

By Senator Brandes

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1 A bill to be entitled
2 An act relating to building code administrators and
3 inspectors; amending s. 468.603, F.S.; revising and
4 defining terms; amending s. 468.609, F.S.; creating an
5 internship path to certification as an inspector or
6 plans examiner; specifying requirements for the
7 internship periods; requiring the board to authorize
8 specified candidates for certification as building
9 code inspectors or plans examiners to perform duties
10 during a specified period after initial application,
11 to apply for a 1-year provisional certificate under
12 certain circumstances, and to apply for standard
13 certification within a certain time before completing
14 the internship period; deleting being newly hired or
15 promoted as a condition for eligibility to qualify for
16 a provisional certificate; requiring rulemaking;
17 requiring the board to develop a form to transfer
18 internship periods completed in other jurisdictions
19 under certain circumstances; requiring the board to
20 develop an electronic application for standard
21 certification for certain persons; authorizing persons
22 to seek additional certifications if they meet certain
23 requirements; conforming cross-references; amending s.
24 553.791, F.S.; revising the definition of the term
25 "private provider"; conforming cross-references;
26 amending ss. 471.045 and 481.222, F.S.; conforming
27 cross-references; providing an effective date.

28
29 Be It Enacted by the Legislature of the State of Florida:

30
31 Section 1. Section 468.603, Florida Statutes, is reordered
32 and amended to read:

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33 468.603 Definitions.—As used in this part:

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

55 (4)~~(2)~~ "Building code inspector" means any of those
56 employees of local governments or state agencies with building
57 construction regulation responsibilities who themselves conduct
58 inspections of building construction, erection, repair,
59 addition, or alteration projects that require permitting
60 indicating compliance with building, plumbing, mechanical,
61 electrical, gas, fire prevention, energy, accessibility, and

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62 other construction codes as required by state law or municipal
63 or county ordinance.

64 (1)~~(3)~~ "Board" means the Florida Building Code
65 Administrators and Inspectors Board.

66 (7)~~(4)~~ "Department" means the Department of Business and
67 Professional Regulation.

68 (6)~~(5)~~ "Certificate" means a certificate of qualification
69 issued by the department as provided in this part.

70 (5)~~(6)~~ "Categories of building code inspectors" include the
71 following:

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

76 (b) "Coastal construction inspector" means a person who is
77 qualified to inspect and determine that buildings and structures
78 are constructed to resist near-hurricane and hurricane velocity
79 winds in accordance with the provisions of the governing
80 building code.

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

85 (d) "Residential electrical inspector" means a person who
86 is qualified to inspect and determine the electrical safety of
87 one and two family dwellings and accessory structures by
88 inspecting for compliance with the applicable provisions of the
89 governing electrical code.

90 (e) "Mechanical inspector" means a person who is qualified

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91 to inspect and determine that the mechanical installations and
92 systems for buildings and structures are in compliance with the
93 provisions of the governing mechanical code.

94 (f) "Plumbing inspector" means a person who is qualified to
95 inspect and determine that the plumbing installations and
96 systems for buildings and structures are in compliance with the
97 provisions of the governing plumbing code.

98 (g) "One and two family dwelling inspector" means a person
99 who is qualified to inspect and determine that one and two
100 family dwellings and accessory structures are constructed in
101 accordance with the provisions of the governing building,
102 plumbing, mechanical, accessibility, and electrical codes.

103 (h) "Electrical inspector" means a person who is qualified
104 to inspect and determine the electrical safety of commercial and
105 residential buildings and accessory structures by inspecting for
106 compliance with the provisions of the National Electrical Code.

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

112 Categories of plans examiners include:

113 (a) Building plans examiner.

114 (b) Plumbing plans examiner.

115 (c) Mechanical plans examiner.

116 (d) Electrical plans examiner.

117 (3)~~(8)~~ "Building code enforcement official" or "enforcement
118 official" means a licensed building code administrator, building
119 code inspector, or plans examiner.

