Florida Laws and Rules for Professional Engineers

Florida Board of Professional Engineers Provider Number 10297

Biennium 2023-2025

1PDH

Professional Development Hours (PDH) or
Continuing Education Hours (CE)
Online PDH or CE course

FDA, Inc.

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Course description:

Florida Professional Engineers Laws and Rules has been designed based on the Florida rules 61G15-22.0105 requirements, subsection 2 as following:

(a) Course materials, including the course syllabus and a detailed outline of the contents of the course.
(b) The total number of classroom or interactive distance learning continuing education hours.
(c) For courses in Laws and Rules, course content that shall include:
1. Changes to Chapters 455 and 471, F.S., and rules adopted, amended, or repealed during the immediately preceding biennium.
2. A list of resources used to develop the course content.
(d) For courses in laws and rules, course content may also include:
1. Application of the provisions of Chapter 471, F.S., to individual disciplinary cases and unlicensed practice cases during the immediately preceding biennium.
2. The laws and rules of the Board pertaining to signing and sealing, responsibility rules, certification and responsible charge.

Total hours: Total number of PDH hours for this course is **1 hour**

Grading: The passing grade for this course is **70%.** You can take the course as many times as you like in order to pass.

To Contact us:

1- You can contact us through **email: fdapdh@gmail.com**

2- Or by the telephone phone during the week from M-F between 9 am-4 pm Central Time.

Telephone No. **713-787-6810**

Chapter 1: Florida Rules and Laws Basics:

The Florida Legislature determined, in the interest of public health, life, property and safety, to regulate the practice of engineering in the State of Florida. To accomplish this task the Legislature created Chapter 471, Florida Statutes. As provided in this law, the Florida Board of Professional Engineers is responsible for reviewing applications, administering examinations, licensing qualified applicants, and otherwise regulating the practice of engineering throughout the state.

Licensees are expected to know the laws and rules governing their professions and are expected to provide services in accordance with current regulations, codes, ordinances and recognized standards. When appropriate, the Board has the authority to discipline those individuals and firms (licensed and unlicensed) that offer and/or practice engineering in the State of Florida. The Board has the power to suspend, revoke, or refuse to issue, restore or renew a certificate of authorization for a firm, or a certificate of licensure for an individual, or place on probation, fine or reprimand any firm, professional engineer, or individual found guilty of violating Florida Statutes and Rules.

The Legal Department, consisting of the Chief Prosecuting Attorney, Investigator, and a Paralegal/Compliance Officer, manage the complaint and disciplinary processes. The department's duties include review of complaints, coordination of investigations, preparation of probable cause panel and board meeting materials, preparation of administrative complaints and orders, litigation of cases at the Division of Administrative Hearings (DOAH), handling appeals to the court system and assuring compliance with Board decisions.

All the Florida Administrative Code, Florida Statues can be downloaded from

https://fbpe.org/legal/statutes-and-rules/

Statues and Rules

FLORIDA ADMINISTRATIVE CODE (Updated: Dec. 6, 2022)
Chapter 61G15 Board of Professional Engineers Organization & Purpose

FLORIDA STATUTES
Chapter 471 – Engineering
Chapter 455 – Business & Professional Regulation – General Provisions

FLORIDA BUILDING CODE
DBPR Building Code Information System – Florida Building Code

What is FBPE?

With almost 44,000 Professional Engineers licensed in the state, the Florida Board of Professional Engineers (FBPE) is committed to protecting the interest of public health and safety by properly regulating the practice of engineering.

The Florida Board of Professional Engineers is established under Chapter 471, Florida Statutes, *Engineering*, and is composed of 11 members, nine of whom are licensed Professional Engineers representing multiple disciplines and two laypersons who are not and never have been engineers or members of any closely related profession or occupation. All members are appointed by the governor for

terms of four years each.

The Florida Legislature found it necessary in the interest of public health and safety to regulate the practice of engineering in Florida, creating Chapter 471, F.S., which made FBPE responsible for reviewing applications, administering exams, licensing qualified applicants, and regulating and enforcing the proper practice of engineering in the state.

FBPE meets six times a year in designated locations around Florida. The schedule and locations of all meetings can be found on the Calendar. All meetings of the Board are open to the public, and licensees and members of the public are welcome and encouraged to attend. Board meeting agendas and materials are available for download on the *Agendas, Meetings, & Minutes* page under the *Meetings and Information* section of our website.

FBPE is dedicated to always providing quality service, timely assistance, and accurate information, and encourages any communication as it relates to ensuring the quality of engineering in Florida.

Should you have any questions or concerns, please email the Board at *board@fbpe.org*.

What is FEMC?

Under Section 471.038, Florida Statutes, administrative, investigative, and prosecutorial services are provided to the Florida Board of Professional Engineers by the Florida Engineers Management Corporation. FEMC is a non-profit, single-purpose corporation that operates through a contract with the Department of Business and Professional Regulation.

FEMC's corporate board of directors is composed of seven members. Five directors are appointed by the Florida Board of Professional Engineers and must be Florida registrants. Two directors are appointed by the secretary of the Department of Business and Professional Regulation and must be laypersons not regulated by the Board. If you wish to contact one of the FEMC directors, please email *board@fbpe.org*.

Chapter 2: All the changes made to Florid Rules: 61G15 biennium 2021-2023

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Notice / Adopted	Section	Description	ID	Publish Date

	Final 61G15-26.001	Standards for Supervision of Governmental Employees by Professional Engineers	26439889	Effective: 10/30/2022
	Final 61G15-20.0011	Structural Engineering Recognition Program For Professional Engineers	26157425	Effective: 08/21/2022
	Final 61G15-19.0071	Citations	26129295	Effective: 08/15/2022
	Final 61G15-20.0015	Application for Certification as Engineering Intern	26129392	Effective: 08/15/2022
	Final 61G15-20.0018	Application for Low Income and Military Veterans Fee Waiver	26129489	Effective: 08/15/2022
	Final 61G15-34.003	Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems	26087682	Effective: 08/04/2022
	Final 61G15-20.0017	Application for Retired Status	26028318	Effective: 07/18/2022
	Final 61G15-35.0021	Definitions	25686102	Effective: 04/05/2022
	Final 61G15-35.003	Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited)	25686199	Effective: 04/05/2022
	Final 61G15-19.008	Confidentiality of Investigations	25641676	Effective: 03/23/2022
	Final 61G15-32.004	Design of Water Based Fire Protection Systems	25641773	Effective: 03/23/2022
	Final 61G15-32.008	Design of Fire Alarms, Signaling Systems, and Control Systems	25641870	Effective: 03/23/2022
	Final 61G15-22.0002	Licensure Change of Status, Reactivation; Reinstatement of Void Licenses	25350094	Effective: 12/27/2021
	Final 61G15-34.003	Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems	25236119	Effective: 11/24/2021

	Final 61G15-34.004	Design of Process and Fluid Flow Systems	25236216	Effective: 11/24/2021
	Final 61G15-34.007	Design of Plumbing Systems	25236313	Effective: 11/24/2021
	Final 61G15-23.001	Signature, Date and Seal Shall Be Affixed	25211772	Effective: 11/15/2021
	Final 61G15-33.003	Design of Power Systems	25211869	Effective: 11/15/2021
	Final 61G15-31.003	Design of Structures Utilizing Prefabricated Wood Trusses	25129516	Effective: 10/25/2021
	Final 61G15-34.002	Definitions	24890605	Effective: 08/29/2021
	Final 61G15-19.004	Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances	24862281	Effective: 08/22/2021
	Final 61G15-19.0051	Notice of Noncompliance	24862378	Effective: 08/22/2021
	Final 61G15-19.0071	Citations	24862475	Effective: 08/22/2021
	Final 61G15-31.006	Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders	24862572	Effective: 08/22/2021
	Final 61G15-18.011	Definitions	24641800	Effective: 06/29/2021
	Final 61G15-23.001	Signature, Date and Seal Shall Be Affixed	24641897	Effective: 06/29/2021
	Final 61G15-34.002	Definitions	24410746	Effective: 04/25/2021
	Final 61G15-34.003	Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems	24410843	Effective: 04/25/2021

	Final 61G15-34.004	Design of Process and Fluid Flow Systems	24410940	Effective: 04/25/2021
	Final 61G15-34.005	Design of Heat and Energy Transfer Systems	24411037	Effective: 04/25/2021

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Notice / Adopted	Section	Description	ID	Publish Date
	Final 61G15-34.006	Design of Material Transfer Systems	24411134	Effective: 04/25/2021
	Final 61G15-34.007	Design of Plumbing Systems	24411231	Effective: 04/25/2021
	Final 61G15-34.008	Design of Mechanical Machines and Motion Systems	24411328	Effective: 04/25/2021
	Final 61G15-34.009	Design of Instrumentation and Control Systems	24411425	Effective: 04/25/2021
	Final 61G15-34.010	Design of Fuel Gas Systems	24411522	Effective: 04/25/2021
	Final 61G15-35.003	Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited)	24361567	Effective: 04/14/2021
	Final 61G15-22.008	Record Keeping (Repealed)	24336056	Effective: 04/04/2021
	Final 61G15-35.0021	Definitions	24306083	Effective: 03/28/2021

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Starting from the top of the page 1 of the results:

61G15-26.001 Standards for Supervision of Governmental Employees by Professional Engineers.

(1) As required by section 471.003(2)(b)2., F.S. employees of governmental entities must act under the responsible charge of professional engineers as defined in subsection 61G15-18.011(1), F.A.C., whenever they are performing engineering as that term is defined in section 471.005(7), F.S. The supervision exercised over such employees by the professional engineer in responsible charge must be of such a quality as to be equivalent to that required of private firms. Further, all documents or reports which would be equivalent to those requiring a professional engineer's seal when filed for public record in the private sector will require the seal, signature and date of the supervising professional engineer when such documents or reports are filed or promulgated on behalf of a governmental entity. This rule shall prohibit non-professional employees governed by this rule from overriding, or approving, accepting or rejecting, or modifying engineering documents prepared by professional engineers unless such actions are concurred in by a professional engineer in responsible charge of the employee and that said professional engineer takes full responsibility for such a decision.

(2) This rule shall be reviewed, and if necessary, repealed, modified, or renewed through the rulemaking process five years from the effective date.

Rulemaking Authority 471.003(2)(b)2. FS. Law Implemented 471.003(1), (2)(b)2., (e), 471.005(7), 471.025(1), 471.023(1), 471.031(1)(b) FS. History–New 4-2-87, Formerly 21H-26.001, Amended 10-30-22.

61G15-20.0011 Structural Engineering Recognition Program For Professional Engineers

Notice of Change/Withdrawal

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
Board of Professional Engineers
RULE NO.: RULE TITLE:
61G15-20.0011 Structural Engineering Recognition Program For Professional Engineers

NOTICE OF CHANGE

Notice is hereby given that the following changes have been made to the proposed rule in accordance with subparagraph 120.54(3)(d)1., F.S., published in Vol. 48 No. 190, September 29, 2022 issue of the Florida Administrative Register.

The Board received written comments from the Joint Administrative Procedures Committee on Rule 61G15-20.0011, F.A.C. Additionally, on October 12, 2022, the Board approved changes to the proposed rule language set forth in the proposed rule. The changes are to resolve JAPC concerns and the additional public comments received at the Board's August meeting.

THE TEXT OF THE PROPOSED RULE WILL NOW READ:

61G15-20.0011 Structural Engineering Recognition Program For Professional Engineers.

Pursuant to Section 471.055, F.S., the Board establishes the following minimum requirements for Florida licensed professional engineers who specialize in structural engineering and who have exceeded required minimum professional engineer licensing standards in that specialty area to receive recognition through the Structural Engineering Recognition Program for Professional Engineers.

(1) Any professional engineer currently licensed in good standing in the state of Florida who desires

Recognition as a Structural Engineer in Florida shall submit an online form to the Board. The form is located on the board's website at www.FBPE.org/FBRSE. The Board shall Recognize only those applicants who have completed the online form, including submission of required documentation, and who have demonstrated to the Board that they have:

(a) No Change.

(b) Prior to January 1, 2004, passed a 16-hour state-written examination equivalent in scope and content to the examination identified in paragraph (1)(a), above. ~~1.~~ For purposes of this rule, the board identifies the following ~~as~~ examination~~s~~as equivalent in scope and content ~~as~~: the 16-hour Western States Structural Engineering examination, OR

(c) through (d) No Change.

(e) Held active license(s) or registration(s) (as applicable) in any single or combination of US Jurisdictions and:

1. Has at least five (5) years of experience after licensure as a Professional Engineer in any jurisdiction(s) designing ~~and/or inspecting~~ significant structural engineering projects. For purposes of this rule, "significant structural engineering projects" is defined as the design ~~or inspection~~ of structural components and systems of any of the following:

a. throughd. No Change.

2. The license(s) and/or registration(s) must have been awarded at least five (5)~~15~~ years prior to the application date, and must remain valid continuously through the application process, and

3. No Change.

(f) Been Certified as a Special Inspector of Threshold Buildings pursuant to section 471.015(7), F.S. prior to February, 2016, or if so certified after February, 2016, sought certification based on principal practice in the area of structural engineering as defined in Rule 61G15-35.003(1)(a) and (b), F.A.C. Certification as a Special Inspector (Limited) will not qualify an applicant for recognition.

(2) through (3) No Change.

(4) Upon submission of the online form, the Board will timely notify an applicant of any documentation and/orinformation that is required to complete the request.

(a) Examples of d~~D~~ocumentation/i~~I~~nformation required ~~may~~ includes~~include~~, but is not limited to, written proof of passage of examinations, verifications of out of state licensure, or for applicants by experience, a signed and sealed statement of experience demonstrating the scope of applicant's work on significant structural engineering projects.

(b) No Change.

(5) No Change.

Rulemaking Authority 471.055 FS. Law Implemented 471.055 FS. History–New 8-25-22, .

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2400 Mahan Drive, Tallahassee, FL 32308; (850)521-0500 or by electronic mail, ZRaybon@fbpe.org.

61G15-19.0071 Citations.

(1) As used in this rule, "citation" means an instrument which meets the requirements set forth in Section 455.224, F.S., and which is served upon a licensee or qualified business organization for the purpose of assessing a penalty in an amount established by this rule. Citation violations are violations for which there is no substantial threat to the public health, safety, and welfare.

(2) In lieu of the disciplinary procedures contained in Section 455.225, F.S., FEMC is hereby

authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint that is the basis for the citation. If a violation for which a citation may be issued is discovered during the course of an investigation for an unrelated violation, the citation must be issued within 6 months from the discovery of the violation and filing of the uniform complaint form by the investigator.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) An engineer who has practiced or offered to practice engineering through a corporation, partnership, or fictitious name which has not been properly qualified with the board. The fine shall be $100 for each month or fraction thereof of said activity, up to a maximum of $5,000. (See Sections 455.227(1)(j), 471.023, and 471.033(1)(a), F.S.)

(b) Practice with an inactive or delinquent license more than one month or if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be $100 for each month or fraction thereof. (See Section 471.033(1)(i), F.S.)

(c) Business organization practicing without being properly qualified with the board more than one month. The fine shall be $100 for each month or fraction thereof. (See Section 471.023, F.S.)

(d) Failure to notify the Board of a change in the principal officer of the corporation or partner in a partnership who is the qualifying professional engineer for said corporation or partnership within one month of such change. The fine shall be $500. (See Section 471.023(4), F.S.)

(e) Unlicensed practice of engineering. The fine shall be up to $250 for each month depending on the severity of the infraction practice, up to a maximum of $5,000.00. (See Section 455.228(3)(a), F.S.)

(f) Failure to properly utilize a Title Block as required by paragraph 61G15-23.001(4)(a), F.A.C., if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be $500.

(g) Failure to produce documentation of compliance with continuing education requirements within sixty (60) days of notification to the licensee of the requirement to produce said documentation – Notice of Noncompliance previously issued – paragraph 61G15-22.006(2)(c), F.A.C. The fine shall be $500.

(h) Failure to complete any or all CE required prior to renewal of license; all CE completed within thirty (30) days of notification to the licensee. Subsections 61G15-22.001(1) or 61G15-22.006(2), F.A.C. The fine shall be $500.

(i) Failure to properly qualify or register a business entity – Notice of Noncompliance previously issued – Section 471.023, F.S. The fine shall be $250.

(j) From January 1, 2023 until December 31, 2023, failure to properly sign and seal an Electronic Multidimensional Model submitted as Final Work Product – subsection 61G15-23.001(4), F.A.C. – Notice of Noncompliance previously issued OR which results in adverse impacts to the customer or client. The fine shall be $500.

(k) Signing or sealing any document that depicts work which is beyond the licensee's profession or specialty therein or accepting and performing responsibilities the licensee is not competent to perform and which does not evidence any risk to public health, safety or welfare. (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.) The fine is $750.

(l) Incompetence (Subsection 61G15-19.001(5), F.A.C.) which does not evidence risk to public health, safety or welfare. The fine shall be $750.

(m) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.); no evidence of intent or willful action and no evidence of risk to public health, safety or welfare.

(n) Failure to produce documentation of compliance with continuing education requirements within sixty (60) days of notification to the licensee of the requirement to produce said documentation – Notice of Noncompliance previously issued – paragraph 61G15-22.006(2)(c), F.A.C. The fine shall be $500.

(4) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a final order of the Board of Professional Engineers. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. Failure to pay the fine and costs within the prescribed

time period constitutes a violation of Section 471.033(1)(k), F.S., which will result in further disciplinary action. All fines and costs are to be made payable to "Florida Engineers Management Corporation – Citation."

(5) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected.

(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 61G15-19.004, F.A.C.

(7) Subsequent violation(s) of the same rule or statute shall require the procedure of Section 455.225, F.S., to be followed. In addition, should the offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section 455.255, F.S., shall apply.

(8) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 455.224, 455.225, 455.228(3)(a) FS. Law Implemented 455.224, 455.227, 455.228(3)(a), 471.023, 471.033 FS. History–New 4-2-00, Amended 9-26-05, 8-26-13, 12-29-19, 5-17-20, 11-2-20, 8-22-21, 8-15-22.

61G15-20.0015Application for Certification as Engineering Intern.

(1) Any person desiring to be certified as an engineering intern in this state shall submit an application to the Board. The application FBPE/003 (09/19), entitled "Application For Engineer Intern Certification," is hereby incorporated by reference and may be obtained from the Board office at 2400 Mahan Drive, Tallahassee, Florida 32308; the Board's website athttp://www.fbpe.org/licensure/application-process or athttp://www.flrules.org/Gateway/reference.asp?No=Ref-11408. The Board shall certify applicants who have completed the application form, remitted the application fee(s) required by Chapter 61G15-24, F.A.C., achieved a passing score on the Fundamentals of Engineering (FE) Examination and Florida Study Guide, and have graduated from, "a Board approved engineering program" as defined by subsection 61G15-20.001(2), F.A.C.

(2) Upon submission of an application, the Board will timely notify an applicant of any apparent errors or omissions, or any additional information which is required to complete the application. All errors and omissions, and any additional information, must be submitted before the application can be presented to the Board for review, unless the applicant notifies the Board to process the application as submitted. If an applicant fails to correct any errors or omissions, or supply any requested information, within one (1) year of notification, the application will be presented to the Board for review and decision on the application as submitted.

Rulemaking Authority 471.008, 471.013 FS. Law Implemented 471.013 FS. History–New 9-27-01, Amended 4-9-07, 10-15-09, 11-16-10, 9-14-14, 7-7-15, 11-2-15, 3-19-17, 6-24-18, 12-18-18, 12-29-19, 8-15-22.

61G15-20.0018 Application for Low Income and Military Veterans Fee Waiver.

(1) Pursuant to Section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for members of the Armed Services of the United States and their spouses or surviving spouses. In addition, pursuant to Section 455.213(12), F.S., the Board shall waive the application fee, initial licensure fee, and

initial unlicensed activity fee for military veteran or his or her spouse at the time of discharge, if he or she applies within sixty (60) months of honorable discharge from any branch of the United States Armed Forces. Application for waiver of the initial application and licensing fees shall be made on Form FBPE MVL 002, 12/17, Members of the Armed Forces/Spouse Fee Waiver and Military Service Verification, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/other_forms/military_fee_waiver or at https://www.flrules.org/Gateway/reference.asp?No=Ref-09491.

(2) Pursuant to Section 455.219(7)(a), F.S., the Board shall waive the initial licensing fee for a low-income individual. As defined in that section, a "low income individual" is a person whose household income, before taxes, is at or below one hundred thirty percent (130%) of the federal poverty guidelines prescribed for the family's household size by the United States Department of Health and Human Services. The 2022 federal poverty guidelines, published on January 21, 2022 in 87 Federal Register 3315, are hereby incorporated by reference and may be obtained from https://www.govinfo.gov/contects/FR-2022-01-21/pdf/2022-01166.pdf or at https://www.flrules.org/Gateway/reference.asp?No=Ref-14601.

(a) Application for waiver of the initial licensing fee by a low-income individual shall be made on Form FBPE/LI 001, 04/18, Application for Low Income Waiver of Initial Licensing Fee, which is incorporated by reference herein and may be obtained from https://fbpe.org/licensure/other forms/low income waiver or at https://www.flrules.org/Gateway/reference.asp?No=Ref-09492.

(b) All applications for waiver of the initial licensing fee shall be accompanied by proof that the individual's income is at or below 130% of the federal poverty guidelines. Proof of income may be established through documentation of enrollment in a state or federal program which requires participants to be at or below 130% of the federal poverty guidelines or by other means, such as submission of Federal Income Tax Returns.

Rulemaking Authority 455.213(13), 455.219(7), 471.008 FS. Law Implemented 455.213(13), 455.219(7) FS. History–New 6-20-18, Amended 8-15-22.

61G15-34.003Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems.

(1) Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) Systems include those systems that control the temperature, humidity, or indoor air quality of a particular space, building or network of buildings. Items to be considered in the design and analysis of HVACR systems are, as applicable to the particular project: peak and block load characteristics and capacities; minimum ventilation; filtration; heat or energy transfer; movement of air, water, or other fluids associated with HVACR processes; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The HVACR System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ANSI, IIAR, etc.); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) For Mechanical Engineering Documents pertaining to HVACR systems exempted by the threshold requirements for mandatory use of professional engineering services established by Section 471.003(2)(h), F.S., the Engineer of Record shall determine the level of detail shown on plans for HVACR systems. All such plans must include a disclaimer stating the HVACR systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards and sound engineering principles.

