

**Minutes for  
The Florida Board of Professional Engineers  
August 12, 2015 beginning at 1:00 p.m. or soon thereafter and  
August 13, 2015 beginning at 8:30 a.m., or soon thereafter  
The Shores Resort  
Daytona Beach Shores, Florida**

**Part I – Wednesday, August 12, 2015**

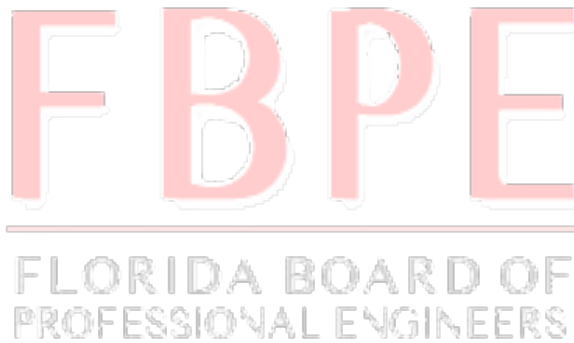
- A. Call to Order, Invocation, and Pledge of Allegiance to the Flag

Mr. Bracken called the meeting to order. Ms. Raybon called roll.

- B. Roll Call, Determination of Quorum, and Address Absences.

**Board Members Present:**

William Bracken, P.E., S.I., Chair  
Anthony Fiorillo, P.E., S.I., Vice Chair  
Roland Dove, P.E.  
Kevin Fleming, P.E.  
Warren Hahn, P.E.  
John Pepper, P.E., S.I.  
Michelle Roddenberry, Ph.D., P.E.  
Kenneth Todd, P.E.  
Babu Varghese, P.E., S.I.  
Vivian Boza, Public Member  
Elizabeth Howard, Public Member



**Attorney General's Office:**

Lawrence Harris, Assistant Attorney General, Counsel to the Board

**Staff Members Present:**

Zana Raybon, Executive Director  
John J. Rimes, III, Chief Prosecuting Attorney  
Rebecca Sammons, Assistant Executive Director

- C. Introduction of guests and announcements as to presentations at a time certain

Charlie Geer, FES  
Bill Palm, Engineer Educators  
John Burke, PE  
Jim Schock, PE, SI

Art Northlinger, IEEE  
Beth Ann Krinsky, Greenspoon Marder Law  
Veronica Rabinowitz, Greenspoon Marder Law  
Drew Hains, PE

D. FBPE Mission and Scope

#1. FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

#2. FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that governs the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

E. Approval of the Agenda

Upon motion by Mr. Todd, seconded by Mr. Fiorillo, the agenda was approved. The motion passed.

F. Approval of Consent Agenda  
(Items denoted with an asterisk are included in the Consent Agenda\*)

Upon motion by Mr. Hahn, seconded by Mr. Fiorillo, the consent agenda was approved. The motion passed.

#1. Minutes from the June 17-18, 2015 FBPE Board Meeting\*

Approved under consent agenda.

#2. Minutes from July 24, 2015 FBPE Ratification Conference Call\*

Approved under consent agenda.

Mr. Bracken introduced former board member John Burke and stated that during the June 2015 FBPE Board Meeting the Board voted to make him an Emeritus Board member. Mr. Bracken presented Mr. Burke with a plaque in honor of his service on the Board and to the engineering profession for the past 11 years.

Mr. Burke thanked the Board for their support while he was on the Board and making him an Emeritus Board member.

G. Committee Reports

#1. Probable Cause Panel **(Next Meeting: September 15, 2015 at 8:30am)**

(Anthony Fiorillo, P.E., S.I., Chair; John Pepper, P.E.; Bob Matthews, P.E.)  
(Alternate Current Board Member: Kenneth Todd, P.E.; Alternate Past Board Member: Richard Wohlfarth, P.E.)

(a) PCP Memo from July 14, 2015 Meeting\*

Approved under consent agenda.

#2. Applications Review – Experience Committee **(Next Meeting: September 15, 2015 at 1pm)**

(Warren Hahn, P.E., Chair; William Bracken, P.E.; Roland Dove, P.E.; Anthony Fiorillo, P.E.; Kevin Fleming, P.E.; John Pepper, P.E.; Kenneth Todd, P.E.; Babu Varghese, P.E.)

(a) Committee Chair's Report.

No Report.

#3. Applications Review – Education Committee **(Next Meeting: September 15, 2015 at 1pm)**

(Michelle Roddenberry, Ph.D., P.E., Chair; Anthony Fiorillo, P.E.; Kenneth Todd, P.E.) (Alternate Members: Vivian Boza, Public Member; Elizabeth Howard, Public Member)

(a) Committee Chair's Report.

No Report.

#4. Rules Committee **(Next Meeting: September 16, 2015, at 8:30am)**

(William Bracken, P.E., S.I., Chair; Roland Dove, P.E.; Anthony Fiorillo, P.E., S.I.; Warren Hahn, P.E.)

(a) Committee Chair's Report.

(b) Minutes from July 15, 2015 meeting\*

Approved under consent agenda.

(c) Discussion on SERC for Rule 61G15-18.011 – Traffic Engineering Rule

Mr. Harris reported on the SERC for the proposed Traffic Engineering Rule and stated that he is not sure it contains the information needed to go forward with the SERC and the rule.

Mr. Todd explained how he prepared the SERC and the information provided in the SERC.

Discussion followed on the SERC.

Upon motion by Mr. Dove, seconded by Dr. Roddenberry, the Board accepted the Statement of Estimated Regulatory Costs as presented in the meeting materials. The motion passed.

Upon motion by Dr. Roddenberry, seconded by Mr. Hahn, to open 61G15-18.011-Definition for development and to propose amendments to the rule with the draft language contained in the meeting materials as the proposed language, the motion passed.

Mr. Bracken asked that this proposed language be sent to our contacts via the FBPE Public Information Officer.

