



224476

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/12/2015	.	
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The Committee on Regulated Industries (Diaz de la Portilla) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (1) and paragraphs (f) and (i) of  
subsection (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



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

15 (b) Beginning March 1, 2019, no person other than a duly  
16 licensed structural engineer shall practice structural  
17 engineering or use the name or title of "licensed structural  
18 engineer," "professional structural engineer," "registered  
19 structural engineer," "structural engineer," or any other title,  
20 designation, words, letters, abbreviations, or device tending to  
21 indicate that such person holds an active license as a  
22 structural engineer in this state.

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

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

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

37 2. Persons who are employees of any state, county,  
38 municipal, or other governmental unit of this state and who are  
39 the subordinates of a person in responsible charge licensed



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40 under this chapter, to the extent that the supervision meets  
41 standards adopted by rule of the board.

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

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

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

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

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

66 (h) Any electrical, plumbing, air-conditioning, or  
67 mechanical contractor whose practice includes the design and  
68 fabrication of electrical, plumbing, air-conditioning, or



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69 mechanical systems, respectively, which she or he installs by  
70 virtue of a license issued under chapter 489, under part I of  
71 chapter 553, or under any special act or ordinance when working  
72 on any construction project which:

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

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

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

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

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

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



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98 space, or aerospace-related product or services, or components  
99 thereof.

100 Section 2. Subsections (14) and (15) are added to section  
101 471.005, Florida Statutes, to read:

102 471.005 Definitions.—As used in this chapter, the term:

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

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

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

116 471.011 Fees.—

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



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127 (6) The fee for a temporary registration or certificate to  
128 practice engineering or structural engineering shall not exceed  
129 \$25 for an individual or \$50 for a business firm.

130 Section 4. Paragraph (a) of subsection (2) of section  
131 471.013, Florida Statutes, is amended to read:

132 471.013 Examinations; prerequisites.—

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

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

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

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

146 471.015 Licensure.—

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

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

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

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

155 4. Provides satisfactory evidence of good moral character,



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156 as defined by the board.

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

160 6. Has successfully passed the National Council of  
161 Examiners for Engineering and Surveying structural engineering  
162 examination.

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

167 1. The applicant is currently a licensed engineer in this  
168 state and has been engaged in the practice of structural  
169 engineering with a record of at least 4 years of active  
170 structural engineering experience.

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

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

178 (4)~~(3)~~ The board shall certify as qualified for a license  
179 by endorsement an applicant who:

180 (a) Qualifies to take the fundamentals examination and the  
181 principles and practice examination as set forth in s. 471.013,  
182 has passed a United States national, regional, state, or  
183 territorial licensing examination that is substantially  
184 equivalent to the fundamentals examination and principles and



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185 practice examination required by s. 471.013, and has satisfied  
186 the experience requirements set forth in s. 471.013; or

187 (b) Holds a valid license to practice engineering or, for  
188 structural engineer applicants, a license to practice structural  
189 engineering issued by another state or territory of the United  
190 States, if the criteria for issuance of the license were  
191 substantially the same as the licensure criteria that existed in  
192 this state at the time the license was issued.

193 Section 6. Section 471.019, Florida Statutes, is amended to  
194 read:

195 471.019 Reactivation.—The board shall prescribe by rule  
196 continuing education requirements for reactivating a license.  
197 The continuing education requirements for reactivating a license  
198 for a licensed engineer or structural engineer may not exceed 12  
199 classroom hours for each year the license was inactive.

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

202 471.025 Seals.—

203 (2) It is unlawful for any person to seal or digitally sign  
204 any document with a seal or digital signature after his or her  
205 license has expired or been revoked or suspended, unless such  
206 license is ~~has been~~ reinstated or reissued. When an engineer's  
207 or structural engineer's license is ~~has been~~ revoked or  
208 suspended by the board, the licensee shall, within a period of  
209 30 days after the revocation or suspension has become effective,  
210 surrender his or her seal to the executive director of the board  
211 and confirm to the executive director the cancellation of the  
212 licensee's digital signature in accordance with ss. 668.001-  
213 668.006. In the event the engineer's license has been suspended





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214 for a period of time, his or her seal shall be returned to him  
215 or her upon expiration of the suspension period.

