



Florida Laws and Rules for Professional Engineers (2025-2027)

1 PDH

Continuing education for Florida PE Engineers

Florida Board of Professional Engineers course number:

0010297

Biennium 2025-2027

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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 Changes to Chapters 455 and 471, F.S., and rules adopted, amended, or repealed during the immediately preceding biennium.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**

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/>

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 almost 44,000 Professional Engineers licensed in the state, 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 Chapter 471, Florida Statutes, *Engineering*, and is composed 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 Florida, creating Chapter 471, F.S., which made FBPE responsible for reviewing applications, administering exams, licensing qualified applicants, and regulating and enforcing the proper practice of engineering in the state.

FBPE meets six times a year in designated locations around Florida. The schedule and locations of all meetings can be found on the 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 on the Agendas, Meetings, & Minutes page under the *Meetings and Information* section of our website.

FBPE is dedicated to always providing quality service, timely assistance, and accurate information, and encourages any communication as it relates to ensuring the quality of engineering in Florida.

Should you have any questions or concerns, please email the Board at board@fbpe.org.

What is FEMC?

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 is a non-profit, single-purpose corporation that operates through a contract with the Department of Business and Professional Regulation.

FEMC's corporate board of directors is composed of seven members. Five directors are appointed by the Florida Board of Professional Engineers and must be Florida registrants. Two directors are appointed by the secretary of the Department of Business and Professional Regulation and must be laypersons not regulated by the Board. If you wish to contact one of the FEMC directors, please email board@fbpe.org.

Chapter 2: All the changes made to Florid Rules: 61G15 biennium 2023-2025

Florida Rules and Laws 2025-2027







Changes to Florida administrative code:

















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Notice / Adopted	Section	Description	ID	Publish Date
	Final 61G15-19.0051	Notice of Noncompliance	29161224	Effective: 02/03/2025
	Final 61G15-22.011	Board Approval of Continuing Education Providers	29161321	Effective: 02/03/2025
	Final 61G15-30.001	Purpose	29161418	Effective: 02/03/2025
	Final 61G15-31.006	Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders	29161515	Effective: 02/03/2025
	Final 61G15-22.001	Continuing Education Requirements	28916105	Effective: 11/12/2024
	Final 61G15-23.004	Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents	28916202	Effective: 11/12/2024

	Final 61G15-23.005	Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents	28916299	Effective: 11/12/2024
	Final 61G15-22.006	Demonstrating Compliance; Audits; Investigations	28481933	Effective: 07/11/2024
	Final 61G15-20.0010	Application for Licensure as Professional Engineer	28424412	Effective: 06/24/2024
	Final 61G15-18.011	Definitions	28372614	Effective: 06/05/2024
	Final 61G15-22.012	Obligations of Continuing Education Providers	28343514	Effective: 05/27/2024
	Final 61G15-19.0071	Citations	28316257	Effective: 05/20/2024
	Final 61G15-19.008	Confidentiality of Investigations	28316354	Effective: 05/20/2024
	Final 61G15-30.006	Delegation of Engineering Documents: Obligations of the Delegated Engineer of Record	28315869	Effective: 05/20/2024
	Final 61G15-35.0021	Definitions	28316451	Effective: 05/20/2024
	Final 61G15-35.003	Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited)	28316548	Effective: 05/20/2024
	Final 61G15-24.001	Schedule of Fees	28280270	Effective: 05/07/2024
	Final 61G15-19.004	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances	27938830	Effective: 01/30/2024
	Final 61G15-20.002	Experience	27939024	Effective: 01/30/2024
	Final 61G15-22.001	Continuing Education Requirements	27939121	Effective: 01/30/2024

	Final 61G15-22.006	Demonstrating Compliance; Audits; Investigations	27815737	Effective: 12/18/2023
	Final 61G15-19.004	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances	27592346	Effective: 10/12/2023
	Final 61G15-21.007	Re-examination; Additional Requirements After Third Failure	27449756	Effective: 08/30/2023
	Final 61G15-20.0011	Structural Engineering Recognition Program For Professional Engineers	27219672	Effective: 06/29/2023
	Final 61G15-32.004	Design of Water Based Fire Protection Systems	27219866	Effective: 06/29/2023
	Final 61G15-32.007	Design of Dry Chemical and Miscellaneous Fire Suppression or Control Systems	27219963	Effective: 06/29/2023
	Final 61G15-32.005	Design of Gas Agent Fire Suppression Systems	27105406	Effective: 05/22/2023
	Final 61G15-32.006	Design of Foam and Foam Water Fire Suppression Systems	27105503	Effective: 05/22/2023
	Final 61G15-32.008	Design of Fire Alarms, Signaling Systems, and Control Systems	27105600	Effective: 05/22/2023
	Final 61G15-19.001	Grounds for Disciplinary Proceedings	27013547	Effective: 04/19/2023

Notice / Adopted	Section	Description	ID	Publish Date
	Final 61G15-22.009	Exemptions from Continuing Education Requirements	26720122	Effective: 02/01/2023

Starting from the top in descending order:

61G15-19.0051 Notice of Noncompliance.

(1) As specified in Section 120.695(2)(b), F.S., minor violations of rules are violations that do not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Accordingly, as provided in Section 120.695(2)(a), F.S., 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) 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.

(d) 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.

(e) 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 – first offense – No Notice of Noncompliance previously issued Section 61G15-22.006(2)(c), F.A.C.

(f) 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.

(g) Failure to properly utilize a Title Block as required by paragraph 61G15-23.001(4)(a), F.A.C.

(h) Practice with an improper seal. (See Rule 61G15-23.001, F.A.C.).

(i) First time failure to complete a Florida Board Approved Laws and Rules and/or Professional Ethics Continuing Education course, as required by subsection 61G15-22.001(1), F.A.C., if a non-approved L&R or PE course was taken prior to licensure renewal.

(j) From August 2, 2021 until December 31, 2022, a first time failure to properly sign and seal an Electronic Multidimensional Model submitted as Final Work Product – subsection 61G15-23.001(4), 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 120.695, 455.225(3)(a) FS. History—New 4-2-00, Amended 5-5-10, 8-26-13, 12-31-17, 5-8-18, 12-29-19, 5-17-20, 11-2-20, 8-22-21, 2-3-25.

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 properly qualified as an engineering business organization 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, 5-3-20, 2-3-25.

61G15-30.001 Purpose.

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

Rulemaking Authority 471.033(2), 471.008 FS. Law Implemented 471.033(1) FS. History—New 1-26-93, Formerly 21H-30.001, Amended 11-13-08, 5-14-20, 2-3-25.

61G15-31.006 Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders.

(1) The Engineer of Record shall indicate on the Structural Engineering Documents the steel joist and joist girder designations as required in Section 2207 of the Florida Building Code, Building, which is incorporated by reference in subsection 61G15-18.011(6), F.A.C., and shall indicate the appropriate standards for joist and joist girder design, layout, end supports, anchorage, bridging requirements, etc., including connections to walls. These documents shall indicate special requirements for concentrated loads, non-uniform loads, openings, extended ends, and resistance to uplift loads.

(2) The Engineer of Record is responsible for reviewing the steel joist and joist girder manufacturer's designs, as required in subsection (1) above, per the Engineer of Record's specified joist and joist girder designations and/or special loading diagrams, as set forth in Structural Engineering Documents. The Engineer of Record may require the submission of the steel joist and joist

girder design calculations as an indication of compliance. When required to submit the steel joist and joist girder calculations, the Engineer of Record shall require the steel joist and joist girder manufacturer to submit a cover letter along with the steel joist and joist girder design calculations. The cover letter shall bear the seal and signature of a Florida registered professional engineer responsible for design of the steel joist and joist girders.

Rulemaking Authority 471.033(2), 471.008 FS. Law Implemented 471.033(1)(g), (j) FS. History—New 1-26-93, Formerly 21H-31.006, Amended 10-19-97, 1-4-16, 8-22-21, 2-3-25.

61G15-22.001 Continuing Education Requirements.

(1) Each licensee shall complete eighteen continuing education hours during each license renewal biennium as a condition of license renewal. Four hours shall relate to the licensee's area(s) of practice; one hour must be related to professional ethics; and one hour shall relate to Chapter 471, F.S., and the rules of the Board. The remaining hours may relate to any topic pertinent to the practice of engineering as defined in Rule 61G15-22.002, F.A.C.

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

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

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

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

(3) Beginning with the effective date of the Eighth Edition of the Florida Building Code (2023), 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 a one (1) hour Advanced Florida Building Code course on each new Edition of the Florida Building Code, which can count towards the licensee's area(s) of practice continuing education requirements;

(b) Provide the Board with a copy of a certificate of completion which shows: course number, course hours, Code edition and revision year, and portion of 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.

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, 12-29-19, 1-30-24, 11-12-24.

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:

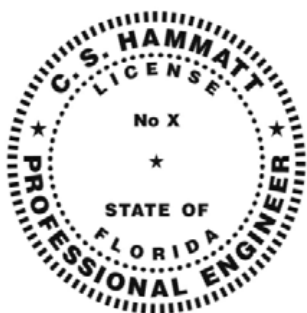
1. The same information required by subsection 61G15-23.002(2), F.A.C., if a digitally created image of the seal is not use;

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, 11-2-20, 11-12-24.

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, 11-2-20, 11-12-24.

61G15-22.006 Demonstrating Compliance; Audits; Investigations.

(1) Pursuant to section 471.017(3), Florida Statutes, as a condition of licensure renewal, licensees must have completed no less than 18 hours of Continuing Education per licensure biennium. In order to demonstrate compliance with continuing education requirements, licensees must affirmatively declare completion of the continuing education requirements upon licensure renewal. Said declaration shall be accomplished by establishment of a free National Council of Examiners for Engineering and Surveying (NCEES) Continuing Professional Competency ("CPC") Tracking Account and certification by the

FDA, Inc.

Licensee of the holding of such account.

(a) Licensees shall be responsible for uploading CE credits to the NCEES Tracking Account.

(b) At the time of licensure renewal, each licensee shall indicate on the renewal application that such account has been established.

(c) Upon so certifying, the Licensee shall be allowed to proceed with renewal of the license.

(2) The Board reserves the right to require licensees to provide the documentation showing 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) Licensees whose void license was reactivated during the previous renewal cycle will be included within the group of licensees audited for the current renewal cycle.

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

(3) 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. The submission of such documentation to the free NCEES CPC Tracking Account shall constitute compliance with this requirement.

(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(7), 455.2177(4), 455.2178, 471.008, 471.017(2), (3) FS. Law Implemented 455.213(1), (7), (12), 455.2177(1), (2), 455.2178, 455.271(5), 471.017(3), 471.038(3) FS. History—New 9-16-01, Amended 7-13-04, 8-20-12, 1-2-18, 8-1-18, 12-29-19, 12-18-23, 7-11-24.

61G15-20.0010 Application for Licensure as Professional Engineer.

(1) Any person desiring licensure as a professional engineer in Florida shall submit an application to the Board. The instructions and application Form FBPE/002 (02/24), entitled, "Application for Licensure as Professional Engineer," is hereby incorporated by reference, copies of which may be obtained from the Board office at 2400 Mahan Drive, Tallahassee, Florida 32308; from the Board's website at <http://www.fbpe.org/licensure/licensure-process/professional-engineers/> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-16718>. The Board shall certify as eligible for licensure only those applicants who have completed the application form, remitted the application and examination fee(s) required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

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

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

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

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

(2) If an applicant for licensure by examination satisfies the conditions found in Section 471.013(1)(d), F.S. or 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, who has an engineering or engineering technology degree from a program that is not EAC/ABET accredited, has demonstrated substantial equivalency to an EAC/ABET or ETAC/ABET accredited engineering program, as required by Rules 61G15-20.007 and 61G15-20.008, F.A.C., when such applicant has held a valid professional engineer's license in another state for 15 years and has had 20 years of professional-level engineering experience, to include the active practice of engineering for at least 3 of the last 5 years.

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

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

(6) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

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, 12-29-19, 5-27-20, 6-24-24.

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, 8th Edition, (2023), adopted by the Florida Building Commission through Rule 61G20-1.001, F.A.C., effective 12-31-23, which rule is incorporated herein by reference and which may be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-16629>.

(7) The term "Florida Fire Prevention Code" shall mean the Fire Code, Florida 2021 Edition, (2023), adopted by the Division of State Fire Marshal through rule Chapter 69A-60, F.A.C. The Florida Fire Prevention Code, effective 12-31-23, which rule chapter is incorporated herein by reference and which may be obtained at <https://www.flrules.org/Gateway/reference.asp?No=Ref-16630>.

(8) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

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, 5-27-20, 6-29-21, 6-5-24.

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.

(j) As required by section 455.2178(1), F.S., electronically submit student rosters directly to the Department of Business and Professional Regulation Education Provider Reporting Portal at <http://www.myfloridalicense.com/DBPR/education-provider-reporting-portal/>.

(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 455.2178(1), 471.017(3) FS. History—New 9-16-01, Amended 2-18-16, 5-8-18, 5-27-24.

61G15-19.0071 Citations.

(1) As used in this rule, “citation” means an instrument which meets the requirements set forth in Section 455.224, F.S., and which is served upon a licensee or qualified business organization for the purpose of assessing a penalty in an amount established by this rule. Citation violations are violations for which there is no substantial threat to the public health, safety, and welfare.

(2) In lieu of the disciplinary procedures contained in Section 455.225, F.S., FEMC is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint that is the basis for the citation. If a violation for which a citation may be issued is discovered during the course of an investigation for an unrelated violation, the citation must be issued within 6 months from the discovery of the violation and filing of the uniform complaint form by the investigator.

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

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

(b) Practice with an inactive or delinquent license more than one month or if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be \$100 for each month or fraction thereof. (See Section 471.033(1)(i), F.S.)

(c) Business organization practicing without being properly qualified with the board more than one month. The fine shall be \$100 for each month or fraction thereof. (See Section 471.023, F.S.)

(d) Failure to notify the Board of a change in the principal officer of the corporation or partner in a partnership who is the qualifying professional engineer for said corporation or partnership within one month of such change. The fine shall be \$500. (See Section 471.023(4), F.S.)

(e) Unlicensed practice of engineering. The fine shall be up to \$250 for each month depending on the severity of the infraction practice, up to a maximum of \$5,000.00. (See Section 455.228(3)(a), F.S.)

(f) Failure to properly utilize a Title Block as required by paragraph 61G15-23.001(4)(a), F.A.C., if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be \$500.

(g) 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 – Notice of Noncompliance previously issued – paragraph 61G15-22.006(2)(c), F.A.C. The fine shall be \$500.

(h) Failure to complete any or all CE required prior to renewal of license; all CE completed within thirty (30) days of notification to the licensee. Subsections 61G15-22.001(1) or 61G15-22.006(2), F.A.C. The fine shall be \$500.

(i) Failure to properly qualify or register a business entity – Notice of Noncompliance previously issued – Section 471.023, F.S. The fine shall be \$250.

(j) From January 1, 2023 until December 31, 2023, failure to properly sign and seal an Electronic Multidimensional Model submitted as Final Work Product – subsection 61G15-23.001(4), F.A.C. – Notice of Noncompliance previously issued OR which results in adverse impacts to the customer or client. The fine shall be \$500.

(k) Signing or sealing any document that depicts work which is beyond the licensee's profession or specialty therein or accepting and performing responsibilities the licensee is not competent to perform and which does not evidence any risk to public health, safety or welfare. (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.) The fine is \$750.

(l) Incompetence (Subsection 61G15-19.001(5), F.A.C.) which does not evidence risk to public health, safety or welfare. The fine shall be \$750.

(m) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.); no evidence of intent or willful action and no evidence of risk to public health, safety or welfare. The fine shall be \$500.

(n) 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 – Notice of Noncompliance previously issued – paragraph 61G15-22.006(2)(c), F.A.C. The fine shall be \$500.

(o) 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 permit documents in connection with buildings, structures, or facilities and systems covered by the Florida Building Code to an Authority Having Jurisdiction – Notice of Noncompliance previously issued. The fine shall be \$500.

(4) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a final order of the Board of Professional Engineers. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. Failure to pay the fine and costs within the prescribed time period constitutes a violation of Section 471.033(1)(k), F.S., which will result in further disciplinary action. All fines and costs are to be made payable to "Florida Engineers Management Corporation – Citation."

(5) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected.

(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of Chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 61G15-19.004, F.A.C.

(7) Subsequent violation(s) of the same rule or statute shall require the procedure of Section 455.225, F.S., to be followed. In addition, should the offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section 455.255, F.S., shall apply.

(8) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 455.224, 455.225, 455.228(3)(a) FS. Law Implemented 455.224, 455.227, 455.228(3)(a), 471.023, 471.033 FS. History—New 4-2-00, Amended 9-26-05, 8-26-13, 12-29-19, 5-17-20, 11-2-20, 8-22-21, 8-15-22, 5-20-24.

61G15-19.008 Confidentiality of Investigations.

The following violations have been deemed to involve the potential for substantial physical or financial harm to the public:

(1) Negligence, as defined in subsection 61G15-19.001(4), F.A.C., or misconduct, as defined in subsection 61G15-19.001(6), F.A.C., involving either threshold buildings as defined in Section 553.71(12), F.S.; or the collapse or major damage to any structure; or leading to death or serious physical injury of any person.

(2) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 471.038(7) FS. Law Implemented 471.038(7) FS. History--New 5-20-02, Amended 6-5-12, 3-23-22, 5-20-24.

61G15-30.006 Delegation of Engineering Documents: Obligations of the Delegated Engineer of Record.

(1) It is the delegated engineer's responsibility to review the Engineer of Record's written engineering requirements and authorization for the delegated engineering document to determine the appropriate scope of engineering.

(2) The delegated engineering document shall comply with the written engineering requirements received from the engineer of record. They shall include the project identification and the criteria used as a basis for its preparation. If a delegated engineer determines there are details, features or unanticipated project limits which conflict with the written engineering requirements provided by the engineer of record, the delegated engineer shall timely contact the engineer of record for resolution of conflicts.

(3) The delegated engineer shall forward the delegated engineering document to the engineer of record for review. All final delegated engineering documents prepared by the delegated engineer must be properly signed and sealed by 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.

Rulemaking Authority 471.033(2), 471.008 FS. Law Implemented 471.033(1)(g) FS. History--New 1-26-93, Formerly 21H-30.006, Amended 5-20-24.

61G15-35.0021 Definitions.