(4) Mechanical Engineering Documents pertaining to HVACR systems that exceed the threshold requirements for mandatory use of professional engineering services must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results; or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of mechanical equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Static pressure and fan air quantities.
5. Fluid flow and pressure head quantities.
6. Heat transfer capacities.
7. Cooling coil requirements based on sensible heat, latent heat, and total heat gains.
8. Filtration requirements.
9. Motor sizes and quantities to demonstrate compliance with the Florida Building Code, Energy Conservation.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) Ventilation requirements based on natural or mechanical means, as necessary for demonstrating compliance with the Florida Building Code, Mechanical.

(e) Energy recovery requirements.

(f) Outside and inside design conditions for cooling, heating, dehumidification, evaporation, and humidification processes, as applicable.

1. Processes affecting sensible heat only may specify outside dry bulb temperature only.
2. Processes affecting latent heat only may specify outside humidity ratio only.
3. Processes affecting total heat must specify outside dry bulb temperature and at least one other coincidental psychrometric state point.
4. Inside design conditions must include dry bulb temperature and either wet bulb temperature or relative humidity for cooling and heating conditions, as applicable. Where inside design conditions are setback based on occupancy, both occupied and unoccupied design conditions must be listed.

(g) Duct riser diagrams when ductwork travels vertically more than three stories.

(h) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(i) Condensation discharge piping layout with pipe sizes.

(j) Instrumentation and Control System requirements, unless included on either Electrical or on Instrumentation and Control plans to ensure intentional operation of the system.

(k) Unless included on plumbing system plans, design for fuel gas system, including piping layout and sizes; isometric or riser diagram with pipe sizes; and fuel gas capacity and pressure for each pipe section.

(l) Ductwork layout and sizing; insulation requirements; supply, return, and exhaust inlet and outlet sizes; and outside air intake sizes. Air quantities shall be specified for inlets and outlets.

(m) Piping layout and sizing; and insulation requirements.

(n) Materials for all HVACR systems shall be specified.

(o) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(p) Identify and locate required fire protection devices, such as fire dampers, smoke dampers, and smoke detectors.

(q) A list, description, or details of through-penetration firestop systems as applicable.

(r) Building pressurization criteria as applicable.

1. Overall building net pressurization consisting of an air balance summary of outside (fresh) ventilation air quantities versus exhaust air quantities. For existing facilities where only a portion of the building is being renovated, the air balance summary must include all affected areas, which may not require an air balance summary for the entire building.

2. In spaces with critical pressurization requirements, such as in health care facilities, pharmaceutical facilities, and laboratories, a pressurization summary or diagram depicting pressure relationship with adjacent spaces. Supply, return, exhaust, and make-up air quantities, overall room pressurization, and make-up (transfer) air pathways shall be specified. For spaces with varying conditions, the pressurization summary shall include scenarios at both maximum and minimum design conditions.

(s) Systems commissioning requirements for demonstrating compliance with the Florida Build Code, Energy Conservation.

(5) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board at act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, 4-25-21, 11-24-21, 8-4-22.

61G15-20.0017 Application for Retired Status.

(1) A person wishing to apply for Retired Status shall submit a completed application to the Board. The instructions and application Form FBPE/005(Rev. 04/2022), entitled "Application For Retired Status," which is incorporated by reference at https://www.flrules.org/Gateway/reference.asp?No=Ref-14536, copies of which may be obtained from the Board office at 2400 Mahan Drive, Tallahassee, Florida 32308 or from the Board's website at http://www.fbpe.org/licensure/application-process. The Board shall certify as eligible for Retired Status any applicant who has completed the application form and who has chosen to relinquish or not to renew his or her license, unless disciplinary proceedings are pending against the applicant at the time of application for retired status.

(2) Engineers who have been approved for Retired Status shall be carried on the records of the Board as "P.E., Retired."

(3) Engineers on Retired Status may use the term "Professional Engineer, Retired" or "P.E., Retired;" however, such engineer shall refrain from the active practice of engineering and the use of his or her seal. Any engineer in Retired Status who wishes to become active shall make application for licensure and meet the licensure criteria in effect at the time of application.

(4) No later than 90 days prior to December 31, 2026, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008 FS. Law Implemented 471.005(10), 471.017(3) FS. History–New 9-27-01, Amended 7-18-22.

61G15-35.0021 Definitions.

As used hereinafter in this chapter, the following words or phrases shall be defined as follows. The Board does not intend for these definitions to apply to any similar wording, term, role, or description outside of

Chapter 471 or 553, F.S. or the Florida Building Code Section 110.8 Threshold Building; or as such term may be used by a local Authority Having Jurisdiction in local regulations, codes, or ordinances.

(1) "Special Inspectors of Threshold buildings," also referred to as "Threshold Inspectors," "Special Inspectors," or "S.I.s" are defined by Section 553.719, F.S., Threshold Inspectors can perform inspections on all threshold buildings or perform any other services authorized by Section 553.79(5)(a), F.S. Florida Building Code section 110.8 provides additional requirements to the enforcing agency, Special Inspector, and fee owner.

(2) "Special Inspectors of Threshold buildings (Limited)", also referred to as "Threshold Inspectors (Limited)," can only perform inspections on Threshold Buildings with Repair (without Substantial Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of threshold buildings. Special Inspectors (Limited) are not permitted to do inspections on new construction or threshold buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms Repairs, Alteration 1, Alteration 2, Alteration 3, Substantial Structural Damage, and Substantial Structural Alteration are as defined in the Florida Building Code, Existing Buildings.

(3) "Threshold Building" is as defined by the Florida Building Code, Section 110.08 and in 553.71(12), F.S.

(4) "Private Provider" is as defined in Section 553.791(1)(j), F.S. Private Providers carry out duties as authorized by Section 553.791, F.S. As set forth in Chapter 553, F.S., although the roles and duties of Special Inspectors and Private Providers may appear to be similar or overlap, they are not synonymous and as specified in that chapter, are not interchangeable.

(5)Inspections requested by local Authority Having Jurisdiction in local regulations, codes, or ordinances for non-threshold buildings are not part of this chapter.

(6) "All Structural Components" shall mean each structural element necessary to the complete load path of the structure.

(7) No later than 90 days prior to December 31, 2023, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2023.

Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History–New 3-28-21, Amended 4-5-22.

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited).

(1) Special Inspectors of Threshold Buildings: The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections on Threshold Buildings.

(b) Licensed professional engineers whose principal practice is structural engineering shall also have three (3) years of experience in performing structural field inspections on all structural components involved in the new construction of Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of all structural components of new threshold buildings. For the purpose of these criteria, structural design and/or inspection shall mean the design and/or inspection of all structural components of the building under construction and shall not be limited to specific structural components only, such as foundations,

prestressed or post-tensioned concrete, etc.

(c) Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on the new construction of Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application. In addition, the threshold/special inspection plan must be prepared by the Engineer of Record for the project.

(d) Design and/or inspection experience of restoration, repair or alteration of existing buildings is not creditable towards the design and inspection experience required for SI Certification.

(2) Special Inspectors of Threshold Buildings Limited.

(a) To implement Section 553.79, F.S., the Board hereby establishes the certification of Special Inspectors of Threshold Buildings (Limited), also referred to as "Special Inspectors (Limited)" or "S.I. (Limited)." Any licensee holding this certification may serve as the Special Inspector/Threshold Building Inspector for any project involving the Repair (without Substantial Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of an existing Threshold Building. A licensee holding this certification may not serve as the Special Inspector/Threshold Building Inspector for new construction or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms "Repairs," "Alteration 1," "Alteration 2," "Alteration 3," "Substantial Structural Damage," and "Substantial Structural Alteration" are as defined in the Florida Building Code – Existing Buildings. Licensees who wish to serve as Special Inspectors for new construction, or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration must be certified pursuant to subsection (1), above.

(b) The minimum qualifying criteria for Threshold Inspectors (Limited) are established by the Board to be as follows:

1. Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering.

2. Three (3) years of experience in performing structural field inspections on Threshold Buildings, components thereof, or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of repairs to components of threshold buildings. For the purpose of these criteria, examples of structural components include, but are not limited to, prestressed or post-tensioned concrete, balconies, exterior walls, etc.

3.a. Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed; and

b. The applicant must possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application.

(3) Applications For Special Inspector of Threshold Buildings.

(a) The instructions and application form for Special Inspector, Form FBPE/006 (12/21) is hereby incorporated by reference, "Application for Special Inspector Certification." Copies of Form FBPE/006 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at https://www.flrules.org/Gateway/reference.asp?No=Ref-14137.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/006.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,

2. Florida license number,

3. A list of new construction projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met, including the components designed or inspected and details of the threshold/special inspection plan.

(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.

b. Credible experience. The Board will only grant experience for work on new construction projects identified pursuant to sub-subparagraph (2)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management unrelated to design or inspection of the project).

c. All experience claimed must be verified. For structural design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's structural design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector,

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and,

6. Completed form FBPE/006.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(4) Application for Special Inspectors of Threshold Buildings (Limited).

(a) The instructions and application form for Special Inspectors of Threshold Buildings (Limited), Form FBPE/011 (12/21) is hereby incorporated by reference, "Application for Special Inspector of Threshold Building (Limited) Certification." Copies of Form FBPE/011 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at https://www.flrules.org/Gateway/reference.asp?No=Ref-14136.

(b) All applications for certification as a Special Inspector of Threshold Buildings (Limited) shall be submitted to the Board on Form FBPE/011.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,

2. Florida license number,

3. A list of projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria have been met, including the components designed or inspected and details of the threshold/special inspection plan.

(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.

b. Creditable experience. The Board will only grant experience for work on projects identified pursuant to sub-subparagraph (4)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management).

c. All experience claimed must be verified. For design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector of Threshold Buildings for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering or restoration/repair work on Threshold Buildings in the State of Florida, one of whom must be certified as a Special Inspector of Threshold Buildings.

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform inspections on components of threshold buildings; and,

6. Completed form FBPE/011.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(5) Roster of Special Inspectors of Threshold Buildings. The Board shall maintain a roster of all persons certified as Special Inspectors of Threshold Buildingsor Special Inspectors of Threshold Buildings (Limited) pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Board office. As specified by Section 553.791, and Chapter 471 F.S., licensees serving as private providers need not be listed on the Board's roster of either SIs or SIs (Limited).

(6) Any Florida Professional Engineer certified as a Special Inspector of Threshold Buildings (Limited) may apply at any time for certification as a Special Inspector of Threshold Buildings, by following the provisions outlined in subsection (3), above. If the applicant is so certified, the Board shall cancel the Special Inspector of Threshold Buildings (Limited) certification and update the roster to reflect the applicant is certified as a Special Inspector of Threshold Buildings.

(7) No later than 90 days prior to December 31, 2023, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History–New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16, 6-26-17, 4-8-18, 12-27-18, 5-31-20, 4-14-21, 4-5-22.

61G15-19.008 Confidentiality of Investigations.

The following violations have been deemed to involve the potential for substantial physical or financial harm to the public:

(1) Negligence, as defined in subsection 61G15-19.001(4), F.A.C., or misconduct, as defined in subsection 61G15-19.001(6), F.A.C., involving either threshold buildings as defined in Section 553.71(12), F.S.; or the collapse or major damage to any structure; or leading to death or serious physical injury of any person.

(2) No later than 90 days prior to December 31, 2022, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2022.

Rulemaking Authority 471.038(7) FS. Law Implemented 471.038(7) FS. History–New 5-20-02, Amended 6-5-12, 3-23-22.

61G15-32.004 Design of Water Based Fire Protection Systems.

(1) Water Based Fire Protection Systems include, but are not limited to, automatic sprinkler systems of wet, dry, fine water spray (mist), manual, and deluge valve controlled types, pumping systems, standpipes, fire water mains and dedicated fire protection water sources. Items to be considered in the design or analysis of water based fire protection systems are, as applicable to the particular project: water supply system, occupancy and classification, control, installation requirements, interoperability and performance requirements.

(2) The design specifications shall be based on the Florida Building Code, the Florida Fire Prevention Code, or as required by the local authority having jurisdiction. The Florida Building Code and the Florida Fire Prevention Code are incorporated by reference in Rule 61G15-18.011, F.A.C.

(3) For Engineering Documents pertaining to Fire Protection Systems exempted by the threshold requirements for mandatory use of professional engineering services, the Engineer of Record shall determine the level of detail shown on plans for a Fire Protection system. All such plans shall include a disclaimer stating the Fire Protection system is exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(4) To ensure minimum design quality in Fire Protection System Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) The Point of Service for the fire protection water supply as defined by Section 633.102(24), F.S.

(b) Applicable NFPA standard to be applied, or in the case where no such standard exists, the engineering study, judgments, and/or performance based analysis and conclusions.

(c) Classification of hazard occupancy for each room or area.

(d) Design approach, which includes system type, densities, device temperature rating, and spacing for each separate hazard occupancy.

(e) Characteristics of water supply to be used, such as main size and location, whether it is dead-end or circulating; and if dead-end, the distance to the nearest circulating main, as well as its minimum duration and reliability for the most hydraulically demanding design area.

(f) When private or public water supplies are used, the flow test data, including date and time of test, who conducted test or supplied information, test elevation, static gauge pressure at no flow, flow rate with

residual gauge pressure, hydrant butt coefficient, and location of test in relation to the hydraulic point of service.

(g) Valving and alarm requirements to minimize potential for impairments and unrecognized flow of water.

(h) Microbial Induced Corrosion (MIC). The Engineer of Record shall make reasonable efforts to identify water supplies that could lead to Microbial Induced Corrosion (MIC). Such efforts may consist of discussions with the local water purveyor and/or fire official, familiarity with conditions in the local area, or laboratory testing of water supplies. When conditions are found that may result in MIC contamination of the fire protection piping, the engineer shall design corrective measures.

(i) Backflow prevention and metering specifications and details to meet local water purveyor requirements including maximum allowable pressure drop.

(j) Quality and performance specifications of all yard and interior fire protection components.

(k) For high hazard occupancy classifications, storage occupancies, and factory occupancies, as defined in Sections 307, 311, and 306, respectively, of the Florida Building Code, Building, and high-rise buildings, as defined in section 202 of the Florida Building Code, Building, a determination of whether a fire pump is required and if so, the specific volumetric flow and pressure rating of the pump. The Florida Building Code is incorporated by reference in subsection 61G15-18.011(6), F.A.C.

(l) A verification of whether a firewater storage tank is required on site and if so, a determination of the size and capacity required.

(m) Owner's Certificate. In storage occupancies, the Owner's Information Certificate is required from the property owner as it clearly defines the storage configuration of the space for the current and future use of the property, as required by the codes and standards set forth in subsection 61G15-32.002(7), F.A.C.

(5) Contractor submittals which deviate from the above minimum design parameters shall be considered material deviations and require supplemental engineering approval and documentation.

(6) In the event the Engineer of Record provides more information and direction than is established above, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(7) No later than 90 days prior to December 31, 2026, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033(2) FS. History–New 5-19-93, Formerly 21H-32.004, Amended 4-2-00, 6-26-01, 6-15-15, 8-24-16, 7-25-19, 3-23-22.

61G15-32.008Design of Fire Alarms, Signaling Systems, and Control Systems.

(1) Fire alarms and detection systems include fire protection supervision, emergency alarm circuits, activation of life safety system controls and remote signaling of emergency conditions. Items to be considered in the design or analysis of fire alarm and detection systems are, as applicable to the particular project: occupancy and classification, monitoring, control and communication, cabling and supervision requirements, installation requirements, interoperability and performance requirements.

(2) The design specifications shall be based on the Florida Building Code, the Florida Fire Prevention Code, or as required by the local authority having jurisdiction. The Florida Building Code and the Florida Fire Prevention Code are incorporated by reference in Rule 61G15-18.011, F.A.C.

(3) For Engineering Documents pertaining to Fire Protection Systems exempted by the threshold requirements for mandatory use of professional engineering services, the Engineer of Record shall determine the level of detail shown on plans for a Fire Protection system. All such plans shall include a

disclaimer stating the Fire Protection system is exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(4) To ensure minimum design quality of Fire Alarm and Detection Systems Engineering Documents, said documents shall include as a minimum the following information when applicable:

(a) The documents shall be clear, with a symbols legend, system riser diagram showing all initiation and notification components, and cabling requirements. The documents shall indicate locations where fire ratings are required as determined by the system's survivability requirements, and shall identify the general occupancy of the protected property and each room and area unless it is clear from features shown.

(b) Locate initiation and notification devices and connections to related systems on the floor plans and sections when needed for clarity. Related systems include elevator controls, smoke control systems, dampers, door release, any other systems or elements directly or indirectly controlled or monitored.

(c) Strobe intensity and speaker output ratings for all notification devices.

(d) Identify the Class of circuits as listed in NFPA 72, which is contained within and incorporated into the Florida Fire Prevention Code.

(e) Identify the functions required by the alarm and control systems including the transmission of emergency signals being monitored or annunciated.

(f) Indicate whether the fire alarm is conventional or addressable, and indicate all zoning.

(g) Locate surge protective devices and required protective features.

(h) Identify and locate system devices that are subject to environmental factors, and indicate requirements for the protection of equipment from temperature, humidity or corrosive atmospheres, including coastal salt air.

(i) The documents shall include a site plan of the immediate area around the protected building, structure or equipment when alarm devices are required outside the structure.

(j) In buildings where smoke detection will be obstructed by walls, beams or ceiling features, the Engineer of Record shall provide applicable design and details to direct the installer to mitigate the obstructions. In buildings with smoke detection under a pitched roof, the plans shall indicate the roof pitch and a building section shall be provided as part of the Engineering Design Documents.

(k) For fire detection systems utilizing smoke detection in situations where smoke stratification is anticipated, the design shall provide the necessary criteria to mitigate the detection problems.

(l) Systems designed using Performance Based criteria shall be identified and referenced to design guides or standards approved by the local authority having jurisdiction consistent with standards adopted by the Florida Fire Prevention Code and the Florida Building Code.

(m) The system design must indicate if the system is to provide a general evacuation signal or a zoned evacuation for all high-rise buildings or multi-tenanted properties as defined in section 2 of the Florida Building Code, Building.

(n) Wiring requirements for underground, wet locations, campus style wiring, protection against damage and burial depth shall be specified or indicated on the engineering design documents.

(o) Requirements for operations and maintenance procedures, manuals, system documentation, and instruction of Owner's operating personnel, as needed to operate the systems as intended over time.

(5) In the event that the Engineer of Record elects to specify specific equipment and to show the required wiring, battery and voltage drop (circuit analysis) calculations shall be completed. The calculations shall be completed using the equipment manufacturer's data and applicable NFPA 72 procedures.

(6) System test requirements shall be noted on the Engineering Design Documents.

(7) When the Engineer of Record determines that special requirements are required by the owner, insurance underwriter or local fire code amendments these requirements shall be documented or referenced on the Engineering Design Documents.

(8) No later than 90 days prior to December 31, 2026, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 5-19-93, Formerly 21H-32.008, Amended 3-26-09, 3-28-17, 7-25-19, 3-23-22.

61G15-22.0002 Licensure Change of Status, Reactivation; Reinstatement of Void Licenses.

(1) Active to Inactive Licensure Status Change. Licensees may inactivate their license and change their licensure status from active to inactive by remitting to FEMC a completed Change of Status Application, Form FBPE/023, 09/19, and the fee specified by Rule 61G15-24.001, F.A.C. The application form FBPE/023 is incorporated by reference herein and may be obtained from www.fbpe.org/index.php/licensure/other-forms or at https://www.flrules.org/Gateway/reference.asp?No=Ref-11355.

(2) Reactivation of Inactive Licenses. Licensees may reinstate an inactive license and change their licensure status from inactive to active by remitting to FEMC a completed Change of Status Application, referenced in subsection (1), the fee specified by Rule 61G15-24.001, F.A.C., and proof of completion of eighteen (18) hours of continuing education obtained within the two (2) years immediately prior to application and in compliance with subsection 61G15-22.001(1), F.A.C.

(3) Reinstatement of Void Licenses. Persons previously licensed as professional engineers in Florida may not re-apply for licensure by examination or by endorsement pursuant to Section 471.013 or 471.015, F.S. Rather, pursuant to Sections 455.271(6) and 471.019, F.S., any person previously licensed as a professional engineer in Florida whose Florida license has become void must apply for reinstatement of the previous license. Application for reinstatement shall be made on form FBPE/023, Change of Status Application, referenced in subsection (1). In addition to a completed application form, all applications for reinstatement shall be accompanied by the following.

(a) The fees specified by Rule 61G15-24.001, F.A.C.;

(b) Documentation of satisfaction of any disciplinary obligations imposed against the void license;

(c) Passage of the Board's Laws and Rules Study Guide as detailed in Rule 61G15-20.0016, F.A.C.; and

(d) Documentation of one of the following:

1. Current active practice as a professional engineer in another U.S state or territory. Such documentation shall include verification of active licensure in good standing and compliance with such state or territory's continuing education requirements; or

2. Applicants not currently in active practice as a professional engineer must provide proof of completion of thirty-six (36) hours of Board approved continuing education, including two (2) hours of professional ethics and a one (1) hour course in Florida Laws and Rules. With the exception of the one (1) hour Florida Laws and Rules course, which can be taken online, the remaining thirty-five (35) hours must be either in-person or synchronous live streaming/videoconference/interactive webinar OR obtained through distance learning CE courses provided by a national or Florida statewide engineering society or association pursuant to Rule 61G15-22.011, F.A.C.; other online or distance learning courses will not be accepted.

(4) No later than 90 days prior to December 31, 2026, the Board shall review and consider

amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration in this rule December 31, 2016.

Rulemaking Authority 455.271, 471.008, 471.019 FS. Law Implemented 455.271, 471.019 FS. History–New 8-1-02, Amended 2-27-17, 12-29-19, 12-27-21.

61G15-34.003Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems.

(1) Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) Systems include those systems that control the temperature, humidity, or indoor air quality of a particular space, building or network of buildings. Items to be considered in the design and analysis of HVACR systems are, as applicable to the particular project: peak and block load characteristics and capacities; minimum ventilation; filtration; heat or energy transfer; movement of air, water, or other fluids associated with HVACR processes; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The HVACR System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ANSI, IIAR, etc.); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) For Mechanical Engineering Documents pertaining to HVACR systems exempted by the threshold requirements for mandatory use of professional engineering services established by Section 471.003(2)(h), F.S., the Engineer of Record shall determine the level of detail shown on plans for HVACR systems. All such plans must include a disclaimer stating the HVACR systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards and sound engineering principles.

