

1 A bill to be entitled
2 An act relating to engineers; amending s. 471.003,
3 F.S.; prohibiting a person who is not licensed as an
4 engineer or a structural engineer from using specified
5 names and titles or practicing engineering or
6 structural engineering; exempting certain persons from
7 the licensing requirements; amending s. 471.005, F.S.;
8 providing definitions; amending s. 471.011, F.S.;
9 establishing various fees for the examination and
10 licensure of structural engineers; amending s.
11 471.013, F.S.; revising provisions authorizing the
12 Board of Professional Engineers to refuse to certify
13 an applicant due to lack of good moral character to
14 include structural engineer licensure applicants, to
15 conform; amending s. 471.015, F.S.; providing
16 licensure and application requirements for a
17 structural engineer license; exempting under certain
18 conditions a structural engineer who applies for
19 licensure before a specified date from passage of a
20 certain national examination; requiring the board to
21 certify certain applicants for licensure by
22 endorsement; amending ss. 471.019 and 471.025, F.S.;
23 revising continuing education requirements for
24 reactivation of a license and provisions requiring an
25 engineer with a revoked or suspended license to
26 surrender his or her seal, respectively, to include

27 structural engineers, to conform; amending s. 471.031,
 28 F.S.; prohibiting specified persons from using
 29 specified names and titles; amending s. 471.033, F.S.;
 30 providing various acts which constitute grounds for
 31 disciplinary action against a structural engineer, to
 32 which penalties apply; amending s. 471.037, F.S.;
 33 revising applicability, to conform to changes made by
 34 the act; providing an effective date.

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36 Be It Enacted by the Legislature of the State of Florida:

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38 Section 1. Subsection (1) and paragraphs (f) and (i) of
 39 subsection (2) of section 471.003, Florida Statutes, are amended
 40 to read:

41 471.003 Qualifications for practice; exemptions.—

42 (1) (a) No person other than a duly licensed engineer shall
 43 practice engineering or use the name or title of "licensed
 44 engineer," "professional engineer," "registered engineer," or
 45 any other title, designation, words, letters, abbreviations, or
 46 device tending to indicate that such person holds an active
 47 license as an engineer in this state.

48 (b) Beginning March 1, 2019, no person other than a duly
 49 licensed structural engineer shall practice structural
 50 engineering or use the name or title of "licensed structural
 51 engineer," "professional structural engineer," "registered
 52 structural engineer," "structural engineer," or any other title,

53 designation, words, letters, abbreviations, or device tending to
54 indicate that such person holds an active license as a
55 structural engineer in this state.

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

59 (f) Any person as contractor in the execution of work
60 designed by a professional engineer or structural engineer or in
61 the supervision of the construction of work as a foreman or
62 superintendent.

63 (i) Any general contractor, certified or registered
64 pursuant to the provisions of chapter 489, when negotiating or
65 performing services under a design-build contract as long as the
66 engineering services offered or rendered in connection with the
67 contract are offered and rendered by an engineer or structural
68 engineer licensed in accordance with this chapter.

69 Section 2. Subsections (14) and (15) are added to section
70 471.005, Florida Statutes, to read:

71 471.005 Definitions.—As used in this chapter, the term:

72 (14) "Licensed structural engineer," "professional
73 structural engineer," "registered structural engineer," or
74 "structural engineer" means a person who is licensed to engage
75 in the practice of structural engineering under this chapter.

76 (15) "Structural engineering" means an engineering service
77 or creative work that includes the structural analysis and
78 design of structural components or systems for threshold

79 buildings as defined in s. 553.71. The term includes
 80 engineering, as defined in subsection (7), that requires
 81 significant structural engineering education, training,
 82 experience, and examination, as defined by the board.

83 Section 3. Subsections (1) and (6) of section 471.011,
 84 Florida Statutes, are amended to read:

85 471.011 Fees.—

86 (1) The board by rule may establish fees to be paid for
 87 applications, examination, reexamination, licensing and renewal,
 88 inactive status application and reactivation of inactive
 89 licenses, and recordmaking and recordkeeping. The board may also
 90 establish by rule a delinquency fee. The board shall establish
 91 fees that are adequate to ensure the continued operation of the
 92 board. Fees shall be based on department estimates of the
 93 revenue required to implement this chapter and the provisions of
 94 law with respect to the regulation of engineers and structural
 95 engineers.

