

## Notice of Proposed Rule

### DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

#### Board of Professional Engineers

RULE NO.      RULE TITLE:

61G15-20.0010    Application for Licensure as Professional Engineer

61G15-20.0015    Application for Certification as Engineering Intern

PURPOSE AND EFFECT: The purpose of the amendment is to create for professional engineer and engineer intern licensure by combining the examination and endorsement applications into one rule; each updating licensure requirements as required by Chapter 2019-86, Laws of Florida; and creating new combined application forms for each.

SUMMARY: Substantial rewrite of the rule text to combine licensure requirements.

SUMMARY OF STATEMENT OF ESTIMATED REGULATORY COSTS AND LEGISLATIVE RATIFICATION:

The Agency has determined that this will not have an adverse impact on small business or likely increase directly or indirectly regulatory costs in excess of \$200,000 in the aggregate within one year after the implementation of the rule. A SERC has not been prepared by the Agency.

The Agency has determined that the proposed rule is not expected to require legislative ratification based on the statement of estimated regulatory costs or if no SERC is required, the information expressly relied upon and described herein: During discussion of the economic impact of this rule at its Board meeting, the Board, based upon the expertise and experience of its members, determined that a Statement of Estimated Regulatory Costs (SERC) was not necessary and that the rule will not require ratification by the Legislature. No person or interested party submitted additional information regarding the economic impact at that time.

Any person who wishes to provide information regarding a statement of estimated regulatory costs, or provide a proposal for a lower cost regulatory alternative must do so in writing within 21 days of this notice.

RULEMAKING AUTHORITY: 471.008, 471.013, 471.015 FS.

LAW IMPLEMENTED: 120.60(1), 471.013, 471.015 FS.

IF REQUESTED WITHIN 21 DAYS OF THE DATE OF THIS NOTICE, A HEARING WILL BE SCHEDULED AND ANNOUNCED IN THE FAR.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE IS: Zana Raybon, Executive Director, Board of Professional Engineers, 2639 North Monroe Street, Suite B-112, Tallahassee, FL 32303; (850)521-0500.

THE FULL TEXT OF THE PROPOSED RULE IS:

Substantial rewording of Rule 61G15-20.0010 follows. See Florida Administrative Code for present text.

61G15-20.0010 Application for Licensure as Professional Engineer.

(1) Any person desiring licensure as a professional engineer in Florida shall submit an application to the Board. The instructions and application Form FBPE/002 (09/19), entitled, "Application for Licensure as Professional Engineer," is hereby incorporated by reference, copies of which may be obtained from the Board office at 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; from the Board's website at <http://www.fbpe.org/licensure/application-process> or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-> . The Board shall certify as eligible for licensure only those applicants who have completed the application form, remitted the application and examination fee(s) required by chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

(a) Are graduates of a "Board approved engineering program" as required by section 471.013(1)(a), F.S. and defined by subsection 61G15-20.001(2), F.A.C.;

(b) Have the requisite number of years of acceptable engineering experience as required by Section 471.015(2), F.S. and defined by rule 61G15-20.002, F.A.C.;

(c) Have passed the examinations required by section 471.013(1)(b) and (c), F.S. and as defined by Rule 61G15-21.001, F.A.C.; and

(d) Have passed the Laws and Rules Study Guide as required by Rule 61G15-20.0016, F.A.C.

(2) If and applicant for licensure satisfies the conditions found in section 471.015(5)(a), F.S., then the Board shall deem that the applicant has passed an examination substantially equivalent to Part I, fundamentals of the engineering examination. If an applicant for licensure by endorsement satisfies the conditions found in section 471.015(5)(b), F.S., then the Board shall deem that the applicant has passed an examination substantially equivalent to Part I, fundamentals, and Part II, principles and practice, of the engineering examination.

(3) The Board shall deem that an applicant for licensure, who has an engineering or engineering technology degree from a program that is not EAC/ABET accredited, has demonstrated substantial equivalency to an EAC/ABET or ETAC/ABET accredited engineering program, as required by rules 61G15-20.007 and 61G15-20.008, F.A.C., when such applicant has held a valid professional engineer's license in another state for 15 years and has had 20 years of professional-level engineering experience, to include the active practice of engineering for at least 3 to 5 years.

(4) An applicant who previously held licensure as a professional engineer in the State of Florida and whose license became void because of non-renewal may not reapply for licensure pursuant to this rule. Such applicants must apply for reinstatement of the void license pursuant to the provisions of Rule 61G15-22.0002, F.A.C. Such applicants, if otherwise eligible, shall be subject to disciplinary sanctions as a condition of licensure if it is demonstrated that they practiced engineering during any period their license was delinquent and/or void.

(5) 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, 471.015 FS. Law Implemented 120.60(1), 471.013, 471.015 FS. History--New 9-27-01, Amended 11-19-03, 9-14-14, 3-19-17, 12-18-18,\_\_\_\_\_.

Substantial rewording of Rule 61G15-20.0015 follows. See Florida Administrative Code for present text.

61G15-20.0015 Application for Certification as Engineering Intern.

(1) Any person desiring to be licensed 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 2639 North Monroe Street, Suite B-112, Tallahassee, Florida 32303; the Board's website at <http://www.fbpe.org/licensure/application-process> or at [http://www.flrules.org/Gateway/reference.asp?No=Ref-\\_\\_\\_\\_\\_](http://www.flrules.org/Gateway/reference.asp?No=Ref-_____). 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.:(a) The applicant meets the current criteria listed in section 471.013, F.S.

(3) 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, 471.015 FS. Law Implemented 471.013, 471.015 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,\_\_\_\_\_.

NAME OF PERSON ORIGINATING PROPOSED RULE: Board of Professional Engineers

NAME OF AGENCY HEAD WHO APPROVED THE PROPOSED RULE: Board of Professional Engineers

DATE PROPOSED RULE APPROVED BY AGENCY HEAD: September 19, 2019

DATE NOTICE OF PROPOSED RULE DEVELOPMENT PUBLISHED IN FAR: July 1, 2019