

By the Committee on Regulated Industries; and Senator Saunders

315-2001-04

1 A bill to be entitled
 2 An act relating to engineering; amending s.
 3 471.007, F.S.; increasing the size of the Board
 4 of Professional Engineers from nine to eleven
 5 members; specifying the professions of the
 6 engineers added to the board; amending s.
 7 471.013, F.S.; directing the board to deem that
 8 an applicant for the professional engineering
 9 examination has passed the fundamentals
 10 examination under specified conditions;
 11 amending s. 471.031, F.S.; providing an
 12 exemption from a prohibition against unlicensed
 13 persons using the title "engineer"; providing
 14 limitations on such exemption; providing an
 15 effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Section 471.007, Florida Statutes, is
 20 amended to read:

21 471.007 Board of Professional Engineers.--There is
 22 created in the department the Board of Professional Engineers.
 23 The board shall consist of eleven ~~nine~~ members, nine ~~seven~~ of
 24 whom shall be licensed engineers and two of whom shall be
 25 laypersons who are not and have never been engineers or
 26 members of any closely related profession or occupation. Of
 27 the members who are licensed engineers, three shall be civil
 28 engineers, one shall be a structural engineer, one shall be
 29 either an electrical or electronic engineer, one shall be a
 30 mechanical engineer, one shall be an industrial engineer, one
 31 shall be an engineering educator, and one shall be from any

1 discipline of engineering other than civil engineering.

2 Members shall be appointed by the Governor for terms of 4
3 years each.

4 Section 2. Subsection (1) of section 471.013, Florida
5 Statutes, is amended to read:

6 471.013 Examinations; prerequisites.--

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

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

17 2. Is a graduate of an approved engineering technology
18 curriculum of 4 years or more in a school, college, or
19 university within the State University System, having been
20 enrolled or having graduated before ~~prior to~~ July 1, 1979, and
21 has a record of 4 years of active engineering experience of a
22 character indicating competence to be in responsible charge of
23 engineering; or

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

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1 The board shall adopt rules providing for the review and
2 approval of schools or colleges and the courses of study in
3 engineering in these ~~such~~ schools and colleges. The rules
4 shall be based on the educational requirements for engineering
5 as defined in s. 471.005. The board may adopt rules providing
6 for the acceptance of the approval and accreditation of
7 schools and courses of study by a nationally accepted
8 accreditation organization.

9 (b) A person shall be entitled to take the
10 fundamentals examination for the purpose of determining
11 whether she or he is qualified to practice in this state as an
12 engineer intern if she or he is in the final year of, or is a
13 graduate of, an approved engineering curriculum in a school,
14 college, or university approved by the board.

15 (c) A person is ~~shall~~ not ~~be~~ entitled to take the
16 principles and practice examination until that person has
17 successfully completed the fundamentals examination.

18 (d) The board shall deem that an applicant who seeks
19 licensure by examination has passed the fundamentals
20 examination if the applicant has received a doctorate degree
21 in engineering from an institution that has an undergraduate
22 engineering program that is accredited by the Engineering
23 Accreditation Commission of the Accreditation Board for
24 Engineers and Technology, Inc., and has taught engineering
25 full-time for at least 3 years, at the baccalaureate level or
26 higher, after receiving the doctorate degree.

27 (e)~~(d)~~ Every applicant who is qualified to take the
28 fundamentals examination or the principles and practice
29 examination shall be allowed to take either examination three
30 ~~five~~ times, notwithstanding the number of times either
31 examination has been previously failed. If an applicant fails

1 either examination three ~~five~~ times, the board shall require
2 the applicant to complete additional college-level education
3 ~~courses in the areas of deficiency, as determined by the~~
4 ~~board,~~ as a condition of future eligibility to take that
5 examination.

6 Section 3. Section 471.031, Florida Statutes, as
7 amended by section 3 of chapter 2003-425, Laws of Florida, is
8 amended to read:

9 471.031 Prohibitions; penalties.--

10 (1) A person may not:

11 (a) Practice engineering unless the person is licensed
12 or exempt from licensure under this chapter.

13 (b)1. Except as provided in subparagraph 2. or
14 subparagraph 3., use the name or title "professional engineer"
15 or any other title, designation, words, letters,
16 abbreviations, or device tending to indicate that such person
17 holds an active license as an engineer when the person is not
18 licensed under this chapter, including, but not limited to,
19 the following titles: "agricultural engineer,"
20 "air-conditioning engineer," "architectural engineer,"
21 "building engineer," "chemical engineer," "civil engineer,"
22 "control systems engineer," "electrical engineer,"
23 "environmental engineer," "fire protection engineer,"
24 "industrial engineer," "manufacturing engineer," "mechanical
25 engineer," "metallurgical engineer," "mining engineer,"
26 "minerals engineer," "marine engineer," "nuclear engineer,"
27 "petroleum engineer," "plumbing engineer," "structural
28 engineer," "transportation engineer," "software engineer,"
29 "computer hardware engineer," or "systems engineer."

30 2. Any person who is exempt from licensure under s.
31 471.003(2)(j) may use the title or personnel classification of

1 "engineer" in the scope of his or her work under that
2 exemption if the title does not include or connote the term
3 "professional engineer," "registered engineer," "licensed
4 engineer," "registered professional engineer," or "licensed
5 professional engineer."

6 3. Any person who is exempt from licensure under s.
7 471.003(2)(c) or (e) may use the title or personnel
8 classification of "engineer" in the scope of his or her work
9 under that exemption if the title does not include or connote
10 the term "professional engineer," "registered engineer,"
11 "licensed engineer," "registered professional engineer," or
12 "licensed professional engineer" and if that person is a
13 graduate of an approved engineering curriculum of 4 years or
14 more in a school, college, or university which has been
15 approved by the board.

16 (c) Present as his or her own the license of another.

17 (d) Give false or forged evidence to the board or a
18 member thereof.

19 (e) Use or attempt to use a license that has been
20 suspended, revoked, or placed on inactive or delinquent
21 status.

22 (f) Employ nonexempt unlicensed persons to practice
23 engineering.

24 (g) Conceal information relative to violations of this
25 chapter.

26 (2) Any person who violates any provision of this
27 section commits a misdemeanor of the first degree, punishable
28 as provided in s. 775.082 or s. 775.083.

29 Section 4. This act shall take effect upon becoming a
30 law.

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1 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
2 COMMITTEE SUBSTITUTE FOR
3 Senate Bill 1368

4 The committee substitute increases the number of members on
5 the Board of Professional Engineers from nine to eleven. The
6 two new members are required to be a licensed structural
7 engineer and a licensed industrial engineer.

8 It amends the prerequisites for licensure as a professional
9 engineer to provide that an applicant who seeks licensure will
10 be deemed to have passed the fundamentals examination if the
11 applicant has received a doctorate degree in engineering from
12 an institution that has an undergraduate engineering program
13 that is accredited by the Engineering Accreditation Commission
14 of the Accreditation Board for Engineers and Technology, Inc.,
15 and has taught engineering full-time for at least 3 years, at
16 the baccalaureate level or higher, after receiving the
17 doctorate degree.

18 It decreases the number of times a professional engineer
19 applicant may fail the fundamentals examination from five to
20 three.

21 For a professional engineer applicant who fails the
22 fundamental examination three times, it eliminates the
23 requirement that the applicant take additional college level
24 education courses in the areas of deficiency as determined by
25 the board.