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A bill to be entitled

An act relating to building code administrators and inspectors; amending s. 468.603, F.S.; revising definitions; amending s. 468.609, F.S.; revising eligibility requirements for the examination for certification as a building code inspector or plans examiner to include an internship certification program; removing an eligibility condition from provisions related to provisional certificates; requiring the Florida Building Code Administrators and Inspectors Board to establish rules; amending s. 468.617, F.S.; authorizing specified entities to contract for the provision of building code administrator and building official services; amending s. 553.791, F.S.; conforming provisions; revising a definition; amending ss. 468.609, 471.045, and 481.222; conforming cross-references; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 468.603, Florida Statutes, is amended to read:

468.603 Definitions.—As used in this part:
(1)~~(3)~~ "Board" means the Florida Building Code

26 Administrators and Inspectors Board.

27 (2)~~(1)~~ "Building code administrator" or "building
28 official" means any of those employees of municipal or county
29 governments, or any person contracted, with building
30 construction regulation responsibilities who are charged with
31 the responsibility for direct regulatory administration or
32 supervision of plan review, enforcement, or inspection of
33 building construction, erection, repair, addition, remodeling,
34 demolition, or alteration projects that require permitting
35 indicating compliance with building, plumbing, mechanical,
36 electrical, gas, fire prevention, energy, accessibility, and
37 other construction codes as required by state law or municipal
38 or county ordinance. This term is synonymous with "building
39 official" as used in the ~~administrative chapter of the Standard~~
40 ~~Building Code and the South Florida Building Code~~. One person
41 employed or contracted by each municipal or county government as
42 a building code administrator or building official and who is so
43 certified under this part may be authorized to perform any plan
44 review or inspection for which certification is required by this
45 part, including performing any plan review or inspection as a
46 currently designated standard certified building official under
47 an interagency service agreement with a jurisdiction having a
48 population of 50,000 or less.

49 (3)~~(8)~~ "Building code enforcement official" or
50 "enforcement official" means a licensed building code

51 administrator, building code inspector, or plans examiner.

52 (4)~~(2)~~ "Building code inspector" means any of those
53 employees of local governments or state agencies, or any person
54 contracted, with building construction regulation
55 responsibilities who themselves conduct inspections of building
56 construction, erection, repair, addition, or alteration projects
57 that require permitting indicating compliance with building,
58 plumbing, mechanical, electrical, gas, fire prevention, energy,
59 accessibility, and other construction codes as required by state
60 law or municipal or county ordinance.

61 (5)~~(6)~~ "Categories of building code inspectors" include
62 the following:

63 (a) "Building inspector" means a person who is qualified
64 to inspect and determine that buildings and structures are
65 constructed in accordance with the provisions of the governing
66 building codes and state accessibility laws.

67 (b) "Coastal construction inspector" means a person who is
68 qualified to inspect and determine that buildings and structures
69 are constructed to resist near-hurricane and hurricane velocity
70 winds in accordance with the provisions of the governing
71 building code.

72 (c) "Commercial electrical inspector" means a person who
73 is qualified to inspect and determine the electrical safety of
74 commercial buildings and structures by inspecting for compliance
75 with the provisions of the National Electrical Code.

76 (d)~~(h)~~ "Electrical inspector" means a person who is
77 qualified to inspect and determine the electrical safety of
78 commercial and residential buildings and accessory structures by
79 inspecting for compliance with the provisions of the National
80 Electrical Code.

81 (e) "Mechanical inspector" means a person who is qualified
82 to inspect and determine that the mechanical installations and
83 systems for buildings and structures are in compliance with the
84 provisions of the governing mechanical code.

85 (f)~~(g)~~ "One and two family dwelling inspector" means a
86 person who is qualified to inspect and determine that one and
87 two family dwellings and accessory structures are constructed in
88 accordance with the provisions of the governing building,
89 plumbing, mechanical, accessibility, and electrical codes.