96 (6) The fee for a temporary registration or certificate to
 97 practice engineering or structural engineering shall not exceed
 98 \$25 for an individual or \$50 for a business firm.

99 Section 4. Paragraph (a) of subsection (2) of section
 100 471.013, Florida Statutes, is amended to read:

101 471.013 Examinations; prerequisites.—

102 (2)(a) The board may refuse to certify an applicant for
 103 failure to satisfy the requirement of good moral character only
 104 if:

105 1. There is a substantial connection between the lack of
 106 good moral character of the applicant and the professional
 107 responsibilities of a licensed engineer or structural engineer;
 108 and

109 2. The finding by the board of lack of good moral
 110 character is supported by clear and convincing evidence.

111 Section 5. Subsections (3) through (7) of section 471.015,
 112 Florida Statutes, are renumbered as subsections (4) through (8),
 113 respectively, present subsection (3) is amended, and a new
 114 subsection (3) is added to that section to read:

115 471.015 Licensure.—

116 (3) (a) The management corporation shall issue a structural
 117 engineer license to any applicant who the board certifies as
 118 qualified to practice structural engineering and who:

119 1. Is licensed under this chapter as an engineer or is
 120 qualified for licensure as an engineer.

121 2. Submits an application in the format prescribed by the
 122 board.

123 3. Pays a fee established by the board under s. 471.011.

124 4. Provides satisfactory evidence of good moral character,
 125 as defined by the board.

126 5. Provides a record of 4 years of active structural
 127 engineering experience, as defined by the board, under the
 128 supervision of a licensed professional engineer.

129 6. Has successfully passed the National Council of
 130 Examiners for Engineering and Surveying structural engineering

131 examination.

132 (b) Before February 28, 2019, an applicant who satisfies
133 subparagraphs 1.-5. may satisfy subparagraph 6. by submitting a
134 signed affidavit in the format prescribed by the board that
135 states:

136 1. The applicant is currently a licensed engineer in the
137 state and has been engaged in the practice of structural
138 engineering with a record of at least 4 years of active
139 structural engineering experience.

140 2. The applicant is willing to meet with the board or a
141 representative of the board, upon its request, for the purpose
142 of evaluating the applicant's qualifications for licensure.

143 (c) An applicant who is qualified for licensure as an
144 engineer under s. 471.013 may simultaneously apply for licensure
145 as a structural engineer if all requirements of s. 471.013 and
146 this subsection are met.

147 (4)-(3)- The board shall certify as qualified for a license
148 by endorsement an applicant who:

149 (a) Qualifies to take the fundamentals examination and the
150 principles and practice examination as set forth in s. 471.013,
151 has passed a United States national, regional, state, or
152 territorial licensing examination that is substantially
153 equivalent to the fundamentals examination and principles and
154 practice examination required by s. 471.013, and has satisfied
155 the experience requirements set forth in s. 471.013; or

156 (b) Holds a valid license to practice engineering or, for

157 structural engineer applicants, a license to practice structural
 158 engineering issued by another state or territory of the United
 159 States, if the criteria for issuance of the license were
 160 substantially the same as the licensure criteria that existed in
 161 this state at the time the license was issued.

162 Section 6. Section 471.019, Florida Statutes, is amended
 163 to read:

164 471.019 Reactivation.—The board shall prescribe by rule
 165 continuing education requirements for reactivating a license.
 166 The continuing education requirements for reactivating a license
 167 for a licensed engineer or structural engineer may not exceed 12
 168 classroom hours for each year the license was inactive.

169 Section 7. Subsection (2) of section 471.025, Florida
 170 Statutes, is amended to read:

171 471.025 Seals.—

172 (2) It is unlawful for any person to seal or digitally
 173 sign any document with a seal or digital signature after his or
 174 her license has expired or been revoked or suspended, unless
 175 such license is ~~has been~~ reinstated or reissued. When an
 176 engineer's or structural engineer's license is ~~has been~~ revoked
 177 or suspended by the board, the licensee shall, within a period
 178 of 30 days after the revocation or suspension has become
 179 effective, surrender his or her seal to the executive director
 180 of the board and confirm to the executive director the
 181 cancellation of the licensee's digital signature in accordance
 182 with ss. 668.001-668.006. In the event the engineer's license

183 has been suspended for a period of time, his or her seal shall
 184 be returned to him or her upon expiration of the suspension
 185 period.

