

1 A bill to be entitled
 2 An act relating to building code administrators and
 3 inspectors; amending s. 468.603, F.S.; revising
 4 definitions; authorizing a building code administrator
 5 or building official to perform a plan review or
 6 inspection when acting as a building official under
 7 certain interagency service agreements; amending s.
 8 468.609, F.S.; revising eligibility requirements for
 9 the examination for certification as a building code
 10 inspector or plans examiner to include an internship
 11 certification program; removing an eligibility
 12 condition from provisions related to provisional
 13 certificates; requiring the board to establish rules;
 14 amending s. 553.791, F.S.; conforming provisions;
 15 revising a definition; amending ss. 468.609, 471.045,
 16 and 481.222; conforming cross-references; providing an
 17 effective date.

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

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 21 Section 1. Section 468.603, Florida Statutes, is amended
 22 to read:

23 468.603 Definitions.—As used in this part:
 24 (1)~~(3)~~ "Board" means the Florida Building Code
 25 Administrators and Inspectors Board.

26 (2)~~(1)~~ "Building code administrator" or "building
27 official" means any of those employees of municipal or county
28 governments with building construction regulation
29 responsibilities who are charged with the responsibility for
30 direct regulatory administration or supervision of plan review,
31 enforcement, or inspection of building construction, erection,
32 repair, addition, remodeling, demolition, or alteration projects
33 that require permitting indicating compliance with building,
34 plumbing, mechanical, electrical, gas, fire prevention, energy,
35 accessibility, and other construction codes as required by state
36 law or municipal or county ordinance. This term is synonymous
37 with "building official" as used in the administrative chapter
38 of the Standard Building Code and the South Florida Building
39 Code. One person employed by each municipal or county government
40 as a building code administrator or building official and who is
41 so certified under this part may be authorized to perform any
42 plan review or inspection for which certification is required by
43 this part, including performing a plan review or inspection as a
44 standard certified building official under an interagency
45 agreement with a jurisdiction having a population of 50,000 or
46 less.

47 (3)~~(8)~~ "Building code enforcement official" or
48 "enforcement official" means a licensed building code
49 administrator, building code inspector, or plans examiner.

50 (4)~~(2)~~ "Building code inspector" means any of those

51 employees of local governments or state agencies with building
52 construction regulation responsibilities who themselves conduct
53 inspections of building construction, erection, repair,
54 addition, or alteration projects that require permitting
55 indicating compliance with building, plumbing, mechanical,
56 electrical, gas, fire prevention, energy, accessibility, and
57 other construction codes as required by state law or municipal
58 or county ordinance.

59 (5)~~(6)~~ "Categories of building code inspectors" include
60 the following:

61 (a) "Building inspector" means a person who is qualified
62 to inspect and determine that buildings and structures are
63 constructed in accordance with the provisions of the governing
64 building codes and state accessibility laws.

65 (b) "Coastal construction inspector" means a person who is
66 qualified to inspect and determine that buildings and structures
67 are constructed to resist near-hurricane and hurricane velocity
68 winds in accordance with the provisions of the governing
69 building code.

70 (c) "Commercial electrical inspector" means a person who
71 is qualified to inspect and determine the electrical safety of
72 commercial buildings and structures by inspecting for compliance
73 with the provisions of the National Electrical Code.

74 (d)~~(h)~~ "Electrical inspector" means a person who is
75 qualified to inspect and determine the electrical safety of

76 commercial and residential buildings and accessory structures by
77 inspecting for compliance with the provisions of the National
78 Electrical Code.

79 (e) "Mechanical inspector" means a person who is qualified
80 to inspect and determine that the mechanical installations and
81 systems for buildings and structures are in compliance with the
82 provisions of the governing mechanical code.

83 (f)~~(g)~~ "One and two family dwelling inspector" means a
84 person who is qualified to inspect and determine that one and
85 two family dwellings and accessory structures are constructed in
86 accordance with the provisions of the governing building,
87 plumbing, mechanical, accessibility, and electrical codes.

88 (g)~~(f)~~ "Plumbing inspector" means a person who is
89 qualified to inspect and determine that the plumbing
90 installations and systems for buildings and structures are in
91 compliance with the provisions of the governing plumbing code.

92 (h)~~(d)~~ "Residential electrical inspector" means a person
93 who is qualified to inspect and determine the electrical safety
94 of one and two family dwellings and accessory structures by
95 inspecting for compliance with the applicable provisions of the
96 governing electrical code.

97 (6)~~(5)~~ "Certificate" means a certificate of qualification
98 issued by the department as provided in this part.

99 (7)~~(4)~~ "Department" means the Department of Business and
100 Professional Regulation.

101 ~~(8)-(7)~~ "Plans examiner" means a person who is qualified to
102 determine that plans submitted for purposes of obtaining
103 building and other permits comply with the applicable building,
104 plumbing, mechanical, electrical, gas, fire prevention, energy,
105 accessibility, and other applicable construction codes. The term
106 includes a residential plans examiner who is qualified to
107 determine that plans submitted for purposes of obtaining
108 building and other permits comply with the applicable
109 residential building, plumbing, mechanical, electrical, gas,
110 energy, accessibility, and other applicable construction codes.