90 (g)~~(f)~~ "Plumbing inspector" means a person who is
91 qualified to inspect and determine that the plumbing
92 installations and systems for buildings and structures are in
93 compliance with the provisions of the governing plumbing code.

94 (h)~~(d)~~ "Residential electrical inspector" means a person
95 who is qualified to inspect and determine the electrical safety
96 of one and two family dwellings and accessory structures by
97 inspecting for compliance with the applicable provisions of the
98 governing electrical code.

99 (6)~~(5)~~ "Certificate" means a certificate of qualification
100 issued by the department as provided in this part.

101 ~~(7)~~(4) "Department" means the Department of Business and
 102 Professional Regulation.

103 ~~(8)~~(7) "Plans examiner" means a person who is qualified to
 104 determine that plans submitted for purposes of obtaining
 105 building and other permits comply with the applicable building,
 106 plumbing, mechanical, electrical, gas, fire prevention, energy,
 107 accessibility, and other applicable construction codes. The term
 108 includes a residential plans examiner who is qualified to
 109 determine that plans submitted for purposes of obtaining
 110 building and other permits comply with the applicable
 111 residential building, plumbing, mechanical, electrical, gas,
 112 energy, accessibility, and other applicable construction codes.

113 Categories of plans examiners include:

- 114 (a) Building plans examiner.
- 115 (b) Plumbing plans examiner.
- 116 (c) Mechanical plans examiner.
- 117 (d) Electrical plans examiner.

118 Section 2. Paragraph (c) of subsection (2), paragraphs (a)
 119 and (d) of subsection (7), and subsection (10) of section
 120 468.609, Florida Statutes, are amended to read:

121 468.609 Administration of this part; standards for
 122 certification; additional categories of certification.—

123 (2) A person may take the examination for certification as
 124 a building code inspector or plans examiner pursuant to this
 125 part if the person:

126 (c) Meets eligibility requirements according to one of the
127 following criteria:

128 1. Demonstrates 5 years' combined experience in the field
129 of construction or a related field, building code inspection, or
130 plans review corresponding to the certification category sought;

131 2. Demonstrates a combination of postsecondary education
132 in the field of construction or a related field and experience
133 which totals 4 years, with at least 1 year of such total being
134 experience in construction, building code inspection, or plans
135 review;

136 3. Demonstrates a combination of technical education in
137 the field of construction or a related field and experience
138 which totals 4 years, with at least 1 year of such total being
139 experience in construction, building code inspection, or plans
140 review;

141 4. Currently holds a standard certificate issued by the
142 board or a firesafety inspector license issued pursuant to
143 chapter 633, has a minimum of 3 years' verifiable full-time
144 experience in inspection or plan review, and has satisfactorily
145 completed a building code inspector or plans examiner training
146 program that provides at least 100 hours but not more than 200
147 hours of cross-training in the certification category sought.
148 The board shall establish by rule criteria for the development
149 and implementation of the training programs. The board shall
150 accept all classroom training offered by an approved provider if

151 the content substantially meets the intent of the classroom
152 component of the training program;

153 5. Demonstrates a combination of the completion of an
154 approved training program in the field of building code
155 inspection or plan review and a minimum of 2 years' experience
156 in the field of building code inspection, plan review, fire code
157 inspections and fire plans review of new buildings as a
158 firesafety inspector certified under s. 633.216, or
159 construction. The approved training portion of this requirement
160 shall include proof of satisfactory completion of a training
161 program that provides at least 200 hours but not more than 300
162 hours of cross-training that is approved by the board in the
163 chosen category of building code inspection or plan review in
164 the certification category sought with at least 20 hours but not
165 more than 30 hours of instruction in state laws, rules, and
166 ethics relating to professional standards of practice, duties,
167 and responsibilities of a certificateholder. The board shall
168 coordinate with the Building Officials Association of Florida,
169 Inc., to establish by rule the development and implementation of
170 the training program. However, the board shall accept all
171 classroom training offered by an approved provider if the
172 content substantially meets the intent of the classroom
173 component of the training program; ~~or~~

174 6. Currently holds a standard certificate issued by the
175 board or a firesafety inspector license issued pursuant to

176 chapter 633 and:

177 a. Has at least 5 years' verifiable full-time experience
178 as an inspector or plans examiner in a standard certification
179 category currently held or has a minimum of 5 years' verifiable
180 full-time experience as a firesafety inspector licensed pursuant
181 to chapter 633.