(d) Public Hearing on Amendments to Rule 61G15-20.005

Mr. Harris stated that when the annual review of existing rules was completed by staff this rule was marked that it could be repealed because it is unnecessary.

Upon motion by Dr. Roddenberry, seconded by Mr. Todd, to repeal Rule 61G15-20.005, the motion passed.

Mr. Harris asked if the repeal of 61G15-20.005 is likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the repeal of the rule.

Upon motion by Mr. Fiorillo, seconded by Mr. Hahn, that the repeal of the rule will not increase regulatory costs, the motion passed.

(e) Public Hearing on Amendments to Rule 61G15-21.007

Mr. Harris discussed the proposed rule amendments:

[61G15-21.007](#) Re-examination.

If an applicant fails three times to pass the examination, the applicant must take additional courses in order to reapply for examination. The applicant may either:

(1) Submit to the Board of Professional Engineers transcripts for the enrollment and completion of twelve (12) college credit hours, with grades no lower than a "C" or its equivalent, of college level courses in the applicant's area of deficiency. For applicants to take Part I of the engineer examination, such additional courses shall be undergraduate college courses in higher mathematics, basic sciences or engineering as described in paragraphs 61G15-20.007(1)(a), ~~(b)~~ and (c), F.A.C. For applicants to take Part II of the engineer examination, such additional courses shall be upper level or higher courses in engineering, as defined in paragraph 61G15-20.007(1)(c), F.A.C.; or

(2) Submit evidence of completion of one of the following board approved engineering examination review courses; ~~offered by:~~ the selected course must cover content for the examination in the engineering discipline the applicant intends to take.

- (a) Schools with an ABET approved engineering program;
- (b) Kaplan Engineering Education;
- (c) School of PE;
- (d) Testmasters Educational Services, Inc.;
- (e) SmartPros, Ltd.;
- (f) Professional Publications, Inc.; or
- (g) State and National Engineering Professional Associations approved by the Board.

~~The applicant must take a review course that covers content for the examination in the engineering discipline which the applicant intends to take.~~  
Rulemaking Authority 455.217(2), 471.008 FS. Law Implemented 455.217(2), 471.013, ~~471.015~~ FS. History—New 1-8-80, Amended 8-25-81, Formerly 21H-21.07, 21H-21.007, Amended 2-14-95, 5-22-01, 12-10-02, 2-3-05, 4-10-08, \_\_\_\_\_.

Upon motion by Dr. Roddenberry, seconded by Mr. Hahn, to approve the changes to Rule 61G15-21.007 as presented and to publish a notice of change, the motion passed.

Mr. Harris asked if the proposed rule amendments will have an adverse impact on small business or would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule.

Upon motion by Mr. Fiorillo, seconded by Mr. Todd, that the proposed rule amendments will have no adverse impact on small business nor will increase regulatory costs, the motion passed.

(f) Draft Rule 61G15-22 and Discussion on SERC for 61G15-22

Mr. Harris discussed the proposed changes to 61G15-22 and the proposed SERC that was provided in the meeting materials.

Discussion followed on the SERC.

Upon motion by Mr. Todd, seconded by Dr. Roddenberry, that a SERC for 61G15-22 is not necessary, the motion passed.

Mr. Harris stated that statute requires that proposed changes should follow the NCEES Standard and in reviewing the proposed changes to 22.003 and 22.004 we are not following the NCEES Standard and we need to take a look at this again.

Discussion followed on this.

Upon motion by Mr. Fiorillo, seconded by Mr. Hahn, to open 61G15-22 for development with the following amendments to the already board approved proposed changes to the rule:

**61G15-22.004 Conversion of Education Units to Continuing Education Hours PDH.**

(1) One (1) college or unit-semester hour credit is equal to 45 continuing education hours ~~15 PDH.~~

(2) One (1) college or unit-quarter hour credit is equal to 30 continuing education hours ~~10 PDH.~~

~~(3) One (1) continuing education unit is equal to 10 PDH.~~

(3) (4) One (1) contact hour of professional development in course work, seminars (including in-house seminars at an engineering firm), or professional or technical presentations made at meetings, conventions, or conferences is equal to 1 continuing education hour PDH or, if teaching, 2 continuing education hours PDH.

(4) For teaching of (1) through (3) above, apply a multiple of 2, if the requirements of 61G15-22.003(3) are met.

(5) Each published peer-reviewed paper, article, or book in the licensee's area of professional practice is equal to 10 continuing education hours PDH.

~~(5) Each article is equal to 2 continuing education hours.~~

(6) Each published paper or article (other than in paragraph (5) above) in the licensee's area of professional practice is equal to 5 continuing education hours.

(7) ~~(6)~~ Authoring accepted licensee examination items for NCEES is equal to 2 continuing education hours PDH.

(8) ~~(7)~~ Each patent developed using engineering principles is equal to 10 continuing education hours PDH.

(9) ~~(8)~~ Active participation in professional and technical societies as described in subsection 61G15-22.003(6), F.A.C. Each hour of participation is equal to 1 continuing education hour PDH, with a maximum credit of 2 continuing education hours per renewal period ~~2 PDH for each organization.~~

The motion passed.

Mr. Geer mentioned that according to the bill that was passed it should be 4 CE hours not 2 CE hours for active participation in professional and technical societies as described in subsection 61G15-22.003(6), F.A.C..

Discussion followed on this.

Upon motion by Dr. Roddenberry, seconded by Mr. Todd, the proposed rule was amended as follows:

**61G15-22.004 Conversion of Education Units to Continuing Education Hours PDH.**

(1) One (1) college or unit semester hour credit is equal to 45 continuing education hours ~~15 PDH.~~

(2) One (1) college or unit quarter hour credit is equal to 30 continuing education hours ~~10 PDH.~~

~~(3) One (1) continuing education unit is equal to 10 PDH.~~

(3) ~~(4)~~ One (1) contact hour of professional development in course work, seminars (including in-house seminars at an engineering firm), or professional or technical presentations made at meetings, conventions, or conferences is equal to 1 continuing education hour PDH or, if teaching, 2 continuing education hours PDH.

