

**Minutes for
The Florida Board of Professional Engineers
Emergency Rule Hearing via conference call
April 14, 2020 beginning at Noon
FBPE Board Office
Tallahassee, Florida**

Tuesday, April 14, 2020

A. Call to Order, Invocation

Mr. Varghese called the meeting to order. Ms. Sammons called roll.

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

Board Members Present:

Babu Varghese, P.E., S.I., Chair
Kevin Fleming, P.E., Vice Chair
Dylan Albergo, P.E.
Scott Drury, P.E.
Pankaj (PJ) Shah, P.E.

Attorney General's Office:

Lawrence Harris, Senior 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

Edwin Bayo
Cassandra Fullove, Office of the Attorney General
Samantha Hobbs, FES
Sharon (can't understand her last name)

D. Emergency Rule Hearing on Printed Copies of Digitally or Electronically Signed and Sealed Plans Considered Valid

Mr. Harris explained the proposed emergency rule and how the rule will work in terms of timing.

61G15ER- Printed Copies of Digitally or Electronically Signed and Sealed Plans Considered Valid. During the effective period of this rule, comprising ninety (90) days from the effective date, the restriction contained in Rules 61G15-23.004(3)(c)3. and 61G15-23.005(4)(c)3., F.A.C., that printed copies of digitally or electronically signed and sealed plans or documents is removed, and printed copies of said plans or documents are deemed validly signed and sealed for any purpose allowed by law. After the expiration of this emergency rule, the restriction is re-imposed. Any licensee seeking to use printed copies of digitally or electronically signed and sealed plans or documents must retain an original copy of the signed and sealed plans. In addition, a copy of this rule text must be attached to or included with the plans or documents.
Rulemaking Authority: 471.008, 471.025, 471.033(2), FS. Law Implemented:471.025, 471.033(1)(a), (e), (j), 668.003, 668.006, FS. History—New.

Mr. Drury stated that the on draft text of the emergency rule, the rule number is wrong. Mr. Harris stated that it will be corrected before final filing with the Department of State.

Discussion followed on the draft language. Mr. Harris stated that for an emergency rule there needs to be an immediate danger to the public. It was decided that in an effort to reduce the spreading of COVID-19 and to comply the governor's executive order, the emergency rule is justified.

Discussion followed on the timing of the rule and should it be made retroactive. Mr. Harris stated that it can't be made retroactive and it is only good for 90 days from the date of filing.

Discussion followed on the proposed rule, specifically the last sentence.

Upon motion by Mr. Fleming, seconded by Mr. Albergo to approve the following emergency rule language, the motion passed:

61G15ER- Printed Copies of Digitally or Electronically Signed and Sealed Plans Considered Valid. During the effective period of this rule, comprising ninety (90) days from the effective date, the restriction contained in Rules 61G15-23.004(3)(c)3. and 61G15-23.005(4)(c)3., F.A.C., that printed copies of digitally or electronically signed and sealed plans or documents is removed, and printed copies of said plans or documents are deemed validly signed and sealed for any purpose allowed by law. After the expiration of this emergency rule, the restriction is re-imposed. Any licensee seeking to use printed copies of digitally or electronically signed and sealed plans or documents must retain an original copy of the signed and sealed plans.
Rulemaking Authority: 471.008, 471.025, 471.033(2), FS. Law Implemented:471.025, 471.033(1)(a), (e), (j), 668.003, 668.006, FS. History—New.

Staff was asked to send a notice to all building officials about the emergency rule.

E. Adjourn