(4) Mechanical Engineering Documents pertaining to HVACR systems that exceed the threshold requirements for mandatory use of professional engineering services must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results; or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of mechanical equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Static pressure and fan air quantities.
5. Fluid flow and pressure head quantities.
6. Heat transfer capacities.
7. Cooling coil requirements based on sensible heat, latent heat, and total heat gains.
8. Filtration requirements.
9. Motor sizes and quantities to demonstrate compliance with the Florida Building Code, Energy Conservation.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate

to provide the minimum system requirements expected to be installed by the contractor.

(d) Ventilation requirements based on natural or mechanical means, as necessary for demonstrating compliance with the Florida Building Code, Mechanical.

(e) Energy recovery requirements.

(f) Outside and inside design conditions for cooling, heating, dehumidification, evaporation, and humidification processes, as applicable.

1. Processes affecting sensible heat only may specify outside dry bulb temperature only.

2. Processes affecting latent heat only may specify outside humidity ratio only.

3. Processes affecting total heat must specify outside dry bulb temperature and at least one other coincidental psychrometric state point.

4. Inside design conditions must include dry bulb temperature and either wet bulb temperature or relative humidity for cooling and heating conditions, as applicable. Where inside design conditions are setback based on occupancy, both occupied and unoccupied design conditions must be listed.

(g) Duct riser diagrams when ductwork travels vertically more than three stories.

(h) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(i) Condensation discharge piping layout with pipe sizes.

(j) Instrumentation and Control System requirements, unless included on either Electrical or on Instrumentation and Control plans to ensure intentional operation of the system.

(k) Unless included on plumbing system plans, design for fuel gas system, including piping layout and sizes; isometric or riser diagram with pipe sizes; and fuel gas capacity and pressure for each pipe section.

(l) Ductwork layout and sizing; insulation requirements; supply, return, and exhaust inlet and outlet sizes; and outside air intake sizes. Air quantities shall be specified for inlets and outlets.

(m) Piping layout and sizing; and insulation requirements.

(n) Materials for all HVACR systems shall be specified.

(o) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(p) Identify and locate required fire protection devices, such as fire dampers, smoke dampers, and smoke detectors.

(q) A list, description, or details of through-penetration firestop systems as applicable.

(r) Building pressurization criteria as applicable.

1. Overall building net pressurization consisting of an air balance summary of outside (fresh) ventilation air quantities versus exhaust air quantities. For existing facilities where only a portion of the building is being renovated, the air balance summary must include all affected areas, which may not require an air balance summary for the entire building.

2. In spaces with critical pressurization requirements, such as in health care facilities, pharmaceutical facilities, and laboratories, a pressurization summary or diagram depicting pressure relationship with adjacent spaces. Supply, return, exhaust, and make-up air quantities, overall room pressurization, and make-up (transfer) air pathways shall be specified. For spaces with varying conditions, the pressurization summary shall include scenarios at both maximum and minimum design conditions.

(s) Systems commissioning requirements for demonstrating compliance with the Florida Build Code, Energy Conservation.

(5) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board at act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, 4-25-21, 11-24-21, 8-4-22.

61G15-34.004 Design of Process and Fluid Flow Systems.

(1) Process and Fluid Flow Systems include those systems that move fluids either by pumps, fans, or gravity as part of an industrial, commercial, or cogeneration process. Items to be included in the design and analysis of these systems are, as applicable to the particular project: load characteristics and capacities; process type; fluid type and characteristics; distribution of fluids; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The Process and Fluid Flow System(s) shall be based on and shall reference the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ASSE, ANSI, etc.); the Florida Building Code (where applicable); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) Mechanical Engineering Documents pertaining to Process and Fluid Flow Systems must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results; or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of mechanical equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Motor sizes and quantities.
5. Fluid flow and pressure head quantities.
6. Tank capacities for storage.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(e) System piping or ductwork layout, sizing, and insulation requirements.

(f) Specific system design requirements to allow for independent project review.

(g) Instrumentation and Control Systems requirements, unless included on either Electrical or on Instrumentation and Control plans, to ensure intentional operation of the system.

(h) Required fire protection systems and devices.

(i) Materials for all Process and Fluid Flow Systems shall be specified.

(j) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable, unless the process or environment justifies an exemption by engineering design.

(k) A list, description, or details of through-penetration firestop systems as applicable.

(l) System commissioning requirements for demonstrating compliance with the Florida Building Code, Energy Conservation.

(4) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 4-25-21, 11-24-21.

61G15-34.007Design of Plumbing Systems.

(1) Plumbing Systems are those systems within or adjacent to a building that convey fluids and gases in connection with sanitary drainage, storm drainage, specialty drainage, venting, water supply, water heating, vacuum, and compressed gases for medical and non-medical applications. Items to be considered in the design and analysis of plumbing systems are, as applicable to the particular project: load characteristics and capacities; distribution of fluids; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The Plumbing System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, applicable standards (such as ASHRAE, ASME, ASPE, ASSE, ANSI, NFPA, etc.); or on if no other such standards are available alternative engineering sources and good engineering practice.

(3) For Mechanical Engineering Documents pertaining to Plumbing Systems exempted by the threshold requirements for mandatory use of professional engineering services established by Section 471.003(2)(h), F.S., the Engineer of Record shall determine the level of detail shown on plans for a plumbing system. All such plans shall include a disclaimer stating the Plumbing systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than its minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(4) Mechanical Engineering Documents pertaining to Plumbing Systems that exceed the threshold requirements for mandatory use of professional engineers services must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) Equipment selection schedules for each piece of plumbing equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Fixture flow or flushing rates.
5. Fluid flow and pressure head quantities.
6. Heat transfer capacities.
7. Motor sizes and quantities.
8. Tank capacities for storage, expansion, or compression.
9. Interceptor and separator capacities.

(c) Floor plans, site plans, and building and plumbing system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by thecontractor.

(d) Isometric or riser diagram with pipe sizes as follows:

1. Potable water.
2. Sanitary and vent.
3. Storm water.
4. Other fluids and gases.

(e) Piping layouts and sizing; and insulation requirements.

(f) Total or cumulative plumbing capacities as follows, either listed on the isometric or riser diagrams or in table form on the plans.

1. Total water supply fixture units and coincidental flow rate in gallons per minute.
2. Total drainage fixture units.
3. Cumulative area in square feet and coincidental flow rate in gallons per minute for each roof drain

or storm drain. Total flow rate in gallons per minute for each storm water conductor discharging from the building.

(g) Design data for septic tank drain field sizing, when applicable.

(h) Portable water system design for minimizing bacteria growth (Legionella), based on heat, chemicals, or other means.

(i) Domestic hot water system design to prevent scalding, when applicable. Designs shall include, but not be limited to:

1. Design temperatures.

2. Temperature monitoring points necessary to confirm temperatures throughout the system.

3. Mixing valves or temperature-limiting devices.

(j) Design shall be in accordance with requirements for accessibility by individuals with disabilities adopted by the authority having jurisdiction.

(k) Unless included on HVAC system plans, design for fuel gas system, including piping layout and sizes; isometric or riser diagram with pipe sizes; and fuel gas capacity and pressure for each pipe section.

(l) Instrumentation and Control requirements, unless included on either Electrical or on Instrumentation and Control.

(m) Identify and locate plumbing fixtures, valves, pumps, tanks, accessories, specialties, enclosures, and such equipment.

(n) Materials for all plumbing systems shall be specified.

(o) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(p) A list, description, or details of through-penetration firestop systems as applicable.

(q) System commissioning requirements for demonstrating compliance with the Florida Building Code, Energy Conservation.

(5) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, 4-25-21, 11-24-21.

61G15-23.001Signature, Date and Seal Shall Be Affixed.

(1) A professional engineer shall sign, date and seal:

(a) All final plans, prints, specifications, reports, or other documents prepared or issued by the licensee and being filed for public record;

(b) All final documents provided to the owner or the owner’s representative.

(2) Additional Final and Non-Final Documents.

(a) A professional engineer may sign, date and seal documents required by any public entity or any provision of contract which requires the signing, dating and sealing of additional original documents.

(b) A professional engineer shall not sign, date and seal any documents which are not final documents unless the professional engineer states any limitations on the use of those documents on the face of those documents by using terms such as “Preliminary,” “For Review Only,” “Not for Construction,” or any other suitable statement which denotes that the documents are for limited use, are not final and are not intended for permit, construction, or bidding purposes.

(3) A professional engineer may only sign, date and seal engineering plans, prints, specifications, reports or other documents if that professional engineer was in responsible charge, as that term is defined

in subsection 61G15-18.011(1), F.A.C., of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document(s) in question. Professional engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and shall indicate the name and address of the agency on all documents that are required to be signed, dated and sealed.

(4) Additional Requirements for Plans or Prints, Engineering Specifications and Calculations, and Engineering Reports or Other Documents. When an engineer signs, dates and seals any of the following types of documents plans or prints under the provisions of Section 471.025, F.S., and subsection (1) of this rule, the following additional information must be included:

(a) Plans and Prints. Every sheet within the plans and prints must be signed, dated and sealed by the professional engineer in responsible charge.

1. A title block shall be used on each sheet of plans or prints and shall contain the printed name, address, and license number of the engineer who has signed, dated and sealed the plans or prints.

2. If the engineer signing, dating and sealing engineering plans or prints is practicing through a duly authorized qualified engineering business organization; the title block shall contain the printed name and address of the qualified engineering business organization.

(b) Engineering Specifications and Calculations. An index sheet shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the engineering specifications or calculations.

1. The index sheet must be signed, dated and sealed by those professional engineers in responsible charge of the production and preparation of each section of the engineering specifications or calculations, with sufficient information on the index sheet so that the user will be aware of each portion of the specifications or calculations for which each professional engineer is responsible.

2. The index sheet shall include at a minimum:

a. The printed name, address and license number of each engineer in responsible charge of the production of any portion of the calculations or specifications.

b. If the engineer signing, dating and sealing calculations or specifications is practicing through a duly qualified engineering business organization; the printed name and address of the qualified engineering business organization.

c. Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

d. Identification of any computer program used for engineering the specifications or calculations.

(c) Engineering Reports or Other Documents.

1. A signature page or cover letter shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the report with sufficient information provided so that the user will be aware of each portion for which each professional engineer is responsible.

2. If the engineer signing, dating and sealing an engineering report or other document is practicing through a duly qualified engineering business organization, the printed name and address of the qualified engineering business organization.

(d) The date that the signature and seal is affixed as provided herein shall be entered on said plans, prints, specification, reports or other documents immediately adjacent to the signature of the professional engineer.

(5) Additional Requirements for Multi-Dimensional Models. The Florida Board of Professional Engineers recognizes that the practice of engineering is evolving into increasingly frequent contractual requirements for licensees to submit final work product as an electronic multidimensional model. Accordingly, when a licensee’s contract requires the submission of an electronic multidimensional model as final work product; which by contract, law, or rule must be signed, dated, and sealed, the licensee shall utilize the process specified in paragraph (4)(b), above, regarding engineering specifications or

calculations.

(6) As detailed in paragraph 61G15-30.003(1)(b), F.A.C., signed and sealed documents are presumed to comply with all applicable codes and standards in effect at the time of sealing. Unless the documents are amendments to documents previously signed and sealed by the engineer, and that fact is clearly noted at the time of submission, the licensee must affirmatively indicate on the documents any other edition of a code or standard, other than those currently in effect, with which the licensee intends the documents to comply.

Rulemaking Authority 471.008, 471.025 FS. Law Implemented 471.025, 471.033(1)(a), (e), (j) FS. History–New 1-8-80, Amended 6-23-80, Formerly 21H-23.01, 21H-23.001, Amended 4-1-97, 2-5-04, 8-8-05, 11-16-09, 2-2-12, 11-3-15, 10-26-16, 12-29-19, 6-29-21, 11-15-21.

61G15-23.001Signature, Date and Seal Shall Be Affixed.

(1) A professional engineer shall sign, date and seal:

(a) All final plans, prints, specifications, reports, or other documents prepared or issued by the licensee and being filed for public record;

(b) All final documents provided to the owner or the owner's representative.

(2) Additional Final and Non-Final Documents.

(a) A professional engineer may sign, date and seal documents required by any public entity or any provision of contract which requires the signing, dating and sealing of additional original documents.

(b) A professional engineer shall not sign, date and seal any documents which are not final documents unless the professional engineer states any limitations on the use of those documents on the face of those documents by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any other suitable statement which denotes that the documents are for limited use, are not final and are not intended for permit, construction, or bidding purposes.

(3) A professional engineer may only sign, date and seal engineering plans, prints, specifications, reports or other documents if that professional engineer was in responsible charge, as that term is defined in subsection 61G15-18.011(1), F.A.C., of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document(s) in question. Professional engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and shall indicate the name and address of the agency on all documents that are required to be signed, dated and sealed.

(4) Additional Requirements for Plans or Prints, Engineering Specifications and Calculations, and Engineering Reports or Other Documents. When an engineer signs, dates and seals any of the following types of documents plans or prints under the provisions of Section 471.025, F.S., and subsection (1) of this rule, the following additional information must be included:

(a) Plans and Prints. Every sheet within the plans and prints must be signed, dated and sealed by the professional engineer in responsible charge.

1. A title block shall be used on each sheet of plans or prints and shall contain the printed name, address, and license number of the engineer who has signed, dated and sealed the plans or prints.

2. If the engineer signing, dating and sealing engineering plans or prints is practicing through a duly authorized qualified engineering business organization; the title block shall contain the printed name and address of the qualified engineering business organization.

(b) Engineering Specifications and Calculations. An index sheet shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the engineering specifications or calculations.

1. The index sheet must be signed, dated and sealed by those professional engineers in responsible

charge of the production and preparation of each section of the engineering specifications or calculations, with sufficient information on the index sheet so that the user will be aware of each portion of the specifications or calculations for which each professional engineer is responsible.

2. The index sheet shall include at a minimum:

a. The printed name, address and license number of each engineer in responsible charge of the production of any portion of the calculations or specifications.

b. If the engineer signing, dating and sealing calculations or specifications is practicing through a duly qualified engineering business organization; the printed name and address of the qualified engineering business organization.

c. Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

d. Identification of any computer program used for engineering the specifications or calculations.

(c) Engineering Reports or Other Documents.

1. A signature page or cover letter shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the report with sufficient information provided so that the user will be aware of each portion for which each professional engineer is responsible.

2. If the engineer signing, dating and sealing an engineering report or other document is practicing through a duly qualified engineering business organization, the printed name and address of the qualified engineering business organization.

(d) The date that the signature and seal is affixed as provided herein shall be entered on said plans, prints, specification, reports or other documents immediately adjacent to the signature of the professional engineer.

(5) Additional Requirements for Multi-Dimensional Models. The Florida Board of Professional Engineers recognizes that the practice of engineering is evolving into increasingly frequent contractual requirements for licensees to submit final work product as an electronic multidimensional model. Accordingly, when a licensee's contract requires the submission of an electronic multidimensional model as final work product; which by contract, law, or rule must be signed, dated, and sealed, the licensee shall utilize the process specified in paragraph (4)(b), above, regarding engineering specifications or calculations.

(6) As detailed in paragraph 61G15-30.003(1)(b), F.A.C., signed and sealed documents are presumed to comply with all applicable codes and standards in effect at the time of sealing. Unless the documents are amendments to documents previously signed and sealed by the engineer, and that fact is clearly noted at the time of submission, the licensee must affirmatively indicate on the documents any other edition of a code or standard, other than those currently in effect, with which the licensee intends the documents to comply.

Rulemaking Authority 471.008, 471.025 FS. Law Implemented 471.025, 471.033(1)(a), (e), (j) FS. History–New 1-8-80, Amended 6-23-80, Formerly 21H-23.01, 21H-23.001, Amended 4-1-97, 2-5-04, 8-8-05, 11-16-09, 2-2-12, 11-3-15, 10-26-16, 12-29-19, 6-29-21, 11-15-21.

61G15-33.003Design of Power Systems.

(1) Power systems convey or distribute electrical energy. Items to be considered in the design and analysis of power systems are, as applicable to the particular project: steady state and transient load characteristics, short circuit availability, arc flash potential, load flow, voltage drop, effects of harmonics, power factor, and protective device coordination.

(2) For Engineering Documents pertaining to Electrical Systems exempted by the threshold requirements for mandatory use of professional engineering services established by Section 471.003(2)(h), F.S., the Engineer of Record shall determine the level of detail shown on plans for an

Electrical system. All such plans shall include a disclaimer stating the Electrical systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than its minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(3) Electrical Engineering Documents for power systems that exceed the threshold requirements for mandatory use of professional engineering services must include the following information, if applicable to the particular project:

(a) Power distribution riser diagram.

(b) Conductor sizes (AWG or kcmil) and insulation type, or cable assemblies characteristics.

(c) Circuit interrupting devices, ratings and fault current interrupting capability.

(d) Location and characteristics of any surge protective devices, if included in the engineering design.

(e) Main and distribution equipment, control devices, locations and ratings.

(f) Circuitry of all outlets, equipment and devices.

(g) Feeder and service capacity calculations.

(h) Electrical legends.

(i) Grounding and bonding requirements.

(j) Instrumentation and control when necessary for safe operation or to show intended function.

(k) Engineering Documents applicable to power systems filed for public record shall also contain information required by the Florida Building Code, incorporated by reference in subsection 61G15-18.001(6), F.A.C.

(l) Engineers performing arc flash hazard analysis must determine arc flash approach distance, assess and convey the incident energy levels, and identify appropriate PPE class. Any such verification shall constitute an Engineering Certification as that term is defined in subsection 61G15-18.011(4), F.A.C., and must comply with the Responsibility Rules, including Rule 61G15-29.001, F.A.C.

(4) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 5-19-93, Formerly 21H-33.003, Amended 11-13-08, 12-4-17, 11-15-21.

61G15-31.003 Design of Structures Utilizing Prefabricated Wood Trusses.

(1) When a Structural Engineer of Record and a Delegated Engineer exist as may be determined by applicable Florida law, the apportionment of responsibilities between the Structural Engineer of Record and a Delegated Engineer shall be as set forth in Chapter 2 of ANSI/TPI 1-2014, National Design Standard for Metal Plate Connected Wood Truss Construction, which standard is incorporated herin by reference, wherein the Structural Engineer of Record is the Building Designer and the Delegated Engineer is the Truss Designer as those terms are defined in said standard. The material incorporated is copyrighted material and may be ordered from the Truss Plate Institute, 2670 Crain Highway, Suite 203, Waldorf MD 20601; it is also available for public inspection and examination, but may not be copied, at the Department of State, Administrative Code and Register Section, Room 701, The Capitol, Tallahassee, Florida 32399-0250, and at the Board office, 2400 Mahan Drive, FL 32308.

(2) The Structural Engineer of Record shall provide design requirements in writing to the Delegated Engineer and shall review the design documents of the delegated engineer for conformance to his written instructions in accordance with rule 61G15-30.005, F.A.C.

(3) For the purposes of this rule, the following definitions shall apply:

(a) "Truss System" shall mean an assemblage of trusses and truss girders, together with all bracing, connections, and other structural elements and all spacing and locational criteria, that, in combination, function to support the dead, live and wind loads applicable to the roof of a structure with respect to a Truss System for the roof, and the floor of a structure with respect to a Truss System for the floor. A Truss System does not include walls, foundations, or any other structural support systems.

(b) "Truss System Engineer" shall mean an engineer who designs a Truss System.

(c) "Truss Design Engineer" shall mean an engineer who designs individual trusses, but does not design a Truss System.

(4) An engineer is a Truss System Engineer if he designs a Truss System. Each of the drawings in the Truss System design package for the Truss System shall include a title block bearing the printed name, address, and license number of the Truss System Engineer and the date of the drawing. The design documentation prepared by the Truss System Engineer shall also include a truss placement plan for the Truss System, showing the location and designation of each truss. Said design documentation for the Truss System shall be signed and sealed by the Truss System Engineer. The cover or index sheet of the Truss System design package may be signed and sealed in lieu of signing and sealing each individual sheet, provided that the cover or index sheet contains the following information:

(a) The name, address and license number of the Structural Engineer of Record, if there is one, and the name, address and license number of the Truss System Engineer.

(b) Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

(c) Identification of the applicable building code and chapter(s) that the Truss System design is intended to meet, the engineering design criteria relied upon in designing the Truss System and the truss design loading.

(d) Identification of any computer program used for engineering the Truss System.

(e) An index of the attached Truss System design drawings. The naming and numbering system utilized for the drawings shall be clear as to how many drawings there are in the set and the date and sequence number of each of these drawings shall be included.

(5) An engineer is a Truss Design Engineer if he designs individual trusses, but does not design the Truss System. Each of the drawings in the truss design package for individual trusses shall include a title block bearing the printed name, address, and license number of the Truss Design Engineer and the date of the drawing. The Truss Design documents prepared by the Truss Design Engineer shall be signed and sealed by the Truss Design Engineer. The cover or index sheet of the truss design package may be signed and sealed in lieu of signing and sealing each individual sheet, provided that the cover or index sheet contains the following information:

(a) The name, address and license number of the Structural Engineer of Record, if there is one, and the name, address, and license number of the Truss Design Engineer.

(b) Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

(c) Identification of the applicable building code and chapter(s) that the truss design is intended to meet, the engineering design criteria relied upon in designing the trusses and the truss design loading.

(d) Identification of any computer program used for engineering the trusses.

(e) An index of the attached truss design drawings. The naming and numbering system utilized for the drawings shall be clear as to how many drawings there are in the set and the date and sequence number of each of these drawings.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033(1)(g) FS. History–New 1-26-93, Formerly 21H-31.003, Amended 6-16-99, 3-21-01, 4-30-03, 10-25-21.

61G15-34.002Definitions.

(1) Appliances. A device or apparatus that is manufactured and designed to utilize energy and specifically regulated by codes and standards.

(2) Codes and Standards. Those nationally recognized Codes and Standards adopted directly or by reference in Florida Building Code (including Florida Energy Efficiency Code, Chapter 13) and Florida Fire Prevention Code, both of which are incorporated by reference through Rule 61G15-18.011, F.A.C.

