

Latest Engineer Discipline

In the last few months, the Board has formally approved the following enforcement case based on the Florida Statutes and Rules applicable at the time of the violation. Included is a brief description of the licensee's violation and discipline imposed by the Board.

You can access the final orders for these cases and other recent engineer disciplines on our website under the Legal section at <http://fbpe.org/legal/disciplinary-actions>. If you are unsure if an engineer has been disciplined you can verify their license on www.myfloridalicense.com. Information on public cases in which an engineer has been disciplined can be obtained by sending an email request to publicrecords@fbpe.org.

Evans Engineering & Design Build Services, Inc.

Case No. 2014041716

Evans Engineering and Design Build Services, Inc. (Evans) was charged with violating **Sections 455.228(1), 471.031(1)(a), and 471.038(5), Florida Statutes**; offering to practice engineering without a Certificate of Authorization. Evans, on its website, stated the following:

1. The site contains a full webpage entitled "Civil Engineering."
2. Under the "Civil Engineering" tab, the first paragraph states: "Our engineers employ tactics which will ensure the successful completion regarding the planning, design and construction phases of any project."
3. The second paragraph states: "Our civil engineering staff..." and "The majority of our engineers are professionally certified and hold advanced degrees."
4. The heading after the second paragraph is entitled: "Engineering Services Available" which is followed by a list of engineering services provided by Respondent to include the following:
 - Wastewater Collection treatment & Disposal
 - Wastewater Pumping Systems
 - Water Supply treatment & Systems
 - Utility Studies
 - Highway, Streets & Bridges
 - Site Development Parking Lots
 - Office & Industrial Parks
 - Commercial Shopping Centers
 - Stormwater Management & Modeling
 - Drainage Studies
 - Permitting
 - Cost Estimating
 - Construction Administration & Inspections

Ruling: The case was presented to the full Board for review after no response was received to the Administrative Complaint. The Board imposed an Administrative Fine of \$5,000. A Final Order was issued on July 1, 2015.

Violation: Sections 455.228(1), 471.031(1)(a), and 471.038(5), F.S.

Disclaimer: FBPE would like to note that every effort has been made to ensure the accuracy of discipline information; however this should not be relied upon without verification from the Board office or website. It is possible that names of companies and individuals listed may be similar to the names of parties who **HAVE NOT** been disciplined or had compliant actions taken against them, so we encourage you to review licensee information on www.myfloridalicense.com, contact our office or make a public records request should you have any specific questions regarding disciplinary actions. Public records requests can be sent to publicrecords@fbpe.org.

What Constitutes Unlicensed Activity?

The unlicensed practice of engineering is a serious threat to the health, safety and welfare of the general public and to the profession itself. Typically, the FBPE receives cases involving firms practicing without a Certificate of Authorization, individuals utilizing the protected title of Professional Engineer (PE) or any variation thereof, and individuals practicing without a PE license. In most of these cases, the violations occur due to a lack of knowledge of the laws and rules associated with the practice of engineering by offenders, as well as the public.

Examples of Unlicensed Activity Include:

- Firm practicing or offering to practice engineering without a Certificate of Authorization;
- Practicing engineering without a license;
- Using a name or title tending to indicate that a person holds an active license as engineer. Examples include: Professional Engineer, Agricultural Engineer, Air-Conditioning Engineer, Architectural Engineer, Civil Engineer, etc.;
- Presenting as his or her own the license of another; and
- Practicing on a revoked, suspended, inactive or delinquent license.

The actions taken by the Board related to unlicensed activity violations are a Notice to Cease & Desist, a Citation (which is a fine), an Administrative Complaint which can come with a recommended penalty of up to \$5,000, injunctive proceedings if the action continues and criminal prosecutions.

To file a complaint involving either licensed OR unlicensed activity, download a copy of the *Uniform Complaint Form* located on the *Complaints* page under the *Legal* section on our home page at www.fbpe.org or request a form from the Board's office. If you want to talk to someone about a potential violation, please call the Board office at 850-521-0500 and ask to speak to an investigator.