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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/09/2015	.	
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The Committee on Fiscal Policy (Bradley) recommended the following:

**Senate Amendment**

Delete lines 38 - 256

and insert:

Section 1. Subsections (1) and (2) of section 471.003, Florida Statutes, are amended to read:

471.003 Qualifications for practice; exemptions.—

(1) (a) No person other than a duly licensed engineer shall practice engineering or use the name or title of "licensed engineer," "professional engineer," "registered engineer," or



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11 any other title, designation, words, letters, abbreviations, or  
12 device tending to indicate that such person holds an active  
13 license as an engineer in this state.

14 (b) Beginning March 1, 2017, no person other than a duly  
15 licensed structural engineer shall practice structural  
16 engineering or use the name or title of "licensed structural  
17 engineer," "professional structural engineer," "registered  
18 structural engineer," "structural engineer," or any other title,  
19 designation, words, letters, abbreviations, or device tending to  
20 indicate that such person holds an active license as a  
21 structural engineer in this state.

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

25 (a) Any person practicing engineering for the improvement  
26 of, or otherwise affecting, property legally owned by her or  
27 him, unless such practice involves a public utility or the  
28 public health, safety, or welfare or the safety or health of  
29 employees. This paragraph shall not be construed as authorizing  
30 the practice of engineering through an agent or employee who is  
31 not duly licensed under the provisions of this chapter.

32 (b)1. A person acting as a public officer employed by any  
33 state, county, municipal, or other governmental unit of this  
34 state when working on any project the total estimated cost of  
35 which is \$10,000 or less.

36 2. Persons who are employees of any state, county,  
37 municipal, or other governmental unit of this state and who are  
38 the subordinates of a person in responsible charge licensed  
39 under this chapter, to the extent that the supervision meets



40 standards adopted by rule of the board.

41 (c) Regular full-time employees of a corporation not  
42 engaged in the practice of engineering as such, whose practice  
43 of engineering for such corporation is limited to the design or  
44 fabrication of manufactured products and servicing of such  
45 products.

46 (d) Regular full-time employees of a public utility or  
47 other entity subject to regulation by the Florida Public Service  
48 Commission, Federal Energy Regulatory Commission, or Federal  
49 Communications Commission.

50 (e) Employees of a firm, corporation, or partnership who  
51 are the subordinates of a person in responsible charge, licensed  
52 under this chapter.

53 (f) Any person as contractor in the execution of work  
54 designed by a professional engineer or structural engineer or in  
55 the supervision of the construction of work as a foreman or  
56 superintendent.

57 (g) A licensed surveyor and mapper who takes, or contracts  
58 for, professional engineering services incidental to her or his  
59 practice of surveying and mapping and who delegates such  
60 engineering services to a licensed professional engineer  
61 qualified within her or his firm or contracts for such  
62 professional engineering services to be performed by others who  
63 are licensed professional engineers under the provisions of this  
64 chapter.

65 (h) Any electrical, plumbing, air-conditioning, or  
66 mechanical contractor whose practice includes the design and  
67 fabrication of electrical, plumbing, air-conditioning, or  
68 mechanical systems, respectively, which she or he installs by



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69 virtue of a license issued under chapter 489, under part I of  
70 chapter 553, or under any special act or ordinance when working  
71 on any construction project which:

72 1. Requires an electrical or plumbing or air-conditioning  
73 and refrigeration system with a value of \$125,000 or less; and

74 2.a. Requires an aggregate service capacity of 600 amperes  
75 (240 volts) or less on a residential electrical system or 800  
76 amperes (240 volts) or less on a commercial or industrial  
77 electrical system;

78 b. Requires a plumbing system with fewer than 250 fixture  
79 units; or

80 c. Requires a heating, ventilation, and air-conditioning  
81 system not to exceed a 15-ton-per-system capacity, or if the  
82 project is designed to accommodate 100 or fewer persons.

