceptable engineering practice.

(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 Section 471.005(7), 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 sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(7), 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) The term “principal officer(s) of the business organization” as used in Section 471.023(1), F.S., means the (a) President, Vice President, Secretary or Treasurer of the Corporation, or Limited Liability Company (LLC); or (b) any other officer who has management responsibilities in the corporation or LLC, as documented by the corporate charter or bylaws so long as such documentation provides that such officer is empowered to bind the corporation or LLC in all of its activities which fall within the definition of the practice of engineering as that term is defined in Section 471.005(7), F.S.

(6) The term “Florida Building Code” shall mean the Florida Building Code, 6th Edition, (2017), and which is incorporated herein by reference. The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

(7) The term “Florida Fire Prevention Code” shall mean the Florida Fire Prevention Code, 5th Edition, (2014), and which is incorporated herein by reference. The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

Rulemaking Authority 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 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, 6-5-08, 6-2-09, 2-2-12, 6-12-16, 2-22-17, 3-4-18.

61G15-21.007 Re-examination; Additional Requirements After Third Failure; Examinations in Additional Disciplines.

(1) Re-examinations. Any applicant desiring to retake either the Fundamentals of Engineering or Principles and Practice of Engineering examination must reapply to the Board by submitting a completed application and remitting the appropriate reapplication fee. Applicants wishing to retake Fundamentals of Engineering shall reapply using Form FBPE/013, Application for Fundamentals of Engineering Re-Examination (08/17), which is incorporated by reference herein and may be obtained from [https://fbpe.org/licensure/application-process/fundamentals-examination/FE Re Exam Application](https://fbpe.org/licensure/application-process/fundamentals-examination/FE%20Exam%20Application) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09068>. Applicants wishing to retake Principles and Practice of Engineering shall reapply using Form FBPE/012, Application for Principles and Practice Re-Examination (08/17), which is incorporated by reference herein and may be obtained from [https://fbpe.org/licensure/application-process/principles-practices examination/PE Re-Exam Application](https://fbpe.org/licensure/application-process/principles-practices%20examination/PE%20Re-Exam%20Application) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-09069>. All applications must be accompanied by the fee as specified in Rule 61G15-24.001, F.A.C.

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

(a) Submit to the Board of Professional Engineers transcripts for the enrollment and completion of twelve (12) college credit hours, with grades no lower than a “C” or its equivalent, 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 paragraphs 61G15-20.007(1)(a) and (c), 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 paragraph 61G15-20.007(1)(c), F.A.C., or

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

1. Schools with an ABET approved engineering program;
2. Kaplan Engineering Education;
3. School of PE;
4. Testmasters Educational Services, Inc.;
5. SmartPros, Ltd.;
6. Professional Publications, Inc., or

(3) Examination in additional engineering discipline. Applicants wishing to take the Principles and Practices of Engineering Examination in an additional engineering discipline shall apply on Form FBPE/010, Principles and Practice Additional Discipline Application (08/17), which is incorporated by reference herein and may be obtained from [https://fbpe.org/licensure/application-process/principles-practice examination/PE Additional Discipline Examination](https://fbpe.org/licensure/application-process/principles-practice%20examination/PE%20Additional%20Discipline%20Examination) or at

<https://www.flrules.org/Gateway/reference.asp?No=Ref-09070>, and submit the required application fee.

Rulemaking Authority 455.217(2), 471.008 FS. Law Implemented 455.217(2), 471.013, 471.015 FS. History—New 1-8-80, Amended 8-25-81, Formerly 21H-21.07, 21H-21.007, Amended 2-14-95, 5-22-01, 12-10-02, 2-3-05, 4-10-08, 11-3-15, 2-19-18.

61G15-22.006 Demonstrating Compliance.

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

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

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

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

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

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

Rulemaking Authority 455.213(6), 455.2178, 471.008, 471.017(3) FS. Law Implemented 455.2177, 455.2178, 471.017(3) FS. History—New 9-16-01, Amended 7-13-04, 8-20-12, 1-2-18.

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.

(d) Failing to report a criminal conviction or plea of nolo contendere, regardless of adjudication, pursuant to Section 455.227(1)(t), F.S., if the licensee self reports after 30 days from the date of conviction or plea but within one (1) year after the date of the conviction or plea.

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

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

(2) A second offense shall result in issuance of a citation pursuant to Rule 61G15-19.0071, F.A.C.

Rulemaking Authority 455.225 FS. Law Implemented 455.224 FS. History–New 4-2-00, Amended 5-5-10, 8-26-13, 12-31-17.

61G15-33.001 General Responsibility.

Electrical Engineering Documents shall be prepared in accordance with generally accepted engineering standards. The Electrical Engineering Documents shall identify the Engineer of Record. Electrical Engineering Documents shall comply 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 address a specific requirement or situation, alternative research, test results, engineering data, and engineering calculations shall be utilized. Electrical Engineering Documents for construction 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 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, Chapter 61G15-30, F.A.C., and with the requirements of the more specific rules contained herein. The Engineer of Record for the Electrical System(s) shall provide design requirements in writing to the delegated engineer if one is used and shall review the design documents of the delegated engineer for conformance to written instructions in accordance with Rule 61G15-30.005, F.A.C. Documents prepared by a delegated engineer and so reviewed must be included in the final set of documents filed for permit unless required by the permitting entity to be submitted independently.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 5-19-93, Formerly 21H-33.001, Amended 11-13-08, 12-4-17.

61G15-33.002 Definitions.

(1) Engineer of Record for the Electrical Systems. The Florida 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. All electrical drawings, specifications, reports, calculations, data and other documents utilized to establish the overall design and requirements for the construction, alteration, modernization, repair, demolition, arrangement, or use of the electrical system, or analysis or recommendations, as prepared by the Engineer of Record for the Electrical System. Electrical Engineering Documents shall additionally meet the requirements of Rule 61G15-30.003, F.A.C., Engineering Documents.

(6) Electrical Submittals. Catalog information on standard products or drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input. Such submittals are not Engineering Documents or Delegated Engineering Documents and do not require the seal of a Florida Professional Engineer.

(7) Codes and Standards. Those nationally recognized Codes and Standards adopted directly or by reference in the Florida Building Code, adopted in its entirety by reference in subsection 61G15-18.011(6), F.A.C., and the Florida Fire Prevention Code, adopted in its entirety by reference in subsection 61G15-18.011(7), F.A.C.

(8) Electrical Delegated Engineering Documents. Electrical Engineering Documents prepared by a delegated engineer to whom the Engineer of Record for the Electrical System has delegated responsibility for the design of an electrical component or system and which are signed, sealed and dated by the delegated engineer.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.002, Amended 11-13-08, 12-4-17.

61G15-33.003 Design of Power Systems.

(1) Power systems convey or distribute electrical energy. Items to be considered in the design and analysis of power systems are, as applicable to the particular project: steady state and transient load characteristics, short circuit availability, arc flash potential, load flow, voltage drop, effects of harmonics, power factor, and protective device coordination.

(2) Electrical Engineering Documents for power systems must include the following information, if applicable to the particular project:

(a) Power distribution riser diagram.

(b) Conductor sizes (AWG or kcmil) and insulation type, or cable assemblies characteristics.

(c) Circuit interrupting devices, ratings and fault current interrupting capability.

(d) Location and characteristics of any surge protective devices, if included in the engineering

design.

- (e) Main and distribution equipment, control devices, locations and ratings.
- (f) Circuitry of all outlets, equipment and devices.
- (g) Feeder and service capacity calculations.
- (h) Electrical legends.
- (i) Grounding and bonding requirements.
- (j) Instrumentation and control when necessary for safe operation or to show intended function.

(k) Engineering Documents applicable to power systems filed for public record shall also contain information required by the Florida Building Code, incorporated by reference in subsection 61G15-18.001(6), F.A.C.

(l) Engineers performing arc flash hazard analysis must determine arc flash approach distance, assess and convey the incident energy levels, and identify appropriate PPE class. Any such verification shall constitute an Engineering Certification as that term is defined in subsection 61G15-18.011(4), F.A.C., and must comply with the Responsibility Rules, including Rule 61G15-29.001, F.A.C.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.003, Amended 11-13-08, 12-4-17.

61G15-33.004 Design of Lighting Systems.

(1) Lighting systems convert electrical energy into light. Items to be considered in the design and analysis of lighting systems are, as applicable to the particular project: average and minimum illuminance, equivalent spherical illuminance, uniformity ratios, visual comfort probability, special purpose lighting, impacts of light intrusion, light trespass, security and safety, and the requirements of the Florida Building Code, Energy Conservation, which is incorporated by reference in Rule 61G15-18.011, F.A.C.

(2) Electrical Engineering Documents for lighting systems must include the following information, if applicable to the particular project:

- (a) Lighting fixture performance specifications and arrangements.
- (b) Emergency lighting, egress lighting, and illuminated exit markings and their ancillary equipment such as inverters and batteries.
- (c) Equipment legend.
- (d) Lighting control and circuiting.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.004, Amended 11-13-08, 12-4-17.

61G15-33.005 Design of Communications Systems.

(1) Communications systems are utilized to convey voice and data. Items to be considered in the design and analysis of communication systems are, as applicable to the particular project: cabling requirements, installation requirements, performance requirements, backup power requirements, the interrelationship of the various systems and applicable standards and regulatory requirements.

(2) Electrical Engineering Documents for communications systems must include the following information, if applicable to the particular project:

(a) System riser diagram for each cabling system.

(b) Equipment legend.

(c) Cabling type and performance data of the transmission.

(d) Device type and locations.

(e) Backup power sources where applicable.

(f) Installation, identification and testing requirements.

(g) Characteristics and locations of surge protective devices, if included in the engineering design.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.005, Amended 11-13-08, 12-4-17.

61G15-33.006 Design of Alarm, Control, and Signaling Systems.

(1) Alarm, control, and signaling systems include motor control systems, emergency alarm circuits, activation of life safety system controls and remote signaling of emergency conditions (See Rule 61G15-32.008, F.A.C., for Fire Alarm Systems), surveillance and access control systems, temperature control, and systems related to energy conservation and facility management systems. Items to be considered in the design or analysis of alarm, control, and signaling systems include: cabling requirements; installation requirements; performance requirements; and interoperability. The design documents shall be based on standards set forth in NFPA 72, the Florida Building Code, the Florida Fire Prevention Code, or as required by the local authority having jurisdiction. The Florida Building Code and the Florida Fire Prevention Code are incorporated by reference in Rule 61G15-18.011, F.A.C.

(2) The Electrical Engineering Documents for alarm, control, and signaling systems must include the following information, if applicable to the particular project:

(a) Description of the control system functions, or a functional diagram.

(b) Equipment legend.

(c) System riser diagram.

(d) Cabling and conductor types and requirements.

(e) Installation, identification and testing requirements.

(f) Back-up power.

(g) Location and characteristics of surge protective devices, if included in the engineering design.

(h) Details and requirements indicated by Rule 61G15-32.008, F.A.C.

(i) Complete requirements for operations and maintenance procedures, manuals, system documentation, and instruction of Owner's operating personnel, as needed to operate the systems as intended over time.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.006, Amended 11-13-08, 12-4-17.

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 these systems include risks to persons or property, environmental factors, geological factors, building or structure characteristics, and materials performance.

(2) Electrical Engineering Documents for lightning protection systems must include the following information, if applicable to the particular project:

(a) Lightning Risk Assessment.

(b) Air terminals height and spacing.

(c) Corrosion protection measures.

(d) Arrangement of Main and Down conductors.

(e) Grounding Terminals and spacing.

(f) Conductor type and size.

(g) Equipment Legend.

(h) Testing requirements.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.007, Amended 11-13-08, 12-4-17.

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, a common return path for fault current, or a direct connection to earth

for the proper dissipation of energy in case of abnormal or transient conditions.

(2) Electrical Engineering Documents for grounding systems must include the following information, if applicable to the particular project:

- (a) Type and location of grounding electrodes.
- (b) Bonding requirements.
- (c) Testing requirements.
- (d) Conductor material type, size and protection requirements.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-33.008, Amended 11-13-08, 12-4-17.

61G15-33.010 Certification of Electrical Systems of Public Interest.

(1) The Engineer of Record shall, when required by applicable codes or ordinances, demonstrate verification of compliance.

(2) Verifications of compliance must include the following information, if applicable to the particular project:

- (a) Energy efficiency and conservation tabulations, statements or calculations.
- (b) Lighting performance criteria included in the design that show illuminated levels, intrusion, trespass, dark sky, safety or that show/preserve natural habitat tendencies.
- (c) Lighting, sound pressure, or other product or installation specifications that indicate conformance with community, county, or state standards, codes or ordinances.

(3) Any such verification shall constitute an Engineering Certification as that term is defined in subsection 61G15-18.011(4), F.A.C., and must comply with all Responsibility Rules, including Rule 61G15-29.001, F.A.C.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 11-13-08, Amended 12-4-17.

61G15-22.0001 License Renewal.

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

the date on which the license was first placed on inactive status.

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

Rulemaking Authority 455.271(2), (5), (6)(a), (7), 471.011, 471.017(2) FS. Law Implemented 455.02(1), 455.271(2), (5), (6)(a), (7), 471.011, 471.017 FS. History—New 8-1-02, Amended 2-18-16, 2-27-17, 11-21-17.

61G15-24.001 Schedule of Fees.

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

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

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

(b) Initial license fee – \$100.00.

(c) Biennial renewal fee – \$93.75.

(d) Delinquency fee – \$25.00.

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

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

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

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

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

(j) Inactive Status fee – \$125.00.

(k) Reactivation fee – \$150.00.

(l) Change of Status fee (Active/Inactive) – \$93.75.

(m) Duplicate Certificate – \$25.00.

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

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

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

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

(4) Continuing Education provider fees:

Application fee for continuing education provider status – \$250.00.

(5) Unlicensed Activity Fee collected by the Department of Business and Professional Regulation pursuant to Section 455.2281, F.S. – \$5.00.

Rulemaking Authority 455.213, 455.2179(3), 455.219, 455.271, 471.008, 471.011 FS. Law Implemented 455.217(3), (7), 455.2179(3), 471.011, 471.015, 471.021 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, 9-16-02, 5-9-04, 6-5-05, 3-5-06, 7-17-14, 3-29-17, 10-30-17.

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

(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 ensure the Authorized Representative is qualified by education, licensure, or training to perform the duties assigned by the Special Inspector. Effective January 1, 2017, those qualifications shall include:

- (a) Licensure as a professional engineer or architect, or
- (b) Graduation from a four-year engineering education program in civil, structural or architectural engineering, or
- (c) Possession of a professional Architecture degree, or
- (d) Registration as a building inspector or general contractor, or
- (e) Four years of Threshold Building inspection training on non-Threshold Buildings performed under the supervision of a Special Inspector who was in responsible charge of the trainee's work, or
- (f) Possess certification(s) in the following area(s);
 1. If inspecting concrete components, certification from the American Concrete Institute (ACI) in concrete construction special inspection pursuant to the qualifications of such certification established by ACI on January 1, 2017,
 2. If inspecting masonry components, certification from the International Code Council (ICC) in structural masonry special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2017,
 3. If inspecting post-tensioned components, certification from the Post-Tensioning Institute (PTI) in post-tensioning inspection pursuant to the qualifications for such certification established by PTI on January 1, 2017,

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

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

(3) 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 of relevant check lists, 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.

Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7) FS. History—New 3-21-01, Amended 4-5-04, 5-6-09, 2-4-13, 12-23-15, 10-18-17.

61G15-20.100 Certificates of Authorization.

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

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

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

Rulemaking Authority 471.008, 471.011(1), (4) FS. Law Implemented 471.023, 471.011(4) FS. History—New 9-7-17.

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

(1) Engineering plans, specifications, reports or other documents which must be signed, dated and sealed in accordance with the provisions of Section 471.025, F.S., and Rule 61G15-23.001, F.A.C., may be signed digitally as provided herein by the professional engineer in responsible charge. As used herein, the terms “certification authority,” and “digital signature” shall have the meanings ascribed to them in Sections 668.003(2) and (3), F.S.

(2) A professional engineer utilizing a digital signature to electronically sign and seal engineering plans, specifications, reports or other documents shall have their identity authenticated by a certification authority and shall assure that the digital signature is:

- (a) Unique to the person using it;
- (b) Capable of verification;
- (c) Under the sole control of the person using it; and,

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

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

(a) A digitally created seal as set forth in Rule 61G15-23.002, F.A.C., may be placed where it would appear if the item were being physically signed, dated and sealed.

(b) The date that the digital signature was placed into the document must appear on the document in accordance with subsection 61G15-23.001(4), F.A.C., and where it would appear if the item were being physically signed, dated and sealed.

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

1. The same information required by subsection 61G15-23.002(2), F.A.C., if a digitally created image of the seal is not use,

2. The item has been digitally signed and sealed; and,

3. Printed copies of this document are not considered signed and sealed and all signatures must be verified on any electronic copies.

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

1. When a digitally created seal is used:



This item has been digitally signed and sealed by C. S. Hammatt, PE. On [DATE].

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

2. When a digitally created seal is not used:

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

This item has been digitally signed and sealed by C. S. Hammatt, PE. On [DATE].

(e) When engineering plans, specifications, reports or other documents contain multiple sheets or pages, the licensee may apply a single digital signature per electronically transmitted item as set out in Rule 61G15-23.001, F.A.C. A digital signature applied to an item in electronic form shall have the same force and effect as signing all of the individual sheets or pages contained within that item unless otherwise limited as specified in subsection 61G15-30.003(3), F.A.C.

(f) In the case where multiple licensees sign and seal a single item, each licensee shall apply their digital signature and include qualifying language with those items required in paragraph (e) of this rule thoroughly describing what portions the licensee is taking responsibility for.

Rulemaking Authority 471.025(1), 471.033(2), 471.008 FS. Law Implemented 471.025, 471.033(1)(j), 668.003, 668.006 FS. History—New 11-3-15, Amended 9-7-17.

61G15-21.001 Examination Designated; General Requirements.

(1) Pursuant to Sections 471.013 and 471.015(1), F.S., an examination shall be given and passed prior to any applicant receiving a license to practice as a professional engineer or becoming an engineer intern in the State of Florida, except as provided in subsections 471.015(3) and (5), F.S. The examination shall be provided by the National Council of Examiners for Engineering and Surveying (NCEES).

(a) Part I of the examination provided by NCEES is the Fundamentals of Engineering

examination.

(b) Part II of the examination provided by NCEES for all disciplines other than structural is the Principles and Practices of Engineering examination, and is given by discipline.

(c) For Part II of the examination, in lieu of the Principles and Practices of Engineering examination, an applicant can take the sixteen (16) hour Structural Engineering examination provided by NCEES.

(2) National examination security requirements as established by the NCEES shall be followed throughout the administration of the examination.

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

Rulemaking Authority 455.217(1), 471.008 FS. Law Implemented 455.217(1), 471.013, 471.015 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, 2-2-12, 9-25-13, 8-20-17.

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 in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections on Threshold Buildings.

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

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

(2) Applications.

(a) The instructions and application form for Special Inspector, Form FBPE/006 (04/17) is hereby incorporated by reference, "Application for Special Inspector Certification." Copies of Form FBPE/006 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08308>.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/006.

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

1. Name,
2. Florida license number,
3. A list of projects submitted for experience credit. For each project identified, the following shall be clearly listed:
 - a. The beginning and ending experience dates,
 - b. The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,
 - c. A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met,
4. 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/006.

(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) 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.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.015(7), 471.033, 553.79(5)(a) FS. History—New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16, 6-26-17.

61-9.003 Examinations.

(1) The examination for licensure of foreign-trained exiled professionals shall be a written practical examination which tests the current ability of the applicant to practice the profession in which he seeks licensure. The examination shall not test the academic and preprofessional fundamental knowledge of the applicant.

(2) The examination for licensure pursuant to Section 455.218(1), F.S., shall be the examination named or described as follows:

(a) Accountancy. The examination for applicants to be licensed to practice accountancy shall be the examination prepared by the Board of Examiners of the American Institute of Certified Public Accountants, or an examination equivalent to it, which shall include the following subjects:

1. Auditing
2. Accounting Practice

(b) Architecture. The examination to be licensed to practice Architecture shall be the National Council of Architectural Registration Board professional examination, or an examination equivalent to it, which shall include the following subjects:

1. Part I – Environmental Analysis
2. Part II – Architectural Programming
3. Part III – Design and Technology
4. Part IV – Construction

(c) Engineering. The examination for applicants to be licensed to practice Engineering shall be Part II of the Professional Engineer Examination described as Principles and Practice as prepared by the National Council of Engineering Examiners, or an examination equivalent to it. The examination will test the applicant's ability to apply acceptable engineering practice to problems which are representative of the applicant's discipline. The selection of disciplines will be made by the applicant at the time of application for examination. Applicants will be required to solve seven to ten problems drawn from a test pattern generally set forth as follows:

1. Chemical – Thermodynamics, Process Design, Mass Transfer, Heat Transfer, Chemical Kinetics, Fluids and Economics.

2. Civil – Highway Structural, Sanitary, Planning, Fluids, Soils, Economics, Water Control and Resources.

3. Electrical – Power and Systems, Machines, Electronics, Communications, Circuits, Controls, Economics, Instrumentation, Digital Circuit and Computers.

4. Mechanical – Thermodynamics, Machine Design, Power and Systems, Heat Transfer, HVAC/R, Fluids and Compressible Flow and Economics.

5. Industrial – Methods Design and Work Management, Production, Inventory and Distribution Systems, Facilities, Planning and Design, Economics, Operations Research, Quality Control and Industrial Statistics.

6. Agricultural – Irrigation and Drainage, Soil and Water Conservation Power, Controls and

Systems, Machine Design, Structures, Environmental Systems, Crop Handling and Processing, Food Engineering and Economics.

7. Nuclear – Thermal-Hydraulics, Kinetics and Reactor Safety, Reactor Engineering, Nuclear Fuel Cycle Analysis, Health-Physics and Instrumentation, Neutronics, Economics, Ex-Reactor Criticality and Shielding.

8. Sanitary – Treatment Facility Design, Fluid Flow Hydraulics, Planning Analysis, System Design, Chemical-Bio Problems, Materials Selections and Economics.

9. Structural – Reinforced and Prestressed Concrete, Structural Steel and Light Metal, Wood, Masonry, Lateral Forces and Economics.

10. Aeronautical/Aerospace – Structures, Aerodynamics, Flight Dynamics, Propulsion and Economics.

11. Mining/Mineral – Exploration and Geology, Mine Planning, Mine Operations, Ground Control, Mineral Processing, Environmental and Governmental Regulations and Economics.

12. Metallurgical Engineering – Fabrication and Processing, Metallurgical Thermodynamics and Corrosion, Selection of Materials, Thermal Treatments and Solid State Processing, Structure/Property Relationships, Failure Analysis, Mineral Processing, Extractive Metallurgy, and Engineering Economics.

13. Petroleum Engineering – Production and Drilling Operations, Reservoir and Logging, Secondary Recovery and Evaluation and Engineering Economics.

14. Ceramic Engineering – Phase Relations and Microstructure, Forming, Drying and Firing, Glass, Refractories, Electronics, White Ware, Structural Products, Cements, Nuclear Ceramics, Abrasives, Vitreous Enamels, and Engineering Economics.

15. Manufacturing Engineering – Assembly Casting, Molding and Metallurgical Processing, Engineering Materials, Finishing and Coating, Inspection and Quality Control, Manufacturing Management Council, Manufacturing/Numerical Control Systems, Material Forming, Material Removal, Tool Engineering and Engineering Economics.

16. Fire Protection Engineering – Hydraulics, Suppression Systems, Fire Behavior, Fire Communications, Hazards.

(d) Veterinary Medicine. The examination for applicants to be licensed to practice veterinary medicine shall consist of two parts as follows:

1. Part one – the Clinical Competency Test as provided the National Board Examination Committee of the American Veterinary Medical Association, or an examination equivalent to it, and shall contain patient management problems in the following areas:

- a. Small Animals (includes canine and feline)
- b. Food Animals (includes bovine, porcine and ovine/caprine or poultry)
- c. Equine
- d. Other (includes problems relating to non-traditional species such as laboratory animals in

which the animal species is a secondary importance)

2. Part two – this part concerns law related to the practice of veterinary medicine. The context of this part shall included the following subjects: The Veterinary Medicine Practice Act, Chapter 474, F.S.; Chapter 455, F.S.; relating to the Department of Business and Professional Regulation; Title 61G18, F.A.C., the rules promulgated by the Board of Veterinary Medicine; Chapters 465, 499, 585 and 893, F.S.; and the most recent revision of the “Physicians Manual,” an informational outline of the Controlled Substances Act of 1970, published by the Drug Enforcement Administration of the United States Department of Justice.

(3) Translation of Examinations. Whether a translated examination will be provided will be determined by the Department by the availability of a translated examination and the applicant's ability to bear the cost of translation before a translation is prepared.

(4) An applicant may sit for the examination the number of times and under such conditions as provided in the practice act under which the applicant is seeking licensure.

(5) The passing scores for the examinations administered pursuant to Section 455.218(2), F.S., shall be as follows:

(a) Accountancy. The passing score for the Accountancy examination shall be at least 75 for each subject. Percentage numbers shall be rounded off to whole numbers. Any percentage which is point five (.5) or above shall be rounded up to the next whole number. Percentages of less than point five (.5) shall be dropped.

(b) Architecture. The passing score for the Architecture examination shall be in accordance with Rule 61G1-14.007(3), F.A.C., Board of Architecture.

(c) Engineers. The passing score for the Engineering examination shall be in accordance with subsection 61G15-21.004(2), F.A.C., Board of Engineers.

(d) Veterinary Medicine. The passing score for Part one of the Veterinary Medicine examination shall be in accordance with Rule 61G18-11.002(6), Florida Administrative Code, Board of Veterinary Medicine. The passing score of Part two of the Veterinary Medicine examination shall be in accordance with subsection 61G18-11.002(7), F.A.C., Board of Veterinary Medicine.

Rulemaking Authority 455.203(5), 455.218(1) FS. Law Implemented 455.218(1), (2), (3) FS. History—New 2-5-87, Amended 3-24-88, 3-30-89, 6-14-89, 1-28-92, 6-3-93, Formerly 21-15.003, Amended 3-15-94, 5-25-17.

61G15-24.001 Schedule of Fees.

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

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

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

- (b) Initial license fee – \$100.00.
- (c) Biennial renewal fee – \$93.75.
- (d) Delinquency fee – \$93.75.
- (e) Temporary license (individual) – \$25.00.
- (f) Temporary Certificate of Authorization (firm) – \$50.00.
- (g) Application fee for a Certificate of Authorization (firm) – \$125.00 non-refundable.
- (h) Initial fee for Certificate of Authorization – \$100.00.
- (i) Biennial Renewal fee for Certificate of Authorization (firm) – \$93.75.
- (j) Inactive Status fee – \$125.00.
- (k) Reactivation fee – \$150.00.
- (l) Change of Status fee (Active/Inactive) – \$93.75.
- (m) Duplicate Certificate – \$25.00.
- (n) Special Inspector Certification fee – \$100.00.
- (o) Application fee for Special Inspector Certification – \$125.00.
- (p) Engineer Intern Endorsement fee – \$100.00.
- (3) Engineer Intern application fee – \$30.00.
- (4) Continuing Education provider fees:

Application fee for continuing education provider status – \$250.00.

(5) Unlicensed Activity Fee collected by the Department of Business and Professional Regulation pursuant to Section 455.2281, F.S. – \$5.00.

Rulemaking Authority 455.213, 455.2179(3), 455.219, 455.271, 471.008, 471.011 FS. Law Implemented 455.217(3), (7), 455.2179(3), 471.011, 471.015, 471.021 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, 9-16-02, 5-9-04, 6-5-05, 3-5-06, 7-17-14, 3-29-17.

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. Except to the limited extent provided in subsection 61G15-32.002(10), F.A.C., the Engineer of Record for the Fire Protection system(s) is responsible for providing sealed, signed and dated Fire Protection System Engineering Documents that are in full conformity with the

applicable design standards set forth in Rule Chapter 61G15-32, F.A.C.

(2) 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 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 Section 553.79(6), F.S., 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, F.S., Fire Prevention and Control; the Florida Building Code; and the Florida Fire Prevention Code. The Florida Building Code and the Florida Fire Prevention Code are incorporated by reference in Rule 61G15-18.011, F.A.C. Applicable codes and standards also include those promulgated by State and local authorities having jurisdiction. In the event the codes and standards fail to cover or address a specific protection requirement, alternative research, test results, and engineering data may be utilized, relying on the Engineer of Record for 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.

(10) Fire Protection Delegated Engineering Documents. Fire Protection System Engineering Documents prepared by a delegated engineer to whom the Engineer of Record for the Fire Protection System has contractually delegated responsibility for the design to be simultaneously submitted for permit of a discrete and limited portion of a fire protection system and which are

signed, sealed and dated by the delegated engineer. These documents shall be reviewed and approved by the Engineer of Record for the Fire Protection System for conformity with the Engineer of Record's design intent and shall be included in the engineering design documents prepared prior to submittal for a building permit and Fire Department installation permit, except when no building permit is required. When no building permit is required, the delegated engineering work bearing the seal of delegated engineer and approval of the Engineer of Record for the Fire Protection System shall be submitted together to the fire official for permitting.

Rulemaking 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 4-2-00, 6-26-01, 3-26-09, 10-11-10, 3-28-17.

