A bill to be entitled
An act relating to professional structural engineers;
amending s. 471.003, F.S.; prohibiting a person who is
not licensed as an engineer from using a specified
name or title; prohibiting, after a date certain,
specified persons from using specified names and
titles or practicing professional structural
engineering; exempting certain persons from licensing
requirements; amending s. 471.005, F.S.; providing and
revising definitions; amending s. 471.013, F.S.;
authorizing the Board of Professional Engineers to
refuse to certify an applicant for a professional
structural engineer license for certain reasons;
amending s. 471.015, F.S.; providing licensure and
application requirements for a professional structural
ingenengine license; exempting certain applicants who
apply for licensure before a date certain from having
to pass a certain national examination, under certain
conditions; requiring the board to certify certain
applicants for licensure by endorsement; amending ss.
471.019 and 471.025, F.S.; conforming provisions to
changes made by the act; amending s. 471.031, F.S.;
prohibiting certain persons from practicing
professional structural engineering after a date
certain; prohibiting specified persons from using
specified names and titles; amending s. 471.033, F.S.;
specifying acts that constitute grounds for
disciplinary action, including civil penalties,
against a professional structural engineer; amending
ss. 471.037 and 471.0385, F.S.; conforming provisions
to changes made by the act; providing an effective
date.

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

Section 1. Subsections (1) and (2) of section 471.003,
Florida Statutes, are amended to read:

471.003 Qualifications for practice; exemptions.—
(1) (a) No person other than a duly licensed engineer shall
practice engineering or use the name or title of "licensed
engineer," "professional engineer," or "registered engineer" or
any other title, designation, words, letters, abbreviations, or
device tending to indicate that such person holds an active
license as an engineer in this state.

(b) Effective March 1, 2024, only a person who is a duly
licensed professional structural engineer shall engage in the
practice of professional structural engineering or use the name
or title of "licensed structural engineer," "professional
structural engineer," or "registered structural engineer" or any
other title, designation, words, letters, abbreviations, or
device tending to indicate that such person holds an active license as a professional structural engineer in this state.

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

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

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

2. Persons who are employees of any state, county, municipal, or other governmental unit of this state and who are the subordinates of a person in responsible charge licensed under this chapter, to the extent that the supervision meets standards adopted by rule of the board.

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

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

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

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

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

(h) Any electrical, plumbing, air-conditioning, or mechanical contractor whose practice includes the design and fabrication of electrical, plumbing, air-conditioning, or mechanical systems, respectively, which she or he installs by
virtue of a license issued under chapter 489, under former part I of chapter 553, Florida Statutes 2001, or under any special act or ordinance when working on any construction project which:

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

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

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

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

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

(j) Any defense, space, or aerospace company, whether a sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other business entity, subsidiary, or affiliate,
or any employee, contract worker, subcontractor, or independent contractor of the defense, space, or aerospace company who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, or other defense, space, or aerospace-related product or services, or components thereof.

Section 2. Subsections (10) through (12) of section 471.005, Florida Statutes, are renumbered as subsections (12) through (14), respectively, present subsection (10) is amended, and new subsections (10) and (11) are added to that section, to read:

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

(10) "Professional structural engineer" means a person who is licensed to engage in the practice of professional structural engineering under this chapter.

(11) "Professional structural engineering" means a service or creative work that includes the structural analysis and design of structural components or systems for threshold buildings as defined in s. 553.71. The term includes engineering which requires significant structural engineering education, training, experience, and examination, as determined by the board.

(12) "Retired professional engineer," "professional engineer, retired," "retired professional structural engineer," or "professional structural engineer, retired" means a person
who has been duly licensed as a professional engineer by the
board and who chooses to relinquish or not to renew his or her
license and applies to and is approved by the board to be
granted the title "Professional Engineer, Retired" or
"Professional Structural Engineer, Retired."

Section 3. Paragraph (a) of subsection (2) of section
471.013, Florida Statutes, is amended to read:

471.013 Examinations; prerequisites.—

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

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

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

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

471.015 Licensure.—

(3)(a) The management corporation shall issue a
professional structural engineer license to any applicant whom
the board certifies as qualified to practice professional
structural engineering and who meets all of the following requirements:

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

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

3. Provides satisfactory evidence of good moral character, as defined by the board.

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

5. Has successfully passed the 16-hour National Council of Examiners for Engineering and Surveying Structural Engineering examination.

(b) Before March 1, 2024, an applicant who satisfies the requirements of subparagraphs (a) 1.-4. may satisfy subparagraph (a) 5. by:

1. Submitting a signed affidavit in the format prescribed by the board which states that the applicant is currently a licensed engineer in this state and has been engaged in the practice of structural engineering with a record of at least 4 years of active structural engineering design experience;

2. Possessing a current professional engineering license and filing the necessary documentation as required by the board, or possessing a current threshold inspector license; and
3. Agreeing to meet with the board or a representative of the board, upon the board's request, for the purpose of evaluating the applicant's qualifications for licensure.

(c) An applicant who qualifies for licensure as an engineer under s. 471.013 may simultaneously apply for licensure as a professional structural engineer if all requirements of s. 471.013 and this subsection are met.

