

## CHAPTER 61G15-35

### RESPONSIBILITY RULES OF PROFESSIONAL ENGINEERS PROVIDING THRESHOLD BUILDING INSPECTION

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#### **61G15-35.001 General Responsibility.**

*Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.015(7), 471.033, 471.045 FS. History—New 3-21-01, Amended 9-26-05, Repealed 2-13-12.*

#### **61G15-35.002 Definitions.**

*Rulemaking Authority 471.008, 471.033(2) FS. Law Implemented 471.015(7), 471.033 FS. History—New 3-21-01, Repealed 2-13-12.*

#### **61G15-35.0021 Definitions.**

As used hereinafter in this chapter, the following words or phrases shall be defined as follows. The Board does not intend for these definitions to apply to any similar wording, term, role, or description outside of Chapter 471 or 553, F.S. or the Florida Building Code Section 110.8 Threshold Building; or as such term may be used by a local Authority Having Jurisdiction in local regulations, codes, or ordinances.

(1) “Special Inspectors of Threshold buildings,” also referred to as “Threshold Inspectors,” “Special Inspectors,” or “S.I.s” are defined by Section 553.719, F.S., Threshold Inspectors can perform inspections on all threshold buildings or perform any other services authorized by Section 553.79(5)(a), F.S. Florida Building Code section 110.8 provides additional requirements to the enforcing agency, Special Inspector, and fee owner.

(2) “Special Inspectors of Threshold Buildings (Recertification and/or Milestone Inspection )” also referred to as “Threshold Inspectors (Recertification and/or Milestone Inspection) can perform inspections on existing Threshold Buildings including those requiring Repair of Substantial Structural Damage of Load Bearing Elements and/or require Substantial Structural Alteration, and/or are Dangerous and/or are Unsafe.

The terms Repair, Substantial Structural Damage, Load Bearing Elements, Dangerous, Unsafe, Alteration 1, Alteration 2, Alteration 3, Substantial Structural Alteration are as defined by the Florida Building Code, Existing Buildings.

(3) “Special Inspectors of Threshold buildings (Limited)”, also referred to as “Threshold Inspectors (Limited),” can only perform inspections on Threshold Buildings with Repair (without Substantial Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of threshold buildings. Special Inspectors (Limited) are not permitted to do inspections on new construction or

threshold buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms Repairs, Alteration 1, Alteration 2, Alteration 3, Substantial Structural Damage, and Substantial Structural Alteration are as defined in the Florida Building Code, Existing Buildings.

(4) "Threshold Building" is as defined by the Florida Building Code, Section 110.08 and in 553.71(12), F.S.

(5) "Private Provider" is as defined in Section 553.791(1)(j), F.S. Private Providers carry out duties as authorized by Section 553.791, F.S. As set forth in Chapter 553, F.S., although the roles and duties of Special Inspectors and Private Providers may appear to be similar or overlap, they are not synonymous and as specified in that chapter, are not interchangeable.

(6) Inspections requested by local Authority Having Jurisdiction in local regulations, codes, or ordinances for non-threshold buildings are not part of this chapter.

(7) All Structural Components shall mean each structural element necessary to complete the load path of the structure down to the foundation

(8) No later than **90 days prior to** December 31, 2023, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

*Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History—New 3-28-21.*

**61G15-35.003 Qualification Program for Special Inspectors of Threshold Buildings and Special Inspectors of Threshold Buildings (Limited). Threshold Inspectors of Threshold Buildings (Recertification and/or Milestone Inspection)**

(1) Special Inspectors of Threshold Buildings: The minimum qualifying criteria for Special Inspectors of Threshold Buildings, also referred to as Threshold Inspectors, established by the Board shall be as follows:

(a) Proof of current licensure in good standing as a licensed professional engineer in the State of Florida whose principal practice is structural engineering or whose principal practice is in performing structural field inspections Threshold Buildings.

(b) Licensed professional engineers whose principal practice is structural engineering shall also have three (3) years of experience in performing structural field inspections on all structural components involved in the new construction of Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of all structural components of new threshold buildings. For the purpose of these criteria, structural design and/or inspection shall mean the design and/or inspection of all structural components of the newly -constructed building and shall not be limited to specific structural components only, such as foundations, prestressed or post-tensioned concrete, etc.