(4) For teaching of (1) through (3) above, apply a multiple of 2, if the requirements of 61G15-22.003(3) are met.

(5) Each published peer-reviewed paper, article, or book in the licensee's area of professional practice is equal to 10 continuing education hours PDH.

~~(5) Each article is equal to 2 continuing education hours.~~

(6) Each published paper or article (other than in paragraph (5) above) in the licensee's area of professional practice is equal to 5 continuing education hours.

~~(7)~~ ~~(6)~~ Authoring accepted licensee examination items for NCEES is equal to 2 continuing education hours PDH.

~~(8)~~ ~~(7)~~ Each patent developed using engineering principles is equal to 10 continuing education hours PDH.

~~(9)~~ ~~(8)~~ Active participation in professional and technical societies as described in subsection 61G15-22.003(6), F.A.C. Each hour of participation is equal to 1 continuing education hour PDH, with a maximum credit of 4 continuing education hours per renewal period 2 PDH for each organization.

**61G15-22.003 Qualifying Activities for Area of Practice Requirement.**

(1) Successful completion of college courses.

(2) Successful completion of ~~continuing education courses, successful completion of correspondence, televised, Internet, videotaped, and other short courses, tutorials, webinars, and distance education courses offered through delivery methods such as live, correspondence, recorded, or Internet-based,~~ or attending seminars (including in-house engineering seminars), workshops, or professional and technical presentations at meetings, conventions or conferences presented/sponsored by a provider or vendor with specific knowledge related to the licensee's area of practice approved under Rule 61G15-22.011, F.A.C.

(3) Teaching or instruction in subsection (1) or (2) above. However, teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty.

(4) Authoring published technical engineering papers, articles, or books; or accepted licensee examination items for NCEES. Continuing education credits are earned on the date of publication.

(5) Patents.

(6) Active participation in professional or technical societies. Civic or trade organizations do not qualify under this provision. Credit for this activity requires that the licensee serve as an officer of the organization or actively participate on a committee in the organization. ~~PDH~~ Continuing education hour credits are not earned until the end of each year of completed service.

The motion passed.

(g) Public Hearing on Amendments to Rule 61G15-23

Mr. Harris discussed the proposed amendments to Rule 61G15-23 and the concerns that JPAC has with the proposed amendments.

61G15-23.001 Signature, Date and Seal ~~S~~shall Be Affixed

(1) A professional engineer shall sign, date and seal:



(a) All final plans, prints, specifications, reports, or other documents prepared or issued by the licensee and being filed for public record;

(b) All final documents provided to the owner or the owner's representative;  
and

~~(c) All documents required by any public entity or any provision of contract which requires the signing, dating and sealing of additional original documents.~~

(2) Additional Final and Non-Final Documents.

(a) A professional engineer may sign, date and seal documents required by any public entity or any provision of contract which requires the signing, dating and sealing of additional original documents.

(b) A professional engineer shall not sign, date and seal any documents which are not final documents unless the professional engineer states any limitations on the use of those documents on the face of those documents by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any other suitable statement which denotes that the documents are for limited use, are not final and are not intended for permit, construction, or bidding purposes.

(3) A professional engineer may only sign, date and seal engineering plans, prints, specifications, reports or other documents if that professional engineer was in responsible charge, as that term is defined in subsection 61G15-18.011(1), F.A.C., of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document(s) in question. Professional engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and shall indicate the name and address of the agency on all documents that are required to be signed, dated and sealed.

(4) Additional Requirements for Plans or Prints, Engineering Specifications and Calculations, and Engineering Reports or Other Documents. ~~Plans and Prints:~~ When an engineer ~~must~~ signs, dates and seals any of the following types of documents ~~plans or prints~~ under the provisions of Section 471.025, F.S., and subsection (1) of this rule, the following additional information must be included:

~~(a)(2) Plans and Prints:~~ When an engineer ~~must~~ sign, date and seal plans or prints under the provisions of Section 471.025, F.S., and subsection (1) of this rule, ~~e~~ Every sheet within the plans and prints must be signed, dated and sealed by the professional engineer in responsible charge.

~~1.(a)~~ A title block shall be used on each sheet of plans or prints and shall contain the printed name, address, and license number of the engineer who has signed, dated and sealed the plans or prints.

~~2.(b)~~ If the engineer signing, dating and sealing engineering plans or prints is practicing through a duly authorized engineering business; the title block shall contain the printed name, address and certificate of authorization number of the engineering business.

~~(b)(3)~~ Engineering Specifications and Calculations: ~~When an engineer must sign, date and seal engineering specifications or calculations under the provisions of Section 471.025, F.S., and subsection (1) of this rule, a~~ An index sheet shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the engineering specifications or calculations.

~~1.(a)~~ The index sheet must be signed, dated and sealed by those professional engineers in responsible charge of the production and preparation of each section of the engineering specifications or calculations, with sufficient information on the index sheet so that the user will be aware of each portion of the specifications or calculations for which each professional engineer is responsible.

~~2.(b)~~ The index sheet shall include at a minimum:

~~a.1-~~ The printed name, address and license number of each engineer in responsible charge of the production of any portion of the calculations or specifications.

~~b.2-~~ If the engineer signing, dating and sealing calculations or specifications is practicing through a duly authorized engineering business; the printed name, address and certificate of authorization number of the engineering business.

~~c.3-~~ Identification of the project, by address or by lot number, block number, section or subdivision and city or county.

~~d.4-~~ Identification of the applicable building code and chapter(s) that the design is intended to meet.

~~e.5-~~ Identification of any computer program used for engineering the specifications or calculations.

