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Engineering Laws, Rules and Ethics for Florida Professional Engineers

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Chapter 1

Overview of the Florida Laws and Rules

The practice of engineering in the State of Florida is ultimately regulated by the Florida Laws and Rules stipulated in the Florida Statutes, Chapters 455 and 471, as well as the Florida Administrative Code, 61G15.

Florida Statutes (F.S.)

The Florida Statutes are a permanent collection of state laws organized by subject area into a code made up of titles, chapters, parts, and sections. The Florida Statutes are updated annually by laws that create, amend, or repeal statutory material.

The Florida Legislature found that it was necessary in the interest of public health and safety to regulate the practice of engineering in the State of Florida and thus created Chapter 471, F.S., "Engineering". Under this law the Florida Board of Professional Engineers is responsible for reviewing applications, administering examinations, licensing qualified applicants, and regulating the practice of engineering throughout the state.

While Chapter 471 is specific to the field of engineering, Chapter 455 is broader in nature and encompasses all business and professional regulations in general. As such, only pertinent sections of Chapter 455, F.S., apply to the engineering community.

Florida Administrative Code (F.A.C.)

The Florida Administrative Code is a compilation of the rules and regulations of the Florida regulatory agencies. Its counterpart in the federal system is the *Code of Federal Regulations*. It is organized by titles with each title number representing a department, commission, board or other agency. The set has a single comprehensive index volume. The spines of the volumes indicate which titles are included.

The F.A.C. states the rule followed by statutory authority, implementation, and a history of the rule. The set is annotated with decisions of the Federal courts, State appellate courts, State Attorney General opinions, final and recommended orders of the Division of Administrative Hearings and final agency orders construing the rules. Citations for the Florida Bar Journal and the law reviews of Florida State, the University of Florida, the University of Miami, as well as Stetson and Nova. At the end of each rule in the F.A.C., a history note is in the italicized text which begins with the words "Specific Authority". The history note indicates when the rule has been modified, renumbered, or repealed. The F.A.C is updated each month.

Study Question 1:

List the regulations that govern the practice of engineering in the State of Florida.

Similarly, Section 61G15 of the F.A.C. pertains exclusively to the Florida Board of Professional Engineers and its functions with respect to the practice of engineering.

Florida Board of Professional Engineers (FBPE)

The FBPE is the primary government body that regulates the practice of engineering within the State of Florida. The Board has authority to adopt rules pursuant to the provisions of Chapter 120.536(1) and 120.54 to implement provisions of Chapter 471, F.S., or Chapter 455, F.S., conferring duties upon it. The FBPE has the authority to issue the final order including the imposition of disciplinary penalties.

The Board consists of 11 members: nine licensed engineers and two laypersons who are not and have never been engineers or members of any closely related profession or occupation. A member of the Board who is a licensed engineer must be selected and appointed based on his or her qualifications to provide expertise and experience to the Board at all times in civil engineering, structural engineering, electrical or electronic engineering, mechanical engineering, or engineering education.

All 11 members are appointed by the Governor for terms of 4 years each. When the terms of members serving as of July 1, 2014, expire, the terms of their immediate successors shall be staggered so that three members are appointed for 2 years, four members are appointed for 3 years, and four members are appointed for 4 years, as determined by the Governor. Each member shall hold office until the expiration of his or her appointed term or until a successor has been appointed.

Florida Engineers Management Corporation (FEMC)

The FEMC is a non-profit, single purpose corporation that operates through a contract with the Department of Business and Professional Regulation. The FEMC Board of Directors is composed of seven members. Five members are appointed by the Florida Board of Professional Engineers and must be Florida registrants. Two members are appointed by the Secretary of the Department of Business and Professional Regulation and must be laypersons not regulated by the Board.

Study Question 2:

Who is the FEMC and what are its functions?

Administrative, investigative and prosecutorial services are provided to the Florida Board of Professional Engineers by the Florida Engineers Management Corporation under Section 471.038, F.S.

Chapter 2

Rules Affected in the F.A.C. 61G15 in the Preceding Biennium

The following rules have been amended, adopted or repealed from the Florida Administrative Code, 61G15 in the preceding biennium.