(3) Component. Any individual device to be part of a mechanical system.

(4) Engineer of Record for the Mechanical Systems. The Florida Professional Engineer who is in responsible charge for the preparation, signing, dating, sealing and issuing of any engineering document(s) for mechanical systems design criteria or performs the analysis and is responsible for the preparation of the mechanical documents for the project.

(5) Equipment. All piping, ducts, vents, control devices and other components of systems other than appliances which are permanently installed and integrated to perform its intended function.

(6) Fuel Gas. A natural gas, manufactured gas, liquefied petroleum gas or mixtures of these gases, intended to be used as a source for thermal energy and not for motor fuel.

(7) Mechanical. Any device or mechanism that operates due to the action of the material forces in nature acting on bodies or masses.

(8) Mechanical Delegated Engineering Documents. Mechanical Engineering Documents prepared by a delegated engineer to whom the Engineer of Record for the Mechanical System has delegated responsibility for the design of a mechanical component orsystem and which are signed, sealed and dated by the delegated engineer.

(9) Mechanical Engineering Documents. All mechanical drawings, specifications, reports, calculations, data and other documents utilized to establish the overall design and requirements for the construction, alteration, modernization, repair, demolition, arrangement, and/or use of the mechanical system(s) or analysis or recommendations, as prepared by the Engineer of Record for the mechanical system. Mechanical Engineering Documents shall additionally meet the requirements of Rule 61G15-30.003, F.A.C., Engineering Documents.

(10) Point of Delivery. For natural gas systems, the point of delivery is the outlet of the service meter assembly or the outlet of the service pressure regulator or service shutoff valve where a meter is not provided. Where a valve is provided at the outlet of the service meter assembly, such valve shall be considered to be downstream of the point of delivery. For undiluted liquefied petroleum gas systems, the point of delivery shall be considered to be the outlet of the service pressure regulator, exclusive of line gas regulators, in the system.

(11) Service Pressure Regulator. For natural gas systems, a device installed by the serving gas supplier to reduce and limit the service line pressure to delivery pressure. For undiluted liquefied petroleum gas systems, the regulator located upstream from all line gas pressure regulators, where installed, and downstream from any first stage or a high pressure regulator in the system.

(12) Shop Drawings. Submittals, catalog information on standard products, or drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input. These submittals do not require the seal of a Florida Professional Engineer.

(13) System. Any assembly of components, materials, appliances, equipment, work systems, machines, products or devices which require design in accordance with mechanical engineering standards in order to perform its intended function.

(14) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 2-5-96, 11-13-08, 4-25-21, 8-29-21.

61G15-19.004Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances.

(1) The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners (including qualified business organizations) guilty of violating Chapter 455 or 471, F.S., or the rules promulgated thereto. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of Chapter 455 or 471, F.S. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of Chapter 455 or 471, F.S., or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties. All penalties at the upper range of the sanctions set forth in the guidelines, i.e., suspension, revocation, etc., include lesser penalties, i.e., fine, probation or reprimand which may be included in the final penalty at the Board's discretion. Other terms may be imposed by the Board at its discretion.

(2) The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the below mentioned statutes and rules. For the purposes of this rule, the descriptions of the violations are abbreviated and the full statute or rule cited should be consulted to determine the prohibited conduct.

VIOLATION	PENALTY RANGE		
	FIRST VIOLATION	SECOND VIOLATION	THIRD OR SUBSEQUENT VIOLATIONS
(a) Violating any provision of Section 455.227(1), 471.025 or 471.031, F.S., or any other provision of Chapter 471, F.S., or rule of the Board or Department. (Sections 471.033(1)(a) and 455.227(1)(b), (q), F.S.) not otherwise specifically enumerated below.	Reprimand and $1,000.00 fine, to one (1) year suspension, two (2) years' probation and $5,000 fine.	Reprimand, $2,500 fine and one (1) year suspension followed by two (2) years' probation to five (5) years' suspension followed by five (5) years' probation and a $5,000 fine.	$5,000 fine and Revocation.
1. Failure to sign, seal or date documents. (Section 471.025(1), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension.	Reprimand, $2,500 fine and one (1) year suspension to $5,000 fine and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
2. Sealing any document after license has expired or been revoked or suspended, or failure to surrender seal if the license has been revoked or suspended. (Section 471.025(2), F.S.)	Suspended license: Revocation with ability to reapply after five (5) years and $2,500 fine. Revoked license: $5,000 fine and Referral to State's Attorney's office.		
3. Signing or sealing any	Reprimand, $1,000 fine	Reprimand, $5,000.00	$5,000 fine and

document that depicts work the licensee is not licensed to perform or which is beyond his or her profession or specialty therein or practicing or offering to practice beyond the scope permitted by law or accepting and performing responsibilities the licensee is not competent to perform. (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.)	and one (1) year probation to $2,500 fine and one (1) year suspension.	fine, one (1) year suspension and two (2) years' probation to Revocation.	Revocation.
4. Firm practicing without proper qualification. (Section 471.023, F.S., and subsection 61G15-19.001(3), F.A.C.)	$500 fine to $1,000 fine.	$1,000 fine to $2,500 fine.	$5,000 fine.
5. Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer. (Sections 471.031(1)(a), (b), F.S.)	In addition to referral to State Attorney's Office and denial of future application for licensure, from a $1,000 fine to a $2,500 fine.	In addition to referral to State Attorney's Office from a $2,500 fine to a $5,000 fine.	In addition to referral to State Attorney's Office, a $5,000 fine.
6. Presenting as his or her own the license of another. (Section 471.031(1)(c), F.S.)	In addition to referral to State Attorney's Office and denial of future application for licensure, from a $1,000 fine to a $2,500 fine.	In addition to referral to State Attorney's Office from a $2,500 fine to a $5,000 fine.	In addition to referral to State Attorney's Office, a $5,000 fine.
7. Giving false or forged evidence to the Board or concealing information relative to violations of this chapter. (Sections 471.031(1)(d), (g), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension to $5,000 fine and two (2) year suspension followed by two (2) years' probation.	$5,000 fine and Revocation.
8. Employing unlicensed persons to practice engineering or aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S.	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2)	$5,000 fine and Revocation.

(Sections 471.031(1)(f), and 455.227(1)(j), F.S.)		years' probation.	
9. Having been found liable for knowingly filing a false complaint against another licensee. (Section 455.227(1)(g), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2) years' probation	$5,000 fine and Revocation.
10. Failing to report a person in violation of Chapters 455, and 471, F.S., or the rules of the Board or the Department. (Section 455.227(1)(i), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2) years' probation.	$5,000 fine and Revocation.
11. Failing to perform any statutory or legal obligation. (Section 455.227(1)(k), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2) years' probation.	$5,000 fine and Revocation.
12. Exercising influence on a client for financial gain. (Section 455.227(1)(n), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2) years' probation.	$5,000 fine and Revocation.
13. Improper delegation of professional responsibilities. (Section 455.227(1)(p), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2) years' probation.	$5,000 fine and Revocation.
14. Improperly interfering with an investigation or inspection or disciplinary proceeding. (Section 455.227(1)(r), F.S.)	$1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine and two (2) year suspension followed by two (2)	$5,000 fine and Revocation.

		years' probation.	
(b) Attempting to procure a license by bribery, fraudulent misrepresentation, or error of the Board or Department. (Sections 471.033(1)(b) and 455.227(1)(h), F.S.)	$5,000 fine and permanent revocation or denial of license (minimum and maximum same).		
(c) Having a license to practice engineering acted against or denied by another jurisdiction. (Sections 471.033(1)(c) and 455.227(1)(f), F.S.)	In addition to a reprimand, from a $500 fine to a $1,000 fine.	In addition to a reprimand, from a $1000 fine to a $2,500 fine.	Reprimand and $5,000 fine.
(d)1. Being convicted or found guilty of, or entering a plea of nolo contendere to a, crime which relates to the practice or ability to practice. (Sections 471.033(1)(d) and 455.227(1)(c), F.S.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine, two (2) years' suspension followed by two (2) years' probation and completion of Basic Engineering Ethics Course.	$5,000 fine and Revocation.
2. Conviction of crime related to building code inspection or plans examination. (Paragraph 61G15-19.001(7)(a), F.A.C.)	Reprimand, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation and completion of Basic Engineering Professionalism Course.	Reprimand, $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine, two (2) years' suspension followed by two (2) years' probation and completion of Intermediate Engineering Ethics Course.	$5,000 fine and Revocation.
(e) Knowingly making or filing a false report or record, failing to file a report or record required by law, impeding or obstructing such filing. (Sections 471.033(1)(e), 455.227(1)(l), F.S., and paragraph 61G15-19.001(7)(c), F.A.C.)	Reprimand, completion of Basic Engineering Ethics Course, and $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	Reprimand, completion of Intermediate Engineering Ethics Course, and $2,500 fine and one (1) year suspension followed by one (1) year probation to $5,000 fine, two (2) years' suspension followed by two (2) years' probation.	$5,000 fine and Revocation.
(f) Fraudulent, false,	Reprimand, completion	Reprimand, completion	$5,000 fine and

deceptive or misleading advertising. (Sections 471.033(1)(f), F.S., and subsection 61G15-19.001(2), F.A.C.)	of Basic Engineering Ethics Course, $1,000 fine and one (1) year probation to $2,500 fine and one (1) year suspension followed by one (1) year probation.	of Intermediate Engineering Ethics course, $2,500 fine, two (2) years' suspension followed by two (2) years' probation to $5,000 fine and five (5) years' suspension followed by five (5) years' probation.	Revocation.
(g) Fraud, deceit, negligence, incompetence or misconduct. (Sections 471.033(1)(g) and 455.227(1)(a), (m), F.S.)			
1. Fraud or deceit.	Reprimand, completion of Basic Engineering Ethics Course, $1,000 fine and two (2) years' probation to one (1) year suspension followed by one (1) year probation and $5,000.00 fine.	Reprimand, completion of Intermediate Engineering Ethics Course, one (1) year suspension followed by one (1) year probation and $2,500 fine to five (5) years' suspension followed by five (5) years' probation and a $5,000 fine.	$5,000 fine and Revocation.
2.a. Negligence. (Subsection 61G15-19.001(4), F.A.C.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review, and Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and $2,500 fine.	Reprimand; $2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	$5,000 fine and Revocation.
b. Negligence in procedural requirements. (Subsections 61G15-30.003(2), (3) and (5), F.A.C.; Rules 61G15-30.005 and 61G15-30.006, F.A.C.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and $2,500 fine.	Reprimand; $2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	$5,000 fine and Revocation.

c. As a special inspector.	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and $2,500 fine.	Reprimand; $2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	$5,000 fine and Revocation.
3. Incompetence. (Subsection 61G15-19.001(5), F.A.C.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and $2,500 fine.	Reprimand; $2,500 fine per count; one (1) year suspension followed by two (2) years' probation with plans review; Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	$5,000 fine and Revocation
4. Misconduct. (Subsection 61G15-19.001(6), F.A.C.)	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to two (2) years' suspension followed by five (5) years' probation with plans review and $2,500 fine.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to five (5) year suspension followed by ten (10) years' probation with plans review.	$5,000 fine and Revocation.
a. Expressing an opinion publicly on an engineering subject without being informed as to the facts and being competent to form a sound opinion. (Paragraph 61G15-19.001(6)(a), F.A.C.)	Reprimand, Basic Engineering Ethics Course and $1,000 fine to six (6) months suspension followed by two (2) years' probation and Basic Engineering Ethics Course.	Reprimand, $1,000 fine, six (6) month's suspension followed by one (1) year probation and Intermediate Engineering Ethics Course to $2,500 fine, one (1) year suspension followed by two (2) years' probation and intermediate Engineering Ethics Course.	$5,000 fine and Revocation.

b. Being untruthful, deceptive or misleading in any professional report, statement or testimony or omitting relevant and pertinent information from such report, statement or testimony when the result or such omission would or reasonably could lead to a fallacious conclusion. (Paragraph 61G15-19.001(6)(b), F.A.C.)	Reprimand, Basic Engineering Ethics Course and $1,000 fine to six (6) months suspension followed by two (2) years' probation and Basic Engineering Ethics Course.	Reprimand, $1,000 fine, six (6) month's suspension followed by one (1) year probation and Intermediate Engineering Ethics Course to $2,500 fine, one (1) year suspension followed by two (2) years' probation and intermediate Engineering Ethics Course.	$5,000 fine and Revocation.
c. Offering directly or indirectly any bribe or commission or tendering any gift to obtain selection or preferment for engineering employment other than the payment of the usual commission for securing salaried positions through licensed employment agencies. (Paragraph 61G15-19.001(6)(e), F.A.C.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
d. Soliciting or accepting gratuities without client knowledge. (Paragraphs 61G15-19.001(6)(g), (h), F.A.C.)	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
e. Failure to preserve client's confidence. (Paragraph 61G15-19.001(6)(r), F.A.C.)	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation

f. Professional judgment overruled by unqualified person. (Paragraph 61G15-19.001(6)(l), F.A.C.)	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
g. Use of name/firm in fraudulent venture. (Paragraph 61G15-19.001(6)(k), F.A.C.)	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
h. Undisclosed conflict of interest. (Paragraphs 61G15-19.001(6)(f), (p), F.A.C.)	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
i. Renewing or reactivating a license without completion of continuing education hours. (Paragraph 61G15-19.001(6)(s), F.A.C.)			
1. Failure to complete Florida Board approved Laws and Rules **or** Professional Ethics course prior to renewal.	Remedial action only, complete Florida Laws and Rules Study Guide.	$250 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for

		University Online Ethics Course.	biennial renewal and completion of Auburn University Engineering Ethics Course.
2. Failure to complete Board approved Laws and Rules and Professional Ethics prior to renewal	Remedial action only, complete Florida Laws and Rules Study Guide.	$500 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
3. Failure to complete any state's Laws and Rules and/or Professional Ethics courses.	Remedial action only: $250 fine, Florida Laws and Rules Study Guide, and complete Florida Board approved courses in both areas in addition to CE required for biennial licensure renewal.	$500 fine, Florida Laws and Rules Study Guide and Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
4. Failure to complete any/all required CE prior to licensure renewal/reactivation; all credits completed prior to initiation of complaint.	Remedial action only: $250 fine and Florida Laws and Rules Study Guide.	$500 fine, Florida Laws and Rules Study Guide and Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.
5. Failure to complete any/all required CE prior to licensure renewal/reactivation, all hours completed prior to Administrative Complaint being filed.	Remedial action only: $500 fine and Florida Laws and Rules Study Guide.	Reprimand, $2,000 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal OR completion of Auburn University	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal

		Online Ethics Course.	and completion of Auburn University Engineering Ethics Course.
6. Failure to complete any/all required CE prior to licensure renewal/reactivation; no response to audit or complaint prior to service of Administrative Complaint.	Reprimand, $5,000 fine and 2 hours live or live streaming CE for each hour of missing CE, in addition to hours required for biennial renewal AND completion of Auburn University Online Ethics Course.	Reprimand, one (1) year suspension, completion of 36 hours live CE in addition to hours required for biennial renewal and completion of Auburn University Engineering Ethics Course.	
(h) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review, and Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
(i) Practicing on a revoked, suspended, inactive or delinquent license, or through a business organization not properly qualified. (Sections 471.033(1)(i) and 471.031(1)(e), F.S.			
1. Delinquent license.	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course.	$5,000 fine and Revocation.
2. Inactive license.	Reprimand; $1,000 fine per count; one (1) year suspension followed by two (2) years' probation; and Basic Engineering Ethics Course.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics	$5,000 fine and Revocation.

		Course.	
3. Suspended license.	Permanent revocation and $5,000.		
4. Revoked license.	$5,000 fine and Referral to State Attorney.	$5,000 fine and Referral to State Attorney.	$5,000 fine and Referral to State Attorney.
5. Business Organization not properly qualified.	Reprimand; $500.00 fine to $5,000.00 fine, and one (1) year suspension.	One (1) year suspension and $5,000.00 fine to Revocation.	$5,000 fine and Revocation.
(j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any documents that were not prepared by him or her or under his or her responsible supervision, direction or control. (Section 471.033(1)(j), F.S., and paragraphs 61G15-19.001(6)(j), (q), F.A.C.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Permanent Revocation.
(k) Violating any order of the board or department. (Sections 471.033(1)(k), 455.227(1)(q), F.S., and paragraph 61G15-19.001(6)(o), F.A.C.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Permanent Revocation.
(l) Aiding, assisting, procuring, employing unlicensed practice or practice contrary to Chapter 455 or 471, F.S. (Section 455.227(1)(j), F.S.)	Reprimand; $1,000 fine per count; two (2) years' probation with plans review; Basic Engineering Ethics Course to $2,500 fine and one (1) year suspension followed by two (2) years' probation.	Reprimand; $2,500 fine per count; two (2) year suspension followed by two (2) years' probation; and Intermediate Engineering Ethics Course to $5,000 fine per count and five (5) year suspension followed by five (5) years' probation.	$5,000 fine and Revocation.
(m) Failing to report in writing a conviction or plea of nolo contendere, a crime	Reprimand and $500 fine.	Reprimand, $1000 fine, Basic Engineering Ethics Course, and one	$5,000 fine and Revocation.

in any jurisdiction. (Section 455.227(1)(t), F.S.)		(1) year probation.	

(3) Probation. Pursuant to Sections 455.227(2)(f) and (g), F.S., the Board may impose probation and/or corrective action as disciplinary penalties. All impositions of probation/corrective action as a penalty may include successful completion of the Engineering Law and Rules Study Guide, completion of a Board-approved CE course in Engineering Professionalism and Ethics, and an appearance before the Board at the end of the probationary period. Probation may be with or without monitoring/plans review.

(a) If monitoring/plans review is imposed as a term of probation and/or as corrective action, such monitoring/plans review shall require submission of three (3) plan sets, as selected by the consultant from a list of all plans prepared by Respondent, for review at the six (6) and eighteen (18) month intervals following entry of the order. Following satisfactory review of all 3 plan sets at the 6 month interval monitoring/plans review may be terminated without the 18 month review. Unsatisfactory plans review at the 6 month period will require the 18 month review and shall result in referral for investigation and possible institution of additional disciplinary proceedings. An unsatisfactory 18 month plans review shall lead to referral for investigation and possible institution of additional disciplinary proceedings.

(b) The licensee is responsible for all costs associated with compliance with the terms of probation. Unless stated otherwise in the disciplinary order, any costs of compliance with disciplinary penalties imposed shall be paid within thirty (30) days of the effective date of the Order or of invoice, whichever is later.

(4) The board shall be entitled to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the board prior to the imposition of a final penalty. The fact that an Administrative Law Judge of the Division of Administrative Hearings may or may not have been aware of the below mentioned aggravating or mitigating circumstances prior to a recommendation of penalty in a Recommended Order shall not obviate the duty of the board to consider aggravating and mitigating circumstances brought to its attention prior to the issuance of a Final Order.

(a) Aggravating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the enhancement of a penalty beyond the maximum level of discipline in the guidelines shall include but not be limited to the following:

1. History of previous violations of the practice act and the rules promulgated thereto.
2. In the case of negligence; of the magnitude and scope of the project and the damage inflicted upon the general public by the licensee's misfeasance.
3. Evidence of violation of professional practice acts in other jurisdictions wherein the licensee has been disciplined by the appropriate regulatory authority.
4. Violation of the provision of the practice act wherein a letter of guidance as provided in Section 455.225(3), F.S., has previously been issued to the licensee.
5. Refusal to accept responsibility for or to acknowledge the violation.
6. Degree of cooperation with disciplinary investigation.
7. Degree to which conduct departed from generally accepted professional standards of conduct.
8. The number of unrelated and distinct offenses.
9. Prior discipline imposed upon the licensee.
10. The deterrent effect of the penalty imposed.
11. Failure of the licensee to correct or stop violations.

(b) Mitigating circumstances; circumstances which may justify deviating from the above set forth disciplinary guidelines and cause the lessening of a penalty beyond the minimum level of discipline in the guidelines shall include but not be limited to the following:

1. In cases of negligence, the minor nature of the project in question and lack of danger to the public health, safety and welfare resulting from the licensee's misfeasance.
2. Lack of previous disciplinary history in this or any other jurisdiction wherein the licensee practices

his profession.

3. Restitution of any damages suffered.

4. The licensee's professional standing among his peers including continuing education.

5. Steps taken by the licensee or his firm to insure the non-occurrence of similar violations in the future.

6. Acceptance of responsibility for the violation and explanation of the facts and circumstances surrounding the occurrence.

7. Degree of cooperation with disciplinary investigation.

8. Degree to which conduct departed from generally accepted professional standards of conduct.

9. The length of time the licensee has practiced his or her profession.

10. The effect of the penalty upon the licensee's livelihood.

11. Efforts of the licensee to correct or stop violations.

(5) Costs. In addition to any penalty imposed pursuant to Section 455.227(2), F.S. and the rules of the Board, pursuant to Section 455.227(3), F.S., the licensee is responsible for payment of all costs of investigation and prosecution related to a disciplinary case.

(6) The provisions of subsections (1) through (5), above, are not intended and shall not be construed to limit the ability of the Board to informally dispose of disciplinary actions by stipulation, agreed settlement, or consent order pursuant to Section 120.57(4), F.S. Likewise, the provisions of subsections (1) through (5), above, are not intended and shall not be construed to limit the ability of the Board to pursue, or recommend the Department pursue, collateral civil or criminal actions, where authorized by law.

Rulemaking Authority 455.227, 455.2273, 471.008, 471.031, 471.033 FS. Law Implemented 455.227, 455.2273, 455.2277, 471.031, 471.033 FS. History–New 1-7-87, Formerly 21H-19.004, Amended 11-27-94, 5-22-01, 11-15-01, 5-20-02, 11-21-06, 2-21-10, 9-5-16, 12-29-19, 8-22-21.

61G15-19.0051 Notice of Noncompliance.

(1) As specified in Section 120.695(2)(b), F.S., minor violations of rules are violations that do not result in economic or physical harm to a person or adversely affect the public health, safety, or welfare or create a significant threat of such harm. Accordingly, as provided in Section 120.695(2)(a), F.S., as an alternative to investigation and prosecution, when a complaint is received, FEMC shall provide a licensee with a notice of noncompliance for an initial offense for the following violations:

(a) Failure to date documents when affixing signature and seal.

