

**PROFESSIONAL ENGINEER & LAND SURVEYOR
SECTION MEETING**

MINUTES

The Professional Engineer and Land Surveyor Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on August 11, 2016, at the Department of Professional and Occupational Regulation, 9960 Mayland Drive, Richmond, Virginia, with the following members present:

Doyle B. Allen (LS)
Charles F. Dunlap (LS)
Wiley V. Johnson, III (PE)
Carolyn B. Langelotti (PE)
Andy Scherzer (LA)
Christopher M. Stone (PE)
Michael Zmuda (LS)

Board staff present for all or part of the meeting were:

Kathleen (Kate) R. Nosbisch, Executive Director
Bonnie Davis, Administrative Assistant

Agency staff present for all or part of the meeting were:

Jay W. DeBoer, Director

No representative was present from the Office of the Attorney General.

Ms. Langelotti, Chair, called the meeting to order at 9:32 a.m.

Call to Order

Ms. Langelotti advised the Section members of the emergency evacuation procedures.

**Emergency
Evacuation
Procedures**

Ms. Langelotti introduced George Gardner, APELSCIDLA Advisory Member, who will be assisting in the review of professional engineer applications.

**Welcome &
Introduction of
New
APELSCIDLA
Advisory Member
– George
Gardner, PE,
CMC, Engineer**

Mr. Dunlap moved to approve the agenda. Mr. Zmuda seconded the motion which was unanimously approved by members: Allen, Dunlap, Johnson, Langelotti, Scherzer, Stone and Zmuda.

**Approval of
Agenda**

Ms. Nosbisch read an email from Robert Savage, President of Virginia

Public Comment

Association of Onsite Soil Evaluators (VAAOSE) that was received prior to the start of the meeting, expressing concern that the Onsite Sewage Systems Designed by PE's and Onsite Soil Evaluators Guidance Document revised at the Board's June 13, 2016 meeting was more restrictive than the actual exemption. The Section noted his objection.

Period

Mr. James Slusser was present to address the Section. Mr. Slusser is a licensed AOSE and expressed his concerns with the same Guidance Document. Mr. Slusser provided a handout comparing the definitions of septic tank effluent and residential wastewater and articulated additional reasons for his concern. The Section noted his objections.

Mr. Bob Marshall was present to address the Board. Mr. Marshall, a licensed AOSE, expressed his concerns with the same Guidance Document. The Section noted his concerns.

The Section reviewed a draft letter to Localities regarding distinction between Land Surveyors and Land Surveyor B scope of practice. Revisions to the letter were discussed and addressed. Mr. Scherzer inquired the number of land surveyors who have been licensed purely on experience without any further education. Ms. Nobsch stated that we will report that information at the November meeting.

**Distinction
between Land
Surveyor and
Land Surveyor B
Scope of Practice
Letter to
Localities**

The Section noted that the Board defines the scope of practice; we do not enforce it. It was noted that Appomattox County's requirements are more stringent than the regulations. Mr. Dunlap stated that candidates for the state specific exam are currently being tested on this information.

The revised draft letter will be presented to the full Board for consideration in September and upon approval will be distributed to all counties for clarification purposes.

The Section reviewed correspondence from the VAS Board of Directors, and an invitation for Ms. Nobsch to attend the July 12, 2016 meeting of Virginia Geographic Information Network (VGIN). She was unavailable, but will attend VGIN's next meeting with Mr. Zmuda.

**VAS Board of
Directors Letter**

The Section reviewed the Land Surveyor Apprenticeship narrative. Ms. Nobsch stated that the full Board approved the course outline in June. Mr. Dunlap stated that in June, he attended the Land Surveyor Apprenticeship graduation where seven apprentices graduated.

**Land Surveyor
Apprenticeship
Update**

By email, Mr. Richard Cottingham, prior President of NCEES, inquired as to the Board's position on decoupling experience to allow for early taking of the PE exam. Ms. Nobsch stated that there is a strong movement nationally to decouple experience from the exam. The Section agreed to review this and a revisit it at the November meeting.

**Land Surveyor
(SIT) Minimum
Requirements
Updated Map**

Ms. Nosbisch noted that Ms. Langelotti, Mr. Dunlap, and she will be attending the NCEES meeting in Indianapolis, August 25-27, 2016.

NCEES Update

Ms. Nosbisch announced Dan Turner, current NCEES President, will be attending our full Board meeting on September 14, 2016.

The section members recessed from 10:36 a.m. until 10:46 a.m.

Recess

MOTIONS TO BE PRESENTED AT THE 2016 NCEES ANNUAL MEETING

NCEES Motions

Committee on Finances

Finance Motion 1

Move that the adoption of the 2016–17 operating budget as shown in Appendix B be postponed to the end of the last business session in order to take into account any subsequent actions adopted by the Council that may affect this budget.

Board of directors' position

Endorses, non-consent agenda

The Section does support the motion with reservations.

Finance Motion 2

Move that the adoption of the 2016–17 capital budget as shown in Appendix C be postponed to the end of the last business session in order to take into account any subsequent actions adopted by the Council that may affect this budget.

The Section does support the motion.

Finance Motion 3

Move that Financial Policy 7 be amended as follows:

FP 7 Examination Charges

All examination charges shall be reviewed annually by the Committee on Finances, and any proposed changes shall be brought before the Council for approval. The current exam prices are as follows:

<u>Examination</u>	<u>Price</u>	<u>Date Approved</u>	<u>Effective Administration Da</u>
Computer-based FE*	\$225	8/13	1/14
Computer-based FS*	\$225	8/13	1/14
PE**	\$250	8/11	4/13
<u>Computer-based PE*</u>	<u>\$375</u>	<u>8/16</u>	<u>1/18</u>
Computer-based PS*	\$300	8/15	10/16
Structural Lateral Forces component**	\$400	8/09	4/11
Structural Vertical Forces component**	\$400	8/09	4/11

For computer-based examinations, examinees are required to pay NCEES directly. [Beginning in May 2017, all examinees will be required to pay NCEES directly; this requirement will include both computer-based and pencil-and-paper examinations.](#)

*Price includes exam development, scoring, and computer-based exam administration.

**Price includes exam development, scoring, shipping, and materials. Exam administration fees will remain separate for pencil-and-paper exams.

Rationale

After discussing expenses incurred, the reserve impact, the length of the exam, and exam volumes, the Finance Committee recommends that the CBT PE exam charge be set at \$375. The Finance Committee also recommends that, beginning with the first PE exam to transition to CBT, all examination charges (including both CBT and pencil-and-paper PE exams) be required to be paid directly to NCEES to provide a consistent payment method during the transition

period of the PE exams to CBT.

Board of directors' position

Endorses, non-consent agenda

The Section does support the motion.

Special Committee on Bylaws

Bylaws Motion 1

Move that *Bylaws* 5.01 be amended as follows:

Section 5.01 President. The President shall, when present, preside at all meetings; shall appoint all members, chairs, vice-chairs, and consultants of standing committees, ~~except for those of the Committee on Nominations~~ special committees, task forces, and a Tellers Committee for the election of the President-Elect and Treasurer; and shall present to the Council at the Annual Business Meeting a report of the activities during the term of office. The President shall also appoint all members, chairs, vice-chairs, and consultants of special committees unless specific action of the Council or of the Board of Directors names the personnel of the committee or task force. The President shall appoint all official representatives of the Council to other organizations as authorized by the Board of Directors. The President shall be chair of the Board of Directors, shall be an ex-officio member of all committees, and shall perform all other duties ordinarily pertaining to the office of President.

If both the President and the President-Elect are absent, the Vice President from the zone that will be nominating the next President-Elect will be the acting President. The Vice President shall have all the powers of the President while presiding in this capacity.

Rationale

Motion 1 is proposed in response to the approved 2015 ACCA motion that the Committee on Nominations be eliminated and a Tellers Committee, appointed by the president, be added.

While the ACCA motion stated that the Tellers Committee would be appointed "when needed," the Bylaws Committee thinks it would be expedient to have a Tellers Committee appointed each year so that it is ready to serve if the need arises.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 2

Move that *Bylaws* 7.01 be amended as follows:

Section 7.01 Standing Committees. The standing committees of the Council shall be the following: Advisory Committee on Council Activities (ACCA), Awards, Education, Examination Audit, Examinations for Professional Engineers (EPE), Examinations for Professional Surveyors (EPS), Examination Policy and Procedures (EPP), Finances, Law Enforcement, Member Board Administrators (MBA), ~~Nominations~~, and Uniform Procedures and Legislative Guidelines (UPLG).

The structure and membership of all standing committees shall be commensurate with the charges unless otherwise provided for in the *Bylaws*. The composition of the committees should reflect the diversity of the Council membership.

A committee member may be appointed to serve on only one standing committee during any administrative year, ~~with the exception of the Committee on Nominations. Members and alternate members of the Committee on Nominations may be appointed to one additional standing committee during an administrative year.~~

Appointments shall limit the tenure on any one committee to a maximum of four consecutive years, including any time as chair, except that (1) an individual may serve for three years as an EPS Committee member, an additional two years as the EPS Committee vice chair, and two additional years as the EPS Committee chair; and (2) an individual may serve for three years as an EPE Committee member, an additional two years as the EPE Committee vice chair, and two additional years as the EPE Committee chair. The chairs of the EPE and EPS Committee shall have had experience in developing NCEES examinations before assuming the position of chair. This experience is defined as involvement in at least two of the following activities: item writing or review, participation on a cut score panel, involvement in a Professional Activities and Knowledge Study (PAKS) committee or on examination specification committees, or participation on an examination development committee. The ascension track to the chair shall

also include psychometric training approved by NCEES.

A committee chair appointment shall be limited in tenure to a maximum of two consecutive years on any one committee.

Members, associate members, and emeritus members shall be eligible to serve on any committee or task force. Committee members may continue to serve until the conclusion of the term of office to which they were appointed even though their terms with Member Boards may have ended.

Rationale

The first two proposed changes, in paragraphs 1 and 3 of *Bylaws 7.01*, are necessary to make the *Bylaws* consistent with the elimination of the Committee on Nominations.

The third and last proposed change in the last paragraph of *Bylaws 7.01* adds the words, “or task force,” to make the *Bylaws* consistent with the current practice of the committee appointment eligibility.

Board of directors’ position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 3

Move that *Bylaws 7.12* be deleted and the following sections renumbered accordingly.

~~**Section 7.12 Committee on Nominations.** The Committee on Nominations shall consist of a past Treasurer appointed by the President, four additional members, four alternate members (one member and an alternate member elected by each zone of the Council at a zone meeting), and the chair, who shall be the Immediate Past President of the Council. Each zone will announce its nominating committee member and alternate before the close of the Annual Business Meeting. This committee will serve for the nomination of officers for the next administrative year as specified in Section 11.01 and Section 11.02 of the Bylaws.~~

Rationale

Motion 3 proposes changes that directly address Charge 1, “... to remove *Bylaws 7.12*, Committee on Nominations.”

Board of directors’ position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 4

Move that *Bylaws 11.01* and *11.02* be amended as follows and that the current *11.02* be combined with *11.01*:

~~**Section 11.01 Nominations.** The Committee on Nominations shall put forth Member boards may submit nominations for qualified Treasurer candidates for Treasurer each biennium on the odd-numbered years. It shall transmit the annual recommendation for President Elect as a nomination. These nominations shall be filed with the Chief Executive Officer not later than sixty days prior to the opening of the Annual Business Meeting.~~

~~In addition to the nominations made by the Committee on Nominations, any delegate shall have the privilege of making nominations for Treasurer and President Elect from the floor. Such nominees from the floor must meet requirements set out in Section 4.05 and be seconded by at least four Member Boards.~~

~~**Section 11.02 Recommendations.** A recommendation A nomination for the office of President-Elect shall be presented to the NCEES Committee on Nominations Board of Directors by the respective zZone Vice President as voted on by the respective zone at its Zone Interim Meeting, representative to the Committee on Nominations for the office of President Elect. Beginning in 2001, tThe order of rotation for President-Elect shall be Northeast Zone, Central Zone, Southern Zone, and Western Zone and in the same order of rotation in the following years.~~

~~Such recommendations by the respective zones shall be received by the chair of the Committee on Nominations as early as possible, but not more than fifteen days after adjournment of the last Interim Zone Meeting of the year.~~

~~The NCEES Committee on Nominations and all the zone nominating committees shall evaluate candidates against qualification-based criteria to determine the slate of candidates for election by the Council.~~

~~Any delegate shall have the privilege of making nominations for Treasurer and President-Elect~~

[from the floor. Such nominees from the floor must meet requirements set out in Section 4.05 and be seconded by at least four Member Boards.](#)

Rationale

With the elimination of the Committee on Nominations, it became necessary to redefine the procedure for submitting nominations for treasurer and president-elect. Motion 4 proposes changes to *Bylaws* 11.01 and 11.02 to accomplish this in a manner that is similar to the practice that has been followed in past years and implemented through the Committee on Nominations.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 5

Move that a new *Bylaws* 11.02 be adopted as follows:

[Section 11.02 Tellers Committee. The Tellers Committee shall consist of five members, including a chair and one representative from each zone. No member of the committee is eligible to serve as a teller for an election in which he or she is a candidate. The Tellers Committee will tabulate the results for all votes taken and report the results to the President.](#)

Rationale

Charge 1 includes an instruction to add language providing for a Tellers Committee in *Bylaws* Article 11, Elections. The actual 2015 ACCA motion recommended that the Tellers Committee consist of a past NCEES treasurer and the current secretary-treasurer from each zone. In the proposed new *Bylaws* 11.02, the size of the Tellers Committee is kept at five members, as recommended in the ACCA motion, but its composition is less specific than recommended in the ACCA motion. The Bylaws Committee reasoned that it is not possible to know that a past NCEES treasurer and all of the current secretary-treasurers from each zone will be attending the annual meeting and also that none of them would be running for president-elect or treasurer. Therefore, the committee considers it to be more appropriate for the president to appoint a qualified Tellers Committee selected from among the delegates registered to attend the annual meeting.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 6

Move that *Bylaws* 11.03 be amended as follows:

Section 11.03 Voting. All elections shall be by ballot at the Annual Business Meeting. All elections shall be by a majority of votes cast unless otherwise stipulated by the *Bylaws*. [The Committee on Nominations shall act as tellers.](#)

Rationale

Motion 6 proposes a change necessary to make the *Bylaws* consistent with the removal of the Committee on Nominations.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 7

Move that a new *Bylaws* 3.03 be adopted as follows and the following sections renumbered accordingly:

[Section 3.03. International Affiliate Organization. An International Affiliate Organization of NCEES shall be a legally constituted entity having a collateral and supportive position with the licensure of engineers or surveyors. International Affiliate Organizations are entitled to representation at Council meetings but do not have voting privileges. On approval of the presiding officer, they may be granted the privilege of the floor. Acceptance of any International Affiliate Organization shall be by majority vote of the Council.](#)

Rationale

Motion 7 is proposed in direct response to Charge 2, to create an International Affiliate Organization category of NCEES membership. The *Bylaws* Committee recognized the International Affiliate Organization membership to be of the same nature as the Professional Organization membership and so defined the new International Affiliate Organization

membership similarly to the Professional Organization membership.