Chapter 61G15-19 – GROUNDS FOR DISCIPLINARY PROCEEDINGS

61G15-20.0010 Application for Licensure as Professional Engineer

- (1) Any person desiring licensure as a professional engineer in Florida shall submit an application to the Board. The instructions and application Form FBPE/002 (02/24), entitled, "Application for Licensure as Professional Engineer," is hereby incorporated by reference, copies of which may be obtained from the Board office at 2400 Mahan Drive, Tallahassee, Florida 32308; from the Board's website at <http://www.fbpe.org/licensure/licensureprocess/professional-engineers/> or at <https://www.flrules.org/Gateway/reference.asp?No=R ef16718>.

The Board shall certify as eligible for licensure only those applicants who have completed the application form, remitted the application and examination fee(s) required by Chapter 61G15-24, F.A.C., and who have demonstrated to the Board that they:

- (a) Are graduates of a "Board approved engineering program" as required by Section 471.013(1)(a), F.S. and defined by subsection 61G15-20.001(2), F.A.C.;
 - (b) Have the requisite number of years of acceptable engineering experience as required by Section 471.015(2), F.S., and defined by Rule 61G15-20.002, F.A.C.;
 - (c) Have passed the examinations required by Sections 471.013(1)(b) and (c), F.S. and as defined by Rule 61G15-21.001, F.A.C.; and
 - (d) Have passed the Laws and Rules Study Guide and Questionnaire as required by Rule 61G15-20.0016, F.A.C.
- (2) through (5) No change.
(6) removed

Effective 04/20/2025:

Newer application form (02/24) now required, Board moved from North Nonroe Street to Mahan Drive, removed subsection 6, and added 455.213(1) and 471.038(3)(b) FS to Rulemaking Authority.

CHAPTER 61G15-22 LICENSE RENEWAL, CONTINUING EDUCATION

61G15-22.0105 Approval of Continuing Education Courses in Laws and Rules

(1) Each course provider approved by the Board to conduct courses in Florida Laws and Rules must meet the requirements of Rule 61G15-22.011, F.A.C., and shall submit an application for approval of a continuing education course in Laws and Rules.

(2) Applications for approval of Florida Laws and Rules courses shall be made on Form FBPE/008, Application for Approval of Laws and Rules Continuing Education Course (Revised 12/24), which is incorporated by reference herein and may be obtained from www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-17971>.

(3) All applications shall be submitted on the applicable course approval application identified above and shall include the following:

- (a) Course materials, including the course syllabus and a detailed outline of the contents of the course;
- (b) The total number of classroom or interactive distance learning continuing education hours;
- (c) Required course content shall include
 - 1. Changes to Chapters 455 and 471, F.S., and rules adopted, amended or repealed during the immediately preceding biennium;
 - 2. A list of resources used to develop the course content.

(4) Optional course content. In addition to the content required by paragraph (3)(c), above, course content may also include:

- (a) Application of the provisions of Chapter 471, F.S., to individual disciplinary cases and unlicensed practice cases during the immediately preceding biennium.
- (b) The laws and rules of the Board pertaining to signing and sealing, responsibility rules, certification and responsible charge.

(5) Continuing education course approval is valid for the biennium during which it was approved, provided no substantial change is made in the course and the approval status of the provider has not expired or been suspended or revoked. Substantial changes made in any course will require a new approval of that course. A provider must reapply for course approval ninety (90) days prior to the date of the end of the biennium, which would be the expiration of course approval in order to prevent a lapse in course approval.

(6) If a course is approved, the board shall assign the course a number. The course provider shall use the course number in the course syllabus, in all other course materials used in connection with the course and in all written advertising materials used in connection with the course.

Effective 04/15/2025:

Ethics courses are no longer included in this rule, only Laws and Rules courses, and required course content is now clearly separated from optional content.

Study Question 3:

What must be included when applying for approval of a Florida Laws and Rules continuing education course under Rule 61G15-22.0105?