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

(a) In engineering, by endorsement, an applicant who qualifies to take the fundamentals examination and the principles and practice examination as set forth in s. 471.013, has passed a United States national, regional, state, or territorial licensing examination that is substantially equivalent to the fundamentals examination and principles and practice examination required by s. 471.013, and has satisfied the experience requirements set forth in paragraph (2)(a) and s. 471.013; or

(b) In engineering or professional structural engineering, by endorsement, an applicant who holds a valid license to practice engineering or, for professional structural engineering, an applicant who holds a valid license to practice professional structural engineering, issued by another state or territory of the United States, if the criteria for issuance of the license were substantially the same as the licensure...
criteria that existed in this state at the time the license was issued; or

(c) In professional structural engineering, by endorsement, an applicant who holds a valid license to practice professional structural engineering issued by another state or territory of the United States and who has successfully passed one of the following 16-hour examination combinations:


2. The 8-hour National Council of Examiners for Engineering and Surveying Structural Engineering II examination and either the 8-hour National Council of Examiners for Engineering and Surveying Civil: Structural examination or the 8-hour National Council of Examiners for Engineering and Surveying Architectural Engineering examination.

3. The 16-hour Western States Structural Engineering examination.

4. The 8-hour National Council of Examiners for Engineering and Surveying Structural Engineering II examination and either the 8-hour California Structural Engineering Seismic III examination or the 8-hour Washington Structural Engineering III examination.

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

471.019 Reactivation.—The board shall establish by rule a reinstatement process for void licenses. The rule shall prescribe appropriate continuing education requirements for reactivating a license. The continuing education requirements for reactivating a license for a licensed engineer or a licensed professional structural engineer may not exceed the continuing education requirements prescribed pursuant to s. 471.017 for each year the license was inactive.

Section 6. Subsection (2) of section 471.025, Florida Statutes, is amended to read:

471.025 Seals.—

(2) It is unlawful for any person to seal or digitally sign any document with a seal or digital signature after his or her license has expired or been revoked or suspended, unless such license has been reinstated or reissued. When an engineer's or a professional structural engineer's license has been revoked or suspended by the board, the licensee shall, within a period of 30 days after the revocation or suspension has become effective, surrender his or her seal to the executive director of the board and confirm to the executive director the cancellation of the licensee's digital signature in accordance with ss. 668.001-668.006. In the event the engineer's license has been suspended for a period of time, his or her seal shall be returned to him or her upon expiration of the suspension.
Section 7. Paragraphs (b) through (g) of subsection (1) of section 471.031, Florida Statutes, are redesignated as paragraphs (c) through (h), respectively, present paragraph (b) of that subsection is amended, and a new paragraph (b) is added to that subsection, to read:

471.031 Prohibitions; penalties.—

(1) A person may not:

(b) Beginning March 1, 2024, practice professional structural engineering unless the person is licensed as a professional structural engineer or is exempt from licensure under this chapter.

(c) Except as provided in subparagraph 2. or subparagraph 3., use the name or title "professional engineer" or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer when the person is not licensed under this chapter, including, but not limited to, the following titles: "agricultural engineer," "air-conditioning engineer," "architectural engineer," "building engineer," "chemical engineer," "civil engineer," "control systems engineer," "electrical engineer," "environmental engineer," "fire protection engineer," "industrial engineer," "manufacturing engineer," "mechanical engineer," "metallurgical engineer," "mining engineer," "minerals engineer," "marine engineer,"
2. Any person who is exempt from licensure under s. 471.003(2)(j) may use the title or personnel classification of "engineer" in the scope of his or her work under that exemption if the title does not include or connote the term "professional engineer," "registered engineer," "licensed engineer," "registered professional engineer," "licensed professional engineer," "licensed structural engineer," "professional structural engineer," or "registered structural engineer."

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

Section 8. Paragraphs (b) through (e) and (g) of subsection (1) and subsection (4) of section 471.033, Florida
Statutes, are amended to read:

471.033 Disciplinary proceedings.—

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

(b) Attempting to procure a license to practice engineering or professional structural engineering by bribery or fraudulent misrepresentations.

(c) Having a license to practice engineering or professional structural engineering revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country, for any act that would constitute a violation of this chapter or chapter 455.

(d) 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, professional structural engineering, or the ability to practice engineering or professional structural engineering.

(e) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a licensed engineer or licensed professional structural engineer.
(g) Engaging in fraud or deceit, negligence, incompetence, or misconduct in the practice of engineering or professional structural engineering.

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

Section 9. Subsection (1) of section 471.037, Florida Statutes, is amended to read:

471.037 Effect of chapter locally.—

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

Section 10. Subsection (3) of section 471.0385, Florida Statutes, is amended to read:

471.0385 Court action; effect.—If any provision of s. 471.038 is held to be unconstitutional or is held to violate the state or federal antitrust laws, the following shall occur:

(3) The Executive Office of the Governor, notwithstanding chapter 216, is authorized to reestablish positions, budget authority, and salary rate necessary to carry out the
department's responsibilities related to the regulation of professional engineers and professional structural engineers.

Section 11. This act shall take effect July 1, 2022.