61G15-32.008 Design of Fire Alarms and Detection Systems.

(1) Fire alarms and detection systems include fire protection supervision, emergency alarm circuits, activation of life safety system controls and remote signaling of emergency conditions.

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

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

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

(a) The documents shall be clear, with a symbols legend, system riser diagram showing all initiation and notification components, and cabling requirements. The documents shall indicate locations where fire ratings are required as determined by the system's survivability requirements, and shall identify the general occupancy of the protected property and each room and area unless it is clear from features shown.

(b) Locate initiation and notification devices and connections to related systems on the floor plans and sections when needed for clarity. Related systems include elevator controls smoke control systems, dampers, and doors.

(c) Strobe intensity and speaker output ratings for all notification devices.

(d) Identify the Class of circuits as listed in NFPA 72, which is contained within and incorporated into the Florida Fire Prevention Code.

(e) Identify the functions required by the alarm and control systems including the transmission of emergency signals being monitored or annunciated.

(f) Indicate whether the fire alarm is conventional or addressable, and indicate all zoning.

(g) Locate surge protective devices and required protective features.

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

(i) The documents shall include a site plan of the immediate area around the protected building, structure or equipment when alarm devices are required outside the structure.

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

(k) For fire detection systems utilizing smoke detection in situations where smoke stratification is anticipated, the design shall provide the necessary criteria to mitigate the detection problems.

(l) Systems designed using Performance Based criteria shall be identified and referenced to design guides or standards approved by the local authority having jurisdiction consistent with standards adopted by the Florida Fire Prevention Code and the Florida Building Code.

(m) The system design must indicate if the system is to provide a general evacuation signal or a zoned evacuation for all high-rise buildings or multi-tenanted properties as defined in section 2 of the Florida Building Code, Building.

(n) Wiring requirements for underground, wet locations, campus style wiring, protection against damage and burial depth shall be specified or indicated on the engineering design documents.

(o) Requirements for operations and maintenance procedures, manuals, system documentation, and instruction of Owner's operating personnel, as needed to operate the systems as intended over time.

(5) In the event that the Engineer of Record elects to specify specific equipment and to show the required wiring, battery and voltage drop (circuit analysis) calculations shall be completed. The calculations shall be completed using the equipment manufacture's data and applicable NFPA 72 procedures.

(6) System test requirements shall be noted on the Engineering Design Documents.

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

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.008, Amended 3-26-09, 3-28-17.

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 National Fire Protection Association (NFPA) Standard 750, which is contained within and incorporated into the Florida Fire Prevention Code.

(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.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033(2) FS. History—New 4-2-00, Amended 3-28-17.

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 (rev. 12/16), entitled, “Application for Principles and Practice Examination,” is hereby incorporated by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; from the Board’s website at <http://www.fbpe.org/licensure/application-process/principles-practice-examination> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08043>. The Board shall certify as eligible to take the licensure examination only those applicants who have completed the application form, remitted the application and examination fee required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

(a) Are graduates of a “Board approved engineering program” as defined by subsection 61G15-20.001(2), F.A.C., and

(b) Have four (4) years of acceptable engineering experience as defined by Rule 61G15-20.002, F.A.C.

(2) Any person desiring to take the fundamentals examination for the purpose of determining whether he or she is qualified to practice as an engineering intern in this state shall submit a completed application to the Board. The instructions and application Form FBPE/003 (rev. 12/16), entitled, “Application for Fundamentals of Engineering,” is hereby incorporated by reference, and may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; from the Board’s website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08044>. The Board shall certify as eligible to take the Fundamentals Examination only those applicants who have completed the application form, remitted the application fee required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, “a Board approved engineering program” as defined by subsection 61G15-20.001(2), F.A.C.

Rulemaking Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS. History—New 9-27-01, Amended 11-19-03, 9-14-14, 3-19-17.

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 (12/16), entitled “Application For Licensure By Endorsement”, which is hereby incorporated herein by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board’s website at <http://www.fbpe.org/licensure/application-process> or at <http://www.flrules.org/Gateway/reference.asp?No=Ref-08045>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that:

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

(3) An applicant for licensure by endorsement who has taken and failed either the fundamentals or the principles and practice examinations three (3) times or more before passing, must document compliance with Rule 61G15-21.007, F.A.C., as a condition of eligibility for licensure by endorsement.

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

(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 meet 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.

(6) Any person desiring to practice as an engineering intern in this state by endorsement shall submit a completed application to the Board. The instructions and application Form FBPE/004 (12/16), entitled, “Application for Engineer Intern by Endorsement,” is hereby incorporated by

reference and may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board's website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-08046>. The Board shall certify as eligible for licensure by endorsement applicants who have completed the application form, remitted the application fee for licensure by endorsement required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they are in the final year of, or have graduated from, "a Board approved engineering program" as defined by subsection 61G15-20.001(2), F.A.C., and have passed the Fundamentals of Engineering Examination prior to application.

Rulemaking Authority 471.008, 471.013, 471.015 FS. Law Implemented 471.013, 471.015 FS. History—New 9-27-01, Amended 4-9-07, 10-15-09, 11-16-10, 9-14-14, 7-7-15, 11-2-15, 3-19-17.

61G15-22.0001 License Renewal.

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

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

Rulemaking Authority 455.271(2), (5), (6)(a), (7), 471.011, 471.017(2) FS. Law Implemented 455.02(1), 455.271(2), (5), (6)(a), (7), 471.011, 471.017 FS. History—New 8-1-02, Amended 2-18-16, 2-27-17.

61G15-22.0002 Licensure Change of Status.

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

(2) Inactive to Active Licensure Status. Licensees may change their licensure status from inactive to active by remitting to FEMC a completed Application To Change Status from INACTIVE TO ACTIVE, Form FBPE/022, 12/16, the fee specified by Rule 61G15-24.001, F.A.C., and proof of completion of eighteen (18) hours of continuing education obtained within

the two (2) years immediately prior to application and in compliance with subsection 61G15-22.001(1), F.A.C. The application form FBPE/022 is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-07864>.

Rulemaking Authority 455.271, 471.017(2) FS. Law Implemented 455.271, 471.017(2), (3), (4) FS. History—New 8-1-02, Amended 2-27-17.

61G15-18.011 Definitions.

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

(1) “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.

3. Approves the inclusion of standard engineering design details into the engineering work. Standard engineering design details include details mandated or directed to be contained in engineering documents by governmental agencies (such as the Florida Department of Transportation); and details contained in engineering design manuals and catalogues that are generally accepted as authoritative in the engineering profession. In order to approve the inclusion of such details the Engineer of Record must conduct such reasonable analysis of the content of the standard detail(s) as is necessary in the sound professional judgment of the Engineer of Record to be assured that the inclusion of such detail(s) into the engineering work is acceptable engineering practice.

(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 Section 471.005(7), 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 sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(7), 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) The term “principal officer(s) of the business organization” as used in Section 471.023(1), F.S., means the (a) President, Vice President, Secretary or Treasurer of the Corporation, or Limited Liability Company (LLC); or (b) any other officer who has management responsibilities in the corporation or LLC, as documented by the corporate charter or bylaws so long as such documentation provides that such officer is empowered to bind the corporation or LLC in all of its activities which fall within the definition of the practice of engineering as that term is defined in Section 471.005(7), F.S.

(6) The term “Florida Building Code” shall mean the Florida Building Code, 5th Edition, (2014), and which is incorporated herein by reference. The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

(7) The term “Florida Fire Prevention Code” shall mean the Florida Fire Prevention Code, 5th Edition, (2014), and which is incorporated herein by reference. The material incorporated is copyrighted material that is available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303.

Rulemaking Authority 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 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, 6-5-08, 6-2-09, 2-2-12, 6-12-16, 2-22-17.

5- Application of the provisions of Chapter 471, F.S., to individual disciplinary cases and unlicensed practice cases during 2017-2019

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

CARLOS R. LLERA, PE

PE No. 52014

Case No. 2017058768

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed any of the required continuing education. The continuing education was not completed until January and March of 2018.

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

Violation: Section 471.033(1)(a), Florida Statutes

BRADLEY HEILWAGEN, PE

PE No. 70891

Case No. 2017058989

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed the required Ethics Course. The Ethics Course was not completed until August 16, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$58.50 and an Administrative Fine of \$500.00. Final Order was issued on Feb. 27, 2019.

Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

ROGER L. BLAIR

PE No. 75936 – RELINQUISHED

Case No. 2018010652

Licensee was charged with violating Section 471.033(1)(c), Florida Statutes; having a license to practice engineering acted against by the licensing authority of another state for any act that would constitute a violation of Chapter 471. Mr. Blair was disciplined by the State of Texas due to deficiencies in structural engineering design documents for a metal building.

Ruling: This case was presented to the full Board upon consideration of the Voluntary Relinquishment of License. The Board accepted the Voluntary Relinquishment. Final Order was issued on March 14, 2019.

Violation: Section 471.033(1)(c), Florida Statutes

JOHN B. BENSON

PE No. 20638 – RELINQUISHED

Case No. 2017028609

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Mr. Benson entered into a contract for engineering services and accepted money to provide said services. The services were never provided and no explanation was given for failing to timely provide the engineering services for which Mr. Benson was paid. The money was returned after this complaint was opened.

Ruling: This case was presented to the full Board upon consideration of the Voluntary Relinquishment of License. The Board accepted the Voluntary Relinquishment. Final Order was issued on March 14, 2019.

Violation: Section 471.033(1)(g), Florida Statutes

JACQUELINE P. JAMES

PE No. 63974 – SUSPENDED

Case No. 2017046158

Ms. James was charged with violating Section 471.033(1)(k), Florida Statutes; violating any order of the board or department previously entered in a disciplinary hearing. In Complaint #2014039414, Ms. James was ordered to successfully complete a Board-approved course in Intermediate Engineering Professionalism and Ethics within one year of the date of the Final Order. Ms. James failed to complete this item.

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

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

H. JOHN GRIFFIN

PE No. 38647 – SUSPENDED

Case No. 2018006082

Mr. Griffin was charged with violating Section 471.033(1)(k), Florida Statutes; violating any order of the board or department previously entered in a disciplinary hearing. In Complaint #2015033401, Mr. Griffin was ordered to successfully complete a Board-approved course in Engineering Professionalism and Ethics within one year of the date of the Final Order and to provide a detailed list of completed projects at six and eighteen month intervals. Mr. Griffin has failed to complete these items.

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board SUSPENDED the Professional Engineer license of Mr. Griffin until such time as he appears before the Board, issued an Administrative Fine of \$1,000 and Costs in the amount of \$81.90. Final Order was issued on 1/10/19.

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

SAGE ENGINEERING

CA No. 27968 – REVOKED

Case No. 2017049527

SAGE Engineering was charged with violating Section 471.033(1)(a) and (k), Florida Statutes; violating any provision of this chapter or rule of the Board or department, and violating any order of the board or department previously entered in a disciplinary hearing. The Professional Engineer who qualified this company had his Professional Engineer license suspended. As such, he was no longer met the requirements to qualify the engineering company. The Board made several attempts to contact SAGE regarding this issue; however, no contact was made and no new Principal Officer was identified.

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board REVOKED the Certificate of Authorization and imposed Costs in the amount of \$107.25. Final Order was issued on 1/10/19.

Violation: Section 471.033(1)(a) and (k), Florida Statutes

STEPHEN A. GAYDOSH

PE No. 38464 – REVOKED

Case No. 2017049529

Stephen A. Gaydosh was charged with violating Section 471.033(1)(i), Florida Statutes; practicing engineering on a suspended license. By Final Order dated May 22, 2017, Mr. Gaydosh' Professional Engineer License was suspended. Mr. Gaydosh continued to offer engineering services through his company SAGE Engineering, and signed and sealed engineering document after his Professional Engineer license was suspended.

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board REVOKED the Professional Engineer License of Mr. Gaydosh and imposed Costs in the amount of \$97.50. Final Order was issued on 1/10/19.

Violation: Section 471.033(1)(i), Florida Statutes

TIMOTHY BARBER

PE No. 63974 – REVOKED

Case Nos. 2017035452, 2018000611, 2018003697

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

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

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board REVOKED the Professional Engineer license of Mr. Barber. Final Order was issued on 1/10/19.

Violation: Section 471.033(1)(g), Florida Statutes

TIMOTHY BARBER

PE No. 63974 – SUSPENDED

Case No. 2016056565

Mr. Barber was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Mr. Barber entered into a contract for services and accepted money to provide said services. The services were never provided and the money was not returned. Mr. Barber failed to respond to the properly serviced Administrative Complaint which constitutes a waiver of the right to elect a hearing involved disputed issues of material fact.

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

Violation: Section 471.033(1)(g), Florida Statutes

PEDRO-DANIEL RODRIGUES

PE No. 74878 – RELINQUISHED

Case No. 2017058920

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Mr. Rodrigues renewed his Professional Engineer license without having completed the laws and rules course, the ethics course, and two hours of area of practice.

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

Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

RONALD WYCOFF

PE No. 50414 – RELINQUISHED

Case No. 2018020976

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

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

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

JAMES T. DOYLE, PE

PE No. 24719

Case No. 2017058966

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until July 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$91.65. Final Order was issued on 12/11/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C

CRAIG KALHOEFER, PE

PE No. 70812

Case No. 2017059000

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules Course on or before Feb. 28, 2017. This course was not completed until Sept. 7, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$68.25. Final Order was issued on 12/11/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

RICHARD M. DICKINSON, PE

PE No. 37557, SI No. 1029

Case No. 2017030099

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering as a Special Inspector. Licensee was tasked with performing the duties of a Special Inspector for a threshold building project in the City of Port St. Lucie. In performing those duties, Licensee was to assure that all field inspections were performed in accordance with the Threshold Inspection Plan. The plan required that that Licensee or Licensee's authorized representative be present at all concrete pours. Licenses signed, sealed and dated a Floor Flatness/Levelness Testing Report and another report for another level, even though, neither Licensee nor Licensee's authorized representative were present for these pours.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000, Costs of \$2,113.40, an Appearance before the Board, and Probation for 2 years with conditions. The conditions include successful completion of a Board-Approved Basic Engineering Professionalism and Ethics Course and the Board's Study Guide. Final Order was issued on 12/11/18.