~~(c)(4)~~ Engineering Reports or Other Documents:;

~~1. When an engineer must sign, date and seal engineering reports or other documents under the provisions of Section 471.025, F.S., and subsection (1) of this rule, a~~ A signature page or cover letter shall be used and shall be signed, dated and sealed by each professional engineer who is in responsible charge of any portion of the report with sufficient information provided so that the user will be aware of each portion for which each professional engineer is responsible.

~~2.(a)~~ If the engineer signing, dating and sealing an engineering report or other document is practicing through a duly authorized engineering business, the printed name, address and certificate of authorization number of the engineering business shall be placed on the signature page or cover letter.

~~(d)(5)~~ The date that the signature and seal is affixed as provided herein shall be entered on said plans, prints, specifications, reports or other documents immediately adjacent to the signature of the professional engineer.

~~(6)~~ Professional engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and shall indicate the name and address of the agency on all documents that are required to be signed, dated and sealed.

~~(7)~~ A professional engineer may only sign, date and seal engineering plans, prints, specifications, reports or other documents if that professional engineer was in responsible charge, as that term is defined in subsection 61G15-18.011(1), F.A.C., of the preparation and production of the engineering document and the professional engineer has the expertise in the engineering discipline used in producing the engineering document(s) in question.

~~(8)~~ A professional engineer shall not sign, date and seal any documents which are not final documents unless the professional engineer clearly notes any limitations on the use of those documents on the face of those documents by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any other suitable statement which denotes that the documents are for limited use, are not final and are not intended for permit, construction, or bidding purposes.

Rulemaking Authority 471.008, 471.025 FS. Law Implemented 471.025 FS. History—New 1-8-80, Amended 6-23-80, Formerly 21H-23.01, 21H-23.001, Amended 4-1-97, 2-5-04, 8-8-05, 11-16-09, 2-2-12,\_\_\_\_\_.

61G15-23.002 Seals Acceptable to the Board. (1) Only the following seals are authorized to be used pursuant to Section 471.025, F.S.;

(a) Wet Seals: A Wet Seal is any seal physically applied to a printed document capable of leaving a permanent ink representation or other form of opaque permanent impression on the printed document that complies with Rule 61G15-23.002(2), F.A.C.,

(b) Embossing Seals: An Embossing Seal is any seal physically applied to a printed document capable of leaving a permanent crimped representation or other form of permanent raised impression on the printed document that complies with Rule 61G15-23.002(2), F.A.C., or

(c) Digitally Created Seals: A Digitally Created Seal is any seal created as part of the document and not physically applied that is an opaque permanent representation that complies with Rule 61G15-23.002(2), F.A.C. ~~when the document is printed in its native full size.~~

(2) Wet Seals, Embossing Seals and Digitally Created Seals shall be a minimum of 1-7/8 inches in diameter and shall be of a design similar to those set forth in (a), (b) and (c) below.

(a) The seal must contain the licensee's given name, the licensee's license number immediately preceded by the designation "No", the words "PROFESSIONAL ENGINEER" and the words "STATE OF FLORIDA" similar to that depicted here:



(b) If the seal is for a temporary license it must also contain the words "TEMPORARY LICENSE" and the date that the license expires in the form of "Month - Day - Year" immediately preceded by the word "EXPIRES" similar to that depicted here:



(c) For Professional Engineers licensees who are in good standing under both Chapters 471 and 472, F.S., a seal similar to that depicted here may be used:



(d) Seals may contain an abbreviated form of the licensee's given name or a combination of initials representing the licensee's given name provided the surname listed with the Board appears on the seal and in the signature.

Rulemaking Authority 471.025, 471.033(2) FS. Law Implemented 471.025, 471.033(1)(a) FS. History—New 1-8-80, Amended 1-20-85, Formerly 21H-23.02, Amended 5-14-86, Formerly 21H-23.002, Amended 11-15-94, 8-18-98, 2-3-00, 2-22-01, 2-5-04, 1-31-08, 5-6-09, \_\_\_\_\_.

61G15-23.005 Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents.

(1) Engineering plans, specifications, reports or other documents which must be signed, dated and sealed in accordance with the provisions of Section 471.025, F.S., and Rule 61G15-23.001, F.A.C. may be signed electronically as provided herein by the professional engineer in responsible charge. As used herein, the term "electronic signature" shall have the meanings ascribed to them in Sections 668.003(2), (3) and (4), F.S.

(2) A professional engineer utilizing an electronic signature to electronically sign and seal engineering plans, specifications, reports or other documents shall:

(a) Create a "signature" file that contains the licensee's given name, the licensee's license number, a brief overall description of the engineering documents to be signed and sealed, a list of the electronic files to be signed and sealed, and the **SHA-1** authentication code or **Secure Hash Standard** for each electronic file to be signed and sealed. The **SHA-1** authentication code is described in Federal Information Processing Standard Publication ~~180-4~~ ~~180-3~~ **"Secure Hash Standard,"** ~~March 2012~~ ~~October 2008~~, which is hereby adopted and incorporated by reference by the Board and can be obtained from the Internet Website: <http://www.flrules.org/Gateway/reference.asp?No=Ref-00790>;

(b) Create a "signature" report that contains the licensee's given name, the licensee's license number, a brief overall description of the engineering

documents to be signed and sealed and the **SHA-1** authentication code of the signature file,

(c) Print and manually sign, date and seal the signature report in compliance with Rule 61G15-23.003, F.A.C.,

(d) Transmit the signed, dated and sealed signature report to the authority having jurisdiction along with the signed, dated and sealed signature file. The signature file is considered to be signed and sealed if the signature file's authentication code matches the authentication code on the manually signed, dated and sealed signature report. Each electronic file listed within the signed and sealed signature file is considered to be signed and sealed if the listed **SHA-1** authentication code in the signature file matches the electronic file's **SHA-1** authentication code.

(3) The affixing of an electronic signature to engineering plans, specifications, reports or other documents as provided herein shall constitute the signing and sealing of such items.

(a) A Digitally created seal as set forth in Rule 61G15-23.002, F.A.C. may be placed where it would appear if the item were being physically signed, dated and sealed.