Board of directors' position

Does not endorse, non-consent agenda

The Section does not support the motion.

Board of directors' rationale

The board deemed that this proposed definition of International Affiliate Organization does not delineate that the organization would indeed be international or from a foreign country. In taking this position, the board realized that it also must also oppose Motions 8–12 since they are related. Because the *Bylaws* requires that proposed changes to the *Bylaws* be reported to member boards 90 days prior the first zone meeting, none of these motions could be amended prior to publication in the *Action Items and Conference Reports*. The board of directors recommends that the Council not approve this motion and that the appropriate 2016–17 committee be charged with proposing a revised definition of International Affiliation Organization to include in the *Bylaws*.

Bylaws Motion 8

Move that *Bylaws* 3.05 be amended as follows:

Section 3.05 Representatives. A representative shall be a member of an [International Affiliate Organization](#) or a ~~p~~Participating ~~e~~Organization designated to represent ~~it~~ [his or her respective organization](#) at meetings of the Council.

Rationale

As the International Affiliate Organization and Participating Organization memberships were defined similarly, the remaining *Bylaws* sections associated with these membership types were defined in tandem. Motion 8 proposes modifications that allow International Affiliate Organization to have representatives at the meetings of the Council. Note: If Motion 7 passes, this section will be renumbered as 3.06.

Board of directors' position

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

The Section does not support the motion.

Bylaws Motion 9

Move that *Bylaws* 6.01 be amended as follows:

Section 6.01 Annual Business Meetings. The Annual Business Meeting of the Council shall be held at the time and place selected by the Board of Directors.

Notice of the Annual Business Meeting shall be ~~mailed provided~~ to each Member Board, member, associate member, [International Affiliate Organization](#), and ~~p~~Participating ~~e~~Organization not less than four weeks prior to each meeting.

The Board of Directors shall prepare a consent agenda for each Annual Business Meeting. Individual motions may be removed from the consent agenda upon request by any Member Board.

Rationale

Motion 9 proposes changes necessary to make the *Bylaws* consistent with the addition of an International Affiliate Organization membership.

Board of directors' position

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

The Section does not support the motion.

Bylaws Motion 10

Move that *Bylaws* 10.01 be amended as follows:

Section 10.01 Fees. Annual fees of Member Boards, ~~as well as dues for participating organizations,~~ are due on January 1 for the ensuing calendar year. The fee schedule for Member Boards shall be based on the number of licensees of record as of December 31 of the preceding calendar year.

Rationale

The Bylaws Committee separated the dues requirements for member boards from those for Professional Organizations and International Affiliate Organizations for clarity and consistency within the *Bylaws*.

Board of directors' position

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

The Section does not support the motion.

Bylaws Motion 11

Move that a new *Bylaws* 10.013 be adopted as follows and the following sections renumbered accordingly:

[Section 10.013 Dues. Annual dues for International Affiliate Organizations and Participating Organizations are due on January 1 for the ensuing calendar year.](#)

Rationale

As the International Affiliate Organization and Participating Organization memberships were defined similarly, the remaining *Bylaws* sections for these membership types were defined in tandem. Motion 11 proposes modifications that result in the same dues regulations for Professional Organizations and International Affiliate Organizations.

Board of directors' position

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

The Section does not support the motion.

Bylaws Motion 12

Move that *Bylaws* 10.013 be amended as follows:

[Section 10.013 Participating Organizations Obligations Dues Schedule. Payments for Any annual membership dues by participating organizations of International Affiliate Organizations and Participating Organizations shall be paid in accordance with a schedule established annually by the Board of Directors.](#)

Rationale

As the International Affiliate Organization and Participating Organization memberships were defined similarly, the remaining *Bylaws* sections for these membership types were defined in tandem. Motion 12 proposes modifications that result in the same dues regulations for Professional Organizations and International Affiliate Organizations. Note: If Motion 11 passes, this section will be renumbered as 10.014.

Board of directors' position

Does not endorse, non-consent agenda (see board of directors' rationale with Motion 7)

The Section does not support the motion.

Bylaws Motion 13

Move that *Bylaws* 7.13 be amended as follows:

Section 7.13 Committee on Uniform Procedures and Legislative Guidelines. The Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall consist of a chair and members from each zone. At least one member shall be a surveyor. ~~The committee shall cooperate with all agencies or organizations working for enactment of improved laws and for the strengthening of laws by amendment and with Member Boards in the administration of licensing acts. The committee shall study the methods for facilitating the licensure and temporary practice of engineers and surveyors previously qualified and licensed in other states, and promote effective procedures for uniform comity. The committee shall promote effective procedures for uniform comity by maintaining the *Model Law* and *Model Rules*. The committee shall incorporate revisions to *Model Law* and *Model Rules* language as result of motions, suggestions, and comments from other NCEES committees, task forces, and Member Boards. receive such comments and suggestions as may be made by the various Member Boards and professional organizations in connection with the *Model Law* and the *Model Rules*.~~ The committee is empowered to recommend such amendments as it feels may be necessary. A comprehensive review of the *Model Law* and *Model Rules*, with the view of possible revision, is to be made by the committee at least once every five years.

Rationale

The functions of the UPLG Committee have evolved over time to the extent that *Bylaws* 7.13 no longer properly describes its direction and practices. Motion 13, reviewed and approved by UPLG, updates the description of UPLG to bring it in line with current practice. Note: If Motion 3 passes, this section will be renumbered as 7.12.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Bylaws Motion 14

Move that *Bylaws* 7.02 be amended as follows:

Section 7.02 Advisory Committee on Council Activities. The Advisory Committee on Council Activities (ACCA) shall consist of a chair and members from each zone. At least one member shall be a surveyor. The committee shall provide advice and briefing to the President and the Board of Directors on new policy issues, problems, and plans that warrant preliminary assessment of policy choices and procedures not as yet assigned to a standing committee or involving several existing committees. Consultants appointed to this committee shall have served on the Board of Directors.

The committee will act as principal advisor to the President and the Board of Directors on such specific nonrecurring problems or plans as the President may explicitly assign to the committee. The committee shall ~~biennially~~ review the Manual of Policy and Position Statements, ~~reflecting upon in consideration of~~ past and current action of the Council, and present ~~any proposed revisions~~ to the Board of Directors ~~the wording of policy revisions to be approved before being submitted for review and forwarding~~ to the Council for ratification at the Annual Business Meeting.

Rationale

Motion 14 proposes changes that provide a clearer description of the functions and procedures of ACCA, as reviewed and approved by ACCA.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Committee on Education

Education Motion 1

Move that PS 10 be amended as follows:

PS 10 Continuing Professional Competency

NCEES endorses the establishment of uniform continuing professional competency (CPC) requirements for licensed professional engineers and surveyors to safeguard the health, safety, and welfare of the public by requiring licensees to remain competent within their profession ~~and to facilitate renewal~~. Uniform requirements benefit licensees by facilitating licensure renewal and supporting mobility across jurisdictions.

CPC should be focused on the advancement, extension, and improvement of the scientific knowledge and professional skills of the licensee and on the enhancement of professional ethics. CPC should be structured in a way that demonstrates compliance but also recognizes the autonomy and strong ethical standards of licensees.

Licensees are expected to meet the CPC requirements of the states jurisdictions in which they have been granted a license by comity, reciprocity, or endorsement.

Applicants for a license by comity, reciprocity, or endorsement who are licensed in a jurisdiction without equivalent CPC requirements should not be denied an initial license for that reason.

Because many engineers and surveyors are licensed in multiple jurisdictions, uniformity of CPC requirements among licensing jurisdictions that mandate CPC is imperative to simplify the licensure- renewal process, to enhance the mobility of licensees, to facilitate the recognition of CPC by multiple jurisdictions, and to ensure the viability of continuing professional competency. NCEES encourages licensing boards to follow the NCEES *Model Rules* as outlined in the NCEES *Continuing Professional Competency Guidelines* when adopting CPC requirements. NCEES encourages boards to allow their licensees to satisfy either the CPC requirements of the board or the NCEES CPC Standard. Doing so will promote licensure mobility, especially with boards whose CPC requirements differ from the *Model Rules*. Licensees are encouraged to use the NCEES CPC Registry to document their CPC activities; this may facilitate board reviews or audits.

NCEES encourages the efforts of professional and technical societies, educational programs, and industry in the development of continuing education opportunities to maintain and enhance the competency of engineers and surveyors.

Rationale

As described in the committee's report (Charge 1), these changes add emphasis on mobility rather than just renewal. Also, the changes further encourage the concept of a national continuing education standard that will help remove hurdles to licensure mobility.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Education Motion 2

Move that PS 4 be amended as follows:

PS 4 Applicants with Non-EAC/ABET-Accredited Baccalaureate Degrees

Individuals with the following qualifications may apply for the licensure process.

- Graduates of non-EAC/ABET-accredited baccalaureate programs in engineering or graduates of non-engineering baccalaureate programs who have earned a master's degree or doctoral degree in engineering. In both of these cases, the official degree program transcripts of applicants must be evaluated through a board-approved process, and any deficiencies found as a result of the evaluation must be corrected. Deficiencies in engineering courses, including engineering design must be remediated by taking courses offered by an EAC/ABET-accredited engineering degree program.
- Graduates of EAC/ABET-accredited master's programs in engineering. In this case, no remedial work is needed; a criterion for EAC/ABET accreditation of master's-level programs is fulfillment of the EAC/ABET baccalaureate-level general criteria.

~~The validation of the educational achievement by any of these methods cannot be applied for experience credit toward licensure. A graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.~~

Rationale

The proposed changes are for clarification purposes. A graduate degree cannot count toward experience if it is used to satisfy education requirements. For example, a biology major who then pursues a master's degree in engineering will not receive the one-year experience credit for the graduate degree because he or she did not meet the education requirements with the bachelor's degree. See the committee's report (Charges 3 and 8) for more discussion.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Education Motion 3

Move that the Committee on Uniform Procedures and Legislative Guidelines (UPLG) be charged with incorporating the following changes into *Model Law 130.10 B3*:

Model Law 130.10 General Requirements for Licensure

Education, experience, and examinations are required for licensure as a professional engineer or professional surveyor.

B. Licensure as a Professional Engineer

3. Initial Licensure as a Professional Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

a. Education Requirements

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (1) A ~~bachelor's~~ degree in engineering from an EAC/ABET-accredited bachelor's program
- (2) ~~A master's degree in engineering from an institution that offers EAC/ABET-accredited programs~~
- (3)(2) A ~~master's~~ degree in engineering from an EAC/~~M~~-ABET-accredited master's program
- (4) ~~An earned doctoral degree in engineering acceptable to the board~~
- (3) A bachelor's, master's, or doctoral degree in engineering

[from a non-EAC/ABET-accredited program. This individual's education must be shown by a board-approved evaluation to meet the NCEES Engineering Education Standard.](#)

b. Examination Requirements

An individual seeking licensure as a professional engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles and Practice of Engineering (PE) examination as described below.

(1) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, or the equivalent, or an engineering master's program accredited by EAC/ABET.

(2) The PE examination may be taken by an engineer intern.

c. Experience Requirements

An individual seeking licensure as a professional engineer shall present evidence of a specific record of progressive engineering experience satisfying one of the following described below. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice engineering.

[Experience credit for graduate degrees in \(2\)– \(4\) below may be given provided that the degree is not used to meet education requirements in 3.a above.](#)

(1) An individual with a bachelor's degree in engineering per a(1) above: 4 years of experience after the bachelor's degree is conferred

(2) An individual with a master's degree in engineering per a(2) or a(3) above: 3 years of experience

(3) An individual with an earned doctoral degree in engineering acceptable to the board and has passed the FE exam: 2 years of experience

(4) An individual with an earned doctoral degree in engineering acceptable to the board and who has elected not to take the FE exam: 4 years of experience

Rationale

The proposed changes will bring the *Model Law* into agreement with PS 4 and (what the committee believes to be) the practice of most boards. Item B3a(2) is being stricken because the committee believes that attainment of a master's degree in engineering—without first earning a bachelor's degree in engineering—is not sufficient to meet the education requirements for licensure. The renumbered item B3a(2) is being retained because a master's program must fulfill the bachelor's-level general criteria for accreditation in order to be EAC/ABET- accredited. The renumbered item B3a(3) is to address degrees from non-EAC/ABET-accredited programs; this encompasses item B3a(4); therefore, B3a(4) can be stricken. See the committee's report (Charges 3 and 8) for further discussion.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Education Motion 4

Move that the UPLG Committee be charged with incorporating the following changes into *Model Rules* 230.20

A9 and B11:

Model Rules 230.20 Experience

A. As a Professional Engineer¹

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

9. Successful completion of graduate study leading to the master's degree in engineering ~~from an institution that offers EAC/ABET-accredited programs~~ may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years. [To count for experience credit, the graduate degree\(s\) shall be a progression of the applicant's](#)

bachelor's degree in engineering and relevant to the area of practice. A graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.

B. As a Professional Surveyor²

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

11. Successful completion of graduate study leading to the master's degree in surveying ~~from an institution~~

~~that offers EAC/ABET, ASAC/ABET, or ETAC/ABET accredited programs~~ may be used for credit for 1 year's experience. If the earned doctoral degree in surveying is completed under the same conditions, 2 years' total experience may be credited; the 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years. To count for experience credit, the graduate degree(s) shall be a progression of the applicant's bachelor's degree in surveying and relevant to the area of practice. A graduate degree that is used, in part or in whole, to satisfy education requirements cannot be applied for experience credit toward licensure.