As used hereinafter in this chapter, the following words or phrases shall be defined as follows. The Board does not intend for these definitions to apply to any similar wording, term, role, or description outside of Chapter 471 or 553, F.S. or the Florida Building Code Section 110.8 Threshold Building; or as such term may be used by a local Authority Having Jurisdiction in local regulations, codes, or ordinances.

(1) "Special Inspectors of Threshold buildings," also referred to as "Threshold Inspectors," "Special Inspectors," or "S.I.s" are defined by Section 553.719, F.S., Threshold Inspectors can perform inspections on all threshold buildings or perform any other services authorized by Section 553.79(5)(a), F.S. Florida Building Code section 110.8 provides additional requirements to the enforcing agency, Special Inspector, and fee owner.

(2) "Special Inspectors of Threshold buildings (Limited)", also referred to as "Threshold Inspectors (Limited)", can only perform inspections on Threshold Buildings with Repair (without Substantial Structural Damage), Alterations 1, Alterations 2,

and Alterations 3 (without Substantial Structural Alterations) of threshold buildings. Special Inspectors (Limited) are not permitted to do inspections on new construction or threshold buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms Repairs, Alteration 1, Alteration 2, Alteration 3, Substantial Structural Damage, and Substantial Structural Alteration are as defined in the Florida Building Code, Existing Buildings.

(3) “Threshold Building” is as defined by the Florida Building Code, Section 110.08 and in Section 553.71(12), F.S.

(4) “Private Provider” is as defined in Section 553.791(1)(j), F.S. Private Providers carry out duties as authorized by Section 553.791, F.S. As set forth in Chapter 553, F.S., although the roles and duties of Special Inspectors and Private Providers may appear to be similar or overlap, they are not synonymous and as specified in that chapter, are not interchangeable.

(5) Inspections requested by local Authority Having Jurisdiction in local regulations, codes, or ordinances for non-threshold buildings are not part of this chapter.

(6) “All Structural Components” shall mean each structural element necessary to the complete load path of the structure.

(7) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History—New 3-28-21, Amended 4-5-22, 5-20-24.

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited).

(1) Special Inspectors of Threshold Buildings: 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 all structural components involved in the new construction of 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 all structural components of new threshold buildings. For the purpose of these criteria, structural design and/or inspection shall mean the design and/or inspection of all structural components of the building under construction 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 the new construction of 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. In addition, the threshold/special inspection plan must be prepared by the Engineer of Record for the project.

(d) Design and/or inspection experience of restoration, repair or alteration of existing buildings is not creditable towards the design and inspection experience required for SI Certification.

(2) Special Inspectors of Threshold Buildings Limited.

(a) To implement Section 553.79, F.S., the Board hereby establishes the certification of Special Inspectors of Threshold Buildings (Limited), also referred to as “Special Inspectors (Limited)” or “S.I. (Limited).” Any licensee holding this certification may serve as the Special Inspector/Threshold Building Inspector for any project involving the Repair (without Substantial

Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of an existing Threshold Building. A licensee holding this certification may not serve as the Special Inspector/Threshold Building Inspector for new construction or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms “Repairs,” “Alteration 1,” “Alteration 2,” “Alteration 3,” “Substantial Structural Damage,” and “Substantial Structural Alteration” are as defined in the Florida Building Code – Existing Buildings. Licensees who wish to serve as Special Inspectors for new construction, or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration must be certified pursuant to subsection (1) above.

(b) The minimum qualifying criteria for Threshold Inspectors (Limited) are established by the Board to be as follows:

1. Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering.

2. Three (3) years of experience in performing structural field inspections on Threshold Buildings, components thereof, 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 repairs to components of threshold buildings. For the purpose of these criteria, examples of structural components include, but are not limited to, prestressed or post-tensioned concrete, balconies, exterior walls, etc.

3.a. 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

b. The applicant must possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application.

(3) Applications For Special Inspector of Threshold Buildings.

(a) The instructions and application form for Special Inspector, Form FBPE/006 (12/21) 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-14137>.

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

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 license (qualified business organization) – \$50.00.

(g) Reinstatement fee – \$150.00.

(h) Inactive Status fee – \$125.00.

(i) Reactivation fee – \$150.00.

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

(k) Duplicate Certificate – \$25.00.

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

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

(n) 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, 8-8-18, 12-29-19, 5-7-24.

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

(1) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners (including qualified business organizations) guilty of violating Chapter 455 or 471, F.S., or the rules promulgated thereto. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 455 or 471, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 455 or 471, F.S., or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the Board's discretion. Other terms may be imposed by the Board at its discretion.

(2) In imposing discipline in proceedings pursuant to Section 120.57(1) and (2), F.S., the following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated and the full statute or rule cited should be consulted to determine the prohibited conduct.

VIOLATION	PENALTY RANGE		
	FIRST VIOLATION	SECOND VIOLATION	THIRD OR SUBSEQUENT VIOLATIONS
(a) Violating any provision of Section 455.227(1), 471.025 or 471.031, F.S., or any other provision of Chapter 471, F.S., or	Reprimand and \$1,000.00 fine, to one (1) year suspension, two (2) years' probation and \$5,000 fine.	Reprimand, \$2,500 fine and one (1) year suspension followed by two (2) years' probation to five (5) years' suspension followed by five	\$5,000 fine and Revocation.

rule of the Board or Department. (Sections 471.033(1)(a) and 455.227(1)(b), (q), F.S.) not otherwise specifically enumerated below.		(5) years' probation and a \$5,000 fine.	
1. Failure to sign, seal or date documents. (Section 471.025(1), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension.	Reprimand, \$2,500 fine and one (1) year suspension to \$5,000 fine and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
2. Sealing any document after license has expired or been revoked or suspended, or failure to surrender seal if the license has been revoked or suspended. (Section 471.025(2), F.S.)	Suspended license: Revocation with ability to reapply after five (5) years and \$2,500 fine. Revoked license: \$5,000 fine and Referral to State's Attorney's office.		
3. Signing or sealing any document that depicts work the licensee is not licensed to perform or which is beyond his or her profession or specialty therein or practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee is not competent to perform. (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension.	Reprimand, \$5,000.00 fine, one (1) year suspension and two (2) years' probation to Revocation.	\$5,000 fine and Revocation.
4. Firm practicing without proper qualification. (Section 471.023, F.S., and subsection 61G15-19.001(3), F.A.C.)	\$500 fine to \$1,000 fine.	\$1,000 fine to \$2,500 fine.	\$5,000 fine.
5. Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer. (Sections 471.031(1)(a), (b), F.S.)	In addition to referral to State Attorney's Office and denial of future application for licensure, from a \$1,000 fine to a \$2,500 fine.	In addition to referral to State Attorney's Office from a \$2,500 fine to a \$5,000 fine.	In addition to referral to State Attorney's Office, a \$5,000 fine.
6. Presenting as his or her own the license of another.	In addition to referral to State Attorney's Office and denial of future application	In addition to referral to State Attorney's Office from a \$2,500 fine to a \$5,000 fine.	In addition to referral to State Attorney's Office, a \$5,000 fine.

(Section 471.031(1)(c), F.S.)	for licensure, from a \$1,000 fine to a \$2,500 fine.		
7. Giving false or forged evidence to the Board or concealing information relative to violations of this chapter. (Sections 471.031(1)(d), (g), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
8. Employing unlicensed persons to practice engineering or aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S. (Sections 471.031(1)(f), and 455.227(1)(j), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
9. Having been found liable for knowingly filing a false complaint against another licensee. (Section 455.227(1)(g), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation	\$5,000 fine and Revocation.
10. Failing to report a person in violation of Chapters 455, and 471, F.S., or the rules of the Board or the Department. (Section 455.227(1)(i), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
11. Failing to perform any statutory or legal obligation. (Section 455.227(1)(k), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
12. Exercising influence on a client for financial gain. (Section 455.227(1)(n), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
13. Improper delegation of professional responsibilities.	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year	\$5,000 fine and Revocation.

(Section 455.227(1)(p), F.S.)	suspension followed by one (1) year probation.	probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	
14. Improperly interfering with an investigation or inspection or disciplinary proceeding. (Section 455.227(1)(r), F.S.)	\$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
(b) Attempting to procure a license by bribery, fraudulent misrepresentation, or error of the Board or Department. (Sections 471.033(1)(b) and 455.227(1)(h), F.S.)	\$5,000 fine and permanent revocation or denial of license (minimum and maximum same).		
(c) Having a license to practice engineering acted against or denied by another jurisdiction. (Sections 471.033(1)(c) and 455.227(1)(f), F.S.)	In addition to a reprimand, from a \$500 fine to a \$1,000 fine.	In addition to a reprimand, from a \$1,000 fine to a \$2,500 fine.	Reprimand and \$5,000 fine.
(d)1. Being convicted or found guilty of, or entering a plea of nolo contendere to a, crime which relates to the practice or ability to practice. (Sections 471.033(1)(d) and 455.227(1)(c), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine, two (2) years' suspension followed by two (2) years' probation and completion of Basic Engineering Ethics Course.	\$5,000 fine and Revocation.
2. Conviction of crime related to building code inspection or plans examination. (Paragraph 61G15-19.001(7)(a), F.A.C.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation and completion of Basic Engineering Professionalism Course.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine, two (2) years' suspension followed by two (2) years' probation and completion of Intermediate Engineering Ethics Course.	\$5,000 fine and Revocation.
(e) Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing. (Sections 471.033(1)(e), 455.227(1)(l), F.S., and paragraph	Reprimand, completion of Basic Engineering Ethics Course, and \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, completion of Intermediate Engineering Ethics Course, and \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine, two (2) years' suspension followed by two (2) years'	\$5,000 fine and Revocation.

61G15-19.001(7)(c), F.A.C.)		probation.	
(f) Fraudulent, false, deceptive or misleading advertising. (Sections 471.033(1)(f), F.S., and subsection 61G15-19.001(2), F.A.C.)	Reprimand, completion of Basic Engineering Ethics Course, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, completion of Intermediate Engineering Ethics course, \$2,500 fine, two (2) years' suspension followed by two (2) years' probation to \$5,000 fine and five (5) years' suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
(g) Fraud, deceit, negligence, incompetence or misconduct. (Sections 471.033(1)(g) and 455.227(1)(a), (m), F.S.)			
1. Fraud or deceit.	Reprimand, completion of Basic Engineering Ethics Course, \$1,000 fine and two (2) years' probation to one (1) year suspension followed by one (1) year probation and \$5,000.00 fine.	Reprimand, completion of Intermediate Engineering Ethics Course, one (1) year suspension followed by one (1) year probation and \$2,500 fine to five (5) years' suspension followed by five (5) years' probation and a \$5,000 fine.	\$5,000 fine and Revocation.
2.a. Negligence. (Subsection 61G15-19.001(4), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review, and Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation.
b. Negligence in procedural requirements. (Subsections 61G15-30.003(2), (3) and (5), F.A.C.; Rules 61G15-30.005 and 61G15-30.006, F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation.
c. As a special inspector.	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to	\$5,000 fine and Revocation.

	(5) years' probation with plans review and \$2,500 fine.	five (5) year suspension followed by ten (10) years' probation with plans review.	
3. Incompetence. (Subsection 61G15-19.001(5), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation
4. Misconduct. (Subsection 61G15-19.001(6), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation.
a. Expressing an opinion publicly on an engineering subject without being informed as to the facts and being competent to form a sound opinion. (Paragraph 61G15-19.001(6)(a), F.A.C.)	Reprimand, Basic Engineering Ethics Course and \$1,000 fine to six (6) months suspension followed by two (2) years' probation and Basic Engineering Ethics Course.	Reprimand, \$1,000 fine, six (6) month's suspension followed by one (1) year probation and Intermediate Engineering Ethics Course to \$2,500 fine, one (1) year suspension followed by two (2) years' probation and intermediate Engineering Ethics Course.	\$5,000 fine and Revocation.
b. Being untruthful, deceptive or misleading in any professional report, statement or testimony or omitting relevant and pertinent information from such report, statement or testimony when the result or such omission would or reasonably could lead to a fallacious conclusion. (Paragraph 61G15-19.001(6)(b), F.A.C.)	Reprimand, Basic Engineering Ethics Course and \$1,000 fine to six (6) months suspension followed by two (2) years' probation and Basic Engineering Ethics Course.	Reprimand, \$1,000 fine, six (6) month's suspension followed by one (1) year probation and Intermediate Engineering Ethics Course to \$2,500 fine, one (1) year suspension followed by two (2) years' probation and intermediate Engineering Ethics Course.	\$5,000 fine and Revocation.
c. Offering directly or indirectly any bribe or commission or tendering any gift to obtain selection or preferment for engineering employment other than the payment of the usual	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine	\$5,000 fine and Revocation.

commission for securing salaried positions through licensed employment agencies. (Paragraph 61G15-19.001(6)(e), F.A.C.)	followed by two (2) years' probation.	per count and five (5) year suspension followed by five (5) years' probation.	
d. Soliciting or accepting gratuities without client knowledge. (Paragraphs 61G15-19.001(6)(g), (h), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
e. Failure to preserve client's confidence. (Paragraph 61G15-19.001(6)(r), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation
f. Professional judgment overruled by unqualified person. (Paragraph 61G15-19.001(6)(l), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
g. Use of name/firm in fraudulent venture. (Paragraph 61G15-19.001(6)(k), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
h. Undisclosed conflict of interest. (Paragraphs 61G15-19.001(6)(f), (p), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year	\$5,000 fine and Revocation.

	followed by two (2) years' probation.	suspension followed by five (5) years' probation.	
i. Renewing or reactivating a license without completion of continuing education hours. (Paragraph 61G15-19.001(6)(s), F.A.C.)			
1. Failure to complete Florida Board approved Laws and Rules or Professional Ethics course prior to renewal.	Remedial action only, complete Florida Laws and Rules Study Guide.	\$250 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
2. Failure to complete Board approved Laws and Rules and Professional Ethics prior to renewal	Remedial action only, complete Florida Laws and Rules Study Guide.	\$500 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
3. Failure to complete any state's Laws and Rules and/or Professional Ethics courses.	Remedial action only: \$250 fine, Florida Laws and Rules Study Guide, and complete Florida Board approved courses in both areas in addition to CE required for biennial licensure renewal.	\$500 fine, Florida Laws and Rules Study Guide and Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
4. Failure to complete any/all required CE prior to licensure renewal/reactivation; all credits completed prior to initiation of complaint.	Remedial action only: \$250 fine and Florida Laws and Rules Study Guide.	\$500 fine, Florida Laws and Rules Study Guide and Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of

			Auburn University Engineering Ethics Course.
5. Failure to complete any/all required CE prior to licensure renewal/reactivation, all hours completed prior to Administrative Complaint being filed.	Remedial action only: \$500 fine and Florida Laws and Rules Study Guide.	Reprimand, \$2,000 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
6. Failure to complete any/all required CE prior to licensure renewal/reactivation; no response to audit or complaint prior to service of Administrative Complaint.	Reprimand, \$5,000 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal AND completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.	
(h) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review, and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
(i) Renewing or reactivating a license without completion of continuing education hours. (Paragraph 61G15-19.001(6)(s), F.A.C.)			
Renewed license without Laws & Rules and/or Florida professional ethics hours; completed missing CE after audit but prior to administrative complaint being filed.	Completion of Laws and Rules Study Guide and Auburn University ethics course.	\$1,000 fine and completion of Laws and Rules Study Guide and Auburn University ethics course	(1) year suspension and \$2,500.00 fine to revocation
Renewed license while lacking ten (10) or more hours of CE; missing CE completed after audit but prior to administrative complaint being filed.	Completion of Laws and Rules Study Guide and Auburn University ethics course.	Reprimand, \$1,000 fine and completion of Laws and Rules Study Guide and Auburn University ethics course.	(1) year suspension, \$2,500 fine, and personal appearance prior to reinstatement to

			revocation.
Renewed license without Laws & Rules and/or Florida professional ethics hours and lacking five or less hours of general CE; completed missing CE after audit but prior to administrative complaint being filed.	Completion of Laws and Rules Study Guide and Auburn University ethics course.	Reprimand, \$1,000 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board.	(1) year suspension, \$2,500 fine, and personal appearance prior to reinstatement to revocation.
Renewed license while lacking ten (10) or more hours of CE; missing CE completed after administrative complaint filed.	Reprimand, \$1,000 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board.	Reprimand, \$2,500 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board to one (1) year suspension and \$2,500 fine.	(1) year suspension, \$2,500 fine, and personal appearance prior to reinstatement to revocation.
Renewed license without all CE. Never completed the CE and/or did not respond to the audit.	Reprimand, suspension of license until CE completed, \$1,000 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board.	(2) year suspension, \$2,500 fine, completion of all missing CE, and personal appearance prior to reinstatement to Revocation.	Revocation.
(j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any documents that were not prepared by him or her or under his or her responsible supervision, direction or control. (Section 471.033(1)(j), F.S., and paragraphs 61G15-19.001(6)(j), (q), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Permanent Revocation.
(k) Violating any order of the board or department. (Sections 471.033(1)(k), 455.227(1)(q), F.S., and paragraph 61G15-19.001(6)(o), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Permanent Revocation.
(l) Aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S.	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering	\$5,000 fine and Revocation.

(Section 455.227(1)(j), F.S.)	one (1) year suspension followed by two (2) years' probation.	Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	
(m) Failing to report in writing a conviction or plea of nolo contendere, a crime in any jurisdiction. (Section 455.227(1)(t), F.S.)	Reprimand and \$500 fine.	Reprimand, \$1,000 fine, Basic Engineering Ethics Course, and one (1) year probation.	\$5,000 fine and Revocation.

(3) Probation. Pursuant to Sections 455.227(2)(f) and (g), F.S., the Board may impose probation and/or corrective action as disciplinary penalties. All impositions of probation/corrective action as a penalty may include successful completion of the Engineering Law and Rules Study Guide, completion of a Board-approved CE course in Engineering Professionalism and Ethics, and an appearance before the Board at the end of the probationary period. Probation may be with or without monitoring/plans review.

(a) If monitoring/plans review is imposed as a term of probation and/or as corrective action, such monitoring/plans review shall require submission of three (3) plan sets, as selected by the consultant from a list of all plans prepared by Respondent, for review at the six (6) and eighteen (18) month intervals following entry of the order. Following satisfactory review of all 3 plan sets at the 6 month interval monitoring/plans review may be terminated without the 18 month review. Unsatisfactory plans review at the 6 month period will require the 18 month review and shall result in referral for investigation and possible institution of additional disciplinary proceedings. An unsatisfactory 18 month plans review shall lead to referral for investigation and possible institution of additional disciplinary proceedings.

