PDH Academy
Laws and Rules for Florida PEs: 2019 Update
Course Material and Final Exam
Laws and Rules for Florida PEs: 2019 Update

Objectives of the Course:

1. Review recent changes to the Florida Administrative Code: Rule 61G15.
2. Identify how these changes will affect the practice of PEs in Florida.
3. Discuss recent Disciplinary Cases and their applicable law references.

Rules Adopted, Amended or Repealed by the Florida Board of Professional Engineers

Words struck are deleted from the rules, words underlined are additions to the rules.

I. 61G15-19.0051 Notice of Noncompliance

Effective Date: May 8th, 2018

Purpose and Effect: The purpose of the amendment is to update the language with an additional minor violation.


(1) 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) through (f) No change.

(g) 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.

(2) No change.

The rules referenced in this change can be found below:


(3) The affixing of a digital signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) A digitally created seal as set forth in rule 61G15-23.002, F.A.C., may be placed where it would appear if the item were being physically signed, dated and sealed.

(b) The date that the digital signature was placed into the document must appear on the document in accordance with subsection 61G15-23.001(4), F.A.C., and where it would appear if the item were being physically signed, dated and sealed.
(c) The engineering plans, specifications, reports or other documents being digitally signed and sealed shall include text to indicate the following and place it where an original signature would appear if the item were being physically signed, dated and sealed:

1. The same information required by subsection 61G15-23.002(2), F.A.C., if a digitally created image of the seal is not use;

2. The item has been digitally signed and sealed; and,

3. Printed copies of this document are not considered signed and sealed and all signatures must be verified on any electronic copies.

(d) Formatting of seals and text similar to that depicted below shall be used. While the formatting may be altered, the text must remain identical.

1. When a digitally created seal is used:

![Digital Seal Example]

This item has been digitally signed and sealed by [NAME] on the date adjacent to the seal.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

2. When a digitally created seal is not used:

![Text Example]

[NAME], State of Florida, Professional Engineer, License No. [NUMBER]
This item has been digitally signed and sealed by [NAME] on the date indicated here.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

(4) The affixing of an electronic signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) A digitally created seal as set forth in rule 61G15-23.002, F.A.C., may be placed where it would appear if the item were being physically signed, dated and sealed.

(b) The date that the electronic signature is to be placed into the document must appear on the document in accordance with subsection 61G15-23.001(5), F.A.C., and where it would appear if the item were being physically signed, dated and sealed.

(c) The engineering plans, specifications, reports or other documents being electronically signed and sealed shall include text to indicate the following and place it where an original signature would appear if the item were being physically signed, dated and sealed:

1. The same information required by subsection 61G15-23.002(2), F.A.C. if a digitally created seal is not used,

2. The item has been electronically signed and sealed using a SHA authentication codes; and,

3. Printed copies of the document are not considered signed and sealed and all SHA authentication code must be verified on any electronic copies.

(d) Formatting of seals and text similar to that depicted below shall be used. While the formatting may be altered, the text must remain identical.

1. When a digitally created seal is used:
This item has been electronically signed and sealed by [NAME] on the date adjacent to the seal 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.

2. When a digitally created seal is not used:

[NAME], State of Florida, Professional Engineer, License No. [NUMBER]

This item has been electronically signed and sealed by [NAME] on the date indicated here 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.
II. 61G15-22.0001 License Renewal

Effective Date: May 28, 2018

Purpose and Effect: The proposed amendment updates the application form and adds a requirement that delinquent status licensees must attach documentation of completion of required continuing education (CE) hours when renewing.


(1) Active or Inactive Status. To renew an active or inactive status license, the licensee must remit to FEMC a completed renewal application and the biennial renewal licensure fee for active or inactive status licenses as specified by Rule 61G15-24.001, F.A.C. The application form FBPE/020, 1206/17, Professional Engineer License Renewal Application And Instructions, 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-08781. All applications for renewal of inactive status licenses must also contain a statement certifying that the licensee has neither practiced engineering in Florida nor violated any of the provisions of Section 471.033, F.S., since the date on which the license was first placed on inactive status.

(2) Delinquent status.

(a) Pursuant to Section 455.271(6)(a), F.S., licensees with delinquent status licenses must affirmatively apply for either active or inactive status during the renewal cycle in which the license becomes delinquent; failure to do so by the end of the renewal cycle renders the license void without further action by the Board.