(b) Practice with an inactive or delinquent license less than one month.

(c) Failing to report a criminal conviction or plea of nolo contendere, regardless of adjudication, pursuant to Section 455.227(1)(t), F.S., if the licensee self reports after 30 days from the date of conviction or plea but within one (1) year after the date of the conviction or plea.

(d) Failure to complete a Board approved Advanced Building Code course as required by subsection 61G15-22.001(3), F.A.C., prior to submission of engineering documents in connection with buildings, structures, or facilities and systems covered by the Florida Building Code to an Authority Having Jurisdiction.

(e) Failure to produce documentation of compliance with continuing education requirements within sixty (60) days of notification to the licensee of the requirement to produce said documentation – first offense – No Notice of Noncompliance previously issued Section 61G15-22.006(2)(c), F.A.C.

(f) Failure to comply with the location, content, or formatting requirements of paragraphs 61G15-23.004(3)(a)-(d) or 61G15-23.005(4)(a)-(d), F.A.C.

(g) Failure to properly utilize a Title Block as required by paragraph61G15-23.001(4)(a), F.A.C.

(h) Practice with an improper seal. (See Rule 61G15-23.001, F.A.C.).

(i) First time failure to complete a Florida Board Approved Laws and Rules and/or Professional Ethics Continuing Education course, as required by subsection 61G15-22.001(1), F.A.C., if a non-

approved L&R or PE course was taken prior to licensure renewal.

(j) From August 2, 2021 until December 31, 2022, a first time failure to properly sign and seal an Electronic Multidimensional Model submitted as Final Work Product – subsection 61G15-23.001(4), F.A.C.

(2) A second offense shall result in issuance of a citation pursuant to Rule 61G15-19.0071, F.A.C.

(3) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 455.225 FS. Law Implemented 120.695, 455.225(3)(a) FS. History–New 4-2-00, Amended 5-5-10, 8-26-13, 12-31-17, 5-8-18, 12-29-19, 5-17-20, 11-2-20, 8-22-21.

61G15-19.0071 Citations.

(1) As used in this rule, "citation" means an instrument which meets the requirements set forth in Section 455.224, F.S., and which is served upon a licensee or qualified business organization for the purpose of assessing a penalty in an amount established by this rule. Citation violations are violations for which there is no substantial threat to the public health, safety, and welfare.

(2) In lieu of the disciplinary procedures contained in Section 455.225, F.S., FEMC is hereby authorized to dispose of any violation designated herein by issuing a citation to the subject within six months after the filing of the complaint that is the basis for the citation. If a violation for which a citation may be issued is discovered during the course of an investigation for an unrelated violation, the citation must be issued within 6 months from the discovery of the violation and filing of the uniform complaint form by the investigator.

(3) The following violations with accompanying fines may be disposed of by citation:

(a) An engineer who has practiced or offered to practice engineering through a corporation, partnership, or fictitious name which has not been properly qualified with the board. The fine shall be $100 for each month or fraction thereof of said activity, up to a maximum of $5,000. (See Sections 455.227(1)(j), 471.023, and 471.033(1)(a), F.S.)

(b) Practice with an inactive or delinquent license more than one month or if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be $100 for each month or fraction thereof. (See Section 471.033(1)(i), F.S.)

(c) Business organization practicing without being properly qualified with the board more than one month. The fine shall be $100 for each month or fraction thereof. (See Section 471.023, F.S.)

(d) Failure to notify the Board of a change in the principal officer of the corporation or partner in a partnership who is the qualifying professional engineer for said corporation or partnership within one month of such change. The fine shall be $500. (See Section 471.023(4), F.S.)

(e) Unlicensed practice of engineering. The fine shall be up to $250 for each month depending on the severity of the infraction practice, up to a maximum of $5,000.00. (See Section 455.228(3)(a), F.S.)

(f) Failure to properly utilize a Title Block as required by paragraph 61G15-23.001(4)(a), F.A.C., if a Notice of Noncompliance has previously been issued for the same offense. The fine shall be $500.

(g) Failure to produce documentation of compliance with continuing education requirements within sixty (60) days of notification to the licensee of the requirement to produce said documentation – Notice of Noncompliance previously issued – paragraph 61G15-22.006(2)(c), F.A.C. The fine shall be $500.

(h) Failure to complete any or all CE required prior to renewal of license; all CE completed within thirty (30) days of notification to the licensee. Subsections 61G15-22.001(1) or 61G15-22.006(2), F.A.C. The fine shall be $500.

(i) Failure to properly qualify or register a business entity – Notice of Noncompliance previously issued – Section 471.023, F.S. The fine shall be $250.

(j) From January 1, 2023 until December 31, 2023, failure to properly sign and seal an Electronic

Multidimensional Model submitted as Final Work Product – subsection 61G15-23.001(4), F.A.C. – Notice of Noncompliance previously issued OR which results in adverse impacts to the customer or client. The fine shall be $500.

(k) Signing or sealing any document that depicts work which is beyond the licensee's profession or specialty therein or accepting and performing responsibilities the licensee is not competent to perform and which does not evidence any risk to public health, safety or welfare. (Sections 471.025(3), 455.227(1)(o), F.S., paragraphs 61G15-19.001(6)(c), (d), F.A.C.) The fine is $750.

(l) Incompetence (Subsection 61G15-19.001(5), F.A.C.) which does not evidence risk to public health, safety or welfare. The fine shall be $750.

(m) Violating any provision of Chapter 455, F.S. (Sections 471.033(1)(h) and 455.227(1)(q), F.S.); no evidence of intent or willful action and no evidence of risk to public health, safety or welfare.

(n) Failure to produce documentation of compliance with continuing education requirements within sixty (60) days of notification to the licensee of the requirement to produce said documentation – Notice of Noncompliance previously issued – paragraph 61G15-22.006(2)(c), F.A.C. The fine shall be $500.

(4) If the subject does not dispute the matter in the citation in writing within 30 days after the citation is served by personal service or within 30 days after receipt by certified mail, the citation shall become a final order of the Board of Professional Engineers. The subject has 30 days from the date the citation becomes a final order to pay the fine and costs. Failure to pay the fine and costs within the prescribed time period constitutes a violation of Section 471.033(1)(k), F.S., which will result in further disciplinary action. All fines and costs are to be made payable to "Florida Engineers Management Corporation – Citation."

(5) Prior to issuance of the citation, the investigator must confirm that the violation has been corrected or is in the process of being corrected.

(6) Once the citation becomes a final order, the citation and complaint become a public record pursuant to Chapter 119, F.S., unless otherwise exempt from the provisions of chapter 119, F.S. The citation and complaint may be considered as aggravating circumstances in future disciplinary actions pursuant to Rule 61G15-19.004, F.A.C.

(7) Subsequent violation(s) of the same rule or statute shall require the procedure of Section 455.225, F.S., to be followed. In addition, should the offense for which a citation could be issued occur in conjunction with violations not described herein, then the procedures of Section 455.255, F.S., shall apply.

(8) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 455.224, 455.225, 455.228(3)(a) FS. Law Implemented 455.224, 455.227, 455.228(3)(a), 471.023, 471.033 FS. History–New 4-2-00, Amended 9-26-05, 8-26-13, 12-29-19, 5-17-20, 11-2-20, 8-22-21, 8-15-22.

61G15-31.006 Design of Structural Systems Utilizing Open Web Steel Joists and Joist Girders.

(1) The Engineer of Record shall indicate on the Structural Engineering Documents the steel joist and joist girder designations as required in Section 2207 of the Florida Building Code, Building, which is incorporated by reference in subsection 61G15-18.011(6), F.A.C., and shall indicate the appropriate standards for joist and joist girder design, layout, end supports, anchorage, bridging requirements, etc., including connections to walls. These documents shall indicate special requirements for concentrated loads, non-uniform loads, openings, extended ends, and resistance to uplift loads.

(2) The Engineer of Record is responsible for reviewing the steel joist and joist girder manufacturer's designs, as required in subsection (1), above, per the Engineer of Record's specified joist and joist girder designations and/or special loading diagrams, as set forth in Structural Engineering Documents. The

Engineer of Record may require the submission of the steel joist and joist girder design calculations as an indication of compliance. When required to submit the steel joist and joist girder calculations, the Engineer of Record shall require the steel joist and joist girder manufacturer to submit a cover letter along with the steel joist and joist girder design calculations. The cover letter shall bear the seal and signature of a Florida registered professional engineer responsible for design of the steel joist and joist girders.

(3) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.033(2), 471.008 FS. Law Implemented 471.033(1)(g), (j) FS. History–New 1-26-93, Formerly 21H-31.006, Amended 10-19-97, 1-4-16, 8-22-21.

61G15-18.011Definitions.

As used in Chapter 471, F.S., and in these rules where the context will permit the following terms have the following meanings:

(1) "Responsible Charge" shall mean that degree of control an engineer is required to maintain over engineering decisions made personally or by others over which the engineer exercises supervisory direction and control authority. The engineer in responsible charge is the Engineer of Record as defined in subsection 61G15-30.002(1), F.A.C.

(a) The degree of control necessary for the Engineer of Record shall be such that the engineer:

1. Personally makes engineering decisions or reviews and approves proposed decisions prior to their implementation, including the consideration of alternatives, whenever engineering decisions which could affect the health, safety and welfare of the public are made. In making said engineering decisions, the engineer shall be physically present or, if not physically present, be available in a reasonable period of time, through the use of electronic communication devices, such as electronic mail, videoconferencing, teleconferencing, computer networking, or via facsimile transmission.

2. Judges the validity and applicability of recommendations prior to their incorporation into the work, including the qualifications of those making the recommendations.

3. Approves the inclusion of standard engineering design details into the engineering work. Standard engineering design details include details mandated or directed to be contained in engineering documents by governmental agencies (such as the Florida Department of Transportation); and details contained in engineering design manuals and catalogues that are generally accepted as authoritative in the engineering profession. In order to approve the inclusion of such details the Engineer of Record must conduct such reasonable analysis of the content of the standard detail(s) as is necessary in the sound professional judgment of the Engineer of Record to be assured that the inclusion of such detail(s) into the engineering work is acceptable engineering practice.

(b) Engineering decisions which must be made by and are the responsibility of the Engineer of Record are those decisions concerning permanent or temporary work which could create a danger to the health, safety, and welfare of the public, such as, but not limited to, the following:

1. The selection of engineering alternatives to be investigated and the comparison of alternatives for engineering works.

2. The selection or development of design standards or methods, and materials to be used.

3. The selection or development of techniques or methods of testing to be used in evaluating materials or completed works, either new or existing.

4. The development and control of operating and maintenance procedures.

(c) As a test to evaluate whether an engineer is the Engineer of Record, the following shall be considered:

1. The engineer shall be capable of answering questions relevant to the engineering decisions made during the engineer's work on the project, in sufficient detail as to leave little doubt as to the engineer's proficiency for the work performed and involvement in said work. It is not necessary to defend decisions

as in an adversary situation, but only to demonstrate that the engineer in responsible charge made them and possessed sufficient knowledge of the project to make them. Examples of questions to be answered by the engineer could relate to criteria for design, applicable codes and standards, methods of analysis, selection of materials and systems, economics of alternate solutions, and environmental considerations. The individuals should be able to clearly define the span and degree of control and how it was exercised and to demonstrate that the engineer was answerable within said span and degree of control necessary for the engineering work done.

2. The engineer shall be completely in charge of, and satisfied with, the engineering aspects of the project.

3. The engineer shall have the ability to review design work at any time during the development of the project and shall be available to exercise judgment in reviewing these documents.

4. The engineer shall have personal knowledge of the technical abilities of the technical personnel doing the work and be satisfied that these capabilities are sufficient for the performance of the work.

(d) The term "responsible charge" relates to engineering decisions within the purview of the Professional Engineers Act and does not refer to management control in a hierarchy of professional engineers except as each of the individuals in the hierarchy exercises independent engineering judgement and thus responsible charge. It does not refer to administrative and personnel management functions. While an engineer may also have such duties in this position, it should not enhance or decrease one's status of being in responsible charge of the work. The phrase does not refer to the concept of financial liability.

(2) "Engineering Design" shall mean that the process of devising a system, component, or process to meet desired needs. It is a decision-making process (often iterative), in which the basic sciences, mathematics, and engineering sciences are applied to convert resources optimally to meet a stated objective. Among the fundamental elements of the design process are the establishment of objectives and criteria, synthesis, analysis, construction, testing and evaluation. Central to the process are the essential and complementary roles of synthesis and analysis. This definition is intended to be interpreted in its broadest sense. In particular the words "system, component, or process" and "convert resources optimally" operate to indicate that sociological, economic, aesthetic, legal, ethical, etc., considerations can be included.

(3) The term "evaluation of engineering works and systems" as used in the definition in the practice of engineering set forth in Section 471.005(7), F.S., includes but is not limited to services provided by testing laboratories involving the following:

(a) The planning and implementation of any investigation or testing program for the purpose of developing design criteria either by an engineering testing laboratory or other professional engineers.

(b) The planning or implementation of any investigation, inspection or testing program for the purpose of determining the causes of failures.

(c) The preparation of any report documenting soils or other construction materials test data.

(d) The preparation of any report offering any engineering evaluation, advice or test results, whenever such reports go beyond the tabulation of test data. Reports which document soils or other construction materials test data will be considered as engineering reports.

(e) Services performed by any entity or provided by a testing laboratory for any entity subject to regulation by a state or federal regulatory agency which enforces standards as to testing shall be exempt from this rule except where the services otherwise would require the participation of a professional engineer.

(4) "Certification" shall mean a statement signed and sealed by a professional engineer representing that the engineering services addressed therein, as defined in Section 471.005(7), F.S., have been performed by the professional engineer, and based upon the professional engineer's knowledge, information and belief, and in accordance with commonly accepted procedures consistent with applicable standards of practice, and is not a guaranty or warranty, either expressed or implied.

(5) The term "principal officer(s) of the business organization" as used in Section 471.023(1), F.S., means the (a) President, Vice President, Secretary or Treasurer of the Corporation, or Limited Liability Company (LLC); or (b) any other officer who has management responsibilities in the corporation or LLC, as documented by the corporate charter or bylaws so long as such documentation provides that such officer is empowered to bind the corporation or LLC in all of its activities which fall within the definition of the practice of engineering as that term is defined in Section 471.005(7), F.S.

(6) The term "Florida Building Code" shall mean the Florida Building Code, 7th Edition, (2020), adopted by the Florida Building Commission through Rule 61G20-1.001, F.A.C., effective 12-31-20, which rule is incorporated herein by reference and which may be obtained at https://www.flrules.org/Gateway/reference.asp?No=Ref-13200.

(7) The term "Florida Fire Prevention Code" shall mean the Florida Fire Prevention Code, 7th Edition, (2020), adopted by the Division of State Fire Marshal through rule Chapter 69A-60, F.A.C. The Florida Fire Prevention Code, effective 12-31-20, which rule chapter is incorporated herein by reference and which may be obtained at https://www.flrules.org/Gateway/reference.asp?No=Ref-13201.

(8) No later than December 31, 2024, the Board shall review and consider amendment, modifications, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.013(1)(a)1., 2. FS. Law Implemented 471.003(2)(f), 471.005(7), 471.005(6), 471.013(1)(a)1., 2., 471.023(1), 471.025(3), 471.033(1)(j) FS. History–New 6-23-80, Amended 12-19-82, 11-22-83, Formerly 21H-18.11, Amended 1-16-91, 4-4-93, Formerly 21H-18.011, Amended 12-22-99, 4-19-01, 10-16-02, 9-15-04, 6-5-08, 6-2-09, 2-2-12, 6-12-16, 2-22-17, 3-4-18, 5-27-20, 6-29-21.

61G15-23.001Signature, Date and Seal Shall Be Affixed.

(1) A professional engineer shall sign, date and seal:

(a) All final plans, prints, specifications, reports, or other documents prepared or issued by the licensee and being filed for public record;

(b) All final documents provided to the owner or the owner's representative.

(2) Additional Final and Non-Final Documents.

(a) A professional engineer may sign, date and seal documents required by any public entity or any provision of contract which requires the signing, dating and sealing of additional original documents.

(b) A professional engineer shall not sign, date and seal any documents which are not final documents unless the professional engineer states any limitations on the use of those documents on the face of those documents by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any other suitable statement which denotes that the documents are for limited use, are not final and are not intended for permit, construction, or bidding purposes.

(3) A professional engineer may only sign, date and seal engineering plans, prints, specifications, reports or other documents if that professional engineer was in responsible charge, as that term is defined in subsection 61G15-18.011(1), F.A.C., of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document(s) in question. Professional engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and shall indicate the name and address of the agency on all documents that are required to be signed, dated and sealed.

(4) Additional Requirements for Plans or Prints, Engineering Specifications and Calculations, and Engineering Reports or Other Documents. When an engineer signs, dates and seals any of the following types of documents plans or prints under the provisions of Section 471.025, F.S., and subsection (1) of this rule, the following additional information must be included:

(a) Plans and Prints. Every sheet within the plans and prints must be signed, dated and sealed by the professional engineer in responsible charge.

1. A title block shall be used on each sheet of plans or prints and shall contain the printed name, address, and license number of the engineer who has signed, dated and sealed the plans or prints.

2. If the engineer signing, dating and sealing engineering plans or prints is practicing through a duly authorized qualified engineering business organization; the title block shall contain the printed name and address of the qualified engineering business organization.

(b) Engineering Specifications and Calculations. An index sheet shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the engineering specifications or calculations.

1. The index sheet must be signed, dated and sealed by those professional engineers in responsible charge of the production and preparation of each section of the engineering specifications or calculations, with sufficient information on the index sheet so that the user will be aware of each portion of the specifications or calculations for which each professional engineer is responsible.

2. The index sheet shall include at a minimum:

a. The printed name, address and license number of each engineer in responsible charge of the production of any portion of the calculations or specifications.

b. If the engineer signing, dating and sealing calculations or specifications is practicing through a duly qualified engineering business organization; the printed name and address of the qualified engineering business organization.

c. Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

d. Identification of any computer program used for engineering the specifications or calculations.

(c) Engineering Reports or Other Documents.

1. A signature page or cover letter shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the report with sufficient information provided so that the user will be aware of each portion for which each professional engineer is responsible.

2. If the engineer signing, dating and sealing an engineering report or other document is practicing through a duly qualified engineering business organization, the printed name and address of the qualified engineering business organization.

(d) The date that the signature and seal is affixed as provided herein shall be entered on said plans, prints, specification, reports or other documents immediately adjacent to the signature of the professional engineer.

(5) Additional Requirements for Multi-Dimensional Models. The Florida Board of Professional Engineers recognizes that the practice of engineering is evolving into increasingly frequent contractual requirements for licensees to submit final work product as an electronic multidimensional model. Accordingly, when a licensee's contract requires the submission of an electronic multidimensional model as final work product; which by contract, law, or rule must be signed, dated, and sealed, the licensee shall utilize the process specified in paragraph (4)(b), above, regarding engineering specifications or calculations.

(6) As detailed in paragraph 61G15-30.003(1)(b), F.A.C., signed and sealed documents are presumed to comply with all applicable codes and standards in effect at the time of sealing. Unless the documents are amendments to documents previously signed and sealed by the engineer, and that fact is clearly noted at the time of submission, the licensee must affirmatively indicate on the documents any other edition of a code or standard, other than those currently in effect, with which the licensee intends the documents to comply.

Rulemaking Authority 471.008, 471.025 FS. Law Implemented 471.025, 471.033(1)(a), (e), (j) FS. History–New 1-8-80, Amended 6-23-80, Formerly 21H-23.01, 21H-23.001, Amended 4-1-97, 2-5-04, 8-8-

05, 11-16-09, 2-2-12, 11-3-15, 10-26-16, 12-29-19, 6-29-21, 11-15-21.

61G15-34.002Definitions.

(1) Appliances. A device or apparatus that is manufactured and designed to utilize energy and specifically regulated by codes and standards.

(2) Codes and Standards. Those nationally recognized Codes and Standards adopted directly or by reference in Florida Building Code (including Florida Energy Efficiency Code, Chapter 13) and Florida Fire Prevention Code, both of which are incorporated by reference through Rule 61G15-18.011, F.A.C.

(3) Component. Any individual device to be part of a mechanical system.

(4) Engineer of Record for the Mechanical Systems. The Florida Professional Engineer who is in responsible charge for the preparation, signing, dating, sealing and issuing of any engineering document(s) for mechanical systems design criteria or performs the analysis and is responsible for the preparation of the mechanical documents for the project.

(5) Equipment. All piping, ducts, vents, control devices and other components of systems other than appliances which are permanently installed and integrated to perform its intended function.

(6) Fuel Gas. A natural gas, manufactured gas, liquefied petroleum gas or mixtures of these gases, intended to be used as a source for thermal energy and not for motor fuel.

(7) Mechanical. Any device or mechanism that operates due to the action of the material forces in nature acting on bodies or masses.

(8) Mechanical Delegated Engineering Documents. Mechanical Engineering Documents prepared by a delegated engineer to whom the Engineer of Record for the Mechanical System has delegated responsibility for the design of a mechanical component orsystem and which are signed, sealed and dated by the delegated engineer.

(9) Mechanical Engineering Documents. All mechanical drawings, specifications, reports, calculations, data and other documents utilized to establish the overall design and requirements for the construction, alteration, modernization, repair, demolition, arrangement, and/or use of the mechanical system(s) or analysis or recommendations, as prepared by the Engineer of Record for the mechanical system. Mechanical Engineering Documents shall additionally meet the requirements of Rule 61G15-30.003, F.A.C., Engineering Documents.

(10) Point of Delivery. For natural gas systems, the point of delivery is the outlet of the service meter assembly or the outlet of the service pressure regulator or service shutoff valve where a meter is not provided. Where a valve is provided at the outlet of the service meter assembly, such valve shall be considered to be downstream of the point of delivery. For undiluted liquefied petroleum gas systems, the point of delivery shall be considered to be the outlet of the service pressure regulator, exclusive of line gas regulators, in the system.

(11) Service Pressure Regulator. For natural gas systems, a device installed by the serving gas supplier to reduce and limit the service line pressure to delivery pressure. For undiluted liquefied petroleum gas systems, the regulator located upstream from all line gas pressure regulators, where installed, and downstream from any first stage or a high pressure regulator in the system.

(12) Shop Drawings. Submittals, catalog information on standard products, or drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input. These submittals do not require the seal of a Florida Professional Engineer.