(b) The licensee is responsible for all costs associated with compliance with the terms of probation. Unless stated otherwise in the disciplinary order, any costs of compliance with disciplinary penalties imposed shall be paid within thirty (30) days of the effective date of the Order or of invoice, whichever is later.

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

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

1. History of previous violations of the practice act and the rules promulgated thereto.
2. In the case of negligence; of the magnitude and scope of the project and the damage inflicted upon the general public by the licensee's misfeasance.
3. Evidence of violation of professional practice acts in other jurisdictions wherein the licensee has been disciplined by the appropriate regulatory authority.
4. Violation of the provision of the practice act wherein a letter of guidance as provided in Section 455.225(3), F.S., has previously been issued to the licensee.
5. Refusal to accept responsibility for or to acknowledge the violation.
6. Degree of cooperation with disciplinary investigation.
7. Degree to which conduct departed from generally accepted professional standards of conduct.

8. The number of unrelated and distinct offenses.
9. Prior discipline imposed upon the licensee.
10. The deterrent effect of the penalty imposed.
11. Failure of the licensee to correct or stop violations.

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

1. In cases of negligence, the minor nature of the project in question and lack of danger to the public health, safety and welfare resulting from the licensee's misfeasance.
2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices his profession.
3. Restitution of any damages suffered.
4. The licensee's professional standing among his peers including continuing education.
5. Steps taken by the licensee or his firm to insure the non-occurrence of similar violations in the future.
6. Acceptance of responsibility for the violation and explanation of the facts and circumstances surrounding the occurrence.
7. Degree of cooperation with disciplinary investigation.
8. Degree to which conduct departed from generally accepted professional standards of conduct.
9. The length of time the licensee has practiced his or her profession.
10. The effect of the penalty upon the licensee's livelihood.
11. Efforts of the licensee to correct or stop violations.

(5) Costs. In addition to any penalty imposed pursuant to Section 455.227(2), F.S. and the rules of the Board, pursuant to Section 455.227(3), F.S., the licensee is responsible for payment of all costs of investigation and prosecution related to a disciplinary case.

(6) The provisions of subsections (1) through (5), above, are not intended and shall not be construed to limit the ability of the Board to informally dispose of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S. Likewise, the provisions of subsections (1) through (5) above, are not intended and shall not be construed to limit the ability of the Board to pursue, or recommend the Department pursue, collateral civil or criminal actions, where authorized by law.

Rulemaking Authority 455.227, 455.2273, 471.008, 471.031, 471.033 FS. Law Implemented 455.227, 455.2273, 455.2277, 471.031, 471.033 FS. History—New 1-7-87, Formerly 21H-19.004, Amended 11-27-94, 5-22-01, 11-15-01, 5-20-02, 11-21-06, 2-21-10, 9-5-16, 12-29-19, 8-22-21, 10-12-23, 1-30-24.

61G15-20.002 Experience.

(1)(a) In order to qualify for licensure, an applicant is required to have the requisite number of years of acceptable experience in engineering at the time of application for licensure and acceptable educational qualifications. In determining whether an applicant's experience background is sufficient to meet the requirements set forth in Sections 471.015(2)(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 approved engineering program is usually of a subprofessional nature. If the full-time experience is obtained within the 2 years immediately preceding completion of the approved engineering program, and involves tasks and responsibilities consistent with the disciplines of engineering, experience credit may be awarded at 50% of actual time. In any event, the total engineering experience credit allowable for pregraduation experience shall not exceed 12 months.

3. Experience credit is based on a 40 hour per week full-time employment basis. No additional credit is allowable for overtime work, or for part-time work experience obtained while pursuing engineering education on a full-time basis. For purposes of this rule, a "full-time basis" means the applicant is enrolled in twelve (12) or more credit hours per semester; less than 12 credit hours is considered to be "part-time enrollment."

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 current personal references who are professional engineers. Should the Board find the information submitted by the applicant is insufficient or incomplete, the Board may require the applicant to supply additional references or evidence regarding the

applicant's experience and background or both so that an intelligent decision may be made on whether admittance to the examination is allowable.

(3)(a) Subject to the provisions of paragraph (c), below, the Board will accept as equivalent to one year's experience a master's degree in engineering from an EAC/M-ABET-accredited program or from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level. The Board will also accept as equivalent to one year's experience a doctorate in engineering from a college or university in the U.S. that has an EAC/ABET-accredited engineering program in a related discipline at the baccalaureate level. Experience equivalents will be given for the master's or doctoral degree only if the applicant has earned a prior engineering or engineering technology degree from a college or university that solely meets the requirements of a Board-approved engineering program as defined in subsection 61G15-20.001(2), F.A.C.

(b) 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 or 61G15-20.008, F.A.C.

(c) The combination of experience equivalents and work experience shall not exceed the number of actual months during which the experience is claimed.

(d) The provisions of (1)(b)3., notwithstanding, in situations where the applicant is seeking experience equivalence from part-time graduate enrollment while simultaneously employed full-time, no more than twelve (12) months of experience equivalence shall be awarded.

Rulemaking Authority 471.008, 471.013(1)(a) FS. Law Implemented 471.005(6), 471.013(1)(a), 471.015 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, 12-29-19, 1-30-24.

61G15-22.001 Continuing Education Requirements.

(1) Each licensee shall complete eighteen continuing education hours during each license renewal biennium as a condition of license renewal. Four hours shall relate to the licensee's area(s) of practice; one hour must be related to professional ethics; and one hour shall relate to Chapter 471, F.S., and the rules of the Board. The remaining hours may relate to any topic pertinent to the practice of engineering as defined in Rule 61G15-22.002, F.A.C.

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

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

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

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

(3) Beginning with the effective date of the Eighth Edition of the Florida Building Code (2023), 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 on each new Edition of the Florida Building Code,

(b) Provide the Board with a copy of a certificate of completion which shows: course number, course hours, Code edition and revision year, and portion of 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.

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, 12-29-19, 1-30-24.

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 reserves the right to require licensees to provide the documentation showing 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) Licensees whose void license was reactivated during the previous renewal cycle will be included within the group of licensees audited for the current renewal cycle.

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

(3) 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(7), 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, 12-29-19, 12-18-23.

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

(1) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners (including qualified business organizations) guilty of violating Chapter 455 or 471, F.S., or the rules promulgated thereto. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 455 or 471, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 455 or 471, F.S., or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the Board's discretion. Other terms may be imposed by the Board at its discretion.

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

VIOLATION	PENALTY RANGE		
	FIRST VIOLATION	SECOND VIOLATION	THIRD OR SUBSEQUENT VIOLATIONS
(a) Violating any provision of Section 455.227(1), 471.025 or 471.031, F.S., or any other provision of Chapter 471, F.S., or rule of the Board or Department. (Sections 471.033(1)(a) and 455.227(1)(b), (q), F.S.) not otherwise specifically enumerated below.	Reprimand and \$1,000.00 fine, to one (1) year suspension, two (2) years' probation and \$5,000 fine.	Reprimand, \$2,500 fine and one (1) year suspension followed by two (2) years' probation to five (5) years' suspension followed by five (5) years' probation and a \$5,000 fine.	\$5,000 fine and Revocation.
1. Failure to sign, seal or date documents. (Section 471.025(1), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension.	Reprimand, \$2,500 fine and one (1) year suspension to \$5,000 fine and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
2. Sealing any document after license has expired or been revoked or suspended, or failure to surrender seal if the license has been revoked or suspended. (Section 471.025(2), F.S.)	Suspended license: Revocation with ability to reapply after five (5) years and \$2,500 fine. Revoked license: \$5,000 fine and Referral to State's Attorney's office.		
3. Signing or sealing any document that depicts work the licensee is not licensed to perform or which is beyond his or her profession or specialty therein or practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee is not competent to perform. (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension.	Reprimand, \$5,000.00 fine, one (1) year suspension and two (2) years' probation to Revocation.	\$5,000 fine and Revocation.
4. Firm practicing without proper qualification. (Section 471.023, F.S., and subsection 61G15-19.001(3), F.A.C.)	\$500 fine to \$1,000 fine.	\$1,000 fine to \$2,500 fine.	\$5,000 fine.
5. Practicing engineering without a	In addition to referral to	In addition to referral to State	In addition to referral

license or using a name or title tending to indicate that such person holds an active license as an engineer. (Sections 471.031(1)(a), (b), F.S.)	State Attorney's Office and denial of future application for licensure, from a \$1,000 fine to a \$2,500 fine.	Attorney's Office from a \$2,500 fine to a \$5,000 fine.	to State Attorney's Office, a \$5,000 fine.
6. Presenting as his or her own the license of another. (Section 471.031(1)(c), F.S.)	In addition to referral to State Attorney's Office and denial of future application for licensure, from a \$1,000 fine to a \$2,500 fine.	In addition to referral to State Attorney's Office from a \$2,500 fine to a \$5,000 fine.	In addition to referral to State Attorney's Office, a \$5,000 fine.
7. Giving false or forged evidence to the Board or concealing information relative to violations of this chapter. (Sections 471.031(1)(d), (g), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
8. Employing unlicensed persons to practice engineering or aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S. (Sections 471.031(1)(f), and 455.227(1)(j), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
9. Having been found liable for knowingly filing a false complaint against another licensee. (Section 455.227(1)(g), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation	\$5,000 fine and Revocation.
10. Failing to report a person in violation of Chapters 455, and 471, F.S., or the rules of the Board or the Department. (Section 455.227(1)(i), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
11. Failing to perform any statutory or legal obligation. (Section 455.227(1)(k), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
12. Exercising influence on a client	Reprimand, \$1,000 fine and	Reprimand, \$2,500 fine and	\$5,000 fine and

for financial gain. (Section 455.227(1)(n), F.S.)	one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	Revocation.
13. Improper delegation of professional responsibilities. (Section 455.227(1)(p), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
14. Improperly interfering with an investigation or inspection or disciplinary proceeding. (Section 455.227(1)(r), F.S.)	\$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine and two (2) year suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
(b) Attempting to procure a license by bribery, fraudulent misrepresentation, or error of the Board or Department. (Sections 471.033(1)(b) and 455.227(1)(h), F.S.)	\$5,000 fine and permanent revocation or denial of license (minimum and maximum same).		
(c) Having a license to practice engineering acted against or denied by another jurisdiction. (Sections 471.033(1)(c) and 455.227(1)(f), F.S.)	In addition to a reprimand, from a \$500 fine to a \$1,000 fine.	In addition to a reprimand, from a \$1,000 fine to a \$2,500 fine.	Reprimand and \$5,000 fine.
(d)1. Being convicted or found guilty of, or entering a plea of nolo contendere to a, crime which relates to the practice or ability to practice. (Sections 471.033(1)(d) and 455.227(1)(c), F.S.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine, two (2) years' suspension followed by two (2) years' probation and completion of Basic Engineering Ethics Course.	\$5,000 fine and Revocation.
2. Conviction of crime related to building code inspection or plans examination. (Paragraph 61G15-19.001(7)(a), F.A.C.)	Reprimand, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation and completion of Basic Engineering	Reprimand, \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine, two (2) years' suspension followed by two (2) years' probation and completion of Intermediate	\$5,000 fine and Revocation.

	Professionalism Course.	Engineering Ethics Course.	
(e) Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing. (Sections 471.033(1)(e), 455.227(1)(l), F.S., and paragraph 61G15-19.001(7)(c), F.A.C.)	Reprimand, completion of Basic Engineering Ethics Course, and \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, completion of Intermediate Engineering Ethics Course, and \$2,500 fine and one (1) year suspension followed by one (1) year probation to \$5,000 fine, two (2) years' suspension followed by two (2) years' probation.	\$5,000 fine and Revocation.
(f) Fraudulent, false, deceptive or misleading advertising. (Sections 471.033(1)(f), F.S., and subsection 61G15-19.001(2), F.A.C.)	Reprimand, completion of Basic Engineering Ethics Course, \$1,000 fine and one (1) year probation to \$2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, completion of Intermediate Engineering Ethics course, \$2,500 fine, two (2) years' suspension followed by two (2) years' probation to \$5,000 fine and five (5) years' suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
(g) Fraud, deceit, negligence, incompetence or misconduct. (Sections 471.033(1)(g) and 455.227(1)(a), (m), F.S.)			
1. Fraud or deceit.	Reprimand, completion of Basic Engineering Ethics Course, \$1,000 fine and two (2) years' probation to one (1) year suspension followed by one (1) year probation and \$5,000.00 fine.	Reprimand, completion of Intermediate Engineering Ethics Course, one (1) year suspension followed by one (1) year probation and \$2,500 fine to five (5) years' suspension followed by five (5) years' probation and a \$5,000 fine.	\$5,000 fine and Revocation.
2.a. Negligence. (Subsection 61G15-19.001(4), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review, and Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation.
b. Negligence in procedural requirements. (Subsections 61G15-30.003(2), (3) and (5), F.A.C.; Rules 61G15-30.005 and 61G15-30.006, F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to	\$5,000 fine and Revocation.

	(5) years' probation with plans review and \$2,500 fine.	five (5) year suspension followed by ten (10) years' probation with plans review.	
c. As a special inspector.	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation.
3. Incompetence. (Subsection 61G15-19.001(5), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation
4. Misconduct. (Subsection 61G15-19.001(6), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and \$2,500 fine.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	\$5,000 fine and Revocation.
a. Expressing an opinion publicly on an engineering subject without being informed as to the facts and being competent to form a sound opinion. (Paragraph 61G15-19.001(6)(a), F.A.C.)	Reprimand, Basic Engineering Ethics Course and \$1,000 fine to six (6) months suspension followed by two (2) years' probation and Basic Engineering Ethics Course.	Reprimand, \$1,000 fine, six (6) month's suspension followed by one (1) year probation and Intermediate Engineering Ethics Course to \$2,500 fine, one (1) year suspension followed by two (2) years' probation and intermediate Engineering Ethics Course.	\$5,000 fine and Revocation.
b. Being untruthful, deceptive or misleading in any professional report, statement or testimony or omitting relevant and pertinent information from such report, statement or testimony when the result or such omission would or reasonably could lead to a	Reprimand, Basic Engineering Ethics Course and \$1,000 fine to six (6) months suspension followed by two (2) years' probation and Basic Engineering Ethics Course.	Reprimand, \$1,000 fine, six (6) month's suspension followed by one (1) year probation and Intermediate Engineering Ethics Course to \$2,500 fine, one (1) year suspension followed by two (2) years' probation and intermediate	\$5,000 fine and Revocation.

fallacious conclusion. (Paragraph 61G15-19.001(6)(b), F.A.C.)		Engineering Ethics Course.	
c. Offering directly or indirectly any bribe or commission or tendering any gift to obtain selection or preferment for engineering employment other than the payment of the usual commission for securing salaried positions through licensed employment agencies. (Paragraph 61G15-19.001(6)(e), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
d. Soliciting or accepting gratuities without client knowledge. (Paragraphs 61G15-19.001(6)(g), (h), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
e. Failure to preserve client's confidence. (Paragraph 61G15-19.001(6)(r), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation
f. Professional judgment overruled by unqualified person. (Paragraph 61G15-19.001(6)(l), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
g. Use of name/firm in fraudulent venture. (Paragraph 61G15-19.001(6)(k), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine	\$5,000 fine and Revocation.

	one (1) year suspension followed by two (2) years' probation.	per count and five (5) year suspension followed by five (5) years' probation.	
h. Undisclosed conflict of interest. (Paragraphs 61G15-19.001(6)(f), (p), F.A.C.)	Reprimand; \$1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
i. Renewing or reactivating a license without completion of continuing education hours. (Paragraph 61G15-19.001(6)(s), F.A.C.)			
1. Failure to complete Florida Board approved Laws and Rules or Professional Ethics course prior to renewal.	Remedial action only, complete Florida Laws and Rules Study Guide.	\$250 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
2. Failure to complete Board approved Laws and Rules and Professional Ethics prior to renewal	Remedial action only, complete Florida Laws and Rules Study Guide.	\$500 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
3. Failure to complete any state's Laws and Rules and/or Professional Ethics courses.	Remedial action only: \$250 fine, Florida Laws and Rules Study Guide, and complete Florida Board approved courses in both areas in addition to CE required for biennial licensure renewal.	\$500 fine, Florida Laws and Rules Study Guide and Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University

			Engineering Ethics Course.
4. Failure to complete any/all required CE prior to licensure renewal/reactivation; all credits completed prior to initiation of complaint.	Remedial action only: \$250 fine and Florida Laws and Rules Study Guide.	\$500 fine, Florida Laws and Rules Study Guide and Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
5. Failure to complete any/all required CE prior to licensure renewal/reactivation, all hours completed prior to Administrative Complaint being filed.	Remedial action only: \$500 fine and Florida Laws and Rules Study Guide.	Reprimand, \$2,000 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
6. Failure to complete any/all required CE prior to licensure renewal/reactivation; no response to audit or complaint prior to service of Administrative Complaint.	Reprimand, \$5,000 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal AND completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.	
(h) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review, and Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
(i) Renewing or reactivating a license without completion of continuing education hours. (Paragraph 61G15-19.001(6)(r), F.A.C.)			
Renewed license without Laws &	Completion of Laws and	\$1,000 fine and completion of	(1) year suspension

Rules and/or Florida professional ethics hours; completed missing CE after audit but prior to administrative complaint being filed.	Rules Study Guide and Auburn University ethics course.	Laws and Rules Study Guide and Auburn University ethics course	and \$2,500.00 fine to revocation
Renewed license while lacking ten (10) or more hours of CE; missing CE completed after audit but prior to administrative complaint being filed.	Completion of Laws and Rules Study Guide and Auburn University ethics course.	Reprimand, \$1,000 fine and completion of Laws and Rules Study Guide and Auburn University ethics course.	(1) year suspension, \$2,500 fine, and personal appearance prior to reinstatement to revocation.
Renewed license without Laws & Rules and/or Florida professional ethics hours and lacking five or less hours of general CE; completed missing CE after audit but prior to administrative complaint being filed.	Completion of Laws and Rules Study Guide and Auburn University ethics course.	Reprimand, \$1,000 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board.	(1) year suspension, \$2,500 fine, and personal appearance prior to reinstatement to revocation.
Renewed license while lacking ten (10) or more hours of CE; missing CE completed after administrative complaint filed.	Reprimand, \$1,000 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board.	Reprimand, \$2,500 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board to one (1) year suspension and \$2,500 fine.	(1) year suspension, \$2,500 fine, and personal appearance prior to reinstatement to revocation.
Renewed license without all CE. Never completed the CE and/or did not respond to the audit.	Reprimand, suspension of license until CE completed, \$1,000 fine, completion of Laws and Rules Study Guide and Auburn University ethics course, and personal appearance before board.	(2) year suspension, \$2,500 fine, completion of all missing CE, and personal appearance prior to reinstatement to Revocation.	Revocation.
(j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any documents that were not prepared by him or her or under his or her responsible supervision, direction or control. (Section 471.033(1)(j), F.S., and paragraphs 61G15-19.001(6)(j), (q), F.A.C.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Permanent Revocation.
(k) Violating any order of the board or department.	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review;	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two	\$5,000 fine and Permanent Revocation.