Rationale

As explained in the committee's report (Charges 3 and 8), the proposed changes disallow "double dipping" of graduate degrees. The one-year experience credit would not be given, for example, to a biology major who receives a graduate degree in engineering/surveying if said degree is used to meet education requirements for licensure. This is consistent with PS 4 (see Motion 2).

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Education Motion 5

Move that the UPLG Committee be charged with adding the following language to *Model Rules* 230.20

A and B:

Model Rules 230.20 Experience

A. As a Professional Engineer¹

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

10. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.

B. As a Professional Surveyor²

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

12. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.

Rationale

As explained in the committee's report (Charges 3 and 8), the proposed changes disallow "double dipping" of graduate degrees.

An individual who works for only three years while concurrently earning a graduate degree would not be given the one-year experience credit; four years of time would need to go by before eligibility. The committee believes that the intent of awarding the experience credit is not to expedite licensure but rather to allow an individual to pursue a graduate degree and still make progress towards the requisite four years' experience.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Advisory Committee on Council Activities

ACCA Motion 1

Move that FP 3A be amended as follows:

FP 3 Travel Expenses

- A. The Council shall budget for and pay travel expenses of members of the board of directors, committee members, and consultants as authorized by the president, and of Council staff to attend meetings representing NCEES. In addition, the Council shall pay travel expenses for the nominees of the Committee on Nominations as well as the chairs of the standing committees and task forces to attend the annual business meeting. Registration fees shall be waived for each funded individual and for a guest of each member of the board of directors and each Committee on Nominations nominee.

The president and the president-elect, ~~with the oversight of the treasurer,~~ have the discretion to purchase business class airfares for trips greater than or equal to ~~3 hours' actual~~ 5 hours of total in-air flying time each way to mitigate the stress of frequent travel. If no business class is available, first class may be considered.

Unbudgeted international travel shall require authorization by the board of directors. All authorized travel and reimbursements shall be in accordance with the NCEES travel policy.

Rationale

ACCA acknowledges the need to balance the protection of financial resources against the value having NCEES representatives at their best when they arrive to a meeting after prolonged travel. The committee determined that 5 hours of in-air flying time each way is a reasonable shift to achieve that balance. As the budget is established, trip costs will be established accordingly. With the budget approved, these trip finances are approved by the board of directors. Therefore, the person traveling makes the decision to invoke the policy, being aware of the budget implications, and must be able to answer for his or her decision.

Board of directors' position

Does not endorse, non-consent agenda

The Section does not support the motion.

Board of directors' rationale

After discussing this motion at length, the board of directors decided not to support this modification to FP 3. The board feels that the president and president-elect should be able to travel business class as long as both stay within their approved budget lines.

ACCA Motion 2

Move that AP 8 be amended as follows:

AP 8 Motions

Motions before the Council at the annual business meeting shall not be voted upon at the same business session in which they are introduced and initially discussed or prior to zone meetings. This policy shall not apply to privileged or subsidiary motions and may be suspended for other motions upon approval by a two-thirds majority vote.

Additionally, any motion to amend the Model Law or Model Rules presented at an annual business meeting by an entity other than the Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall be referred to the UPLG Committee for review and revision of the language before it is presented for Council vote at the next scheduled annual business meeting.

Rationale

The committee felt strongly that the language in both the *Model Law* and *Model Rules* has been carefully crafted over many years and thoughtfully amended when necessary. Requiring a thorough review by the UPLG Committee will add clarity and a set procedure for any future model document amendments.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

ACCA Motion 3

Move that the UPLG Committee be charged with incorporating the following changes into the preface of the

Model Law and *Model Rules*:

A PREFACE

Purpose of the NCEES Model Law and Model Rules

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to

provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model.

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law.

While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting each year, and any motion to amend the *Model Law* or *Model Rules* presented at an annual business meeting by an entity other than the Committee on Uniform Procedures and Legislative Guidelines (UPLG) shall be referred to the UPLG Committee for review and revision of the language for inclusion before it is presented for Council vote at the next scheduled annual meeting. By vote, the majority of NCEES member boards have agreed that the language in them represents the gold standard for engineering and surveying licensure requirements in the United States.

The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

Rationale

UPLG felt that the language in the *Model Law* and *Model Rules* has been carefully crafted over many years and thoughtfully amended when necessary. To add clarity and a set procedure for any future model document amendments, amendments proposed by an entity other than the UPLG Committee should be referred to UPLG for review. Note: ACCA is proposing separate changes to the prefaces as shown in Motion 7; the language shown above does not include the Motion 7 language.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

ACCA Motion 4

Move that a professional policy on Model Law designations be adopted as follows:

PP XX NCEES Model Law Designations

The NCEES Records program requires the delineation of the requirements for Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer. These designations may be used by state licensing boards to expedite comity applications.

The requirements for Model Law designations may only be amended after review by an appropriate standing committee or task force and ratification by the Council.

The designations are defined as follows:

1. Model Law Engineer—The term “Model Law Engineer” refers to an individual who has obtained licensure as a professional engineer in at least one jurisdiction as the result of satisfying the following conditions:

a. Earns one of the following:

(1) A bachelor's degree in engineering from a program accredited by the Engineering

Accreditation Commission of ABET (EAC/ABET)

(2) A master's degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/M-ABET)

b. Passes the NCEES Fundamentals of Engineering (FE) examination and an NCEES Principles and Practice of Engineering (PE) examination

c. Meets one of the following experience requirements:

(1) Completes 4 years of acceptable engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET

(2) Completes 3 years of acceptable engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET-accredited engineering program and holds a master's degree in engineering

(3) Completes 3 years of acceptable engineering experience after confirmation of a master's degree in engineering from an EAC/M-ABET-accredited engineering program

(4) Completes 2 years of acceptable engineering experience and has an earned doctoral degree in engineering from an institution that offers EAC/ABET-accredited programs

d. Has a record clear of disciplinary action

For Model Law Engineer status to continue after such has been designated by NCEES, the individual must meet the requirements provided in Definition 4, Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status.

2. Model Law Surveyor—The term "Model Law Surveyor" refers to an individual who has obtained licensure as a professional surveyor in at least one jurisdiction as the result of satisfying the following conditions:

a. Earns one of the following:

(1) A bachelor's degree from a surveying engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)

(2) A bachelor's degree from a surveying and geomatics program accredited by the Applied Science Accreditation Commissions of ABET (ASAC/ABET)

(3) A bachelor's degree from a surveying and geomatics program accredited by the Engineering Technology Accreditation Commission of ABET (ETAC/ABET)

b. Passes the NCEES Fundamentals of Surveying (FS) examination and the NCEES Principles and Practice of Surveying (PS) examination

c. Completes 4 years of acceptable surveying experience after confirmation of a bachelor of science degree in a surveying/geomatics program accredited by ASAC/ABET, EAC/ABET, or ETAC/ABET, which may include up to 1 year of experience for a graduate with a surveying/geomatics degree

d. Has a record clear of disciplinary action

The jurisdiction may also require a Model Law Surveyor to pass its state-specific examination for surveyors.

For Model Law Surveyor status to continue after such has been designated by NCEES, the individual must meet the requirements provided in Definition 4, Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status.

3. Model Law Structural Engineer—The term "Model Law Structural Engineer" refers to an individual who has obtained licensure in at least one jurisdiction as the result of satisfying the following conditions:

a. Earns one of the following:

(1) A bachelor's degree in engineering from a program accredited by EAC/ABET

(2) A master's degree in engineering from a program accredited by EAC/M-ABET

b. Passes a minimum of 18 semester (27 quarter) hours of structural analysis and design courses. At least 9 of the semester (14 quarter) hours must be structural design courses.

c. Passes the NCEES FE examination

d. Passes one of the following:

(1) 16 hours of NCEES structural examinations, 8 hours of which were from the SE II taken prior to January 1, 2011

(2) 16-hour state-written structural examinations taken prior to 2004

(3) NCEES SE II plus 8-hour state-written structural examinations taken prior to January 1, 2011

(4) NCEES 16-hour Structural Engineering (SE) examination taken

after January 1, 2011

- e. Meets one of the following experience requirements:
 - (1) Completes 4 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET
 - (2) Completes 3 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET-accredited engineering program and holds a master's degree in engineering that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)
 - (3) Completes 3 years of acceptable structural engineering experience after confirmation of a master's degree in engineering from an EAC/M-ABET-accredited engineering program that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)
 - (4) Completes 2 years of acceptable structural engineering experience and has an earned doctoral degree in engineering focused on structural engineering from an institution that offers EAC/ABET-accredited programs

- f. Has a record clear of disciplinary action

For Model Law Structural Engineer status to continue after such has been designated by NCEES, the individual must meet the requirements provided in Definition 4, Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status.

- 4. Continuance of Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer Status—Any licensed professional who meets the criteria of the Model Law Engineer, Model Law Surveyor, or Model Law Structural Engineer shall continue to be designated Model Law Engineer, Model Law Surveyor, or Model Law Structural Engineer, even if these definitions are revised at a later date, provided that
 - a. The licensee has continually maintained his or her status as Model Law Engineer, Model Law Surveyor, or Model Law Structural Engineer
 - b. The licensee is not on revoked status or has not retired his or her license
 - c. The licensee has a record clear of disciplinary action and maintains a record clear of disciplinary action

Rationale

The designation and continuance of Model Law status to engineers, structural engineers, and surveyors is solely a function of the NCEES Records program. Therefore, jurisdictional rules do not need to contain these definitions or the continuance clause (formerly referred to as “grandfathering”). Furthermore, there is no need to duplicate these definitions or the continuance clause into jurisdictional rules in order to facilitate expedited comity licensure since the individual NCEES Record communicates Model Law status to the licensing board. Finally, having these definitions as a professional policy forces the individual applicant to use the NCEES Records program to obtain Model Law status for expediting comity licensure rather than circumventing the Records program by requesting that a licensing jurisdiction make this determination based on definitions duplicated in jurisdictional rules. It is further noted that surveyors were previously excluded from the grandfathering clause presently contained in *Model Rules* 260.20 and that surveyors are now included in the continuance clause in the proposed professional policy.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

ACCA Motion 5

Move that the Professional Policies section of the *Manual of Policy and Position Statements* be renumbered as follows:

1. Publications (presently PP1)
2. Uniform Qualifications for Licensure (presently PP 3)
3. NCEES Credentials Evaluations Program (presently PP7)
4. NCEES Records Program (presently PP2)
5. Model Law Designations (proposed professional policy—see ACCA Motion 4)
6. Expedited Comity Licensure (presently PP5)
7. Firm Mobility (presently PP6)
8. International Relations (presently PP 4)

Rationale

ACCA proposes the renumbering of the professional policies as a result of a recommendation from UPLG in order to give a more logical content flow.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

ACCA Motion 6

Move that a position statement on sustainability be adopted as follows:

PS XX Sustainability

NCEES recommends that professional engineers incorporate the principles of sustainability to safeguard the health, safety, and welfare of the public now and in the future.

Sustainability is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs, through the balanced application of integrated planning and the combination of environmental, social, and economic decision-making processes.

Rationale

Engineers have a leading role in planning, designing, building, operating, maintaining, and ensuring a sustainable future. Engineers provide the bridge between science and society. In this role, engineers must actively promote and participate in multidisciplinary teams and work with the communities served and affected to effectively address the issues and challenges of sustainable development.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

ACCA Motion 7

Move that the UPLG Committee be charged with incorporating the following changes into the preface of the *Model Law* and *Model Rules*:

A PREFACE

Purpose of the NCEES *Model Law* and *Model Rules*

The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public.

NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model.

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law.

While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting each year. By vote, the majority of NCEES member boards have agreed that the language in [them these model documents](#) represents the gold standard for engineering and surveying licensure requirements in the United States. [Since the majority of the member boards agree that these high standards for licensure requirements have merit, the member boards](#)

[should strive to implement these standards.](#)

The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

Rationale

UPLG recently updated the *Model Law* and *Model Rules* prefaces. ACCA proposes adding one sentence to the prefaces to further stress the importance for all member boards to adopt all elements of the *Model Law* and *Model Rules*. Note: ACCA is proposing separate changes to the prefaces as shown in Motion 3; the language shown above does not include the Motion 3 language.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

ACCA Motion 8

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into *Bylaws* 4.04:

Section 4.04 Elections and Terms of Office. The President-Elect shall be elected by the Council at each Annual Business Meeting in the manner prescribed in the *Bylaws*. The Treasurer shall be elected at each Annual Business Meeting held in an odd-numbered year, in the manner prescribed in the *Bylaws*. Vice Presidents from the Southern and Northeast Zones shall be elected at their Interim Zone Meeting in odd-numbered years. Vice Presidents from the Central and Western Zones shall be elected at their Interim Zone Meeting in even-numbered years. The Chief Executive Officer is appointed as provided in the *Bylaws*.

The President-Elect shall normally serve the Council for a period of three years. The first year shall be as President-Elect. The second year, without further election, the President-Elect shall become President, holding that office until a successor has been installed. The third year, without further election, the President shall become Immediate Past President, holding that office until a successor has been installed. Vice Presidents shall hold office for two years or until their successors have been installed. The Treasurer's term of office shall be two years, ~~and that person may serve a maximum of two consecutive terms~~. For the office of Treasurer, a partial term served for the period between consecutive Annual Meetings shall not be considered a term for term-limit purposes.

Past Presidents shall be ineligible for re-election as President-Elect of the Council. Vice Presidents ~~and the Treasurer~~ shall not be eligible for re-election to the same office until at least one full two-year term has elapsed.

New members of the Board shall assume their duties at the conclusion of the Annual Business Meeting. Board members may continue to serve until the conclusion of the term of office to which they were elected even though their terms with Member Boards may have ended.

Any member elected to the office of President-Elect shall be eligible to serve as President-Elect, President, and Immediate Past President, with the full authority of the offices and board privileges, until the expiration of the term as Immediate Past President, even though no longer a member of a Member Board.

