Informal Interpretation Report
Number 7912

Date April 11, 2017

Edition 2014

Section R403.2.2

Question:

Would an individual who possesses a relevant certification by the Building Performance Institute, Inc. (in accordance with FS 553.993 (5) or (7)) meet the requirements of the Florida Building Code, 5th Edition (2014) Energy Conservation section R403.2.2 found in the 2016 Supplement in accordance with FS 553.998 (authorized by 2016 HB535)? Specifically, this would apply to performing the evaluation and creating the report to indicate compliance with energy requirements cited.

Answer

Yes.

Regarding duct and air infiltration tests,
Florida Statutes clearly states local
enforcement agencies SHALL ACCEPT duct
and air infiltration tests conducted by
individuals as defined in s.553.993(5) and (7).
Regarding other elements of the energy code,
the law says local enforcement agencies MAY
accept reports from such certified individuals.
(Ch. 2016-129, LOF)

Commentary:

(Ch. 2016-129, LOF)

"Section 26. Section 553.998, Florida Statutes,
is amended to read:
553.998 Compliance.&#2013266071;All ratings must be
determined using tools and procedures
developed by the systems recognized under
this part and must be certified by the rater as
accurate and correct and in compliance with

procedures of the system under which the rater is certified. The local enforcement agency shall accept duct and air infiltration tests conducted in accordance with the Florida Building Code, 5th Edition (2014) Energy Conservation, by individuals as defined in s. 553.993(5) or (7) or individuals licensed as set forth in s. 489.105(3)(f), (g), or (i). The local enforcement agency may accept inspections in whole or in part by individuals as defined in s. 553.993(5) or (7)". (Ch. 2016-129, LOF) As we all know, statute prevails over code. Therefore, the question becomes does the Building Performance Institute certification meet the requirements of Florida Statute.

Notice:
The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.