Violations: Section 471.033(1)(g), Florida Statutes

DAVID SONDEERS, PE

PE No. 66365

Case No. 2017059033

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 18 and 23, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$113.10. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

RICKY L. SEBRING, PE

PE No. 51739

Case No. 2017058923

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Sept. 29 and 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$93.60. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

TROY M. HUDSON, PE

PE No. 62051

Case No. 2017058993

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 1, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$95.55. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

DWANE PAINTER, PE

PE No. 69374

Case No. 2017058915

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 15, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$132.60. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

DANIEL HARTFORD, PE

PE No. 76682

Case No. 2017058763

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until March 1 and Aug. 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$124.80. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

CRAIG BIANCHINI, PE

PE No. 57395

Case No. 2017058892

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until January 3, 2018.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$122.85. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C

BRYAN WEINSTEIN, PE

PE No. 70704

Case No. 2017058929

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until Aug. 23, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$113.10. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ANTHONY VARRICHIO, PE

PE No. 61582

Case No. 2017059042

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until Aug. 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$100.23. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ABDELWAHAB AL-HAMMADI, PE

PE No. 67831

Case No. 2017058817

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 23, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$113.10. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JOSHUA HOWES, PE**PE No. 73273**

Case No. 2017058902

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until October 4, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$113.10. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C

CARLOS A. VARGAS, PE**PE No. 53809**

Case No. 2017058926

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until November 9, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$52.65. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ROBERT BECCARD, PE**PE No. 77245**

Case No. 2017058889

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until Sept. 26, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$120.90. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

RANDALL BOYD, PE**PE No. 81118**

Case No. 2017058942

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without

having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 23, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$122.85. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

CHRISTINE FANCHI, PE

PE No. 80088

Case No. 2017058726

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Area of Practice, Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until December 20 and 22, 2017.

Ruling: The case was presented to the full Board upon an Informal Hearing. The Board imposed an Administrative Fine of \$500 and Costs of \$64.35. Final Order was issued on 9/7/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JENNIFER A. GEMAR, PE

PE No. 81640

Case No. 2017058976

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 17, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$83.85. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ROBERT D'ONOFRIO, PE

PE No. 81507

Case No. 2017058895

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until Sept. 26, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$136.50. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JAMES LAFFEY, PE

PE No. 80213

Case No. 2017058905

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until October 19, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$148.20. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

YVETTE BENITEZ JONES, PE

PE No. 62604

Case No. 2017058904

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until October 12 and 26, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$91.65. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

CHRISTOPHER J. PORTO, PE

PE No. 79824

Case No. 2017059022

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 7, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$56.55. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

GEORGE W. WALTON, PE**PE No. 75298**

Case No. 2017059049

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until Aug. 6, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$91.65. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

BAKER W. TEE, PE**PE No. 80627**

Case No. 2017059038

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 15 and 23, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$56.55. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

THOMAS CHASTAIN, PE**PE No. 62367**

Case No. 2017058960

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until Aug. 12, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$142.35. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JONATHAN BURDETTE, PE**PE No. 75987**

Case No. 2017058947

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed any of the required continuing education courses on or before Feb. 28, 2017. These courses were not completed until Aug. 26, 2017.

Ruling: The case was presented to the full Board upon an Informal Hearing. The Board imposed an Administrative Fine of \$500 and Costs of \$120.90. Final Order was issued on 9/7/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

REBECCA WESCOTT, PE

PE No. 57798

Case No. 2017059053

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until Aug. 22, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$118.95. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

PIOTR D. MONCARZ, PE

PE No. 61456

Case No. 2017058912

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until November 26, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$62.40. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MICHAEL R. MUELLER, PE

PE No. 77521

Case No. 2017059015

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

license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until Aug. 14, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$91.65. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MICHAEL LEYDECKER, PE

PE No. 56576

Case No. 2017059006

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 1 and 7, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$52.65. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C

MATTHEW H. JOHNSON, PE

PE No. 72891

Case No. 2017059074

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until December 31, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$72.15. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MATTHEW B. ALVAREZ, PE

PE No. 56850

Case No. 2017058818

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until October 3, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$62.40. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JEFFREY C. FRIANT, PE

PE No. 60974

Case No. 2017058972

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the 4 hours of Area of Practice and 12 hours of general engineering education on or before Feb. 28, 2017. These courses were not completed until July 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$62.40. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

GABRIEL R. VELICU, PE

PE No. 78182

Case No. 2017059045

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Sept. 10 and 11, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$107.25. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ARTURO A. BURBANO, PE

PE No. 81183

Case No. 2017058894

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until October 27 and 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$68.25. Final Order was issued on 11/2/18.
Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

NASEER AHMED, PE**PE No. 80196**

Case No. 2017058814

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until November 20, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$81.90. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

WALTER VERNON, PE**PE No. 70274**

Case No. 2017059047

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 22, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$124.80. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

TZU-JUI TANG, PE**PE No. 79479**

Case No. 2017059036

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 17, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$123.63. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ROBERT HAMM, PE**PE No. 63155**

Case No. 2017058899

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 10, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$118.95. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

REYNALDO ROQUE, PE

PE No. 36161

Case No. 2017059025

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until Aug. 14, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$111.15. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

RAYMOND LIGGINS, PE

PE No. 43338

Case No. 2017059078

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until January 11, 2018.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$118.95. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

RAYMOND LIGGINS, PE

PE No. 43338

Case No. 2017059078

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

license without having completed the Ethics course on or before Feb. 28, 2017. This course was not completed until January 11, 2018.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$118.95. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

PAUL MCCULLOUGH, PE

PE No. 57068

Case No. 2017059013

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules course on or before Feb. 28, 2017. This course was not completed until July 31, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$109.20. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MICHAEL WILSON, PE

PE No. 78681

Case No. 2017058811

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Sept. 6 and 7, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$113.10. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MARLIN MITCHELL, PE

PE No. 81183

Case No. 2017058908

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until November 29, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$120.90. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C

JIANG YU, PE

PE No. 78286

Case No. 2017059066

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 17, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$109.20. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C

JIANQING HONG, PE

PE No. 66779

Case No. 2017058992

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until July 29 and 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500 and Costs of \$103.35. Corrected Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

WARD HERLACHE, PE

PE No. 81480

Case No. 2017058901

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the 4 hours of Area of Practice, 12 hours of general

engineering education and the Ethics courses on or before Feb. 28, 2017. These courses were not completed until October 11, 2017.

Ruling: The case was presented to the full Board upon an Informal Hearing. The Board imposed an Administrative Fine of \$500 and Costs of \$72.15. Corrected Final Order was issued on 9/17/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

CLAYTON COWHERD, PE

PE No. 71429

Case No. 2017058723

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed any of the continuing education courses on or before Feb. 28, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Costs of \$85.80 and SUSPENSION until the Licensee successfully completes the 18 continuing education hours required for the renewal period. Upon completion, Licensee must petition the Board for reinstatement of his license and appear before the Board for consideration of the petition. Final Order was issued on 9/13/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

EDWARD GERAGHTY, PE

PE No. 72136

Case No. 2017058977

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Aug. 22, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, an Administrative Fine of \$500 and Costs of \$113.10. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

SANJAY PURANIK, PE

PE No. 59470

Case No. 2017058917

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed 6 hours of the general engineering education courses on or before Feb. 28, 2017. These 6 hours were not completed until October of 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, an Administrative Fine of \$500 and Costs of \$148.20. Final Order was issued on 8/14/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MARIO V. MACRINA, PE

PE No. 76373

Case No. 2017059011

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Ethics Course on or before Feb. 28, 2017. These course was not completed until May 15, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$52.65. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

BIPIN PATEL, PE

PE No. 67829

Case No. 2017059019

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed any of the required continuing education on or before Feb. 28, 2017. These courses were not completed until Aug. 20, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, an Administrative Fine of \$1,000 and Costs of \$113.10. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

BARRY ANDERSON, PE

PE No. 39383

Case No. 2017058931

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without

having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed any of the required continuing education on or before Feb. 28, 2017. These courses were not completed until Aug. 10, 12 and 16, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, an Administrative Fine of \$1,000 and Costs of \$109.20. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

DANIEL LECLAIR, PE

PE No. 80708

Case No. 2017059003

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed any of the required continuing education requirements on or before Feb. 28, 2017. These courses were not completed until Aug. and September of 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, an Administrative Fine of \$1,000 and Costs of \$126.75. Final Order was issued on 8/16/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

DAN Q. PHAM, PE

PE No. 61805

Case No. 2017058916

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed any of the required continuing education on or before Feb. 28, 2017. These courses were not completed until October 12 and 13, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$91.65. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JEFFREY P. MUSICH, PE

PE No. 72030

Case No. 2017058774

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

license without having completed the Laws & Rules and Ethics Course on or before Feb. 28, 2017. These courses were not completed until January 5 and 6, 2018.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$52.65. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JOHN GAJDA, PE

PE No. 61946

Case No. 2017058896

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics Course on or before Feb. 28, 2017. These courses were never completed.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$52.65. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

JOSEPH B. CHAIBAN, PE

PE No. 43239

Case No. 2017058950

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules, the Ethics Course, and 10 hours of the required general engineering education courses on or before Feb. 28, 2017. These courses were not completed until Aug. 1, 3 and 31, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$97.50. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MARK T. WILSON, PE

PE No. 73710

Case No. 2017059061

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics Course on or before Feb. 28, 2017. These courses were not completed until July 28 and Aug. 17, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$56.55. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

MAUREEN M. JOHNSON, PE

PE No. 56139

Case No. 2017059081

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed her Professional Engineer license without having completed all of the 4 hours of area of practice all of the 12 hours of general engineering education courses required. At the time of renewal, she lacked 6 hours of continuing education. These courses were not completed until Aug. 18 and 20, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$128.70. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

EDWARD FLEIS, PE

PE No. 30632

Case No. 2017058735

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics Course on or before Feb. 28, 2017. These courses were not completed until June 19 and 20, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$132.60. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

ERROL S. ABDULLA, PE

PE No. 74803

Case No. 2017058930

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

Ruling: The case was presented to the full Board upon having received no response to the properly filed Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of Law alleged in the Administrative Complaint. The Board imposed a Reprimand and Costs of \$113.10. Final Order was issued on 7/19/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

BRIAN SASMAN, PE

PE No. 69283

Case No. 2017058921

Licensee was charged with violating Sections 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education. Licensee renewed his Professional Engineer license without having completed the 4 hours of area of practice and 10 hours of general engineering education courses required. The 4 hours of area of practice and 10 hours of general engineering education courses were not completed until Aug. 4, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$118.95. Final Order was issued on 11/2/18.

Violations: Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

STEPHEN E. KASTNER, PE

PE No. 39528

Case Nos. 2016013495, 2016028548

In Case No. 2016028548, Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, dated, and sealed a final set of fire protection engineering. The documents contained material deficiencies. The deficiencies include, but are not limited to, the building exceeds the number of stories permitted for the type of construction identified on the documents, fire resistive ratings are not indicated for the exterior walls, two unprotected openings in the north exterior wall and eight unprotected openings in the south exterior wall are shown on the drawings, etc.

In Case No. 2016013495, Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, dated, and sealed engineering plans for the remodeling of an existing retail space into a restaurant and bar. Licensee prepared the Electrical and Mechanical documents that contained deficiencies. The Electrical deficiencies include, but are not limited to the drawing does not contain an electrical riser diagram, contains no short circuit values and no voltage drop calculations for the feeders and customer-owner service conductors, no surge protective devices are shown, the plans show two electrical panel locations but no panel schedule, no Main and distribution equipment and sizes, no load computations are shown, etc. The Mechanical deficiencies include, but are not limited to, the drawing does not contain outside air make-up conditions, the plumbing/gas plan contains no plumbing equipment schedules, no design data for a great trap and no specifications for plumbing system materials, no potable water isometric diagrams are shown, no isometric sanitary riser diagrams are shown, no storm riser diagrams are shown, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$2,000, Administrative Costs of \$7,553.60, Appearance before the Board, Probation with terms that include completion of a Board-approved Basic

Engineering Professionalism and Ethics Course, project review at six and 18 months, and the Board's Study Guide. Final Order was issued on Aug. 14, 2018.

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

DANIEL J. MOSS, PE

PE No. 56885

Case No. 2017016715

Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, dated, and sealed a set of engineering design documents that included Structural, Electrical and Mechanical (Plumbing). The documents contained material deficiencies. The Electrical deficiencies include, but are not limited to, no surge protective devices are shown on the drawings, no outdoor receptacle outlets are shown, there are no lighting fixture performance specifications, etc. The Mechanical (Plumbing) deficiencies include, but are not limited to, the drawings contain no plumbing equipment schedules, the total water fixture units are omitted, no storm riser diagram, no piping layouts, etc. The Structural deficiencies include, but are not limited to, there are no live loads or dead loads indicated on the plans, there is no strength of materials' listed for the wood, reinforcing steel, concrete or grout, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000, Administrative Costs of \$11,611.30, Appearance before the Board, Probation with terms that include completion of a Board-approved Basic Engineering Professionalism and Ethics Course, project review at six and 18 months, and the Board's Study Guide. Final Order was issued on 8/16/18.

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

PATRICIA MONTECKI, PE

PE No. 54894

Case No. 2017048443

Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, dated, and sealed a set of engineering plans for carport parking that were approved and construction commenced. Licensee submitted an electronically signed and sealed Certification letter to the Building Department certifying that the project was constructed such that the design, intent and functionality of the project conform to the approved construction plans. Contrary to the Certification letter, the worked on the project had not been completed.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000, Administrative Costs of \$1,996.10, a Reprimand, Appearance before the Board, completion of a Board-approved Basic Engineering Professionalism and Ethics Course, and the Board's Study Guide. Final Order was issued on Aug. 14, 2018.

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

JOHN FOWLER, PE**PE No. 44672**

Case No. 2017045676

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

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

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

GARY SANTTI, PE**PE No. 43731**

Case No. 2015023764

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, dated, and sealed Foundation Stabilization Reports for various residences in 2013 and 2014. The reports contained information within them that were virtually verbatim copies of data and conclusions found in signed and sealed engineering documents that had been prepared by other engineering firms and were also materially deficient. Additionally, Licensee signed, dated, and sealed engineering certifications for these residences. The deficiencies include, but are not limited to: a) the structure will be stabilized by underpinning (However, this remediation ignores the effect of the underpinning upon an interior load-bearing structural wall.); b) the underpinning is materially inadequate in that it fails to acknowledge that the continuous strip foundation that was identified as supporting the original structure is a flexible foundation intended to be continuously earth supports; and c) does not possess sufficient section properties or reinforcement to function as a "pile cap" or "grade beam." The deficiencies above are from one project — the complaint contained four projects all with material deficiencies within the reports which are similar.

The certifications also contained material deficiencies and do not comply with accepted standards of engineering practice applicable to sinkhole subsidence remediation. The

deficiencies include, but are not limited to the fact that: a) contrary to Respondent's explicit statement in the Foundation Stabilization Reports, the projects do not comply with accepted standards of engineering practice applicable to sinkhole subsidence remediation; and b) the statement "the foundation repairs are sufficient to prevent settlement of the structure" is materially inaccurate. The repairs as completed will only minimize settlement under some conditions, but will not prevent settlement as certified, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000, costs of \$14,603.25, Appearance before the Board, a Reprimand, and two years' Probation with terms. Terms include, a Board-approved course in Basic Engineering Professionalism and Ethics, the Board's Study Guide, and project review at six and 18 months. Final Order was issued on June 28, 2018.