(c) Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on the new construction of Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application.

(2) Special Inspectors of Existing Threshold Buildings Recertification and/or Milestone Inspection

(a) To implement Section 553.79, F.S., the Board hereby establishes the certification of Special Inspectors of existing Threshold Buildings (Recertification and/or Milestone), also referred to as "Special Inspectors (Recertification)" or "S.I. (Recertification and/or Milestone)." Any licensee holding this certification may serve as the Special Inspector/Threshold Building Inspector for any project involving the Repair of , , ,

Substantial Structural Damage of Load Bearing Elements, Substantial Structural Alteration, Alterations 1, Alterations 2, and Alterations 3 ) of an existing Threshold Building that may be Dangerous and/or Unsafe. The terms “Repairs,” “Alteration 1,” “Alteration 2,” “Alteration 3,” “Substantial Structural Damage, Load Bearing Element and “Substantial Structural Alteration, Dangerous, Unsafe” are as defined in the Florida Building Code – Existing Buildings. Licensees who wish to serve as Special Inspectors for new construction, must be certified pursuant to subsection (1), above.

(b) The minimum qualifying criteria for Threshold Inspectors (Recertification) are established by the Board as follows:

1. Three (3) years of experience in the structural design of a building frame including load paths, and load bearing components of Threshold buildings and three (3) years of experience in performing structural field inspections of Threshold Buildings and three (3) years of experience in the repair of load bearing elements on existing Threshold buildings.

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**(3) Special Inspectors of Threshold Buildings Limited**

(a) To implement Section 553.79, F.S., the Board hereby establishes the certification of Special Inspectors of Threshold Buildings (Limited), also referred to as “Special Inspectors (Limited)” or “S.I. (Limited).” Any licensee holding this certification may serve as the Special Inspector/Threshold Building Inspector for any project involving the Repair (without Substantial Structural Damage), Alterations 1, Alterations 2, and Alterations 3 (without Substantial Structural Alterations) of an existing Threshold Building. A licensee holding this certification may not serve as the Special Inspector/Threshold Building Inspector for new construction or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration. The terms “Repairs,” “Alteration 1,” “Alteration 2,” “Alteration 3,” “Substantial Structural Damage,” and “Substantial Structural Alteration” are as defined in the Florida Building Code – Existing Buildings. Licensees who wish to serve as Special Inspectors for new construction, or existing Threshold Buildings with Repairs with Substantial Structural Damage or Alterations 3 with Substantial Structural Alteration must be certified pursuant to subsection (1), above.

(b) The minimum qualifying criteria for Threshold Inspectors (Limited) are established by the Board to be as follows:

1. Three (3) years of experience in performing structural field inspections on Threshold Buildings, components thereof, or equivalent pursuant to a threshold/special inspection plan relevant to the work performed and two (2) years of experience in the structural design of repairs to components of threshold buildings. For the purpose of these criteria, examples of structural components include, but are not limited to, prestressed or post-tensioned concrete, balconies, exterior walls, etc.

2.a. Licensed professional engineers whose principal practice is structural field inspections shall have five (5) years of experience in performing structural field inspections on Threshold Buildings or equivalent pursuant to a threshold/special inspection plan relevant to the work performed; and

b. The applicant must possess each of the certifications identified in paragraph 61G15-35.004(2)(f), F.A.C., at the time of application.

**(4) Applications For Special Inspector of Threshold Buildings.**

(a) The instructions and application form for Special Inspector, Form FBPE/006 (12/19) is hereby incorporated by reference, “Application for Special Inspector Certification.” Copies of Form FBPE/006 may be obtained from the Board office or by downloading it from the internet website [www.fbpe.org/licensure/application-process](http://www.fbpe.org/licensure/application-process) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref->

11953.

(b) All applications for certification as a Special Inspector shall be submitted to the Board on Form FBPE/006.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,

2. Florida license number,

3. A list of new construction projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria has been met, including the components designed or inspected and details of the threshold/special inspection plan.