61G15-22.011 Board Approval of Continuing Education Providers

(1) through (2) No change.

(3) To allow the Board to evaluate an application for continuing education provider status, the applicant must submit the following:

(a) A completed Application For Continuing Education Provider, Form FBPE/007 (Revised 12/24), incorporated by reference herein, which may be obtained from www.fbpe.org/licensure/application-process or at <https://www.flrules.org/Gateway/reference.asp?No=Ref-17972>.

(b) The name, address and telephone number of the prospective provider; and,

(c) Proof of registration as continuing education provider with ACEC or IACET, or if the applicant is not registered as a continuing education provider with ACEC or IACET, the applicant must submit the following:

1. A description of the type of courses or seminars the provider expects to conduct for credit;
2. A description of the staffing capability of the applicant;
3. A sample of intended course materials;
4. A list of anticipated locations to conduct the courses;
5. A complete course curriculum for each course the applicant intends to offer;
6. A description of the means the applicant will use to update the course in response to rule or law changes;

(4) through (9) No change.

(10) removed.

Effective 04/17/2025:

Subsection 10 deleted meaning the rule was finalized, and the Board updated the application form, and the new rulemaking authority is updated to 455.213(7)

CHAPTER 61G15-23 SEALS

61G15-23.004 Procedures for Digitally Signing and Sealing Electronically Transmitted Plans, Specifications, Reports or Other Documents

(1) through (2) No change.

(3) The affixing of a digital 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 digital signature was placed into the document must appear on the document in accordance with subsection 61G15-23.001(4),

Effective 04/21/2025:

Deleted the rule allowing printed copies to be valid without electronic verification, and Simplification of required text.

F.A.C., and where it would appear if the item were being physically signed, dated and sealed.

(c) The engineering plans, specifications, reports or other documents being digitally 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 subsection 61G15-23.002(2), F.A.C., if a digitally created image of the seal is not used; and

2. The item has been digitally signed and sealed.

(d) Formatting of seals and text similar to that depicted below shall be used. While the formatting may be altered, the text must remain identical.

1. When a digitally created seal is used:

This item has been digitally signed and sealed by [NAME] on the date adjacent to the seal.

Signature must be verified on any electronic copies.

2. When a digitally created seal is not used:

[NAME], State of Florida, Professional Engineer, License No. [NUMBER]

This item has been digitally signed and sealed by [NAME] on the date indicated here.

Signature must be verified on any electronic copies.

(e) through (f) No change.

(g) removed.

Study Question 4:

What must be included on engineering documents that are digitally signed and sealed under Rule 61G15-23.004?

Chapter 3

Changes to F.S. Chapters 455 and 471 in the Preceding Biennium

The following sections of Chapter 455 and 471, F.S. were modified in the preceding biennium.

455.2123 Continuing education

A board, or the department when there is no board, shall allow by rule that distance learning may be used to satisfy continuing education requirements. A board, or the department when there is no board, shall approve distance learning courses as an alternative to classroom courses to satisfy continuing education requirements. A board, or the department when there is no board, may not require centralized examinations for completion of continuing education requirements for the professions licensed under part VIII, part XV, or part XVI of chapter 468 or part I or part II of chapter 475.

Modified in 2024:

Language change to show mandatory actions to allow distance learning usage and imposed a broader requirement for continuing education.

455.2124 Proration of or not requiring continuing education

(1) A board, or the department when there is no board, may:

- (a) Prorate continuing education for new licensees by requiring half of the required continuing education for any applicant who becomes licensed with more than half the renewal period remaining and no continuing education for any applicant who becomes licensed with half or less than half of the renewal period remaining; or
- (b) Require no continuing education until the first full renewal cycle of the licensee.

These options shall also apply when continuing education is first required or the number of hours required is increased by law or the board, or the department when there is no board.

Modified in 2024:

Added a big exemption from continuing education for long-licensed, clean-record professionals except for specific regulated professions.