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120 (9) "Residential plans examiner" means a person who is
121 qualified to determine whether plans submitted for purposes of
122 obtaining building and other permits comply with the applicable
123 residential building, plumbing, mechanical, electrical, gas,
124 energy, accessibility, and other construction codes.

125 Section 2. Paragraph (c) of subsection (2), paragraphs (a)
126 and (d) of subsection (7), and subsection (10) of section
127 468.609, Florida Statutes, are amended, and subsections (11) and
128 (12) are added to that section, to read:

129 468.609 Administration of this part; standards for
130 certification; additional categories of certification.—

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

134 (c) Meets eligibility requirements according to one of the
135 following criteria:

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

139 2. Demonstrates a combination of postsecondary education in
140 the field of construction or a related field and experience
141 which totals 4 years, with at least 1 year of such total being
142 experience in construction, building code inspection, or plans
143 review;

144 3. Demonstrates a combination of technical education in the
145 field of construction or a related field and experience which
146 totals 4 years, with at least 1 year of such total being
147 experience in construction, building code inspection, or plans
148 review;

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149 4. Currently holds a standard certificate issued by the
150 board or a firesafety inspector license issued pursuant to
151 chapter 633, has a minimum of 3 years' verifiable full-time
152 experience in inspection or plan review, and has satisfactorily
153 completed a building code inspector or plans examiner training
154 program that provides at least 100 hours but not more than 200
155 hours of cross-training in the certification category sought.
156 The board shall establish by rule criteria for the development
157 and implementation of the training programs. The board shall
158 accept all classroom training offered by an approved provider if
159 the content substantially meets the intent of the classroom
160 component of the training program;

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

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178 the training program. However, the board shall accept all
179 classroom training offered by an approved provider if the
180 content substantially meets the intent of the classroom
181 component of the training program; ~~or~~

182 6. Currently holds a standard certificate issued by the
183 board or a firesafety inspector license issued pursuant to
184 chapter 633 and:

185 a. Has at least 5 years' verifiable full-time experience as
186 an inspector or plans examiner in a standard certification
187 category currently held or has a minimum of 5 years' verifiable
188 full-time experience as a firesafety inspector licensed pursuant
189 to chapter 633.

190 b. Has satisfactorily completed a building code inspector
191 or plans examiner classroom training course or program that
192 provides at least 200 but not more than 300 hours in the
193 certification category sought, except for one-family and two-
194 family dwelling training programs, which must provide at least
195 500 but not more than 800 hours of training as prescribed by the
196 board. The board shall establish by rule criteria for the
197 development and implementation of classroom training courses and
198 programs in each certification category; or

199 7. Completes an inspector or plans examiner internship
200 certification program that includes all of the following:

201 a. Passing an International Code Council (ICC) administered
202 examination in the category sought prior to beginning a 4-year
203 internship while employed full time by a Florida municipality,
204 county, or other governmental jurisdiction under the direct
205 supervision of a standard certified, government employed,
206 sponsoring building official. A related vocational or college

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207 degree attained or verifiable on-the-job experience may reduce
208 the internship period year-for-year to no less than 1 year.

209 b. Passing the State of Florida Principles and Practice
210 exam prior to completing the internship period.

211 c. Passing a Building Code Administrator and Inspectors
212 Board (BCAIB) approved 40-hour code training in the category
213 sought before completing the internship period.

214 d. Obtaining a favorable recommendation from the sponsoring
215 building official upon completion of the internship period.

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

225 (d) A ~~newly employed or hired~~ person may perform the duties
226 of a plans examiner or building code inspector for 120 days if a
227 provisional certificate application has been submitted if such
228 person is under the direct supervision of a certified building
229 code administrator who holds a standard certification and who
230 has found such person qualified for a provisional certificate.
231 Direct supervision and the determination of qualifications may
232 also be provided by a building code administrator who holds a
233 limited or provisional certificate in a county having a
234 population of fewer than 75,000 and in a municipality located
235 within such county.