83 (i) Any general contractor, certified or registered  
84 pursuant to the provisions of chapter 489, when negotiating or  
85 performing services under a design-build contract as long as the  
86 engineering services offered or rendered in connection with the  
87 contract are offered and rendered by an engineer or structural  
88 engineer licensed in accordance with this chapter.

89 (j) Any defense, space, or aerospace company, whether a  
90 sole proprietorship, firm, limited liability company,  
91 partnership, joint venture, joint stock association,  
92 corporation, or other business entity, subsidiary, or affiliate,  
93 or any employee, contract worker, subcontractor, or independent  
94 contractor of the defense, space, or aerospace company who  
95 provides engineering for aircraft, space launch vehicles, launch  
96 services, satellites, satellite services, or other defense,  
97 space, or aerospace-related product or services, or components



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98 thereof.

99 Section 2. Subsections (14) and (15) are added to section  
100 471.005, Florida Statutes, to read:

101 471.005 Definitions.—As used in this chapter, the term:

102 (14) "Licensed structural engineer," "professional  
103 structural engineer," "registered structural engineer," or  
104 "structural engineer" means a person who is licensed to engage  
105 in the practice of structural engineering under this chapter.

106 (15) "Structural engineering" means an engineering service  
107 or creative work that includes the structural analysis and  
108 design of structural components or systems for threshold  
109 buildings as defined in s. 553.71. The term includes  
110 engineering, as defined in subsection (7), which requires  
111 significant structural engineering education, training,  
112 experience, and examination, as determined by the board.

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

115 471.011 Fees.—

116 (1) The board by rule may establish fees to be paid for  
117 applications, examination, reexamination, licensing and renewal,  
118 inactive status application and reactivation of inactive  
119 licenses, and recordmaking and recordkeeping. The board may also  
120 establish by rule a delinquency fee. The board shall establish  
121 fees that are adequate to ensure the continued operation of the  
122 board. Fees shall be based on department estimates of the  
123 revenue required to implement this chapter and the provisions of  
124 law with respect to the regulation of engineers and structural  
125 engineers.

126 (6) The fee for a temporary registration or certificate to



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127 practice engineering or structural engineering shall not exceed  
128 \$25 for an individual or \$50 for a business firm.

129 Section 4. Paragraph (a) of subsection (2) of section  
130 471.013, Florida Statutes, is amended to read:

131 471.013 Examinations; prerequisites.-

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

135 1. There is a substantial connection between the lack of  
136 good moral character of the applicant and the professional  
137 responsibilities of a licensed engineer or structural engineer;  
138 and

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

141 Section 5. Present subsections (3) through (7) of section  
142 471.015, Florida Statutes, are redesignated as subsections (4)  
143 through (8), respectively, present subsection (3) is amended,  
144 and a new subsection (3) is added to that section, to read:

145 471.015 Licensure.-

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

149 1. Is licensed under this chapter as an engineer or is  
150 qualified for licensure as an engineer.

151 2. Submits an application in the format prescribed by the  
152 board.

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

154 4. Provides satisfactory evidence of good moral character,  
155 as defined by the board.



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156       5. Provides a record of 4 years of active structural  
157 engineering experience, as defined by the board, under the  
158 supervision of a licensed professional engineer.

159       6. Has successfully passed the National Council of  
160 Examiners for Engineering and Surveying Structural Engineering  
161 examination.

162       (b) Before September 1, 2016, an applicant who satisfies  
163 subparagraphs (a)1.-4. may satisfy subparagraphs (a)5. and 6.  
164 by:

165       1. Submitting a signed affidavit in the format prescribed  
166 by the board which states that the applicant is currently a  
167 licensed engineer in the state and has been engaged in the  
168 practice of structural engineering with a record of at least 4  
169 years of active structural engineering design experience;

170       2. Possessing a current professional engineering license  
171 and filing the necessary documentation as required by the board,  
172 or possessing a current threshold inspector license; and

173       3. Agreeing to meet with the board or a representative of  
174 the board, upon the board's request, for the purpose of  
175 evaluating the applicant's qualifications for licensure.