(2)

(a) A board, or the department when there is no board, shall exempt an individual from completing the continuing education required for renewal of a license for a renewal period if:

- 1. The individual holds an active license issued by the board or department to practice the profession;
- 2. The individual has continuously held the license for at least 10 years; and

3. No disciplinary action is imposed on the individual's license.
- (b) This subsection does not apply to engineers regulated pursuant to chapter 471; to certified public accountants regulated pursuant to chapter 473; to brokers, broker associates, and sales associates regulated pursuant to part I of chapter 475; to appraisers regulated pursuant to part II of chapter 475; to architects, interior designers, or landscape architects regulated pursuant to chapter 481; or to contractors regulated pursuant to chapter 489.
- (3) The department and each affected board shall adopt rules pursuant to ss. 120.536(1) and 120.54 to implement this section.

455.213 General licensing provisions

- (1) through (14) No change.
- (15)

(a) Before the board, or the department if there is no board, may deny an application for licensure by reciprocity or by endorsement, the board, or the department if there is no board, must make a finding that the basis license in another jurisdiction is or is not substantially equivalent to or is otherwise insufficient for a license in this state.

(b) If the board, or the department if there is no board, finds that the basis license in another jurisdiction is not substantially equivalent to or is otherwise insufficient for a license in this state and there are no other grounds to deny the application for licensure, within 7 business days after being notified of such finding, the applicant may request that the finding be submitted to the secretary for review. Within 7 business days after receiving such request, the secretary must review the finding and either agree or disagree with the finding. If the secretary agrees with the finding, the application for licensure may be denied. If the secretary disagrees with the finding, the application for licensure must be approved unless other grounds for denial exist. The decision must be entered according to the secretary's finding, unless other grounds for denial exist.

(c) If the secretary finds that the requirements of a basis license in another jurisdiction are substantially equivalent to or are otherwise sufficient for a license in this state, the board, or the department if there is no board, must make the same finding for similar applicants from the same jurisdiction, unless the requirements of the basis license change.

(d) As used in this subsection, the term "basis license" means the license or the licensure requirements of another jurisdiction which are used to meet the requirements for a license in this state.

- (16) is the older (15).

Modified in 2024:

Added a provision to make it easier for people licensed in other states to get a Florida license and to force process fairness and transparency.

455.2135 Interstate mobility

(1) When endorsement based upon years of licensure or endorsement based upon satisfaction or completion of multiple criteria that include passage of a licensure or registration examination, completion of internship requirements, or the holding of a valid certificate issued by a national accrediting agency board along with holding a valid license, registration, or certification issued in another jurisdiction is not otherwise provided by law in the practice act for a profession, the board, or the department if there is no board, shall allow licensure by endorsement for any individual applying who:

- (a) Has held a valid, current license to practice the profession issued by another state or territory of the United States for at least 5 years before the date of application and is applying for the same or similar license in this state;
- (b) Submits an application either when the license in another state or territory is active or within 2 years after such license was last active;
- (c) Has passed the recognized national licensing exam, if such exam is established as a requirement for licensure in the profession;
- (d) Has no pending disciplinary actions and all sanctions of any prior disciplinary actions have been satisfied;
- (e) Shows proof of compliance with any federal regulation, training, or certification, if the board or the department requires such proof, regarding licensure in the profession;
- (f) Completes Florida-specific continuing education courses or passes a jurisprudential examination specific to the state laws and rules for the applicable profession as established by the board or department; and
- (g) Complies with any insurance or bonding requirements as required for the profession.

(2) If the practice act for a profession requires the submission of fingerprints, the applicant must submit a complete set of fingerprints to the Department of Law Enforcement for a statewide criminal history check. The Department of Law Enforcement shall forward the fingerprints to the Federal Bureau of Investigation for a national criminal history check. The department shall, and the board may, review the results of the criminal history checks according to the level 2 screening standards in s. 435.04 and determine whether the applicant meets the licensure requirements. The costs of fingerprint processing are borne by the applicant. If the applicant's fingerprints are submitted through an authorized agency or vendor, the agency or vendor must collect the required processing fees and remit the fees to the Department of Law Enforcement.

(3) This section does not apply to harbor pilots licensed under chapter 310.

