

CHAPTER 62-531, F.A.C.  
WATER WELL CONTRACTOR LICENSING REQUIREMENTS  
PROPOSED DRAFT AMENDMENTS  
OCTOBER 13, 2009

1       62-531.300    Application Requirements for Water Well Contractors.

2       (1) through (3) No change.

3       (4) The District shall not schedule an applicant to take the required examination until his or  
4 her application has been reviewed and the applicant has met all other conditions for licensure.

5       The applicant must pass the examination within three consecutive testing periods scheduled by  
6 the District or a new application shall be required.

7       (5) through (6) No change.

8       (7) Satisfactory proof of two years experience in constructing , repairing, or abandoning the  
9 water wells construction business shall be demonstrated by providing the following: ~~one or more~~  
10 ~~letters from the applicant's supervising water well contractors that the applicant has worked with~~  
11 ~~the contractors for at least two years in constructing, repairing, or abandoning water wells.~~

12       (a) Evidence of the length of time the applicant has been engaged in the business of the  
13 construction, repair, or abandonment of water wells as a major activity, as attested to by a letter  
14 from three of the following persons:

15       1. A water well contractor;

16       2. A water well driller;

17       3. A water well parts and equipment vendor; or

18       4. A water well inspector employed by a governmental agency.

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1        (b) A list of at least 10 water wells that the applicant has constructed, repaired, or abandoned  
2 within the preceding 5 years. Of these wells, at least seven must have been constructed, as  
3 defined in Section 373.303(2), F.S., by the applicant. The list shall also include:

4        1. The name and address of the owner or owners of each well;

5        2. The location, primary use, and approximate depth and diameter of each well that the  
6 applicant has constructed, repaired, or abandoned; and

7        3. The approximate date the construction, repair, or abandonment of each well was  
8 completed.

9        (8) No change.

10       Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.326, 373.329 FS.

11       History—New 8-18-73, Amended 10-9-84, Formerly 17-20.02, Amended 6-16-86, Formerly 17-  
12 20.020, Amended 5-25-89, Formerly 17-531.300, Amended 7-17-03, 11-25-07, \_\_\_\_\_.

13       62-531.330    Water Well Contractor License Renewal.

14       (1) No change.

15       (2) Twelve CEUs shall be required for renewal of a license beginning July 31, 2005. Water  
16 well contractor licenses shall be renewed only after the license holder has completed twelve  
17 CEUs of approved coursework earned in the 30 months ~~two-year period~~ directly preceding the  
18 ~~request for license renewal for each~~ last day (July 31st) of the biennial renewal cycle. However, if  
19 a water well contractor has received his or her first license within 180 days before the end of the  
20 biennium renewal of licenses, the continuing education requirements shall be waived for the

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1 licensee's first renewal cycle. In no case can any part of the reported CEU's be used to meet the  
2 required hours for more than one biennial license period.

3 (3) through (9) No change.

4 Specific Authority 373.043, 373.309 FS. Law Implemented 373.323, 373.324, 373.326, 373.329  
5 FS. History—New 5-25-89, Formerly 17-531.330, Amended 7-17-03, 11-25-07, \_\_\_\_\_.

6 62-531.450 Unlawful Acts, Grounds for Disciplinary Actions, and Penalties.

7 (1) When a District has reason to believe that any person not licensed as a water well  
8 contractor is in violation of any provisions of this chapter, any rule, or statute that relates to the  
9 construction, repair, or abandonment of water wells, the District may issue and deliver to such  
10 person a notice to cease and desist from such violation. In addition, the District may issue and  
11 deliver a notice to cease and desist to any person who aids and abets the unlicensed construction,  
12 repair, or abandonment of a water well by employing an unlicensed person.

13 (2) It is unlawful for any person to:

14 (a) Practice water well contracting without an active license issued pursuant to this chapter.