(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.

b. Credible experience. The Board will only grant experience for work on new construction projects identified pursuant to sub-subparagraph (2)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management unrelated to design or inspection of the project). Design and/or inspection work on existing threshold buildings will not be creditable towards SI certification. It may be considered for SI (Recertification) and SI (Limited) certification.

c. All experience claimed must be verified. For structural design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's structural design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering in the State of Florida, one of whom must be certified as a Special Inspector,

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform structural inspections on threshold buildings; and,

6. Completed form FBPE/006.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(5) Application for Special Inspectors of Threshold Buildings (Recertification and/or Milestone Inspection).

(a) The instructions and application form for Special Inspectors of Threshold Buildings (Recertification

and or Milestone Inspection), Form FBPE/011 (12/20) is hereby incorporated by reference, "Application for Special Inspector of Threshold Building (Recertification and or Milestone Inspection) Certification." Copies of Form FBPE/011 may be obtained from the Board office or by downloading it from the internet website [www.fbpe.org/licensure/application-process](http://www.fbpe.org/licensure/application-process) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-12822>.

(b) All applications for certification as a Special Inspector of Threshold Buildings (Recertification) shall be submitted to the Board on Form FBPE/011.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,

2. Florida license number,

3. A list of projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria have been met, including the components designed or inspected and details of the threshold/special inspection plan.

(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.

b. Creditable experience. The Board will only grant experience for work on projects identified pursuant to sub subparagraph (4)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management).

c. All experience claimed must be verified. For design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector of Threshold Buildings for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering or restoration/repair work on Threshold Buildings in the State of Florida, one of whom must be certified as a Special Inspector of Threshold Buildings.

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform inspections on components of threshold buildings; and,

6. Completed form FBPE/011.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be approved, rejected, or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall

set forth the reasons for such rejection.

**(6) Application for Special Inspectors of Threshold Buildings (Limited).**

(a) The instructions and application form for Special Inspectors of Threshold Buildings (Limited), Form FBPE/011 (12/20) is hereby incorporated by reference, "Application for Special Inspector of Threshold Building (Limited) Certification." Copies of Form FBPE/011 may be obtained from the Board office or by downloading it from the internet website [www.fbpe.org/licensure/application-process](http://www.fbpe.org/licensure/application-process) or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-12822>.

(b) All applications for certification as a Special Inspector of Threshold Buildings (Limited) shall be submitted to the Board on Form FBPE/011.

(c) Applications shall contain the following basic information pertaining to the applicant:

1. Name,
2. Florida license number,

3. A list of projects submitted for experience credit.

a. Project descriptions. For each project identified, the following shall be clearly listed:

(I) The beginning and ending experience dates,

(II) The time spent on design or inspection work, expressed as a percentage of the applicant's total work time; and,

(III) A description of work performed sufficient to clearly demonstrate that the minimum qualification criteria have been met, including the components designed or inspected and details of the threshold/special inspection plan.

**(IV) Whether the experience is claimed to be new construction or restoration/repair/alteration of existing threshold buildings.**

b. Creditable experience. The Board will only grant experience for work on projects identified pursuant to sub subparagraph (6)(c)3.a. For projects with overlapping time periods, the total amount of time claimed for all projects, including design and/or inspection activities, cannot exceed one hundred percent (100%) of the applicant's time during the period claimed. Experience is based on a forty (40) hour per week full time employment in engineering basis. No additional experience credit is allowed for overtime work in excess of 40 hours, nor is experience credit allowed during periods when the applicant was not employed full time in the practice of engineering (for example, construction management).

c. All experience claimed must be verified. For design work, experience must be verified by the Engineer of Record. If the applicant is the Engineer of Record for the project, the applicant's work must be verified by another professional engineer knowledgeable about the applicant's design work on the project, such as a colleague, supervisor, team member, etc. Field inspection experience must be verified by the Special Inspector of Threshold Buildings for the project.

4. Letters of recommendation from three registered professional engineers whose principal practice is structural engineering or restoration/repair work on Threshold Buildings in the State of Florida, one of whom must be certified as a Special Inspector of Threshold Buildings.

5. The signature, date and seal by the applicant attesting to the competency of the applicant to perform inspections on components of threshold buildings; and,

6. Completed form FBPE/011.

(d) Upon a determination that the application contains all of the information requested by these rules, review of the application shall be scheduled for consideration by the Board. Such applications may be

approved, rejected or deferred for further information by the Board. If the Board defers an application for additional information, it shall notify the applicant of the information needed. Applicants shall be notified in writing of the Board's actions as soon as practicable and, in the case of rejected applications, the Board shall set forth the reasons for such rejection.

