

Florida Laws and Rules of Professional Engineers

Regulating the practice of engineering is necessary for the health and safety of the public. The state of Florida has established laws and rules related to the practice of engineering (Florida Statutes Chapter 471) and has created the Florida Board of Professional Engineers (FBPE) to enforce these regulations. The laws and rules are applicable to engineers practicing within Florida and cover various aspects such as licensing qualifications, exemptions, seals for engineers, disciplinary procedures, and continuing education requirements. By following these regulations, engineers can ensure that they are upholding the standards of their profession and protecting the public's well-being. This course provides a comprehensive review of these laws and rules and satisfies the requirement for one hour of continued education in the engineering laws and rules as mandated by Section 471.017, F.S.

Section 1 Licensing Exemptions

Individuals can only practice engineering and use titles, such as licensed engineer or professional engineer, if they hold a license to do so. However, there are certain exemptions to this requirement (as mandated by 471.003 F.S.), including practicing engineering on property legally owned by oneself, working on small projects as a public officer, or being a full-time employee of a corporation that does not engage in engineering as a primary practice. This exemption also extends to employees of public utilities or other entities regulated by specific commissions. Additionally, licensed surveyors and mappers can delegate engineering services to a qualified professional engineer within their firm. Electrical, plumbing, air-conditioning, or mechanical contractors are also exempt from engineering licensure, as well as those in which general contractors can offer engineering services if they are done in partnership with a licensed engineer. Finally, licensed engineers focused on civil or structural engineering can perform architectural services incidental to their engineering practice, and vice versa for licensed architects performing engineering services.

Section 2 Seals for Engineers

The Board is responsible for creating one or more forms of seal to be used by licensees. Each licensee must obtain at least one seal approved by the Board and may also register their seal electronically as per Florida Administrative Code (F.A.C) 668.001-668.006. All final documents, plans, drawings, specifications, and reports produced or issued by the licensee and being filed for public record, as well as all final documents provided to the owner or their representative, must be signed, dated, and sealed with the licensee's seal. This signature, date, and seal will confirm the authenticity of the document. The licensee may also transmit and seal these documents electronically.

It is illegal for anyone to use a seal or digital signature after their license has expired or been revoked or suspended, unless it has been reinstated or reissued. When an engineer's license is suspended or revoked, they must surrender their seal to the Executive Director of the Board within 30 days of the suspension or revocation taking effect. They must also confirm the cancellation of their digital signature. If the engineer's license is suspended for a specific period, their seal will be returned to them once the suspension period is over.

Licensees are not allowed to affix their seal, name, or digital signature to any document that depicts work they are not licensed to perform or which is beyond their professional or specialty area.

A “successor engineer” is an engineer who is using or relying upon the work, findings, or recommendations of the engineer who previously sealed the pertinent documents. If a successor engineer wants to reuse documents previously sealed by another engineer, he/she must be able to recreate the original engineer's work independently. The successor engineer assumes full legal and professional responsibility by affixing their signature and seal to the assumed documents. These documents must be treated as if they were the successor engineer's original work, and the original engineer is released from any professional responsibility or civil liability for prior work assumed by the successor engineer.

Section 3 Disciplinary Procedures

The following are the rules and regulations that a professional engineer must abide by in the state of Florida:

- Truthful and non-misleading advertising is mandatory for professional engineers. Any statements or claims that contain a material misrepresentation of facts, omits necessary material facts, creates unjustified expectations, implies false certification, is likely to cause misunderstanding or deception, or fails to contain reasonable warnings or disclaimers are prohibited.
- Professional engineers, corporations, partnerships, or other qualified business organizations ("firms") are not allowed to practice engineering under an assumed, fictitious, or corporate name. Doing so is fraudulent, misleading, and deceptive.
- Negligence, incompetence, and misconduct are prohibited in the practice of engineering.
 - Negligence refers to the failure to exercise due care in performing in an engineering capacity or failing to have due regard for acceptable standards of engineering principles.
 - Incompetence refers to the physical or mental incapacity or inability of a professional engineer to perform the duties normally required of them.
 - Misconduct includes being untruthful, deceptive, or misleading in any professional report, statement, or testimony, performing an engineering

assignment without proper qualifications, and engaging in any other unethical behavior.