Rationale

There are many Council members who are eager to serve in leadership roles within NCEES. Having the treasurer serve no more than one consecutive term gives more individuals the opportunity to serve in a leadership role within the board of directors. The proposed restriction is consistent with term limitations for zone vice presidents.

Board of directors' position

Does not endorse, non-consent agenda

The Section does not support the motion.

Board of directors' rationale

The board of directors does not support this modification to the *Bylaws*. The board believes that by leaving the treasurer term at two years, the two zones that are in currently in sync with the treasurer's election (the Northeast and Southern Zones) are given an advantage. The board

recommends that the term length be changed to three years to remedy that situation.

ACCA Motion 9

Move that a Special Committee on Bylaws be charged with incorporating the following amendments into *Bylaws* 4.06:

Section 4.06 Vacancies. If a vacancy occurs in the office of President, the President-Elect shall succeed to the office of President for the completion of the two-year term. A vacancy in the office of President-Elect shall be filled by the Board of Directors. In the event of a vacancy in the office of Immediate Past President, the office shall be filled by the most recent available Past President. In the event of a vacancy in the office of a Vice President, the Assistant Vice President of the zone will automatically succeed to the office of Vice President. In the event of a vacancy in the office of Treasurer, the Board of Directors shall select an individual to fill the position until an election shall be held to fill the unexpired term of Treasurer at the Annual Business Meeting immediately following the vacancy in the next odd-numbered year.

Appointments by the Board of Directors shall be made in accordance with the required qualifications and limitations for duly elected members of the Board of Directors.

A quorum of the Board of Directors for filling of vacancies shall consist of six members except in the event of two vacancies, when five shall constitute a quorum. For the filling of vacancies, the members of the Board of Directors may be represented by proxies, duly signed and verified.

Rationale

The position of treasurer is of importance to NCEES operations. A vacancy would remove vital oversight from NCEES. The *Bylaws* addresses other vacancies and should address the possible vacancy of the office of treasurer. The recommended language intends to correct the situation.

Board of directors' position

Endorses, non-consent agenda

The Section does support the motion.

Board of directors' rationale

If ACCA Motion 8 passes, then the board of directors is in favor of the proposed language above. If Motion 8 does not pass, the Bylaws Committee may need to revise it accordingly with regard to "in the next odd-numbered year."

Committee on Examination Policy and Procedures

EPP Motion 1

Move that EDP 3D be amended as follows:

EDP 3 Engineering and Surveying Examinations and Formats

D. Examination items for all examinations shall be maintained solely at NCEES headquarters or at an offsite testing service that is able to demonstrate insurance, bond, or reserve to cover the pecuniary liability for the items should the items be compromised, lost, or damaged by the testing service.

1. ~~At the time an exam development committee releases a pencil and paper examination to be published, the committee shall also have available at least one additional exam that is ready to print immediately and an item bank that contains sufficient items to assemble a third examination in accordance with respective examination specifications and procedures.~~
At the time an exam development committee releases a linear-fixed form (LFF) exam to be published, the exam item bank shall contain sufficient operational items to create three times the number of forms available to examinees in a testing window.
2. ~~CBT item pools (subset of an item bank) must have sufficient back-up items as determined by the EPE/EPS committees.~~
At the time an exam development committee releases a pool of items to be published for linear-on-the-fly testing (LOFT), the pool shall contain, at a minimum, the number of operational items required to create three unique, non-overlapping forms. At the time of publishing, the exam item bank shall have sufficient operational items to create two additional pools of similar composition. Pool size will be determined by the psychometric consultant per

[the criteria listed in the NCEES Exam Development Procedures Manual.](#)

Rationale

The proposed language in paragraph 1 covers both existing pencil-and-paper exams as well as LFF exams in CBT. Paragraph 2 covers computer-based LOFT exams. The exam item pools are a subset of the item bank and the sizing of the pools, and thereby the bank is heavily based on examinee population. Because examinee population varies between disciplines, it was determined that the policy should cover the overall requirements of back-up items, but the detailed sizing of the pools (based on examinee population) is better detailed in the *Exam Development Procedure Manual*. This was evaluated, discussed, and agreed upon by the EPE, EPS, and EPP committees.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

EPP Motion 2

Move that EDP 3B be amended as follows:

EDP 3 Engineering and Surveying Examinations and Formats

- A. The Fundamentals of Engineering examination shall be administered via computer-based testing (CBT) and have supplied references.
- B. The Principles and Practice of Engineering examinations shall be offered only in the following disciplines and shall be open-book, pencil-and-paper examinations [\(unless otherwise noted\) or offered via CBT with supplied references](#) as defined in EAP 4:

- 1. GROUP I
 - a. Chemical
 - a. Chemical
 - b. Civil
 - c. Electrical and Computer—Computer Engineering
 - d. Electrical and Computer—
Electrical and Electronics
 - e. Electrical and Computer—
Power
 - f. Environmental
 - g. Mechanical
 - h. 16-hour Structural Engineering
- 2. GROUP II
 - a. Agricultural/Biological
 - b. Architectural
 - c. Control Systems
 - d. Fire Protection
 - e. Industrial
 - f. Metallurgical/Materials
 - g. Mining/Mineral Processing
 - h. Naval Architecture/Marine
 - i. Nuclear
 - j. Petroleum
 - k. Software

Rationale

The proposed amendment in section B allows for the most flexibility during the time of transition of the PE

exams from pencil-and-paper to CBT. Section A is shown for reference.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

EPP Motion 3

Move that EDP 4A be amended as follows:

EDP 4 Availability

- A. The following examinations shall be available [on a regular schedule per EAP 2](#):
 - 1. Fundamentals of Engineering

2. ~~Group I—Principles and Practice of Engineering~~
 3. ~~Group II—Principles and Practice of Engineering~~
 - a. ~~Spring only: Agricultural/Biological Engineering, Architectural Engineering, Industrial Engineering, Naval Architecture/Marine Engineering, and Software Engineering~~
 - b. ~~Fall only: Control Systems Engineering, Fire Protection Engineering, Metallurgical/Materials Engineering, Mining/Mineral Processing Engineering, Nuclear Engineering, and Petroleum Engineering~~
 43. Fundamentals of Surveying
 54. Principles and Practice of Surveying
- B. Depth modules for the Principles and Practice of Surveying examination shall be offered on a regular schedule as adopted by the board of directors.
- C. CBT examinations shall be made available in testing windows.

Rationale

The proposed amendment in section A allows for the most flexibility during the time of transition of the PE exams from pencil-and-paper to CBT.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Committee on Uniform Procedures and Legislative Guidelines

UPLG Motion 1

Move that *Model Law* 110.20, *Model Law* 130.10, and *Model Rules* 230.10 be amended as follows:

Model Law 110.20 Definitions

~~N. Or the Equivalent—The term “Or the Equivalent,” as used in this Act, shall mean a n-educational program/curriculum that meets the NCEES Engineering Education Standard or a surveying program/curriculum that meets the NCEES Surveying Education Standard, as applicable.~~

~~ON. Authoritative—The term “Authoritative,” as used in this Act or Rules promulgated under this Act, shall mean being presented as trustworthy and competent when used to describe products, processes, applications, or data resulting from the practice of surveying.~~

~~PO. Disciplinary Action—The term “Disciplinary Action,” as used in this Act, shall mean any final written decision or settlement taken against an individual or firm by a licensing board based upon a violation of the board’s laws and rules.~~

Model Law 130.10 General Requirements for Licensure

Education, experience, and examinations are required for licensure as a professional engineer or professional surveyor.

A. Certification or Enrollment as an Engineer Intern

The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer intern.

1. Graduating from an engineering program of 4 years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), ~~or the equivalent, or graduating from~~ an engineering master’s program accredited by EAC/ABET, ~~or meeting the requirements of the NCEES Engineering Education Standard~~
2. Passing the NCEES Fundamentals of Engineering (FE) examination

B. Licensure as a Professional Engineer

3. Initial Licensure as a Professional Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

a. Education Requirements

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (1) A bachelor’s degree in engineering from an EAC/ABET-accredited program
- (2) A master’s degree in engineering from an institution that offers EAC/ABET-accredited programs
- (3) A master’s degree in engineering from an EAC/M-ABET-accredited program

- (4) An earned doctoral degree in engineering acceptable to the board b.

b. Examination Requirements

An individual seeking licensure as a professional engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles and Practice of Engineering (PE) examination as described below.

- (1) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, ~~or the equivalent of a program that meets the requirements of the NCEES Engineering Education Standard~~, or of an engineering master's program accredited by EAC/ABET.
- (2) The PE examination may be taken

by an engineer intern.

C. Certification or Enrollment as a Surveyor Intern

The following shall be considered as minimum evidence that the applicant is qualified for certification or enrollment as a surveyor intern.

1. Graduating from a surveying program of 4 years or more accredited by EAC/ABET, the Engineering Technology Accreditation Commission of ABET (ETAC/ABET), the Applied Science Accreditation Commission of ABET (ASAC/ABET), or ~~the equivalent meeting the requirements of the NCEES Surveying Education Standard~~
2. Graduating from a program related to surveying of 4 years or more as approved by the board and with a specific record of 2 years of progressive experience in surveying
3. Graduating from a program of 4 years or more as approved by the board and with a specific record of 4 years of progressive experience in surveying

In addition to satisfying one of the above requirements, the applicant shall pass the NCEES Fundamentals of Surveying (FS) examination.

Model Rules 230.10 Education Requirements Approved by the Board

A. Undergraduate Engineering Program

The term "an engineering program of 4 years or more" used in Section 130.10 A of the NCEES *Model Law* is interpreted by this board to mean the following:

1. A bachelor's degree in an engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) at the time of the awarding of the degree. The board may accept the degree if accreditation is received within *[insert the prescribed period of time]*.
2. A bachelor's degree in an engineering program not accredited by EAC/ABET but ~~deemed by the board to be substantially equivalent to those programs that have been accredited by EAC/ABET~~ meets the requirements of the NCEES Engineering Education Standard

B. Surveying Program

The following shall be considered as minimum evidence to the board that the applicant is qualified in terms of education for certification as a surveyor intern:

1. Graduation from ~~"a surveying program of 4 years or more accredited by EAC/ABET, the Engineering Technology Accreditation Commission of ABET (ETAC/ABET), or the Applied Science Accreditation Commission of ABET (ASAC/ABET) at the time of awarding of the degree or the equivalent,"~~ from a program that meets the requirements of the NCEES Surveying Education Standard as described in Section 130.10 C.1 in NCEES *Model Law*, ~~and accredited at the time of awarding of the bachelor's degree~~. The board may accept the degree if accreditation is received within *[insert the prescribed period of time]*.
2. Graduation from ~~"a program related to surveying of 4 years or more"~~ as described in Section 130.10 C.2 in NCEES *Model Law* is interpreted to be a bachelor's degree including surveying courses, mathematics, and physical science.
3. Graduation from a ~~"program of 4 years or more"~~ as described in Section 130.10 C.3 in NCEES *Model Law* is interpreted to mean a program other than those defined in 1 or 2 above that is accepted by the board.

Rationale

In 1997, ABET adopted a new evaluation system (EC2000), which is outcomes based. This means it is not possible to determine ABET equivalence. After NCEES member boards indicated a need to be able to evaluate actual curriculum/coursework from non-ABET-accredited programs, an NCEES ad hoc committee developed the NCEES Engineering Education Standard and NCEES Surveying Education Standard, which can be used to review degrees from non-ABET-accredited programs. These standards have specific curriculum

measurements (and are not outcomes based). The NCEES board of directors adopted these standards in 2011, and the NCEES Credentials Evaluations Department then began using the standards for its evaluations. These proposed amendments are to update language to reflect current practice.

Board of directors’ position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 2

Move that PS 13 be amended as follows:

PS 13 NCEES-Recommended Education/Experience Guidelines for P.E. Licensing

4-Year or More Degree	Years of Experience Required	Comments
EAC/ABET Accredited	4	NCEES PS 8
Canada (CEAB) Accredited	4	
Other Countries Non-EAC/ABET Accredited	4 or more	Education should be evaluated for EAC/ABET equivalence using the NCEES Engineering Education Standard.
Recommendations below are only for member boards that must evaluate applicants who do not meet the minimum education of an EAC/ABET or equivalent degree as specified in PS 8.		
Unaccredited Engineering Program	6	Needed by some boards
ETAC/ABET Accredited	6	Needed by some boards
Related Science*	8	Needed by some boards
No Degree	20	Needed by some boards

*A related science curriculum from a school or college approved by the board is defined as a four-year curriculum leading to a bachelor of science degree in chemistry, physics, mathematics, or similar science curriculum.

Rationale

The amendments are to update language to reflect current practice. “Other Countries” is outdated because ABET accredits programs in countries outside the United States. Because ABET has moved to an outcomes-based assessment, it is not possible to evaluate for ABET equivalency, so the NCEES Engineering Education Standard should be used instead.

Board of directors’ position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 3

Move that *Model Rules 230.20* be amended as follows:

Model Rules 230.20 Experience

A. As a Professional Engineer

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

1. Experience must be progressive on engineering projects ~~to indicate that it is of and must demonstrate an~~ increasing quality and ~~requiring~~ greater responsibility. [Experience must be obtained in accordance with Model Law 130.10.](#)
2. Only work of an engineering nature that follows graduation from a program ~~accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) or a program deemed to be substantially equivalent is creditable. that meets the criteria set forth in Model Law 130.10 B3 is acceptable.~~
3. Experience must not be obtained in violation of the licensure act.
4. Experience gained in the armed services, ~~to be creditable,~~ must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. ~~Normally, it would be expected that the applicant served in an engineering or engineering-~~

~~related group while in the armed services.~~

5. Experience should be gained under the supervision of a licensed professional engineer; if it is not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.

6. ~~For s~~ Sales experience ~~to be creditable, it~~ must be demonstrated that engineering principles were required and used in gaining the experience.

7. Teaching experience, ~~to be creditable,~~ must be in engineering or engineering-related courses at an advanced level in a college or university offering an engineering program of 4 years or more that is approved by the board.

8. Experience ~~may be~~ gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board ~~is creditable.~~

~~9. Successful completion of graduate study leading to the master's degree in engineering from an institution that offers EAC/ABET accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.~~

~~10.~~ Experience may not be anticipated. The experience must have been gained by the time of the application.