(b) Application for renewal of a delinquent status license shall be made on form FBPE/020, and shall be accompanied by all fees as specified by section 455.271(7), F.S. and Rule 61G15-24.001, F.A.C. In addition, applications for renewal of a delinquent status license must be accompanied by documentation of the licensee’s compliance with the continuing education requirements established by section 471.017(3)(a), F.S. and Rule 61G15-22.001, F.A.C.

The rules referenced in this change can be found below:


(1) Pursuant to Section 471.011, F.S., the Board hereby establishes the following fees for applications, licensing and renewal, temporary registration, late renewal, licensure by endorsement, reactivation fee, and replacement of certificate.

(2) Engineering licensure fees (individuals and firms):

(a) Application fee for licensure by examination or endorsement – $125.00 non-refundable.
(b) Initial license fee – $100.00.
(c) Biennial renewal fee – $93.75.
(d) Delinquency fee – $25.00.
(e) Temporary license (individual) – $25.00.
(j) Inactive Status fee – $125.00.
(k) Reactivation fee – $150.00.

Referenced Rule: 471.033 Disciplinary proceedings.—

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

(a) Violating any provision of s. 455.227(1), s. 471.025, or s. 471.031, or any other provision of this chapter or rule of the board or department.

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

(c) Having a license to practice 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 or the ability to practice 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.

(f) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.

(g) Engaging in fraud or deceit, negligence, incompetence, or misconduct, in the practice of engineering.

(h) Violating chapter 455.

(i) Practicing on a revoked, suspended, inactive, or delinquent license.

(j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any final drawings, specifications, plans, reports, or documents that were not prepared by him or her or
under his or her responsible supervision, direction, or control.

(k) Violating any order of the board or department previously entered in a disciplinary hearing.

(l) Performing building code inspection services under s. 553.791, without satisfying the insurance requirements of that section.

(2) The board shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the board finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

(a) Denial of an application for licensure.

(b) Revocation or suspension of a license.

(c) Imposition of an administrative fine not to exceed $5,000 for each count or separate offense.

(d) Issuance of a reprimand.

(e) Placement of the licensee on probation for a period of time and subject to such conditions as the board may specify.

(f) Restriction of the authorized scope of practice by the licensee.

(g) Restitution.

(4) The management corporation shall reissue the license of a disciplined 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

Referenced Rule: 455.271 Inactive and delinquent status.—

(6)(a) A delinquent status licensee must affirmatively apply with a complete application, as defined by rule of the board, or the department if there is no board, for active or inactive status during the licensure cycle in which a licensee becomes delinquent. Failure by a delinquent status licensee to become active or inactive before the expiration of the current licensure cycle shall render the license void without any further action by the board or the department.

Referenced Rule: 455.271 Inactive and delinquent status.—

(7) Notwithstanding the provisions of the professional practice acts administered by the department, each board, or the department when there is no board, shall, by rule, impose an additional delinquency fee of $25 on a delinquent status licensee when such licensee applies for active or inactive status.
Referenced Rule: 471.017 Renewal of license.—

(3)(a) The board shall require a demonstration of continuing professional competency of engineers as a condition of license renewal or relicensure. Every licensee must complete 9 continuing education hours for each year of the license renewal period, totaling 18 continuing education hours for the license renewal period. For each renewal period for such continuing education:

1. One hour must relate to this chapter and the rules adopted under this chapter.

2. One hour must relate to professional ethics.

3. Four hours must relate to the licensee’s area of practice.

4. The remaining hours may relate to any topic pertinent to the practice of engineering.

Continuing education hours may be earned by presenting or attending seminars, in-house or nonclassroom courses, workshops, or professional or technical presentations made at meetings, webinars, conventions, or conferences, including those presented by vendors with specific knowledge related to the licensee’s area of practice. Up to 4 hours may be earned by serving as an officer or actively participating on a committee of a board-recognized professional or technical engineering society. The 2 required continuing education hours relating to this chapter, the rules adopted pursuant to this chapter, and ethics may be earned by serving as a member of the Legislature or as an elected state or local official. The hours required pursuant to s. 471.0195 may apply to any requirements of this section except for those required under subparagraph 1.


(1) Each licensee shall complete eighteen (18) continuing education hours during each license renewal biennium as a condition of license renewal. Four (4) hours shall relate to the licensee’s area(s) of practice; one (1) hour must be related to professional ethics; and one (1) hour shall relate to chapter 471, F.S., and the rules of the Board. The remaining hours may relate to any topic pertinent to the practice of engineering as defined in rule 61G15-22.002, F.A.C. The 1 hour of professional ethics and 1 hour of laws and rules required by section 471.017, F.S., must be obtained from courses approved by the Board pursuant to rule 61G15-22.0105, F.A.C.