111 Categories of plans examiners include:

- 112 (a) Building plans examiner.
- 113 (b) Plumbing plans examiner.
- 114 (c) Mechanical plans examiner.
- 115 (d) Electrical plans examiner.

116 Section 2. Paragraph (c) of subsection (2), paragraphs (a)
117 and (d) of subsection (7), and subsection (10) of section
118 468.609, Florida Statutes, are amended to read:

119 468.609 Administration of this part; standards for
120 certification; additional categories of certification.—

121 (2) A person may take the examination for certification as
122 a building code inspector or plans examiner pursuant to this
123 part if the person:

- 124 (c) Meets eligibility requirements according to one of the
125 following criteria:

126 1. Demonstrates 5 years' combined experience in the field
127 of construction or a related field, building code inspection, or
128 plans review corresponding to the certification category sought;

129 2. Demonstrates a combination of postsecondary education
130 in the field of construction or a related field and experience
131 which totals 4 years, with at least 1 year of such total being
132 experience in construction, building code inspection, or plans
133 review;

134 3. Demonstrates a combination of technical education in
135 the field of construction or a related field and experience
136 which totals 4 years, with at least 1 year of such total being
137 experience in construction, building code inspection, or plans
138 review;

139 4. Currently holds a standard certificate issued by the
140 board or a firesafety inspector license issued pursuant to
141 chapter 633, has a minimum of 3 years' verifiable full-time
142 experience in inspection or plan review, and has satisfactorily
143 completed a building code inspector or plans examiner training
144 program that provides at least 100 hours but not more than 200
145 hours of cross-training in the certification category sought.
146 The board shall establish by rule criteria for the development
147 and implementation of the training programs. The board shall
148 accept all classroom training offered by an approved provider if
149 the content substantially meets the intent of the classroom
150 component of the training program;

151 5. Demonstrates a combination of the completion of an
152 approved training program in the field of building code
153 inspection or plan review and a minimum of 2 years' experience
154 in the field of building code inspection, plan review, fire code
155 inspections and fire plans review of new buildings as a
156 firesafety inspector certified under s. 633.216, or
157 construction. The approved training portion of this requirement
158 shall include proof of satisfactory completion of a training
159 program that provides at least 200 hours but not more than 300
160 hours of cross-training that is approved by the board in the
161 chosen category of building code inspection or plan review in
162 the certification category sought with at least 20 hours but not
163 more than 30 hours of instruction in state laws, rules, and
164 ethics relating to professional standards of practice, duties,
165 and responsibilities of a certificateholder. The board shall
166 coordinate with the Building Officials Association of Florida,
167 Inc., to establish by rule the development and implementation of
168 the training program. However, the board shall accept all
169 classroom training offered by an approved provider if the
170 content substantially meets the intent of the classroom
171 component of the training program; ~~or~~

172 6. Currently holds a standard certificate issued by the
173 board or a firesafety inspector license issued pursuant to
174 chapter 633 and:

175 a. Has at least 5 years' verifiable full-time experience

176 as an inspector or plans examiner in a standard certification
177 category currently held or has a minimum of 5 years' verifiable
178 full-time experience as a firesafety inspector licensed pursuant
179 to chapter 633.

180 b. Has satisfactorily completed a building code inspector
181 or plans examiner classroom training course or program that
182 provides at least 200 but not more than 300 hours in the
183 certification category sought, except for one-family and two-
184 family dwelling training programs, which must provide at least
185 500 but not more than 800 hours of training as prescribed by the
186 board. The board shall establish by rule criteria for the
187 development and implementation of classroom training courses and
188 programs in each certification category; or

189 7.a. Has completed a 4-year internship certification
190 program as a building code inspector or plans examiner while
191 employed full-time by a municipality, county, or other
192 governmental jurisdiction, under the direct supervision of a
193 certified building official. Proof of graduation with a related
194 vocational degree or college degree or of verifiable work
195 experience may be exchanged for the internship experience
196 requirement year-for-year, but may reduce the requirement to no
197 less than 1 year.

198 b. Has passed an examination administered by the
199 International Code Council in the certification category sought.
200 Such examination must be passed before beginning the internship

201 certification program.

202 c. Has passed the principles and practice examination
203 before completing the internship certification program.

204 d. Has passed a board-approved 40-hour code training
205 course in the certification category sought before completing
206 the internship certification program.

207 e. Has obtained a favorable recommendation from the
208 supervising building official after completion of the internship
209 certification program.

210 (7) (a) The board shall provide for the issuance of
211 provisional certificates valid for 1 year, as specified by board
212 rule, to any ~~newly employed or promoted~~ building code inspector
213 or plans examiner who meets the eligibility requirements
214 described in subsection (2) and any newly employed or promoted
215 building code administrator who meets the eligibility
216 requirements described in subsection (3). The provisional
217 license may be renewed by the board for just cause; however, a
218 provisional license is not valid for longer than 3 years.

