

Position Statement on Sealed Truss Placement Diagrams for Projects in the State of Florida

Updated May 28, 2008

Introduction:

The Truss Placement Diagram (TPD) is not to be viewed as an engineering document except as stated below; rather it is provided to assist the installer in properly locating the trusses within the structure. All the necessary truss engineering and analysis is found on the Truss Design Drawings (TDD).

If a TPD is provided, it is recommended that the Building Designer review and approve the TPD to ensure that the intended load paths have not been altered.

If a Truss Design Engineer were to seal a TPD, it has been suggested that they could inappropriately be held responsible for ensuring the proper flow of loads through the truss to the bearing and support structure below the truss and into the foundation.

A Truss Design Engineer would only undertake Building Designer responsibilities under a special set of circumstances, including that he/she is professionally capable of taking on such responsibility and that he/she are properly compensated for the work.

Issue:

Certain jurisdictions in Florida are requesting engineering seals on Truss Placement Diagrams (TPD) (also known as a truss placement plan, truss layout, framing plan or framing layout). The following information should be used to provide insight into why component manufacturers should seriously consider all the ramifications of providing seals on TPD for projects governed by the *2007 Florida Building Code-Building (FBC)*.

This information is based on the *Florida Administrative Code*¹, the existing *Florida Statutes (FS)*², and the *2007 FBC*³.

Industry Recommendation:

The Florida professional engineering law and the *2007 FBC* provide the basis upon which to evaluate the need to provide an engineer's seal on a Truss Placement Diagram (TPD). Based on this evaluation, a TPD does not require a professional engineer's seal.

Requiring this Truss Placement Diagram to be sealed, where it is not prepared by an engineer or under his/her immediate personal supervision, is contrary to Florida law (*see Appendix E*) which states:

Florida Administrative Code 61G15-23.002 Seal, Signature and Date Shall Be Affixed. ... (2) ... A professional engineer may only seal an engineering report, plan, print or specification if that professional

¹ www.fbpe.org/userfiles/file/61G15%20041808.pdf

² www.fbpe.org/lawsrules.asp

³ *2007 Florida Building Code* becomes effective October 1, 2008 and contains substantial copyrighted material from the *2006 International Building Code*.
www2.iccsafe.org/states/2004_florida_codes



Prepared with assistance from the Florida Chapters, a local chapter of SBCA.
View all SBCA *Tech Notes* at www.sbcindustry.com/technotes.php

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engineer was in responsible charge 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 in question.

Appendix A

Background:

The TPD is not to be viewed as an engineering document except as stated below; rather it is provided to assist the installer in properly locating the trusses within the structure.

All the necessary truss engineering and analysis is found on the Truss Design Drawings (TDD). If a TPD is provided, it is recommended that the project's Building Designer or Engineer of Record review and approve the TPD to ensure that the intended load paths have not been altered.

The 2007 FBC has adopted by reference *ANSI/TPI 1-2002 (TPI 1)* [see **Appendix C** (102.4), (2303.4), and (Chapter 35 "Reference Standards")], which is the revision of *ANSI/TPI 1-1995* approved on March 25, 2002. An addendum to Chapter 2 of *TPI 1* was revised on January 1, 2005. *TPI 1* Chapter 2 (see **Appendix D**) defines Building Designer:

Section 2.3.4 Building Designer: The Owner of the Building or the individual or organization (including either an Architect or Engineer or the Contractor) that contracts with the Owner for the design of the Building Structural System and/or who produces the Structural Design Documents.

The *FBC* defines RDP:

REGISTERED DESIGN PROFESSIONAL. An individual who is registered or licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state or jurisdiction in which the project is to be constructed.

If a Truss Design Engineer were to seal a TPD, it has been suggested that they could inappropriately be held responsible for ensuring the proper flow of loads through the truss to the bearing and support structure below the truss then onto the foundation. Truss Design Engineers would only undertake Building Designer responsibilities under a special set of circumstances if capable and when properly compensated.

Analysis:

Construction Documents

The *FBC* (see **Appendix C** for complete text) provides that the construction documents for a project shall be prepared by a registered design professional where required by the law of the jurisdiction in which the project is being constructed. In particular, the *FBC* states:

FBC 106.1 Submittal documents. ...The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. ...

The construction documents should in turn clearly define the scope of the work proposed by the Building Designer or RDP:

FBC 106.1.1 Information on construction documents. ...Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations...