Violation: Section 471.033(1)(g), Florida Statutes

ROBERT E. GELHARDT II, PE

PE No. 77568

Case No. 2017002868

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, sealed, and dated several fire sprinkler design documents which included the installation of new underground private fire service mains. The design documents contained material deficiencies. The deficiencies include, but are not limited to: the water supply included does not meet the requirements of NFPA 13, the hydraulic calculations are not properly prepared, the requirements for testing and inspection of the fire sprinkler systems are not included, the point of services is not indicated on the drawings, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, costs of \$2,763.25, an administrative fine of \$1,000.00, appearance before the Board, and probation with terms. The terms include completion of a Board-approved course in basic engineering professionalism and ethics, project review at six and 18 months, and completion of the Board's Study Guide. Final Order was issued on April 19, 2018.

Violation: Section 471.033(1)(g), Florida Statutes

ALPHA ENGINEERING OF LEE COUNTY

CA No. 4943

Case No. 2016055099

Licensee was charged with violating Sections 471.033(1)(a) and 471.033(1)(i), Florida Statutes; offering engineering services through a company with a delinquent Certificate of Authorization. Licensee's CA became delinquent on March 1, 2017, due to failure to renew the Certificate. Licensee both offered and provided engineering services to the public while the CA was delinquent.

Ruling: The case was presented to the full Board upon Licensee's failure to respond to the Administrative Complaint and waiver of its right to elect a hearing. The Board imposed costs of \$1,089.75, an administrative fine of \$5,000.00, and suspension of the CA until Licensee appears before the Board. Final Order was issued on April 19, 2018.

Violation: Sections 471.033(1)(a) and 471.033(1)(i), Florida Statutes

RAM GOEL, PE

PE No. 47431

Case No. 2016014130

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, sealed, and dated final engineering design documents for seven pool screen enclosures. The design documents contained material deficiencies. The deficiencies include, but are not limited to: the design documents are not site-specific, the size, location, and loading capacity of the members and connections are not detailed or defined, they fail to provide the size of perimeter header bracing beams at the end wall, failed to label or define the configuration of the end wall chair rail beams, the lateral stability of the screen is not adequately defined, the size and configuration of beam member node connections is not shown, the external gusset plate detail is shown on one side of the beam to beam connection only, the general design of the attachment of the SMB columns to the concrete is not adequately developed or detailed, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand, costs of \$4,770.55, an administrative fine of \$3,500.00, appearance before the Board, probation with terms. The terms include completion of a Board-approved course in advanced engineering professionalism and ethics, project review at six and 18 months, and completion of the Board's Study Guide. Final Order was issued on April 19, 2018.

Violation: Section 471.033(1)(g), Florida Statutes

**ALBREDO BRIZUELA, PE, and
AL BRIZUELA ENGINEERING INC.**

PE No. 33081; CA No. 30166

Case Nos. 2017037229, & 2017037225

Licensees were charged with violating Sections 455.227(1)(k), 471.023 and 471.033(1)(a) and (k), Florida Statutes; failing to perform any statutory or legal obligation placed upon licensee; violating any order of the board or department previously entered in a disciplinary hearing. Licensee Al Brizuela Engineering Inc. possessed CAs to offer engineering services in Florida. In Case No. 2013005769 Licensee Alfredo Brizuela, PE, was issued a Closing Order/Letter of Guidance for practicing through Al Brizuela Engineering Inc., which did not possess a CA (the previous CA having gone Null & Void). Between March 1, 2017, and August 17, 2017, Licensee Alfredo Brizuela, PE, practiced engineering through Al Brizuela Engineering Inc., which for that period of time, possessed a delinquent CA.

Ruling: The case was presented to the full Board upon an Informal Hearing. The Board imposed a Reprimand, costs of \$68.25 and an administrative fine of \$1,000. Final Order was issued on April 19, 2018.

Violation: Sections 455.227(1)(k), 471.023 and 471.033(1)(a) and (k), Florida Statutes

ASON NEEDHAM**PE No. 71838**

Case No. 2017040296

Licensee was charged with violating Section 471.033(1)(c) and (d), Florida Statutes; having a license to practice engineering revoked... by the licensing authority of another state; being convicted or found guilty of... a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering. Licensee pleaded guilty to criminal charges of accessing a computer and obtaining information. These charges stemmed from Licensee having accessed a computer without authorization and thereby obtained information from a protected computer, which was valued to exceed \$5,000. The computer, which was unlawfully accessed, belonged to Licensee's previous employer.

Ruling: The case was presented to the full Board upon a voluntary relinquishment of license. The Board accepted the relinquishment of license with Licensee's agreement to never reapply for licensure as a Professional Engineer in Florida. Final Order was issued on April 19, 2018.

Violation: Section 471.033(1)(c) and (d), Florida Statutes

CHA COMPANIES OF NEW YORK**CA No. 28386**

Case No. 2016039268

Licensee was charged with violating Sections 455.227(1)(k) and 471.033(1)(a), Florida Statutes; failing to perform any statutory or legal obligation placed upon licensee. Licensee sent the Board an application to change the information upon which the Certificate of Authorization was based. The change was due to the fact that the Professional Engineer who had previously acted as Licensee's engineering principal officer was no longer acting as such. However, and despite several notices, the new principal officer was never listed as a principal officer at the Florida Secretary of State's website and no corporate resolution were ever received by the Board.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed costs of \$247.65, an administrative fine of \$1,000.00, appearance before the Board, and Licensee must cease and desist from offering engineering services without the Professional Engineering license or Certificate of Authorization required by Florida law. Final Order was issued on April 19, 2018.

Violation: Sections 455.227(1)(k) and 471.033(1)(a), Florida Statutes

EARL E. HENRY, PE**PE No. 45894**

Case No. 2015013030

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, sealed, and dated Structural, Mechanical, and Electrical Engineering design documents for an exterior addition and exterior restroom conversion. The Electrical Engineering design documents contained material deficiencies. The deficiencies include, but are not limited to: the drawings do not state specific codes, rules, or ordinances with which the electrical systems must comply, no short circuit values, no voltage drop calculations

for the feeders, no surge protective devices are shown, incomplete circuitry of electrical outlets, etc. The Mechanical (Plumbing) Engineering design documents contained material deficiencies. The deficiencies include, but are not limited to: the documents contain no fixture requirements, no back flow prevention devices, no water supply line locations, no grease trap specifications or location, no fixture schedule, no equipment descriptions, no storm riser diagrams, no sanitary piping layouts, no handicap accessible plumbing units are specified, etc. The Structural Engineering design documents contained material deficiencies. The deficiencies include, but are not limited to: no roof live or dead loads shown, no structural notes indicating applicable code strength of materials for masonry, grout, reinforcing steel and wood, the wind load diagram incorrectly indicates the wind zones, etc.

Ruling: The case was presented to the full Board upon a Recommended Order. The Board imposed costs of \$16,000.00, appearance before the Board, probation with terms to include completion of a Board Approved Course in Professionalism and Ethics, and project review at six and 18 months. Final Order was issued on April 19, 2018. A Notice of Appeal of this Final Order by Licensee has been filed in the Second District Court of Appeal.

Violation: Section 471.033(1)(g), Florida Statutes

ROGER B. CHEWNING

PE No 21780

Case Nos. 2016024529, & 2017026828

In Case #2016024529, Licensee was charged with violating Section 471.031(1)(k), Florida Statutes; violating any order of the board or department previously entered in a disciplinary hearing. On Nov. 4, 2014, a Final Order was entered by the Board. The Final Order provided, in material part, that Licensee shall provide a detailed list of completed projects at six- and 18-month intervals, which would be reviewed by a FEMC consultant. The list of projects for the 18-month project review were due on May 4, 2016. This list of projects was never received. The case was presented to the full Board upon a Motion for determination that Respondent forfeited his right to an administrative hearing. The Board imposed Costs of \$132.60 and a SUSPENSION of the Licensee's Professional Engineering license, which shall remain in effect until the successful completion of the 18-month project review. Final Order was issued on 1/4/17.

Case #2017026528 was opened based upon Licensee's failure to comply with the terms of the Final Order in Case #2016024529.

Ruling: The case was presented to the full Board upon a Voluntary Relinquishment in lieu of further disciplinary action in both complaints. Licensee voluntarily relinquished his Professional Engineer license. Final Order was issued on 11/20/17.

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

CARLTON G. FORBES, P.E.

PE No. 20699

Case No. 2016003962

Respondent was charged with violations Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee sealed, signed, and dated engineering design documents for a proposed home office. Licensee acted as the Electrical and Mechanical Engineer of Record for this project. The electrical engineering documents contained material deficiencies. The deficiencies include, but are not limited to: the drawings contain an electrical riser diagram, but no short circuit values and no voltage drop calculations for the feeders and customer-owner service conductors, the drawings contain panel schedules with circuit interrupting devices, but no specification regarding fault current interrupting capability, no surge protective devices are shown, the drawings do not contain the information required for minimum plan review, etc. The mechanical engineering documents contained material deficiencies. The deficiencies include, but are not limited to: the mechanical drawing do not contain outside air make-up conditions, no potable water isometric diagrams are shown, the total water fixture units for the building are not shown on the drawing, isometric sanitary riser diagrams are shown; however, total sanitary waste fixture units for the building are not shown, pipe sizes are missing from the isometric risers, there is no building drain cleanout shown, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500, Administrative Costs of \$6,202.10, a Reprimand, Appearance before the Board, probation for two years with conditions. The conditions include a Basic Engineering Professionalism and Ethics Course, the Board’s Study Guide, and project review at six and 18 months. Final Order was issued on 8/18/17.

Violation: Section 471.033(1)(g), Florida Statutes

AA Masters Mechanical Air Moving and Engineering System Corp.

CA No. 31669

Case No. 2016050175

Licensee was charged with a violation of Section 471.033(1)(a), by violating the provisions of Section 471.023(1) and 471.031(1)(a), Florida Statutes. Engineering plans for an engineering project were submitted to the Building Department for public record using the title block of Licensee. The plans did not contain the seal and signature of a professional engineer, but instead contained only the name of Licensee, which constitutes the unlicensed practice of engineering.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000, Administrative Costs of \$66.30, Appearance before the Board by Licensee’s designated officer (a licensed PE), a Basic Engineering Professionalism and Ethics Course, and the Board’s Study Guide. Final Order was issued on 8/18/17.

Violations: Section 471.033(1)(a), Florida Statutes; Section 471.023(1), F.S.; and Section 471.031(1)(a), F.S.

FERMIN A. MARTINEZ, P.E.

PE No. 19363

Case Nos. 2015045726, & 2016026528

Licensee was charged with a violation of Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee signed, sealed, and dated structural engineering documents for a residential remodeling project and for a storage building. In Case #2015045726, the structural engineering documents contained material deficiencies. The deficiencies include, but are not limited to: the windloads for the monoslope roof are indicated but there are no wind loads

shown for the gable roof areas, there is no indication of structural framing for the new stair, the wind loads shown are lower than the wind loads indicated in the calculations, the west elevation indicates a window in the playroom that is not shown on the floor plan, the foundation and ground floor plans are missing numerous dimensions, etc. In Case #2016026528, the structural engineering documents contained material deficiencies. The deficiencies include, but are not limited to: there are no roof live loads or wind loads shown, the typical wall section indicate a low sloped roof structure, however the roof framing plan indicates a gable sloped roof structure, there are no structural notes indicating applicable code or strength of materials for concrete, masonry, reinforcing steel and wood, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$2,000, Administrative Costs of \$4,712.25, a Reprimand, Appearance before the Board, and Probation with terms. The terms include a Basic Engineering Professionalism and Ethics Course, the Board's Study Guide, and project review at six and 18 months. Final Order was issued on 8/18/17.

Violation: Section 471.033(1)(g), Florida Statutes

JOHN MAHONEY, P.E.

PE No. 40177

Case No. 2015045621

Licensee was charged with a violation of Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee signed, sealed, and dated 20 No-Rise Certifications. The No-Rise Certifications are materially deficient. The deficiencies include: the same, or an equivalent, computer model as that used to generate the floodway contained in the FIS was not utilized by Licensee. The methodology employed by Licensee utilized a calculated change in velocity head over an entire cross-section as the sole means of determining impact to flood depth. This calculation ignores items such as friction and eddy losses, variations across the cross-section, and interdependencies between cross-sections, which are accounted for in the FIS computer models. By the nature of the calculations performed, it would not matter if the obstructions being certified to were located on the outer extents of the flood way, or directly in the channel, the result would be exactly the same.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Administrative Costs of \$4,219.15, Appearance before the Board, a Basic Engineering Professionalism and Ethics Course, and the Board's Study Guide. Additionally, Licensee is RESTRICTED from producing No-Rise Certifications until such time that Licensee submits a request to the Board to amend the Final Order. Upon the Final Order being amended, Licensee will be subject to project review of No-Rise Certifications at six and 18 months. Final Order was issued on 8/18/17.

Violation: Section 471.033(1)(g), Florida Statutes

PAUL E. INA, P.E.

PE No.48878

Case No. 2015045620

Licensee was charged with a violation of Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee signed, sealed, and dated No-Rise Certifications for two locations. The No-Rise Certifications are materially deficient. The deficiencies include: neither of the No-Rise Certifications include a floodway analysis. As such, Licensee’s No-Rise Certifications do not meet acceptable standards of engineering principles for the performance of No-Rise Certifications in light of the fact that the requirement for a No-Rise Certification is triggered by proposed construction in a mapped floodway, and specifically references floodway elevations and floodway widths; basic hydraulics suggest that any obstruction placed within a riverine cross-section that is narrower than another riverine cross-section is likely to have a different impact on that cross-section. Notwithstanding this fact, Licensee’s No-Rise Certifications ignore the encroachments thus ignoring basic hydraulics; Licensee erroneously entered NFIP Base Flood Elevations as known water surface elevations at multiple cross-sections. This action ensured that the model’s results at those sections would reflect what was entered and negated the purpose of using the model as an independent calculating tool to identify potential differences for a sufficient distance from the proposed construction along the modeled water course.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Administrative Costs of \$4,300, Appearance before the Board, a Basic Engineering Professionalism and Ethics Course, and the Board’s Study Guide. Additionally, Licensee is RESTRICTED from producing No-Rise Certifications until such time that Licensee submits a request to the Board to amend the Final Order. Upon the Final Order being amended, Licensee will be subject to project review of No-Rise Certifications at six and 18 months. Final Order was issued on 8/18/17.

Violation: Section 471.033(1)(g), Florida Statutes

GARY L. SNEDDON, P.E.