15 (b) Construct, repair, or abandon a water well, or operate drilling equipment for such  
16 purpose, unless employed by or under the supervision of a licensed water well contractor, unless  
17 the activity is exempt in accordance with Rule 62-531.390, F.A.C.

18 (c) Give false or forged evidence or reports to obtain a license.

19 (d) Present as his own the license of another.

20 (e) Use or attempt to use a license to practice water well contracting which has been  
21 suspended, revoked, or placed on inactive status.

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1 (f) Engage in willful or repeated violation of this chapter or any other Department, Water  
2 Management District, or state agency rule relating to water wells, which endangers the public  
3 health, safety, or welfare.

4 (3) It is unlawful for a business entity to engage in water well contracting or to perform any  
5 activity for which a license as a water well contractor is required unless a licensed water well  
6 contractor is responsible for supervising such activity of the business entity.

7 (4) The following acts constitute grounds for which disciplinary actions specified in  
8 subsection (5) below may be taken by a District:

9 (a) Attempting to obtain, obtaining, or renewing a license under this chapter by bribery or  
10 fraudulent misrepresentation.

11 (b) Being convicted or found guilty, regardless of the judicial decision or sentence, of fraud  
12 or deceit or of gross negligence, incompetency, or misconduct in the performance of work, or of  
13 a crime in any jurisdiction which directly relates to the practice of water well contracting or the  
14 ability to practice water well contracting. A plea of nolo contendere (not contesting charges) shall  
15 create a presumption of guilt to the underlying criminal charges, and the District shall allow the  
16 person disciplined to present any evidence relevant to the underlying charges and the  
17 circumstances surrounding the plea.

18 (c) Allowing any other person to use the licensee's license.

19 (d) Violating or refusing to comply with any provision of this chapter or any order of the  
20 District previously entered in a disciplinary hearing.

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1 (e) Constructing, repairing, or abandoning a water well without first obtaining all applicable  
2 permits.

3 (f) Practicing with a revoked, suspended, or inactive license.

4 (g) Practicing water well contracting without a water well contractor's license.

5 (5) When the District finds a person guilty of any of the grounds for disciplinary action in  
6 subsection (4) above, it may enter an order imposing one or more of the following disciplinary  
7 actions in accordance with the guidelines established in the Department's Water Well Contractor  
8 Disciplinary Guidelines and Procedures Manual, 2009 October 2002, and the Florida Unified  
9 Citations Dictionary For Water Well Construction, 2009, both adopted and incorporated herein.  
10 A copy of each is available on the Internet at <http://tlhdwf2.dep.state.fl.us/wwcvc/>, or by writing  
11 to the Department's Bureau of Water Facilities Regulation, MS 3580, 2600 Blair Stone Rd.,  
12 Tallahassee, FL 32399-2400:

13 (a) Denial of an application for licensure or renewal of a license.

14 (b) Revocation or suspension of a license.

15 (c) Imposition of an administrative penalty not to exceed \$5,000 for each count or separate  
16 offense, or if the disciplinary action is against an unlicensed person the penalty cannot exceed  
17 \$5,000 per occurrence.

18 (d) Assessment of points against a water well contractor's license.

19 (e) Placement of the water well contractor on probation for a minimum of 6 months subject  
20 to the conditions specified in an order of the District.

21 (f) Restriction of the licensee's authorized scope of practice.

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1       ~~(6) The Water Well Contractor Disciplinary Guidelines and Procedures Manual may be~~  
2       ~~obtained from the Department of Environmental Protection's Division of Water Resource~~  
3       ~~Management, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and from each Water~~  
4       ~~Management District.~~  
5       Specific Authority 373.043, 373.309 FS. Law Implemented 373.306, 373.309, 373.316, 373.319,  
6       373.333, 373.335, 373.336 FS. History – New 8-18-73, Amended 10-9-84, Formerly 17-20.09,  
7       17-20.090, Amended 5-25-89, 12-2-92, Formerly 17-531.450, Amended 12-25-02, 11-25-07, \_\_\_\_\_  
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