In preparing the construction documents, the RDP needs to provide the Truss Design Engineer with the information necessary to properly design the trusses for the building. According to *TPI 1*, the following information should be provided (see **Appendix D** for complete text):

ANSI/TPI 1 Chapter 2

2.5.2 The Building Designer...shall provide the following:

2.5.2.1 All Structural Element and Truss orientations and locations;

2.5.2.2 Information to fully determine all Truss profiles;

- 2.5.2.3 All Structural Element and Truss bearing conditions;
 - 2.5.2.4 The location, direction, and magnitude of all dead and live loads applicable to each Structural Element and Truss...
 - 2.5.2.5 All Structural Element and Truss anchorage designs required to resist uplift, gravity, and lateral loads;
 - 2.5.2.6 Allowable vertical and horizontal deflection criteria and any specific criteria...
 - 2.5.2.7 Proper transfer of design loads affecting the Structural Elements and Trusses;
 - 2.5.2.8 Adequate connections between Trusses and between Structural Elements...but not Truss to Truss girder connections...
 - 2.5.2.9 Permanent bracing design for the Building...and permanent bracing for all Structural Elements and Trusses...
- 2.5.3 The Building Designer shall be responsible for the adequacy of the design of the Building Structural System [and]...shall evaluate the effect of the Trusses and the Structural Elements supplied, on the Building Structural System.

Truss Design and Preparation of Truss Design Drawings

Assuming the requisite information is provided within the construction documents issued by the RDP or Building Designer, the Truss Design Engineer's sole responsibility is to properly design the individual trusses according to this information. Once designed, a truss is then depicted on a TDD. The Truss Design Engineer is therefore specifically responsible for the single truss design depicted on each TDD.

Who Typically Prepares Truss Placement Diagrams?

Assuming the requisite information is provided in the construction documents, TPD are prepared by component manufacturer personnel who are not typically Truss Design Engineers. The individuals preparing TPDs are trained individuals who work as truss technicians, truss take-off specialists or truss salespeople. As TPDs are typically prepared outside the Truss Design Engineer's scope of work, they may not be reviewed or even seen by the Truss Design Engineer. TPDs are generally not prepared within the typical duties of the Truss Design Engineer and are therefore not prepared under the Truss Design Engineer's direct supervision.

Why are Truss Placement Diagrams Prepared?

TPDs are intended to assist customers, erectors and code enforcement officials in positioning or locating the trusses and related structural components supplied by the component manufacturer.

Their function is to serve as detailed installation instructions. They indicate the component manufacturer's assumed location for each truss or related component that has been designed and manufactured.

For example, a truss or related structural building component is no different than a window that is manufactured and in turn installed within a building. A window may be a highly engineered component of a house with specific installation specifications and instructions. However, there is no requirement to provide an engineer's seal on the installation instructions for windows.

To Require Truss Placement Diagrams to be Sealed Would Violate Florida Law.

Because TPD are generally neither created by nor created under the immediate personal supervision of a licensed design professional, they cannot be sealed. To require that they be sealed is contrary to the Florida Administrative Code 61G15-23.002 (*see Appendix E*) and the existing Florida Statutes (FS) violating Section 471.033(1)(j) (*see Appendix F*), which state in pertinent part:

61G15-23.002 Seal, Signature and Date Shall Be Affixed. ...(2) ...A professional engineer may only seal an engineering report, plan, print or specification if that professional engineer was in responsible charge 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 in question.

FS 471.033 Disciplinary proceedings. (1) The following acts constitute grounds for which the disciplinary actions...may be taken: ... (j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any final drawings, specifications, plans, reports, or documents that were not prepared by him or her or under his or her responsible supervision, direction, or control.

Going well beyond the TPD, Florida law recognizes that it would be perfectly appropriate for a truss manufacturer employee to design the trusses without the involvement of an engineer. Chapter 471 of the Florida Statutes Section 471.003(2)(c) (*see Appendix F*) sets forth a manufacturer's exemption for engineering:

FS 471.003. ... (2) The following persons are not required to be licensed under the provisions of this chapter as a licensed engineer:

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

The city of Jacksonville recently finalized a position statement regarding the sealing of a TPD that specifically accounts for Florida Law:

CITY OF JACKSONVILLE POSITION STATEMENT ON TRUSS PLACEMENT DIAGRAMS

January 27, 2004

BULLETIN G-02-04

TO: All Contractors, Permit Applicants, Architects, Interior Designers and Engineers
FROM: Thomas H. Goldsbury, P. E., C. B. O., Chief, Building Inspection Division
SUBJECT: Amendment to Bulletin G-28-03, Clarification To Rules Governing Truss Design Package

Bulletin G-28-03 was issued to clarify and reinforce Bulletin G-20-03, Changes to Rules Governing Truss Design Package, issued previously, which remains in full force and effect. The sole intent of Bulletin G-28-03 was to assure that all truss placement or layout plan drawings submitted for a Building Permit, were signed, sealed and dated by a Florida licensed engineer.