186 Section 8. Paragraphs (b) through (g) of subsection (1) of
 187 section 471.031, Florida Statutes, are redesignated as
 188 paragraphs (c) through (h), respectively, present paragraph (b)
 189 is amended, and a new paragraph (b) is added to that subsection
 190 to read:

191 471.031 Prohibitions; penalties.—

192 (1) A person may not:

193 (b) Beginning March 1, 2019, practice structural
 194 engineering unless the person is licensed as a structural
 195 engineer or exempt from licensure under this chapter.

196 (c)~~(b)~~1. Except as provided in subparagraph 2. or
 197 subparagraph 3., use the name or title "professional engineer"
 198 or any other title, designation, words, letters, abbreviations,
 199 or device tending to indicate that such person holds an active
 200 license as an engineer when the person is not licensed under
 201 this chapter, including, but not limited to, the following
 202 titles: "agricultural engineer," "air-conditioning engineer,"
 203 "architectural engineer," "building engineer," "chemical
 204 engineer," "civil engineer," "control systems engineer,"
 205 "electrical engineer," "environmental engineer," "fire
 206 protection engineer," "industrial engineer," "manufacturing
 207 engineer," "mechanical engineer," "metallurgical engineer,"
 208 "mining engineer," "minerals engineer," "marine engineer,"

209 "nuclear engineer," "petroleum engineer," "plumbing engineer,"
 210 "structural engineer," "transportation engineer," "software
 211 engineer," "computer hardware engineer," or "systems engineer."

212 2. Any person who is exempt from licensure under s.
 213 471.003(2)(j) may use the title or personnel classification of
 214 "engineer" in the scope of his or her work under that exemption
 215 if the title does not include or connote the term "licensed
 216 engineer," "professional engineer," "registered engineer,"
 217 "licensed professional engineer," ~~"licensed engineer,"~~
 218 "registered professional engineer," "licensed structural
 219 engineer," "professional structural engineer," "registered
 220 structural engineer," or "structural engineer." ~~or "licensed~~
 221 ~~professional engineer."~~

222 3. Any person who is exempt from licensure under s.
 223 471.003(2)(c) or (e) may use the title or personnel
 224 classification of "engineer" in the scope of his or her work
 225 under that exemption if the title does not include or connote
 226 the term "licensed engineer," "professional engineer,"
 227 "registered engineer," "licensed professional engineer,"
 228 ~~"licensed engineer,"~~ "registered professional engineer,"
 229 "licensed structural engineer," "professional structural
 230 engineer," "registered structural engineer," or "structural
 231 engineer," ~~or "licensed professional engineer"~~ and if that
 232 person is a graduate from an approved engineering curriculum of
 233 4 years or more in a school, college, or university which has
 234 been approved by the board.

235 Section 9. Paragraph (e) of subsection (1) and subsection
 236 (4) of section 471.033, Florida Statutes, is amended to read:

237 471.033 Disciplinary proceedings.—

238 (1) The following acts constitute grounds for which the
 239 disciplinary actions in subsection (3) may be taken:

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

247 (4) The management corporation shall reissue the license
 248 of a disciplined engineer, structural engineer, or business upon
 249 certification by the board that the disciplined person has
 250 complied with all of the terms and conditions set forth in the
 251 final order.

252 Section 10. Subsection (1) of section 471.037, Florida
 253 Statutes, is amended to read:

254 471.037 Effect of chapter locally.—

255 (1) Nothing contained in this chapter shall be construed
 256 to repeal, amend, limit, or otherwise affect any local building
 257 code or zoning law or ordinance, now or hereafter enacted, which
 258 is more restrictive with respect to the services of licensed
 259 engineers or structural engineers than the provisions of this
 260 chapter.

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261 | Section 11. This act shall take effect July 1, 2015. |