- Engineers should only sign/seal plans or documents that they are qualified to handle and should not associate with any person or firm that engages in fraudulent or dishonest practices.
- Engineers should disclose any conflicts of interest to their employer or client and the responsible public authority, and they should report any violations of engineering laws or rules of professional conduct.
- Engineers should avoid making any statements, criticisms, or arguments on engineering matters that are inspired or paid for by interested parties, unless the engineer explicitly identifies the interested parties and their interests.
- Sealing and signing all documents for an entire engineering project is discouraged unless each design segment is separately approved and verified.

Engineers who fail to abide by these rules and regulations are subject to disciplinary action. Some violations and corresponding consequences are summarized in the following table, and a complete list of fines can be found in F.A.C. 61G15-19.004.

Table 1 Engineering Violations and Consequences

Violation Committed	Consequence (First Violation)	Consequence (Second Violation)	Consequence (Third or Subsequent Violations)
Firm practicing without proper qualification	A fine ranging from \$500 to \$1,000	A fine ranging from \$1,000 to \$2,500	\$5,000 fine
Practicing engineering without a license or using a name or title tending to indicate that such person holds an active license as an engineer	Referral to State Attorney's Office and denial of future application for licensure; A fine ranging from \$1,000 to \$2,500	Referral to State Attorney's Office; A fine ranging from \$2,500 to \$5,000	Referral to State Attorney's Office; \$5,000 fine
Fraudulent, false, deceptive, or misleading advertising	Reprimand; Completion of Basic Engineering Ethics Course; Consequence ranging from a \$1,000 fine and one year probation to a \$2,500 fine and one year suspension followed by one year probation	Reprimand; Completion of Intermediate Engineering Ethics Course; Consequence ranging from a \$2,500 fine and two years' suspension followed by two years' probation to a \$5,000 fine and five years' suspension followed by five (5) years' probation	\$5,000 fine and Revocation
Negligence in procedural requirements	Reprimand; \$1,000 fine per count; Two years' probation with plans review; Basic Engineering	Reprimand; \$2,500 fine per count; One year suspension followed by two years' probation with plans	\$5,000 fine and Revocation

	Ethics Course to two years' suspension followed by five years' probation with plans review and a \$2,500 fine	review; Intermediate Engineering Ethics Course to five-year suspension followed by ten years' probation with plans review	
Misconduct	Reprimand; \$1,000 fine per count; One year suspension followed by two years' probation; Basic Engineering Ethics Course to two years' suspension followed by five years' probation with plans review and a \$2,500 fine	Reprimand; \$2,500 fine per count; Two-year suspension followed by two years' probation; Intermediate Engineering Ethics Course to five-year suspension followed by ten years' probation with plans review	\$5,000 fine and Revocation

Section 4 Continuing Education Requirements

As per F.A.C. 615G15-22.001, each licensee must complete eighteen continuing education hours during each license renewal biennium as a condition of license renewal. Out of these, four hours must relate to the licensee's area(s) of practice, one hour must be related to professional ethics, and one 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 F.A.C 61G15-22.002.

As per Section 471.017(3)(a), F.S., a licensee may earn the required professional ethics and laws and rules hours by serving as a member of the Legislature or as an elected state or local official. There shall be no carryover of hours permitted from one licensure renewal biennium to the next.

Beginning with the Eighth Edition of the Florida Building Code (2023), 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 complete at least one advanced Florida Building Code course on each new edition of the Florida Building Code. The licensee must provide the Board with a copy of a certificate of completion which shows course number, course hours, Code edition and revision year, and portion of Code or course focus. If a refresher course on the Florida Building Code is needed, this course may also count towards the licensee's area of practice requirement for continuing education set forth in Rule 61G15-22.001.