



FBPE
FLORIDA BOARD OF
PROFESSIONAL ENGINEERS

Connection

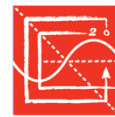
Linking You With the Florida Board's Latest Engineering News and Information

October 2023

From the Executive Director: Why Use an NCEES Record?

By **Zana Raybon**, FBPE Executive Director & FEMC President

For those licensed Professional Engineers who find themselves needing to obtain a license in a different jurisdiction, I would like to recommend setting up an [NCEES Record](#).



NCEES
*advancing licensure for
engineers and surveyors*

Applicants with NCEES Records have a head start in applying for licensure. Their official academic transcripts, FE and PE exam results, full employment history, and professional references — all typically required by any state licensing board — will already be verified in their NCEES Record.

It eliminates the hassle of resubmitting all of that information each time you apply for comity licensure. It also saves time and simplifies the application process when you practice in multiple states. In Florida, licensure for applicants with an NCEES Record can take only seven to 10 business days, versus at least 30 days for those without it.

Another perk of having an NCEES Record is obtaining the model law designations — MLE (Model Law Engineer) and MLSE (Model Law Structural Engineer) — that indicate to state licensing boards that your education, experience, and examinations meet the NCEES Model Law requirements.

The NCEES Records program is designed for currently licensed engineers who are looking for an easier and faster way to complete the licensure process in multiple jurisdictions. It is also ideal for engineer interns who have never been licensed in any jurisdiction since most of the information is already in your NCEES account.

If you have an NCEES Record and are seeking licensure in Florida, you must complete only the first five of the 11 pages in [Florida's Application for Licensure as Professional Engineer](#) and submit it along with the appropriate fee. Other state licensing boards may require additional information. However using the NCEES Record does not guarantee licensure with any state board.

While there is no cost to set up the NCEES Record, there is a fee for transmitting your information to a licensing board. For the first transmittal of a comity or endorsement application, the fee is \$175. Each subsequent transmittal is \$75. If you are applying for an initial PE license (you have never been licensed before), the fee is \$100.

For your education, you will fill in your high school and higher education information, but you must request transcripts from all institutions attended (even if it was for just one course). Transcripts must be sent directly to NCEES by the institution.

If you graduated from a non-ABET-accredited engineering program, you must have your education evaluated to demonstrate that it is substantially equivalent to the ABET degree requirements.

If you need a credentials evaluation, this section will automatically appear within your account. You'll need to purchase an evaluation (the fee is \$350) once all documentation has arrived at NCEES directly from the institution. Typical documentation for the evaluation will include the official transcript, degree verification, and course descriptions. All documentation must be sent directly to NCEES by the institution.

In Florida, non-ABET engineering and engineering technology or foreign degrees must be evaluated by either [NCEES or Josef Silny & Associates](#) before applying for your PE license.

Your NCEES Record will also contain your FE and PE exam results, which will have been verified by the licensing board in the state in which you took them.

Work experience is added in order from oldest employment to current. Work experience that you intend to have verified by someone should follow the NCEES guidelines in the [Work Experience FAQs](#). The verifier must be able to receive an email from the NCEES system and respond accordingly.

When you submit your work experience, it will be reviewed by NCEES to ensure that the information provided is sufficient for most state boards. Once the supervisor signs off on work experience, it will show as complete.

Professional references are the final component of an NCEES Record. You need a total of five references to transmit your record. All five references must be current or signed off on within the past 12 months. At least three of the five references must be licensed engineers within the United States. Two can be anyone who can speak to your character as long as they are not related to you.

Florida requires only three references, but they all must be Professional Engineers.

You will be required to review and update your Record each time you transmit to a state licensing board. Some verifications are valid for a short period of time and should not be updated and re-verified until you are ready to transmit. Past work experience verifications do not expire. Current employment should not be verified until just before transmission. If your present employment has been verified within six months before transmission, it will not need to be re-verified to transmit.

Chair's Corner: PEs Have an Opportunity to Lead the Way

By **Dylan Alberg**, PE, FBPE Chair (2023)

Boomtown! Florida is experiencing unprecedented growth, reaching the coveted position of the fastest-growing state in the country, according to the most recent data from the U.S. Census Bureau.

It's hardly a secret why, with beautiful weather, beaches, low taxes, great engineers... Florida is where people want to live!

Of course, unprecedented growth doesn't always lead to sunshine and rainbows, it sometimes leads to traffic jams and headaches. The infrastructure improvements we planned for tomorrow were needed yesterday.



State and local governments plan for infrastructure-improvement projects years in advance, but now those timelines are being adjusted forward to meet the growing demand. Engineers have a great opportunity to step up to the plate with new and innovative ideas that exceed all expectations.

Henry Ford once said, “Failure is simply the opportunity to begin again, this time more intelligently.”