Modified in 2024:

*Added new section
455.2135 which establish
licensure by endorsement
for out-of-state
professionals to practice in
Florida.*

471.003 Qualifications for practice; exemptions

(1) No change.

(2)

(a) through (b) No change.

(c) Regular full-time employees of a business organization not engaged in the practice of engineering as such, whose practice of engineering for such business organization is limited to the design or fabrication of manufactured products and servicing of such products.

(d) though (j) No change.

(3) No change.

Modified in 2024:

*Modified “corporation” to
“business organization”
which is a broader term
that refers to any legal
structure set up to conduct
business.*

Chapter 4

Engineering Ethics and Principles of Professional Responsibility

Engineering Ethics

Engineering ethics is (1) the study of moral issues and decisions confronting individuals and organizations involved in engineering and (2) the study of related questions about moral conduct, character, ideals and relationships of peoples and organizations involved in technological development (Martin and Schinzinger, *Ethics in Engineering*).

Principles of Professional Responsibility

We, as Professional Engineers, are expected to take reasonable precautions and care in fulfilling our engineering duties and uphold the honor and integrity of our profession. To understand further what this means, let's review the following principles of professional responsibility:

- *You must hold the utmost safety, health, and welfare of the public when practicing your profession.*
- *You must perform services only in the areas of your competence.*
- *You may issue public statements in an objective and truthful manner.*
- *You must represent each employer or client as a faithful trustee and avoid conflicts of interest.*
- *You must build your professional reputation on the merit of your services and must not compete with others unfairly.*
- *You must respect the proprietary information and intellectual property rights of other engineers.*

Now, to understand further what these principles mean, let's review the ethical standards associated with each principle individually.

How should you hold the utmost safety, health, and welfare of the public when practicing your profession?

If your professional judgment is overruled such that the safety, health and welfare of the public are compromised, you must inform your client, employer, or both of the possible outcomes or consequences.

If you believe that another person is in violation of engineering ethics, you must:

- present such information to the proper authority in writing, and
- cooperate with the proper authority in furnishing such information or assistance as required.

You must strive to advance the safety, health, and well-being of your community.

You must understand that the safety, health and welfare of the public are reliant on your sound engineering applications and judgments integrated into buildings, structures, machines, products, processes and devices.

You may approve or seal design documents only when they are:

- reviewed by you,
- designed safely, and
- in conformance with accepted engineering standards.

What does it mean to perform services only in the areas of your competence?

You must not affix your signature or seal to any plan or document if:

- it does not comply with applicable technical standards, or
- it was not prepared under your supervisory guidance and control.

You may conduct engineering work only when qualified by your academic background and professional experience in the specific field of engineering you are involved with.

You must always continue to advance your professional development in your engineering field by:

- engaging in professional practice,
- participating in continuing education programs,
- reading technical literature, and
- attending professional seminars.

You may accept an assignment requiring education and experience outside of your field of competence, provided that each technical segment of this assignment is reviewed, signed and sealed only by the qualified engineers who were in responsible charge of their respective segments.

Under what conditions you may issue public statements?

When serving as an expert or technical witness, you may express an engineering opinion only if it is founded on:

- your adequate knowledge of the facts,
- your technical competence in the subject matter, and
- your honest belief in the accuracy of your testimony.

You must not issue any statements, criticisms, or arguments on technical matters which are inspired or paid for by interested parties, unless you preface your comments by:

- identifying the interested parties on whose behalf the statements are made, and
- disclosing any financial interest you may have in such matters.

You must strive to extend the public knowledge and appreciation of engineering and its achievements and must avoid the use of untrue or exaggerated statements pertaining to engineering.

You must be objective and truthful in all your professional reports, statements, or testimony, and must include all relevant information in such reports, statements, or testimony.

You must be honest in explaining your work and merit and must not promote your own interests at the expense of the integrity, dignity and honor of the profession.

Study Question 5:

When serving as an expert or technical witness, under what conditions you may express an engineering opinion?

How should you represent each employer or client as a faithful trustee, and avoid conflicts of interest?