176       (c) An applicant who is qualified for licensure as an  
177 engineer under s. 471.013 may simultaneously apply for licensure  
178 as a structural engineer if all requirements of s. 471.013 and  
179 this subsection are met.

180       (4)~~(3)~~ The board shall certify as qualified for a license  
181 by endorsement an applicant who:

182       (a) In engineering, by endorsement, an applicant who  
183 qualifies to take the fundamentals examination and the  
184 principles and practice examination as set forth in s. 471.013,



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185 has passed a United States national, regional, state, or  
186 territorial licensing examination that is substantially  
187 equivalent to the fundamentals examination and principles and  
188 practice examination required by s. 471.013, and has satisfied  
189 the experience requirements set forth in s. 471.013; ~~or~~

190 (b) In engineering or structural engineering, by  
191 endorsement, an applicant who holds a valid license to practice  
192 engineering, or, for structural engineering, an applicant who  
193 holds a valid license to practice structural engineering, issued  
194 by another state or territory of the United States, if the  
195 criteria for issuance of the license were substantially the same  
196 as the licensure criteria that existed in this state at the time  
197 the license was issued; or

198 (c) In structural engineering, by endorsement, an applicant  
199 who holds a valid license to practice structural engineering  
200 issued by another state or territory of the United States and  
201 who has successfully passed one of the following 16-hour  
202 examination combinations:

203 1. The 8-hour National Council of Examiners for Engineering  
204 and Surveying Structural Engineering I examination and the 8-  
205 hour National Council of Examiners for Engineering and Surveying  
206 Structural Engineering II examination.

207 2. The 8-hour National Council of Examiners for Engineering  
208 and Surveying Structural Engineering II examination and the 8-  
209 hour National Council of Examiners for Engineering and Surveying  
210 Civil: Structural examination or the 8-hour National Council of  
211 Examiners for Engineering and Surveying Architectural  
212 Engineering examination.

213 3. The 16-hour Western States Structural Engineering





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214 examination.

215 4. The 8-hour National Council of Examiners for Engineering  
216 Structural Engineering II examination and the 8-hour California  
217 Structural Engineering Seismic III examination or the 8-hour  
218 Washington Structural Engineering III examination.

219 Section 6. Section 471.019, Florida Statutes, is amended to  
220 read:

221 471.019 Reactivation.—The board shall prescribe by rule  
222 continuing education requirements for reactivating a license.  
223 The continuing education requirements for reactivating a license  
224 for a licensed engineer or structural engineer may not exceed 12  
225 classroom hours for each year the license was inactive.

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

228 471.025 Seals.—

229 (2) It is unlawful for any person to seal or digitally sign  
230 any document with a seal or digital signature after his or her  
231 license has expired or been revoked or suspended, unless such  
232 license is ~~has been~~ reinstated or reissued. When an engineer's  
233 or structural engineer's license is ~~has been~~ revoked or  
234 suspended by the board, the licensee shall, within a period of  
235 30 days after the revocation or suspension has become effective,  
236 surrender his or her seal to the executive director of the board  
237 and confirm to the executive director the cancellation of the  
238 licensee's digital signature in accordance with ss. 668.001-  
239 668.006. In the event the engineer's license has been suspended  
240 for a period of time, his or her seal shall be returned to him  
241 or her upon expiration of the suspension period.

242 Section 8. Present paragraphs (b) through (g) of subsection



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243 (1) of section 471.031, Florida Statutes, are redesignated as  
244 paragraphs (c) through (h), respectively, present paragraph (b)  
245 of that subsection is amended, and a new paragraph (b) is added  
246 to that subsection, to read:

247 471.031 Prohibitions; penalties.-

248 (1) A person may not:

249 (b) Beginning March 1, 2017, practice structural