Florida hasn’t failed, it’s a thriving state. But with the changes experienced and the rate at which circumstances have changed, there is an opportunity to rethink what the future of Florida’s infrastructure looks like.

As of September 2023, Florida has 43,116 active, licensed Professional Engineers, the third largest cohort in the nation. A large community of highly educated, experienced, and intelligent professionals dedicated to advancing society and protecting the health, safety, and welfare of the public. We are going to need every single one of them to solve the challenges we face today.

American’s budgets are stretched thin as record levels of inflation persist. It was just last year that the United States saw the steepest increase in inflation since 1981.

Substandard infrastructure straps the American family even further. There is a very real and felt economic cost to poor infrastructure. According to ASCE’s Failure to Act report, “Infrastructure is the physical framework upon which the U.S. economy operates, and our standard of living depends. This framework enables us to move goods, power businesses of all sizes, connect people to jobs and services, heat and cool office buildings, and enjoy a glass of clean water.”

Florida and its engineers are positioned to lead the nation forward with creative, intelligent, and innovative solutions to our infrastructure needs... as long as that position is not stuck in a traffic jam on I-4 or I-75 for no apparent reason.

Understanding the Responsibility Rules

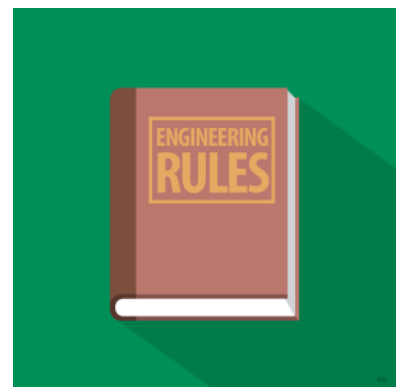
By **Scott Drury, PE**

During my tenure on the Florida Board of Professional Engineers, I became aware that many engineers do not realize that [Division 61G15, Florida Administrative Code](#), contains various sections related to “responsibility rules” for the practice of engineering in Florida.

In both formal and informal settings, I heard various responses about the responsibility rules. I saw Professional Engineers who had been previously disciplined for not following the responsibility rules back in front of the Board for similar violations. I heard Professional Engineers with 30-plus years of experience practicing in Florida ask, “So, where would I find these rules?” Others did not believe these rules applied to them or their situations.

Also, engineering firms that work across multiple states may have company standards that do not meet the specific requirements of Florida.

Let’s explore why Florida has responsibility rules, and why it is important to know what they are and to abide by them in our engineering practice.



The responsibility rules are found in Chapters 61G15-30 through 61G15-36, F.A.C. The purpose of the responsibility rules is defined in 61G15-30.001, F.A.C.:

(1) The Board has adopted these responsibility rules pursuant to [section 471.033\(2\), Florida Statutes](#), to safeguard the life, health, property, and welfare of the public by promoting proper conduct in the practice of engineering and due care and regard for acceptable engineering principles and standards. The Board considers that professional engineers may avoid disciplinary actions by observing the procedures set forth herein. Failure to comply with these rules may be considered as noncompliance with subsection 61G15-19.001(4), F.A.C., unless the deviation or departure therefrom is justified by the specific circumstances of the project in question. Furthermore, these rules are intended to apply as general guidelines where no contractual relationship exists between the parties addressed herein. These rules are not intended to take precedence over contractual relationships developed between the parties addressed herein, so long as those contractual relationships do not violate Chapter 471, F.S., or the stated purpose of these responsibility rules. These responsibility rules shall apply to every person holding a license as a professional engineer, and every qualified engineering business organization, as appropriate. A professional engineer's practices, education, training, experience, qualifications, technical competence, conduct, and responsibilities in connection with his authorized engineering practice, services, and creative work are subject to regulation solely by the Board of Professional Engineers, the courts, and local jurisdictions.

Let's break this purpose down into a few key pieces:

- The Board has statutory authority to safeguard the life, health, property, and welfare of the public through regulating engineering in Florida.
- Section 471.033(2), F.S., requires the Board to create rules to define what acts or omissions could constitute grounds for disciplinary action:

(2) The board shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

- Failure to comply with the responsibility rules may be considered non-compliance and can result in disciplinary action.
- The responsibility rules apply to every Professional Engineer and qualified engineering business offering engineering services in Florida.

In other words, the responsibility rules establish a minimum professional standard of care in the practice of engineering. A professional standard of care is typically “the standard provided by a reasonably prudent professional in that line of work.” The responsibility rules were created to further develop this definition so that both the public and Professional Engineers would be aware of this minimum professional standard of care.

Many people have said something similar to this: “The project got through permitting. I complied with the requirements of _____ code. Why do I have to look at another set of requirements? The Board

should just let us follow those requirements without giving us their own.” This gives a negative connotation to the rules.

