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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/23/2019	.	
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The Committee on Rules (Perry) recommended the following:

Senate Amendment (with directory and title amendments)

Delete lines 147 - 338

and insert:

(6) The board may require a personal appearance by any applicant for licensure under this chapter. Any applicant of whom a personal appearance is required must be given adequate notice of the time and place of the appearance and provided with a statement of the purpose of and reasons requiring the appearance. If an applicant is required to appear, the time period within which a licensure application must be granted or



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12 denied is tolled until such time as the applicant appears.
13 However, if the applicant fails to appear before the board at
14 either of the next two regularly scheduled board meetings, the
15 application for licensure may be denied.

16 Section 5. Section 471.019, Florida Statutes, is amended to
17 read:

18 471.019 Reactivation.—The board shall prescribe by rule a
19 reinstatement process for void licenses which includes
20 establishing appropriate continuing education requirements for
21 reactivating a license. The continuing education requirements
22 for reactivating a license for a licensed engineer may not
23 exceed the continuing education requirements prescribed pursuant
24 to s. 471.017 ~~12 classroom hours~~ for each year the license was
25 inactive.

26 Section 6. Subsection (4) is added to section 471.025,
27 Florida Statutes, to read:

28 471.025 Seals.—

29 (4) A successor engineer seeking to reuse documents
30 previously sealed by another engineer must be able to
31 independently re-create all of the work done by the original
32 engineer. A successor engineer assumes full professional and
33 legal responsibility by signing and affixing his or her seal to
34 the assumed documents. Such documents must be treated as though
35 they were the successor engineer's original product, and the
36 original engineer is released from any professional
37 responsibility or civil liability for prior work assumed by the
38 successor engineer. For the purposes of this subsection, the
39 term "successor engineer" means an engineer who is using or
40 relying upon the work, findings, or recommendations of the



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41 engineer who previously sealed the pertinent documents.

42 Section 7. Paragraph (a) of subsection (5) of section
43 553.79, Florida Statutes, is amended to read:

44 553.79 Permits; applications; issuance; inspections.-

45 (5) (a) During new construction or during repair or
46 restoration projects in which the structural system or
47 structural loading of a threshold building is being modified,
48 the enforcing agency shall require a special inspector to
49 perform structural inspections on the a threshold building
50 pursuant to a structural inspection plan prepared by the
51 engineer or architect of record. The structural inspection plan
52 must be submitted to and approved by the enforcing agency before
53 the issuance of a building permit for the construction, repair,
54 or restoration of a threshold building. The purpose of the
55 structural inspection plan is to provide specific inspection
56 procedures and schedules so that the building can be adequately
57 inspected for compliance with the permitted documents. The
58 special inspector may not serve as a surrogate in carrying out
59 the responsibilities of the building official, the architect, or
60 the engineer of record. The contractor's contractual or
61 statutory obligations are not relieved by any action of the
62 special inspector. The special inspector shall determine that a
63 professional engineer who specializes in shoring design has
64 inspected the shoring and reshoring for conformance with the
65 shoring and reshoring plans submitted to the enforcing agency. A
66 fee simple title owner of a building, which does not meet the
67 minimum size, height, occupancy, occupancy classification, or
68 number-of-stories criteria which would result in classification
69 as a threshold building under s. 553.71(12), may designate such



70 building as a threshold building, subject to more than the
71 minimum number of inspections required by the Florida Building
72 Code.

73 Section 8. Subsections (4) and (5), paragraphs (a), (b),
74 and (c) of subsection (7), and subsection (9) of section
75 553.791, Florida Statutes, are amended to read:

76 553.791 Alternative plans review and inspection.—

77 (4) A fee owner or the fee owner's contractor using a private
78 provider to provide building code inspection services shall
79 notify the local building official at the time of permit
80 application, or by 2 p.m. local time, 2 no less than 7 business
81 days prior to the first scheduled inspection by the local
82 building official or building code enforcement agency for a
83 private provider performing required inspections of construction
84 under this section, on a form to be adopted by the commission.
85 This notice shall include the following information:

86 (a) The services to be performed by the private provider.