~~11.~~ Experience in construction, ~~to be creditable,~~ must demonstrate the application of engineering principles.

~~12.~~ Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.

~~13.~~ Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.

~~14.~~ The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

B. As a Professional Surveyor

In evaluating experience that indicates to the board that the applicant may be competent to practice surveying, the following will be considered:

1. Experience must be progressive on surveying projects ~~to indicate that it is of and must demonstrate an~~ increasing quality and ~~requiring~~ greater responsibility. ~~Experience must be obtained in accordance with Model Law 130.10.~~

2. Experience must not be obtained in violation of the licensure act.

3. Experience gained in the armed services, ~~to be creditable,~~ must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. ~~Normally it would be expected that the applicant served in a surveying or surveying related group while in the armed services.~~

4. Experience should be gained under the supervision of a licensed professional surveyor or, if not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.

5. Teaching experience, ~~to be creditable,~~ must be in surveying or surveying-related courses at an advanced level in surveying or surveying-related courses approved by the board.

6. A substantial portion of the experience must be spent in charge of work related to property conveyance and/or boundary line determination.

7. ~~Adequate e~~ Experience in the technical field aspects of the profession must be demonstrated.

8. Experience ~~may not be anticipated. The experience~~ must have been gained by the time of the application.

9. Experience should include demonstration of the application of surveying principles in the practical execution of surveying tasks.

10. Experience may be gained in surveying research projects by members of a surveying faculty where the program is approved by the board ~~is creditable~~.
- ~~11. Successful completion of graduate study leading to the master's degree in surveying from an institution that offers EAC/ABET, ASAC/ABET, or ETAC/ABET accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in surveying is completed under the same conditions, 2 years' total experience may be credited; the 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.~~

~~1211.~~ The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

Rationale

UPLG is proposing most of these changes to clarify/tighten the language and to eliminate redundancy with the *Model Law*. Paragraphs A9 and B11 are not needed because *Model Law* 130.10 states this requirement more clearly. The language above does not state that four years is the baseline requirement. In addition, the FE waiver for an engineer with a doctorate degree is not mentioned here but is included in the *Model Law*. The term "to be creditable" is extraneous because it is understood as part of the language.

At its face-to-face meeting, UPLG agreed that this entire section needs to be reviewed substantively by the appropriate committee. Its edits above are to clean up the language but not to make substantive edits. It therefore recommends that a committee be charged with doing this type of review. UPLG also initially was going to propose changing "should" to "must" throughout as an edit for consistency. However, it subsequently realized that the Records program uses this part of the *Model Rules* when evaluating experience qualifications; therefore, UPLG recommends that the appropriate committee also be charged with reviewing the use of those terms and consult with the Records program on possible consequences of any language changes.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 4

Move that *Model Rules* 210.20, 230.60, and 260.20 be amended as follows:

***Model Rules* 210.20 Definitions**

~~A.~~—The NCEES *Model Law*, Section 110.20, Definitions, provides definitions that also apply to these *Model*

Rules.

~~B.~~—The following definitions are included in the *Model Rules* only:

- ~~1.~~—~~Model Law Engineer~~—The term "Model Law Engineer" refers to an individual who has obtained licensure as a professional engineer in at least one jurisdiction as the result of satisfying the following conditions:
 - ~~a.~~—Earns one of the following:
 - (1) A bachelor's degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)
 - (2) A master's degree in engineering from a program accredited by the Engineering Accreditation Commission of ABET (EAC/M-ABET)
 - ~~b.~~—Passes the NCEES Fundamentals of Engineering (FE) examination and an NCEES Principles and Practice of Engineering (PE) examination
 - ~~c.~~—Meets one of the following experience requirements:
 - (1) Completes 4 years of acceptable engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET
 - (2) Completes 3 years of acceptable engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET accredited engineering program and holds a master's degree in engineering

~~(3) Completes 3 years of acceptable engineering experience after confirmation of a master's degree in engineering from an EAC/M-ABET accredited engineering program~~

~~(4) Completes 2 years of acceptable engineering experience and has an earned doctoral degree in engineering from an institution that offers EAC/ABET-accredited programs~~

~~d. Has a record clear of disciplinary action~~

~~To maintain Model Law Engineer status, the individual must maintain a record clear of disciplinary action pursuant to NCEES *Model Law*, Section 150.10.~~

~~2. Model Law Surveyor—The term “Model Law Surveyor” refers to an individual who has obtained licensure as a professional surveyor in at least one jurisdiction as the result of satisfying the following conditions:~~

~~a. Earns one of the following:~~

~~(1) A bachelor's degree from a surveying engineering program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET)~~

~~(2) A bachelor's degree from a surveying and geomatics program accredited by the Applied Science Accreditation Commissions of ABET (ASAC/ABET)~~

~~(3) A bachelor's degree from a surveying and geomatics program accredited by the Engineering Technology Accreditation Commission of ABET (ETAC/ABET)~~

~~b. Passes the NCEES Fundamentals of Surveying (FS) examination and the NCEES Principles and Practice of Surveying (PS) examination~~

~~c. Completes 4 years of acceptable surveying experience after confirmation of a bachelor of science degree in a surveying/geomatics program accredited by ASAC/ABET, EAC/ABET, or ETAC/ABET, which may include up to 1 year of experience for a graduate with a surveying/geomatics degree~~

~~d. Has a record clear of disciplinary action~~

~~The jurisdiction may also require a Model Law Surveyor to pass its state-specific examination for surveyors. To maintain Model Law Surveyor status, the individual must maintain a record clear of disciplinary action pursuant to NCEES *Model Law*, Section 150.10.~~

~~3. Model Law Structural Engineer—The term “Model Law Structural Engineer” refers to an individual who has obtained licensure in at least one jurisdiction as the result of satisfying the following conditions:~~

~~a. Earns one of the following:~~

~~(1) A bachelor's degree in engineering from a program accredited by EAC/ABET~~

~~(2) A master's degree in engineering from a program accredited by EAC/M-ABET~~

~~b. Passes a minimum of 18 semester (27 quarter) hours of structural analysis and design courses. At least 9 of the semester (14 quarter) hours must be structural design courses.~~

~~c. Passes the NCEES FE examination~~

~~d. Passes one of the following:~~

~~(1) 16 hours of NCEES structural examinations, 8 hours of which were from the SE II taken prior to January 1, 2011~~

~~(2) 16-hour state-written structural examinations taken prior to 2004~~

~~(3) NCEES SE II plus 8-hour state-written structural examinations taken prior to January 1, 2011 (4) NCEES 16-hour Structural Engineering (SE) examination taken after January 1, 2011~~

~~e. Meets one of the following experience requirements:~~

~~(1) Completes 4 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in an engineering program accredited by EAC/ABET~~

~~(2) Completes 3 years of acceptable structural engineering experience after confirmation of a bachelor of science degree in engineering from an EAC/ABET-accredited engineering program and holds a master's degree in engineering that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)~~

~~(3) Completes 3 years of acceptable structural engineering experience after confirmation of a master's degree in engineering from an EAC/ABET-accredited engineering program that includes at least 6 semester (9 quarter) hours of structural engineering (in addition to the 18 hours noted above)~~

~~(4) Completes 2 years of acceptable structural engineering experience and has an earned doctoral degree in engineering focused on structural engineering from an institution that offers EAC/ABET-accredited programs~~

~~f. Has a record clear of disciplinary action~~

~~To maintain Model Law Structural Engineer status, the individual must maintain a record clear of disciplinary action pursuant to NCEES Model Law, Section 150.10.~~

Model Rules 230.60 Applications

F. Comity Licensure

2. The board administrator is authorized to review and evaluate the applications of all comity applicants to determine if they meet or exceed the criteria of a Model Law Engineer, Model Law Structural Engineer, or Model Law Surveyor as ~~defined in Section 210.20 of these Rules and as designated by NCEES as set forth in the NCEES Manual of Policy and Position Statements~~. If the applicant meets or exceeds these requirements, the board administrator may issue a contingent license authorizing that individual to offer or provide engineering or surveying services in this jurisdiction. A list of all engineers issued contingent licenses will be placed on the agenda of the next meeting of the board for formal approval by the board. A list of all surveyors who have been issued contingent licenses and who have passed the appropriate jurisdiction-specific examination will be placed on the agenda of the next meeting for formal approval by the board.

Model Rules 260.20 Grandfathering of Model Law Engineers and Model Law Structural Engineers

~~Any licensed professional who meets the criteria of the Model Law Engineer as defined in Section 210.20 B.1 or Model Law Structural Engineer as defined in Section 210.20 B.3 shall continue to be designated Model Law Engineer or Model Law Structural Engineer, even if the Model Law or Model Rules is revised at a later date, provided that~~

~~A. The licensee has continually maintained his or her status as Model Law Engineer or Model Law Structural Engineer~~

~~B. The licensee is not on revoked status or has not retired his or her license~~

~~C. The licensee has a record clear of disciplinary action and maintains a record clear of disciplinary action~~

Rationale

ACCA is proposing a motion to add a professional policy in the *Manual of Policy and Position Statements* to include the Model Law Engineer, Model Law Surveyor, and Model Law Structural Engineer designations. These are internal NCEES designations that are used as part of the Records program. They are not intended to be adopted as part of a jurisdiction's law or rules and are therefore out of place in the NCEES model documents. The *Model Law* offers a broader section listing the general requirements for licensure, and the *Model Rules* has separate sections detailing education, experience, and examination requirements for licensure. These sections are the ones intended for boards to use in adopting laws and rules. The proposed ACCA policy also addresses grandfathering, so *Model Rules 260.20* is no longer needed.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 5

Move that *Model Rules 210.10* be amended as follows:

Model Rules 210.10 Introduction

A.—Purpose

The purpose of adopting rules is to safeguard the health, safety, and welfare of the public by ensuring the proper performance of the duties of the board and the regulation of its procedures, meetings, records, examinations, and the conduct thereof.

B.—Requirements for Adoption

~~The adopted rules of procedure may not be inconsistent with the constitution and laws of this jurisdiction. They must be approved by appropriate legislative authority of the~~

~~jurisdiction. (Section 120.60 A, Board Powers, NCEES Model Law)~~

~~C. Authority of Rules~~

~~Rules adopted by the board shall be binding upon individuals licensed or recognized under the licensure act and on non licensees found by the board to be in violation of provisions of the licensure act and shall be applicable to firms that hold or should hold a certificate of authorization. (Section 120.60 A, Board Powers, NCEES Model Law)~~

Rationale

The stricken text is not needed because the *Model Law* establishes the authority and procedure of the rules. The law already states the authority to promulgate rules in Section 120.60.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 6

Move that *Model Rules* 220.30 be amended as follows:

Model Rules 220.30 Fees

A. Application Fees

1. *[\$insert amount]*—For professional engineer and professional surveyor licensure, as provided in the *NCEES Model Law*, Section 130.20 B
2. *[\$insert amount]*—For engineer intern and surveyor intern certification, as provided in the *NCEES Model Law*, Section 130.20 B
3. *[\$insert amount]*—For firm certificate of authorization, as provided in the *NCEES Model Law*, Section 160.40 B

4. When the issuance of a certificate to an applicant is denied, the fee paid shall be retained as an application fee, as provided in the *NCEES Model Law*, Sections 130.20 C and 160.40C.

Applications received without the proper fee will be returned to the applicant.

Rationale

The changes in paragraph 4 are for consistency with the first three paragraphs.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 7

Move that *Model Rules* 230.30 be amended as follows:

Model Rules 230.30 References

References are those individuals who should have personal knowledge of an applicant and who are able to issue judgments concerning an applicant's experience, ability, character, or reputation.

- A. For licensure as a professional engineer or professional surveyor, an applicant must submit 5 references, 3 of whom shall be professional engineers, professional surveyors, or other individuals deemed acceptable to the board, who have personal knowledge of the applicant's engineering or surveying experience. In addition, for each employment period, individuals familiar with the applicant's experience for that period must be identified. Engineering applicants must have professional engineer references, and surveying applicants must have professional surveyor references.
- B. Relatives may not be used as references.
- C. No current board member shall be used as a reference.
- D. Each applicant should inform the individuals being used as references that they will be sent a reference form to complete and return.
- E. It is the responsibility of the applicant to ensure that the individuals giving the reference return a completed reference form to the board within a reasonable time. All reference materials must be complete before any board action may be taken on an application.
- F. **Confidentiality of Reference Replies**
Replies received from references regarding the qualifications of an applicant shall be placed in files that are considered confidential, nonpublic records. The source and character of the information will not be divulged except in special cases when required by law.

Rationale

This is a housekeeping change to make section F consistent with the format of the other paragraphs in the section.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 8

Move that *Model Rules 230.40 A* be amended as follows:

Model Rules 230.40 Examinations

A. Classification of Engineering Examinations

This jurisdiction or its designee will provide the following examinations, prepared and furnished by NCEES, meeting the requirements of this jurisdiction for licensure as a professional engineer:

1. NCEES Fundamentals of Engineering (FE) examination—The examination consists of subject matters in the fundamentals of engineering. Passing this examination qualifies the examinee for certification as an engineer intern, provided the examinee has met all other requirements for certification required by ~~this Act~~ [these Rules](#).
2. NCEES Principles and Practice of Engineering (PE) examination—The examination consists of subject matters in applied engineering. Passing this examination qualifies the examinee for licensure as a professional engineer, provided the examinee has met the other requirements for licensure required by ~~this Act~~ [these Rules](#).

Rationale

This is a housekeeping change because this language is in the rules, not the act.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 9

Move that *Model Rules 230.40 B and D and 230.60 A and B* be amended as follows:

Model Rules 230.40 Examinations

B. Eligibility of Applicant for ~~an~~ Engineering Examinations

1. NCEES Fundamentals of Engineering (FE) Examination

- a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in a n engineering program may register with NCEES directly to take the FE examination or, if required, apply to the board for admission to the FE examination.
- b. To be certified as an engineer intern, an application for certification may be submitted to the board upon passing the FE examination and meeting the education requirements.

2. NCEES Principles and Practice of Engineering (PE) Examination

- 1a. Applicants for licensure as a professional engineer will be permitted to sit for the PE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
- 2b. No applicant may sit for the PE examination until the board has established that the applicant is eligible for the examination.
- 3c. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the PE examination without having taken or passed the FE examination.