(13) System. Any assembly of components, materials, appliances, equipment, work systems, machines, products or devices which require design in accordance with mechanical engineering standards in order to perform its intended function.

(14) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 2-5-96, 11-13-08, 4-25-21, 8-29-21.

61G15-34.003Design of Heating, Ventilation, Air Conditioning, and Refrigeration Systems.

(1) Heating, Ventilating, Air Conditioning and Refrigeration (HVACR) Systems include those systems that control the temperature, humidity, or indoor air quality of a particular space, building or network of buildings. Items to be considered in the design and analysis of HVACR systems are, as applicable to the particular project: peak and block load characteristics and capacities; minimum ventilation; filtration; heat or energy transfer; movement of air, water, or other fluids associated with HVACR processes; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The HVACR System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ANSI, IIAR, etc.); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) For Mechanical Engineering Documents pertaining to HVACR systems exempted by the threshold requirements for mandatory use of professional engineering services established by Section 471.003(2)(h), F.S., the Engineer of Record shall determine the level of detail shown on plans for HVACR systems. All such plans must include a disclaimer stating the HVACR systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than is minimally required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards and sound engineering principles.

(4) Mechanical Engineering Documents pertaining to HVACR systems that exceed the threshold requirements for mandatory use of professional engineering services must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results; or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of mechanical equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Static pressure and fan air quantities.
5. Fluid flow and pressure head quantities.
6. Heat transfer capacities.
7. Cooling coil requirements based on sensible heat, latent heat, and total heat gains.
8. Filtration requirements.
9. Motor sizes and quantities to demonstrate compliance with the Florida Building Code, Energy Conservation.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) Ventilation requirements based on natural or mechanical means, as necessary for demonstrating compliance with the Florida Building Code, Mechanical.

(e) Energy recovery requirements.

(f) Outside and inside design conditions for cooling, heating, dehumidification, evaporation, and

humidification processes, as applicable.

1. Processes affecting sensible heat only may specify outside dry bulb temperature only.

2. Processes affecting latent heat only may specify outside humidity ratio only.

3. Processes affecting total heat must specify outside dry bulb temperature and at least one other coincidental psychrometric state point.

4. Inside design conditions must include dry bulb temperature and either wet bulb temperature or relative humidity for cooling and heating conditions, as applicable. Where inside design conditions are setback based on occupancy, both occupied and unoccupied design conditions must be listed.

(g) Duct riser diagrams when ductwork travels vertically more than three stories.

(h) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(i) Condensation discharge piping layout with pipe sizes.

(j) Instrumentation and Control System requirements, unless included on either Electrical or on Instrumentation and Control plans to ensure intentional operation of the system.

(k) Unless included on plumbing system plans, design for fuel gas system, including piping layout and sizes; isometric or riser diagram with pipe sizes; and fuel gas capacity and pressure for each pipe section.

(l) Ductwork layout and sizing; insulation requirements; supply, return, and exhaust inlet and outlet sizes; and outside air intake sizes. Air quantities shall be specified for inlets and outlets.

(m) Piping layout and sizing; and insulation requirements.

(n) Materials for all HVACR systems shall be specified.

(o) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(p) Identify and locate required fire protection devices, such as fire dampers, smoke dampers, and smoke detectors.

(q) A list, description, or details of through-penetration firestop systems as applicable.

(r) Building pressurization criteria as applicable.

1. Overall building net pressurization consisting of an air balance summary of outside (fresh) ventilation air quantities versus exhaust air quantities. For existing facilities where only a portion of the building is being renovated, the air balance summary must include all affected areas, which may not require an air balance summary for the entire building.

2. In spaces with critical pressurization requirements, such as in health care facilities, pharmaceutical facilities, and laboratories, a pressurization summary or diagram depicting pressure relationship with adjacent spaces. Supply, return, exhaust, and make-up air quantities, overall room pressurization, and make-up (transfer) air pathways shall be specified. For spaces with varying conditions, the pressurization summary shall include scenarios at both maximum and minimum design conditions.

(s) Systems commissioning requirements for demonstrating compliance with the Florida Build Code, Energy Conservation.

(5) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board at act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, 4-25-21, 11-24-21, 8-4-22.

61G15-34.004 Design of Process and Fluid Flow Systems.

(1) Process and Fluid Flow Systems include those systems that move fluids either by pumps, fans, or gravity as part of an industrial, commercial, or cogeneration process. Items to be included in the design and analysis of these systems are, as applicable to the particular project: load characteristics and

capacities; process type; fluid type and characteristics; distribution of fluids; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The Process and Fluid Flow System(s) shall be based on and shall reference the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ASSE, ANSI, etc.); the Florida Building Code (where applicable); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) Mechanical Engineering Documents pertaining to Process and Fluid Flow Systems must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results; or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of mechanical equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Motor sizes and quantities.
5. Fluid flow and pressure head quantities.
6. Tank capacities for storage.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(e) System piping or ductwork layout, sizing, and insulation requirements.

(f) Specific system design requirements to allow for independent project review.

(g) Instrumentation and Control Systems requirements, unless included on either Electrical or on Instrumentation and Control plans, to ensure intentional operation of the system.

(h) Required fire protection systems and devices.

(i) Materials for all Process and Fluid Flow Systems shall be specified.

(j) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable, unless the process or environment justifies an exemption by engineering design.

(k) A list, description, or details of through-penetration firestop systems as applicable.

(l) System commissioning requirements for demonstrating compliance with the Florida Building Code, Energy Conservation.

(4) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 4-25-21, 11-24-21.

61G15-34.005 Design of Heat and Energy Transfer Systems.

(1) Heat and Energy Transfer Systems include those systems that transfer heat or energy from one fluid to another, as part of an industrial, commercial, or cogeneration process. Items to be included in the design and analysis of these systems are, as applicable to the particular project: load characteristics and capacities; process type; fluid type and characteristics; distribution of fluids; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The Heat and Energy Transfer System(s) shall be based on and shall reference the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ASSE, ANSI etc.), the Florida Building Code (where applicable); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) Mechanical Engineering Documents pertaining to Heat and Energy Transfer Systems must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) Equipment schedule for each piece of mechanical equipment including, not limited to, pumps, fans, apparatuses, heat exchangers, or tanks. All equipment must include the following information, if applicable to the particular equipment.

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Heat transfer capacities.
5. Motor sizes and quantities.
6. Fluid flow and pressure head quantities.
7. Tank capacities for storage.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(e) System piping or ductwork layout, sizing, and insulation requirements.

(f) Specific system design requirements to allow independent project review.

(g) Instrumentation and Control System requirements, unless included on either Electrical or on Instrumentation and Control plans to ensure intentional operation of the system.

(h) Required fire protection systems and devices.

(i) Materials for all Heat and Energy Transfer Systems shall be specified.

(j) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(k) A list, description, or details of through-penetration firestop systems as applicable.

(l) System commissioning requirements for demonstrating compliance with the Florida Building Code, Energy Conservation.

(4) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 4-25-21.

61G15-34.006 Design of Material Transfer Systems.

(1) Material Transfer Systems are those systems that are designed to move materials or humans from one place to another as a part of an industrial or commercial process. Items to be included in the design and analysis of these systems are, as applicable to the particular project: load characteristics and capacities; material type and characteristics; elevator and conveyor types; ventilation requirements; instrumentation and control; performance requirements; and installation requirements.

(2) The Material Transfer System(s) shall be based on and shall reference the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ASSE, ANSI, etc.), the Florida Building Code (where applicable); or if no other such standards are available on alternative engineering

sources and good engineering practice.

(3) Mechanical Engineering Documents pertaining to Material Transfer Systems must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of mechanical equipment. All equipment must include the following information, if applicable to the particular equipment.

1. Elevator, conveyor, or vacuum type of conveyance system.
2. Electrical requirements based on voltage and phase.
3. Hydraulic requirements.
4. Motor sizes and quantities.
5. Material type, weight, and flow quantities.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) Process schematic flow diagrams with pipe sizes and fluid flow quantities.

(e) System conveyor and/or elevator layout.

(f) System piping or ductwork layout, sizing, and insulation requirements.

(g) Specific system design requirements to allow for independent project review.

(h) Instrumentation and Control System requirements, unless included on either Electrical or on Instrumentation and Control plans to ensure intentional operation of the system.

(i) Required fire protection systems and devices.

(j) Materials for all Material Transfer Systems shall be specified.

(k) A list, description, or details of through-penetration firestop systems as applicable.

(4) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 4-25-21.

61G15-34.007Design of Plumbing Systems.

(1) Plumbing Systems are those systems within or adjacent to a building that convey fluids and gases in connection with sanitary drainage, storm drainage, specialty drainage, venting, water supply, water heating, vacuum, and compressed gases for medical and non-medical applications. Items to be considered in the design and analysis of plumbing systems are, as applicable to the particular project: load characteristics and capacities; distribution of fluids; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The Plumbing System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, applicable standards (such as ASHRAE, ASME, ASPE, ASSE, ANSI, NFPA, etc.); or on if no other such standards are available alternative engineering sources and good engineering practice.

(3) For Mechanical Engineering Documents pertaining to Plumbing Systems exempted by the threshold requirements for mandatory use of professional engineering services established by Section 471.003(2)(h), F.S., the Engineer of Record shall determine the level of detail shown on plans for a plumbing system. All such plans shall include a disclaimer stating the Plumbing systems are exempt from professional engineering services and shall provide a clear understanding of the minimum system requirements expected to be installed by the contractor and permitted by the authority having jurisdiction (AHJ). In the event the Engineer of Record provides more information and direction than its minimally

required, he or she shall be held responsible for the technical accuracy of the work in accordance with applicable codes, standards, and sound engineering principles.

(4) Mechanical Engineering Documents pertaining to Plumbing Systems that exceed the threshold requirements for mandatory use of professional engineers services must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) Equipment selection schedules for each piece of plumbing equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Fixture flow or flushing rates.
5. Fluid flow and pressure head quantities.
6. Heat transfer capacities.
7. Motor sizes and quantities.
8. Tank capacities for storage, expansion, or compression.
9. Interceptor and separator capacities.

(c) Floor plans, site plans, and building and plumbing system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by thecontractor.

(d) Isometric or riser diagram with pipe sizes as follows:

1. Potable water.
2. Sanitary and vent.
3. Storm water.
4. Other fluids and gases.

(e) Piping layouts and sizing; and insulation requirements.

(f) Total or cumulative plumbing capacities as follows, either listed on the isometric or riser diagrams or in table form on the plans.

1. Total water supply fixture units and coincidental flow rate in gallons per minute.
2. Total drainage fixture units.
3. Cumulative area in square feet and coincidental flow rate in gallons per minute for each roof drain or storm drain. Total flow rate in gallons per minute for each storm water conductor discharging from the building.

(g) Design data for septic tank drain field sizing, when applicable.

(h) Portable water system design for minimizing bacteria growth (Legionella), based on heat, chemicals, or other means.

(i) Domestic hot water system design to prevent scalding, when applicable. Designs shall include, but not be limited to:

1. Design temperatures.
2. Temperature monitoring points necessary to confirm temperatures throughout the system.
3. Mixing valves or temperature-limiting devices.

(j) Design shall be in accordance with requirements for accessibility by individuals with disabilities adopted by the authority having jurisdiction.

(k) Unless included on HVAC system plans, design for fuel gas system, including piping layout and sizes; isometric or riser diagram with pipe sizes; and fuel gas capacity and pressure for each pipe section.

(l) Instrumentation and Control requirements, unless included on either Electrical or on Instrumentation and Control.

(m) Identify and locate plumbing fixtures, valves, pumps, tanks, accessories, specialties, enclosures,

and such equipment.

(n) Materials for all plumbing systems shall be specified.

(o) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(p) A list, description, or details of through-penetration firestop systems as applicable.

(q) System commissioning requirements for demonstrating compliance with the Florida Building Code, Energy Conservation.

(5) No later than December 31, 2026, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 11-13-08, 4-25-21, 11-24-21.

61G15-34.008 Design of Mechanical Machines and Motion Systems.

(1) Mechanical Machines and Motion Systems include any and all mechanical systems, devices, machines and equipment used by the public for conveyance, amusement, transportation, or facilitation of any process. These systems include elevators, escalators, moveable walkways, amusement park rides, etc. Items to be included in the design and analysis of these systems are, as applicable to the particular project: load characteristics and capacities; accessibility requirements for persons with disabilities; system type and characteristics; instrumentation and control; operating dynamics requirements; structural requirements; and installation requirements.

(2) The Mechanical Machines and Motion System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, any other applicable standards (such as ASHRAE, NFPA, ASME, ANSI, etc.); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) Mechanical Engineering Documents pertinent to Mechanical Machines and Motion Systems must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) Equipment schedule for each piece of mechanical equipment. All equipment must include the following information:

1. Elevator or conveyor type.
2. Electrical requirements based on voltage and phase.
3. Hydraulic requirements.
4. Motor sizes and quantities.
5. Gear and drive sizes.
6. System weight loading requirements.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) System schematic diagrams with sizes and fluid flow quantities.

(e) System piping or ductwork layout, sizing, and insulation.

(f) Specific system design requirements to allow for independent project review.

(g) Instrumentation and Control System requirements, unless included on either Electrical or on Instrumentation and Control plans to ensure intentional operation of the system.

(h) Required fire protection systems and devices.

(i) Materials for all Mechanical Machines and Motion Systems shall be specified.

(j) A list, description, or details of through-penetration firestop systems as applicable.

(k) Coordination with life safety means of egress requirements in NFPA 101.

(4) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 4-25-21.

61G15-34.009 Design of Instrumentation and Control Systems.

(1) Instrumentation and Control Systems are used to automate processes; control and monitor HVAC, plumbing, or electrical systems; and monitor fire protection systems where applicable. Items to be included in the design of control systems are reliability of control of critical processes; design parameters of systems being controlled; safety of personnel; suitability of instruments and control devices in the environment in which they are to be installed; performance requirements; and installation requirements.

(2) The Instrumentation and Control System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, and another applicable standards (such as ASHRAE, NFPA, ASME, ASPE, ANSI, etc.); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) Mechanical Engineering Documents pertaining to Instrumentation and Controls Systems must include the following information, if applicable to the particular project.

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) A description of the control systems functions, sequence of operation, or a functional diagram for each system to be controlled in order to provide the minimum functional requirements and as necessary for demonstrating compliance with the Florida Building Code, Energy Conservation.

(c) Materials for all instrumentation and control systems shall be specified.

(d) Floor plans, site plans, and building sections or elevations as appropriate showing the location of major control components.

(e) Location of all instrumentation and control components shall be identified.

(f) System network architecture riser diagram for instrumentation and control systems.

(g) Control and Process System Diagrams.

(h) Electrical requirements including conductors and cables (may be on electrical drawings).

(i) All data needed to complete the calculations for compliance with Florida Building Code, Energy Conservation as applicable.

(j) A list, description, or details of through-penetration firestop systems as applicable.

(k) System commissioning requirements for demonstrating compliance with the Florida Building Code, Energy Conservation.

(4) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 11-16-94, Amended 4-25-21.

61G15-34.010 Design of Fuel Gas Systems.

(1) Fuel Gas Systems include those systems that convey or utilize gaseous fuels as a source of

potential energy as part of an energy transfer process, applying from the point of delivery up to and including the appliances and related accessories. Items to be considered in the design and analysis of fuel gas systems are, as applicable to the particular project: load characteristics and capacities; distribution of gases; pressure drop; instrumentation and control; performance requirements; and installation requirements.

(2) The Fuel Gas System(s) shall be based on and shall reference the Florida Building Code, the Florida Fire Prevention Code, any other applicable standards (such as NFPA, ASME, ANSI, etc.); or if no other such standards are available on alternative engineering sources and good engineering practice.

(3) Mechanical Engineering Documents pertaining to Fuel Gas Systems must include the following information, if applicable to the particular project:

(a) Demonstrate and provide adequate information for the AHJ to determine compliance with codes and ordinances. These may include test methods and results or data and tabulations that are results of the design.

(b) Equipment selection schedule for each piece of fuel gas equipment. All equipment must include the following information, if applicable to the particular equipment:

1. Equipment efficiencies.
2. Electrical requirements based on voltage and phase.
3. Fuel requirements.
4. Motor sizes and quantities.
5. Fluid flow and pressure head quantities.
6. Tank capacities for storage.

(c) Floor plans; site plans; and building and mechanical system sections or elevations as appropriate to provide the minimum system requirements expected to be installed by the contractor.

(d) The Point of Delivery for the fuel gas system.

(e) Isometric or riser diagrams with sizes as follows:

1. Fuel gas piping.
2. Venting systems.

(f) Piping layouts and sizing.

(g) Total or cumulative fuel gas capacities and pressure for each pipe section either listed on the isometric or riser diagrams or in table form on the plans.

(h) Venting layout and sizing, based on natural, induced, or mechanical means, as necessary for demonstrating compliance with the Florida Building Code, Fuel Gas.

(i) Design data for fuel tank sizing, when applicable.

(j) Instrumentation and Control requirements, unless included on either Electrical or on Instrumentation and Control plans.

(k) Identify and locate all fuel gas valves, pumps, tanks, accessories, specialties, enclosures, and such equipment.

(l) Materials for all fuel gas systems shall be specified.

(m) A list, description, or details of through-penetration firestop systems as applicable.

(4) No later than December 31, 2024, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.033 FS. History–New 4-25-21.

61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited).

(1) Special Inspectors of Threshold Buildings: The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as

follows:

(a) Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections on Threshold Buildings.

(b) Licensed professional engineers whose principal practice is structural engineering shall also have three (3) years of experience in performing structural field inspections on all structural components involved in the new construction of Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of all structural components of new threshold buildings. For the purpose of these criteria, structural design and/or inspection shall mean the design and/or inspection of all structural components of the building under construction and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(c) Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on the new construction of Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application. In addition, the threshold/special inspection plan must be prepared by the Engineer of Record for the project.

(d) Design and/or inspection experience of restoration, repair or alteration of existing buildings is not creditable towards the design and inspection experience required for SI Certification.

(2) Special Inspectors of Threshold Buildings Limited.

(a) To implement Section 553.79, F.S., the Board hereby establishes the certification of Special Inspectors of Threshold Buildings (Limited), also referred to as "Special Inspectors (Limited)" or "S.I. (Limited)." Any licensee holding this certification may serve as the Special Inspector/Threshold Building Inspector for any project involving the Repair (without Substantial Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of an existing Threshold Building. A licensee holding this certification may not serve as the Special Inspector/Threshold Building Inspector for new construction or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms "Repairs," "Alteration 1," "Alteration 2," "Alteration 3," "Substantial Structural Damage," and "Substantial Structural Alteration" are as defined in the Florida Building Code – Existing Buildings. Licensees who wish to serve as Special Inspectors for new construction, or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration must be certified pursuant to subsection (1), above.

(b) The minimum qualifying criteria for Threshold Inspectors (Limited) are established by the Board to be as follows:

1. Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering.

2. Three (3) years of experience in performing structural field inspections on Threshold Buildings, components thereof, or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of repairs to components of threshold buildings. For the purpose of these criteria, examples of structural components include, but are not limited to, prestressed or post-tensioned concrete, balconies, exterior walls, etc.

3.a. Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed; and

b. The applicant must possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application.

(3) Applications For Special Inspector of Threshold Buildings.

(a) The instructions and application form for Special Inspector, Form FBPE/006 (12/21) is hereby incorporated by reference, "Application for Special Inspector Certification." Copies of Form FBPE/006 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at https://www.flrules.org/Gateway/reference.asp?No=Ref-14137.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/006.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,

2. Florida license number,

3. A list of new construction projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met, including the components designed or inspected and details of the threshold/special inspection plan.

(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.

b. Credible experience. The Board will only grant experience for work on new construction projects identified pursuant to sub-subparagraph (2)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management unrelated to design or inspection of the project).

c. All experience claimed must be verified. For structural design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's structural design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector,

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and,

6. Completed form FBPE/006.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(4) Application for Special Inspectors of Threshold Buildings (Limited).

(a) The instructions and application form for Special Inspectors of Threshold Buildings (Limited), Form FBPE/011 (12/21) is hereby incorporated by reference, "Application for Special Inspector of Threshold Building (Limited) Certification." Copies of Form FBPE/011 may be obtained from the Board office or by downloading it from the internet website www.fbpe.org/licensure/application-process or at

https://www.flrules.org/Gateway/reference.asp?No=Ref-14136.

(b) All applications for certification as a Special Inspector of Threshold Buildings (Limited) shall be submitted to the Board on Form FBPE/011.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,

2. Florida license number,

3. A list of projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria have been met, including the components designed or inspected and details of the threshold/special inspection plan.

(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.

b. Creditable experience. The Board will only grant experience for work on projects identified pursuant to sub-subparagraph (4)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management).

c. All experience claimed must be verified. For design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector of Threshold Buildings for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering or restoration/repair work on Threshold Buildings in the State of Florida, one of whom must be certified as a Special Inspector of Threshold Buildings.

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform inspections on components of threshold buildings; and,

6. Completed form FBPE/011.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(5) Roster of Special Inspectors of Threshold Buildings. The Board shall maintain a roster of all persons certified as Special Inspectors of Threshold Buildingsor Special Inspectors of Threshold Buildings (Limited) pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Board office. As specified by Section 553.791, and Chapter 471 F.S., licensees serving as private providers need not be listed on the Board's roster of either SIs or SIs (Limited).

(6) Any Florida Professional Engineer certified as a Special Inspector of Threshold Buildings (Limited) may apply at any time for certification as a Special Inspector of Threshold Buildings, by

following the provisions outlined in subsection (3), above. If the applicant is so certified, the Board shall cancel the Special Inspector of Threshold Buildings (Limited) certification and update the roster to reflect the applicant is certified as a Special Inspector of Threshold Buildings.

(7) No later than 90 days prior to December 31, 2023, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to act in accordance with this provision will result in the expiration of this rule on December 31, 2026.

Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History–New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16, 6-26-17, 4-8-18, 12-27-18, 5-31-20, 4-14-21, 4-5-22.

61G15-22.008 Record Keeping.

Rulemaking Authority 471.008, 471.017(3) FS. Law Implemented 471.017(3) FS. History–New 9-16-01, Amended 2-18-16, Repealed 4-4-21.

61G15-35.0021 Definitions.