PE No. 36439

Case No. 2015045621

Licensee was charged with a violation of Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee signed, sealed, and dated six No-Rise Certifications. The No-Rise Certifications are materially deficient. The deficiencies include: no encroached floodway analyses were performed. By failing to address the encroachments in the analyses performed for the properties, Licensee ignored basic hydraulics and therefore materially failed to comply with accepted engineering principles and standards; in two of the No-Rise Certifications, Licensee mistakenly entered NFIP Base Flood Elevations as known water surface elevations at multiple cross-sections. This action ensured that the model’s results at those sections would reflect what was entered and negated the purpose of using the model as an independent calculating tool to identify potential differences for a sufficient distance from the proposed construction along the modeled water course. Using the methodology described to “force water surface elevations” is a material misuse of accepted engineering principles and standards.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Administrative Costs of \$4,300, Appearance before the Board, a Basic Engineering Professionalism and Ethics Course, and the Board’s Study Guide. Additionally, Licensee is

RESTRICTED from producing No-Rise Certifications until such time that Licensee submits a request to the Board to amend the Final Order. Upon the Final Order being amended, Licensee will be subject to project review of No-Rise Certifications at six and 18 months. Final Order was issued on 8/18/17.

Violation: Section 471.033(1)(g), Florida Statutes

DOUGLAS STITGEN, P.E.

PE No. 64531

Case Nos. 2014046334, & 2015011700

Licensee was charged with a violation of Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee signed, sealed, and dated structural engineering design documents. The documents contained material deficiencies. The deficiencies include, but are not limited to: Pile cap “F1” does not meet the stability requirements of the Florida Building Code because there is no lateral support, there is no indication of the components of the roofing system, the beams and their connections on either side of the front entrance supporting the roof trusses are not indicated on the drawings.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Administrative Costs of \$1,876.75, Project Review at nine (9) months, an Appearance and the Board’s Study Guide. Final Order was issued on 6/26/17.

Violation: Section 471.033(1)(g), Florida Statutes

SOTA ENGINEERS AND GENERAL CONTRACTORS, LLC

Unlicensed

Case No. 2016007629

Respondent was charged with violations Sections 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes – unlawful practice of engineering through a business entity. Respondent does not and has never possessed a Certificate of Authorization by the Board. Respondent’s web page contained a statement of services provided by Respondent which states that “Sota is a full service professional engineering firm working on residential and corporate projects...” Respondent was issued a Notice to Cease and Desist. Respondent failed to respond to the complaint and failed to move the offer of engineering services on its website.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Administrative Costs of \$585.90. It should be noted that Sota Engineers and General Contractors, LLC also agreed to cease offering engineering services. Final Order was issued on 6/26/17.

Violation: Sections 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes

RHH Consulting & Engineering Group, LLC

Unlicensed

Case No. 2015050230

RHH Consulting & Engineering Group, LLC was charged 455/22(1), 471.031(1)(a), and 471.038(5), Florida Statutes – offering engineering services without a Certificate of Authorization. On its website (formerly rhhconsultingengineering.com/services/), Respondent offers a “full range of engineering services” which, as fully set forth therein, include numerous activities which fall within the provisions of Section 471.005(7).

Ruling: The case was presented to the full Board upon an Informal Hearing. The Board imposed an Administrative Fine of \$5,000.00. Final Order was issued on 5/22/17.

Violation: Sections 455/22(1), 471.031(1)(a), and 471.038(5), Florida Statutes

STEPHEN A. GAYDOSH

PE No. 38464

Case No. 2016012649

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee created, signed, sealed and dated design documents for an interior build-out and for a residential addition. Licensee acted as Electrical and Mechanical Engineer of Record for the projects. The documents contained electrical, mechanical and plumbing deficiencies. The electrical deficiencies include, but are not limited to: the drawings contain no electrical riser diagram and no short circuit values, no surge protective devices are shown on the drawings, the service is identified as 150 amps in the load calculation chart and a 100 amp panel in the electrical panel schedule, etc. The mechanical deficiencies include, but are not limited to: the HVAC drawing contains no make-up air calculation and no combustion air calculations, no outside air intake ductwork is shown on the drawings, etc. The plumbing deficiencies include, but are not limited to: the drawings contain no plumbing equipment schedules, no potable water isometric diagrams are shown, the drawings contain no sanitary piping layouts, no cold water, and no hot water, etc.

Ruling: The case was presented to the full Board upon a Motion for determination that Respondent forfeited his right to an administrative hearing. The Board imposed a Suspension of Licensee’s Professional Engineer license until such time that Licensee personally appears before the Board. The Board reserves the right to impose additional discipline. Final Order was issued on 5/22/17.

Violation: Section 471.033(1)(g), Florida Statutes

SINKHOLES, LLC

Unlicensed

Case No. 2015047628

The unlicensed company was charged with violating Section 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes; offering to practice engineering without a license. The company’s advertising offers engineering services to the public and the company does not hold a Certificate of Authorization.

Ruling: The case was presented to the full Board upon a Motion to Deem Admitted Petitioner’s First Request for Admissions to Respondent. The Board imposed an Administrative Fine of \$5,000 and Costs of \$107.25. Final Order was issued on 2/21/17.

Violation: Sections 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes

EDWARD LANDERS, P.E.

PE No. 38398

Case No. 2016000184

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee acted as the Structural, Electrical and Mechanical Engineer of Record for a renovation and addition to an existing residence. Licensee signed, sealed and dated drawings which contained deficiencies. The deficiencies include, but are not limited to: (Electrical) the drawings contain an electrical riser diagram, but no short circuit values and no voltage drop calculations for the feeders, no surge protective devices, the load computations on the panel schedules are replete with errors, the spacing of receptacles in the bedrooms is inadequate, there are no lighting fixture performance specifications, the lighting design drawings contain no calculated values to demonstrate compliance with the Florida Energy Code, etc.; (Mechanical-HVAC) the drawing does not contain adequate information for the reviewing agency to determine compliance with codes and ordinances, air condition equipment schedules are not shown for the new air handling unit and condensing unit, condensate discharge piping is not shown on the drawing, the drawing does not contain all data require to complete the Florida Energy Code calculations, etc.; (Mechanical-Plumbing) there is no equipment schedule to specify all plumbing fixtures, potable water isometric diagrams are shown but total water fixture units are not shown, a sanitary waste isometric diagram is shown, however, total flow waste fixture units are not shown, no storm water riser diagrams are shown, etc.; (Structural) the alteration levels are incorrect as specified, no sizes of egress on the windows were included, the spiral stairs were not designed correctly, no calculations were submitted for the railing design, the plans do not show the correct elevations, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000.00, Costs of \$4,566.67, and Probation for two (2) years, with terms. The terms include a Board-approved course in Advanced Engineering Professionalism and Ethics, the Board's Study Guide, project review at six and eighteen months to include all projects and must include electrical, mechanical, plumbing, HVAC and structural engineering projects, and Appearance. Final Order was issued on 2/9/17.

Violation: Section 471.033(1)(g), Florida Statutes

ELDIN HOTIC, P.E.

PE No. 60118

Case Nos. 2015032758, & 2015048853

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee signed, sealed and dated drawings for a swimming pool and column replacement for an existing residence. The drawings contained deficiencies. The deficiencies include, but are not limited to: Licensee used an incorrect allowable stress design, the drawings provide for windward and leeward wind pressures that are at least 2-3 times less than the minimum pressures allowed, incorrectly specified the use of ASCE 7-05, the structure is overstressed by at least 20%. Additionally, Licensee provided a signed, sealed and dated

Certification letter certifying that the construction was in compliance with the Florida Building Code. Upon inspection by the Building Department, the Certification was deficient. The deficiencies include, but are not limited to: the drawings indicate a 2' X 2' footing under the new column – there was no evidence the footings were installed; the drawings indicate four columns, but only three were installed, the drawings indicate a HETA 20 connector must be installed at the top of the new column to connect the new column to the existing wood header, but the connector was not installed, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000.00, Costs of \$2,338.40, a Reprimand, and Probation for two (2) years, with terms. The terms include a Board-approved course in Basic Engineering Professionalism and Ethics, the Board's Study Guide and Appearance. Final Order was issued on 2/9/17.

Violation: Section 471.033(1)(g), Florida Statutes

R. SCOTT BATTERSON, P.E.

PE No. 60853

Case No. 2014037527

Licensee was charged with violating Section 455.227(1)(c), and Section 471.033(1)(d), Florida Statutes – being adjudicated guilty of a crime which directly relates to the practice of engineering or the ability to practice engineering. Licensee was found Guilty by a jury and adjudicated Guilty of the charge of bribery (solicitation or request) by a public servant.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$378.49, a Reprimand, license SUSPENSION while incarcerated. Upon release from incarceration or upon being placed on a work/supervised release, if Licensee seeks to reinstate his license, he must petition for reinstatement of the license and must Appear at the Board Meeting at which the Petition shall be considered, a Board-approved course in Advanced Engineering Professionalism and Ethics, and the Board's Study Guide. Final Order was issued on 2/9/17.

Violation: Section 455.227(1)(c), and Section 471.033(1)(d), Florida Statutes

H. JOHN GRIFFIN, P.E.

PE No. 38647

Case No. 2015033401

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee acted as Structural, Electrical and Mechanical Engineer of Record for a two-story office building, and created, signed, sealed and dated engineering documents. The plans contained deficiencies. The deficiencies include, but are not limited to: (Electrical) the drawings contain an electrical riser diagram but no short circuit values and no voltage drop calculations for the feeders, no surge protective devices, no circuitry for outlets, equipment or devices, no electrical load computations, etc.; (Mechanical-HVAC) the drawings show four A/C package units on the roof, but no size, no voltage, and no circuiting, the drawings do not contain adequate information for the AHJ to determine compliance with codes and ordinances, no specifications for heating equipment, no condensate discharge piping layouts,

etc.; (Mechanical-Plumbing) the drawings contain no plumbing equipment schedules, no cleanout is shown on the plans or on the sanitary risers, no storm riser diagrams are shown, no materials for plumbing systems are shown, etc.; (Structural) the project design loads are missing for concrete, reinforcing steel, masonry, grout and wood members, no details indicating splice or lap length for the reinforcing steel in the footings, masonry walls, beams or slabs, no indication of connecting the wood roof sheathing to the trusses, the footing along the front of the building is under designed, the masonry walls below the second floor are overstressed for combined vertical gravity loads and horizontal wind loads, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000.00, Costs of \$4,000.00, a Reprimand, Appearance, a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six and eighteen month intervals to include all projects and reports signed and sealed by Licensee and this will include Structural engineering; however, Licensee is Restricted from producing MEP's until such time when Licensee submits a request to the Board to amend the Final Order to allow Respondent to produce MEPs. Upon that notice, the restriction will be lifted and all MEP projects will be reviewed at six and eighteen months. Final Order was issued on 2/9/17.

Violation: Section 471.033(1)(g), Florida Statutes

EDGAR DUENAS, P.E.

PE No. 57381

Case No. 2015036055

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes – negligence in the practice of engineering. Licensee created, signed, sealed and dated plans and specifications for a window replacement project and additionally, provided supervision and inspection services during the installation and also provided the inspection services on behalf of the Building Department. Licensee signed, sealed, and dated an inspection letter which indicated that the project was completed in substantial conformance to the plans and specifications. Upon inspection, it was determined that there were significant deficiencies in the completed work. The deficiencies include, but are not limited to: anchors were not fully engaged and seated in the frames, non-stainless steel anchors were installed contrary to design specifications, excessive number of shims were installed, and the wood bucks were improperly installed, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000.00, Costs of \$1,227.75, a Reprimand, and Probation for two (2) years, with terms. The terms include a Board-approved course in Basic Engineering Professionalism and Ethics, the Board's Study Guide and Appearance. Final Order was issued on 2/9/17.

Violation: Section 471.033(1)(g), Florida Statutes

John D. Holt, P.E.

PE No. 15252

Case No. 2016028087

Licensee was charged with violating Section 471.031(1)(i), Florida Statutes; providing engineering services through signing, sealing, and dating engineering documents after licensee's license was suspended. By Final Order dated May 3, 2016, Licensee's Professional Engineering license was SUSPENDED for two years. On May 5, 2016, May 24, 2016 and May 26, 2016, Licensee signed, sealed, and dated engineering documents.

Ruling: The case was presented to the full Board upon a Motion for determination that Respondent forfeited his right to an administrative hearing. The Board imposed Costs of \$960.60 and REVOKED the Professional Engineer license of Mr. Holt. A Final Order was issued on January 4, 2017.

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

Julio C Banks, P.E.

PE No. 46544

Case Nos. 2015032603, & 2015036080

Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, sealed, and dated two Residential/Architect Letters of Compliance which indicated that licensee had personally inspected the construction of a roof for a porch as well as the enclosure of a patio/porch and that the structures were in compliance with the FBC-R. The Letter of Compliance is a Certification as defined in Rule 61G15-18.011(4), FAC. Upon inspection of the roof work by a state licensed building inspector, it was noted that the work being performed was not complete as stated in the Certification. Additionally, the Certification noted that "the dead load of the wood frame provides sufficient resistance against wind induced lift forces—this was grossly incorrect. Upon inspection of the porch enclosure by the Building Department a stop work order was issued and the enclosure was demolished. During demolition of this enclosure, the Building Department, during a site visit, observed that there was no foundation under the masonry walls and that the slab edge did not have any reinforcing steel, both of which are contrary to the Certification that the enclosure was in compliance with the FBC-R.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$2,513.70, a Reprimand, Appearance, Licensee is SUSPENDED for a period of two years from the date of the Final Order. At the end of the period of suspension, Licensee shall APPEAR prior to reinstatement which is not guaranteed, a Board-approved course in Advanced Engineering Professionalism and Ethics and the Board's Study Guide. A Final Order was issued on December 9, 2016.

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

Charles C. Mitchell, P.E.

PE No. 11127

Case No. 2014031694

Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee sealed and signed electrical, plumbing, and structural engineering documents for construction of a remodeled single family residence. The documents contained deficiencies. The deficiencies include, but are not limited to: the electrical drawings contain an Electrical Riser Diagram but no short circuit values and no voltage drop calculations for the feeders and customer-owned service, no surge protection devices are shown on the

drawings, and the drawing contains errors and conflicts, etc.; the mechanical engineering drawings contain fixture equipment to determine total fixture units, but complete equipment schedules are absent, potable water isometric diagrams are not shown on the drawings, and the drawings show sanitary piping layouts but no cold water, hot water nor storm drainage piping layouts, etc.; the structural drawings contain no demolition information as required, the roof information is missing, the drawings are mislabeled, and no calculations were submitted on the drawings as required, etc.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed Costs of \$5,957.95, an Administrative Fine of \$1,000, a Reprimand, Appearance, Licensee is RESTRICTED from creating, producing, or certifying any Electrical and/or Mechanical Engineering documents, Probation to include: Project Review at six and eighteen months for Electrical/Mechanical projects once Licensee has taken and passed the NCEES Exam, Structural Project Review at six and eighteen months following entry of the Final Order, Advanced Engineering Professionalism and Ethics and the Board's Study Guide. A Final Order was issued on August 24, 2016.