219 (d) A ~~newly employed or hired~~ person may perform the
220 duties of a plans examiner or building code inspector for 120
221 days if a provisional certificate application has been submitted
222 if such person is under the direct supervision of a certified
223 building code administrator who holds a standard certification
224 and who has found such person qualified for a provisional
225 certificate. Direct supervision and the determination of

226 qualifications may also be provided by a building code
227 administrator who holds a limited or provisional certificate in
228 a county having a population of fewer than 75,000 and in a
229 municipality located within such county.

230 (10) (a) The board may by rule create categories of
231 certification in addition to those defined in s. 468.603(5) and
232 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
233 be mandatory and shall not act to diminish the scope of any
234 certificate created by statute.

235 (b) The board shall by rule establish:

236 1. Reciprocity of certification with any other state that
237 requires an examination administered by the International Code
238 Council.

239 2. An applicant for certification as a building code
240 inspector or plans examiner may perform related duties during
241 the first 120 days after such applicant's initial application to
242 the board.

243 3. An applicant for certification as a building code
244 inspector or plans examiner may apply for a 1-year provisional
245 certificate before completing the internship certification
246 program if the applicant has not passed the principals and
247 practice examination or 40-hour code training course.

248 4. Partial completion of an internship program may be
249 transferred between jurisdictions on a form prescribed by the
250 board.

251 5. An applicant may apply for a standard certificate on a
252 form prescribed by the board upon successful completion of an
253 internship certification program.

254 6. An applicant may apply for a standard certificate at
255 least 30 days and no more than 60 days before completing the
256 internship certification program.

257 7. A building code inspector or plans examiner who has
258 standard certification may seek an additional certification in
259 another category by completing an additional nonconcurrent 1-
260 year internship program in the certification category sought and
261 passing an examination administered by the International Code
262 Council and a board-approved 40-hour code training course.

263 Section 3. Paragraphs (d) and (i) of subsection (1) of
264 section 553.791, Florida Statutes, are amended to read:

265 553.791 Alternative plans review and inspection.—

266 (1) As used in this section, the term:

267 (d) "Building code inspection services" means those
268 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
269 involving the review of building plans to determine compliance
270 with applicable codes and those inspections required by law of
271 each phase of construction for which permitting by a local
272 enforcement agency is required to determine compliance with
273 applicable codes.

274 (i) "Private provider" means a person licensed as a
275 building code administrator under part XII of chapter 468, as an

276 | engineer under chapter 471, or as an architect under chapter
 277 | 481. For purposes of performing inspections under this section
 278 | for additions and alterations that are limited to 1,000 square
 279 | feet or less to residential buildings, the term "private
 280 | provider" also includes a person who holds a standard
 281 | certificate under part XII of chapter 468.

282 | Section 4. Subsection (10) of section 468.609, Florida
 283 | Statutes, is amended to read:

284 | 468.609 Administration of this part; standards for
 285 | certification; additional categories of certification.—

286 | (10) The board may by rule create categories of
 287 | certification in addition to those defined in s. 468.603(5) and
 288 | (8) ~~468.603(6) and (7)~~. Such certification categories shall not
 289 | be mandatory and shall not act to diminish the scope of any
 290 | certificate created by statute.

291 | Section 5. Section 471.045, Florida Statutes, is amended
 292 | to read:

293 | 471.045 Professional engineers performing building code
 294 | inspector duties.—Notwithstanding any other provision of law, a
 295 | person who is currently licensed under this chapter to practice
 296 | as a professional engineer may provide building code inspection
 297 | services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
 298 | to a local government or state agency upon its request, without
 299 | being certified by the Florida Building Code Administrators and
 300 | Inspectors Board under part XII of chapter 468. When performing

301 these building code inspection services, the professional
302 engineer is subject to the disciplinary guidelines of this
303 chapter and s. 468.621(1)(c)-(h). Any complaint processing,
304 investigation, and discipline that arise out of a professional
305 engineer's performing building code inspection services shall be
306 conducted by the Board of Professional Engineers rather than the
307 Florida Building Code Administrators and Inspectors Board. A
308 professional engineer may not perform plans review as an
309 employee of a local government upon any job that the
310 professional engineer or the professional engineer's company
311 designed.

312 Section 6. Section 481.222, Florida Statutes, is amended
313 to read:

314 481.222 Architects performing building code inspection
315 services.—Notwithstanding any other provision of law, a person
316 who is currently licensed to practice as an architect under this
317 part may provide building code inspection services described in
318 s. 468.603(5) and (8) ~~468.603(6) and (7)~~ to a local government
319 or state agency upon its request, without being certified by the
320 Florida Building Code Administrators and Inspectors Board under
321 part XII of chapter 468. With respect to the performance of such
322 building code inspection services, the architect is subject to
323 the disciplinary guidelines of this part and s. 468.621(1)(c)-
324 (h). Any complaint processing, investigation, and discipline
325 that arise out of an architect's performance of building code

HB 909

2017

326 inspection services shall be conducted by the Board of
327 Architecture and Interior Design rather than the Florida
328 Building Code Administrators and Inspectors Board. An architect
329 may not perform plans review as an employee of a local
330 government upon any job that the architect or the architect's
331 company designed.

332 Section 7. This act shall take effect July 1, 2017.