(7) Roster of Special Inspectors of Threshold Buildings. The Board shall maintain a roster of all persons certified as Special Inspectors of Threshold Buildings, **Speical Inspectors of Threshold Buildings (Recertification and/or Milestone Inspections)** and Special Inspectors of Threshold Buildings (Limited) pursuant to the criteria established in these rules and the law. The roster shall be made available to interested parties upon request. The roster shall be updated on a continuing basis and additions or deletions to the latest published roster may be verified by contacting the Board office. As specified by Section 553.791, and Chapter 471 F.S., licensees serving as private providers need not be listed on the Board's roster of either SIs **SI (Recertification)** or SIs (Limited).

(8) Any Florida Professional Engineer certified as a Special Inspector of Threshold Buildings **(Recertification and/or Milestone Inspection)** or (Limited) may apply at any time for certification as a Special Inspector of Threshold Buildings, by following the provisions outlined in subsection (3), above. If the applicant is so certified, the Board shall cancel the Special Inspector of Threshold Buildings (Limited) or **(Recertification)** certification and update the roster to reflect the applicant is certified as a Special Inspector of Threshold Buildings.

(9) No later than December 31, 2023, the Board shall review and consider amendment, modification, or repeal of this rule if review determines this rule creates barriers to entry for private business competition, is duplicative, outdated, obsolete, overly burdensome, or imposes excessive costs.

*Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7), 553.79(5)(a) FS. History—New 4-19-01, Amended 7-7-02, 4-5-04, 11-29-04, 2-4-13, 2-28-16, 6-6-16, 6-26-17, 4-8-18, 12-27-18, 5-31-20, 4-14-21.*

#### **61G15-35.004 Common Requirements to All Engineers Providing Threshold Building Inspection Services as Special Inspectors.**

(1) For each Threshold Building, a notice shall be filed for public record, bearing the name, address, signature, date and seal of the Special Inspector, certifying that the Special Inspector is competent to provide the engineering services for the specific type of structure.

(2) Special Inspectors utilizing Authorized Representatives shall ensure the Authorized Representative is qualified by education, licensure, or training to perform the duties assigned by the Special Inspector. Effective January 1, 2017, those qualifications shall include:

- (a) Licensure as a professional engineer or architect, or
- (b) Graduation from a four-year engineering education program in civil, structural or architectural engineering, or
- (c) Possession of a professional Architecture degree, or
- (d) Registration as a building inspector or general contractor, or
- (e) Four years of Threshold Building inspection training on **non**-Threshold Buildings performed under the supervision of a Special Inspector who was in responsible charge of the trainee's work, or
- (f) Possess certification(s) in the following area(s);
  - 1. If inspecting concrete components, certification from the American Concrete Institute (ACI) in concrete construction special inspection pursuant to the qualifications of such certification established by ACI on January 1, 2017,

2. If inspecting masonry components, certification from the International Code Council (ICC) in structural masonry special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2017,

3. If inspecting post-tensioned components, certification from the Post-Tensioning Institute (PTI) in post-tensioning inspection pursuant to the qualifications for such certification established by PTI on January 1, 2017,

4. If inspecting structural steel components, certification from the International Code Council or American Institute of Steel Construction (AISC) in structural steel special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2017 or AISC on January 1, 2017,

5. If inspecting soil related components, certification from the International Code Council in basic soil special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2017.

(3) Special Inspectors shall be in responsible charge of the work of the Authorized Representative, including reviewing reports and spot checks.

(4) Special Inspectors shall institute quality assurance procedures to include but not be limited to requiring unscheduled visits, utilization or relevant check lists, use of a Daily Inspection Report and insuring that the Special Inspector or the Authorized Representative is at the project whenever so required by the inspection plan.

*Rulemaking Authority 471.008, 471.015(7) FS. Law Implemented 471.015(7) FS. History—New 3-21-01, Amended 4-5-04, 5-6-09, 2-4-13, 12-23-15, 10-18-17.*