After further review of Florida Board of Professional Engineers, Laws and Rules Chapter 471, Florida Statutes and Rules Chapter 61G15, Florida Administrative Code, and in particular 61G15-31.002 (6)(a), the law states that drawings prepared solely to serve as a guide for fabrication and installation and requiring no engineering input, are not required to be signed and sealed by a professional engineer.

Therefore, truss placement or layout plan drawings not prepared by a Florida registered professional engineer will not require the signature and seal of a professional engineer. Truss placement or layout plan drawings prepared by a Florida registered professional engineer shall require the signature and seal of a professional engineer.

If the truss placement or layout plan drawings are not signed and sealed by a Florida registered professional engineer, then they shall bear the APPROVED or APPROVED AS NOTED Shop Drawing Stamp of the ENGINEER OF RECORD. The Shop Drawing Stamp shall clearly indicate the name of the Professional Engineer of Record and bear the original signature or initials of that engineer.

All requirements set forth in 61G15-23.002 Seal, Signature and Date Shall Be Affixed, shall be strictly followed and adhered to.

The Building Inspection Division office will require strict adherence to the above for all applicable documents filed for a Building Permit. Should you have any questions regarding this bulletin, you may contact, William L. Lyle, Plans Examiner Supervisor, at 904-630-2351.

Xc: Bill Lyle

James Schock

The International Code Committee (ICC) Has Recently Codified That Truss Placement Diagrams Should Not Be Sealed

Current versions of the *FBC* do not clearly define TPD. As such, some may wrongly infer that they are part of the “Truss Design Drawings” which are defined as follows [2303.4.1 (*see Appendix C*)]:

FBC 2303.4.1 Truss design drawings. Truss construction documents shall be prepared by a registered design professional and shall be provided to the building official and approved prior to installation. ...

To clear up any confusion on this issue, at the ICC Final Action Hearings for the *2006 International Building Code (IBC)*⁴, Section 2303 was revised to include a definition of the term “Truss Placement Diagram” as follows:

IBC 2303.4.3 Truss Placement Diagram. A diagram supplied by the truss manufacturer that identifies the proposed location for each individually designated truss and references the corresponding Truss Design Drawing. The Truss Placement Diagram shall be provided as part of the Truss Submittal Package, and with the shipment of trusses delivered to the job site. Truss Placement Diagrams shall not be required to bear the seal or signature of the Truss Designer.

Exception: When the Truss Placement Diagram is prepared under the direct supervision of a registered design professional, it is required to be signed and sealed.

This change provides much greater clarity and has been incorporated into the *2007 FBC*.

⁴ The *IBC* provides the basis for the *FBC*.

Appendix B

Key Definitions:

BUILDING DESIGNER:

Owner of the Building or the person that contracts with the Owner for the design of the Framing Structural System and/or who is responsible for the preparation of the Construction Documents. When mandated by the Legal Requirements, the Building Designer shall be a Registered Design Professional.⁵

CONSTRUCTION DOCUMENTS:

Written, graphic and pictorial documents prepared or assembled for describing the design (including the Framing Structural System), location and physical characteristics of the elements of a Building necessary to obtain a Building Permit and construct a Building.

REGISTERED DESIGN PROFESSIONAL (RDP):

Architect or engineer, who is licensed to practice their respective design profession as defined by the Legal Requirements of the Jurisdiction in which the Building is to be constructed.

TRUSS DESIGN DRAWING (TDD):

Written, graphic and pictorial depiction of an individual Truss that includes the design information required per *2007 Florida Building Code-Building* Section 2303.4.1.2.

TRUSS DESIGN ENGINEER:

Person who is licensed to practice engineering as defined by the Legal Requirements of the Jurisdiction in which the Building is to be constructed and who supervises the preparation of the Truss Design Drawings.⁶

TRUSS PLACEMENT DIAGRAM (TPD):

Illustration identifying the assumed location of each Truss.