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

William Pino, P.E.

PE No. 32026

Case No. 2015040623

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, by violating Section 455.227(1)(t), Florida Statutes; being convicted or found guilty of, or entering a plea of nolo contendere to, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering, and failure to report the adjudication of guilt to the Board.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$5,000, Costs of \$226.20, a Reprimand, Appearance Before the Board, completion of a Board-approved course in Advanced Engineering Professionalism and Ethics, and the Board's Study Guide. A Final Order was issued on April 26, 2016.

Violation: Section 471.033(1)(a), Florida Statutes and Section 455.227(1)(t), Florida Statutes

Ram Goel, P.E.

PE No. 47431

Case Nos. 2013029125 & 2014045758

In case number 2013029125, the Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. The Licensee signed, sealed and dated inspection/completion reports for several properties. The purpose of the inspection/completion reports was to confirm that sinkhole remediation work had been performed in conformity with remediation plans. The remediation work was materially deficient and Licensee failed to utilize due care in performing

in an engineering capacity and failed to have due regard for acceptable standards of engineering principles.

In case number 2014045758, the Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee signed, sealed and dated engineering documents. The documents contained deficiencies. The electrical engineering deficiencies include, but are not limited to the drawings contain an electrical riser diagram but no short circuit values and no voltage drop calculations for the feeders and customer-owned service conductors; no surge protective devices, the main disconnect and distribution panels are shown on the electrical riser diagram but none are located on the power plan or lighting plan, etc. The mechanical engineering deficiencies include, but are not limited to the two HVAC drawings and accompanying documents contain no energy calculations, no combustion air calculations, and unclear, congested, confusing duct systems, the drawings do not contain adequate information to determine compliance with codes and ordinances, the air condition equipment schedules are shown for air handling units and condensing units, but do not contain cooling coil requirements based on sensible heat, latent heat, and total heat gains, etc. The plumbing engineering deficiencies include, but are not limited to the plumbing drawings do not state specific codes, rules, or ordinances with which the plumbing systems must comply, potable water isometric diagrams are not shown on the drawings, total water fixture units are not shown on the drawings, etc. The structural engineering deficiencies include, but are not limited to the structural drawings do not designate the foundation capacity, do not include data indicating the nature of the foundation material anticipated and do not include site preparation requirements necessary to provide the foundation capacity, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed Costs of \$7,853.40 and \$9,135 within 60 days of the date of the Final Order, Appearance before the Board, a Reprimand, RESTRICTION from creating, producing, or certifying any engineering documents related to sinkhole investigation or remediation or any other form of geotechnical engineering until such time as Respondent takes and passes the NCEES Civil: Geotechnical Examination, a Board-approved course in Basic Engineering Professionalism and Ethics, the Board's Study Guide, and subsequent to taking and passing the NCEES Civil: Geotechnical Examination, shall have Project Review of all Geotechnical Engineering projects at six and eighteen months from the date on which Licensee takes and passes the examination, and Project Reviews at six and eighteen months for Structural and Electrical/Mechanical Engineering projects. A Final Order was issued on February 15, 2016.

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

Alberto Cardona, P.E.

PE No. 17138

Case Nos. 2013009988, & 2014023033

In case number 2013009998 the Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence and misconduct in the practice of engineering. Licensee was retained to investigate water intrusion and reported wind damage to the windows and sliding glass doors. A Final Report was issued. The Final Report was materially deficient. The deficiencies include, but are not limited

to the calculations contained in the report are based upon ASCE 7 for an enclosed building, category II, exposure C and an importance factor 1.0. This is the incorrect reference to be used for these calculations. The calculations assume that a ¼” shim is part of the single shear connection; however, the shim is not present in all locations. The calculations ignore the allowable stress increase permitted by the load duration factor CD, etc. Additionally, during a deposition, Licensee states that he was present at all times during the removal of windows and that he photo-documented the activities in the testing report; however, in that deposition Licensee admitted that in fact, he had not witnessed the removal of certain windows.

In case number 2014023033 the Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee was retained to perform a 40-year recertification and was provided copies of a preliminary report regarding needed repairs. Licensee performed both the structural and electrical inspections. Licensee signed, sealed and dated a 40-year recertification report. After the recertification was issued, material deficiencies at the location were discovered. The deficiencies which Licensee failed to set out in the recertification report include, but are not limited to failure to illuminate parking lots, alleys and access thereto; failure to maintain building or structure or devices in safe condition, electrical installations on the roof that need replacement for corroded and broken conduits and disconnects, air condition compressors that are not secured and unit supports that are corroded, walls and roof that are leaning, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$6,000, Costs of \$7,346.58, a 90-day SUSPENSION which commences that date of the Final Order, Appearance before the Board, a Reprimand, RESTRICTION to the practice of Electrical Engineering only, Probation with conditions. The conditions include a Board-approved course in Advanced Engineering Professionalism and Ethics, Project Review at nine and twenty-one months, and the Board’s Study Guide. A Final Order was issued on February 15, 2016.

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

Sharyn, Hakken

PE No. 65748 (Null & Void)

Case No. 2014050002

Prior Licensee was charged with violating Section 471.033(1)(a), Florida Statutes and Section 455.227(1)(t), Florida Statutes; failure to report in writing to the board, within 30 days after the licensee is convicted or found guilty of, or entered a plea of nolo contendere or guilty to, regardless of adjudication, a crime in any jurisdiction. Hakken was adjudicated Guilty of a felony, Section 787.01(1)(a)2, Florida Statutes, in 2013 at which time Hakken still held a license as a Professional Engineer. As a result of the adjudication of guilt, Hakken was convicted of committing crimes of moral turpitude and thus has not maintained the good moral character required of a Professional Engineer.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000 and Costs of \$112.12. A Final Order was issued on December 8, 2015.

Violation: Section 471.033(1)(a), Florida Statutes and Section 455.227(1)(t), Florida Statutes

Michael Robinson, P.E.

PE No. 28317

Case Nos. 2013028827, & 2014004347

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee signed, sealed and dated structural engineering documents for an aluminum screen enclosure. The drawings contained deficiencies. The deficiencies include, but are not limited to, Licensee failed to clearly indicate the location, nature, and extent of the proposed work, did not provide adequate details for the corner post attachments, did not provide adequate details for the gusset plate attachments, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$2,000.00, Costs of \$3,443.25, a Reprimand, Appearance Before the Board, successful completion of the ASCE's "Quality Management in the Design Organization" and "Quality: What is it and How Do We Achieve It" webinars, a Board-approved course in Engineering Professionalism and Ethics, and the Board's Study Guide. A Final Order was issued on October 14, 2015.

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

Aldo Messulam, P.E.

PE No. 12326

Case No. 2014017182

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee signed, sealed and dated structural engineering documents which included removal of existing concrete roof joists, increasing the height of the building, etc. The drawings contained deficiencies. The deficiencies include, but are not limited to, the wind load results indicated on certain pages of the calculations do not correlate with the wind speed hand written in by Licensee. As a result, the foundations, steel roof joists, steel roof girders and their connections do not meet the minimum load requirements, and the footing was undersized, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$500.00, Costs of \$1,411.75, Appearance Before the Board, Probation which includes a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months. A Final Order was issued on October 14, 2015.

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

Gilberto Gavarrete, P.E.

PE No. 51371**Case No. 2013033149**

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee signed, sealed and dated engineering documents to correct existing building code violations. Licensee signed, sealed, and dated Plumbing and Electrical plans. The drawings contained various deficiencies. The deficiencies include, but are not limited to, the drawing contains no electrical riser diagram, no short circuit values, potable water isometric diagrams are not shown, total flow waste fixture units are not shown, handicapped plumbing fixtures have not been specified, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$1,000.00, Costs of \$4,477.00, a Reprimand, Appearance Before the Board, Probation which includes a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months to include electrical and plumbing review. A Final Order was issued on October 14, 2015.

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

Santiago Bolivar, P.E.**PE No. 53326****Case No. 2014030707**

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee signed, sealed, and dated engineering drawings for a duplex which were submitted to the Building Department. The project drawings included Structural drawings, Mechanical drawings and Electrical drawings and these drawings contained various deficiencies. The deficiencies include, but are not limited to, the drawings contain an electrical riser diagram, but no short circuit values, and no voltage drop calculations for the feeders and customer-owned service conductors, no surge protective devices, no lighting fixture performance specifications, the Mechanical drawings do not state any codes, rules or ordinances with which the HVAC system must comply, the drawings do not contain adequate information for the AHJ to determine compliance with codes and ordinances, the Plumbing drawings do not state any codes, rules or ordinances with which the Plumbing systems must comply, the equipment scheduled are not included in the drawings, the Structural drawings do not include any railing details for the second floor adjacent to the stair opening, they do not include the impact resistance requirements for the windows, they do not include roof draining details, etc.

Ruling: The case was presented to the full Board based upon a Settlement Stipulation. The Board imposed an Administrative Fine of \$4,000, Costs of \$4,930.40, Appearance Before the Board, a Reprimand, Probation which includes a Board-approved course in Engineering Professionalism and Ethics, the Board's Study Guide and project review at six (6) and eighteen (18) months to include electrical, mechanical, plumbing and structural review. A Final Order was issued on October 14, 2015.

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

Roger Chewing, P.E.**PE No. 21780****Case No. 2013027115**

Licensee was charged with two counts of negligence in the practice of engineering, a violation of Section 471.033(1)(g), Florida Statutes, and Rules 61G15-34.007(2)(1) and 61G15-34.007(2)(m), Florida Administrative Code. Licensee signed and sealed engineering documents for interior renovations at a private residence. Licensee acted as the Electrical and Mechanical Engineer of Record for this project. Pursuant to Rule 61G15-30.002(1), FAC, all engineering documents prepared, signed, sealed, and dated by a licensee must contain the information required in Rule 61G15-30.003(1), FAC. The electrical documents were deficient in that they did not contain the information required by the Rules referenced above, and in fact, contained no electrical drawings in the permit documents. Rule 61G15-34.007(2), FAC, requires equipment schedules for all plumbing fixtures, water heaters, etc., appropriate floor plans, site plans, and building and plumbing system elevations, etc. There were no equipment schedules included on the drawings, no plumbing floor plans with piping elevations, etc.

Ruling: This case was presented to the full Board for an Informal Hearing. The Board imposed an Administrative Fine of \$2,000, Costs of \$3,920, Probation for two years with terms; terms include project review at six and eighteen months, completion of a Board-approved Course in Engineering Professionalism and Ethics and the Board's Study Guide. A Final Order was issued on November 4, 2014.

Violation: Section 471.033(1)(g), Florida Statutes, and Rules 61G15-34.007(2)(1) and 61G15-34.007(2)(m), Florida Administrative Code

Peter R. Seckinger, P.E.**PE No. 51245****Case No. 2014004355**

Licensee was charged with being found guilty of violating O.C.G.A. §16-12-100.2(e)(1), a crime evidencing a lack of moral character and thus has not maintained good moral character required of a Professional Engineer, a violation of Section 471.033(1)(d), Florida Statutes. Additionally, Licensee failed to report the September 22, 2006 conviction to FEMC or the Board, a violation of Section 471.033(1)(a), Florida Statutes, by violating the provisions of Section 455.227(1)(t), Florida Statutes.

Ruling: A Final Order was issued against Peter R. Seckinger, P.E., adopting the Settlement Stipulation which a Fine of \$1,000.00, Costs of \$473.98, Appearance, Reprimand, and two years' probation. Final Order was issued on October 15, 2014.

Violation: Section 455.227(1)(t), Florida Statutes

James Zaleski, P.E.**PE No. 51544****Case No. 2013000391**

Licensee was charged with negligence in the practice of engineering, a violation of Section 455.227(1)(c), and Section 471.033(1)(d), Florida Statutes. Licensee entered a plea of guilty to criminal charges relating to fraud and civil theft from Licensee's employer – a contractor. Since the criminal actions occurred while performing services which, when performed by a PE, involved the use of engineering skills and the actions showed a lack of good moral character, the facts underlying the guilty plea involved the practice of and ability to practice engineering.

Ruling: Pursuant to Settlement Stipulation, the Board imposed a Fine of \$1,000, Costs of \$159, a Reprimand, One Year Suspension (this Suspension is STAYED and will not take effect so long as Licensee is not convicted of any crimes for a period of five years), Two years' Probation which includes completion of the Study Guide, and a Board Approved course in Advanced Engineering Professionalism and Ethics, and Appearance before the Board to discuss how the situation occurred, what improvements and quality control measure he plans to implement to improve his work product, and how he intends to prevent the circumstances from occurring in the future. Final Order was issued on April 15, 2014.

Violation: Section 455.227(1)(c), and Section 471.033(1)(d), Florida Statutes

Stephen Mitchell, P.E.

PE No. 77318 (Old PE No. 39579)

Case No. 90-12725

Licensee was charged with the negligence in the practice of engineering, a violation of Section 471.033(1)(g), Florida Statutes. Licensee was hired to provide engineering services that included planning, permitting and construction of a residential subdivision. Licensee notified the client that the project was prepared for roads and drainage systems and the water transmission; however, there were no proper DEP permits for storm water discharge or proper approval of construction plans.

Ruling: The Board approved a Settlement Stipulation imposing an Administrative Fine of \$2,000, required the Licensee to voluntarily place his license in an "Inactive Status" with the condition that if he ever chose to reactivate his license, the following would apply: Appearance before the Board, two (2) years' Probation with terms, terms include four (4) Project Reviews, a Board-approved course in Engineering Professionalism and Ethics and completion of the Study Guide. A Final Order was issued on 8/28/95. Licensee allowed his Florida PE license to become Null & Void on 9/7/10 without completing the terms of the Settlement Stipulation and applied for licensure by endorsement on 9/12/13. Please note that the Licensee appeared before the Board at the December 2013 Board Meeting. During that meeting, the Board allowed Licensee to obtain a new Florida PE license, with the following terms: Licensee shall complete the terms of the previous Final Order.

Violation: Section 471.033(1)(g), Florida Statutes

6 (A)- Excerpt from Florida Board of engineering Statues and rules page,**FBPE response to:****Signing and Sealing Shop Drawings**

Reference: FPBE earlier web pages

Mr. Doe:

The Florida Board of Professional Engineers (FBPE) is in receipt of your letter dated May 3, 2013 requesting clarification and guidance regarding: “requirements, or lack thereof, for an engineer to sign and seal shop drawings and/or working drawings”. Specifically, we understand your question to be whether or not an owner can require shop drawings and working drawings to be signed and sealed by a professional engineer

Administrative Authority

We wish to point out that the FBPE is established in Chapter 471 of Florida Statutes. Further, Chapter 471 of Florida Statutes sets out that the Florida Board of Professional Engineers is responsible for, among other things, regulating the practice of engineering throughout the state of Florida.

“Engineering” as defined within F.S. 471.005(7) reads: “... 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.”