As used hereinafter in this chapter, the following words or phrases shall be defined as follows. The Board does not intend for these definitions to apply to any similar wording, term, role, or description outside of Chapter 471 or 553, F.S. or the Florida Building Code Section 110.8 Threshold Building; or as such term may be used by a local Authority Having Jurisdiction in local regulations, codes, or ordinances.

(1) "Special Inspectors of Threshold buildings," also referred to as "Threshold Inspectors," "Special Inspectors," or "S.I.s" are defined by Section 553.719, F.S., Threshold Inspectors can perform inspections on all threshold buildings or perform any other services authorized by Section 553.79(5)(a), F.S. Florida Building Code section 110.8 provides additional requirements to the enforcing agency, Special Inspector, and fee owner.

(2) "Special Inspectors of Threshold buildings (Limited)", also referred to as "Threshold Inspectors (Limited)," can only perform inspections on Threshold Buildings with Repair (without Substantial Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of threshold buildings. Special Inspectors (Limited) are not permitted to do inspections on new construction or threshold buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms Repairs, Alteration 1, Alteration 2, Alteration 3, Substantial Structural Damage, and Substantial Structural Alteration are as defined in the Florida Building Code, Existing Buildings.

(3) "Threshold Building" is as defined by the Florida Building Code, Section 110.08 and in 553.71(12), F.S.

(4) "Private Provider" is as defined in Section 553.791(1)(j), F.S. Private Providers carry out duties as authorized by Section 553.791, F.S. As set forth in Chapter 553, F.S., although the roles and duties of Special Inspectors and Private Providers may appear to be similar or overlap, they are not synonymous and as specified in that chapter, are not interchangeable.

(5)Inspections requested by local Authority Having Jurisdiction in local regulations, codes, or ordinances for non-threshold buildings are not part of this chapter.

(6) "All Structural Components" shall mean each structural element necessary to the complete load path of the structure.

(7) No later than 90 days prior to December 31, 2023, the Board shall review and amend, modify, or sunset this rule if it determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs. Failure by the Board to

act in accordance with this provision will result in the expiration of this rule on December 31, 2023.

Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History–New 3-28-21, Amended 4-5-22.

3- All the Changes made to Florida Statues: Chapter 471 in the biennium 2021-2023

471.055 Structural Engineering Recognition Program for Professional Engineers.—

(1) The board shall establish the Structural Engineering Recognition Program for Professional Engineers to recognize professional engineers who specialize in structural engineering and have gone above and beyond the required minimum professional engineer licensing standards. The board shall establish minimum requirements to receive recognition through the program. The board must recognize any licensed professional engineer who has successfully passed the National Council of Examiners for Engineering and Surveying Structural Engineering 16-hour PE Structural examination or any other examination approved by the board. In addition, the board may recognize any licensed professional engineer who specializes in structural engineering based on alternative criteria determined by the board.

(2) Upon application to the board, a professional engineer who has the minimum program requirements shall be recognized as a professional engineer who has gone above and beyond in the field of structural engineering. The board may not collect a fee for such application or for recognition by the program.

(3) A professional engineer who is recognized by the program may identify such recognition in her or his professional practice, including in marketing and advertising materials.

(4) Recognition by the program is not required for a professional engineer to practice structural engineering.

(5) The board shall adopt rules to implement this section.

History.—s. 1, ch. 2022-81.

4- All the Changes made to Florida Statues: Chapter 455 in the biennium 2021-2023

Year 2021

455.219 Fees; receipts; disposition; periodic management reports.—

(1) Each board within the department shall determine by rule the amount of license fees for its profession, based upon department-prepared long-range estimates of the revenue required to implement all provisions of law relating to the regulation of professions by the department and any board; however, when the department has determined, based on the long-range estimates of such revenue, that a profession's trust fund moneys are in excess of the amount required to cover the necessary functions of the board, or the department when there is no board, the department may adopt rules to implement a waiver of license renewal fees for that profession for a period not to exceed 2 years, as determined by the department. Each board, or the department when there is no board, shall ensure license fees are adequate to cover all anticipated costs and to maintain a reasonable cash balance, as determined by rule of the department, with advice of the applicable board. If sufficient action is not taken by a board within 1 year of notification by the department that license fees are projected to be inadequate, the department shall set license fees on behalf of the applicable board to cover anticipated costs and to maintain the required cash balance. The department shall include recommended fee cap increases in its annual report to the Legislature. Further, it is legislative intent that no regulated profession operate with a negative cash balance. The department may provide by rule for the advancement of sufficient funds to any profession or the Florida Athletic Commission operating with a negative cash balance. Such advancement may be for a period not to exceed 2 consecutive years and shall require interest to be paid by the regulated profession. Interest shall be calculated at the current rate earned on Professional Regulation Trust Fund investments. Interest earned shall be allocated to the various funds in accordance with the allocation of investment earnings during the period of the advance.

(2) Each board, or the department if there is no board, may, by rule, assess and collect a one-time fee from each active and each voluntary inactive licensee in an amount necessary to eliminate a cash deficit or, if there is not a cash deficit, in an amount sufficient to maintain the financial integrity of such professions as required in this section. No more than one such assessment may be made in any 4-year period without specific legislative authorization.

(3) All moneys collected by the department from fees or fines or from costs awarded to the department by a court shall be paid into the Professional Regulation Trust Fund, which fund is created in

the department. The department may contract with public and private entities to receive and deposit revenue pursuant to this section. The Legislature shall appropriate funds from this trust fund sufficient to carry out the provisions of this chapter and the provisions of law with respect to professions regulated by the department and any board within the department. The department shall maintain separate accounts in the Professional Regulation Trust Fund for every profession within the department. To the maximum extent possible, the department shall directly charge all expenses to the account of each regulated profession. For the purpose of this subsection, direct charge expenses shall include, but not be limited to, costs for investigations, examinations, and legal services. For expenses that cannot be charged directly, the department shall provide for the proportionate allocation among the accounts of expenses incurred by the department in the performance of its duties with respect to each regulated profession. The department shall not expend funds from the account of a profession to pay for the expenses incurred on behalf of another profession. The department shall maintain adequate records to support its allocation of department expenses. The department shall provide any board with reasonable access to these records upon request. Each board shall be provided an annual report of revenue and direct and allocated expenses related to the operation of that profession. These reports and the department's adopted long-range plan shall be used by the board to determine the amount of license fees. A condensed version of this information, with the department's recommendations, shall be included in the annual report to the Legislature prepared pursuant to s. 455.2285.

(4) A condensed management report of budgets, finances, performance statistics, and recommendations shall be provided to each board at least once a quarter. The department shall identify and include in such presentations any changes, or projected changes, made to the board's budget since the last presentation.

(5) If a duplicate license is required or requested by the licensee, the board or, if there is no board, the department may charge a fee as determined by rule not to exceed $25 before issuance of the duplicate license.

(6) The department or the appropriate board shall charge a fee not to exceed $25 for the certification of a public record. The fee shall be determined by rule of the department. The department or the appropriate board shall assess a fee for duplication of a public record as provided in s. 119.07(4).

(7)(a) The department, or a board thereunder, shall waive the initial licensing fee for a member of the Armed Services of the United States who has served on active duty, the spouse of a member of the Armed Services of the United States who was married to the member during a period of active duty, the surviving spouse of a member of the Armed Services of the United States who at the time of death was serving on active duty, or a low-income individual upon application by the individual in a format prescribed by the department. The application format must include the applicant's signature, under penalty of perjury, and supporting documentation as required by the department. For purposes of this subsection, the term "low-income individual" means a person whose household income, before taxes, is at

or below 130 percent of the federal poverty guidelines prescribed for the family's household size by the United States Department of Health and Human Services, proof of which may be shown through enrollment in a state or federal public assistance program that requires participants to be at or below 130 percent of the federal poverty guidelines to qualify.

(b) The department, or a board thereunder, shall process an application for a fee waiver within 30 days of receiving it from the applicant.

(c) The department shall adopt rules necessary to implement the provisions of this subsection.

History.—s. 5, ch. 79-36; s. 287, ch. 81-259; s. 2, ch. 84-271; s. 82, ch. 90-132; s. 4, ch. 90-228; s. 4, ch. 91-137; s. 17, ch. 92-149; s. 73, ch. 94-218; s. 8, ch. 2000-356; s. 44, ch. 2004-335; s. 3, ch. 2017-135; s. 59, ch. 2018-110; s. 25, ch. 2021-135.

Year 2022

455.02 Licensure of members of the Armed Forces in good standing and their spouses or surviving spouses with administrative boards or programs.—

(1) Any member of the United States Armed Forces now or hereafter on active duty who, at the time of becoming such a member, was in good standing with any of the boards or programs listed in s. 20.165 and was entitled to practice or engage in his or her profession or occupation in the state shall be kept in good standing by the applicable board or program, without registering, paying dues or fees, or performing any other act on his or her part to be performed, as long as he or she is a member of the United States Armed Forces on active duty and for a period of 2 years after discharge from active duty. A member, during active duty and for a period of 2 years after discharge from active duty, engaged in his or her licensed profession or occupation in the private sector for profit in this state must complete all license renewal provisions except remitting the license renewal fee, which shall be waived by the department.

(2) A spouse of a member of the United States Armed Forces who is married to a member during a period of active duty, or a surviving spouse of a member who at the time of death was serving on active duty, who is in good standing with any of the boards or programs listed in s. 20.165 shall be kept in good standing by the applicable board or program as described in subsection (1) and shall be exempt from licensure renewal provisions, but only in cases of his or her absence from the state because of his or her spouse's duties with the United States Armed Forces. The department or the appropriate board or program shall waive any license renewal fee for such spouse when he or she is present in this state because of such member's active duty and for a surviving spouse of a member who at the time of death was serving on active duty and died within the 2 years preceding the date of renewal.

(3)(a) The department shall issue a professional license to an applicant who is or was an active duty member of the Armed Forces of the United States, or who is a spouse or surviving spouse of such member, upon application to the department in a format prescribed by the department. An application must include proof that:

1. The applicant is or was an active duty member of the Armed Forces of the United States or is married to a member of the Armed Forces of the United States and was married to the member during any period of active duty or was married to such a member who at the time of the member's death was serving on active duty. An applicant who was an active duty member of the Armed Forces of the United States must have received an honorable discharge upon separation or discharge from the Armed Forces of the United States.

2. The applicant holds a valid license for the profession issued by another state, the District of Columbia, any possession or territory of the United States, or any foreign jurisdiction.

3. The applicant, where required by the specific practice act, has complied with insurance or bonding requirements.

4.a. A complete set of the applicant's fingerprints is submitted to the Department of Law Enforcement for a statewide criminal history check.

b. The Department of Law Enforcement shall forward the fingerprints submitted pursuant to sub-subparagraph a. to the Federal Bureau of Investigation for a national criminal history check. The department shall, and the board may, review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing shall be borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor shall collect the required processing fees and remit the fees to the Department of Law Enforcement.

(b) The department shall waive the applicant's initial licensure application fee.

(c) An applicant who is issued a license under this section may renew such license upon completion of the conditions for renewal required of licenseholders under the applicable practice act, including, without limitation, continuing education requirements. This paragraph does not limit waiver of initial licensure requirements under this subsection.

(d) The department shall expedite all applications submitted by a spouse of an active duty member of the Armed Forces of the United States pursuant to this subsection and shall issue a license within 7 days after receipt of a complete application that includes all required documentation under subparagraphs (a)1.-4.

History.—s. 2, ch. 21885, 1943; s. 5, ch. 79-36; s. 95, ch. 83-329; s. 1, ch. 84-15; s. 71, ch. 85-81; s. 6, ch. 93-220; s. 186, ch. 97-103; s. 5, ch. 2010-106; s. 4, ch. 2010-182; s. 2, ch. 2017-135; s. 7, ch. 2018-7; s. 1, ch. 2022-185.

Note.—Former s. 485.02.

455.116 Regulation trust funds.—The following trust funds shall be placed in the department:

(1) Administrative Trust Fund.

(2) Alcoholic Beverage and Tobacco Trust Fund.

(3) Cigarette Tax Collection Trust Fund.

(4) Hotel and Restaurant Trust Fund.

(5) Division of Florida Condominiums, Timeshares, and Mobile Homes Trust Fund.

(6) Professional Regulation Trust Fund.

History.—s. 8, ch. 93-220; s. 44, ch. 96-418; s. 22, ch. 2008-240; s. 1, ch. 2011-30; s. 2, ch. 2012-143; s. 4, ch. 2022-179.

5-Florida Disciplinary action biennium 2021-2023

Year 2022

ROBERT T. HAUG, PE
PE No. 24575 – PROBATION
Case No. 2021021749 & 2020055905
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee did not exercise due care in preparing structural engineering documents that he signed and sealed for a church project in Lakeland, Fla., which resulted in a roof collapsing twice.

Ruling: The case was presented to the Board. The Board ordered licensee to appear before the Board; and imposed an administrative fine of $1,000 and costs of $4,858.80, two years of Probation, successful completion of an intermediate engineering professionalism and ethics course within one year, successful completion of the Board's Study Guide within 30 days, and project reviews at six and 18 months. Final Order was filed Dec. 13, 2022.
Violation: Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code

MARK P. THOMASSON, PE
PE No. 48287
Case No. 2022028448
Licensee was charged with violating Section 471.033(1)(d), Florida Statutes; being convicted of or entering a plea of guilty or nolo contendere to a crime in any jurisdiction that directly relates to the practice of engineering or the ability to practice engineering. Respondent pleaded nolo contendere to one count of felony child neglect and was placed on 60 months of probation by the Circuit Court of the 2nd Judicial Circuit for Leon County.

Ruling: The case was presented to the Board. The Board ordered licensee to appear before the Board; and imposed an administrative fine of $2,000 and costs of $52.65. Final Order was filed Dec. 13, 2022.
Violation: Section 471.033(1)(d), Florida Statutes

MARWAN N. NADER, PE
PE No. 72598 – REPRIMAND
Case No. 202208236
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021. The continuing education was not completed until March 2, 2022.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $1,000 and costs of $78.00, a Reprimand, and successful completion of the

Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued Oct. 20, 2022.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

EDWARD LANDERS, PE
PE No. 38398 – SUSPENDED
Case No. 2021039715
Licensee was charged with violating Section 471.033(1)(k), Florida Statutes; failing to comply with the terms of a prior Final Order, specifically successful completion of a Board-approved course in advanced engineering professionalism and ethics.

Ruling: The case was presented to the full Board. The Board imposed a Suspension of his license, an administrative fine of $5,000 and costs of $134.65, compliance with outstanding obligations from a prior Final Order. Licensee must petition for reinstatement and appear before the Board when petition is considered. Final Order was issued Oct. 24, 2022.
Violation: Section 471.033(1)(k), Florida Statutes

JACQUELINE P. JAMES, PE
PE No. 66579 – RESTRICTED
Case No. 2021038637
Licensee was charged with violating Section 471.033(1)(k), Florida Statutes; violating an order of the Board previously entered in a disciplinary hearing by continuing to sign and seal structural engineering documents after having her license restricted from performing structural engineering.

Ruling: The case was presented to the Board. The Board ordered licensee to appear before the Board; and imposed an administrative fine of $1,000 and costs of $608.65, successful completion of an advanced engineering professionalism and ethics course within one year, and successful completion of the Board's Study Guide within 30 days. Final Order was filed Oct. 20, 2022.
Violation: Section 471.033(1)(k), Florida Statutes

SUINGLIO ESPEJO
Case No. 2020044812
Respondent was charged with violating Section 471.031(1)(a), Florida Statutes, and Section 471.033(1)(g), F.S.; offering engineering services without a license. The unlicensed individual signed, dated, and sealed engineering plans using the seal and forging the signature of a Professional Engineer.

Ruling: The case was presented to the Board. The Board imposed an administrative fine of $5,000 and costs of $181.35. Final Order was filed Oct. 24, 2022.
Violation: Section 471.031(1)(a), Florida Statutes

JAN HARTMAN, PE
PE No. 82996 – SUSPENDED
Case No. 2021034341

Licensee was charged with violating Section 471.033(1)(d), Florida Statutes; being convicted of a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering. License was convicted of endangering the welfare of a child (pornography) in New Jersey.

Ruling: The case was presented to the Board. The Board imposed a five-year suspension of his PE license. Prior to reinstatement, the licensee must pay an administrative fine of $1,000 and costs of $142.35. Upon his Petition for Reinstatement, he must appear before the Board to demonstrate his ability to resume the practice of engineering in Florida with reasonable skill and safety to the public. Upon reinstatement, the Board may impose conditions on his license, which may include a restriction on practice or probation. Final Order was filed Sept. 1, 2022.
Violation: Section 471.033(1)(d), Florida Statutes

RICHARD M. COLE, PE
PE No. 83903
Case No. 2021022251
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Section 471.033(1)(g), F.S.; negligence in the practice of engineering. He signed, dated, and sealed a forensic engineering report for a commercial structure in Seffner, Fla., that was materially deficient.

Ruling: The case was presented to the Board. The Board imposed an administrative fine of $1,000 and costs of $1,608.65; an appearance before the Board; successful completion of a basic engineering professionalism and ethics course and he Board's Study Guide. Final Order was filed Aug. 18, 2022.
Violation: Section 471.033(1)(a), Florida Statutes, and Section 471.033(1)(g), F.S.

JUAN MARTINEZ, PE
PE No. 35572 – SUSPENDED
Case No. 2021056562
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021. Except for the laws & rules course and the ethic course, no other continuing education has been completed.
Ruling: The case was presented to the full Board. The Board imposed an administrative fine of $1,000 and costs of $68.25; a Reprimand; a Suspension of his license; and successful completion of the Board's Study Guide and a Board-approved course in engineering ethics and professionalism. Mr. Martinez must submit documentation for all CE requirements from the prior licensure renewal biennium, petition the Board in writing for termination of his suspension, and appear before the Board when his petition is considered. Final Order was filed June 27, 2022.
Violation: Section 471.033(1)(a) & (g), Florida Statutes, and 61G15-19.001(4)(a) & (b), Florida Administrative Code

TERRY NOLAN
Case No. 2019050155
Mr. Nolan was charged with violating Section 471.033(1)(b)1, Florida Statutes; offering engineering services without a license. Mr. Nolan continued offering "mechanical engineering" services on the website for his company, Florida Drafting and Design Services of Tampa Bay, after being ordered to cease and desist. Mechanical engineer is among the protected titles that may not be used without an active Professional Engineer license in Florida.

Ruling: The case was presented to the full Board. The Board imposed an administrative fine of $5,000 and costs of $297.50. Final Order was filed June 27, 2022.
Violation: Section 471.033(1)(b)1, Florida Statutes

LUIS R. PEREZ, PE
PE No. 80653
Case No. 2021007881
Licensee was charged with violating Section 471.033(1)(a) & (g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. In the two counts, Mr. Perez did not exercise due care in preparing engineering documents that he signed and sealed for a home addition in Altamonte Springs. The documents were materially deficient regarding electrical, mechanical (plumbing), and structural design and engineering.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $1,000 and costs of $9,550.45; an appearance before the Board; and a two-year probation with terms. The terms include reviews of all structural, mechanical, and electrical engineering projects at six- and 18-month intervals; and successful completion of the Board's Study Guide and a Board-approved basic course in engineering ethics and professionalism. Final Order was filed June 16, 2022.
Violation: Section 471.033(1)(a) & (g), Florida Statutes, and 61G15-19.001(4), Florida Administrative Code

ZEYN B. UZMAN, PE
PE No. 58874 – REPRIMAND
Case No. 2020002589
Licensee was charged with violating Section 471.033(1)(a) & (g), Florida Statutes, and Rule 61G15-19.001(4)(a) & (b), Florida Administrative Code; negligence in the practice of engineering. In the two counts, Mr. Uzman did not exercise due care in preparing engineering documents that he signed, dated, and sealed for two timber pedestrian bridges over a water channel in Boca Raton and were not issued in compliance with acceptable engineering practices.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $2,000 ($1,000 per count) and costs of $2,634; a Reprimand; an appearance before the Board; and a two-year probation with terms. The terms include reviews of all structural projects and reports at six- and 18-month intervals; and successful completion of the Board's Study Guide and a Board-approved basic course in engineering ethics and professionalism. Final Order was filed April 21, 2022.
Violation: Section 471.033(1)(a) & (g), Florida Statutes, and 61G15-19.001(4)(a) & (b), Florida Administrative Code

W. DENNY PATE
PE No. 34332 – RELINQUISHED
Case No. 2018047511
The Board accepted the voluntary relinquishment of Mr. Pate's Professional Engineer license and his waiver to reapply for licensure in Florida.

CARLOS SOTELO
Case No. 2020027615
Respondent was charged with violating Section 471.031(1)(a)-(c), Florida Statutes; practice engineering without a license, use the title "Professional Engineer" or other restricted title without a license, and presenting as his own the license of another. Mr. Sotelo filed a set of engineering plans with the City of Miami using the seal of a deceased Professional Engineer.

Ruling: The case was presented to the full Board. The Board imposed an administrative fine of $5,000 and costs of $297.50. Final Order was filed March 17, 2022.
Violation: Section 471.031(1)(a)-(c), Florida Statutes

FRANKLIN PAJARO
PE No. 58317 – REVOKED
Case No. 2021011949
Licensee was charged with violating Section 471.033(1)(a), (c), & (d), Florida Statutes; convicted of a criminal offense involving moral turpitude in North Carolina and not maintaining good moral character, failure to report conviction, and subsequent disciplinary action taken against his license (revocation) in North Carolina.

Ruling: The case was presented to the full Board. The Board revoked Mr. Pajaro's PE license. Final Order was filed Jan. 27, 2022.
Violation: Section 471.033(1)(a), (c), & (d), Florida Statutes

STEPHEN E. KASTNER, PE
PE No. 39528 – REPRIMAND
Case No. 2021001918
Licensee was charged with violating Section 471.033(1)(9), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Mr. Kastner signed, dated, and sealed materially deficient structural engineering design documents for a seawall in Cocoa, Fla.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand on his PE license; an administrative fine of $1,000 and costs of $4,893.05; an appearance before the Board; and a two-year probation with terms. The terms include reviews of all structural and civil engineer projects at six and 18 months; and the successful completion of the Board's Study Guide and a Board-approved online course in advanced engineering ethics and professionalism. Final Order was filed Oct. 22, 2021.
Violation: Section 471.033(1)(9), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code

RAUL HINOJOSA
Case No. 2019046157
Mr. Hinojosa was charged with violating Section 471.031(1)(a) & (b), Florida Statutes; offering engineering services without a license, and using the title of "Professional Engineer" or another protected title without a license. Mr. Hinojosa failed to respond to the Motion or to the Administrative Complaint

Ruling: The case was presented to the full Board. The Board imposed an administrative fine of $5,000 and costs of $375.50. Final Order was filed Nov. 5, 2021.
Violation: Section 471.031(1)(a) & (b), Florida Statutes

MIGUEL GONZALEZ, PE
PE No. 71594 – REPRIMAND
Case No. 2020002302
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. Mr. Gonzalez failed to respond to the Motion or to the Administrative Complaint.