(Sections 471.033(1)(k), 455.227(1)(q), F.S., and paragraph 61G15-19.001(6)(o), F.A.C.)	Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	(2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	
(l) Aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S. (Section 455.227(1)(j), F.S.)	Reprimand; \$1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to \$2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; \$2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to \$5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	\$5,000 fine and Revocation.
(m) Failing to report in writing a conviction or plea of nolo contendere, a crime in any jurisdiction. (Section 455.227(1)(t), F.S.)	Reprimand and \$500 fine.	Reprimand, \$1,000 fine, Basic Engineering Ethics Course, and one (1) year probation.	\$5,000 fine and Revocation.

(3) Probation. Pursuant to Sections 455.227(2)(f) and (g), F.S., the Board may impose probation and/or corrective action as disciplinary penalties. All impositions of probation/corrective action as a penalty may include successful completion of the Engineering Law and Rules Study Guide, completion of a Board-approved CE course in Engineering Professionalism and Ethics, and an appearance before the Board at the end of the probationary period. Probation may be with or without monitoring/plans review.

(a) If monitoring/plans review is imposed as a term of probation and/or as corrective action, such monitoring/plans review shall require submission of three (3) plan sets, as selected by the consultant from a list of all plans prepared by Respondent, for review at the six (6) and eighteen (18) month intervals following entry of the order. Following satisfactory review of all 3 plan sets at the 6 month interval monitoring/plans review may be terminated without the 18 month review. Unsatisfactory plans review at the 6 month period will require the 18 month review and shall result in referral for investigation and possible institution of additional disciplinary proceedings. An unsatisfactory 18 month plans review shall lead to referral for investigation and possible institution of additional disciplinary proceedings.

(b) The licensee is responsible for all costs associated with compliance with the terms of probation. Unless stated otherwise in the disciplinary order, any costs of compliance with disciplinary penalties imposed shall be paid within thirty (30) days of the effective date of the Order or of invoice, whichever is later.

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

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

1. History of previous violations of the practice act and the rules promulgated thereto.

2. In the case of negligence; of the magnitude and scope of the project and the damage inflicted upon the general public by the licensee's misfeasance.

3. Evidence of violation of professional practice acts in other jurisdictions wherein the licensee has been disciplined by the appropriate regulatory authority.

4. Violation of the provision of the practice act wherein a letter of guidance as provided in Section 455.225(3), F.S., has previously been issued to the licensee.

5. Refusal to accept responsibility for or to acknowledge the violation.

6. Degree of cooperation with disciplinary investigation.

7. Degree to which conduct departed from generally accepted professional standards of conduct.

8. The number of unrelated and distinct offenses.

9. Prior discipline imposed upon the licensee.

10. The deterrent effect of the penalty imposed.

11. Failure of the licensee to correct or stop violations.

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

1. In cases of negligence, the minor nature of the project in question and lack of danger to the public health, safety and welfare resulting from the licensee's misfeasance.

2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices his profession.

3. Restitution of any damages suffered.

4. The licensee's professional standing among his peers including continuing education.

5. Steps taken by the licensee or his firm to insure the non-occurrence of similar violations in the future.

6. Acceptance of responsibility for the violation and explanation of the facts and circumstances surrounding the occurrence.

7. Degree of cooperation with disciplinary investigation.

8. Degree to which conduct departed from generally accepted professional standards of conduct.

9. The length of time the licensee has practiced his or her profession.

10. The effect of the penalty upon the licensee's livelihood.

11. Efforts of the licensee to correct or stop violations.

(5) Costs. In addition to any penalty imposed pursuant to Section 455.227(2), F.S. and the rules of the Board, pursuant to Section 455.227(3), F.S., the licensee is responsible for payment of all costs of investigation and prosecution related to a disciplinary case.

(6) The provisions of subsections (1) through (5), above, are not intended and shall not be construed to limit the ability of the Board to informally dispose of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S. Likewise, the provisions of subsections (1) through (5) above, are not intended and shall not be construed to limit the ability of the Board to pursue, or recommend the Department pursue, collateral civil or criminal actions, where authorized by law.

Rulemaking Authority 455.227, 455.2273, 471.008, 471.031, 471.033 FS. Law Implemented 455.227, 455.2273, 455.2277, 471.031, 471.033 FS. History—New 1-7-87, Formerly 21H-19.004, Amended 11-27-94, 5-22-01, 11-15-01, 5-20-02, 11-21-06, 2-21-10, 9-5-16, 12-29-19, 8-22-21, 10-12-23.

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

(1) As required by section 471.013(1)(e), F.S., if an applicant fails three (3) times to pass either the Fundamentals of Engineering or the Principles and Practices of Engineering examinations, 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 the Fundamentals of Engineering 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

(2) If the Applicant is delayed in taking either examination due to reserve or active duty service in the United States Armed Forces or National Guard, the Applicant shall have two (2) additional attempts to take either examination, for a total of five (5) attempts, before additional courses are required pursuant to subsection (1), above.

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, 8-30-23.

61G15-20.0011 Structural Engineering Recognition Program For Professional Engineers.

Pursuant to Section 471.055, F.S., the Board establishes the following minimum requirements for Florida licensed professional engineers who specialize in structural engineering and who have exceeded required minimum professional engineer licensing standards in that specialty area to receive recognition through the Structural Engineering Recognition Program for Professional Engineers.

(1) Any professional engineer currently licensed in good standing in the state of Florida who desires Recognition as a Structural Engineer in Florida shall submit an application to the Board. The instructions and application Form FBPE/030 (04/23), entitled, “FBPE Application for Recognition in the Florida Structural Engineer Recognition Program” is hereby incorporated by reference, copies of which may be obtained from the Board office at 2400 Mahan Drive, Tallahassee, Florida 32308; from the Board’s website at FBPE.org/licensure/structural-engineering-recognition-program/ or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-15465>. The Board shall recognize only those applicants who have completed the Application, including submission of required documentation, and who have demonstrated to the Board that

they have:

(a) Passed the NCEES Structural I and Structural II exams taken prior to January 1, 2011, OR

(b) Prior to January 1, 2004, passed a 16-hour state-written examination equivalent in scope and content to the examination identified in paragraph (1)(a) above. For purposes of this rule, the board identifies the following examinations as equivalent in scope and content: the 16-hour Western States Structural Engineering examination, OR

(c) Passed the NCEES Structural II exam plus an 8-hour state-written structural examination prior to January 1, 2011. For purposes of this rule, the board will accept the following 8-hour examinations: 8-hour NCEES Civil: Structural Examination; 8-hour NCEES Architectural Engineering Examination; 8-hour California Structural Engineering Seismic III Examination; or 8-hour Washington Structural Engineering III Examination, OR

(d) Passed the NCEES 16-hour Structural Engineering examination (vertical and lateral) taken after January 1, 2011, OR

(e) Has at least five (5) years of experience after licensure as a Professional Engineer in any jurisdiction(s) designing significant structural engineering projects. For purposes of this rule, “significant structural engineering projects” is defined as the design of structural components and structural systems of any of the following:

1. Buildings three stories or greater.

2. Risk Category III or IV buildings, as defined by Table 1604.5 RISK CATEGORY OF BUILDINGS AND OTHER STRUCTURES in the current Florida Building Code in effect at the time of application or equivalent classification in another jurisdiction.

3. Vehicular Bridges

(f) Been Certified as a Special Inspector of Threshold Buildings pursuant to Section 471.015(7), F.S. prior to February, 2016, or if so certified after February, 2016, sought certification based on principal practice in the area of structural engineering as defined in paragraphs 61G15-35.003(1)(a) and (b), F.A.C. Certification as a Special Inspector (Limited) will not qualify an applicant for recognition.

(g) The license(s) and/or registration(s) must not have been disciplined or otherwise acted against for a violation related to the field of structural engineering.

(2) Any Florida Licensed PE recognized by the Florida Board may be so indicated by using the designation “Florida Board Recognized Structural Engineer” or “FRSE.” A professional engineer who is recognized by the program may identify such recognition in her or his professional practice, including marketing and advertising materials.

(3) Recognition by the program is not required for a professional engineer to practice structural engineering.

(4) Upon submission of the Application, the Board will timely notify an applicant of any documentation and/or information that is required to complete the request.

(a) Upon request, it is the Applicant’s responsibility to supply additional documentation/information that will enable the Board to determine that Applicant has the appropriate experience designing significant structures.

(b) Examples of documentation/information required include: written proof of passage of examinations, verifications of out of state licensure, or for applicants by experience, a signed and sealed statement of experience describing the scope of applicant’s work on significant structural engineering projects.

(c) If an applicant fails to supply any requested documentation and/or information that is required to complete the request within one (1) year of notification, the request will be presented to the Board for review and decision on the request as submitted.

(5) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 471.055 FS. Law Implemented 471.055 FS. History—New 8-25-22, Amended 6-29-23.

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

(1) Water Based Fire Protection Systems include automatic sprinkler systems of wet, dry, fine water spray (mist), manual, and deluge valve controlled types, pumping systems, standpipes, fire water mains and dedicated fire protection water sources. Items to be considered in the design or analysis of water based fire protection systems are, as applicable to the particular project: water supply system, occupancy and classification, control, installation requirements, interoperability and performance requirements.

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

(3) For Engineering Documents pertaining to Fire Protection Systems exempted by the threshold requirements for mandatory use of professional engineering services, the Engineer of Record shall determine the level of detail shown on plans for a Fire Protection system. All such plans shall include a disclaimer stating the Fire Protection system is exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(4) To ensure minimum design quality in Fire Protection System Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) The Point of Service for the fire protection water supply as defined by Section 633.102(24), F.S.

(b) Applicable NFPA standard to be applied, or in the case where no such standard exists, the engineering study, judgments, and/or performance based analysis and conclusions.

(c) Classification of hazard occupancy for each room or area.

(d) Design approach, which includes system type, densities, device temperature rating, and spacing for each separate hazard occupancy.

(e) Characteristics of water supply to be used, such as main size and location, whether it is dead-end or circulating; and if dead-end, the distance to the nearest circulating main, as well as its minimum duration and reliability for the most hydraulically demanding design area.

(f) When private or public water supplies are used, the flow test data, including date and time of test, who conducted test or supplied information, test elevation, static gauge pressure at no flow, flow rate with residual gauge pressure, hydrant butt coefficient, and location of test in relation to the hydraulic point of service.

(g) Valving and alarm requirements to minimize potential for impairments and unrecognized flow of water.

(h) Microbial Induced Corrosion (MIC). The Engineer of Record shall make reasonable efforts to identify water supplies that could lead to Microbial Induced Corrosion (MIC). Such efforts may consist of discussions with the local water purveyor and/or fire official, familiarity with conditions in the local area, or laboratory testing of water supplies. When conditions are found that may result in MIC contamination of the fire protection piping, the engineer shall design corrective measures.

(i) Backflow prevention and metering specifications and details to meet local water purveyor requirements including maximum allowable pressure drop.

(j) Quality and performance specifications of all yard and interior fire protection components.

(k) For high hazard occupancy classifications, storage occupancies, and factory occupancies, as defined in Sections 307, 311, and 306, respectively, of the Florida Building Code, Building, and high-rise buildings, as defined in section 202 of the Florida Building Code, Building, a determination of whether a fire pump is required and if so, the specific volumetric flow and pressure

rating of the pump. The Florida Building Code is incorporated by reference in subsection 61G15-18.011(6), F.A.C.

(l) A verification of whether a firewater storage tank is required on site and if so, a determination of the size and capacity required.

(m) Owner's Certificate. In storage occupancies, the Owner's Information Certificate is required from the property owner as it clearly defines the storage configuration of the space for the current and future use of the property, as required by the codes and standards set forth in subsection 61G15-32.002(7), F.A.C.

(5) Contractor submittals which deviate from the above minimum design parameters shall be considered material deviations and require supplemental engineering approval and documentation.

(6) In the event the Engineer of Record provides more information and direction than is established above, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(7) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033(2) FS. History—New 5-19-93, Formerly 21H-32.004, Amended 4-2-00, 6-26-01, 6-15-15, 8-24-16, 7-25-19, 3-23-22, 6-29-23.

61G15-32.007 Design of Dry Chemical and Miscellaneous Fire Suppression or Control Systems.

(1) Dry chemical and miscellaneous systems include dry chemical systems, explosion control systems, and fire control structures.

(2) The Fire Protection System design specifications shall be based on applicable NFPA standards, when available, or alternative engineering sources and good engineering practice.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.007, Amended 6-29-23.

61G15-32.005 Design of Gas Agent Fire Suppression Systems.

(1) Gas Agent Fire Suppression Systems include CO₂, Halon, inerting and purge gases, and all other gaseous formulations and multi-phase agents released for the purpose of fire control or extinguishment.

(2) The Fire Protection System(s) design specifications shall be based on applicable NFPA standards when available, or alternative engineering sources and good engineering practice.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.005, Amended 5-22-23.

61G15-32.006 Design of Foam and Foam Water Fire Suppression Systems.

(1) Foam and Foam Water Fire Suppression Systems include local application, total flooding, high and low expansion foams, and foam-water sprinkler systems.

(2) The Fire Protection System design specifications shall be based on applicable NFPA standards, when available, or alternative engineering sources and good engineering practice.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History—New 5-19-93, Formerly 21H-32.006, Amended 5-22-23.

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

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

(2) 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 Engineering Documents pertaining to Fire Protection Systems exempted by the threshold requirements for mandatory use of professional engineering services, the Engineer of Record shall determine the level of detail shown on plans for a Fire Protection system. All such plans shall include a disclaimer stating the Fire Protection system is exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(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, door release, any other systems or elements directly or indirectly controlled or monitored.

(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 zoned or digital addressable, and indicate all zoning.

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

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

(i) 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.

(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 manufacturer's data and applicable NFPA 72 procedures.

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

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

(8) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

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, 7-25-19, 3-23-22, 5-22-23.

61G15-19.001 Grounds for Disciplinary Proceedings.

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

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

(a) Contains a material misrepresentation of facts;

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

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

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

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

(f) Falsifies or misrepresents the extent of his education, training or experience to any person or to the public at large, tending to establish or imply qualification for selection for engineering employment, advancement, or professional engagement. A professional engineer shall not misrepresent or exaggerate his degree of responsibility in or for the subject matter of prior assignments;

(g) In any brochure or other presentation made to any person or to the public at large, incident to the solicitation of an engineering employment, misrepresents pertinent facts concerning a professional engineer's employer, employees, associates, joint ventures, or his or their past accomplishments with the intent and purpose of enhancing his qualifications and his works.

(3) A professional engineer, corporation or partnership, or other qualified business organization ("firm") shall not practice engineering under an assumed, fictitious or corporate name that is misleading as to the identity, responsibility or status of those practicing thereunder or is otherwise false, fraudulent, misleading or deceptive within the meaning of subsection 61G15-19.001(2), F.A.C. When a qualified business organization or individual is practicing engineering as a sole proprietor under a combination of his own given name, and terms such as "engineering," "and associates" or "and company," then said person or qualified business organization is practicing engineering under a fictitious name, and must be qualified by a Florida professional engineer pursuant to Section 471.023(2), F.S.

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

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

(5) A professional engineer shall not be incompetent to practice engineering. Incompetence in the practice of engineering as set forth in Section 471.033(1)(g), F.S., shall mean the physical or mental incapacity or inability of a professional engineer to perform the duties normally required of the professional engineer.

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

(a) Being untruthful, deceptive, or misleading in any professional report, statement, or testimony whether or not under oath or omitting relevant and pertinent information from such report, statement or testimony when the result of such omission would or reasonably could lead to a fallacious conclusion on the part of the client, employer or the general public;

(b) Performing an engineering assignment when not qualified by training or experience in the practice area involved;

1. All professional engineer asbestos consultants are subject to the provisions of Sections 469.001 – 459.014 and Chapter 471, F.S., and Chapter 61G15-19, F.A.C., and shall be disciplined as provided therein.

2. The approval of any professional engineer as a "special inspector" under the provisions of Chapter 553, F.S., does not constitute acceptance by the Board that any such professional engineer is in fact qualified by training or experience to perform the duties of a "special inspector" by virtue of training or experience. Any such professional engineer must still be qualified by training or experience to perform such duties and failure to be so qualified could result in discipline under this chapter or Chapter 471, F.S.;

(c) Affixing a signature or seal to any engineering plan or document in a subject matter over which a professional engineer lacks competence because of inadequate training or experience;

(d) Offering directly or indirectly any bribe or commission or tendering any gift to obtain selection or preferment for engineering employment with the exception of the payment of the usual commission for securing salaried positions through licensed employment agencies;

(e) Becoming involved in a conflict of interest with an employer or client, without the knowledge and approval of the client or employer, but if unavoidable a professional engineer shall immediately take the following actions:

1. Disclose in writing to his employer or client the full circumstances as to a possible conflict of interest; and,

2. Assure in writing that the conflict will in no manner influence the professional engineer's judgment or the quality of his services to his employer or client; and,

3. Promptly inform his client or employer in writing of any business association, interest or circumstances which may be influencing his judgment or the quality of his services to his client or employer;

(f) Soliciting or accepting financial or other valuable considerations from material or equipment suppliers for specifying their products without the written consent to the engineer's employer or client;

(g) Soliciting or accepting gratuities directly or indirectly from contractors, their agents or other parties dealing with the professional engineer's client or employer in connection with work for which the professional engineer is responsible without the written consent of the engineer's employer or client;

(h) Use by a professional engineer of his engineering expertise and/or his professional engineering status to commit a felony;

(i) Affixing his seal and/or signature to plans, specifications, drawings, or other documents required to be sealed pursuant to Section 471.025(1), F.S., when such document has not been personally prepared by the engineer or prepared under his responsible supervision, direction and control;

(j) A professional engineer shall not knowingly associate with or permit the use of his name or firm name in a business venture by any person or firm which he knows or has reason to believe is engaging in business or professional practices of a fraudulent or dishonest nature;

(k) If his engineering judgment is overruled by an unqualified lay authority with the results that the public health and safety is threatened, failure by a professional engineer to inform his employer, responsible supervision and the responsible public authority of the possible circumstances;

(l) If a professional engineer has knowledge or reason to believe that any person or firm is guilty of violating any of the provisions of Chapter 471, F.S., or any of these rules of professional conduct, failure to immediately present this information to FEMC;

(m) Violation of any law of the State of Florida directly regulating the practice of engineering;

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

(o) Making any statement, criticism or argument on engineering matters which is inspired or paid for by interested parties, unless the professional engineer specifically identifies the interested parties on whose behalf he is speaking, and reveals any interest he or the interested parties have in such matters;

(p) Sealing and signing all documents for an entire engineering project, unless each design segment is signed and sealed by the professional engineer in responsible charge of the preparation of that design segment;

(q) Revealing facts, data or information obtained in a professional capacity without the prior consent of the professional engineer's client or employer except as authorized or required by law.