216 Section 8. Paragraphs (b) through (g) of subsection (1) of  
217 section 471.031, Florida Statutes, are redesignated as  
218 paragraphs (c) through (h), respectively, present paragraph (b)  
219 is amended, and a new paragraph (b) is added to that subsection,  
220 to read:

221 471.031 Prohibitions; penalties.—

222 (1) A person may not:

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

226 (c) ~~(b)~~ 1. Except as provided in subparagraph 2. or  
227 subparagraph 3., use the name or title "professional engineer"  
228 or any other title, designation, words, letters, abbreviations,  
229 or device tending to indicate that such person holds an active  
230 license as an engineer when the person is not licensed under  
231 this chapter, including, but not limited to, the following  
232 titles: "agricultural engineer," "air-conditioning engineer,"  
233 "architectural engineer," "building engineer," "chemical  
234 engineer," "civil engineer," "control systems engineer,"  
235 "electrical engineer," "environmental engineer," "fire  
236 protection engineer," "industrial engineer," "manufacturing  
237 engineer," "mechanical engineer," "metallurgical engineer,"  
238 "mining engineer," "minerals engineer," "marine engineer,"  
239 "nuclear engineer," "petroleum engineer," "plumbing engineer,"  
240 "structural engineer," "transportation engineer," "software  
241 engineer," "computer hardware engineer," or "systems engineer."

242 2. Any person who is exempt from licensure under s.



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243 471.003(2)(j) may use the title or personnel classification of  
244 "engineer" in the scope of his or her work under that exemption  
245 if the title does not include or connote the term "licensed  
246 engineer," "professional engineer," "registered engineer,"  
247 "licensed professional engineer," ~~"licensed engineer,"~~  
248 "registered professional engineer," "licensed structural  
249 engineer," "professional structural engineer," "registered  
250 structural engineer," or "structural engineer." ~~or "licensed~~  
251 ~~professional engineer."~~

252 3. Any person who is exempt from licensure under s.  
253 471.003(2)(c) or (e) may use the title or personnel  
254 classification of "engineer" in the scope of his or her work  
255 under that exemption if the title does not include or connote  
256 the term "licensed engineer," "professional engineer,"  
257 "registered engineer," "licensed professional engineer,"  
258 ~~"licensed engineer,"~~ "registered professional engineer,"  
259 "licensed structural engineer," "professional structural  
260 engineer," "registered structural engineer," or "structural  
261 engineer," ~~or "licensed professional engineer"~~ and if that  
262 person is a graduate from an approved engineering curriculum of  
263 4 years or more in a school, college, or university which has  
264 been approved by the board.

265 Section 9. Paragraph (e) of subsection (1) and subsection  
266 (4) of section 471.033, Florida Statutes, are amended to read:

267 471.033 Disciplinary proceedings.—

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

270 (e) Making or filing a report or record that the licensee  
271 knows to be false, willfully failing to file a report or record



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272 required by state or federal law, willfully impeding or  
273 obstructing such filing, or inducing another person to impede or  
274 obstruct such filing. Such reports or records include only those  
275 that are signed in the capacity of a licensed engineer or  
276 structural engineer.

277 (4) The management corporation shall reissue the license of  
278 a disciplined engineer, structural engineer, or business upon  
279 certification by the board that the disciplined person has  
280 complied with all of the terms and conditions set forth in the  
281 final order.

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

284 471.037 Effect of chapter locally.-

285 (1) Nothing contained in this chapter shall be construed to  
286 repeal, amend, limit, or otherwise affect any local building  
287 code or zoning law or ordinance, now or hereafter enacted, which  
288 is more restrictive with respect to the services of licensed  
289 engineers or structural engineers than the provisions of this  
290 chapter.

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

292  
293 ===== T I T L E A M E N D M E N T =====

294 And the title is amended as follows:

295 Delete everything before the enacting clause  
296 and insert:

297 A bill to be entitled  
298 An act relating to engineers; amending s. 471.003,  
299 F.S.; prohibiting a person who is not licensed as an  
300 engineer or a structural engineer from using specified



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301 names and titles or practicing engineering or  
302 structural engineering; exempting certain persons from  
303 the licensing requirements; amending s. 471.005, F.S.;  
304 providing definitions; amending s. 471.011, F.S.;  
305 establishing various fees for the examination and  
306 licensure of structural engineers; amending s.  
307 471.013, F.S.; revising provisions authorizing the  
308 Board of Professional Engineers to refuse to certify  
309 an applicant due to lack of good moral character to  
310 include structural engineer licensure applicants, to  
311 conform; amending s. 471.015, F.S.; providing  
312 licensure and application requirements for a  
313 structural engineer license; exempting under certain  
314 conditions a structural engineer who applies for  
315 licensure before a specified date from passage of a  
316 certain national examination; requiring the board to  
317 certify certain applicants for licensure by  
318 endorsement; amending ss. 471.019 and 471.025, F.S.;  
319 revising continuing education requirements for  
320 reactivation of a license and provisions requiring an  
321 engineer with a revoked or suspended license to  
322 surrender his or her seal, respectively, to include  
323 structural engineers, to conform; amending s. 471.031,  
324 F.S.; prohibiting specified persons from using  
325 specified names and titles; amending s. 471.033, F.S.;  
326 providing various acts which constitute grounds for  
327 disciplinary action against a structural engineer, to  
328 which penalties apply; amending s. 471.037, F.S.;  
329 revising applicability, to conform to changes made by



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the act; providing an effective date.