Ruling: The case was presented to the full Board. The Board imposed a Reprimand on his PE license, and a six-month Suspension of his license. Prior to reinstating the suspended license, Mr. Cruz Carrasco must pay an administrative fine of $2,000 and costs of $54.60, successful completion of the Board's Study Guide, completion of all continuing education requirements, and an appearance before the Board. Final Order was filed March 3, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

MARK DESTEFANO, PE
PE No. 61657 – REPRIMAND
Case No. 2018024868
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Mr. Destefano signed, dated, and sealed structural engineering documents for a three-story residence in Longboat Key, Fla., that contained multiple deficiencies.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand on his PE license; an administrative fine of $1,000 and costs of $8,920.78; an appearance before the Board; and a two-year probation with terms. The terms include reviews of all structural projects and reports at six- and 18-month intervals; and successful completion of the Board's Study Guide and a Board-approved intermediate course in engineering ethics and professionalism. Final Order was filed Oct. 22, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

CARLOS CRUZ CARRASCO, PE
PE No. 82046 – REPRIMAND
Case No. 2020002330
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. Mr. Cruz Carrasco failed to respond to the Motion or to the Administrative Complaint.

Ruling: The case was presented to the full Board. The Board imposed a Reprimand on his PE license, and if his license is changed to active status, then it is suspended for six months. Prior to reinstating the suspended license, Mr. Cruz Carrasco must pay an administrative fine of $1,000 and costs of $58.50; successfully complete the Board's Study Guide and a Board-approved intermediate course in

engineering ethics and professionalism; complete of all continuing education requirements; and appear before the Board. Final Order was filed Nov. 5, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

SAM COLE
PE No. 49262 – REVOKED
Case Nos. 2020037566 & 2020037576
Mr. Cole is charged with violating Sections 471.033(1)(a) and 471.033(1)(e), Florida Statutes; using a license that is suspended, revoked, inactive, or delinquent. Mr. Cole's Florida Professional Engineer license had been suspended in a Final Order issued July 16, 2019, but he continued using the title of PE and his suspended license number. His firm is also charged with violating Sections 471.023 and 471.031, F.S., for offering engineering services through a business, Structural and Site Engineering LLC, that was not registered as an engineering firm in Florida.

Ruling: The case was presented to the full Board, which revoked Mr. Cole's license and fined his business, Structural and Site Engineering LLC, $5,000. Final Order was filed Nov. 5, 2021.
Violation: Sections 471.033(1)(a) and 471.033(1)(e), Florida Statutes; and Sections 471.023 and 471.031, F.S.

ROBERT H. KLINK, PE
PE No. 51011 – RELINQUISHED
Case No. 2020006214
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed when the Administrative Complaint was filed Sept. 22, 2020.

Ruling: The case was presented to the full Board upon a Settlement Stipulation with amendments. Mr. Klink's PE license was suspended until he completed the following terms issued by the Board: payment of an administrative fine of $2,000 and costs of $87.75; successfully completes all 18 hours of continuing education; a petition for reinstatement of his license and an appearance before the Board during the petition's consideration; a Reprimand; and successful completion of the Board's Study Guide. Final Order was filed Jan. 15, 2021. On Nov. 16, 2021, the Board accepted Mr. Klink's voluntary relinquishment of his Florida PE license and vacated the previous Final Order.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

ALEXANDER F. ZUENDT, PE
PE No. 81552
Case No. 2020000551
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering, failure by a Professional Engineer to use due care in performing in an engineering capacity, or failing to have due regard for acceptable standards of engineering principles.

Mr. Zuendt signed, dated, and sealed deficient engineering documents for electrical, mechanical (HVAC), and mechanical (plumbing) designs for 1,024-square-foot dwelling in New Port Richey, Fla.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $1,000 and costs of $2,500, an appearance before the Board, successful completion of the Board's Study Guide and a Board-approved intermediate course in engineering ethics and professionalism, a permanent restriction from the practice of electrical (power) and mechanical (HVAC) engineering. Final Order was issued Aug. 20, 2021.
Violation: Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code

CAREY L. WILKINSON, PE
PE No. 80472
Case No. 2020044838
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code, negligence in the practice of engineering, failure by a Professional Engineer to use due care in performing in an engineering capacity, or failing to have due regard for acceptable standards of engineering principles; and Section 471.033(1)(a), F.S., Section, 471.025(1), F.S., and Rule 61G15-23.001, F.A.C., not dating signed and sealed engineering documents files for public record.

Mr. Wilkinson signed and sealed deficient engineering documents for structural designs for concrete masonry unit screen walls and an aluminum fence in Winter Haven, Fla. In addition, the engineering documents were not dated.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $1,000 and costs of $5,025.76, an appearance before the Board, structural engineer project reviews at six- and 18-month intervals, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued Aug. 20, 2021.
Violation: Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; and Section 471.033(1)(a), F.S., Section, 471.025(1), F.S., and Rule 61G15-23.001, F.A.C.

RICHARD M. TOMMELL, PE
PE No. 61859 – RESTRICTED
Case No. 2020009259
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code, negligence in the practice of engineering, failure by a Professional Engineer to use due care in performing in an engineering capacity, or failing to have due regard for acceptable standards of engineering principles; and Section 471.033(1)(a), F.S., Section, 471.025(1), F.S., and Rule 61G15-23.001, F.A.C., not dating signed and sealed engineering documents files for public record.

Mr. Tommell signed and sealed deficient engineering documents for electrical, mechanical (plumbing), and structural designs for a swimming pool and spa in Tarpon Springs. In addition, the engineering documents were not dated.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $1,000 and costs of $4,425.80, an appearance before the Board, a two-year Probation, structural and mechanical (plumbing) engineering project reviews at six- and 18-month intervals, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. The Board also restricted Respondent from practicing any electrical engineering until he passes the NCEES 8-hour electrical power PE exam, and imposed electrical engineering project reviews at six- and 18-month intervals after having passed the exam. Final Order was issued Aug. 20, 2021.
Violation: Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; and Section 471.033(1)(a), F.S., Section, 471.025(1), F.S., and Rule 61G15-23.001, F.A.C.

ROY A. SPIKER
PE No. 42289 – SUSPENDED
Case No. 2020010464
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until September 2020.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. Respondent failed to respond to the Administrative Complaint, which constituted a waiver of the right to a hearing. The Board reprimanded and suspended Respondent's Florida PE license. For the Respondent to reinstate his license, the Board imposed an administrative fine of $500 and costs of $87.75, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism, compliance with all continuing education requirements, and an appearance before the Board for the Petition for Reinstatement. Final Order was issued March 3, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

JAMES M. CURTIS, PE
PE No. 37912
Case No. 2019060873
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering, failure by a Professional Engineer to use due care in performing in an engineering capacity, or failing to have due regard for acceptable standards of engineering principles.

Mr. Curtis signed, dated, and sealed deficient engineering documents for a fire alarm system for a building in Winter Park, Fla.

Ruling: The case was presented to the full Board upon an amended Settlement Stipulation. The Board imposed an administrative fine of $1,000 and costs of $7,349.05, a two-year probation, a review of fire system engineering projects at six- and 18-month intervals, and successful completion of the Board's Study Guide and a Board-approved course in engineering ethics and professionalism. Final Order was issued March 3, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

JAMAL S. NAGAMIA, PE
PE No. 19241 – REPRIMAND
Case No. 2019041047
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering. Licensee prepared, signed, sealed and dated final engineering documents for a three-story dwelling in Apollo Beach, Fla., which contained material deficiencies. The deficiencies included electrical engineering documents, mechanical (HVAC) engineering documents, mechanical (plumbing) engineering documents and structural engineering documents.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand; an appearance before the Board when the Stipulation was presented; an administrative fine of $2,000 and costs of $13,939.30; two-years Probation, which includes successful completion of the Board's Study Guide and a Board-approved intermediate engineering ethics and professionalism course; Project Reviews at six- and 18-month intervals; restriction from creating, producing, or certifying any structural engineering documents until Licensee passes the NCEES 16-hour Structural Engineering PE exam; and structural engineering Project Reviews at six- and 18-month intervals once Licensee has passed the Structural Engineering exam. Final Order was issued March 3, 2021.
Violation: Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code

TODD E. MUELLER, PE
PE No. 72017
Case No. 2020002305
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until Oct. 8, 2020.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $500 and costs of $70.20, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued March 3, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

JOHN E. TOULOUMIS
PE No. 32340 – SUSPENDED
Case No. 2020002114
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. Licensee did not provide evidence that the requirements were met by the time the case was presented to the Board.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Suspension of licensee's PE license, a Reprimand, an administrative fine of $2,000 and costs of $109.20, an Appearance before the Board when the stipulation is presented, an Appearance before the Board for reinstatement of the license, and successful completion of the Board's Study Guide. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

A. NELSON STONE II, PE
PE No. 79138
Case No. 2020002320
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until March 18, 2020.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $500 and costs of $111.15, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

ERIK H. SKULSTAD, PE
PE No. 84054
Case No. 2020008029
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until Sept. 19, 2019.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $500 and costs of $66.30, and successful completion of the Board's Study Guide. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

JEFFERY M. SANON, PE
PE No. 70946
Case No. 2020008424
Licensee was charged with violating Section 455.227(1)(c), Florida Statutes, being convicted or found guilty of, or entering a plea of guilty or nolo contendere to, regardless of adjudication, a crime in any jurisdiction which relates to the practice of, or the ability to practice, a licensee's profession; and Section 471.033(1)(d), Florida Statutes, being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering. Licensee entered a plea of guilty to one count of fraudulent use of personal identification information, a third-degree felony. Adjudication of guilt was withheld by the Court, which placed licensee on Probation for 18 months, with required community

control and community service, and court fine and costs. The case involved forging the signatures of other people, including employees and officers of the Town of Palm Beach, on invoices for services rendered by a company that licensee was a franchisee.

Ruling: The case was presented to the full Board upon an Informal Hearing. The Board imposed a Reprimand, Probation for three years, an administrative fee of $1,000 and costs of $93.60, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued Jan. 20, 2021.
Violation: Sections 455.227(1)(c) and 471.033(1)(d), Florida Statutes

ROBERT F. RENNEBAUM, PE
PE No. 41168
Case No. 2020015431
Licensee was charged with violating Section 471.033(1)(c), Florida Statutes, having a Professional Engineer license revoked, suspended, or otherwise acted against by another state. On May 28, 2019, the North Carolina Board of Examiners for Engineers found that Mr. Rennebaum violated state law by affixing his seal to engineering work not done under his direct supervisory control, aided, or abetted another to evade or attempt to evade provisions of North Carolina statutes, and failed to comply with North Carolina Administrative Code requirements by not including date of signing, address, or firm license number on engineering documents. He was ordered to pay a fine of $5,000 and successfully complete an intermediate engineering ethics course. On Dec. 5, 2019, the North Carolina Board suspended Mr. Rennebaum's PE license for failing to comply with its order.

Ruling: The case was presented to the full Board upon a Settlement Stipulation with amendments. Mr. Rennebaum appeared before the Board as required by the Stipulation. The Board imposed administrative costs of $2,608.65, and successful completion of the Board's Study Guide. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(c), Florida Statutes

MATTHEW T. NOLDAN, PE
PE No. 85055
Case No. 2020006505
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until Sept. 21, 2019.

Ruling: The case was presented to the full Board. The Board imposed an administrative fine of $500 and costs of $62.40, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

JOSEPH S. MENEN
PE No. 44745 – RELINQUISHED
Case No. 2020002145

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed when the Administrative Complaint was filed Sept. 22, 2020.

Ruling: The case was presented to the full Board. The Board accepted Mr. Menen's Disciplinary Voluntary Relinquishment of his PE license. Final Order was issued Jan. 20, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

THOMAS M. DAFFINRUD, PE
PE No. 75286
Case No. 2020004994
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until Feb. 14, 2020.

Ruling: The case was presented to the full Board upon a Settlement Stipulation with amendments. The Board imposed administrative costs of $58.50, and successful completion of the Board's Study Guide and a Board-approved online course in engineering ethics and professionalism. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

FRANK D. CUNNINGHAM, PE
PE No. 19665
Case Nos. 2018046673 and 2018007945
Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code; negligence in the practice of engineering, failure by a Professional Engineer to utilize due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles.

In Case No. 2018046673, Mr. Cunningham signed, dated, and sealed incorrect electrical, mechanical (HVAC and plumbing), and structural engineering design documents for a church project in Okeechobee, and incorrect electrical, mechanical (HVAC and plumbing), and life safety engineering design documents for an auction house and restaurant project in Okeechobee.

In Case No. 2018007945, Mr. Cunningham signed, dated, and sealed incorrect structural design documents for a dental office project and a restaurant project in Okeechobee.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $3,000, costs of $4,767.93 to be paid within one year; a Reprimand; an appearance before the Board; two-years Probation, which includes successful completion of the Board's Study Guide and a Board-approved engineering ethics and professionalism course; and Project Review at six- and 18-month intervals. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(g), F.S., and Rule 61G15-19.001(4), F.A.C.

SAMUEL CLAXTON, PE
PE No. 68647
Case No. 2020004977
Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code; renewing his Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2019. The continuing education was not completed until Oct. 10, 2019.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an administrative fine of $500 and costs of $72.15, and successful completion of the Board's Study Guide. Final Order was issued Jan. 15, 2021.
Violation: Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

6- Signing and sealing engineering documents

Historically, the signing and sealing of a document was intended to verify its authenticity to its recipient.

Today, by signing, dating, and sealing an engineering document, a Professional Engineer:

- Verifies the authenticity of the document, and
- Accepts responsibility for its accuracy and legitimacy.

A Professional Engineer's signature and seal allows agencies having jurisdiction to know who prepared the plans or reports, whom to contact with comments related to a submission, or whom to contact with questions or concerns. They also indicate that the document is a final engineering document. And, they place the responsibility of the document's content on the PE who signed and sealed the document.

WHAT SHOULD BE SIGNED AND SEALED?

As a Professional Engineer, you must sign, date, and seal all of your final plans, prints, specifications, reports, or other documents filed for public record or provided to the owner or the owner's representative. Also, you may sign, date, and seal documents required by any public entity or any original document as required by contract.

You must not sign and seal any document that is not final, unless you indicate any limitations on the document's use by using terms such as "preliminary," "for review only," "not for construction," or similar statements."

Keep in mind that you can only sign and seal an engineering document that you were in responsible charge of preparing and had the engineering expertise required to produce the document. (See Rule 61G15-18.011(1), Florida Administrative Code, for details on responsible charge.)

See Rule 61G15-23.001, F.A.C. *Signature, Date and Seal Shall Be Affixed*.

WHERE SHOULD DOCUMENTS BE SIGNED AND SEALED?

Where you sign and seal documents depends on the method you use to sign and seal.

When hand signing and sealing, every sheet of engineering design document must be signed, dated, and sealed by the Professional Engineer in responsible charge. A title block on each sheet must contain your

printed name, address, and license number, and, if applicable, the qualified engineering business's name and address. For engineering specifications and calculations, an index sheet should be signed, dated, and sealed by all PEs indicating the sections they are in responsible charge.

Digital or electronic signatures and seals are handled differently. When digitally signing and sealing, your digital signature and seal, with the date the document was sealed, should appear on the first page of the engineering document. When electronically signing and sealing, your electronic signature and seal, with the date the document was sealed, should appear on the signature report. With either of these methods, a title block should appear on each sheet of the document.

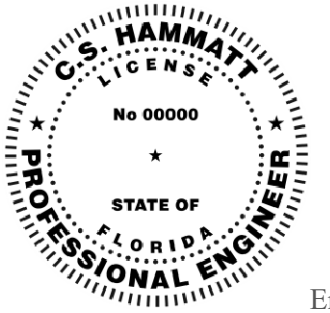
See Rules 61G15-23.001(4) & (5), F.A.C.

METHODS OF SIGNING AND SEALING

A Professional Engineer may use a wet seal, an embossing seal, or a digital seal. Whichever is used must be at least 1-7/8 inches in diameter and similar in design as indicated in Rule 61G15-23.002, F.A.C., *Seals Acceptable to the Board*.

The method you choose for signing and sealing your engineering documents will depend on the format required by the public entity with which you are filing the documents. FBPE does not have jurisdiction over how engineering documents must be filed, as long as the public entity is not asking Professional Engineers to violate engineering laws and rules.

PHYSICALLY SIGNING AND SEALING



Engineering documents can be hand signed with a pen, dated, and sealed by the Professional Engineer in responsible charge. The seal may be ink stamped, embossed, or a digital image, and placed partially overlapping — but not obscuring — your signature. The signature may not be a scanned, facsimile, digitally created, or copied image.

Scanned or electronic copies of physically signed and sealed documents are not considered signed and sealed.

See Rule 61G15-23.003, F.A.C., *Procedures for Physically Signing and Sealing Plans, Specifications,*

Reports or Other Documents.

DIGITALLY SIGNING AND SEALING

A digital signature must be unique to the Professional Engineer using it, obtained from a third-party certification authority, and capable of verification. The certification authority will vet the PE and provide a password-protected digital signature file. (FBPE does not approve or provide a list of authorities.)

You may not use the digital signature option provided in Adobe Acrobat, since it is self-authenticated and does not use a third party. However, you may use Adobe Acrobat in conjunction with the digital signature provided from a proper certification authority.

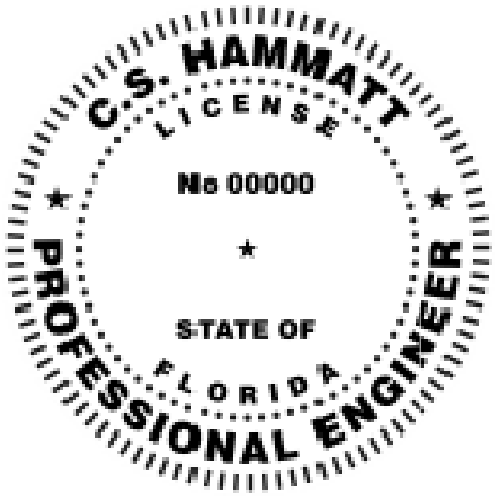
Your digital signature must be linked to the document in such a way that any change invalidates the signature and document.

A digital signature is typically placed on the first page of an engineering document. A digitally signed and sealed document may include as many sheets as necessary. Each sheet must contain a title block.

Printed copies of digitally signed, dated, and sealed documents are not considered signed and sealed.

Please note that while the formatting may be altered, the text located within the text box must remain identical to the examples, and must be placed on the electronic plan sheets and must not be a part of the digital signature itself.

An example of a digitally created seal and the required text box language:



This item has been digitally signed and sealed by C.S. Hammatt, PE, on 06/18/2021.

Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

An example of the required text box language when a digitally created seal is not used:

C.S. Hammatt, Professional Engineer, State of Florida, License No. 000000 This item has been digitally signed and sealed by C.S. Hammatt, PE, on 06/18/2021. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

See Rule 61G15-23.004, F.A.C., *Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents*.

ELECTRONICALLY SIGNING AND SEALING

An electronic signature for a file of engineering documents is created by a piece of software called a secure hash standard (or SHA) authentication code generator.

The electronically signed and sealed file may include as many sheets as necessary. Each sheet must contain a title block.

After completing a project, you create a computer file that contains as many sheets as necessary for the engineering project. The file is run through the generator, which provides a string of numbers and letters (the SHA authentication code) that is used in your document's signature report.

The printable signature report must include your name and license number, and list all items to which the electronic signature applies. The signature report must be printed and hand signed, dated, and sealed.

The signed and sealed report must be sent along with the electronically signed and sealed file either by hardcopy or electronic scan. (If the signature report is scanned and sent electronically, you must retain the hardcopy as required in Rule 61G15-30.009, F.A.C., *Retention of Engineering Documents*.)

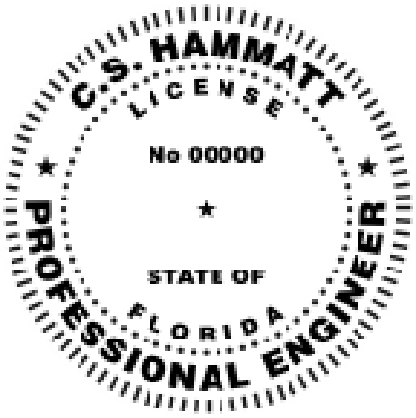
Printed copies of electronically signed, dated, and sealed documents are not considered signed and sealed.

Simply encrypting, securing, or locking an electronic file does not constitute a digital or electronic

signature or seal.

Please note that while the formatting may be altered, the text located within the text box must remain identical to the examples, and must be placed on the electronic plan sheets and not a part of the electronic signature itself.

An example of an electronically created seal and the required text box language:



This item has been electronically signed and sealed by C.S. Hammatt, PE, on 06/18/2021 using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

An example of the required text box language when an electronically created seal is not used:

C.S. Hammatt, Professional Engineer, State of Florida, License No. 000000

This item has been electronically signed and sealed by C.S. Hammatt, PE, on 06/18/2021 using a SHA authentication code.

Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.

See Rule 61G15-23.005, F.A.C., *Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents*.

WHERE DO I PURCHASE MY SEAL?

A web search will turn up a list of vendors of engineering seals.

The Board does not provide nor sell any types of seals, and cannot recommend vendors of seals.

7- References for Florida Laws and Rules biennium (2021-2023):

1- Florida Rules and Laws Basics.

2- All the changes made to Florid Rules: 61G15 biennium 2021-2023

3- All the Changes made to Florida Statues: Chapter 471 biennium 2021-2023

4- All the Changes made to Florida Statues: Chapter 455 biennium 2021-2023

5- Disciplinary Actions

6- Signing and sealing engineering documents