182 b. Has satisfactorily completed a building code inspector
183 or plans examiner classroom training course or program that
184 provides at least 200 but not more than 300 hours in the
185 certification category sought, except for one-family and two-
186 family dwelling training programs, which must provide at least
187 500 but not more than 800 hours of training as prescribed by the
188 board. The board shall establish by rule criteria for the
189 development and implementation of classroom training courses and
190 programs in each certification category; or

191 7.a. Has completed a 4-year internship certification
192 program as a building code inspector or plans examiner while
193 employed full-time by a municipality, county, or other
194 governmental jurisdiction, under the direct supervision of a
195 certified building official. Proof of graduation with a related
196 vocational degree or college degree or of verifiable work
197 experience may be exchanged for the internship experience
198 requirement year-for-year, but may reduce the requirement to no
199 less than 1 year.

200 b. Has passed an examination administered by the

201 International Code Council in the certification category sought.
202 Such examination must be passed before beginning the internship
203 certification program.

204 c. Has passed the principles and practice examination
205 before completing the internship certification program.

206 d. Has passed a board-approved 40-hour code training
207 course in the certification category sought before completing
208 the internship certification program.

209 e. Has obtained a favorable recommendation from the
210 supervising building official after completion of the internship
211 certification program.

212 (7) (a) The board shall provide for the issuance of
213 provisional certificates valid for 1 year, as specified by board
214 rule, to any ~~newly employed or promoted~~ building code inspector
215 or plans examiner who meets the eligibility requirements
216 described in subsection (2) and any newly employed or promoted
217 building code administrator who meets the eligibility
218 requirements described in subsection (3). The provisional
219 license may be renewed by the board for just cause; however, a
220 provisional license is not valid for longer than 3 years.

221 (d) A ~~newly employed or hired~~ person may perform the
222 duties of a plans examiner or building code inspector for 120
223 days if a provisional certificate application has been submitted
224 if such person is under the direct supervision of a certified
225 building code administrator who holds a standard certification

226 and who has found such person qualified for a provisional
227 certificate. Direct supervision and the determination of
228 qualifications may also be provided by a building code
229 administrator who holds a limited or provisional certificate in
230 a county having a population of fewer than 75,000 and in a
231 municipality located within such county.

232 (10) (a) The board may by rule create categories of
233 certification in addition to those defined in s. 468.603(5) and
234 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
235 be mandatory and shall not act to diminish the scope of any
236 certificate created by statute.

237 (b) The board shall by rule establish:

238 1. Reciprocity of certification with any other state that
239 requires an examination administered by the International Code
240 Council.

241 2. An applicant for certification as a building code
242 inspector or plans examiner may apply for a provisional
243 certificate valid for the duration of the internship period.

244 3. Partial completion of an internship program may be
245 transferred between jurisdictions on a form prescribed by the
246 board.

247 4. An applicant may apply for a standard certificate on a
248 form prescribed by the board upon successful completion of an
249 internship certification program.

250 5. An applicant may apply for a standard certificate at

251 least 30 days and no more than 60 days before completing the
252 internship certification program.

253 6. A building code inspector or plans examiner who has
254 standard certification may seek an additional certification in
255 another category by completing an additional nonconcurrent 1-
256 year internship program in the certification category sought and
257 passing an examination administered by the International Code
258 Council and a board-approved 40-hour code training course.