(b) The date that the electronic signature is to be placed into the document must appear on the document in accordance with Rule 61G15-23.001(5), F.A.C. and where it would appear if the item were being physically signed, dated and sealed.

(c) A scanned, facsimile, digitally created or copied image of the licensee's signature shall not be used on electronically signed and sealed engineering plans, specifications, reports or other documents.

(d) The engineering plans, specifications, reports or other documents being electronically signed and sealed shall include text to indicate the following and place it where an original signature would appear if the item were being physically signed, dated and sealed:

1. The same information required by Rule 61G15-23.002(2), F.A.C. if a digitally created seal is not use,
2. The item has been electronically signed and sealed using a **SHA-1** authentication code, and
3. Printed copies of the document are not considered signed and sealed and all **SHA-1** authentication code must be verified on any electronic copies.

(e) Formatting of seals and text similar to that depicted below may be used.

1. When a digitally created seal is used:



**This item has been electronically signed and sealed by C. S. Hammatt, PE. On [DATE] using a SHA-1 authentication code.**

**Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies**

2. When a digitally created seal is not used:

**C. S. Hammatt, State of Florida, Professional Engineer, License No. X**

**This item has been electronically signed and sealed by C. S. Hammatt, PE. On [DATE] using a SHA-1 authentication code.**

**Printed copies of this document are not considered signed and sealed and the SHA-1 authentication code must be verified on any electronic copies**

Rulemaking Authority 471.025(1), 471.033(2), 471.008, FS. Law Implemented 471.025471.033(1)(d), 668.006 FS. History—New\_\_\_\_\_.

Upon motion by Mr. Todd, seconded by Mr. Pepper, to approve the proposed changes to Rule 61G15-23 as presented and to publish a notice of change for this rule, the motion passed.

Mr. Harris asked if the proposed rule amendments will have an adverse impact on small business or would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule.

Upon motion by Mr. Todd, seconded by Mr. Pepper, that the proposed rule amendments will have no adverse impact on small business and will not increase regulatory costs, the motion passed.

(h) Public Hearing on Amendments to Rule 61G15-31.006

Mr. Harris stated that this issue was before the July 2015 FBPE Rules Committee and the committee stated that the committee would like to refer this to the Structural Rules Committee for their review and input.

(i) Public Hearing on Amendments to Rule 61G15-35.004

Mr. Harris discussed the proposed changes to Rule 61G15-35.004 and the concerns from JAPC.

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

(1) No change.

(2) Special Inspectors utilizing Authorized Representatives shall ~~ensure~~ insure the Authorized Representative is qualified by education, ~~or licensure~~ , ~~experience, and or~~ training to perform the duties assigned by the Special Inspector. ~~and shall maintain responsible supervisory control over the representative pursuant to subsection 61G15-18.011(1) F.A.C. The qualifications shall include: Authorized Representative shall have a minimum of two (2) years of relevant experience under the direct supervision of a Special Inspector.~~

(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) Graduation from a four-year architectural education program; 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 in the following area(s):

1. Prior to inspection of concrete components, certification from the American Concrete Institute (ACI) in ~~advanced~~ concrete construction special inspection pursuant to the qualifications for such certification established by ACI on January 1, 2013;

2. Prior to inspection of masonry components, certification from the International Code Council (ICC) in ~~advanced~~ structural masonry special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013;

3. Prior to inspection of post tensioned components, certification from the Post-Tensioning Institute (PTI) in ~~advanced~~ post-tensioning inspection pursuant to the qualifications for such certification established by PTI on January 1, 2013;

4. Prior to inspection of structural steel components, certification from the International Code Council or American Institute of Steel Construction (AISC) in ~~basic~~ structural steel special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013 or AISC on January 1, 2013;



5. Prior to inspection of soil related components, certification from the International Code Council in basic soils special inspection pursuant to the qualifications for such certification established by ICC on January 1, 2013.

(3) through (4) No change.

Upon motion by Mr. Todd, seconded by Mr. Pepper, to accept the changes to Rule 61G15-35.004 as presented and publish a notice of change for Rule 61G15-35.004, the motion passed.

Mr. Harris asked if the proposed rule changes to Rule 61G15-35.004 will have an adverse impact on small business or would be likely to directly or indirectly increase regulatory costs to any entity (including government) in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule.

Upon motion by Mr. Fiorillo, seconded by Mr. Dove, that the proposed rule changes to 61G15-35.004 amendments will have no adverse impact on small business and will not increase regulatory costs, the motion passed.

(j) Proposed Rule Amendments to Rule 61G15-20.0010 – Revisions to PE Application

Mr. Harris stated that revisions to the Principles and Practice Application was in the meeting packet for review.

Discussion followed on the proposed new application.

Mr. Bracken asked the Board members to submit any changes to staff so the changes can be included in the application and then the application will be brought back to the Board in October.

#### #5. Education Rules Committee

(Michelle Roddenberry, Ph.D., P.E., Chair; Anthony Fiorillo, P.E.; Kenneth Todd, P.E.; Vivian Boza, Public Member; Elizabeth Howard, Public Member)

(a) Committee Chair's Report.

No report.

#### #6. Joint Engineer/Architect Committee

(William Bracken, P.E., S.I., Chair; Warren Hahn, P.E.; John Pepper, P.E., S.I.)

(a) Committee Chair's Report.

Ms. Sammons stated that she is working the Architect Board staff to set a date for a task force committee meeting and the tentative date that has been established is November 18 in Tallahassee. Ms. Sammons also mentioned that the Architect Board would also like to have another joint meeting with both boards in 2016.

#7. Practicing Engineer Committee

(Michelle Roddenberry, Ph.D., P.E., Chair; Kevin Fleming, P.E.; John Pepper, P.E., S.I.; Kenneth Todd, P.E.; Babu Varghese, P.E., S.I.)