(2) There shall be no carryover of hours permitted from one licensure renewal biennium to the next.

(3) Beginning with the Fifth Edition of the Florida Building Code, all licensees actively participating in the design of engineering works or systems in connection with buildings, structures, or facilities and systems covered by the Florida Building Code, as identified within section 553.73(1)(a), F.S., shall:
(a) Complete at least one advanced Florida Building Code course within 12 months of each edition of the Florida Building Code effective date,

(b) Provide the Board with a copy of a certificate of completion which shows: course number, course hours, Code edition year, and Code or course focus. This course may also count towards the area of practice requirement for continuing education set forth in rule 61G15-22.001, F.A.C.

(4) The Board shall approve all Advanced Florida Building Code courses. Courses submitted for approval shall have been designated an “Advanced” course by the Florida Building Commission and shall be within the discipline of civil structure, mechanical, electrical or general engineering.

III. 61G15-22.006 Demonstrating Compliance

Effective Date: August 8th, 2018

Purpose and Effect: The purpose of the amendment is to add a requirement that any investigation of a licensee for alleged disciplinary violations shall be expanded to include investigation of whether the licensee is in compliance with the Board’s continuing education requirements.


(1) through (3) No change.

(4) In addition to auditing licensee compliance as provided in subsection (2), to monitor licensee compliance with continuing education requirements, any investigation conducted pursuant to section 455.225, F.S., shall be expanded to include investigation of compliance with continuing education.

The rules referenced in this change can be found below:

Referenced Rule: 455.225 Disciplinary proceedings.—Disciplinary proceedings for each board shall be within the jurisdiction of the department.

(1)(a) The department, for the boards under its jurisdiction, shall cause to be investigated any complaint that is filed before it if the complaint is in writing, signed by the complainant, and legally sufficient. A complaint is legally sufficient if it contains ultimate facts that show that a violation of this chapter, of any of the practice acts relating to the professions regulated by the department, or of any rule adopted by the department or a regulatory board in the department has occurred. In order to determine legal sufficiency, the department may require supporting information or documentation. The department may investigate, and the department or the appropriate board may take appropriate final action on, a complaint even though the original complainant withdraws it or otherwise indicates a desire not to cause the complaint to be investigated or prosecuted to completion. The department may investigate an anonymous
complaint if the complaint is in writing and is legally sufficient, if the alleged violation of law or rules is substantial, and if the department has reason to believe, after preliminary inquiry, that the violations alleged in the complaint are true. The department may investigate a complaint made by a confidential informant if the complaint is legally sufficient, if the alleged violation of law or rule is substantial, and if the department has reason to believe, after preliminary inquiry, that the allegations of the complainant are true. The department may initiate an investigation if it has reasonable cause to believe that a licensee or a group of licensees has violated a Florida statute, a rule of the department, or a rule of a board.

(b) When an investigation of any subject is undertaken, the department shall promptly furnish to the subject or the subject’s attorney a copy of the complaint or document that resulted in the initiation of the investigation. The subject may submit a written response to the information contained in such complaint or document within 20 days after service to the subject of the complaint or document. The subject’s written response shall be considered by the probable cause panel. The right to respond does not prohibit the issuance of a summary emergency order if necessary to protect the public. However, if the secretary, or the secretary’s designee, and the chair of the respective board or the chair of its probable cause panel agree in writing that such notification would be detrimental to the investigation, the department may withhold notification. The department may conduct an investigation without notification to any subject if the act under investigation is a criminal offense.

You can read the remainder of Section 455.225 Disciplinary proceedings. – Disciplinary proceedings for each board shall be within the jurisdiction of the department. on the Official Internet Site of the Florida Legislature:


IV. 61G15-24.001 Schedule of Fees

Effective Date: August 8th, 2018

Purpose and Effect: The purpose of the amendment is to create a $10 discount for early renewal of an active or inactive status license. The discount is intended as an incentive to renew prior to the deadline and reduce the workload and overtime issues that are created when the licensees wait until the deadline to try to renew.


(1) through (5) No change.

(6) Discount for Early Renewal. For active or inactive status licensees who renew their license no later than January 15 of the year the biennium ends, the biennial renewal fee is discounted
by ten dollars ($10), to $83.75. Licensees renewing after this date receive no discount and must pay the full fee specified in paragraph (2)(c). There is no discount for early renewal of Certificates of Authorization.

