

By Senator Perry

8-00269B-19

2019616__

1 A bill to be entitled
2 An act relating to engineering; amending s. 471.008,
3 F.S.; authorizing the Board of Professional Engineers
4 to establish standards of practice and responsibility
5 rules for the profession of engineering; amending s.
6 471.013, F.S.; revising the prerequisites for a person
7 to take an examination that determines whether she or
8 he is qualified to practice in this state as an
9 engineer; deleting an obsolete provision; amending s.
10 471.015, F.S.; revising licensure certification
11 requirements to include active engineering experience
12 and a minimum age; revising requirements for licensure
13 by endorsement by the board; providing that the time
14 period in which a licensure application must be
15 granted or denied is tolled if an applicant is
16 required to make a personal appearance before the
17 board; requiring the board to deny a license if such
18 an applicant fails to appear before the board within a
19 specified timeframe; requiring the board to establish
20 certain training and education requirements for
21 certain qualified representatives; amending s.
22 471.025, F.S.; requiring a successor engineer to be
23 able to independently re-create certain work when
24 seeking to reuse certain documents; specifying that a
25 successor engineer assumes full professional and legal
26 responsibility by signing or affixing his or her seal
27 to assumed documents; releasing the engineer who
28 previously sealed the documents from any professional
29 responsibility or civil liability for her or his work

8-00269B-19

2019616__

30 that is assumed by a successor engineer; defining the
 31 term "successor engineer"; amending s. 553.79, F.S.;
 32 requiring that structural inspections on a threshold
 33 building be performed during new construction or
 34 during certain repair or restoration projects;
 35 providing an effective date.

36

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

38

39 Section 1. Section 471.008, Florida Statutes, is amended to
 40 read:

41 471.008 Rulemaking authority.—The board has authority to
 42 adopt rules pursuant to ss. 120.536(1) and 120.54 to:

43 (1) Implement provisions of this chapter or chapter 455
 44 which confer ~~conferring~~ duties upon it.

45 (2) Establish minimum standards of practice for the
 46 profession of engineering.

47 (3) Establish responsibility rules for the profession of
 48 engineering.

49 Section 2. Paragraph (a) of subsection (1) of section
 50 471.013, Florida Statutes, is amended to read:

51 471.013 Examinations; prerequisites.—

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

56 1. Is a graduate from an approved engineering science
 57 curriculum of 4 years or more in a school, college, or
 58 university which has been approved by the board; or ~~and has a~~

8-00269B-19

2019616__

59 ~~record of 4 years of active engineering experience of a~~
60 ~~character indicating competence to be in responsible charge of~~
61 ~~engineering;~~

62 2. Is a graduate of an approved engineering technology
63 curriculum of 4 years or more in a school, college, or
64 university within the State University System, having been
65 enrolled or having graduated prior to July 1, 1979, ~~and has a~~
66 ~~record of 4 years of active engineering experience of a~~
67 ~~character indicating competence to be in responsible charge of~~
68 ~~engineering; or~~

69 3. ~~Has, in lieu of such education and experience~~
70 ~~requirements, 10 years or more of active engineering work of a~~
71 ~~character indicating that the applicant is competent to be~~
72 ~~placed in responsible charge of engineering. However, this~~
73 ~~subparagraph does not apply unless such person notifies the~~
74 ~~department before July 1, 1984, that she or he was engaged in~~
75 ~~such work on July 1, 1981.~~

76
77 The board shall adopt rules providing for the review and
78 approval of schools or colleges and the courses of study in
79 engineering in such schools and colleges. The rules must ~~shall~~
80 be based on the educational requirements for engineering as
81 defined in s. 471.005. The board may adopt rules providing for
82 the acceptance of the approval and accreditation of schools and
83 courses of study by a nationally accepted accreditation
84 organization.

85 Section 3. Subsections (2), (3), (6), and (7) of section
86 471.015, Florida Statutes, are amended to read:

87 471.015 Licensure.—

8-00269B-19

2019616__

88 (2) (a) The board shall certify for licensure any applicant
89 who has submitted proof satisfactory to the board that he or she
90 is at least 18 years of age and who:

91 1. Satisfies the requirements of s. 471.013(1)(a)1. and has
92 a record of 4 years of active engineering experience of a
93 character indicating competence to be in responsible charge of
94 engineering; or

95 2. Satisfies the requirements of s. 471.013(1)(a)2. and has
96 a record of 6 years of active engineering experience of a
97 character indicating competence to be in responsible charge of
98 engineering ~~s. 471.013.~~

99 (b) The board may refuse to certify any applicant who has
100 violated ~~any of the provisions of~~ s. 471.031.

