

House Bill No. 419

An act relating to engineering; amending s. 471.007, F.S.; increasing membership of the Board of Professional Engineers; providing qualifications for the additional members; amending s. 471.013, F.S.; providing an exemption from examination for certain persons; reducing the number of times an applicant may fail either the fundamentals examination or the principles and practice examination; expanding the authority of the board to require additional education as a condition of future eligibility to take the examinations; amending s. 471.031, F.S.; authorizing certain persons who are exempt from licensure as an engineer to use the title or personnel classification of “engineer” under certain circumstances; providing an effective date.

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

Section 1. Section 471.007, Florida Statutes, is amended to read:

471.007 Board of Professional Engineers.—There is created in the department the Board of Professional Engineers. The board shall consist of 11 ~~nine~~ members, nine ~~seven~~ of whom shall be licensed engineers and two of whom shall be laypersons who are not and have never been engineers or members of any closely related profession or occupation. Of the members who are licensed engineers, three shall be civil engineers, one shall be a structural engineer, one shall be either an electrical or electronic engineer, one shall be a mechanical engineer, one shall be an industrial engineer, one shall be an engineering educator, and one shall be from any discipline of engineering other than civil engineering. Members shall be appointed by the Governor for terms of 4 years each.

Section 2. Subsection (1) of section 471.013, Florida Statutes, is amended to read:

471.013 Examinations; prerequisites.—

(1)(a) A person shall be entitled to take an examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer if the person is of good moral character and:

1. 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 and has a record of 4 years of active engineering experience of a character indicating competence to be in responsible charge of engineering;

2. Is a graduate of an approved engineering technology curriculum of 4 years or more in a school, college, or university within the State University System, having been enrolled or having graduated prior to July 1, 1979, and has a record of 4 years of active engineering experience of a character indicating competence to be in responsible charge of engineering; or

3. Has, in lieu of such education and experience requirements, 10 years or more of active engineering work of a character indicating that the applicant is competent to be placed in responsible charge of engineering. However, this subparagraph does not apply unless such person notifies the department before July 1, 1984, that she or he was engaged in such work on July 1, 1981.

The board shall adopt rules providing for the review and approval of schools or colleges and the courses of study in engineering in such schools and colleges. The rules shall be based on the educational requirements for engineering as defined in s. 471.005. The board may adopt rules providing for the acceptance of the approval and accreditation of schools and courses of study by a nationally accepted accreditation organization.

(b) A person shall be entitled to take the fundamentals examination for the purpose of determining whether she or he is qualified to practice in this state as an engineer intern if she or he is in the final year of, or is a graduate of, an approved engineering curriculum in a school, college, or university approved by the board.

(c) A person shall not be entitled to take the principles and practice examination until that person has successfully completed the fundamentals examination.

(d) The board shall deem that an applicant who seeks licensure by examination has passed the fundamentals examination when such applicant has received a doctorate degree in engineering from an institution that has an undergraduate engineering program that is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc., and has taught engineering full time for at least 3 years, at the baccalaureate level or higher, after receiving that degree.

~~(e)~~(d) Every applicant who is qualified to take the fundamentals examination or the principles and practice examination shall be allowed to take either examination three ~~five~~ times, notwithstanding the number of times either examination has been previously failed. If an applicant fails either examination three ~~five~~ times, the board shall require the applicant to complete additional college-level education courses ~~in the areas of deficiency, as determined by the board,~~ as a condition of future eligibility to take that examination.

Section 3. Paragraph (b) of subsection (1) of section 471.031, Florida Statutes, as amended by section 3 of chapter 2003-425, Laws of Florida, is amended to read:

471.031 Prohibitions; penalties.—

(1) A person may not:

(b)1. 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,” “nuclear engineer,” “petroleum engineer,” “plumbing engineer,” “structural engineer,” “transportation engineer,” “software engineer,” “computer hardware engineer,” or “systems 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,” or “licensed professional 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,” or “licensed professional 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 4. Paragraphs (c) and (e) of subsection (2) of section 471.003, Florida Statutes, read:

471.003 Qualifications for practice; exemptions.—

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

(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.

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

Section 5. This act shall take effect upon becoming a law.

Approved by the Governor June 17, 2004.

Filed in Office Secretary of State June 17, 2004.