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

(7) A professional engineer who performs building code inspector or plans examiner duties in accordance with Section 471.045, or 468.603(6), (7), F.S., shall be subject to disciplinary action for commission of the following:

(a) Violating or failing to comply with any provision of Chapter 471, F.S., or the rules of the Board of Professional Engineers;

(b) Having been convicted of a crime in any jurisdiction which directly relates to the practice of building code inspection or plans examination;

(c) Making or filing a false report or record, inducing another to file a false report or record, failing to file a report or record required by state or local law, impeding or obstructing such filing, or inducing another person to impede or obstruct such filing.

(8) A professional engineer shall not be negligent in the practice of engineering while performing duties as a special inspector. Negligence is herein defined as the failure by a professional engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering and special inspection principles. Failure to comply with the procedures set forth in the Responsibility Rules for Professional Engineers Providing Threshold Building Inspection, as adopted by the Board of Professional Engineers, shall be considered non-compliance with this section unless the deviation or departures therefrom are justified by the specific circumstances of the project in question and the sound professional judgment of the engineer.

Rulemaking Authority 471.033(2) FS. Law Implemented 471.025(1), 471.033(1)(f), (g), (2) FS. History—New 1-8-80, Amended 6-23-80, 3-23-81, 6-4-85, Formerly 21H-19.01, Amended 5-14-86, 4-23-87, 11-8-88, 1-11-89, 7-3-90, 11-9-92, Formerly 21H-19.001, Amended 11-27-94, 5-20-02, 9-5-16, 12-29-19, 4-19-23.

61G15-22.009 Exemptions from Continuing Education Requirements.

(1) Licensees who have become licensed in Florida during the current biennium shall be exempt from continuing education requirements except for the requirement of Section 471.0195, F.S., regarding Advanced Building Code training and the Florida-approved Laws and Rules and Professional Ethics hours required by paragraphs 61G15-22.001(1)(a) and (b), F.A.C.

(2) Any licensee whose license is placed in retired status shall be exempt thereafter.

(3) Any licensee whose license is placed in inactive status, for so long as it remains inactive.

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

(5) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 455.213(7), 471.017(3), 471.019 FS. Law Implemented 455.213(6), 455.2179, 471.017(3) FS. History—New 9-16-01, Amended 12-29-19, 11-16-20, 2-1-23.

Chapter 3- All the changes made to Florida Statue 471 biennium 2023-2025

Regulation of Professions and occupations

Chapter 471 – Engineering

The screenshot shows the 'Online Sunshine' website, the official internet site of the Florida Legislature. The date is December 13, 2024. The search bar shows 'Search Statutes: 2023'. The left sidebar contains a navigation menu with links to Home, Senate, House, Citator, Statutes, Constitution, & Laws of Florida, Florida Statutes, Search Statutes, Search Tips, Florida Constitution, Laws of Florida, Legislative & Executive Branch Lobbyists, Information Center, Joint Legislative Committees & Other Entities, Historical Committees, Florida Government Efficiency Task Force, Legislative Employment, Legistore, and Links. The main content area displays 'The 2023 Florida Statutes (including Special Session C)' for Title XXXII, Chapter 471, REGULATION OF PROFESSIONS AND OCCUPATIONS ENGINEERING. The specific chapter is CHAPTER 471 ENGINEERING. The list of statutes includes 471.001 Purpose, 471.003 Qualifications for practice; exemptions, 471.0035 Instructors in postsecondary educational institutions; exemption from licensure requirement, 471.005 Definitions, 471.007 Board of Professional Engineers, 471.008 Rulemaking authority, 471.009 Board headquarters, 471.011 Fees, 471.013 Examinations; prerequisites, 471.015 Licensure, 471.017 Renewal of license, 471.019 Reactivation, and 471.0195 Florida Building Code training for engineers.

471.038 Florida Engineers Management Corporation.—

- (1) This section may be cited as the “Florida Engineers Management Corporation Act.”
- (2) The purpose of this section is to create a public-private partnership by providing that a single nonprofit corporation be established to provide administrative, investigative, and prosecutorial services to the board and that no additional nonprofit corporation be created for these purposes.
- (3) The Florida Engineers Management Corporation is created to provide administrative, investigative, and prosecutorial services to the board in accordance with the provisions of chapter 455 and this chapter. The management

corporation may hire staff as necessary to carry out its functions. Such staff are not public employees for the purposes of chapter 110 or chapter 112, except that the board of directors and the staff are subject to the provisions of s. 112.061. The provisions of s. 768.28 apply to the management corporation, which is deemed to be a corporation primarily acting as an instrumentality of the state, but which is not an agency within the meaning of s. 20.03(1). The management corporation shall:

- (a) Be a Florida corporation not for profit, incorporated under the provisions of chapter 617.
- (b) Provide administrative, investigative, and prosecutorial services to the board in accordance with the provisions of chapter 455, this chapter, and the contract required by this section.
- (c) Receive, hold, and administer property and make only prudent expenditures directly related to the responsibilities of the board, and in accordance with the contract required by this section.
- (d) Be approved by the board, and the department, to operate for the benefit of the board and in the best interest of the state.
- (e) Operate under a fiscal year that begins on July 1 of each year and ends on June 30 of the following year.
- (f) Have a seven-member board of directors, five of whom are to be appointed by the board and must be registrants regulated by the board and two of whom are to be appointed by the secretary and must be laypersons not regulated by the board. All appointments shall be for 4-year terms. No member shall serve more than two consecutive terms. Failure to attend three consecutive meetings shall be deemed a resignation from the board, and the vacancy shall be filled by a new appointment.
- (g) Select its officers in accordance with its bylaws. The members of the board of directors who were appointed by the board may be removed by the board.
- (h) Select the president of the management corporation, who shall also serve as executive director to the board, subject to approval of the board.
- (i) Use a portion of the interest derived from the management corporation account to offset the costs associated with the use of credit cards for payment of fees by applicants or licensees.
- (j) Operate under a written contract with the department which is approved by the board. The contract must provide for, but is not limited to:
 1. Submission by the management corporation of an annual budget that complies with board rules for approval by the board and the department.
 2. Annual certification by the board and the department that the management corporation is complying with the terms of the contract in a manner consistent with the goals and purposes of the board and in the best interest of the state. This certification must be reported in the board's minutes. The contract must also provide for methods and mechanisms to resolve any situation in which the certification process determines noncompliance.
 3. Funding of the management corporation through appropriations allocated to the regulation of professional engineers from the Professional Regulation Trust Fund.
 4. The reversion to the board, or the state if the board ceases to exist, of moneys, records, data, and property held in trust by the management corporation for the benefit of the board, if the management corporation is no longer

approved to operate for the board or the board ceases to exist. All records and data in a computerized database shall be returned to the department in a form that is compatible with the computerized database of the department.

5. The securing and maintaining by the management corporation, during the term of the contract and for all acts performed during the term of the contract, of all liability insurance coverages in an amount to be approved by the board to defend, indemnify, and hold harmless the management corporation and its officers and employees, the department and its employees, and the state against all claims arising from state and federal laws. Such insurance coverage must be with insurers qualified and doing business in the state. The management corporation must provide proof of insurance to the department. The department and its employees and the state are exempt from and are not liable for any sum of money which represents a deductible, which sums shall be the sole responsibility of the management corporation. Violation of this subparagraph shall be grounds for terminating the contract.

6. Payment by the management corporation, out of its allocated budget, to the department of all costs of representation by the board counsel, including salary and benefits, travel, and any other compensation traditionally paid by the department to other board counsel.

7. Payment by the management corporation, out of its allocated budget, to the department of all costs incurred by the management corporation or the board for the Division of Administrative Hearings of the Department of Management Services and any other cost for utilization of these state services.

8. Payment by the management corporation, out of its allocated budget, to the department of reasonable costs associated with the contract monitor.

(k) Provide for an annual financial audit of its financial accounts and records by an independent certified public accountant. The annual audit report shall include a management letter in accordance with s. 11.45 and a detailed supplemental schedule of expenditures for each expenditure category. The annual audit report must be submitted to the board, the department, and the Auditor General for review.

(l) Provide for persons not employed by the corporation who are charged with the responsibility of receiving and depositing fee and fine revenues to have a faithful performance bond in such an amount and according to such terms as shall be determined in the contract.

(m) Submit to the secretary, the board, and the Legislature, on or before October 1 of each year, a report on the status of the corporation which includes, but is not limited to, information concerning the programs and funds that have been transferred to the corporation. The report must include: the number of license applications received; the number approved and denied and the number of licenses issued; the number of examinations administered and the number of applicants who passed or failed the examination; the number of complaints received; the number determined to be legally sufficient; the number dismissed; the number determined to have probable cause; the number of administrative complaints issued and the status of the complaints; and the number and nature of disciplinary actions taken by the board.

(n) Develop and submit to the department, performance standards and measurable outcomes for the board to adopt by rule in order to facilitate efficient and cost-effective regulation.

(4) The management corporation may not exercise any authority specifically assigned to the board under chapter 455 or this chapter, including determining probable cause to pursue disciplinary action against a licensee, taking final action on license applications or in disciplinary cases, or adopting administrative rules under chapter 120.

(5) Notwithstanding ss. 455.228 and 455.2281, the duties and authority of the department to receive complaints and to investigate and deter the unlicensed practice of engineering are delegated to the board. The board may use funds of the Board of Professional Engineers in the unlicensed activity account established under s. 455.2281 to perform the duties relating to unlicensed activity.

(6) The department shall retain the independent authority to open or investigate any cases or complaints, as necessary to protect the public health, safety, or welfare. In addition, the department may request that the management corporation prosecute such cases and shall retain sole authority to issue emergency suspension or restriction orders pursuant to s. 120.60.

(7) Management corporation records are public records subject to the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; however, public records exemptions set forth in ss. 455.217 and 455.229 for records created or maintained by the department shall apply to records created or maintained by the management corporation. In addition, all meetings of the board of directors are open to the public in accordance with s. 286.011 and s. 24(b), Art. I of the State Constitution. The exemptions set forth in s. 455.225, relating to complaints and information obtained pursuant to an investigation by the department, shall apply to such records created or obtained by the management corporation only until an investigation ceases to be active. For the purposes of this subsection, an investigation is considered active so long as the management corporation or any law enforcement or administrative agency is proceeding with reasonable dispatch and has a reasonable, good faith belief that it may lead to the filing of administrative, civil, or criminal proceedings. An investigation ceases to be active when the case is dismissed prior to a finding of probable cause and the board has not exercised its option to pursue the case or 10 days after the board makes a determination regarding probable cause. All information, records, and transcriptions regarding a complaint that has been determined to be legally sufficient to state a claim within the jurisdiction of the board become available to the public when the investigation ceases to be active, except information that is otherwise confidential or exempt from s. 119.07(1). However, in response to an inquiry about the licensure status of an individual, the management corporation shall disclose the existence of an active investigation if the nature of the violation under investigation involves the potential for substantial physical or financial harm to the public. The board shall designate by rule those violations that involve the potential for substantial physical or financial harm. The department and the board shall have access to all records of the management corporation, as necessary to exercise their authority to approve and supervise the contract.

(8) The management corporation is the sole source and depository for the records of the board, including all historical information and records. The management corporation shall maintain those records in accordance with the guidelines of the Department of State and shall not destroy any records prior to the limits imposed by the Department of State.

(9) The board shall provide by rule for the procedures the management corporation must follow to ensure that all licensure examinations are secure while under the responsibility of the management corporation and that there is an appropriate level of monitoring during the licensure examinations.

History.—ss. 2, 5, ch. 97-312; s. 112, ch. 98-166; s. 173, ch. 2000-160; ss. 1, 2, ch. 2000-372; s. 121, ch. 2001-266; s. 5, ch. 2003-293; s. 104, ch. 2023-8.

The screenshot shows the Florida Sunshine website interface. At the top, it says "Online Sunshine" and "Official Internet Site of the Florida Legislature". The date "December 13, 2024" is displayed. A search bar for "Search Statutes" is set to "2024". A sidebar on the left contains navigation links: Home, Senate, House, Citor, Statutes, Constitution, & Laws of Florida, Florida Statutes, Search Statutes, Search Tips, Florida Constitution, Laws of Florida, Legislative & Executive Branch Lobbyists, Information Center, Joint Legislative Committees & Other Entities, Historical Committees, Florida Government Efficiency Task Force, Legislative Employment, Legistore, and Links. Below the sidebar is a link for "Interpreter Services for the Deaf and Hard of Hearing". The main content area is titled "The 2024 Florida Statutes" and shows "Title XXXII REGULATION OF PROFESSIONS AND OCCUPATIONS" and "Chapter 471 ENGINEERING". A list of sections under Chapter 471 is provided, including 471.001 Purpose, 471.003 Qualifications for practice; exemptions, 471.0035 Instructors in postsecondary educational institutions; exemption from licensure requirement, 471.005 Definitions, 471.007 Board of Professional Engineers, 471.008 Rulemaking authority, 471.009 Board headquarters, 471.011 Fees, 471.013 Examinations; prerequisites, 471.015 Licensure, 471.017 Renewal of license, 471.019 Reactivation, and 471.0195 Florida Building Code training for engineers.

2024

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.

FDA, Inc.

(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 business organization not engaged in the practice of engineering as such, whose practice of engineering for such business organization 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; s. 9, ch. 2024-178.

Chapter-4 All the changes made to FLORIDA STATUTES 455 biennium 2023-2025

Chapter 455 – Business & Professional Regulation – General Provisions

The screenshot displays the Florida Legislature's Online Sunshine website. The header includes the date December 13, 2024, and a search bar for statutes, with a dropdown menu set to 2024. The main navigation menu on the left lists various resources including Home, Senate, House, Citator, Statutes, Constitution, & Laws of Florida, Florida Statutes, Search Statutes, Search Tips, Florida Constitution, Laws of Florida, Legislative & Executive Branch Lobbyists Information Center, Joint Legislative Committees & Other Entities, Historical Committees, Florida Government Efficiency Task Force, Legislative Employment, Legistore, and Links. The main content area is titled 'The 2024 Florida Statutes' and features a table with the following structure:

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REGULATION OF PROFESSIONS AND OCCUPATIONS	BUSINESS AND PROFESSIONAL REGULATION: GENERAL PROVISIONS	
CHAPTER 455		
BUSINESS AND PROFESSIONAL REGULATION: GENERAL PROVISIONS		
455.01	Definitions.	
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At the bottom left, there is a link for 'Interpreter Services for the Deaf and Hard of Hearing' and a 'Finding Florida' logo for Grades K-5.

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455.213 General licensing provisions.—

(1) Any person desiring to be licensed shall apply to the department in writing. The application for licensure shall be submitted on a form prescribed by the department and must include the applicant's social security number. Notwithstanding any other provision of law, the department is the sole authority for determining the contents of any documents to be submitted for initial licensure and licensure renewal. Such documents may contain information including, as appropriate: demographics, education, work history, personal background, criminal history, finances, business information, complaints, inspections, investigations, discipline, bonding, photographs, performance periods, reciprocity, local government approvals, supporting documentation, periodic reporting requirements, fingerprint requirements, continuing education requirements, and ongoing education monitoring. The application shall be supplemented as needed to reflect any material change in any circumstance or condition stated in the application which takes place between the initial filing of the application and the final grant or denial of the license and which might affect the decision of the department. In order to further the economic development goals of the state, and notwithstanding any law to the contrary, the department may enter into an agreement with the county tax collector for the purpose of appointing the county tax collector as the department's agent to accept applications for licenses

and applications for renewals of licenses. The agreement must specify the time within which the tax collector must forward any applications and accompanying application fees to the department. In cases where a person applies or schedules directly with a national examination organization or examination vendor to take an examination required for licensure, any organization- or vendor-related fees associated with the examination may be paid directly to the organization or vendor. An application is received for purposes of s. 120.60 upon the department's receipt of the application submitted in the format prescribed by the department; the application fee set by the board or, if there is no board, set by the department; and any other fee required by law or rule to be remitted with the application.

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

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

1. A barber under chapter 476;
2. A cosmetologist or cosmetology specialist under chapter 477;
3. Any of the following construction professions under chapter 489:
 - a. Air-conditioning contractor;
 - b. Electrical contractor;
 - c. Mechanical contractor;
 - d. Plumbing contractor;
 - e. Pollutant storage systems contractor;
 - f. Roofing contractor;
 - g. Sheet metal contractor;
 - h. Solar contractor;
 - i. Swimming pool and spa contractor;
 - j. Underground utility and excavation contractor; or
 - k. Other specialty contractors; or
4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program.

(b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's

criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.

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

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

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

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

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

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

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

(4) The board, or the department when there is no board, may refuse to issue an initial license to any applicant who is under investigation or prosecution in any jurisdiction for an action that 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.

(5) When any administrative law judge conducts a hearing pursuant to the provisions of chapter 120 with respect to the issuance of a license by the department, the administrative law judge shall submit his or her recommended order

to the appropriate board, which shall thereupon issue a final order. The applicant for a license may appeal the final order of the board in accordance with the provisions of chapter 120.

(6) A privilege against civil liability is hereby granted to any witness for any information furnished by the witness in any proceeding pursuant to this section, unless the witness acted in bad faith or with malice in providing such information.