101 (3) The board shall certify as qualified for a license by
102 endorsement an applicant who:

103 (a) Qualifies to take the fundamentals examination and the
104 principles and practice examination as set forth in s. 471.013,
105 has passed a United States national, regional, state, or
106 territorial licensing examination that is substantially
107 equivalent to the fundamentals examination and principles and
108 practice examination required by s. 471.013, and has satisfied
109 the experience requirements set forth in paragraph (2)(a) and s.
110 471.013; or

111 (b) Holds a valid license to practice engineering issued by
112 another state or territory of the United States, if the criteria
113 for issuance of the license were substantially the same as the
114 licensure criteria that existed in this state at the time the
115 license was issued.

116 (6) The board may require a personal appearance by any

8-00269B-19

2019616__

117 applicant for licensure under this chapter. Any applicant of
118 whom a personal appearance is required must be given adequate
119 notice of the time and place of the appearance and provided with
120 a statement of the purpose of and reasons requiring the
121 appearance. If an applicant is required to appear, the time
122 period within which a licensure application must be granted or
123 denied is tolled until such time as the applicant appears.
124 However, if the applicant fails to appear before the board at
125 either of the next two regularly scheduled board meetings, the
126 application for licensure must be denied.

127 (7) The board shall, by rule, establish qualifications for
128 certification of licensees as special inspectors of threshold
129 buildings, as defined in ss. 553.71 and 553.79, and shall
130 compile a list of persons who are certified. A special inspector
131 is not required to meet standards for certification other than
132 those established by the board, and the fee owner of a threshold
133 building may not be prohibited from selecting any person
134 certified by the board to be a special inspector. The board
135 shall develop minimum qualifications for the qualified
136 representative of the special inspector who is authorized to
137 perform inspections of threshold buildings on behalf of the
138 special inspector under s. 553.79 and shall establish by rule
139 ongoing training or education requirements for qualified
140 representatives to maintain their certification or
141 qualification.

142 Section 4. Subsection (4) is added to section 471.025,
143 Florida Statutes, to read:

144 471.025 Seals.—

145 (4) A successor engineer seeking to reuse documents

8-00269B-19

2019616__

146 previously sealed by another engineer must be able to
147 independently re-create all of the work done by the original
148 engineer. A successor engineer assumes full professional and
149 legal responsibility by signing and affixing his or her seal to
150 the assumed documents. Such documents must be treated as though
151 they were the successor engineer's original product, and the
152 original engineer is released from any professional
153 responsibility or civil liability for prior work assumed by the
154 successor engineer. For the purposes of this subsection, the
155 term "successor engineer" means an engineer who is using or
156 relying upon the work, findings, or recommendations of the
157 engineer who previously sealed the pertinent documents.

158 Section 5. Paragraph (a) of subsection (5) of section
159 553.79, Florida Statutes, is amended to read:

160 553.79 Permits; applications; issuance; inspections.-

161 (5) (a) During new construction or during repair or
162 restoration projects in which the structural system or
163 structural loading of a building is being modified, the
164 enforcing agency shall require a special inspector to perform
165 structural inspections on the ~~a~~ threshold building pursuant to a
166 structural inspection plan prepared by the engineer or architect
167 of record. The structural inspection plan must be submitted to
168 and approved by the enforcing agency before the issuance of a
169 building permit for the construction of a threshold building.
170 The purpose of the structural inspection plan is to provide
171 specific inspection procedures and schedules so that the
172 building can be adequately inspected for compliance with the
173 permitted documents. The special inspector may not serve as a
174 surrogate in carrying out the responsibilities of the building

8-00269B-19

2019616__

175 official, the architect, or the engineer of record. The
176 contractor's contractual or statutory obligations are not
177 relieved by any action of the special inspector. The special
178 inspector shall determine that a professional engineer who
179 specializes in shoring design has inspected the shoring and
180 reshoring for conformance with the shoring and reshoring plans
181 submitted to the enforcing agency. A fee simple title owner of a
182 building, which does not meet the minimum size, height,
183 occupancy, occupancy classification, or number-of-stories
184 criteria which would result in classification as a threshold
185 building under s. 553.71(12), may designate such building as a
186 threshold building, subject to more than the minimum number of
187 inspections required by the Florida Building Code.

188 Section 6. This act shall take effect October 1, 2019.