⁵ Adapted from *2006 IBC* Section 106.1

⁶ Adapted from *2006 IBC* Section 2303.4

Appendix C

The language in **RED** signifies sections of the code or law that have been used in the foregoing document to make it easier for the reader to see the language in context.

2007 Florida Building Code Chapter 1 ADMINISTRATION SECTION 102: APPLICABILITY

102.4 Referenced codes and standards. **The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.** Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

SECTION 106: CONSTRUCTION DOCUMENTS

106.1 Submittal documents. Construction documents, a statement of special inspections and other data shall be submitted in one or more sets with each application for a permit. **The construction documents shall be prepared by a design professional where required by the statutes.** Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code. If the design professional is an architect or engineer legally registered under the laws of this state regulating the practice of architecture as provided for in Chapter 481, *Florida Statutes*, Part I, or engineering as provided for in Chapter 471, *Florida Statutes*, then he or she shall affix his or her official seal to said drawings, specifications and accompanying data, as required by *Florida Statute*. If the design professional is a landscape architect registered under the laws of this state regulating the practice of landscape architecture as provided for in Chapter 481, *Florida Statutes*, Part II, then he or she shall affix his or her seal to said drawings, specifications and accompanying data as defined in Section 481.303(6)(a)(b)(c)(d), *FS*.

106.1.1 Information on construction documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. **Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed** and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official (see also Section 106.3.5).

Chapter 23 WOOD SECTION 2303: MINIMUM STANDARDS AND QUALITY

2303.4 Trusses.

2303.4.1 Design. Wood trusses shall be designed in accordance with the provisions of this code and accepted engineering practice. Members are permitted to be joined by nails, glue, bolts, timber connectors, metal connector plates or other approved framing devices.

2303.4.1.1 Truss designer. The individual or organization responsible for the design of trusses.

2303.4.1.2 Truss design drawings. The written, graphic and pictorial depiction of each individual truss shall be provided to the building official and approved prior to installation. Truss design drawings shall also be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the information specified below:

1. Slope or depth, span and spacing;

2. Location of joints;
3. Required bearing widths;
4. Design loads as applicable;
5. Top chord live load (including snow loads);
6. Top chord dead load;
7. Bottom chord live load;
8. Bottom chord dead load;
9. Concentrated loads and their points of application as applicable;
10. Controlling wind and earthquake loads as applicable;
12. Each reaction force and direction;
13. Metal connector plate type, size, thickness or gage, and the dimensioned location of each metal connector plate except where symmetrically located relative to the joint interface;
14. Lumber size, species and grade for each member;
15. Connection requirements for:
 - 15.1. Truss to truss;
 - 15.2. Truss ply to ply; and
 - 15.3. Field splices.
16. Calculated deflection ratio and maximum vertical and horizontal deflection for live and total load as applicable;
17. Maximum axial tensile and compression forces in the truss members; and
18. Required permanent individual truss member bracing and method per Section 2303.4.1.5, unless a specific truss member permanent bracing plan for the roof or floor structural system is provided by a registered design professional.

Where required by one of the following, each individual truss design drawing shall bear the seal and signature of the truss designer:

- 1. Registered design professional; or**
- 2. Building official; or**
- 3. Statutes of the jurisdiction in which the project is to be constructed.**

Exceptions:

1. When a cover sheet/truss index sheet combined into a single cover sheet is attached to the set of truss design drawings for the project, the single sheet/truss index sheet is the only document that needs to be signed and sealed within the truss submittal package.
2. When a cover sheet and a truss index sheet are separately provided and attached to the set of truss design drawings for the project, both the cover sheet and the truss index sheet are the only documents that need to be signed and sealed within the truss submittal package.

2303.4.1.3 Truss placement diagram. The truss manufacturer shall provide a truss placement diagram that identifies the proposed location for each individually designated truss and references the corresponding truss design drawing. The truss placement diagram shall be provided as part of the truss submittal package, and with the shipment of trusses delivered to the job site. Truss placement diagrams shall not be required to bear the seal or signature of the truss designer.

Exception: When the truss placement diagram is prepared under the direct supervision of a registered sealed.

2303.4.1.4 Truss submittal package. The truss submittal package shall consist of each individual truss design drawing, the truss placement diagram for the project, the truss member permanent bracing specification and, as applicable, the cover sheet/truss index sheet.