(7) Any board that currently requires continuing education for renewal of a license shall adopt rules to establish the criteria for continuing education courses. The rules may provide that up to a maximum of 25 percent of the required continuing education hours can be fulfilled by the performance of pro bono services to the indigent or to underserved populations or in areas of critical need within the state where the licensee practices. The board, or the department when there is no board, must require that any pro bono services be approved in advance in order to receive credit for continuing education under this section. The standard for determining indigency shall be that recognized by the Federal Poverty Income Guidelines produced by the United States Department of Health and Human Services. The rules may provide for approval by the board, or the department when there is no board, that a part of the continuing education hours can be fulfilled by performing research in critical need areas or for training leading to advanced professional certification. The board, or the department when there is no board, may make rules to define underserved and critical need areas. The department shall adopt rules for the administration of continuing education requirements adopted by the boards or the department when there is no board.

(8) Notwithstanding anything to the contrary, any elected official who is licensed pursuant to any practice act within the purview of this chapter may hold employment for compensation with any public agency concurrent with such public service. Such dual service shall be disclosed according to any disclosure required by applicable law.

(9) In any instance in which a licensee or applicant to the department is required to be in compliance with a particular provision by, on, or before a certain date, and if that date occurs on a Saturday, Sunday, or a legal holiday, then the licensee or applicant is deemed to be in compliance with the specific date requirement if the required action occurs on the first succeeding day which is not a Saturday, Sunday, or legal holiday.

(10) Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement shall be limited to the purpose of administration of the Title IV-D program for child support enforcement and use by the Department of Business and Professional Regulation, and as otherwise provided by law.

(11) For any profession requiring fingerprints as part of the registration, certification, or licensure process or for any profession requiring a criminal history record check to determine good moral character, the fingerprints of the applicant must accompany all applications for registration, certification, or licensure. The fingerprints shall be forwarded to the Division of Criminal Justice Information Systems within the Department of Law Enforcement for processing to determine whether the applicant has a criminal history record. The fingerprints shall also be forwarded to the Federal Bureau of Investigation to determine whether the applicant has a criminal history record. The information obtained by the processing of the fingerprints by the Department of Law Enforcement and the Federal

Bureau of Investigation shall be sent to the department to determine whether the applicant is statutorily qualified for registration, certification, or licensure.

(12) Any submission required to be in writing may otherwise be required by the department to be made by electronic means. The department is authorized to contract with private vendors, or enter into interagency agreements, to collect electronic fingerprints where fingerprints are required for registration, certification, or the licensure process or where criminal history record checks are required.

(13) The department shall waive the initial licensing fee, the initial application fee, and the initial unlicensed activity fee for a military veteran or his or her spouse at the time of discharge, if he or she applies to the department for a license, in a format prescribed by the department, within 60 months after the veteran is discharged from any branch of the United States Armed Forces. To qualify for this waiver, the veteran must have been honorably discharged.

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

(15) For the 2023-2024 and 2024-2025 fiscal years, the department shall waive 50 percent of the initial licensing fee for an applicant applying for an initial license for a profession under this chapter, with such waiver limited to a maximum of \$200 per year per license. The department shall waive 50 percent of a licensee's license renewal fee for a profession under this chapter, with such waiver limited to a maximum of \$200 per year per license. Such fee waivers shall not include any applicable unlicensed activity or background check fees. This subsection expires July 1, 2025.

History.—s. 5, ch. 79-36; s. 29, ch. 81-302; s. 9, ch. 83-329; s. 7, ch. 84-203; s. 30, ch. 85-175; s. 3, ch. 86-287; s. 1, ch. 89-162; s. 67, ch. 89-374; s. 1, ch. 91-137; s. 10, ch. 91-220; s. 43, ch. 92-33; ss. 13, 76, ch. 92-149; s. 23, ch. 93-129; ss. 1, 4, ch. 96-309; s. 208, ch. 96-410; s. 1078, ch. 97-103; s. 63, ch. 97-170; s. 1, ch. 97-228; s. 10, ch. 97-261; s. 53, ch. 97-278; s. 2, ch. 98-166; s. 37, ch. 98-397; s. 139, ch. 99-251; s. 26, ch. 2000-160; s. 1, ch. 2001-269; s. 9, ch. 2001-278; s. 1, ch. 2007-86; s. 1, ch. 2009-195; s. 8, ch. 2010-106; s. 2, ch. 2012-61; s. 3, ch. 2012-72; s. 40, ch. 2013-116; s. 26, ch. 2014-1; s. 17, ch. 2019-167; s. 13, ch. 2020-160; s. 1, ch. 2023-68.

455.32 Management Privatization Act.—

(1) This section shall be known by the popular name the “Management Privatization Act.”

(2) The purpose of this section is to create a model for contracting with nonprofit corporations to provide services for the regulation of Florida's professionals which will ensure a consistent, effective application of regulatory provisions and appropriate budgetary oversight to achieve the most efficient use of public funds. Nonprofit corporations may be established pursuant to this section to provide administrative, examination, licensing, investigative, and prosecutorial services to any board created within the department pursuant to chapter 20 in accordance with the provisions of this chapter and the applicable practice act. No additional entities may be created to provide these services.

(3) As used in this section, the term:

(a) “Board” means any board, commission, or council created within the department pursuant to chapter 20.

(b) “Corporation” means any nonprofit corporation with which the department contracts pursuant to subsection (14).

(c) “Department” means the Department of Business and Professional Regulation.

(d) “Contract manager” means an employee of the department who serves as a liaison between the department, the board, and the corporation and is responsible for ensuring that the police powers of the state are not exercised by the corporation, while also serving as the contract monitor.

(e) “Business case” means a needs assessment, financial feasibility study, and corporate financial model as specified in paragraph (4).

(f) “Performance standards and measurable outcomes” shall include, but not be limited to, timeliness and qualitative criteria for the activities specified in paragraph (6)(o).

(g) “Secretary” means the Secretary of Business and Professional Regulation.

(4) Based upon the request of any board, the department is authorized to establish and contract with a nonprofit corporation to provide administrative, examination, licensing, investigative, and prosecutorial services to that board, in accordance with the provisions of this chapter and the applicable practice act and as specified in a contract between the department and the corporation. The privatization request must contain a business case that includes a needs assessment and financial feasibility study performed by the board or an entity commissioned by a majority vote of the board. The needs assessment must contain specific performance standards and measurable outcomes and an evaluation of the department’s current and projected performance in regard to those standards. The feasibility study must include the financial status of the board for the current fiscal year and the next 2 fiscal years. A financial model for the corporation must also be developed which includes projected costs and expenses for the first 2 years of operation and specific performance standards and measurable outcomes. The business case for privatization shall be submitted by the board to the department for inclusion in its legislative budget request to the Executive Office of the Governor and the Legislature pursuant to s. 216.023. The board shall proceed with the privatization only if such privatization is specifically authorized by general law.

(5) Any such corporation may hire staff as necessary to carry out its functions. Such staff are not public employees for the purposes of chapter 110 or chapter 112, except that the board of directors and the employees of the corporation are subject to the provisions of s. 112.061 and part III of chapter 112. The provisions of s. 768.28 apply to each such corporation, which is deemed to be a corporation primarily acting as an instrumentality of the state but which is not an agency within the meaning of s. 20.03(1).

(6) Each corporation created to perform the functions provided in this section shall:

(a) Be a Florida corporation not for profit, incorporated under the provisions of chapter 617.

(b) Provide administrative, examination, licensing, investigative, and prosecutorial services to the board, which services may include unlicensed activity investigations and prosecutions, in accordance with the provisions of this chapter, the applicable practice act, and the contract required by this section.

(c) Receive, hold, and administer property and make only prudent expenditures directly related to the responsibilities of the applicable board and in accordance with the contract required by this section.

(d) Be approved by the department to operate for the benefit of the board and in the best interest of the state and specifically authorized by the Legislature.

(e) Operate under a fiscal year that begins on July 1 of each year and ends on June 30 of the following year.

(f) Be funded through appropriations allocated to the regulation of the relevant profession from the Professional Regulation Trust Fund pursuant to s. 455.219.

(g) Have a five-member board of directors, three of whom are to be appointed by the applicable board and must be licensees regulated by that board and two of whom are to be appointed by the secretary and are laypersons not regulated by that board. Initially, one member shall be appointed for 2 years, two members shall be appointed for 3 years, and two members shall be appointed for 4 years. One layperson shall be appointed to a 3-year term and one layperson shall be appointed to a 4-year term. Thereafter, all appointments shall be for 4-year terms. No new member shall serve more than two consecutive terms. Failure to attend three consecutive meetings shall be deemed a resignation from the board of directors, and the vacancy shall be filled by a new appointment. No professional board member may also serve on the board of directors for the corporation.

(h) Select its officers in accordance with its bylaws. The members of the board of directors may be removed by the Governor, for the same reasons that a board member may be removed pursuant to s. 455.209.

(i) Select the president of the corporation, who shall manage the operations of the corporation, subject to the approval of the board.

(j) Use a portion of the interest derived from the corporation account to offset the costs associated with the use of credit cards for payment of fees by applicants or licensees.

(k) Operate under a written contract with the department.

(l) Provide for an annual financial audit of its financial accounts and records by an independent certified public accountant. The annual audit report shall include a management letter in accordance with s. 11.45 and a detailed supplemental schedule of expenditures for each expenditure category. The annual audit report must be submitted to the board, the department, and the Auditor General for review.

(m) Provide for all employees and nonemployees charged with the responsibility of receiving and depositing fee and fine revenues to have a faithful performance bond in such an amount and according to such terms as shall be determined in the contract.

(n) Keep financial and statistical information as necessary to completely disclose the financial condition and operation of the corporation and as requested by the Office of Program Policy Analysis and Government Accountability, the Auditor General, and the department.

(o) Submit to the secretary, the board, and the Legislature, on or before October 1 of each year, a report describing all of the activities of the corporation for the previous fiscal year which includes, but is not limited to, information concerning the programs and funds that have been transferred to the corporation. The report must include:

1. The number of license renewals.

2. The number of license applications received.
3. The number of license applications approved and denied and the number of licenses issued.
4. The average time required to issue a license.
5. The number of examinations administered and the number of applicants who passed or failed the examination.
6. The number of complaints received.
7. The number of complaints determined to be legally sufficient.
8. The number of complaints dismissed.
9. The number of complaints determined to have probable cause.
10. The number of administrative complaints issued and the status of the complaints.
11. The number and nature of disciplinary actions taken by the board.
12. All revenues received and all expenses incurred by the corporation during the preceding fiscal year in its performance of the duties under the contract.
13. Any audit performed under paragraph (l), including financial reports and performance audits.
14. The status of the compliance of the corporation with all performance-based program measures adopted by the board.

(p) Meet or exceed the requirements of the business case developed by the board and approved by the Executive Office of the Governor.

(7) The department shall annually certify that the corporation is complying with the terms of the contract in a manner consistent with the goals and purposes of the board and in the best interest of the state. If the department determines the corporation is not compliant with the terms of the contract, including performance standards and measurable outcomes, the contract may be terminated as provided in paragraph (14)(e).

(8) Nothing in this section shall limit the ability of the corporation to enter into contracts and perform all other acts incidental to those contracts which are necessary for the administration of its affairs and for the attainment of its purposes.

(9) The corporation may acquire by lease, and maintain, use, and operate, any real or personal property necessary to perform the duties provided by the contract and this section.

(10) The corporation may exercise the authority assigned to the department or board under this section or the practice act of the relevant profession, pursuant to the contract, including but not limited to initiating disciplinary investigations for unlicensed practice of the relevant profession. The corporation may make a determination of legal sufficiency to begin the investigative process as provided in s. 455.225. However, the department or the board may not delegate to the corporation, by contract or otherwise, the authority for determining probable cause to pursue disciplinary action against a licensee, taking final action on license actions or on disciplinary cases, or adopting administrative rules under chapter 120.

(11) The department shall retain the independent authority to open, investigate, or prosecute any cases or complaints, as necessary to protect the public health, safety, or welfare. In addition, the department shall retain sole authority to issue emergency suspension or restriction orders pursuant to s. 120.60 or may delegate concurrent authority for this purpose to the relevant professional board.

(12) The corporation is the sole source and depository for the records of the board, including all historical information and records. The corporation shall maintain those records in accordance with the guidelines of the Department of State and shall not destroy any records prior to the limits imposed by the Department of State.

(13) The board shall provide by rule for the procedures the corporation must follow to ensure that all licensure examinations are secure while under the responsibility of the corporation and that there is an appropriate level of monitoring during the licensure examinations.

(14) The contract between the department and the corporation must be in compliance with this section and other applicable laws. The department shall retain responsibility for any duties it currently exercises relating to its police powers and any other current duty that is not provided to the corporation by contract or this section. The contract shall provide, at a minimum, that:

(a) The corporation provide administrative, examination, licensing, investigative, and prosecutorial services in accordance with the provisions of this section and the practice act of the relevant profession. The prosecutorial functions of the corporation shall include the authority to pursue investigations leading to unlicensed practice complaints, with the approval of and at the direction of the relevant professional board. With approval of the department and the board, the corporation may subcontract for specialized services for the investigation and prosecution of unlicensed activity pursuant to this chapter. The corporation shall be required to report all criminal matters, including unlicensed activity that constitutes a crime, to the state attorney for criminal prosecution pursuant to s. 455.2277.

(b) The articles of incorporation and bylaws of the corporation be approved by the department.

(c) The corporation submit an annual budget for approval by the department. If the department's appropriations request differs from the budget submitted by the corporation, the relevant professional board shall be permitted to authorize the inclusion in the appropriations request of a comment or statement of disagreement with the department's request.

(d) The corporation utilize the department's licensing and computerized database system.

(e) The corporation be annually certified by the department as complying with the terms of the contract in a manner consistent with the goals and purposes of the board and in the best interest of the state. As part of the annual certification, the department shall make quarterly assessments regarding contract compliance by the corporation. The contract must also provide for methods and mechanisms for resolving any situation in which the assessment and certification process determines noncompliance, to include termination.

(f) The department employ a contract manager to actively monitor the activities of the corporation to ensure compliance with the contract, the provisions of this chapter, and the applicable practice act.

(g) The corporation be funded through appropriations allocated to the regulation of the relevant profession from the Professional Regulation Trust Fund.

(h) If the corporation is no longer approved to operate for the board or the board ceases to exist, all moneys, records, data, and property held in trust by the corporation for the benefit of the board revert to the department, or the state if the department ceases to exist. All records and data in a computerized database must be returned to the department in a form that is compatible with the computerized database of the department.

(i) The corporation secure and maintain, during the term of the contract and for all acts performed during the term of the contract, all liability insurance coverages in an amount to be approved by the department to defend, indemnify, and hold harmless the corporation and its officers and employees, the department and its employees, the board, and the state against all claims arising from state and federal laws. Such insurance coverage must be with insurers qualified and doing business in the state. The corporation must provide proof of insurance to the department. The department and its employees, the board, and the state are exempt from and are not liable for any sum of money which represents a deductible, which sums shall be the sole responsibility of the corporation. Violation of this paragraph shall be grounds for terminating the contract.

(j) The board, in lieu of the department, shall retain board counsel pursuant to the requirements of s. 455.221. The corporation, out of its allocated budget, shall pay all costs of representation by the board counsel, including salary and benefits, travel, and any other compensation traditionally paid by the department to other board counsel.

(k) The corporation, out of its allocated budget, pay to the department all costs incurred by the corporation or the board for the Division of Administrative Hearings of the Department of Management Services and any other cost for utilization of these state services.

(l) The corporation, out of its allocated budget, pay to the department all direct and indirect costs associated with the monitoring of the contract, including salary and benefits, travel, and other related costs traditionally paid to state employees.

(m) The corporation comply with the performance standards and measurable outcomes developed by the board and the department. The performance standards and measurable outcomes must be specified within the contract.

(15) Corporation records are public records subject to the provisions of s. 119.07(1) and s. 24(a), Art. I of the State Constitution; however, public records exemptions set forth in ss. 455.217, 455.225, and 455.229 for records held by the department shall apply to records held by the corporation. In addition, all meetings of the board of directors are open to the public in accordance with s. 286.011 and s. 24(b), Art. I of the State Constitution. The department and the board shall have access to all records of the corporation as necessary to exercise their authority to approve and supervise the contract. The Auditor General and the Office of Program Policy Analysis and Government Accountability shall have access to all records of the corporation as necessary to conduct financial and operational audits or examinations.

(16) If any provision of this section is held to be unconstitutional or is held to violate the state or federal antitrust laws, the following shall occur:

- (a) The corporation shall cease and desist from exercising any powers and duties enumerated in this section.
- (b) The department shall resume the performance of such activities. The department shall regain and receive, hold, invest, and administer property and make expenditures for the benefit of the board.
- (c) The Executive Office of the Governor, notwithstanding chapter 216, may reestablish positions, budget authority, and salary rate necessary to carry out the department's responsibilities related to the board.

History.—s. 9, ch. 2000-356; s. 120, ch. 2001-266; s. 1, ch. 2004-292; s. 83, ch. 2005-2; s. 1, ch. 2008-134; s. 100, ch. 2023-8.



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CHAPTER 455

BUSINESS AND PROFESSIONAL REGULATION: GENERAL PROVISIONS

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455.2123 Continuing education.—A board, or the department when there is no board, shall allow by rule that distance learning may be used to satisfy continuing education requirements. A board, or the department when there is no board, shall approve distance learning courses as an alternative to classroom courses to satisfy continuing education requirements. A board, or the department when there is no board, may not require centralized examinations for completion of continuing education requirements for the professions licensed under part VIII, part XV, or part XVI of chapter 468 or part I or part II of chapter 475.

History.—s. 137, ch. 99-251; s. 7, ch. 2010-106; s. 5, ch. 2010-176; s. 1, ch. 2024-189.

1455.2124 Proration of or not requiring continuing education.—

(1) A board, or the department when there is no board, may:

(a) Prorate continuing education for new licensees by requiring half of the required continuing education for any applicant who becomes licensed with more than half the renewal period remaining and no continuing education for any applicant who becomes licensed with half or less than half of the renewal period remaining; or

(b) Require no continuing education until the first full renewal cycle of the licensee.

These options shall also apply when continuing education is first required or the number of hours required is increased by law or the board, or the department when there is no board.

(2)(a) A board, or the department when there is no board, shall exempt an individual from completing the continuing education required for renewal of a license for a renewal period if:

1. The individual holds an active license issued by the board or department to practice the profession;
2. The individual has continuously held the license for at least 10 years; and
3. No disciplinary action is imposed on the individual's license.

(b) This subsection does not apply to engineers regulated pursuant to chapter 471; to certified public accountants regulated pursuant to chapter 473; to brokers, broker associates, and sales associates regulated pursuant to part I of chapter 475; to appraisers regulated pursuant to part II of chapter 475; to architects, interior designers, or landscape architects regulated pursuant to chapter 481; or to contractors regulated pursuant to chapter 489.

