

Notice of Proposed Rule

DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

Board of Professional Engineers

RULE NO.: RULE TITLE:

61G15-22.0002 Licensure Change of Status

PURPOSE AND EFFECT: The purpose of the amendment is to update the rule based on the statutory changes in Sections 2 and 7, Chapter 2019-86, Laws of Florida.

SUMMARY: Update rule text and application.

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: 455.271, 471.017(2) FS.

LAW IMPLEMENTED: 455.271, 471.017(2), (3), (4) 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:

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 Application To Change of Status Application from ACTIVE TO INACTIVE, Form FBPE/023 09/19 021, 12/16, 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-07863>.

(2) Reactivation of Inactive Licenses to Active Licensure Status. Licensees may reinstate an inactive license and change their licensure status from inactive to active by remitting to FEMC a completed Application To Change of Status Application from INACTIVE TO ACTIVE, Form FBPE/022, 12/16, referenced in paragraph 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. The application form FBPE/0212 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-07864>.

(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 paragraph 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;

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

(c) 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 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 in-person courses; online or distance learning courses will not be accepted.

Rulemaking Authority 455.271, 471.017(2) FS. Law Implemented 455.271, 471.017(2), (3), (4) FS. History--New 8-1-02, Amended 2-27-17, _____.

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: August 8, 2019

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