2303.4.1.5 Truss member permanent bracing. Where permanent bracing of truss members is required on the truss design drawings, it shall be accomplished by one of the following methods:

1. The trusses shall be designed so that the buckling of any individual truss member can be resisted internally by the structure (e.g. buckling member T-bracing, L-bracing, etc.) of the individual truss.
The truss individual member buckling reinforcement shall be installed as shown on the truss design drawing or on supplemental truss member buckling reinforcement diagrams provided by the truss designer.
2. Permanent bracing shall be installed using standard industry bracing details that conform with generally accepted engineering practice. Individual truss member continuous lateral bracing location(s) shall be shown on the truss design drawing.

2303.4.1.6 Anchorage. All transfer of loads and anchorage of each truss to the supporting structure is the responsibility of the registered design professional.

2303.4.1.7 Alterations to trusses. Truss members and components shall not be cut, notched, drilled, spliced or otherwise altered in any way without written concurrence and approval of a registered design professional. Alterations resulting in the addition of loads to any member (e.g., HVAC equipment, water heater) shall not be permitted without verification that the truss is capable of supporting such additional loading.

2303.4.2 Metal-plate-connected trusses. In addition to Sections 2303.4.1 through 2303.4.1.7, the design, manufacture and quality assurance of metal-plate-connected wood trusses shall be in accordance with TPI 1. Manufactured trusses shall comply with Section 1704.6 as applicable.

Chapter 35 REFERENCED STANDARDS



Truss Plate Institute
583 D'Onofrio Drive, Suite 200
Madison, WI 53719

Standard reference number	Title	Referenced in code section number
TPI 1—2002	National Design Standards for Metal-Plate-Connected Wood Truss Construction . . .	2303.4, 2306.1, 2314.4.9, 2319.17.2.1.1, . . . 2319.17.2.2.8

Appendix D

ANSI/TPI 1-2002

National Design Standard for Metal Plate Connected Wood Truss Construction

Chapter 2 – Standard Responsibilities in the Design Process Involving Metal Plate Connected Wood Trusses

2.5 BUILDING STRUCTURAL SYSTEM DESIGN DOCUMENTS

- 2.5.1 The Building Designer, through the Structural Design Documents shall provide that the Structural Elements and Trusses shall not be subjected to adverse influences including, but not limited to moisture, temperature, and corrosive chemicals and gases. This provision shall specifically include notice for the Truss Designer of environments expected to result in wood moisture content exceeding 19 percent, and temperatures and/or corrosion potential that are unusually high relative to typical wood buildings.
- 2.5.2 The Building Designer, through the Structural Design Documents shall provide information sufficiently accurate and reliable to be used for facilitating the supply of the Structural Elements and for developing the design of the Trusses for the Building, and shall provide the following:
- 2.5.2.1 All Structural Element and Truss orientations and locations;
- 2.5.2.2 Information to fully determine all Truss profiles;
- 2.5.2.3 All Structural Element and Truss bearing conditions;
- 2.5.2.4 The location, direction, and magnitude of all dead and live loads applicable to each Structural Element and Truss including, but not limited to, loads attributable to: roof, floor, partition including any directions other than given in ANSI/TPI 1-2002, mechanical, fire sprinkler, attic, storage, rain loads and ponding, design wind speed and exposure category, snow, snow drift, unbalanced snow load, and seismic forces;
- 2.5.2.5 All Structural Element and Truss anchorage designs required to resist uplift, gravity, and lateral loads;
- 2.5.2.6 Allowable vertical and horizontal deflection criteria and any specific criteria per ANSI/TPI 1-2002;
- 2.5.2.7 Proper transfer of design loads affecting the Structural Elements and Trusses;
- 2.5.2.8 Adequate connections between Trusses and between Structural Elements, including Truss to Structural Element connections, but not Truss to Truss girder connections except such connections that are excluded from the scope of the Truss Designer's responsibilities.
- 2.5.2.9 Permanent bracing design for the Building, including bracing to resist wind, seismic, or other lateral forces, and permanent bracing for all Structural Elements and Trusses. The permanent bracing design shall incorporate the continuous lateral chord and web member bracing that is designated on the individual Truss Design Drawings into the overall bracing for the entire Building Structural System.
- 2.5.3 The Building Designer shall be responsible for the adequacy of the design of the Building Structural System or the adequacy of the Structural Design Documents. The Building Designer shall evaluate the effect of the Trusses and the Structural Elements supplied, on the Building Structural System.