D. Eligibility of Applicant for ~~a~~ Surveying Examinations

1. NCEES Fundamentals of Surveying (FS) Examination

- a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in a surveying program may register with NCEES directly to take the FS examination or, if required, apply to the board for admission to the FS examination.
- b. To be certified as a surveyor intern, an application for certification may be submitted to the board upon passing the FS examination and meeting the education and experience requirement.

2. NCEES Principles and Practice of Surveying (PS) Examination

1a. An applicant for licensure as a professional surveyor will not be permitted to sit for the PS examination until the FS examination has been passed.

2b. No applicant may sit for the PS examination until the board has established that the applicant is eligible for the examination.

Model Rules 230.60 Applications

A. Types of Applications

Licensure as a professional engineer or professional surveyor or certification as an engineer intern or surveyor intern requires that an applicant present his or her qualifications on forms prescribed by this board.

1. Applications for licensure as a professional engineer or professional surveyor are accepted from those who believe that they are qualified by education and experience, according to laws of this jurisdiction, to be licensed as a professional engineer or a professional surveyor.

2. Applications for certification as an engineer intern or a surveyor intern are accepted from those who believe that they have the necessary qualifications for licensure according to the laws of this jurisdiction, as a professional engineer or a professional surveyor except for that of education and experience.

~~3. Those who are college seniors in at least a 4 year program leading to a bachelor's degree in an engineering program may register with NCEES directly to take the NCEES Fundamentals of Engineering (FE) examination or, if required, apply to the board for admission to the FE examination.~~

~~4. To be certified as an engineer intern, an application for certification may be submitted to the board upon passing the FE examination and meeting the education requirements.~~

~~5. Those who are college seniors in at least a 4 year program leading to a bachelor's degree in a surveying program may register with NCEES directly to take the NCEES Fundamentals of Surveying (FS) examination or, if required, apply to the board for admission to the FS examination.~~

~~6. To be certified as a surveyor intern, an application for certification may be submitted to the board upon passing the FS examination and meeting the education and experience requirements.~~

~~7. Applications for licensure properly executed and issued with verification by NCEES will be accepted in lieu of the same information that is required on the form prescribed and furnished by this board.~~

B. Completing Applications

1. All applications made to this board must be completed on the forms prescribed and furnished by the board. Applications for licensure properly executed and issued with verification by NCEES will be accepted in lieu of the same information that is required on the form prescribed and furnished by this board.

2. In order to allow sufficient time for processing and for securing pencil-and-paper examinations, all applications that may require pencil-and-paper examinations must be filed with this board at least *[insert number]* days before the date set for the appropriate pencil-and-paper examinations.

3. Withholding information or providing statements that are untrue or misrepresent the facts may be cause for denial of an application or revocation of license or certification.

4. It is the responsibility of the applicant to supply correct addresses of all references and to be sure that the references are supplied as requested. If a reference fails to respond, this could delay the processing of an application either until a reply is obtained or another reference is given.

5. In relating experience, the applicant must account for all employment or work experience for the period of time that has elapsed since the beginning of the employment record. If not employed or employed in other kinds of work, this should be indicated in the experience record.

Rationale

These are housekeeping changes to move language not related to applications from 230.60 to the more appropriate section of the *Model Rules*. In moving the language, UPLG also reorganized it to separate the eligibility requirements by discipline so that the requirements would be easier to find for each exam. The language did not change; it was

just moved as follows:

- 230.60 A3 and A4 moved to 230.40 B1 and B2
- 230.60 A5 and A7 moved to 230.40 D1 and D2
- 230.60 A7 moved to 230.60 B1

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 10

Move that *Model Rules* 240.40 I be deleted as follows:

Model Rules 240.40 Expirations, Renewals, and Reinstatement to Active Practice

- A. A renewal notice will be sent annually or as required by this jurisdiction by the board [insert number of days] prior to the license expiration date to every individual licensed under the licensure act and to every firm holding a certificate of authorization showing the expiration date of their license or certificate and the amount of the fee for renewal.
- B. The annual [or other amount of time] renewal fee is established by the board.
- C. Renewal fees must be received by the board prior to the expiration date.
- D. Fees received within 1 month or more after the renewal date will be assessed an additional fee established by the board.
- E. Renewal fees not paid within a period established by the board after the expiration date voids the license or certificate and will require a new application for licensure or certification in order to continue to practice engineering or surveying.
- F. A licensee or firm who supplies the board before the expiration date of his/her/its license/certificate with an affidavit that he/she/it is no longer practicing and will not practice engineering or surveying in this jurisdiction may retain his/her/its license/certificate for later use upon payment of delinquent fees.
- G. The responsibility for the timely renewal of a licensee's license rests solely with the individual licensee. The responsibility for the timely renewal of a firm's certificate rests solely with the firm's managing agent.
- H. The applicant for renewal or reinstatement may be required to demonstrate to the board that he or she has maintained the required minimum level of professional competence in a manner acceptable to the board.
- ~~I. If a licensee is granted inactive status, the licensee may return to active status by notifying the board in advance of this intention, by paying appropriate fees, and by meeting all requirements of the board, including the demonstration of continuing professional competency as a condition of reinstatement.~~
- J. In the event an inactive licensee does not maintain a current license in any jurisdiction for the 3 previous years prior to requesting reinstatement, that individual will be required to take the NCEES Principles and Practice of Engineering (PE) examination or the NCEES Principles and Practice of Surveying (PS) examination and jurisdiction-specific examinations prior to reinstatement.

Rationale

The stricken language duplicates language in *Model Law* 140.20 C so is not needed here.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 11

Move that *Model Rules* 250.40 be deleted as follows:

~~Model Rules 250.40 Reinstatement of Licensure or Certification After Revocation~~

~~A. Petition for Reinstatement~~

~~Upon petition of a licensee, intern, or firm holding a certificate of authorization, the board may reissue a certificate of licensure, intern certification, or firm authorization provided that a majority of the members of the board votes in favor of such issuance. (Section 150.20, Disciplinary Action Procedures—Licensees and Interns, NCEES Model Law and Section 160.80, Disciplinary Action Procedures—Firms Holding a Certificate of Authorization, NCEES Model Law)~~

~~B. Board Action~~

~~The board, for reason it may deem sufficient, may reissue a certificate of licensure or intern certification to any individual or a certificate of authorization to any firm whose certificate has been revoked. (Section 150.20, Disciplinary Action Procedures—Licenses and Interns, NCEES Model Law and Section 160.80, Disciplinary Action Procedures—Firms Holding a Certificate of Authorization, NCEES Model Law) _~~

Rationale

UPLG recommends eliminating this section because paragraph A is covered in the *Model Law* and is therefore redundant here and because paragraph B is in conflict with the *Model Law*.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

UPLG Motion 12

Move that the *Model Law* and *Model Rules* be amended as shown below to add language for structural engineers parallel to that of professional engineers and professional surveyors.

PREFACE (of both *Model Law* and *Model Rules*)

Purpose of the NCEES *Model Law* and *Model Rules* The vision of the National Council of Examiners for Engineering and Surveying (NCEES) is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure. The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public. NCEES serves as an organization through which its members—the engineering and surveying licensure boards in all U.S. states and territories—can counsel and act together to better discharge their duties as individual, autonomous regulatory agencies. One of the primary ways NCEES fulfills its vision and supports its mission is by providing the *Model Law* and *Model Rules* for adoption by its member boards.

The NCEES *Model Law* sets forth broad ideas about the regulation of engineering and surveying licensure. It is an enabling document that defines the board's powers and duties. It is designed to assist legislative counsels, legislators, and NCEES members in preparing new or amendatory legislation. Each line in the sections is numbered to facilitate use of this document as a working model. [The bracketed, italicized language throughout the document indicates particular areas where language may need to be customized for a jurisdiction.](#)

The *Model Rules* complements the *Model Law* by providing model rules and regulations for the ways member boards can carry out the general concepts introduced and set forth in the law. While it is designed to explain broad provisions stated in the *Model Law* by offering the details from an administrative perspective, the *Model Rules*, just like a board's regulations or rulemaking process, functions only within the authority granted by the *Model Law*. The *Model Rules* is designed to assist NCEES member board members, board counsel, and board administrators in preparing and updating board rules.

Revisions to the *Model Law* and *Model Rules* are decided at the NCEES annual business meeting each year. By vote, the majority of NCEES member boards have agreed that the language in them represents the gold standard for engineering and surveying licensure requirements in the United States. The intent of NCEES in preparing these uniform model documents is to present its member boards with a high-level benchmark—and yet a sound and realistic guide—that will provide greater uniformity of qualifications for licensure, raise these qualifications to a higher level of accomplishment, and simplify the interstate licensure of engineers and surveyors.

Model Law

LICENSURE OF ENGINEERS AND SURVEYORS

AN ACT To regulate the practice of [*engineering and/or surveying*]; provide for the licensure of qualified individuals as [*professional engineers, structural engineers, and/or professional surveyors*] and for the certification of engineer interns, surveyor interns, and firms; define the terms [*“Engineer,” “Professional Engineer,” “Structural Engineer,” “Professional Engineer, Retired,” “Structural Engineer, Retired,” “Engineer Intern,” and “Practice of Engineering”*]; define the terms [*“Professional Surveyor,” “Professional Surveyor, Retired,” “Surveyor Intern,” and “Practice of Surveying”*]; create a jurisdiction board of licensure for [*professional engineers, structural engineers, and/or professional surveyors*] and provide for the appointment and compensation of its members; fix the term of members of the board and define its powers and duties; set forth the minimum

qualifications and other requirements for licensure as a *[professional engineer, structural engineer, and/or professional surveyor]* and for certification as an engineer intern, surveyor intern, or firm; establish fees and expiration and renewal requirements; impose certain duties upon this jurisdiction and political subdivisions thereof in connection with public work; and provide for the enforcement of this Act and penalties for its violation.

Be it enacted by the *[insert legislative body name]* of the Jurisdiction of *[insert state or territory name]* as follows.

Model Law 110.20 Definitions

A. Engineer

1. Engineer—The term “Engineer,” within the intent of this Act, shall mean an individual who is qualified to practice engineering by reason of engineering education, training, and experience in the application of engineering principles and the interpretation of engineering data.
2. Professional Engineer—The term “Professional Engineer,” as used in this Act, shall mean an individual who has been duly licensed as a professional engineer by the board. The board may designate a professional engineer, on the basis of education, experience, and examination, as being licensed in a specific discipline or branch of engineering signifying the area in which the engineer has demonstrated competence.
3. Structural Engineer—The term “Structural Engineer,” as used in this Act, shall mean an individual who has been duly licensed as a structural engineer by the board. The board may designate a structural engineer, on the basis of education, experience, and examination.
34. Professional Engineer, Retired—The term “Professional Engineer, Retired,” as used in this Act, shall mean an individual who has been duly licensed as a professional engineer by the board, and who chooses to relinquish or not to renew a license, and who applies to and is approved by the board to be granted the use of the title “Professional Engineer, Retired.”
5. Structural Engineer, Retired—The term “Structural Engineer, Retired,” as used in this Act, shall mean an individual who has been duly licensed as a structural engineer by the board, who chooses to relinquish or not to renew a license, and who applies to and is approved by the board to be granted the use of the title “Structural Engineer, Retired.”
46. Engineer Intern—The term “Engineer Intern,” as used in this Act, shall mean an individual who has been duly certified as an engineer intern by the board.
57. Practice of Engineering—The term “Practice of Engineering,” as used in this Act, shall mean any service or creative work requiring engineering education, training, and experience in the application of engineering principles and the interpretation of engineering data to engineering activities that potentially impact the health, safety, and welfare of the public.

The services may include, but not be limited to, providing planning, studies, designs, design coordination, drawings, specifications, and other technical submissions; teaching engineering design courses; performing surveying that is incidental to the practice of engineering; and reviewing construction or other design products for the purposes of monitoring compliance with drawings and specifications related to engineered works.

Surveying incidental to the practice of engineering excludes the surveying of real property for the establishment of land boundaries, rights of way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

An individual shall be construed to practice engineering, within the meaning and intent of this Act, if he or she does any of the following:

- a. Practices any discipline of the profession of engineering or holds himself or herself out as able and entitled to practice any discipline of engineering
 - b. Represents himself or herself to be a professional-licensed engineer by verbal claim, sign, advertisement, letterhead, or card or in any other way
 - c. Through the use of some other title, implies that he or she is a professional licensed engineer ~~or licensed~~ under this Act
68. Inactive Status—Licensees who are not engaged in engineering practice that requires licensure in this jurisdiction may be granted inactive status. No licensee granted

inactive status may practice or offer to practice engineering in this jurisdiction unless otherwise exempted in this Act. Licensees granted inactive status are exempt from continuing education requirements.

C. Board—The term “Board,” as used in this Act, shall mean the jurisdiction board of licensure for *[professional engineers, structural engineers, and/or professional surveyors]*, hereinafter provided by this Act.

L. Licensee—The term “Licensee,” as used in this Act, shall mean a *[professional engineer, structural engineer, or ~~a~~professional surveyor]*.

Model Law 120.10 Board Appointments, Terms

A jurisdiction board of licensure for professional engineers and/or professional surveyors is hereby created whose duty it shall be to administer the provisions of this Act. The board shall consist of *[(insert number) professional engineers, (insert number) structural engineers, [(insert number)] professional surveyors, and [(insert number)] public members]* who shall be appointed by the governor. The *[professional engineer, structural engineer, and professional surveyor]* members shall preferably be appointed from a list of nominees submitted by the respective engineering and/or surveying societies of this jurisdiction and shall have the qualifications required by Section 120.20 of this Act. Each member of the board shall receive a certificate of his or her appointment from the governor and shall file with this jurisdiction a written oath or affirmation for the faithful discharge of his or her official duty. Appointments to the board shall be in such manner and for such period of time that the term of each member shall expire at the end of a different year, insofar as is possible. On the expiration of the term of any member, the governor shall in the manner hereinbefore provided appoint for a term of *[insert number]* years a *[professional engineer, a structural engineer, a professional surveyor, or a public member]* having the qualifications required in Section 120.20 of this Act. Members may be reappointed to succeed themselves. Each member shall hold office until the expiration of the term for which appointed or until a successor has been duly appointed and has qualified. In the event of a vacancy on the board due to resignation, death, or for any cause resulting in an unexpired term, if not filled within 3 months by the governor, the board may appoint a provisional member to serve in the interim until the governor acts.