You must avoid all known conflicts of interest with your employer or client and immediately inform your employer or client of any business relationship, interest, or other situations that could influence your judgment or quality of your services.

You must not accept payment or other types of compensation from more than one party for services pertaining to the same project, unless the conditions are fully revealed to, and agreed to by, all interested parties.

You must not accept employment outside of your regular work before notifying your employer.

You must not propose or receive gifts or gratuities from outside parties who have a business affiliation with your employer or client associated with professional work for which you are in responsible charge.

If you are a member, advisor, or employee of a governmental body, you must not participate in decisions or actions that involve services you or your organization provide in any type of engineering practice.

Based on your research and evaluation, you must advise your employer or client of your belief that a project will be unsuccessful.

You must not use confidential information provided to you while executing your assignment as a means of personal gain, if such action contradicts the interests of your employer, your client, or the public.

You must not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their product.

You must not solicit or accept an engineering contract from a governmental body or other entity on which a principal, officer, or employee of your organization serves as a member.

How do you build your professional reputation on the merit of your services and not compete with others unfairly?

You must not influence the award of a contract. You may bid and negotiate a contract for professional services impartially based on your proven competence and qualifications for the type of professional service being solicited.

You must not strive to gain employment or advance your professional career by falsely condemning other engineers, or by other improper means.

You must not falsify your educational background, or your professional experience or qualifications.

You must not offer or accept any gift, gratuity or unlawful valuable consideration to secure work, exclusive of securing salaried positions through employment agencies.

You must not request, propose, or accept a commission on a provisional basis if your professional judgment may be compromised.

Study Question 6:

Under what conditions you may bid/negotiate a contract for professional services?

You must not use another engineer's ideas or written materials without due credit and advance notification to such engineer. You must, whenever possible, name the person who may be responsible for his or her designs, inventions, writings, or other accomplishments.

You must not harm the professional reputation, prospects, practice or employment of another engineer.

You may prepare engineering articles to be published provided:

- they are within the context of your competency, and
- you do not claim credit for work performed by others.

Study Question 7:

Under what conditions you may prepare engineering articles for publication purposes?

How should you handle proprietary information and intellectual property rights of other engineers?

You must not promote or arrange for new employment or practice in connection with a specific project in which you have gained specialized knowledge without the consent of all interested parties.

You must not disclose confidential information concerning the business affairs or technical processes of any present or former employer or client without the approval of your employer or client.

If you are using designs supplied by your client, you must be aware that such designs remain the property of your client and may not be duplicated for others without your client's expressed permission.

Before undertaking work for others in which you may make improvements, plans, designs, inventions, or other records that may justify copyrights, patents, or proprietary rights, you must enter into a positive agreement regarding ownership.

You must be aware that your designs, data, records and notes referring exclusively to your employer's work are the property of your employer.

Chapter 5

Ethical and Disciplinary Case Studies

The following ethical and disciplinary case studies were randomly selected and extracted from the Board's website, under "Disciplinary Actions". These case studies depict the different scenarios of ethical violations of the Florida Laws and Rules along with their resulting Final Orders issued by the Board.

FEMC Case No: 2023052039
FEMC Case No: 2023043725
FEMC Case No: 2023007548
FEMC Case No: 2022016833
FEMC Case No: 2022015513

For each individual case study, the applicability of the violations to the Florida Laws and Rules is stated.

FEMC CASE No's:

2023052039

VIOLATION:

Section 471.033(1)(g), F.S., and Rules 61G15-19.001(4), Florida Administrative Code

Case Review

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rules 61G15-19.001(4), Florida Administrative Code, negligence in the practice of engineering. Licensee signed and sealed fire protection system engineering documents for a commercial building in Miami that were materially deficient.

Board Ruling

The case was presented to the Board. The Board imposed an administrative fine of \$1,000 and costs of \$1,612.55; a Reprimand; two-years probation; project reviews at six and 18 months; and completion of a course in basic engineering professionalism and ethics and the Board's Florida Laws and Rules Study Guide. Final Order was filed on Feb. 21, 2025.