Appendix E

FLORIDA ADMINISTRATIVE CODE

Chapter 61G15

Rules of the Florida Board of Professional Engineers

61G15-23.002 Seal, Signature and Date Shall Be Affixed.

(1) A professional engineer shall sign his name and affix his seal to all plans, specifications, reports, final bid documents provided to the owner or the owner's representative, or other documents prepared or issued by said registrant and being filed for public record. The date that the signature and seal is affixed as provided herein shall be entered on said plans, specifications, reports, or other documents immediately under the signature of the professional engineer.

(2) Each sheet of plans and prints which must be sealed under the provisions of Chapter 471 shall be sealed, signed and dated by the professional engineer in responsible charge. Engineers shall legibly indicate their name, address, and number on each sheet. If practicing through a duly authorized engineering business, engineers shall legibly indicate their name and license number, as well as, the name, address, and certificate of authorization number of the engineering business on each sheet. A title block on each sheet containing the printed name, address, and license number of the engineer or if applicable, the name and license number of the engineer, and the name, address and certificate of authorization number of the engineering business will satisfy this requirement. Engineers working for local, State or Federal Government agencies shall legibly indicate their name and license number, and may indicate the name and address of the agency. A cover or index sheet for engineering specifications may be used and that sheet must be signed, sealed and dated by those professional engineers in responsible charge of the production and preparation of each section of the engineering specification with sufficient information on the cover sheet or index so that the user will be aware of each portion of the specifications for which each professional engineer is responsible. Engineering reports must be signed, sealed and dated on a signature page or cover letter by each professional engineer who is in responsible charge of any portion of the report. A professional engineer may only seal an engineering report, plan, print or specification if that professional engineer was in responsible charge 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 in question.

(3) A professional engineer should not seal original documents made of mylar, linen, sepia or other materials which can be changed by the entity with whom such document(s) are filed unless the professional engineer accompanies such document(s) with a signed and sealed letter making the receiver aware that copies of the original document as designed by the professional engineer have been retained by the professional engineer and that the professional engineer will not be responsible for any subsequent changes to the reproducible original documents.

(4) A professional engineer should not seal preliminary plans which are not intended for permit, construction, or bidding purposes. If a permitting agency requires that preliminary plans submitted for review purposes be signed and sealed, then the engineer should clearly note such limitations on the face of the plans, by using terms such as "Preliminary," "For Review Only," "Not for Construction," or any suitable statement which denotes that the documents are for design review only and are not intended for permit, construction, or bidding purposes.

(5) Engineers who wish to sign and seal electronically transmitted plans, specifications, reports, final bid documents, or other documents shall follow the procedures set forth in Rule 61G15-23.003, F.A.C.

Appendix F

Florida Statutes

Chapter 471

471.003 Qualifications for practice; exemptions.

(1) No person other than a duly licensed engineer shall practice engineering or use the name or title of "licensed engineer," "professional engineer," or any other title, designation, words, letters, abbreviations, or device tending to indicate that such person holds an active license as an engineer in this state.

(2) The following persons are not required to be licensed under the provisions of this chapter as a licensed engineer:

(a) Any person practicing engineering for the improvement of, or otherwise affecting, property legally owned by her or him, unless such practice involves a public utility or the public health, safety, or welfare or the safety or health of employees. This paragraph shall not be construed as authorizing the practice of engineering through an agent or employee who is not duly licensed under the provisions of this chapter.

(b)1. A person acting as a public officer employed by any state, county, municipal, or other governmental unit of this state when working on any project the total estimated cost of which is \$10,000 or less.

2. Persons who are employees of any state, county, municipal, or other governmental unit of this state and who are the subordinates of a person in responsible charge licensed under this chapter, to the extent that the supervision meets standards adopted by rule of the board.

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

(d) Regular full-time employees of a public utility or other entity subject to regulation by the Florida Public Service Commission, Federal Energy Regulatory Commission, or Federal Communications Commission.

(e) Employees of a firm, corporation, or partnership who are the subordinates of a person in responsible charge, licensed under this chapter.

(f) Any person as contractor in the execution of work designed by a professional engineer or in the supervision of the construction of work as a foreman or superintendent.

(g) A licensed surveyor and mapper who takes, or contracts for, professional engineering services incidental to her or his practice of surveying and mapping and who delegates such engineering services to a licensed professional engineer qualified within her or his firm or contracts for such professional engineering services to be performed by others who are licensed professional engineers under the provisions of this chapter.