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236 (10) The board may by rule create categories of
237 certification in addition to those defined in s. 468.603(5) ~~s.~~
238 ~~468.603(6)~~ and (8) ~~(7)~~. Such certification categories shall not
239 be mandatory and shall not act to diminish the scope of any
240 certificate created by statute.

241 (11) The board shall by rule:

242 (a) Establish a procedure to determine reciprocity for an
243 ICC examination administered by another state.

244 (b) Authorize candidates under subparagraph (2)(c)7. to:

245 1. Perform duties during the first 120 days after initial
246 application submittal to the board.

247 2. Apply for a 1-year provisional certificate before
248 completing the internship period if the candidate has not passed
249 the principles and practice exam or 40-hour code training
250 course.

251 3. Apply for standard certification at least 30 days but
252 not more than 60 days before completing the internship period.

253 (c) Develop a form to authorize candidates under
254 subparagraph (2)(c)7. to transfer approved partial internship
255 periods completed in other jurisdictions.

256 (d) Develop an electronic application for standard
257 certification of interns who successfully complete the program
258 described in subparagraph (2)(c)7.

259 (12) After achieving initial standard certification, a
260 person may seek additional certifications in other categories by
261 completing additional nonconcurrent internship programs when
262 passing an ICC examination, passing a BCAIB approved 40-hour
263 code training, and completing an additional 1-year, full-time
264 internship in the respective category sought. Any person holding

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265 a standard certification may seek additional certifications.

266 Section 3. Paragraphs (d) and (i) of subsection (1) of
267 section 553.791, Florida Statutes, are amended to read:

268 553.791 Alternative plans review and inspection.—

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

270 (d) "Building code inspection services" means those
271 services described in s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~
272 involving the review of building plans to determine compliance
273 with applicable codes and those inspections required by law of
274 each phase of construction for which permitting by a local
275 enforcement agency is required to determine compliance with
276 applicable codes.

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

285 Section 4. Section 471.045, Florida Statutes, is amended to
286 read:

287 471.045 Professional engineers performing building code
288 inspector duties.—Notwithstanding any other provision of law, a
289 person who is currently licensed under this chapter to practice
290 as a professional engineer may provide building code inspection
291 services described in s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~ to
292 a local government or state agency upon its request, without
293 being certified by the Florida Building Code Administrators and

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294 Inspectors Board under part XII of chapter 468. When performing
295 these building code inspection services, the professional
296 engineer is subject to the disciplinary guidelines of this
297 chapter and s. 468.621(1)(c)-(h). Any complaint processing,
298 investigation, and discipline that arise out of a professional
299 engineer's performing building code inspection services shall be
300 conducted by the Board of Professional Engineers rather than the
301 Florida Building Code Administrators and Inspectors Board. A
302 professional engineer may not perform plans review as an
303 employee of a local government upon any job that the
304 professional engineer or the professional engineer's company
305 designed.

306 Section 5. Section 481.222, Florida Statutes, is amended to
307 read:

308 481.222 Architects performing building code inspection
309 services.—Notwithstanding any other provision of law, a person
310 who is currently licensed to practice as an architect under this
311 part may provide building code inspection services described in
312 s. 468.603(5) ~~s. 468.603(6)~~ and (8) ~~(7)~~ to a local government or
313 state agency upon its request, without being certified by the
314 Florida Building Code Administrators and Inspectors Board under
315 part XII of chapter 468. With respect to the performance of such
316 building code inspection services, the architect is subject to
317 the disciplinary guidelines of this part and s. 468.621(1)(c)-
318 (h). Any complaint processing, investigation, and discipline
319 that arise out of an architect's performance of building code
320 inspection services shall be conducted by the Board of
321 Architecture and Interior Design rather than the Florida
322 Building Code Administrators and Inspectors Board. An architect

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323 may not perform plans review as an employee of a local
324 government upon any job that the architect or the architect's
325 company designed.

326 Section 6. This act shall take effect July 1, 2017.