Applicability of the Violation to the Florida Laws and Rules

The Licensee was found in violation of Sections 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code

Study Question 8:

Are you in violation of the FL Statutes if you sign and seal materially deficient engineering documents?

FEMC CASE No's:

2023043725

VIOLATION:

Section 471.033(1)(g), F.S.,
and Rule 61G15-19.001(4),
Florida Administrative Code

Case Review

Licensee was charged with violating Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code, negligence in the practice of engineering. Licensee signed and sealed Fire System Engineering documents for a project in Miami, Fla., that were materially deficient.

Board Ruling

The case was presented to the Board upon a Settlement Stipulation. The Board ordered Licensee to appear before the Board when the Stipulation was presented; ordered payment of administrative costs of \$1,749.60; ordered Licensee to successfully complete the Laws and Rules Study Guide within 30 days, and an online course in engineering professionalism and ethics within 90 days; and ordered Licensee to submit all projects involving Fire System Engineering for review at six- and 18-month intervals. Final Order was filed on Aug. 26, 2024.

Applicability of the Violation to the Florida Laws and Rules

The Licensee was found in violation of Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code

FEMC CASE No's:

2023007548

VIOLATION:

Section 471.033(1)(a), F.S.,
and Rule 61G15-19.001(6)(s),
Florida Administrative Code

Case Review

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021.

Board Ruling

The case was presented to the Board upon a written Voluntary Relinquishment of Licensure. The Board accepted the voluntary relinquishment with the agreement that Mr. Rudner never reapplies for licensure as a Professional Engineer in Florida. Final Order was filed Sept. 6, 2023.

Applicability of the Violation to the Florida Laws and Rules

The Licensee was found in violation of Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code

FEMC CASE No's:
2022016833

VIOLATION:
Sections 471.033(1)(a),
471.033(1)(d), and
455.227(1)(c), F.S.

Case Review

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, failing to report to the Board a conviction, a guilty plea, or a nolo contendere plea to a crime in any jurisdiction; and with violating Sections 455.227(1)(c) and 471.033(1)(d), F.S., being convicted or found guilty of, or entering a plea of guilty or nolo contendere, to a crime in any jurisdiction that relates to the practice of, or the ability to practice, engineering. Licensee pled guilty in July 2021 to receiving unlawful benefits from a hotel operator while working as director of the City of Miami Beach Building Department.

Board Ruling

The case was presented to the full Board upon a Settlement Stipulation. The Board ordered licensee to appear before the Board; and imposed a Reprimand on his license, a two-year Probation, an administrative fine of \$6,000, costs of \$74.10, and successful completion of the Board's Study Guide and an online ethics course. Final Order was filed Feb. 14, 2023.

Applicability of the Violation to the Florida Laws and Rules

The Licensee was found in violation of Sections 471.033(1)(a), 471.033(1)(d), and 455.227(1)(c), Florida Statutes

FEMC CASE No's:
2022015513

VIOLATION:

Section 471.033(1)(a), F.S.,
and Rule 61G15-19.001(6)(s)

Case Review

Licensee was charged with violating Section 471.033(1)(a), Florida Statutes, and Rule 61G15-19.001(6)(s), Florida Administrative Code, renewing a Professional Engineer license without having completed all required continuing education on or before Feb. 28, 2021. The continuing education was not completed until March 27, 2022.

Board Ruling

The case was presented to the full Board upon a Settlement Stipulation. The Board imposed a Reprimand on his license, an administrative fine of \$1,000 and costs of \$64.35, successful completion of an online engineering professionalism and ethics course within 90 days, and successful completion of the Board's Study Guide within 30 days. Final Order was filed Feb. 27, 2023.

Applicability of the Violation to the Florida Laws and Rules

The Licensee was found in violation of Section 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), Florida Administrative Code

Study Question 9:

Are you in violation of the FL Statutes if continuing education requirements are not met in a timely manner?

Appendix A

Answers to Study Questions

Study Question 1:

List the regulations that govern the practice of engineering in the State of Florida:

The regulations governing the practice of engineering in the State of Florida are:

1. Florida Statutes, Chapter 455, Department of Business and Professional Regulation
2. Florida Statutes, Chapter 471, Engineering
3. Florida Administrative Code, 61G15, Florida Board of Professional Engineers

Study Question 2:

Who is the FEMC and what are its functions?