(a) Committee Chair's Report.

No report.

H. NCEES

(William Bracken, P.E., FBPE Liaison)

#1. 2015 NCEES Southern Zone Candidates at NCEES Annual Meeting

Provided for informational purposes.

#2. Request from Surveyors and Mappers Board to Support the Future Surveying Taskforce at the 2015 NCEES Annual Meeting

Ms. Raybon stated that in the past we have worked with the Surveyors Board at the Annual Meeting on issues and that we should support their request.

#3. Motions being presented at the 2015 NCEES Annual Meeting

- a. Request for support of ACCA Motion #1 by Structural Engineers Licensure Coalition
- b. Request to support ACCA Motion #1 by NCSEA

Mr. Bracken stated that this motion follows what Florida engineers tried to do during the 2015 Legislative Session. Mr. Bracken asked for the Board's input/thoughts on this issue. Mr. Bracken stated that FBPE will vote down this motion.

Dr. Roddenberry discussed the B+30 issues and that this was moved to a position statement, that it is not in Model Law and it is now a motion at the Annual Meeting. Discussion followed on this.

The board decided to vote against the position statement on the B+30 issues.

#4. Agenda for Southern Zone meeting at NCEES Annual Meeting

Provided for informational purposes.

I. Advisory Attorney's Report

#1. 2015 Regulatory Plan

Mr. Harris discussed the requirement for the 2015 Regulatory Plan and that the plan is required to be completed and submitted by October 1, 2015. Mr. Harris stated that there is some concern about what is required for this plan and how to submit it and that he would like the Board to authorize the chair to approve the plan and then the plan will be brought back to the Board at the October Board meeting.

Upon motion by Dr. Roddenberry, seconded by Mr. Pepper, to delegate to the chair the authority to review and approve 2015 Regulatory Plan as required, the motion passed.

#2. Rules Report

**BOARD OF PROFESSIONAL ENGINEERS  
RULES REPORT – AUGUST 2015**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
61G15-18.011	Definitions (“Marine Engineers”)	04/08/15	06/11/15	06/19/15			
61G15-18.011	Definitions (Traffic Engineering”)	02/11/15			Awaiting SERC to be prepared and considered by Board		
61G15-20.001	Definitions	06/17/15	07/01/15	07/14/15			
61G15-20.0010	Application for licensure by Examination		03/04/15	03/10/15	06/19/15 06/26/15 JAPC letter rec'd 07/15/15 Considered by Rules Committee <b>07/17/15 TOLLED</b>		
61G15-20.0015	Application for licensure by Endorsement		03/04/15	03/10/15	03/27/15	06/17/15	07/07/15

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
61G15-20.0015	Application for Licensure by Endorsement	06/17/15	07/01/15	07/14/15	06/26/15 JAPC letter rec'd 07/15/15 Considered by Rules Committee		
61G15-20.002	Experience	06/17/15	07/01/15	07/14/15			
61G15-20.007	Educational Requirements for Applicants without EAC/ABET Accredited Engineering Degrees	06/17/15	07/01/15	07/14/15			
61G15-21.004	Passing Grade	06/17/15	07/01/15	07/14/15			
61G15-21.007	Re-examination		05/20/15	05/28/15	06/12/15 06/17/15 JAPC letter rec'd. 06/24/15 JAPC response sent 07/15/15 Considered by Rules Committee		
61G15-22.0001	Renewal of Active Licenses	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.0002	Renewal of Inactive Licenses	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.0003	Exemption from Renewal Requirements for Spouses Of Members of the Armed Forces of the United States	06/17/15	06/22/15	06/30/15	No language		
61G15-22.001	Continuing Education Requirements	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.002	Definitions	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.003	Qualifying Activities for Area Of Practice Requirement	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.004	Conversion of Education Units To PDH	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.005	Non-Qualifying Activities	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
61G15-22.006	Demonstrating Compliance	06/17/15	06/22/15	06/30/15	No language		
61G15-22.008	Record Keeping	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.009	Exemptions	06/17/15	06/22/15	06/30/15	No language		
61G15-22.010	Qualifying Activities for Laws And Rules Requirements	06/17/15	06/22/15	06/30/15	No language		
61G15-22.0105	Approval of Continuing Education Courses in Laws and Rules	06/17/15	06/22/15	07/08/15	07/24/15		
61G15-22.011	Board Approval of Continuing Education Providers	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.012	Obligations of Continuing Education Providers	06/17/15	06/22/15	06/30/15	08/12/15 SERC to be considered		
61G15-22.013	Evaluation of Providers	06/17/15	06/22/15	06/30/15	No language		
61G15-22.014	Duration of Providers Status	06/17/15	06/22/15	06/30/15	No language		
61G15-23.001	Signature, Date and Seal Shall be Affixed Seals Acceptable to the Board	05/20/15	05/28/15	06/16/15	06/23/15 JAPC letter rec'd. 06/29/15 JAPC response sent 07/15/15 Considered by Rules Committee		
61G15-23.002	Seals Acceptable to the Board Seal, Signature and Date Shall Be Affixed	05/20/15	05/28/15	06/16/15	06/23/15 JAPC letter rec'd. 06/29/15 JAPC response sent 07/15/15 Considered by Rules Committee		
61G15-23.003	Procedures for Physically Signing and Sealing Plans, Specifications, Reports or Other Documents Electronically Transmitted Plans, Specifications, Reports or Other Documents	05/20/15	05/28/15	06/16/15	06/23/15 JAPC letter rec'd. 06/29/15 JAPC response sent 07/15/15 Considered by Rules Committee		