87 (b) The name, firm, address, telephone number, and
88 facsimile number of each private provider who is performing or
89 will perform such services, his or her professional license or
90 certification number, qualification statements or resumes, and,
91 if required by the local building official, a certificate of
92 insurance demonstrating that professional liability insurance
93 coverage is in place for the private provider's firm, the
94 private provider, and any duly authorized representative in the
95 amounts required by this section.

96 (c) An acknowledgment from the fee owner in substantially
97 the following form:
98



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99 I have elected to use one or more private providers to
100 provide building code plans review and/or inspection
101 services on the building or structure that is the
102 subject of the enclosed permit application, as
103 authorized by s. 553.791, Florida Statutes. I
104 understand that the local building official may not
105 review the plans submitted or perform the required
106 building inspections to determine compliance with the
107 applicable codes, except to the extent specified in
108 said law. Instead, plans review and/or required
109 building inspections will be performed by licensed or
110 certified personnel identified in the application. The
111 law requires minimum insurance requirements for such
112 personnel, but I understand that I may require more
113 insurance to protect my interests. By executing this
114 form, I acknowledge that I have made inquiry regarding
115 the competence of the licensed or certified personnel
116 and the level of their insurance and am satisfied that
117 my interests are adequately protected. I agree to
118 indemnify, defend, and hold harmless the local
119 government, the local building official, and their
120 building code enforcement personnel from any and all
121 claims arising from my use of these licensed or
122 certified personnel to perform building code
123 inspection services with respect to the building or
124 structure that is the subject of the enclosed permit
125 application.

126
127 If the fee owner or the fee owner's contractor makes any changes



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128 to the listed private providers or the services to be provided
129 by those private providers, the fee owner or the fee owner's
130 contractor shall, within 1 business day after any change, update
131 the notice to reflect such changes. A change of a duly
132 authorized representative named in the permit application does
133 not require a revision of the permit, and the building code
134 enforcement agency shall not charge a fee for making the change.
135 In addition, the fee owner or the fee owner's contractor shall
136 post at the project site, prior to the commencement of
137 construction and updated within 1 business day after any change,
138 on a form to be adopted by the commission, the name, firm,
139 address, telephone number, and facsimile number of each private
140 provider who is performing or will perform building code
141 inspection services, the type of service being performed, and
142 similar information for the primary contact of the private
143 provider on the project.

144 (5) After construction has commenced and if the local
145 building official is unable to provide inspection services in a
146 timely manner, the fee owner or the fee owner's contractor may
147 elect to use a private provider to provide inspection services
148 by notifying the local building official of the owner's or
149 contractor's intention to do so by 2 p.m. local time, 2 no less
150 ~~than 7~~ business days prior to the next scheduled inspection
151 using the notice provided for in paragraphs (4) (a)-(c).

152 (7) (a) No more than 20 ~~30~~ business days after receipt of a
153 permit application and the affidavit from the private provider
154 required pursuant to subsection (6), the local building official
155 shall issue the requested permit or provide a written notice to
156 the permit applicant identifying the specific plan features that



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157 do not comply with the applicable codes, as well as the specific
158 code chapters and sections. If the local building official does
159 not provide a written notice of the plan deficiencies within the
160 prescribed 20-day ~~30-day~~ period, the permit application shall be
161 deemed approved as a matter of law, and the permit shall be
162 issued by the local building official on the next business day.

163 (b) If the local building official provides a written
164 notice of plan deficiencies to the permit applicant within the
165 prescribed 20-day ~~30-day~~ period, the 20-day ~~30-day~~ period shall
166 be tolled pending resolution of the matter. To resolve the plan
167 deficiencies, the permit applicant may elect to dispute the
168 deficiencies pursuant to subsection (13) or to submit revisions
169 to correct the deficiencies.

170 (c) If the permit applicant submits revisions, the local
171 building official has the remainder of the tolled 20-day ~~30-day~~
172

173 ===== D I R E C T O R Y C L A U S E A M E N D M E N T =====

174 And the directory clause is amended as follows:

175 Delete line 116

176 and insert:

177 Section 4. Subsections (2), (3), and (6) of section
178

179 ===== T I T L E A M E N D M E N T =====

180 And the title is amended as follows:

181 Delete lines 26 - 29

182 and insert:

183 license; amending s. 471.025, F.S.; requiring