FEMC is a non-profit, single purpose corporation that operates through a contract with the Department of Business and Professional Regulation. FEMC provides the Florida Board of Professional Engineers with administrative, investigative and prosecutorial services.

Study Question 3:

What must be included when applying for approval of a Florida Laws and Rules continuing education course under Rule 61G15-22.0105?

The application must include course materials (syllabus and outline), total continuing education hours, required content on changes to Chapters 455 and 471, and a list of resources used.

Study Question 4:

What must be included on engineering documents that are digitally signed and sealed under Rule 61G15-23.004?

As stated in 61G15-23.004, the document must show the digital signature date, a seal or required text if no seal image is used), and a statement that it was digitally signed and sealed.

Study Question 5:

When serving as an expert or technical witness, under what conditions you may express an engineering opinion?

In such a case, you may express an engineering opinion only if it is founded on:

1. Your adequate knowledge of the facts,
2. Your technical competence in the subject matter, and
3. Your honest belief in the accuracy of your testimony.

Study Question 6:

Under what conditions you should bid a contract for professional services?

You may bid and negotiate contracts for professional services impartially based on your proven competence and qualifications for the type of professional service being solicited.

Study Question 7:

Under what conditions you may prepare engineering articles to be published?

You may prepare engineering articles for publication purposes provided:

1. They are within the context of your competency, and
2. They do not credit you for work performed by others.

Study Question 8:

Are you in violation of FL Statutes if you sign and seal materially deficient engineering documents?

Yes. As evident in FEMC Case no. 2023052039, this violates Section 471.033(1)(g), Florida Statutes, and Rule 61G15-19.001(4), Florida Administrative Code, which address negligence in the practice of engineering.

Study Question 9:

Are you in violation of the FL Statutes if continuing education requirements are not met in a timely manner?

Yes. As evident in FEMC Case no. 2022015513, the Licensee was charged for violating Section 471.033(1)(a), F.S., and Rule 61G15-19.001(6)(s), by not completing the required continuing education until a year after.

Appendix B

References

Florida Administrative Code: 61G15 – Board of Professional Engineers (Updated April 22, 2025)
<https://fbpe.org/download/38983/>

The 2024 Florida Statutes (including 2025 Special Session C): Chapter 455 - Business and Professional Regulation: General Provisions
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0455/0455.html

The 2024 Florida Statutes: Chapter 471 - Engineering
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0400-0499/0471/0471ContentsIndex.html&StatuteYear=2024&Title=%2D%3E2024%2D%3EChapter%20471

Florida Administrative Weekly – Section XIV: List of Rules Affected
<https://www.flrules.org/notice/QuickSection14.asp?P0=All&P1=0>

Disciplinary Actions
<https://fbpe.org/legal/disciplinary-actions/>

NSPE Code of Ethics
<http://www.nspe.org/resources/ethics/code-ethics>

ASCE Code of Ethics
<http://www.asce.org/code-of-ethics/>

ASME Code of Ethics
<https://www.asme.org/wwwasmeorg/media/ResourceFiles/AboutASME/Get%20Involved/Advocacy/Policy-Publications/P-15-7-Ethics.pdf>

Appendix C

Course Inquiry Form

For any questions or comments about this course, please complete this form and submit it:

To: **Gilbert Gedeon (Course Author)**
By Fax: **1-877-322-4774**
By Email: gilbert.gedeon@cedengineering.com
By Mail: **Continuing Education and Development, Inc.**
22 Stonewall Court
Woodcliff Lake, NJ 07677

From: _____
Phone No: _____
Fax No: _____
Email: _____
Date: _____

Subject: **Engineering Laws, Rules and Ethics for Florida Professional Engineers (FL2-008)**

Inquiry: _____

CED will respond to your inquiry within 48 business hours.

If you wish to reach us phone for any urgent inquiry, please contact us at 1-877-322-5800.