The rules referenced in this change can be found below:


(2) Engineering licensure fees (individuals and firms):

(c) Biennial renewal fee – $93.75.

V. 61G15-27.001 Procedures for a Successor Professional Engineer Adopting As His Own the Work of Another Engineer

Effective Date: August 8th, 2018

Purpose and Effect: The purpose of the amendment is to update and clarify the rule’s requirements, including means of notification of adoption of another’s work.

Full Text: 61G15-27.001 Procedures for a Successor Professional Engineer Adopting As His Own the Work of Another Engineer.

(1) A successor professional engineer seeking to reuse already sealed plans, prints, engineering specifications, and/or engineering calculations used for permitted works contract documents under the successor professional engineer’s seal must be able to document and produce upon request evidence that he has in fact recreated all the work done by the original professional engineer. In other words, calculations, site visits, research and the like must be documented and producieable upon demand. Further, the successor professional engineer must take all professional and legal responsibility for the plans, prints, engineering specifications, and/or engineering calculations used for permitted works documents which he sealed and signed and can in no way exempt himself from such full responsibility. Plans, prints, engineering specifications, and/or engineering calculations used for permitted works need not be redrawn by the successor professional engineer; however, justification for such action must be available through well kept and complete documentation on the part of the successor professional engineer as to his having rethought and reworked the entire design process. A successor professional engineer must use his own title block, seal and signature and must remove the title block, seal and signature of the original professional engineer before reusing any sealed plans, prints, engineering specifications, and/or engineering calculations used for permitted works contract documents.

(2) Prior to sealing and signing work a successor professional engineer shall be required to notify the original professional engineer, his successors, or assigns by certified letter to the last
Disciplinary Cases

I. Case Numbers 2017035452, 2018000611 & 2018003697: Violating Section 471.033(1)(g), Florida Statutes

Case Summary: Licensee was charged with violating Section 471.033(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee entered into a contract for services and accepted money to provide said services. The services were never provided and the money was not returned. Licensee failed to respond to the properly serviced Administrative Complaint which constitutes a waiver of the right to elect a hearing involved disputed issues of material fact.

Ruling: This case was presented to the full Board upon consideration of the Administrative Complaint. The Board adopted the Findings of Fact and Conclusions of law in the Administrative Complaint. The Board REVOKED the Professional Engineer license of the licensee.

II. Case Number 2017058923: Violating Sections 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), F.A.C.

Case Summary: Licensee was charged with violating Sections 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. Licensee renewed his Professional Engineer license without having completed the Laws & Rules and Ethics courses on or before Feb. 28, 2017. These courses were not completed until Sept. 29 and 30, 2017.

Ruling: The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of $500 and Costs of $93.60.

III. Case Numbers 2016013495 & 2016028548: Violating Section 471.031(1)(g), Florida Statutes

Case Summary: In Case No. 2016028548, Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed,
dated, and sealed a final set of fire protection engineering. The documents contained material deficiencies. The deficiencies include, but are not limited to, the building exceeds the number of stories permitted for the type of construction identified on the documents, fire resistive ratings are not indicated for the exterior walls, two unprotected openings in the north exterior wall and eight unprotected openings in the south exterior wall are shown on the drawings, etc.

In Case No. 2016013495, Licensee was charged with violating Section 471.031(1)(g), Florida Statutes; negligence in the practice of engineering. Licensee signed, dated, and sealed engineering plans for the remodeling of an existing retail space into a restaurant and bar. Licensee prepared the Electrical and Mechanical documents that contained deficiencies. The Electrical deficiencies include, but are not limited to, the drawing does not contain an electrical riser diagram, contains no short circuit values and no voltage drop calculations for the feeders and customer-owner service conductors, no surge protective devices are shown, the plans show two electrical panel locations but no panel schedule, no Main and distribution equipment and sizes, no load computations are shown, etc. The Mechanical deficiencies include, but are not limited to, the drawing does not contain outside air make-up conditions, the plumbing/gas plan contains no plumbing equipment schedules, no design data for a great trap and no specifications for plumbing system materials, no potable water isometric diagrams are shown, no isometric sanitary riser diagrams are shown, no storm riser diagrams are shown, etc.

**Ruling:** The case was presented to the full Board upon a Settlement Stipulation. The Board imposed an Administrative Fine of $2,000, Administrative Costs of $7,553.60, Appearance before the Board, Probation with terms that include completion of a Board-approved Basic Engineering Professionalism and Ethics Course, project review at six and 18 months, and the Board’s Study Guide.