Keep in mind, that these various codes and standards (Florida Building Code, American Association of State Highway and Transportation Officials, or countless others) are not regulated by the Board; instead, they are regulated by other regulatory boards, commissions, or national professional societies. It is unreasonable to expect that the Board could define the minimum standard of care in each of these codes and standards. The last sentence of Rule 61G15-30.001(1), F.A.C., states:

A professional engineer’s practices, education, training, experience, qualifications, technical competence, conduct, and responsibilities in connection with his authorized engineering practice, services, and creative work are subject to regulation solely by the Board of Professional Engineers, the courts, and local jurisdictions.

To regulate this responsibly, the responsibility rules were developed by committee, adopted by the Board, and subject to legislative oversight. The committees consisted of several Board members and various Professional Engineers, licensed contractors, permitting officials, or other subject-matter experts. In other words, a lot of thought went into these rules, and many eyes looked over these rules before they were officially adopted.

However, I want to challenge each of you in two specific ways regarding the responsibility rules:

KNOW WHAT THEY SAY. It is difficult to abide by the rules if you do not know what the rules are. You must know the rules and stay current with them. To renew your PE license in Florida, you are required to take at least one hour of continuing education on Florida laws and rules every two years. Given that the requirement is only for one hour, many courses focus on what has changed and assume that you were aware of the other existing requirements. If you are not familiar with the responsibility rules, you may consider reading through them after you complete your one-hour course.

Chapter 61G15-30, F.A.C., covers general responsibility rules common to all engineers. Subsequent chapters cover specific disciplines or acts of engineers, such as structural engineering (61G15-31), fire protection engineering (61G15-32), electrical engineering (61G15-33), mechanical engineering (61G15-34), threshold building inspections (61G15-35), and product evaluation (61G15-36). While most engineers do not practice each of these types of engineering, each engineer is required to comply with the common requirements and any other requirements in their specific areas of practice.

LOOK AT THEM FROM A DIFFERENT PERSPECTIVE. As you read this next example, I am aware that not all of you hold the same faith as me. But hopefully, you may appreciate the analogy. As a Christian, I have read or heard people talk about the Ten Commandments a lot. However, I did not have the same appreciation for them until a pastor once challenged me to look at the Ten Commandments from a different point of view. Instead of reading them as negative (such as, “Thou shalt not steal”), try reading them as positive (such as, “We will respect the property of others”). Instead of simply being a restriction from living life, I was able to view these rules as a freedom to how I can live my life while trying my best to honor these commandments.

The same can apply to the responsibility rules. Instead of looking at them as a negative (“I have to do all of this or risk getting disciplined”), look at them from a positive perspective (“My engineering services will meet all requirements, and I will avoid disciplinary action”).

Instead of guessing what the minimum standard of care is or trying to guess what a “reasonable professional” would do, you can feel confident that by following these rules, you will avoid disciplinary action.

As a Professional Engineer who follows the framework in Florida’s laws and rules, you can feel confident that the services you provide to your clients meet the minimum accepted standards for practicing engineering in Florida, and by doing so, you are safeguarding the life, health, property, and welfare of the public through your work.

Updated and reprinted from the October 2020 *Connections* newsletter.

2023 FEMC Annual Report Highlights

The [Florida Engineers Management Corporation](#) produces an annual report as required by [Section 471.038, Florida Statutes](#).

The report is submitted to the Secretary of the Department of Business and Professional Regulation, the Florida Board of Professional Engineers, and the Florida Legislature by Oct. 1 each year. It reports on the status of the corporation, including information concerning FEMC programs and funding, as well as information regarding licenses and complaints handled by FEMC.

Below are some highlights from the [Annual Report for Fiscal Year 2022-23](#) (July 1, 2022-June 30, 2023):

30 – Number of meetings administered for the FBPE Board and committees

44,665 – Average number of licensees and others receiving FBPE’s [Connection newsletter](#) each quarter

658,976 – Number of users of the FBPE website during FY22-23 (a licensure renewal year), compared to 227,525 in FY21-22 (a non-renewal year) and 256,898 in FY20-21 (the previous renewal period)

1,600 – Approximate number of engineering students, interns, and professionals reached by **15** in-person and **5** virtual presentations that provided information about engineering exams and professional licensure in Florida

LICENSURE STATISTICS

40,724 – Professional Engineer licenses renewed

4,354 – Applications received for PE licensure

3,506 – Applications for PE licensure approved

186 – Applications for PE licensure denied

25 – Certifications issued for Special Inspectors of threshold-type buildings

50 – Days on average to issue a license

849 – Examinees passed the NCEES Principles & Practice of Engineering exam (computer-based test); and **808** failed the exam

1,354 – Examinees passed the NCEES Fundamentals of Engineering exam (CBT); and **1,279** failed the exam