Model Law 120.20 Board Qualifications

Each professional engineer member of the board shall be a citizen of the United States and a resident of this jurisdiction. He or she shall have been engaged in the lawful practice of engineering as a professional engineer for at least 12 years, shall have been in responsible charge of engineering projects for at least 5 years, and shall be a licensed professional engineer in this jurisdiction.

Each structural engineer member of the board shall be a citizen of the United States and a resident of this jurisdiction. He or she shall have been engaged in the lawful practice of engineering as a structural engineer for at least 12 years, shall have been in responsible charge of structural engineering projects for at least 5 years, and shall be a licensed structural engineer in this jurisdiction.

Each professional surveyor member of the board shall be a citizen of the United States and a resident of this jurisdiction. He or she shall have been engaged in the lawful practice of surveying as a professional surveyor for at least 12 years, shall have been in responsible charge of surveying projects for at least 5 years, and shall be a licensed professional surveyor in this jurisdiction.

Each public member of the board shall be a citizen of the United States and a resident of this jurisdiction and shall not be or have been ~~either~~ a *[professional engineer, structural engineer, or professional surveyor]*. ~~The majority of the board members shall be professional engineers and/or professional surveyors.~~

Model Law 120.50 Board Organization and Meetings

The board shall hold at least *[insert number]* regular meetings each year. Other meetings may be called as prescribed by jurisdictional law. The board shall elect or appoint annually from among its membership the following officers: a chairperson, a vice chairperson, and a secretary. A quorum of the board shall consist of no fewer than *[(insert number)] professional engineer members, (insert number) structural engineer members, [(insert number)] professional surveyor members, and [(insert number)] public members]*.

Model Law 120.70 Receipts and Disbursements

The board administrator shall receive, disburse, and account for all monies derived under the provisions of this Act. This fund shall be known as the [*“Professional Engineers’ , [S truc tu ra l Eng i ne ers’](#), and/or Professional Surveyors’ Fund,”*] shall be kept in a local bank or deposited with the jurisdiction treasurer, and shall be paid out only upon requisitions submitted by the board administrator. All monies in this fund are hereby specifically appropriated for the use of the board. The board administrator shall give a surety bond to this jurisdiction in such sum as may be required by the laws of this jurisdiction. The premium on said bond shall be regarded as a proper and necessary expense of the board. The board administrator shall receive such salary as the board shall determine. The board shall make expenditures from the abovementioned fund for any purpose which, in the opinion of the board, is reasonably necessary for the proper performance of its duties under this Act, including the expenses of the board’s delegates to meetings of and membership fees to the National Council of Examiners for Engineering and Surveying (NCEES) and any of its subdivisions. Individuals appointed by the board to serve on committees, or who perform other services required by the board, are entitled to reimbursement of expenses as approved by the board. Under no circumstances shall the total amount of warrants issued in payment of the expenses and compensation provided for in this Act exceed the amount of monies collected.

Model Law 120.90 Roster

A complete roster showing the names, last known addresses, and license or certificate number of all professional engineers, [structural engineers](#), professional surveyors, and firms holding a certificate of authorization shall be published by the board.

Model Law 130.10 General Requirements for Licensure

Education, experience, and examinations are required for licensure as a professional engineer, [structural engineer](#), or professional surveyor.

A. Eligibility for Licensure

To be eligible for licensure as a professional engineer, structural engineer, or professional surveyor, an individual must meet all of the following requirements:

1. Be of good character and reputation
2. Satisfy the education criteria set forth below
3. Satisfy the experience criteria set forth below
4. Pass the applicable examinations set forth below
5. Submit five references acceptable to the board

B. Engineering

1. Certification or Enrollment as an Engineer Intern

The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer intern.

- a. Graduating from an engineering program of 4 years or more accredited by the Engineering Accreditation Commission of ABET (EAC/ABET), or the equivalent, or an engineering master’s program accredited by EAC/ABET
- b. Passing the NCEES Fundamentals of Engineering (FE) examination

2. Licensure as a Professional Engineer

a. Initial Licensure as a Professional Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a professional engineer.

(1) Education Requirements

An individual seeking licensure as a professional engineer shall possess one or more of the following education qualifications:

- (a) A bachelor’s degree in engineering from an EAC/ABET-accredited program
- (b) A master’s degree in engineering from an institution that offers EAC/ABET-accredited programs
- (c) A master’s degree in engineering from an EAC/M-ABET-accredited program
- (d) An earned doctoral degree in engineering acceptable to the board

(2) Examination Requirements

An individual seeking licensure as a professional engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Principles and Practice of Engineering (PE) examination as described below.

- (a) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, or an

engineering master's program accredited by EAC/ABET.

(b) The PE examination may be taken by an engineer intern.

(3) Experience Requirements

An individual seeking licensure as a professional engineer shall present evidence of a specific record of progressive engineering experience satisfying one of the following described below. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice engineering.

(a) An individual with a bachelor's degree in engineering per (1)(a) above: 4 years of experience after the bachelor's degree is conferred

(b) An individual with a master's degree in engineering per (1)(b) or (1)(c) above: 3 years of experience

(c) An individual with an earned doctoral degree in engineering acceptable to the board and who has passed the FE exam: 2 years of experience

(d) An individual with an earned doctoral degree in engineering acceptable to the board and who has elected not to take the FE exam: 4 years of experience

b. Licensure by Comity for a Professional Engineer

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity as a professional engineer:

(1) An individual holding a certificate of licensure to engage in the practice of engineering issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard that provides proof of minimal competency and is comparable to the applicable licensure act in effect in this jurisdiction at the time such certificate was issued may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or

(2) An individual holding an active Council Record with NCEES, whose qualifications as evidenced by the Council Record meet the requirements of this Act, may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction.

3. Licensure as a Structural Engineer

a. Initial Licensure as a Structural Engineer

An applicant who presents evidence of meeting the applicable education, examination, and experience requirements as described below shall be eligible for licensure as a structural engineer.

(1) Education Requirements

(a) An individual seeking licensure as a structural engineer shall possess one or more of the following education qualifications:

i. A bachelor's degree in engineering from an EAC/ABET-accredited program

ii. A master's degree in engineering from an institution that offers EAC/ABET-accredited programs

iii. A master's degree in engineering from an EAC/ABET-accredited program

iv. An earned doctoral degree in engineering acceptable to the board

(b) Passes a minimum of 18 semester (27 quarter) hours of structural analysis and design courses. At least 9 of the semester (14 quarter) hours must be structural design courses.

(2) Examination Requirements

An individual seeking licensure as a structural engineer shall take and pass the NCEES Fundamentals of Engineering (FE) examination and the NCEES Structural Engineering (SE) examination as described below.

(a) The FE examination may be taken by a college senior or graduate of an engineering program of 4 years or more accredited by EAC/ABET, or the equivalent, or an engineering master's program accredited by EAC/ABET.

(b) The SE examination may be taken by an engineer intern who

meets the education requirements in 3a(1) above.

(c) The SE examination shall meet one of the following requirements:

i. 16 hours of NCEES structural examinations, 8 hours of which were from the SE II taken prior to January 1, 2011

ii. 16-hour state-written structural examinations taken prior to 2004

iii. NCEES SE II plus 8-hour state-written structural examinations taken prior to January 1, 2011

iv. NCEES 16-hour Structural Engineering (SE) examination taken after January 1, 2011

(3) Experience Requirements

An individual seeking licensure as a structural engineer shall present evidence of a specific record of progressive structural engineering experience satisfying one of the following described below. This experience should be of a grade and character that indicate to the board that the applicant may be competent to practice structural engineering.

(a) An individual with a bachelor's degree in engineering per a(1) above: 4 years of experience after the bachelor's degree is conferred

(b) An individual with a master's degree in structural engineering per a(2) or a(3) above: 3 years of experience

(c) An individual with an earned doctoral degree in structural engineering acceptable to the board and has passed the FE exam: 2 years of experience

(d) An individual with an earned doctoral degree in structural engineering acceptable to the board and who has elected not to take the FE exam: 4 years of experience

b. Licensure by Comity for a Structural Engineer

The following shall be considered as minimum evidence satisfactory to the board that the applicant is qualified for licensure by comity as a structural engineer:

(1) An individual holding a certificate of licensure to engage in the practice of structural engineering issued by a proper authority of any jurisdiction or any foreign country, based on requirements that do not conflict with the provisions of this Act and possessing credentials that are, in the judgment of the board, of a standard that provides proof of minimal competency and is comparable to the applicable licensure act in effect in this jurisdiction at the time such certificate was issued may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction; or

(2) An individual holding an active Council Record with NCEES, whose qualifications as evidenced by the Council Record meet the requirements of this Act, may, upon application, be licensed without further examination except as required to examine the applicant's knowledge of statutes, rules, and other requirements unique to this jurisdiction.

Model Law 130.20 Application and Fees

A. Application for licensure as a *[professional engineer, structural engineer, and/or professional surveyor]* or certification as an engineer intern or surveyor intern shall be on a form prescribed and furnished by the board; shall contain a declaration made under penalty of perjury, showing the applicant's education and a detailed summary of technical and engineering experience or surveying experience; and shall include the names and complete mailing addresses of the references, none of whom should be members of the board. The board may accept the verified information contained in a valid Council Record issued by NCEES for applicants in lieu of the same information that is required on the form prescribed and furnished by the board.

B. The application fee shall be established by regulation of the board for licensure as a *[professional engineer, structural engineer, or professional surveyor]* or for certification as an engineer intern or surveyor intern, and shall accompany the application.

C. Should the board deny the issuance of a certificate of licensure or intern certification to any applicant, the fee paid shall be retained as an application fee.

Model Law 140.10 Certificates of Licensure, Seals

A. The board shall issue to any applicant for licensure as a *[professional engineer, structural*

engineer, or professional surveyor] who, in the opinion of the board, has met the requirements of this Act, a certificate of licensure giving the licensee proper authority to practice his or her profession in this jurisdiction. The certificate of licensure for a professional engineer shall carry the designation “Professional Engineer”; *for a structural engineer, “Structural Engineer”*; and for a professional surveyor, “Professional Surveyor.” It shall give the full name of the licensee with licensure number and shall be signed by the appropriate authority under the seal of the board.

- B. The certificate of licensure shall be prima facie evidence that the individual named thereon is entitled to all rights and privileges and is bound by all responsibilities of a professional engineer, *structural engineer, or a professional surveyor* while the said certificate of licensure remains active and unrestricted.
- C. Each licensee hereunder must, upon licensure, obtain a seal as described in Section 110.20 K of this Act. Documents must be sealed, signed, and dated in accordance with the Rules.
- D. The board shall issue to any applicant for certification as an engineer intern or surveyor intern who, in the opinion of the board, has met the requirements of this Act, an enrollment document as engineer intern or surveyor intern, which indicates that his or her name has been recorded as such in the board office. The engineer intern or surveyor intern enrollment document does not authorize the holder to practice as a *[professional engineer, structural engineer, or a professional surveyor]*.

Model Law 150.30 Grounds for Disciplinary Action—Unlicensed Individuals

- A. In addition to any other provisions of law, the board shall have the power to fine and recover costs from any unlicensed individual who is found guilty of:
 - 1. Engaging in the practice or offer to practice of engineering or surveying in this jurisdiction without being licensed in accordance with the provisions of this Act
 - 2. Using or employing the words “engineer,” “engineering,” “surveyor,” “surveying,” or any modification or derivative thereof in his or her name or form of business activity except as licensed in this Act
 - 3. Presenting or attempting to use the certificate of licensure or seal of a *[professional engineer, structural engineer, or professional surveyor]*
 - 4. Engaging in any fraud or deceit in obtaining or attempting to obtain a certificate of licensure or intern certification
 - 5. Impersonating any *[professional engineer, structural engineer, or professional surveyor]*
 - 6. Using or attempting to use an expired, suspended, revoked, inactive, retired, or nonexistent certificate of licensure

Model Law 160.20 Managing Agent and Resident Professional

A firm shall designate a managing agent and a resident professional. The managing agent and the resident professional may or may not be the same individual.

- A. **Managing Agent**—The following criteria shall apply to the firm’s designation of a managing agent: A firm shall designate a *[professional engineer, structural engineer, or a professional surveyor]* to be a managing agent for the firm. The managing agent is responsible for the engineering or surveying work in this jurisdiction and/or for projects within this jurisdiction offered or provided by the firm. A licensee may not be designated as a managing agent for more than one firm. A licensee who renders occasional, part-time, or consulting engineering or surveying services to, or for, a firm may not be designated as a managing agent, unless the licensee is an officer or owner of the firm. The managing agent’s responsibilities include:
 - 1. Renewal of the firm’s certificate of authorization and notification to the board of any change in managing agent;
 - 2. Overall administrative supervision of the firm’s licensed and subordinate personnel providing the engineering or surveying work in this jurisdiction; and
 - 3. Institution and adherence of policies of the firm that are in accordance with the Rules of Professional Conduct.
- B. **Resident Professional**—The following criteria shall apply to the firm’s designation of a resident professional: A firm shall also designate a resident *[professional engineer, structural engineer, or a resident professional surveyor]*, ~~as applicable~~, to be in responsible charge of the practice of *[engineering or practice of surveying]*, ~~as applicable~~, in each branch office in which *[engineering or surveying]* services are offered or provided. A resident *[professional engineer, structural engineer, or resident professional surveyor]* shall meet the following criteria:

1. Spend a majority of normal business hours at a particular branch office;
2. Be a resident [*professional engineer, structural engineer, or ~~a resident~~ professional surveyor*] at only one particular branch office at one time; and
3. Be duly licensed as a [*professional engineer, structural engineer, or ~~a professional surveyor~~*] by the licensing board of the jurisdiction in which the branch office is located.