259 Section 3. Subsection (3) of section 468.617, Florida
260 Statutes, is amended to read:

261 468.617 Joint building code inspection department; other
262 arrangements.—

263 (3) Nothing in this part shall prohibit any county or
264 municipal government, school board, community college board,
265 state university, or state agency from entering into any
266 contract with any person or entity for the provision of building
267 code administrator, building official, or building code
268 inspection services regulated under this part, and
269 notwithstanding any other statutory provision, such county or
270 municipal governments may enter into contracts.

271 Section 4. Paragraphs (d) and (i) of subsection (1) of
272 section 553.791, Florida Statutes, are amended to read:

273 553.791 Alternative plans review and inspection.—

274 (1) As used in this section, the term:

275 (d) "Building code inspection services" means those

276 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
277 involving the review of building plans to determine compliance
278 with applicable codes and those inspections required by law of
279 each phase of construction for which permitting by a local
280 enforcement agency is required to determine compliance with
281 applicable codes.

282 (i) "Private provider" means a person licensed as a
283 building code administrator under part XII of chapter 468, as an
284 engineer under chapter 471, or as an architect under chapter
285 481. For purposes of performing inspections under this section
286 for additions and alterations that are limited to 1,000 square
287 feet or less to residential buildings, the term "private
288 provider" also includes a person who holds a standard
289 certificate under part XII of chapter 468.

290 Section 5. Subsection (10) of section 468.609, Florida
291 Statutes, is amended to read:

292 468.609 Administration of this part; standards for
293 certification; additional categories of certification.—

294 (10) The board may by rule create categories of
295 certification in addition to those defined in s. 468.603(5) and
296 (8) ~~468.603(6) and (7)~~. Such certification categories shall not
297 be mandatory and shall not act to diminish the scope of any
298 certificate created by statute.

299 Section 6. Section 471.045, Florida Statutes, is amended
300 to read:

301 471.045 Professional engineers performing building code
302 inspector duties.—Notwithstanding any other provision of law, a
303 person who is currently licensed under this chapter to practice
304 as a professional engineer may provide building code inspection
305 services described in s. 468.603(5) and (8) ~~468.603(6) and (7)~~
306 to a local government or state agency upon its request, without
307 being certified by the Florida Building Code Administrators and
308 Inspectors Board under part XII of chapter 468. When performing
309 these building code inspection services, the professional
310 engineer is subject to the disciplinary guidelines of this
311 chapter and s. 468.621(1)(c)-(h). Any complaint processing,
312 investigation, and discipline that arise out of a professional
313 engineer's performing building code inspection services shall be
314 conducted by the Board of Professional Engineers rather than the
315 Florida Building Code Administrators and Inspectors Board. A
316 professional engineer may not perform plans review as an
317 employee of a local government upon any job that the
318 professional engineer or the professional engineer's company
319 designed.

320 Section 7. Section 481.222, Florida Statutes, is amended
321 to read:

322 481.222 Architects performing building code inspection
323 services.—Notwithstanding any other provision of law, a person
324 who is currently licensed to practice as an architect under this
325 part may provide building code inspection services described in

326 s. 468.603(5) and (8) ~~468.603(6) and (7)~~ to a local government
327 or state agency upon its request, without being certified by the
328 Florida Building Code Administrators and Inspectors Board under
329 part XII of chapter 468. With respect to the performance of such
330 building code inspection services, the architect is subject to
331 the disciplinary guidelines of this part and s. 468.621(1)(c)-
332 (h). Any complaint processing, investigation, and discipline
333 that arise out of an architect's performance of building code
334 inspection services shall be conducted by the Board of
335 Architecture and Interior Design rather than the Florida
336 Building Code Administrators and Inspectors Board. An architect
337 may not perform plans review as an employee of a local
338 government upon any job that the architect or the architect's
339 company designed.

340 Section 8. This act shall take effect July 1, 2017.