(h) Any electrical, plumbing, air-conditioning, or mechanical contractor whose practice includes the design and fabrication of electrical, plumbing, air-conditioning, or mechanical systems, respectively, which she or he installs by virtue of a license issued under chapter 489, under part I of chapter 553, or under any special act or ordinance when working on any construction project which:

1. Requires an electrical or plumbing or air-conditioning and refrigeration system with a value of \$50,000 or less; and

2. a. Requires an aggregate service capacity of 600 amperes (240 volts) or less on a residential electrical system or 800 amperes (240 volts) or less on a commercial or industrial electrical system;

b. Requires a plumbing system with fewer than 250 fixture units; or

c. Requires a heating, ventilation, and air-conditioning system not to exceed a 15-ton-per-system capacity, or if the project is designed to accommodate 100 or fewer persons.

(i) Any general contractor, certified or registered pursuant to the provisions of chapter 489, when negotiating or performing services under a design-build contract as long as the engineering services offered or rendered in connection with the contract are offered and rendered by an engineer licensed in accordance with this chapter.

(j) Any defense, space, or aerospace company, whether a sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other business entity, subsidiary, or affiliate, or any employee, contract worker, subcontractor, or independent contractor of the defense, space, or aerospace company who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, or other defense, space, or aerospace-related product or services, or components thereof.

(3) Notwithstanding the provisions of this chapter or of any other law, no licensed engineer whose principal practice is civil or structural engineering, or employee or subordinate under the responsible supervision or control of the engineer, is precluded from performing architectural services which are purely incidental to her or his engineering practice, nor is any licensed architect, or employee or subordinate under the responsible supervision or control of the architect, precluded from performing engineering services which are purely incidental to her or his architectural practice. However, no engineer shall practice architecture or use the designation "architect" or any term derived therefrom, and no architect shall practice engineering or use the designation "engineer" or any term derived therefrom.

471.033 Disciplinary proceedings.

(1) The following acts constitute grounds for which the disciplinary actions in subsection (3) may be taken:

- (a) Violating any provision of s. 455.227(1), s. 471.025, or s. 471.031, or any other provision of this chapter or rule of the board or department.
- (b) Attempting to procure a license to practice engineering by bribery or fraudulent misrepresentations.
- (c) Having a license to practice engineering revoked, suspended, or otherwise acted against, including the denial of licensure, by the licensing authority of another state, territory, or country, for any act that would constitute a violation of this chapter or chapter 455.
- (d) Being convicted or found guilty of, or entering a plea of nolo contendere to, regardless of adjudication, a crime in any jurisdiction which directly relates to the practice of engineering or the ability to practice engineering.
- (e) Making or filing a report or record that the licensee knows to be false, willfully failing to file a report or record required by state or federal law, willfully impeding or obstructing such filing, or inducing another person to impede or obstruct such filing. Such reports or records include only those that are signed in the capacity of a licensed engineer.
- (f) Advertising goods or services in a manner that is fraudulent, false, deceptive, or misleading in form or content.
- (g) Engaging in fraud or deceit, negligence, incompetence, or misconduct, in the practice of engineering.
- (h) Violating chapter 455.
- (i) Practicing on a revoked, suspended, inactive, or delinquent license.
- (j) Affixing or permitting to be affixed his or her seal, name, or digital signature to any final drawings, specifications, plans, reports, or documents that were not prepared by him or her or under his or her responsible supervision, direction, or control.**
- (k) Violating any order of the board or department previously entered in a disciplinary hearing.

(2) The board shall specify, by rule, what acts or omissions constitute a violation of subsection (1).

(3) When the board finds any person guilty of any of the grounds set forth in subsection (1), it may enter an order imposing one or more of the following penalties:

- (a) Denial of an application for licensure.
- (b) Revocation or suspension of a license.
- (c) Imposition of an administrative fine not to exceed \$5,000 for each count or separate offense.
- (d) Issuance of a reprimand.
- (e) Placement of the licensee on probation for a period of time and subject to such conditions as the board may specify.
- (f) Restriction of the authorized scope of practice by the licensee.
- (g) Restitution.

(4) The management corporation shall reissue the license of a disciplined engineer or business upon certification by the board that the disciplined person has complied with all of the terms and conditions set forth in the final order.



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