(3) The department and each affected board shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

History.—s. 138, ch. 99-251; s. 2, ch. 2024-189.

¹Note.—Section 3, ch. 2024-189, provides:

“(1) The Department of Business and Professional Regulation is authorized, and all conditions are deemed to be met, to adopt emergency rules pursuant to s. 120.54(4), Florida Statutes, for the purpose of implementing the amendments made by this act to s. 455.2124, Florida Statutes, including establishing procedures to facilitate the exemption for eligible individuals from completing continuing education.

“(2) Notwithstanding any other law, emergency rules adopted pursuant to subsection (1) are effective for 6 months after adoption and may be renewed during the pendency of procedures to adopt permanent rules addressing the subject of the emergency rules.

“(3) This section expires January 1, 2026.”

455.213 General licensing provisions.—

(1) Any person desiring to be licensed shall apply to the department in writing. The application for licensure shall be submitted on a form prescribed by the department and must include the applicant's social security number. Notwithstanding any other provision of law, the department is the sole authority for determining the contents of any documents to be submitted for initial licensure and licensure renewal. Such documents may contain information including, as appropriate: demographics, education, work history, personal background, criminal history, finances, business information, complaints, inspections, investigations, discipline, bonding, photographs, performance periods, reciprocity, local government approvals, supporting documentation, periodic reporting requirements, fingerprint requirements, continuing education requirements, and ongoing education monitoring. The application shall be supplemented as needed to reflect any material change in any circumstance or condition stated in the application which takes place between the initial filing of the application and the final grant or denial of the license and which might affect the decision of the department. In order to further the economic development goals of the state, and notwithstanding any law to the contrary, the department may enter into an agreement with the county tax collector for the purpose of appointing the county tax collector as the department's agent to accept applications for licenses and applications for renewals of licenses. The agreement must specify the time within which the tax collector must

forward any applications and accompanying application fees to the department. In cases where a person applies or schedules directly with a national examination organization or examination vendor to take an examination required for licensure, any organization- or vendor-related fees associated with the examination may be paid directly to the organization or vendor. An application is received for purposes of s. 120.60 upon the department's receipt of the application submitted in the format prescribed by the department; the application fee set by the board or, if there is no board, set by the department; and any other fee required by law or rule to be remitted with the application.

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

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

1. A barber under chapter 476;
2. A cosmetologist or cosmetology specialist under chapter 477;
3. Any of the following construction professions under chapter 489:
 - a. Air-conditioning contractor;
 - b. Electrical contractor;
 - c. Mechanical contractor;
 - d. Plumbing contractor;
 - e. Pollutant storage systems contractor;
 - f. Roofing contractor;
 - g. Sheet metal contractor;
 - h. Solar contractor;
 - i. Swimming pool and spa contractor;
 - j. Underground utility and excavation contractor; or
 - k. Other specialty contractors; or
4. Any other profession for which the department issues a license, provided the profession is offered to inmates in any correctional institution or correctional facility as vocational training or through an industry certification program.

(b)1. A conviction, or any other adjudication, for a crime more than 5 years before the date the application is received by the applicable board may not be grounds for denial of a license specified in paragraph (a). For purposes of this paragraph, the term "conviction" means a determination of guilt that is the result of a plea or trial, regardless of whether adjudication is withheld. This paragraph does not limit the applicable board from considering an applicant's

criminal history that includes a crime listed in s. 775.21(4)(a)1. or s. 776.08 at any time, but only if such criminal history has been found to relate to the practice of the applicable profession.

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

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

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

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

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

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

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

(4) The board, or the department when there is no board, may refuse to issue an initial license to any applicant who is under investigation or prosecution in any jurisdiction for an action that 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.

(5) When any administrative law judge conducts a hearing pursuant to the provisions of chapter 120 with respect to the issuance of a license by the department, the administrative law judge shall submit his or her recommended order

to the appropriate board, which shall thereupon issue a final order. The applicant for a license may appeal the final order of the board in accordance with the provisions of chapter 120.

(6) A privilege against civil liability is hereby granted to any witness for any information furnished by the witness in any proceeding pursuant to this section, unless the witness acted in bad faith or with malice in providing such information.

(7) Any board that currently requires continuing education for renewal of a license shall adopt rules to establish the criteria for continuing education courses. The rules may provide that up to a maximum of 25 percent of the required continuing education hours can be fulfilled by the performance of pro bono services to the indigent or to underserved populations or in areas of critical need within the state where the licensee practices. The board, or the department when there is no board, must require that any pro bono services be approved in advance in order to receive credit for continuing education under this section. The standard for determining indigency shall be that recognized by the Federal Poverty Income Guidelines produced by the United States Department of Health and Human Services. The rules may provide for approval by the board, or the department when there is no board, that a part of the continuing education hours can be fulfilled by performing research in critical need areas or for training leading to advanced professional certification. The board, or the department when there is no board, may make rules to define underserved and critical need areas. The department shall adopt rules for the administration of continuing education requirements adopted by the boards or the department when there is no board.

(8) Notwithstanding anything to the contrary, any elected official who is licensed pursuant to any practice act within the purview of this chapter may hold employment for compensation with any public agency concurrent with such public service. Such dual service shall be disclosed according to any disclosure required by applicable law.

(9) In any instance in which a licensee or applicant to the department is required to be in compliance with a particular provision by, on, or before a certain date, and if that date occurs on a Saturday, Sunday, or a legal holiday, then the licensee or applicant is deemed to be in compliance with the specific date requirement if the required action occurs on the first succeeding day which is not a Saturday, Sunday, or legal holiday.

(10) Pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, each party is required to provide his or her social security number in accordance with this section. Disclosure of social security numbers obtained through this requirement shall be limited to the purpose of administration of the Title IV-D program for child support enforcement and use by the Department of Business and Professional Regulation, and as otherwise provided by law.

(11) For any profession requiring fingerprints as part of the registration, certification, or licensure process or for any profession requiring a criminal history record check to determine good moral character, the fingerprints of the applicant must accompany all applications for registration, certification, or licensure. The fingerprints shall be forwarded to the Division of Criminal Justice Information Systems within the Department of Law Enforcement for processing to determine whether the applicant has a criminal history record. The fingerprints shall also be forwarded to the Federal Bureau of Investigation to determine whether the applicant has a criminal history record. The information obtained by the processing of the fingerprints by the Department of Law Enforcement and the Federal

Bureau of Investigation shall be sent to the department to determine whether the applicant is statutorily qualified for registration, certification, or licensure.

(12) Any submission required to be in writing may otherwise be required by the department to be made by electronic means. The department is authorized to contract with private vendors, or enter into interagency agreements, to collect electronic fingerprints where fingerprints are required for registration, certification, or the licensure process or where criminal history record checks are required.

(13) The department shall waive the initial licensing fee, the initial application fee, and the initial unlicensed activity fee for a military veteran or his or her spouse at the time of discharge, if he or she applies to the department for a license, in a format prescribed by the department, within 60 months after the veteran is discharged from any branch of the United States Armed Forces. To qualify for this waiver, the veteran must have been honorably discharged.

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

(15)(a) Before the board, or the department if there is no board, may deny an application for licensure by reciprocity or by endorsement, the board, or the department if there is no board, must make a finding that the basis license in another jurisdiction is or is not substantially equivalent to or is otherwise insufficient for a license in this state.

(b) If the board, or the department if there is no board, finds that the basis license in another jurisdiction is not substantially equivalent to or is otherwise insufficient for a license in this state and there are no other grounds to deny the application for licensure, within 7 business days after being notified of such finding, the applicant may request that the finding be submitted to the secretary for review. Within 7 business days after receiving such request, the secretary must review the finding and either agree or disagree with the finding. If the secretary agrees with the finding, the application for licensure may be denied. If the secretary disagrees with the finding, the application for licensure must be approved unless other grounds for denial exist. The decision must be entered according to the secretary's finding, unless other grounds for denial exist.

(c) If the secretary finds that the requirements of a basis license in another jurisdiction are substantially equivalent to or are otherwise sufficient for a license in this state, the board, or the department if there is no board, must make the same finding for similar applicants from the same jurisdiction, unless the requirements of the basis license change.

(d) As used in this subsection, the term "basis license" means the license or the licensure requirements of another jurisdiction which are used to meet the requirements for a license in this state.

(16) For the 2023-2024 and 2024-2025 fiscal years, the department shall waive 50 percent of the initial licensing fee for an applicant applying for an initial license for a profession under this chapter, with such waiver limited to a maximum of \$200 per year per license. The department shall waive 50 percent of a licensee's license renewal fee for a

profession under this chapter, with such waiver limited to a maximum of \$200 per year per license. Such fee waivers shall not include any applicable unlicensed activity or background check fees. This subsection expires July 1, 2025.

History.—s. 5, ch. 79-36; s. 29, ch. 81-302; s. 9, ch. 83-329; s. 7, ch. 84-203; s. 30, ch. 85-175; s. 3, ch. 86-287; s. 1, ch. 89-162; s. 67, ch. 89-374; s. 1, ch. 91-137; s. 10, ch. 91-220; s. 43, ch. 92-33; ss. 13, 76, ch. 92-149; s. 23, ch. 93-129; ss. 1, 4, ch. 96-309; s. 208, ch. 96-410; s. 1078, ch. 97-103; s. 63, ch. 97-170; s. 1, ch. 97-228; s. 10, ch. 97-261; s. 53, ch. 97-278; s. 2, ch. 98-166; s. 37, ch. 98-397; s. 139, ch. 99-251; s. 26, ch. 2000-160; s. 1, ch. 2001-269; s. 9, ch. 2001-278; s. 1, ch. 2007-86; s. 1, ch. 2009-195; s. 8, ch. 2010-106; s. 2, ch. 2012-61; s. 3, ch. 2012-72; s. 40, ch. 2013-116; s. 26, ch. 2014-1; s. 17, ch. 2019-167; s. 13, ch. 2020-160; s. 1, ch. 2023-68; s. 16, ch. 2024-71; s. 1, ch. 2024-274

455.2135 Interstate mobility.—

(1) When endorsement based upon years of licensure or endorsement based upon satisfaction or completion of multiple criteria that include passage of a licensure or registration examination, completion of internship requirements, or the holding of a valid certificate issued by a national accrediting agency board along with holding a valid license, registration, or certification issued in another jurisdiction is not otherwise provided by law in the practice act for a profession, the board, or the department if there is no board, shall allow licensure by endorsement for any individual applying who:

- (a) Has held a valid, current license to practice the profession issued by another state or territory of the United States for at least 5 years before the date of application and is applying for the same or similar license in this state;
- (b) Submits an application either when the license in another state or territory is active or within 2 years after such license was last active;
- (c) Has passed the recognized national licensing exam, if such exam is established as a requirement for licensure in the profession;
- (d) Has no pending disciplinary actions and all sanctions of any prior disciplinary actions have been satisfied;
- (e) Shows proof of compliance with any federal regulation, training, or certification, if the board or the department requires such proof, regarding licensure in the profession;
- (f) Completes Florida-specific continuing education courses or passes a jurisprudential examination specific to the state laws and rules for the applicable profession as established by the board or department; and
- (g) Complies with any insurance or bonding requirements as required for the profession.

(2) If the practice act for a profession requires the submission of fingerprints, the applicant must submit a complete set of fingerprints to the Department of Law Enforcement for a statewide criminal history check. The Department of Law Enforcement shall forward the fingerprints 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 are borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor must collect the required processing fees and remit the fees to the Department of Law Enforcement.

(3) This section does not apply to harbor pilots licensed under chapter 310.

History.—s. 2, ch. 2024-274.

Chapter 5- Disciplinary actions.

Application of the provisions of Chapter 471, F.S., to individual

The following list is arranged in descending order by date.

ALEXANDER F. ZUENDT, PE **PE No. 81552 – PROBATION**

Case No. 2023023856

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 and sealed structural engineering documents for a residential renovation in St. Peter Beach, Fla., that were materially deficient.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board imposed an administrative fine of \$1,000 and costs of \$2,800; ordered Licensee to appear before the Board when the Stipulation was presented to explain how the situation occurred and what improvements and quality control measures will be implemented to prevent similar circumstances in the future; placed Licensee on a two-year probation with project reviews in six and 18 months; and ordered Licensee to successfully complete the Board's Laws and Rules Study Guide within 30 days, and an online course in engineering professionalism and ethics within 90 days. Final Order was filed on Nov. 15, 2024.

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

JORGE FIALLO, PE **PE No. 65527**

Case No. 2023043725

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 and sealed Fire System Engineering documents for a project in Miami, Fla., that were materially deficient.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board ordered Licensee to appear before the Board when the Stipulation was presented; ordered payment of administrative costs of \$1,749.60; ordered Licensee to successfully complete the Laws and Rules Study Guide within 30 days, and an online course in engineering professionalism and ethics within 90 days; and ordered Licensee to submit all projects involving Fire System Engineering for review at six- and 18-month intervals. Final Order was filed on Aug. 26, 2024.

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

MUSA Y. ABDEL-KHALEQ, PE **PE No. 84862**

Case No. 2023010498

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

and sealed a letter of certification for the reroofing of a single-family residence in Cape Coral, Fla., that was materially deficient.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board imposed an administrative fine of \$1,000 and costs of \$3,889.45; ordered Licensee to appear before the Board when the Stipulation was presented and to explain how the situation occurred, what improvements and quality control measures will be implemented, and how Licensee intends to prevent similar circumstances in the future; ordered Licensee to successfully complete the Laws and Rules Study Guide within 30 days, and an online course in engineering professionalism and ethics within 90 days. Final Order was filed on Aug. 26, 2024.

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

CESAR JOFRE

Case No. 2021008629

Respondent was charged with violating Section 471.031(1)(a) and (c), Florida Statutes, practicing engineering without a license and presenting the license of another as his own. Mr. Jofre was charged with 15 counts of forging the signature and using the seal of two deceased Professional Engineers on engineering documents filed in Miami-Dade and Broward counties in 2020 and 2021.

Ruling: The case was presented to the Board. The Board imposed an administrative fine of \$75,000 and costs of \$608.95. Final Order was filed Feb. 22, 2024.

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

GEOFFREY R. GEACH, PE

PE No. 94456

Case No. 2023036226

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 and sealed engineering documents for a residential project in Gibsonton, Fla., that were materially deficient.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board imposed an administrative fine of \$500 and costs of \$2,902.80, and ordered licensee to successfully complete an engineering professionalism and ethics course within 90 days. Final Order was filed June 25, 2024.

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

CHERYL R. ROBITZSCH, PE

PE No. 53114 – REPRIMAND

Case No. 2023052897

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(6)(f) and (h), Florida Administrative Code, misconduct in the practice of engineering. Licensee

did not disclose to her employer, Hillsborough County, that she was seeking employment with a company that at the same time she was reviewing, evaluating, and ultimately recommending for a county engineering project.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board imposed an administrative fine of \$1,000 and costs of \$2,984.70, and ordered licensee to successfully complete an engineering professionalism and ethics course within one year and the Board's Laws and Rules Study Guide within 30 days. Final Order was filed June 25, 2024.

Violation: Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(6)(f) and (h), Florida Administrative

AMD GROUP INC. and STEVE DELBRUNE

Case No. 2019055340

Respondent was charged with violating Section 471.023(1), and 471.031(1)(a) and (c), Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code, offering engineering services without a being qualified by a Florida-licensed Professional Engineer and being on the Engineering Business Registry and presenting the license of another as his own.

Ruling: The case was presented to the Board. The Board imposed an administrative fine of \$5,000 and costs of \$313.10. Final Order was filed May 2, 2024.

Violation: Section 471.023(1), and 471.031(1)(a) and (c), Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code

JOSE E. PEREZ

Case No. 2021029782

Respondent was charged with violating Section 471.031(1)(a) and (c), Florida Statutes, practicing engineering without a license and presenting the license of another as his own. Mr. Perez was charged with forging the signature and using the seal of a Professional Engineer on engineering design documents filed in Miami Beach in 2021.

Ruling: The case was presented to the Board. The Board imposed an administrative fine of \$5,000 and costs of \$107.25. Final Order was filed May 2, 2024.

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

KARL J. SVATY JR., PE

PE No. 41583 – REPRIMAND

Case No. 2022003794

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021.

Ruling: The case was presented to the Board. The Board reprimanded respondent's PE license, imposed an administrative fine of \$1,000 and costs of \$58.50, and ordered licensee to complete the Board's Laws and Rules Study Guide, complete an online ethics course, and complete all continuing education requirements. Final Order was filed May 2, 2024.

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

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SIMMONS P. LATUNDE-ADDEY, PE
PE No. 51558 – REPRIMAND/SUSPENDED

Case No. 2022056057

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021.

Ruling: The case was presented to the Board. The Board reprimanded and suspended respondent's PE license, imposed an administrative fine of \$2,000 and costs of \$95.55, and ordered licensee to complete the Board's Laws and Rules Study Guide, complete an online ethics course, and complete all continuing education requirements, and to appear before the Board to reinstate his license. Final Order was filed Feb. 22, 2024.

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

RCS ELECTRICAL SERVICES

Case No. 2019055340

Respondent was charged with violating Section 471.023(1), and 471.031(1)(a) and (b)1., Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code, offering engineering services without a being qualified by a Florida-licensed Professional Engineer and being on the Engineering Business Registry. A Notice to Cease and Desist was issued in 2019, without response.

Ruling: The case was presented to the Board. The Board imposed an administrative fine of \$5,000 and costs of \$313.35. Final Order was filed Feb. 22, 2024.

Violation: Section 471.023(1), and 471.031(1)(a) and (b)1, Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code

DAVID A. WIKER, PE
PE No. 54280 – SUSPENDED
 Case No. 2022029520

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019.

Ruling: The case was presented to the Board. The Board suspended respondent's PE license, imposed an administrative fine of \$1,000 and costs of \$62.40, and ordered licensee to comply with all items in the final order for case no. 2020009157, complete all continuing education requirements, and to appear before the Board. Final Order was filed Jan. 11, 2024.

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

JC GENERAL CONTRACTORS LLC

Case No. 2021039994

Respondent was charged with violating Section 471.023(1), Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code, offering engineering services without a license or being a Qualified Business Organization.

Ruling: The case was presented to the Board. The Board issued a cease-and-desist notice and imposed an administrative fine of \$5,000 and costs of \$346.25. Final Order was filed Jan. 11, 2024.

Violation: Section 471.023(1), Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code

DAVID L. HEMMEL, PE

PE No. 59354 – REPRIMAND/SUSPENDED

Case No. 2022043254

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021.