LEGAL STATISTICS

- 208** – Complaints regarding engineering practice processed, of which **137** were found to be legally sufficient
- 105** – Administrative Complaints filed in cases where the Probable Cause Panel found reason to believe a violation of [Chapter 471, Florida Statutes, Florida Engineering Practice Act](#) had occurred
- 85** – Final Orders issued
- \$83,769.95** – Fines and Costs imposed
- 0** – Cases tried before an administrative judge at the Division of Administrative Hearings
- 25** – Cases dismissed with a finding of no probable cause
- 16** – Cases dismissed with a letter of guidance
- 1** – License revoked
- 2** – Voluntary Licensure Relinquishments
- 2** – Licenses suspended
- 0** – Licenses restricted
- 5** – Reprimands issued
- 3** – Probations issued
- 2** – Project reviews
- 77** – Engineers ordered to successfully complete a course in engineering professionalism and ethics
- 77** – Engineers ordered to successfully complete the Board’s *Study Guide on Laws and Rules*

In addition to [FEMC Annual Reports](#), copies of [FEMC Quarterly Reports](#) are also available online.

PE Structural Exam Transitions to Computer-Based Testing

Following the October pencil-and-paper administration of the PE Structural exam, [NCEES](#) completes the transition to computer-based testing for all engineering exams.

The move to CBT signals a major change in the way the PE Structural exam is organized.

The pencil-and-paper PE Structural exam was a two-day exam offered twice a year, once in April and once in October.

Beginning April 1, 2024, the new computer-based exam will consist of four sections. The exam will be offered in:

- Two breadth sections for vertical forces and lateral forces, which will be available to take year-round; and
- Two depth sections for vertical forces and lateral forces, which will be offered only in April and October.

Registration for the PE Structural exams will open Nov. 1, 2023. Administrations of the breadth sections will begin April 1, 2024. The April sitting for the depth sections will be Tuesday, April 16, 2024, for the vertical forces, and Wednesday, April 17, 2024, for the lateral forces.

Examinees must successfully complete all four sections of the exam to pass the exam.



Currently, acceptable results must be obtained on both components to pass the PE Structural exam. Examinees who have received acceptable results on one component before the transition to CBT will only have to take and achieve acceptable results on the two sections for the remaining component.

Exams will be administered at Pearson VUE testing centers. Florida applicants can register for and schedule their PE exam directly through [their MyNCEES account](#), as long as they have passed the FE exam. They do not have to register with FBPE first.

For more information, visit the [NCEES PE Structural exam page](#).

Special Recognition: Congratulations, Examinees

FBPE applauds everyone who passed engineering exams in the past quarter. We wish them much success as they move towards the next step in their engineering careers. [See the complete list online.](#)

Recent Updates to Florida Engineering Rules

[Chapter 61G15, Florida Administrative Code](#), contains the rules that govern the practice of engineering in Florida. The rules are adopted by the Florida Board of Professional Engineering based on [Chapter 471, Florida Statutes, Engineering](#).

The rules are regularly reviewed and updated by the Board.

The latest change, as of Aug. 30, 2023, includes:

- Rule 61G15-21.007 *Re-examination; Additional Requirements After Third Failure.*

Changes are highlighted in the PDF available on the [Statutes and Rules page](#) in the *Legal* section of the Board's website, [fbpe.org](#).

Legal Department: Latest Engineer Discipline

Under Rule 61G15-37.001(11), Florida Administrative Code, the Florida Engineers Management Corporation is required to post all Final Orders involving active disciplinary cases to the website until the terms of the final order are completed, or until the licensee becomes inactive, retires, relinquishes the license, or permits the license to become null and void. Included in this section are the most recent cases in which final action has been taken by the Board, a brief description of the licensee's violation and discipline as well as a link to the final order. [View actions.](#)

Mark Your Calendar

We regularly update our calendar to ensure you stay up to date with the latest FBPE and FEMC events. [Check out the calendar on our website.](#)

FBPE Board Members & FEMC Directors

FBPE Board Members

Dylan Albergo, PE; Chair (2023)
Pankaj (PJ) Shah, PE; Vice Chair (2023)
Christopher Dawson, Esq.
James Gonzalez, Esq.

FEMC Directors

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Stephen Kowkabany, PE

Sam Mousa, PE

Jeb Mulock, PE

Yassi Myers, PE

John Pistorino, PE, SI

Denise Ramsey, PE

Babu Varghese, PE, SI, CGC, CCC

Vacancy

Zana Raybon; Executive Director

Art Nordlinger, PE

Dr. Mark Tumeo, PE

Vacancy

Zana Raybon; FEMC President

John Rimes, Esq.; FEMC Vice President

Rebecca Sammons; FEMC Secretary

Michele Morris; FEMC Treasurer