We also wish to point out that Chapter 471 of Florida Statutes empowers the FBPE within 471.008 to adopt rules for, among other things, regulating the practice of engineering throughout the state of Florida. These rules can be found within Chapter 61G15 of the Florida Administrative Code

Signing and Sealing Shop Drawings

In response to your request for clarification and guidance, the FBPE has reviewed Chapter 471 of the Florida Statute as well as Chapter 61G15 of the Florida Administrative Code with respect to your questions as we understand them. Based on our review we offer the following;

61G15-30.002 Definitions Common to All Engineer's Responsibility Rules

Section 61G15-30.002 (8) titled Shop Drawings states; "Drawings depicting installation means and methods, catalog information on standard products, prepared by a contractor, manufacturers, or professional engineers for incorporation into the project which are prepared based on engineering direction contained in Engineering Documents. Shop drawings do not require the signature, date and seal of a professional engineer".

It is the opinion of the FBPE that under rule 61G15-30.002 (8) shop drawings and working drawings do not require the signature, date or seal of a professional engineer when they are simply used to depict installation means and methods, provide catalog information on standard products or are prepared based on engineering direction contained within Engineering Documents. It is also the opinion of the FBPE that rule 61G15-30.002(8) does not preclude shop drawings and working drawings from being signed and sealed by a professional engineer. We also offer the following applicable rules and opinions;

61G15-30.002 Definitions Common to All Engineer's Responsibility Rules

Section 61G15-30.002 (4) titled Engineering Documents states; 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.

Section 61G15-30.002 (5) titled Delegated Engineering Documents states; Delegated engineering documents are those engineering documents that are prepared by a delegated engineer.

Section 61G15-30.002 (6) titled Public Record states; 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.

Section 61G15-30.002 (7) states; Engineering Documents Prepared for Public Record” are those documents filed for public record with the Authority Having Jurisdiction (AHJ) to determine compliance with Codes and Standards and to be used for execution of the project. These documents are required to be signed and sealed.

It is the opinion of the FBPE that under rules **61G15-30.002 (4), (5), (6) & (7)** if the PE, by the PE’s professional judgment, by terms of a contract, or by regulatory direction, is required to or takes professional responsibility for the issuance of shop drawings and working drawings that represent Engineering Documents or Delegated Engineering Documents and which are prepared and/or filed for public record then the documents would be required by rule to be signed and sealed by a professional engineer.

61G15-30.006 Delegation of Engineering Documents: Obligations of the Delegated Engineer of Record.

Section 61G15-30.006 (3) states; 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 and 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.

It is the opinion of the FBPE that under rule **61G15-30.006 (3)** if the shop drawings and working drawings represent Delegated Engineering Documents regardless of whether they are prepared and/or filed for public record or not they are required by rule to be signed and sealed by a professional engineer.

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

Section 61G15-23.002 (1) states; A professional engineer shall sign by hand the licensee’s handwritten signature (facsimiles are not acceptable) and affix the licensee’s seal:

Section 61G15-23.002 (1) (a) To all final drawings, specifications, plans, reports, or documents prepared or issued by the licensee and being filed for public record; and

Section 61G15-23.002 (1) (b) To all final documents provided to the owner or the owner's representative;

Section 61G15-23.002 (1) (d) states; In order to comply with the requirements of this rule, a licensee is not required to seal, sign and date documents other than those referenced in paragraph (a) or (b). This provision does not obviate any requirement of any public entity or any provision of contract which may require the sealing, signing and dating of additional original documents

It is the opinion of the FBPE that under rules **61G15-23.002 (1) (a), (b) & (d)** if the shop drawings and working drawings are prepared for public record by the PE or are filed for public record with the PE's knowledge then they would be required by rule to be signed and sealed by a professional engineer. Further, **it is the opinion of the FBPE** that shop drawings and working drawings can also be required to be signed and sealed by a professional engineer if that requirement is established by either a public entity or a contract provision irrespective of these rules.

Conclusion

In summary, **it is the opinion of the FBPE** that while rule **61G15-30.002 (8)** does not require shop drawings and working drawings to be signed, dated or sealed when they are simply used to depict installation means and methods, provide catalog information on standard products or are prepared based on engineering direction contained within Engineering Documents, they are not precluded from being signed and sealed by a professional engineer. Further, rules **61G15- 30.002 (4), (5), (6) & (7), 61G15-30.006 (3) and 61G15-23.002 (1) (a), (b) & (d)** all provide cases in which shop drawings and working drawings may in fact be required by rule to be signed and sealed by a professional engineer.

Finally, with respect to your question as to whether or not an owner can require shop drawings and working drawings to be signed and sealed by a professional engineer, **it is the opinion of the FBPE** that rule **61G15-23.002 (1) (d)** does in fact afford them the ability to require it.

6 (B) Excerpt from Florida Board of engineering Statues and rules page,**FBPE response to:****EOR (Engineer of Record) vs Delegated Engineer vs Specialty Engineer vs Design**

Reference: FPBE earlier web pages

Mr. Doe:

The Florida Board of Professional Engineers (FBPE) is in receipt of your letter dated May 30, 2013 requesting clarification and guidance regarding the respective roles of the Engineer of Record verses that of a Delegated Engineer, a Specialty Engineer or in the case of prefabricated wood trusses a Truss Design Engineer

Administrative Authority

We wish to point out that the FBPE is established in Chapter 471 of Florida Statutes. Further, Chapter 471 of Florida Statutes sets out that the Florida Board of Professional Engineers is responsible for, among other things, regulating the practice of engineering throughout the state of Florida.

“Engineering” as defined within F.S. 471.005(7) reads: “... 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.”

We also wish to point out that Chapter 471 of Florida Statutes empowers the FBPE within 471.008 to adopt rules for, among other things, regulating the practice of engineering throughout

the state of Florida. These rules can be found within Chapter 61G15 of the Florida Administrative Code.

Design Utilizing Prefabricated Wood Trusses

In response to your request for clarification and guidance, the FBPE has reviewed Chapter 471 of the Florida Statute as well as Chapter 61G15 of the Florida Administrative Code with respect to design utilizing prefabricated wood trusses and offers the following understandings and interpretations;

The process begins when the Engineer of Record (EOR) [61G15-30.002(1)] designs and issues Structural Engineering Documents [61G15-31.002(5)] that also serve as Engineering Documents Prepared for Public Record (Permit Plans) [61G15- 30.002(7)]. These Permit Plans while required to depict among other things the location, orientation, shape, layout, support and structural connections of the prefabricated wood trusses [61G15-30.003], do not always depict the design of the trusses themselves. Therefore, when the EOR indicates within the Permit Plans that the prefabricated wood trusses are to be “designed by others”, the EOR is choosing to delegate their design to a Delegated Engineer [61G15-30.002(3)].

It is the opinion of the FBPE that rule 61G15-30.005 Delegation of Engineering Documents: Obligations of the Engineer of Record requires the EOR among other things to communicate in writing all of the engineering requirements to the Delegated Engineer.

The Permit Plans are then typically turned over to a prefabricated wood truss manufacturer. At this point a truss layout plan is developed based on the written engineering requirements within the Permit Plans. Provided the truss layout plan matches what is shown in the Permit Plans this truss layout plan can be considered a Structural Submittal [**61G15-31.002(6)**].

It is the opinion of the FBPE that rule 61G15-31.002(6) Structural Submittals do not require the signature, date or seal of a professional engineer when the Structural Submittals require no engineering input and are simply used as a guide for fabrication and installation or provide catalog information on standard products. It is also the opinion of the FBPE that rule 61G15-31.002(6) does not preclude Structural Submittals from being signed and sealed by a professional engineer.

This truss layout plan is then relied upon by the Truss Design Engineer 61G15-31.003(3)(c) who by way of delegation serves as a Specialty Engineer [61G15-31.002(8)] and EOR for the prefabricated wood trusses depicted within the truss layout plan.

It is the opinion of the FBPE that in the case of prefabricate wood trusses the Truss Design Engineer defined within rule 61G15-31.003(3)(c) functions as a Specialty Engineer as defined in rule 61G15-31.002(8) as well as a Delegated Engineer as defined in rule 61G15-30.002(3). It is also the opinion of the FBPE that the Truss Design Engineer as a Delegated Engineer is subject to rule 61G15-30.006 among others

During the design and engineering process, the Truss Design Engineer is required to contact the EOR for resolution of conflicts if and when there are details, features or unanticipated project limits which conflict with the written engineering requirements provided by the EOR in the Permit Plans.

It is the opinion of the FBPE that rule 61G15-30.006 Delegation of Engineering Documents: Obligations of the Delegated Engineer of Record requires the Delegated Engineer or in the case of prefabricated wood trusses the Truss Design Engineer, to review the EOR's written engineering requirements to determine the appropriate scope of engineering and to contact the EOR for resolution of conflicts with the written engineering requirements.

- Once the design and engineering process is completed, the Truss Design Engineer signs, dates and seals the prefabricated wood truss drawings making them Delegated Structural Engineering Documents [61G15-31.002(7)] which are then forwarded or copied to the EOR on the project.

It is the opinion of the FBPE that Delegated Structural Engineering Documents defined within rule 61G15-31.002(7) are to be treated the same as Delegated Engineering Documents defined within rule 61G15-30.002(5) and as such are subject to the requirements of rule 61G15-30.002(4) among others. It is also the opinion of the FBPE that rule 61G15-30.002(4) requires that the Truss Design Engineer forward copies of the Delegated Structural Engineering Documents to the EOR for the project.

Upon receipt of the Delegated Engineering Documents, the EOR is to verify that the Delegated Structural Engineering Documents comply with the Permit Plans and the original intent of the project's EOR.

It is the opinion of the FBPE that rule 61G15-30.005 Delegation of Engineering Documents: Obligations of the Engineer of Record requires the EOR upon receipt of the documents prepared by the Truss Design Engineer to review those documents for compliance with the written engineering requirements.

Use of Prefabricated Wood Trusses

In response to your request for clarification and guidance regarding the use of prefabricated wood trusses, we offer the following insights as to when issues can occur;

The EOR delegates the design of the prefabricated wood trusses and fails to properly design the balance of the Truss System [61G15-31.003(3)(a)].

It is the opinion of the FBPE that when issuing Structural Engineering Documents intended to serve as Engineering Documents Prepared for Public Record (Permit Plans) the EOR has the responsibility to describe, detail, label and define among other things all of the Structural Systems [61G15-31.002(4)] including those comprised of prefabricated wood trusses. It is also the opinion of the FBPE that when an EOR chooses to delegate the design of prefabricated wood trusses, only the design of the prefabricated wood truss or Structural Component [61G15-31.002(2)] is being delegated and not the design of the Truss System or Structural System.

- The EOR calls for the truss layout plan to be signed, sealed and dated by a licensed professional engineer.

Often times this requirement sparks objection from the Truss Design Engineer based on the belief that the EOR is attempting to delegate the design of the Truss System or force the Truss Design Engineer to become the Truss System Engineer [61G15-31.003(3)(b)]. While the EOR's responsibilities with respect to the Truss System are discussed above, one must also be aware of the following;

It is the opinion of the FBPE that under rules 61G15-30.002(4), (5), (6) & (7) if the Delegated Engineer, by the Delegated Engineer's professional judgment, by terms of a contract, or by regulatory direction, is required to or takes professional responsibility for the issuance of a Structural Submittal which is prepared and/or filed for public record then those documents would be required by rule to be signed and sealed by a professional engineer

Accordingly, while the Delegated Engineer may be required to sign, seal and date a Structural Submittal, one must also consider the following;

It is the opinion of the FBPE that under rule 61G15-30.003(3) when an engineer does not intend to accept responsibility for elements of a project which are shown only for information or clarification, that engineer is to clearly note on the documents the extent of responsibility accepted.

- The truss layout plan deviates from what is shown in the Permit Plans.

It is the opinion of the FBPE that when the truss layout plan deviates from the written engineering requirements provided by the EOR in the Permit Plans then the truss layout sheet is no longer a Structural Submittal and the prefabricated wood truss plans signed, sealed and dated by the Truss Design Engineer are no longer considered to be legitimate Delegated Structural Engineering Documents.

At this point one of a number of options exists. First, the Truss Design Engineer could direct the truss layout to be corrected to match the written engineering requirements provided by the EOR in the Permit Plans. Second, the EOR could accept responsibility for the modified truss layout and then redesign those portions of the Structure [61G15- 31.002(3)] and/or Structural System [61G15-31.002(4)] impacted by the modification. Next, the Truss Design Engineer could accept responsibility for the modified truss layout and become the Truss System Engineer by becoming a Successor Engineer as provided in rule 61G15-27.001.

- The Truss Design Engineer fails to properly design and engineer the truss to truss connections.

It is the opinion of the FBPE that under rule 61G15-30.006(3)(a) the Truss Design Engineer is responsible to specify structural framing connections when prefabricated wood trusses impose loads onto and/or are supported by other prefabricated wood trusses.

- The Truss Design Engineer fails to forward copies of the Delegated Structural Engineering Documents to the EOR.

It is the opinion of the FBPE that rule 61G15-30.006 Delegation of Engineering Documents: Obligations of the Delegated Engineer of Record requires the Delegated Engineer or in the case of prefabricated wood trusses the Truss Design Engineer to forward copies of the Delegated Structural Engineering Documents to the EOR for the project.

- The EOR fails to properly verify compliance between the written engineering requirements provided within the Permit Plans and the Delegated Structural Engineering Documents issued by the Truss Design Engineer.

It is the opinion of the FBPE that rule 61G15-30.005 Delegation of Engineering Documents: Obligations of the Engineer of Record requires the EOR upon receipt of the documents prepared by the Truss Design Engineer to review those documents for compliance with the written engineering requirements.

Respectfully,

FDA, Inc.

References:

- 1- Florida Rules and Laws Basics.
<https://fbpe.org/legal/legal-overview/>
<https://fbpe.org/about/about-fbpe/>
<https://fbpe.org/about/about-femc/>

- 2- All the changes made to Florida Rules: 61G15 biennium 2017-2019
<https://www.flrules.org/notice/resultAdvance.asp?string=a&ChkFAC=on&keyword=61G15&orgid=&orid=&sid=&iid=&date3=2%2F1%2F2017&date4=02%2F1%2F2019&date1=12%2F17%2F2017&date2=12%2F17%2F2018&submit=++Search>

- 3- All the Changes made to Florida Statutes: Chapter 471 biennium 2017-2019
<https://fbpe.org/wp-content/uploads/2018/10/Chapter-471-2018.pdf>

- 4- All the Changes made to Florida Statutes: Chapter 455 biennium 2017-2019
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0455/0455.html

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

- 6- Excerpt from Florida Board of Engineering Statutes and Rule page
[From FBPE previous web pages](#)

FBPE Response to Signing & Sealing Shop Drawings and Work Drawings

FBPE Response to EOR vs Delegated Engineer vs Specialty Engineer vs Design