Ruling: The case was presented to the Board. The Board suspended respondent's PE license, imposed a reprimand, an administrative fine of \$1,000 and costs of \$48.75, and ordered licensee to successfully complete an online engineering professionalism and ethics course, complete all continuing education requirements, and to appear before the Board. Final Order was filed Jan. 11, 2024.

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

HADERSPOCK & ASSOCIATES LLC

Case No. 2021054777

Respondent was charged with violating Section 471.023(1), Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code, offering engineering services without a license or being a Qualified Business Organization.

Ruling: The case was presented to the Board. The Board issued a cease-and-desist notice and imposed an administrative fine of \$5,000 and costs of \$44.85. Final Order was filed Jan. 11, 2024.

Violation: Section 471.023(1), Florida Statutes, and Rule 61G15-20.100, Florida Administrative Code

ABBAS BORUJERDI, PE

PE No. 38553 – REPRIMAND

Case No. 2020010497

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 and sealed electrical and structural engineering documents for a shell building project in Oakland Park, Fla., that were materially deficient.

Ruling: The case was presented to the Board upon a modified Settlement Stipulation. The Board ordered the respondent to appear before the Board when the stipulation was presented, imposed a reprimand, an administrative fine of \$2,000 and costs of \$5,781.80, two years of probation, and ordered licensee to successfully complete an intermediate engineering professionalism and ethics course within one year, the Board's Study Guide within 30 days, and project reviews at six and 18 months. Final Order was filed Dec. 21, 2023.

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

C.K. LEUDERALBERT, PE

PE No. 41976 – SUSPENDED

Case No. 2022056122

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021.

Ruling: The case was presented to the Board. The Board suspended respondent's PE license, imposed an administrative fine of \$1,000 and costs of \$48.75, and ordered licensee to successfully complete an online engineering professionalism and ethics course within 90 days, and the Board's Study Guide within 30 days. Final Order was filed Nov. 7, 2023.

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

JOSEPH SIMMONS III, PE
PE No. 52101 – REPRIMAND

Case No. 2022039446

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 and sealed engineering documents for a single-family residence in Winter Garden, Fla., that were materially deficient.

Ruling: The case was presented to the Board upon a modified Settlement Stipulation. The Board ordered licensee to appear before the Board; imposed an administrative fine of \$1,000 and costs of \$1,600, two years of Probation, successful completion of a basic engineering professionalism and ethics course within one year, successful completion of the Board's Study Guide within 30 days, and project reviews at six and 18 months. Final Order was filed Oct. 17, 2023.

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

CHRISTOPHER OSHEA, PE
PE No. 82281 – PROBATION

Case No. 2022060671

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 and sealed engineering design documents for a retaining wall and an engineering certification for a residential project in Niceville, Fla. The signed-and-sealed engineering documents contained material deficiencies. The certification was materially deficient because the construction of the wall differed from the design for the retaining wall.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board ordered licensee to appear before the Board; imposed an administrative fine of \$1,000 and costs of \$3,656.70, two years of Probation, successful completion of a basic engineering professionalism and ethics course within one year, successful completion of the Board's Study Guide within 30 days, and project reviews at six and 18 months. Final Order was filed Oct. 17, 2023.

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

STEPHEN M. RUDNER
PE No. 31384 – VOLUNTARY RELINQUISHMENT

Case No. 2023007548

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021.

Ruling: The case was presented to the Board upon a written Voluntary Relinquishment of Licensure. The Board accepted the voluntary relinquishment with the agreement that Mr. Rudner never reappears for licensure as a Professional Engineer in Florida. Final Order was filed Sept. 6, 2023.

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

RAFAEL A. BLANCO, PE

PE No. 66292 – REPRIMAND

Case No. 2021038015

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 and sealed engineering documents for a project in Tampa that were not designed in accordance with applicable standards of engineering principles, and failed to retain calculations related to the documents for the required three years.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board ordered licensee to appear before the Board; and imposed a Reprimand, an administrative fine of \$1,000 and costs of \$1,700.30, two years of Probation, successful completion of a basic engineering professionalism and ethics course within one year, successful completion of the Board's Study Guide within 30 days, and project reviews at six and 18 months. Final Order was filed Aug. 15, 2023.

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

MANUEL SIQUES, PE

PE No. 20233 – REPRIMAND

Case No. 2020056944

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-29.001, Florida Administrative Code, improperly signing and sealing a certification letter. Licensee, acting as a Special Inspector, certified that structural and electrical systems for a project in Margate, Fla., were constructed in accordance with the design plans and all requirements, but filed the certification letter with the Margate Building Department before a building permit was issued, construction of the project, and inspecting the project.

Ruling: The case was presented to the Board upon a Settlement Stipulation. The Board imposed a Reprimand, and an administrative fine of \$2,500 and costs of \$1,137.35, and ordered licensee to successfully complete an online engineering professionalism and ethics course within 90 days and the Board's Study Guide within 30 days. Final Order was filed Aug. 15, 2023.

Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-29.001, Florida Administrative Code

SOUTH FLORIDA EXPEDITES LLC

Case No. 2020048355

Respondent was charged with violating Chapters 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes, offering engineering services without a Certificate of Authorization or when not registered as a Qualified Business Organization.

Ruling: The case was presented to the full Board. The Board imposed an administrative fine of \$5,000 and costs of \$995. Final Order was filed May 3, 2023.

Violation: Chapters 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes

EDWARD LANDERS**PE No. 38398 – REVOKED**

Case Nos. 2021023076 & 2022019305

Licensee was charged with violating Section 471.033(1)(k), Florida Statutes, practicing engineering with a restricted license. Respondent violated the terms of two prior final orders by practicing electrical and mechanical engineering services when he was restricted from doing so.

Ruling: The case was presented to the full Board. The Board revoked Mr. Landers' PE license and imposed administrative fines of \$5,000 per case (\$10,000 total) and total costs of \$15,057.40. Final Order was filed May 3, 2023.

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

MICHAEL F. KELLY, PE**PE No. 45914 – REPRIMAND**

Case No. 2021015640

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 did not complete a feasibility study for a Sunset Key residence, though he reported to the client that he had.

Ruling: The case was presented to the full Board. The Board imposed a Reprimand, an administrative fine of \$5,000 and costs of \$1,326.20, successful completion of the Board's Study Guide within 90 days, and successful completion of an online professional ethics course within 90 days. Final Order was filed May 3, 2023.

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

KEVIN W. HENSLEY

Case No. 2020054384

Respondent was charged with violating Section 455.228(1), 471.031(1)(a) and (c), and 471.038(5), Florida Statutes, offering engineering services without a license. Respondent fraudulently signed and sealed engineering documents for a Jacksonville project using a Florida PE's seal.

Ruling: The case was presented to the full Board. The Board ordered imposed an administrative fine of \$5,000 and costs of \$267. Final Order was filed May 3, 2023.

Violation: Section 455.228(1), 471.031(1)(a) and (c), and 471.038(5), Florida Statutes

JAMES A. CARTER, PE

PE No. 53268 – REPRIMAND/SUSPENDED

Case No. 2022034964

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rules 61G15-19.001(6)(s) and 61G15-22.006, Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021. Licensee did not respond to the complaint or produce documentation showing completion of continuing education.

Ruling: The case was presented to the full Board. The Board both Reprimanded and Suspended respondent's PE license. Prior to reinstating his license, respondent must pay an administrative fine of \$1,000 and costs of \$48.75, pass the Board Study Guide, pass an online professional ethics course, complete all required continuing education, and appear before the Board. Final Order was filed May 3, 2023.

Violation: Section 471.033(1)(a), Florida Statutes, and Rules 61G15-19.001(6)(s) and 61G15-22.006, Florida Administrative Code

AMERICAN MARINE ENGINEERING INC.

Case No. 2021027471

Respondent was charged with violating Chapters 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes, and Rule 61G15-20.010, Florida Administrative Code, offering engineering services when not registered as a Qualified Business Organization, and for failing to respond to the complaint or agreeing to cease offering engineering services.

Ruling: The case was presented to the full Board. The Board imposed an administrative fine of \$5,000 and costs of \$120.90. Final Order was filed May 3, 2023.

Violation: Sections 471.033(1)(a), 471.033(1)(d), and 455.227(1)(c), Florida Statutes

R. MICHAEL LATIMER, PE

PE No. 41970 – REPRIMAND

Case No. 2022002517

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,

dated, and sealed engineering documents incorrectly identifying a parcel of land as being in a flood zone, requiring FEMA insurance, when it was not.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand on his license, an administrative fine of \$1,000, costs of \$3,169.65, and successful completion of the Board's Study Guide and an online ethics course. Final Order was filed April 25, 2023.

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

KENNETH B. TATOR, PE

PE No. 55228 – REPRIMAND

Case No. 2022015513

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021. The continuing education was not completed until March 27, 2022.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand on his license, an administrative fine of \$1,000 and costs of \$64.35, successful completion of an online engineering professionalism and ethics course within 90 days, and successful completion of the Board's Study Guide within 30 days. Final Order was filed Feb. 27, 2023.

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

MARK V. RICHTER, PE

PE No. 56196 – PROBATION

Case Nos. 2020011861 & 2020019610

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-30.009, Florida Administrative Code, failure to maintain signed, dated, and sealed engineering documents for three years; and two counts of violating Section 471.033(1)(g), F.S., and Rule 61G15-19.001(4), F.A.C., negligence in the practice of engineering. Licensee failed to keep engineering documents and signed, dated, and sealed materially deficient engineering documents, all relating to two residences affected by sinkholes in The Villages in 2018 and 2019.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board ordered licensee to appear before the Board; and imposed an administrative fine of \$1,000 and costs of \$1,612.85, two years of Probation, successful completion of a basic engineering professionalism and ethics course within one year, successful completion of the Board's Study Guide within 30 days, and project reviews at six and 18 months. Final Order was filed Feb. 14, 2023.

Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-30.009, Florida Administrative Code; and Section 471.033(1)(g), F.S., and Rule 61G15-19.001(4), F.A.C.

6- Signing and sealing engineering documents

Historically, the signing and sealing of a document was intended to verify its authenticity to its recipient.

Today, by signing, dating, and sealing an engineering document, a Professional Engineer:

- Verifies the authenticity of the document, and
- Accepts responsibility for its accuracy and legitimacy.

A Professional Engineer's signature and seal allows agencies jurisdiction to know who prepared the plans or reports, whom to comments related to a submission, or whom to contact with concerns. They also indicate that the document is a final document. And, they place the responsibility of the document's PE who signed and sealed the document.



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WHAT SHOULD BE SIGNED AND SEALED?

As a Professional Engineer, you must sign, date, and seal all of your final plans, prints, specifications, reports, or other documents filed for public record or provided to the owner or the owner's representative. Also, you may sign, date, and seal documents required by any public entity or any original document as required by contract.

You must not sign and seal any document that is not final, unless you indicate any limitations on the document's use by using terms such as "preliminary," "for review only," "not for construction," or similar statements."

Keep in mind that you can only sign and seal an engineering document that you were in responsible charge of preparing and had the engineering expertise required to produce the document. (See [Rule 61G15-18.011\(1\), Florida Administrative Code](#), for details on responsible charge.)

See [Rule 61G15-23.001, F.A.C. Signature, Date and Seal Shall Be Affixed](#).

WHERE SHOULD DOCUMENTS BE SIGNED AND SEALED?

Where you sign and seal documents depends on the method you use to sign and seal.

When hand signing and sealing, every sheet of engineering design document must be signed, dated, and sealed by the Professional Engineer in responsible charge. A title block on each sheet must contain your printed name, address, and license number, and, if applicable, the qualified engineering business's name and address. For engineering specifications and calculations, an index sheet should be signed, dated, and sealed by all PEs indicating the sections they are in responsible charge.

Digital or electronic signatures and seals are handled differently. When digitally signing and sealing, your digital signature and seal, with the date the document was sealed, should appear on the first page of the engineering document. When electronically signing and sealing, your electronic signature and seal, with the date the document was sealed, should appear on the signature report. With either of these methods, a title block should appear on each sheet of the document.

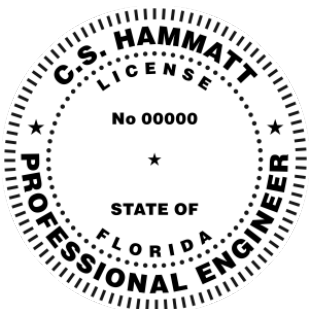
See [Rules 61G15-23.001\(4\) & \(5\), F.A.C.](#)

METHODS OF SIGNING AND SEALING

A Professional Engineer may use a wet seal, an embossing seal, or a digital seal. Whichever is used must be at least 1-7/8 inches in diameter and similar in design as indicated in [Rule 61G15-23.002, F.A.C., *Seals Acceptable to the Board*](#).

The method you choose for signing and sealing your engineering documents will depend on the format required by the public entity with which you are filing the documents. FBPE does not have jurisdiction over how engineering documents must be filed, as long as the public entity is not asking Professional Engineers to violate engineering laws and rules.

PHYSICALLY SIGNING AND SEALING



Engineering documents can be hand signed with a pen, dated, and sealed by the Professional Engineer in responsible charge. The seal may be ink stamped, embossed, or a digital image, and placed partially overlapping — but not obscuring — your signature. The signature may not be a scanned, facsimile, digitally created, or copied image.

Scanned or electronic copies of physically signed and sealed documents are not considered signed and sealed.

See [Rule 61G15-23.003, F.A.C., *Procedures for Physically Signing and Sealing Plans, Specifications, Reports or Other Documents*](#).

DIGITALLY SIGNING AND SEALING

A digital signature must be unique to the Professional Engineer using it, obtained from a third-party certification authority, and capable of verification. The certification authority will vet the PE and provide a password-protected digital signature file. (FBPE does not approve or provide a list of authorities.)

You may not use the digital signature option provided in Adobe Acrobat, since it is self-authenticated and does not use a third party. However, you may use Adobe Acrobat in conjunction with the digital signature provided from a proper certification authority.

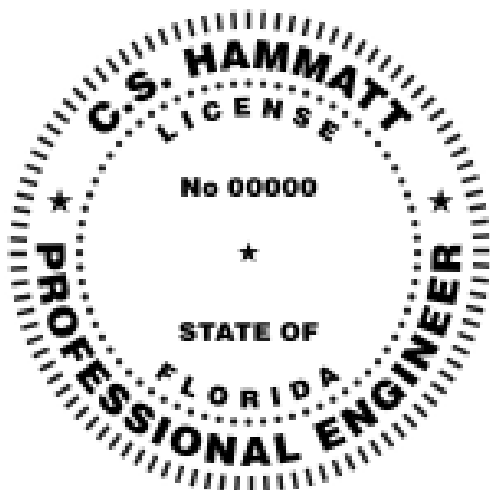
Your digital signature must be linked to the document in such a way that any change invalidates the signature and document.

A digital signature is typically placed on the first page of an engineering document. A digitally signed and sealed document may include as many sheets as necessary. Each sheet must contain a title block.

Printed copies of digitally signed, dated, and sealed documents are not considered signed and sealed.

Please note that while the formatting may be altered, the text located within the text box must remain identical to the examples, and must be placed on the electronic plan sheets and **must not be a part of the digital signature itself**.

An example of a digitally created seal and the required text box language:



This item has been digitally signed and sealed by
C.S. Hammatt, PE, on 06/18/2021.

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

An example of the required text box language when a digitally created seal is not used:

C.S. Hammatt, Professional Engineer, State of Florida, License No. 000000

This item has been digitally signed and sealed by C.S. Hammatt, PE, on 06/18/2021.

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

See [Rule 61G15-23.004, F.A.C., Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.](#)

ELECTRONICALLY SIGNING AND SEALING

An electronic signature for a file of engineering documents is created by a piece of software called a secure hash standard (or SHA) authentication code generator.

The electronically signed and sealed file may include as many sheets as necessary. Each sheet must contain a title block.

After completing a project, you create a computer file that contains as many sheets as necessary for the engineering project. The file is run through the generator, which provides a string of numbers and letters (the SHA authentication code) that is used in your document's signature report.

The printable signature report must include your name and license number, and list all items to which the electronic signature applies. The signature report must be printed and hand signed, dated, and sealed.

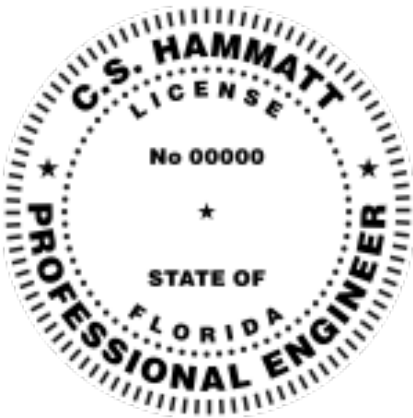
The signed and sealed report must be sent along with the electronically signed and sealed file either by hardcopy or electronic scan. (If the signature report is scanned and sent electronically, you must retain the hardcopy as required in [Rule 61G15-30.009, F.A.C., Retention of Engineering Documents.](#))

Printed copies of electronically signed, dated, and sealed documents are not considered signed and sealed.

Simply encrypting, securing, or locking an electronic file does not constitute a digital or electronic signature or seal.

Please note that while the formatting may be altered, the text located within the text box must remain identical to the examples, and must be placed on the electronic plan sheets and not a part of the electronic signature itself.

An example of an electronically created seal and the required text box language:



This item has been electronically signed and sealed by C.S. Hammatt, PE, on 06/18/2021 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.

An example of the required text box language when an electronically created seal is not used:

C.S. Hammatt, Professional Engineer, State of Florida, License No. 000000

This item has been electronically signed and sealed by C.S. Hammatt, PE, on 06/18/2021 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.

See [Rule 61G15-23.005](#),

[F.A.C., Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.](#)

WHERE DO I PURCHASE MY SEAL?

A web search will turn up a list of vendors of engineering seals.

The Board does not provide nor sell any types of seals, and cannot recommend vendors of seals.

7-References for Florida Laws and Rules biennium (2025-2027):

Florida Rules and

- 1- Florida Rules and Laws Basics.
- 2- All the changes made to Florid Rules: 61G15 biennium 2023-2025
- 3- All the Changes made to Florida Statues: Chapter 471 biennium 2023-2025

[Chapter 471 – Engineering](#)

- 4- All the Changes made to Florida Statues: Chapter 455 biennium 2023-2025
[Statutes & Constitution: View Statutes : Online Sunshine \(state.fl.us\)](#)
- 5- Disciplinary Actions
[Disciplinary Actions - Florida Board of Professional Engineers \(fbpe.org\)](#)
- 6- Signing and sealing engineering documents