

**FLORIDA ENGINEERING SOCIETY
PROFESSIONAL POLICY (PP No. 11E)**

**RIGHTS OF FLORIDA PROFESSIONAL ENGINEERS TO PRACTICE
ENGINEERING**

1.0 Preamble

1.1 Purpose - Our engineering predecessors gave us an engineering profession steeped in scientific foundation and mental discipline and with unlimited opportunity to serve the public. Our generation of engineers has the responsibility and is dedicated to ensure that future generations of engineers will not be denied the opportunities we enjoy. The FES accepts the responsibility to promote and protect the individual and collective rights of Florida engineers to practice within their chosen engineering practice areas.

1.2 Interprofessional Cooperation - The Florida Engineering Society (FES) is vitally interested in maintaining proper relations with other Florida professionals so that Florida engineers may effectively contribute their engineering services and creative work to safeguard the public health, safety, and welfare. FES and the National Society of Professional Engineers (NSPE) have contributed much in developing proper relationships among the professions. FES believes it to be mutually advantageous for Florida engineers and other Florida professions to remain separate but to continue to cooperate and work together in joint effort for the public good.

2.0 Engineer's Legal Right to Practice Engineering in Florida

2.1 A Personal Right - A Florida engineer's right to practice engineering is a personal right based solely on engineering education, engineering training and engineering experience as evidenced by Florida engineering certificate of registration. A Florida engineer's practice, education, training, experience, qualifications, technical competence, conduct or responsibilities in connection with their authority to perform engineering services and creative work within chosen engineering practice areas as permissible conduct are subject to regulation solely by the Florida Board of Professional Engineers and the courts. It is the position of the Florida Board of Professional Engineers that all duly licensed engineers who perform engineering services and creative work in connection with any engineering practice areas pursuant to Chapter 471 F.S. are practicing engineering that is a legal form of engineering and not subject to sanction by any other State Board or Agency.

2.2 Authority to Practice - Chapter 471 F.S. Engineering grants the recognized practice areas of engineering. FL Statute ss471.005 (7) provides that duly licensed Florida engineers who possess the engineering education, the engineering training and the engineering experience in the application of special knowledge of the mathematical, physical and engineering sciences may perform engineering services or creative work in connection with any public or private utilities, structures, buildings, machines, equipment, processes, work systems, projects and industrial or consumer products or equipment of a

mechanical, electrical, hydraulic, pneumatic or thermal nature insofar as they involve safeguarding life, health or property. These engineering services and creative work include consultation, investigation, evaluation, planning, and design of engineering works and systems, planning the use of land and water, engineering surveys, construction reviews, the preparation of engineering drawings, specifications and other documents and including such other professional services as may be necessary to the planning, progress and completion of any engineering service. Statute ss471.005 (7) also provides that engineers shall be construed to practice engineering within the meaning and intent of Chapter 471 F.S.; who practices any branch of engineering; who represents themselves to be an engineer, or they are registered under Chapter 471 F.S.; or who holds themselves as able to perform or does perform any engineering service or creative work or any other service designated by practitioner which is recognized as engineering.

2.3 Board Rules - Administrative Code 61G15-18.011(2) defines engineering design as follows: "Engineering Design shall mean the process of devising a system, component, or process to meet desired needs. It is a decision-making process (often iterative), in which the basic sciences, mathematics and engineering sciences are applied to convert resources optimally to meet a stated objective. Among the fundamental elements of the design process are the establishment of objectives and criteria, synthesis, analysis, construction, testing and evaluation. Central to the process are the essential and complementary roles of synthesis and analysis. This definition is intended to be interpreted in its broadest sense. In particular, the words "system, component, or process" and "convert resources optimally" operate to indicate that sociological, economic, aesthetic, legal, ethical, etc., considerations can be included."

Rule 61G15-30 provides common responsibilities for all engineers and Rules 61G15-31, 32, 33, and 34 provide engineers' responsibility rules concerning the design of structures, fire protection systems, electrical systems and mechanical systems. Rule 61G15-35 provides engineers' responsibility rules concerning inspection of threshold buildings. These rules explain engineer's responsibilities when performing engineering services and creative work consistent with Florida engineer's authority to practice engineering granted by Chapter 471 F.S.

2.4 Overlap - The FES recognizes that there may be an overlapping of some Florida engineering practice area services and the practice area services of other Florida professionals including, but not limited to, surveyors, geologists, landscape architects and architects. That is, the same services may in one instance constitute engineering services and in another instance constitute the services of other Florida professionals. Addressing this overlap, it is the FES position that when a duly licensed Florida engineer performs services which are within the reach of Chapter 471 F.S. and also within the reach of a statute licensing other professions, the engineer performed such services under Chapter 471 F.S. under which the engineer is registered, and the engineer is not affected by the fact that the engineer's engineering services may also fall within the reach of other Florida professional licensing statutes.

2.5 Building Design Engineering Services - FES recognizes that the legal rights of engineers and architects to design buildings sometimes coincide. The State licensing laws for engineers and architects to design buildings are predicated upon and justified only as a means to protect the public health, safety and welfare. They should not be used as a means to enhance the standing of one design profession over another because the two professions are each authorized by their respective statutes to perform building design services, with each profession subject to regulation solely by its Board and the courts.

2.6 Dedication - The FES is dedicated to fulfilling its responsibility to defend engineers' legal rights to practice engineering in Florida pursuant to Chapter 471 F.S., its rules, rulings by appeal courts and engineering practice history.

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Approved by the FES Board of Directors
February 6, 1971

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June 23, 1983

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