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
61G15-23.004	Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents	05/20/15	05/28/15	06/16/15	06/23/15 JAPC letter rec'd. 06/29/15 JAPC response sent 07/15/15 Considered by Rules Committee		
61G15-23.005	Procedures for Electronically Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents	05/20/15	05/28/15	06/16/15	06/23/15 JAPC letter rec'd. 06/29/15 JAPC response sent 07/15/15 Considered by Rules Committee		
61G15-31.006	Design of Structural Systems Utilizing Joist /Girders		03/04/15	03/10/15	03/27/15 <b>06/03/15 TOLLED</b> 07/15/15 Considered by Rules Committee		
61G15-32.004	Design of Water Based Fire Protection Systems		03/17/15		03/18/15	05/26/15	06/15/15
61G15-35.003	Qualification Program for Special Inspectors of Threshold Buildings	12/03/14	06/11/15	06/19/15	07/08/15 07/20/15 JAPC letter rec'd. 07/23/15 JAPC response sent		
61G15-35.004	Common Requirement to All Engineers Providing Threshold Building Inspections		05/05/15	05/14/15	06/01/15 <b>06/05/15 TOLLED</b> 06/05/15 JAPC letter rec'd. 06/11/15 JAPC response sent 07/15/15 Considered by Rules Committee		

J. Executive Director's Report

#1. Application for Retired Status\*

Approved under consent agenda.

#2. Certification for Contract with DBPR

Provided for informational purposes.

#3. 2015 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

#4. Proposed 2016 FBPE/FEMC Meeting Calendar

Provided for informational purposes.

K. Chief Prosecutor's Report

#1. 300 day report

Provided for informational purposes.

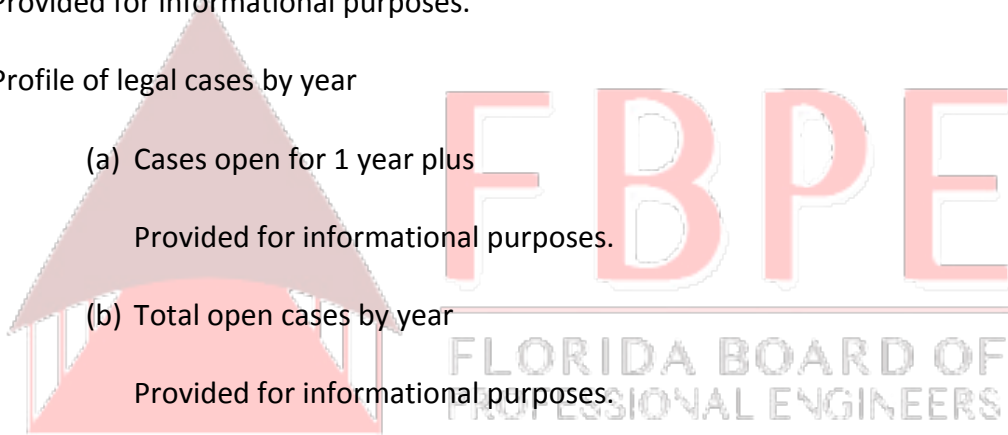
#2. Profile of legal cases by year

(a) Cases open for 1 year plus

Provided for informational purposes.

(b) Total open cases by year

Provided for informational purposes.



L. Engineering Association and Society Reports

#1. FSEA

#2. FES

M. Chair's Report

#1. FBPE Goals & Objectives

Provided for informational purposes.

#2. FBPE Committee Listing

Mr. Bracken discussed the list of committees

Mr. Bracken formed a Marine Engineer Rule Committee and appointed Mr. Varghese as chair; as well as Ms. Howard and Mr. Dove to the committee. He also requested that Mr. Hains be included on the committee as a public advisor.

Mr. Bracken formed a Structural Rules Committee and appointed Mr. Fleming as the chair and Mr. Pepper to the committee also.

#### N. Action Items from Previous Board Meetings

- #1. Email from Mr. Randall Howard, P.E. – Re: Potential violations of legal and ethical guidelines for engineers - Mr. Pepper to write article for newsletter
- #2. Email from Mohamed Adham – Re: Foreign Experience & References – will be addressed in the Practicing Engineer subcommittee
- #3. Email from Brett Newkirk – RE: Non-SI EOR acting as an SI – Mr. Bracken will write a newsletter article about this issue
- #4. Email from Mr. Nick Georgalis, P.E. – Re: Rule 61G15-35.003 – Referred to the Rules Committee
- #5. Email from Ms. Desiree Perazzo, P.E. – Re: Question regarding Delegated Engineer for Post Tension – Referred to the Rules Committee

#### O. Correspondence to the Board

- #1. Email from Mr. Samuel Baggett, P.E. – Re: Credit for Pro-Bono work on PE Applicants

Mr. Baggett addressed the Board about allowing individuals who are unlicensed but are interested in becoming licensed to allow them again experience using pro-bono work.

Discussion followed on this.

- #2. Email from Mr. Edward Kant, P.E. – Re: Conduct Challenges faced by Engineers

Mr. Bracken stated that the Board received an email from an engineer about an article that appeared in the last newsletter about this issue and this email asked what the ethical and professional responsibility of an engineer is to report a public safety threat if they are not employed by the entity observed to be in violation of the public safety issue.

Discussion followed on this issue.



Mr. Bracken asked for staff to provide input on a second article for the newsletter to address this question.

#3. Email from Mr. Todd Roth – Re: ARC Flash Analysis/Studies in Florida performed for third parties

Mr. Burke gave a brief description of ARC Flash Analysis and stated that these documents should be signed and sealed.

Discussion followed on this.

Mr. Fleming stated that he would draft a response for staff to send to Mr. Roth.

**Part II**  
**Informal Hearing Agenda**  
**(Thursday, August 13, 2015)**

**Review of FBPE Mission and Scope:**

FBPE's Mission: To protect the health and safety of the public by properly regulating the practice of engineering within the State of Florida.

FBPE's Scope: To meet its statutory obligation and exercise its legislative authority by reviewing and approving engineering applications; managing, updating and enforcing the rules that governs the practice of engineering and to guard against the unlicensed practice of engineering within the State of Florida.

P. Ratification of Actions from Application Review, August 12, 2015

Mr. Fleming stated that on the list under Juan Jimenez the reason for denial should be lacking engineering experience.