**IV. Case Numbers 2017037229 & 2017037225: Violating Sections 455.227(1)(k), 471.023 and 471.033(1)(a) and (k), Florida Statutes**

**Case Summary:** Licensees were charged with violating Sections 455.227(1)(k), 471.023 and 471.033(1)(a) and (k), Florida Statutes; failing to perform any statutory or legal obligation placed upon licensee; violating any order of the board or department previously entered in a disciplinary hearing. The licensed Inc. possessed CAs to offer engineering services in Florida. In Case No. 2013005769 the individual licensee was issued a Closing Order/Letter of Guidance for practicing through the licensed Inc., which did not possess a CA (the previous CA having gone Null & Void). Between March 1, 2017, and August 17, 2017, the individual licensee, practiced engineering through the licensed Inc., which for that period of time, possessed a delinquent CA.

**Ruling:** The case was presented to the full Board upon an Informal Hearing. The Board imposed a Reprimand, costs of $68.25 and an administrative fine of $1,000. Final Order was issued on April 19, 2018.
V. Case Number 2017040296: Violating Section 471.033(1)(c) and (d), Florida Statutes

Case Summary: Licensee was charged with violating Section 471.033(1)(c) and (d), Florida Statutes; having a license to practice engineering revoked... by the licensing authority of another state; being convicted or found guilty of... a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering. Licensee pleaded guilty to criminal charges of accessing a computer and obtaining information. These charges stemmed from Licensee having accessed a computer without authorization and thereby obtained information from a protected computer, which was valued to exceed $5,000. The computer, which was unlawfully accessed, belonged to Licensee’s previous employer.

Ruling: The case was presented to the full Board upon a voluntary relinquishment of license. The Board accepted the relinquishment of license with Licensee’s agreement to never reapply for licensure as a Professional Engineer in Florida.
Final Exam Questions

1. According to Florida Rule 61G15-23.005, when engineering plans have been electronically signed and sealed, they must use a _______ authentication code.
   (a) HSA
   (b) SHA
   (c) biometric
   (d) unique

2. According to Florida Rule 61G15-22.0001, application for renewal of a delinquent status license shall be made on form FBPE/020, and shall be accompanied by ___________________.
   (a) a fee of $125
   (b) the licensee’s seal
   (c) documentation of the licensee’s eligibility to work in the U.S.
   (d) documentation of the licensee’s compliance with the continuing education requirements

3. According to Florida Rule 61G15-24.001, renewal of a delinquent license incurs an additional fee of $__________.
   (a) $25
   (b) $150
   (c) $125
   (d) $93.75
4. According to Florida Statute 471.033, which of the following acts constitute grounds for which the disciplinary actions may be taken?
(a) Being convicted of a crime in any jurisdiction which directly relates to the practice of engineering.
(b) Filing a report or record that the licensee knows to be false.
(c) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.
(d) All of the above.

5. According to Florida Statute 471.017, for each renewal period a licensee shall demonstrate compliance with continuing education requirements. Which of the following is a requirement of the continuing education?
(a) 9 hours must relate to the licensee’s area of practice.
(b) A total of 24 hours must be completed for each renewal period.
(c) 4 hours must relate to the licensee’s area of practice
(d) 2 hours must relate to the professional ethics.

6. According to Florida Rule 61G15-22.006, any investigation conducted pursuant to section 455.225, F.S., shall be expanded to include investigation of compliance with ____________.
(a) continuing education
(b) payment of fees
(c) electronically signed and sealed plans
(d) All of the above
7. According to Florida Statute 455.225, when an investigation of any subject is undertaken, the subject may submit a written response to the information contained in the complaint that initiated the investigation within _____ days after service to the subject of the complaint.
   (a) 10
   (b) 5
   (c) 20
   (d) 30

8. According to Florida Rule 61G15-24.001, for active or inactive status licensees who renew their license no later than January 15 of the year the biennium ends, the biennial renewal fee is discounted by $______.
   (a) $83.75
   (b) $25
   (c) $15
   (d) $10

9. According to Florida Rule 61G15-27.001, prior to sealing and signing work a successor professional engineer shall be required to notify the original professional engineer of the successor's intention to use the original professional engineer's work. Notification shall be by __________ or other verifiable communication.
   (a) certified letter
   (b) fax
   (c) phone
   (d) All of the above
10. In Disciplinary cases 2016013495 & 2016028548, the Board imposed an Administrative Fine of $2,000 and Administrative Costs of $__________ for negligence in the practice of engineering.

(a) $1,000
(b) $7,553.60
(c) $500
(d) $68.25