Mr. Bracken stated on the CE Provider list under SunCam that the approval was for the Laws and Rules course only and more information was requested on the Ethics course.

Upon motion by Mr. Hahn, seconded by Mr. Fiorillo, the ratification list is approved as amended with the changes about Jimenez and Suncam. The motion passed.

Q. Informal Hearing on Denial of Application for Licensure by Endorsement

#1. Mo Kateeb

Mr. Kateeb was present and sworn in prior to addressing the Board.

Mr. Harris outlined the basis of the denial of Mr. Kateeb's application. Mr. Kateeb holds a BS Civil Engineering from Beirut Arab University and a MS in Civil Engineering from University of Texas. The denial of the application is education. Mr. Kateeb lacks Probability & Statistics course.

Mr. Kateeb addressed the Board.

Dr. Roddenberry discussed the proposed changes educational requirements and that now a probability and statistics course will not no longer be required.

Upon motion Dr. Roddenberry, seconded by Mr. Pepper, to vacate the notice of denial and grant his application based on the proposed changes to the educational requirements that do not require a probability and statistics course, the motion passed.

## #2. Stephen Goan

Mr. Goan was present and sworn in prior to addressing the Board.

Mr. Harris outlined the basis of the denial of Mr. Goan's application. Mr. Goan holds an AA Civil Engineering Technology from University of Maine. The denial of the application is education. Mr. Goan has a Technology degree.

Mr. Goan addressed the Board.

Discussion followed.

Mr. Goan withdrew his application.

## #3. Joseph McHugh

Mr. McHugh was present along with Mr. Ed Bayo, Esq. and Mr. Jeffery Smith, Esq.

Mr. McHugh was sworn in prior to addressing the Board.

Mr. Harris outlined the basis for denial of Mr. McHugh's application. Mr. McHugh holds a BS Civil Engineering Technology from Farleigh University. The denial of the application is education. Mr. McHugh has a Technology degree.

Mr. Smith addressed the Board.

Mr. McHugh addressed the Board.

Mr. Bayo addressed the Board.

Upon motion by Dr. Roddenberry, seconded by Mr. Hahn, the application of Mr. McHugh was approved. The motion passed.

R. Board Appearance on Application for Licensure by Endorsement

#1. Roy Carubba

Mr. Carubba as present and sworn prior to addressing the Board.

Mr. Harris explained that Mr. Carubba was asked to appear so that he could explain his past disciplinary action against his license in Louisiana.

Mr. Carubba addressed the Board.

Discussion followed.

Upon motion by Mr. Pepper, seconded by Mr. Todd, the application for Mr. Carubba was approved. The motion passed.

S. Board Appearance on Application for Principles and Practice Examination

#1. Rossana Rivero

Ms. Rivero as present and sworn prior to addressing the Board.

Mr. Harris explained that Ms. Rivero was asked to appear so that she could explain her experience.

Ms. Rivero addressed the Board.

Discussion followed.

Upon motion by Mr. Pepper, seconded by Mr. Hahn, the application for Ms. Rivero was approved. The motion passed.

#2. Francisco Agudo

Mr. Agudo was sworn in prior to addressing the Board.

Mr. Harris explained that Mr. Agudo was asked to appear so that he could explain his experience.

Mr. Agudo addressed the Board.

Discussion followed.

Upon motion by Mr. Fleming, seconded by Mr. Hahn, the application for Mr. Agudo was approved. The motion passed.

T. Petition for Waiver and Variance

#1. Pedram Zohrevan

Dr. Zohrevan was present and sworn in prior to addressing the Board.

Mr. Harris stated that Dr. Zohrevan was before the board on a petition for waiver and variance of Rule 61G15-20.007 and the denial of his application based on his educational deficiencies. Dr. Zohrevan received his Ph.D. in Civil Engineering from Florida International University and has a Master's from Iran University of Science and Technology and Bachelor's from Isfahan University of Technology and he passed the FE exam in 2012 and received his PE license from California in 2013. He lacks general chemistry or biology under the new education rules (college prep courses are not eligible for consideration). Under the old rules, he lacks general chemistry and 7 hrs M&BS.

Dr. Zohrevan addressed the Board.

Dr. Roddenberry discussed the proposed changes to the educational requirements for licensure.

Upon motion by Dr. Roddenberry, seconded by Mr. Todd, to grant the petition of Dr. Zohrevan, the motion passed.

Upon motion by Dr. Roddenberry, seconded by Mr. Todd, the application of Dr. Zohrevan was approved. The motion passed.

**Part III**  
**Disciplinary Hearings**  
**(Thursday, August 13, 2015)**

U. Favorable Projects Reviews Determination and Closure of File

#1. JULIO BANKS, P.E.  
PE Number: 46544  
FEMC Case Number: 2013042242

Probable Cause Panel Date: November 12, 2013  
Probable Cause Panel: Fiorillo, Roddenberry, and Matthews  
Represented by: Attorney Diane S. Perera, Lawyer

Mr. Banks was present and sworn in prior to addressing the Board.

Mr. Rimes outlined the facts of the case. Mr. Rimes stated that the case was before the Board because Mr. Banks has completed all the requirements of the final order with a favorable projects review and the case is before the Board to close the file.

Mr. Banks addressed the Board.

Upon motion by Mr. Hahn, seconded by Mr. Todd, to accept the favorable projects review and close the file, the motion passed.

V. Old Business

W. New Business

Dr. Roddenberry discussed the laws and rules study guide test that applicants take and how it is updated.

Discussion followed on this.

Ms. Raybon stated that she can set it up so each Board member can take the study guide test if they wish to do so. The Board members need to let her know if they would like to do that.

X. Public Forum

Y. Adjourn

**Next Board Meeting: October 7-8, 2015**

**The Shores Resort & Spa**

**2637 S. Atlantic Ave., Daytona Beach Shores, FL**