Model Law 160.70 Grounds for Disciplinary Action—Firms Holding a Certificate of Authorization

- A. The board shall have the power to suspend, revoke, place on probation, fine, recover costs, and/or reprimand, or to refuse to issue, restore, or renew a certificate of authorization to any firm holding a certificate of authorization that is found guilty of:
 5. Discipline (including voluntary surrender of ~~a professional engineer's or professional surveyor's~~ *an engineering or surveying* license in order to avoid disciplinary action) by another jurisdiction, foreign country, or the United States government, if at least one of the grounds for discipline is the same or substantially equivalent to those contained in this Act

Model Rules 210.30 Clarifications to Offering to Practice Engineering and Surveying

The following items are not considered offering to practice engineering or surveying, provided that the engineer or surveyor is licensed in another jurisdiction:

- A. Advertising in publications or electronic media, provided there is no holding out of professional services in jurisdictions where not licensed
- B. Responding to letters of inquiry regarding requests for proposals, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest
- C. Responding to letters of inquiry from prospective clients, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest
- D. Using the title/designation *licensed engineer*, professional engineer, *licensed engineer*, P.E., *structural engineer*, S.E., professional surveyor, licensed surveyor, P.S., or the like in correspondence or on business cards from an office in the jurisdiction where licensure is held.

Regardless of the above, proposals may not be submitted, contracts signed, or work commenced until the engineer/surveyor and firm become licensed or authorized in the jurisdiction.

Model Rules 220.30 Fees

- A. Application Fees
 1. *[\$insert amount]*—For [*professional engineer, structural engineer, and/or professional surveyor*] licensure, as provided in the NCEES *Model Law*, Section 130.20 B
 2. *[\$insert amount]*—For [*engineer intern and/or surveyor intern*] certification, as provided in the NCEES *Model Law*, Section 130.20 B

Model Rules 230.20 Experience

- A. As a Professional Engineer

In evaluating experience that indicates to the board that the applicant may be competent to practice engineering, the following will be considered:

 1. Experience must be progressive on engineering projects to indicate that it is of increasing quality and requiring greater responsibility.
 2. Only work of an engineering nature that follows graduation from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) or a program deemed to be substantially equivalent is creditable.
 3. Experience must not be obtained in violation of the licensure act.
 4. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the applicant served in an engineering or engineering-related group while in the armed services.
 5. Experience should be gained under the supervision of a licensed professional engineer; if it is not, an explanation should be made showing why the experience should be

considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.

6. For sales experience to be creditable, it must be demonstrated that engineering principles were required and used in gaining the experience.
7. Teaching experience, to be creditable, must be in engineering or engineering-related courses at an advanced level in a college or university offering an engineering program of 4 years or more that is approved by the board.
8. Experience gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.
9. Successful completion of graduate study leading to the master's degree in engineering from an institution that offers EAC/ABET-accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is obtained without the master's degree, the credit for experience may be 2 years.
10. Experience may not be anticipated. The experience must have been gained by the time of the application.
11. Experience in construction, to be creditable, must demonstrate the application of engineering principles.
12. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.
13. Experience should include demonstration of the application of engineering principles in the practical solution of engineering problems.
14. The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for professional experience in that jurisdiction.

B. As a Structural Engineer

In evaluating experience that indicates to the board that the applicant may be competent to practice as a structural engineer, the following will be considered:

1. Experience must be progressive on structural engineering projects to indicate that it is of increasing quality and requiring greater responsibility.
2. Only work of a structural engineering nature that follows graduation from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) or a program deemed to be substantially equivalent is creditable.
3. Experience must not be obtained in violation of the licensure act.
4. Experience gained in the armed services, to be creditable, must be of a character equivalent to that which would have been gained in the civilian sector doing similar work. Normally, it would be expected that the applicant served in an engineering or engineering-related group while in the armed services.
5. Experience should be gained under the supervision of a licensed engineer; if it is not, an explanation should be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the board.
6. For sales experience to be creditable, it must be demonstrated that structural engineering principles were required and used in gaining the experience.
7. Teaching experience, to be creditable, must be in structural engineering or structural engineering- related courses at an advanced level in a college or university offering an engineering program of 4 years or more that is approved by the board.
8. Experience gained in structural engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.
9. Successful completion of graduate study leading to the master's degree in engineering from an institution that offers EAC/ABET-accredited programs may be used for credit for 1 year's experience. If the earned doctoral degree in engineering is completed under the same conditions, 2 years' total experience may be credited. The 2 years' credit includes the 1 year for the master's degree. If the earned doctoral degree is ob

ained without the master's degree, the credit for experience may be 2 years.

10. Experience may not be anticipated. The experience must have been gained by the time of the application.

11. Experience in construction, to be creditable, must demonstrate the application of structural analysis and design principles.

12. Experience should include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of structural analysis and design.

13. Experience should include demonstration of the application of structural engineering principles in the practical solution of structural engineering problems.

14. The board may deem structural engineering experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established by regulations for structural engineering experience in that jurisdiction.

Model Rules 230.30 References

References are those individuals who should have personal knowledge of an applicant and who are able to issue judgments concerning an applicant's experience, ability, character, or reputation.

A. For licensure as a [professional engineer, structural engineer, or professional surveyor], an applicant must submit 5 references, 3 of whom shall be professional-licensed engineers, professional-licensed surveyors, or other individuals deemed acceptable to the board, who have personal knowledge of the applicant's engineering or surveying experience. In addition, for each employment period, individuals familiar with the applicant's experience for that period must be identified. Engineering applicants must have professional licensed engineer references, and surveying applicants must have professional-licensed surveyor references.

Model Rules 230.40 Examinations

A. Classification of Engineering Examinations

This jurisdiction or its designee will provide the following examinations, prepared and furnished by NCEES, meeting the requirements of this jurisdiction for licensure ~~as a professional engineer~~:

1. NCEES Fundamentals of Engineering (FE) examination—The examination consists of subject matters in the fundamentals of engineering. Passing this examination qualifies the examinee for certification as an engineer intern, provided the examinee has met all other requirements for certification required by this Act.
2. NCEES Principles and Practice of Engineering (PE) examination—The examination consists of subject matters in applied engineering. Passing this examination qualifies the examinee for licensure as a professional engineer, provided the examinee has met the other requirements for licensure required by this Act.
3. NCEES Structural Engineering (SE) examination—The examination shall be considered and referred to as one 16-hour examination. Passing this examination qualifies the examinee for licensure as a structural engineer, provided the examinee has met the other requirements for licensure required by these Rules. The SE examination consists of two 8-hour components: the Vertical Forces (gravity/other) and Incidental Lateral component and the Lateral Forces (wind/earthquake) component. A candidate must receive acceptable results on both 8-hour components to pass the SE examination. A candidate may sit for each component in separate exam administrations but must receive acceptable results on both components within a 5-year period. Receiving acceptable results on only one 8-hour component shall not be sufficient for licensure purposes.

Model Rules 230.40 Examinations

B. Eligibility of Applicant for Engineering Examinations

1. NCEES Fundamentals of Engineering (FE) Examination
 - a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in an engineering program may register with NCEES directly to take the FE examination or, if required, apply to the board for admission to the FE examination.
 - b. To be certified as an engineer intern, an application for certification may be submitted to the board upon passing the FE examination and meeting the

- education requirements.
2. NCEES Principles and Practice of Engineering (PE) Examination
 - a. Applicants for licensure as a professional engineer will be permitted to sit for the PE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
 - b. No applicant may sit for the PE examination until the board has established that the applicant is eligible for the examination.
 - c. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the PE examination without having taken or passed the FE examination.
 3. NCEES Structural Engineering (SE) Examination
 - a. Applicants for licensure as a structural engineer will be permitted to sit for the SE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
 - b. No applicant may sit for the SE examination until the board has established that the applicant is eligible for the examination.
- C. Classification of Surveying Examinations
This jurisdiction will provide the following examinations, prepared and furnished by NCEES, meeting the requirements of this jurisdiction for licensure ~~as a professional surveyor~~:
1. NCEES Fundamentals of Surveying (FS) examination—The examination consists of subject matters in the fundamentals of surveying. Passing this examination qualifies the examinee for certification as a surveyor intern, provided the examinee has met all other requirements for certification required by this Act.
 2. NCEES Principles and Practice of Surveying (PS) examination—The examination consists of subject matters in applied surveying, divided in separate parts as determined by the board. Passing these parts qualifies the examinee for licensure as a professional surveyor, provided the examinee has met the other requirements for licensure required by this Act. Jurisdictions have the right to administer separate modules on jurisdiction laws and procedures for the practice of surveying.
- D. Eligibility of Applicant for Surveying Examinations
1. NCEES Fundamentals of Surveying (FS) Examination
 - a. Those who are college seniors in at least a 4-year program leading to a bachelor's degree in a surveying program may register with NCEES directly to take the FS examination or, if required, apply to the board for admission to the FS examination.
 - b. To be certified as a surveyor intern, an application for certification may be submitted to the board upon passing the FS examination and meeting the education and experience requirement.
 2. NCEES Principles and Practice of Surveying (PS) Examination
 - a. An applicant for licensure as a professional surveyor will not be permitted to sit for the PS examination until the FS examination has been passed.
 - b. No applicant may sit for the PS examination until the board has established that the applicant is eligible for the examination.
- *****
- M. Examination for Record Purposes
1. Any [*professional engineer/structural engineer*] licensed by this board may take for Record purposes the FE examination and/or [*a PE/the SE*] examination ~~in a chosen discipline~~ offered by NCEES upon payment of [*insert fee set by board regulation and/or NCEES*].

Model Rules 230.50 Classifications and Disciplines of Engineers and Surveyors

- A. Classification of Engineers
Engineering applicants shall be licensed or certified under one of the classifications as prescribed by the laws of this jurisdiction:
1. Engineer intern—by education and examination
 2. Professional engineer—by education, examination, and experience, or by comity

3. Structural engineer—by education, examination, and experience, or by comity

34. Discipline professional engineer—by verification of discipline competence

Model Rules 230.60 Applications

A. Types of Applications

Licensure as a [professional engineer, structural engineer, or professional surveyor] or certification as [an engineer intern or a surveyor intern] requires that an applicant present his or her qualifications on forms prescribed by this board.

1. Applications for licensure as a [professional engineer, structural engineer, or professional surveyor] are accepted from those who believe that they are qualified by education and experience, according to laws of this jurisdiction, to be licensed as a [professional engineer, structural engineer, or professional surveyor].
2. Applications for certification as [an engineer intern or a surveyor intern] are accepted from those who believe that they have the necessary qualifications for licensure according to the laws of this jurisdiction, as a [professional engineer, structural engineer, or ~~a~~ professional surveyor] except for that of education and experience.

F. Licensure by Comity

1. The board is authorized to review and evaluate the applications of all comity applicants to determine if they meet or exceed the criteria to be licensed as a [professional engineer, ~~professional~~ structural engineer, or professional surveyor] as defined in Section 130.10 of the Model Law.

Model Rules 240.10 Licensure

A. License Number as a [Professional Engineer, Structural Engineer, or Professional Surveyor]
Each licensee is assigned a license number at the time licensure is granted by the board. Numbers are issued consecutively in the order in which applicants are granted licensure. The licensee will be advised of the number by the board. (Section 140.10, Certificates of Licensure, Seals, NCEES Model Law)

C. Retirement of Licensure Option

When a [professional engineer, structural engineer, or professional surveyor] in good standing desires to retire his or her license, he or she may do so upon application to the board. Upon meeting the requirements established by the board, a permanent identification card may be issued and the retired licensee shall receive all rights and benefits as established by the board. Upon retirement of said license, the retiree shall not practice the profession. (Section 110.20 A.3 and B.2, Definitions, NCEES Model Law)

Model Rules 240.20 Seals

A. Seal of the Board

The seal of this board is [describe seal] and shall be affixed to each certificate of licensure, certificate of authorization, and enrollment document. (Section 120.60 A, Board Powers, NCEES Model Law)

B. Seal of Licensee

When an applicant is granted licensure, he or she must obtain a seal. It may be a rubber stamp. It shall contain the following:

1. Jurisdiction of licensure
2. Licensee's name
3. License number
4. The words "Professional Engineer" and discipline [if licensed by], "Structural Engineer," or "Professional Surveyor" (In part from Section 140.10 C, Certificates of Licensure, Seals, NCEES Model Law)

C. Seal on Documents

8. Computer-generated seals not signed with a digital signature may be used on final original drawings provided that a handwritten signature is placed adjacent to or across the seal and the date is written below the seal. Drawings, specifications, plans, reports, and documents that do not require sealing may be transmitted electronically but shall have the generated seal, if any, removed before transmitting and shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by [insert name of licensee], [P.E.# _____ / S.E.# _____ / P.S.# _____] on [insert date of sealing]. This document should not be considered a sealed document."

Model Rules 240.30 Continuing Professional Competency

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of *[professional engineers, structural engineers, and/or professional surveyors]*.

C. Requirements

Every licensee is required to obtain the equivalent of 15 PDHs per annual renewal period, 30 PDHs per biennial renewal period, or 45 PDHs per triennial renewal period. These PDHs may be obtained anytime during the applicable renewal period. A minimum of 1 PDH of each 15 PDHs shall be earned by successfully completing a course or activity that has content areas that focus on (a) **professional** engineering or surveying ethics, or (b) improving a licensee's methods of business practice or operations or otherwise advancing professionally related skills and practices as applicable to the practice of engineering or surveying. If a licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDHs may be carried forward into the subsequent renewal period. PDHs may be earned as follows:

G. Exemptions

A licensee may be exempt from the continuing professional competency requirements for one of the following reasons:

4. Licensees who list their occupation as "Retired" or "Inactive" on the board-approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or surveying services shall be exempt from the PDHs required. In the event such an individual elects to return to active practice of *[professional engineering, structural engineering, or professional surveying]*, PDHs must be earned before returning to active practice for each year exempted, not to exceed the annual requirement for 2 years.

Model Rules 240.40 Expirations, Renewals, and Reinstatement to Active Practice

J. In the event an inactive licensee does not maintain a current license in any jurisdiction for the 3 previous years prior to requesting reinstatement, that individual will be required to take the NCEES [Principles and Practice of Engineering (PE) examination, **Structural Engineering examination**, or the NCEES Principles and Practice of Surveying (PS) examination] and jurisdiction-specific examinations prior to reinstatement.

Rationale

The 2014–15 UPLG Committee was charged with performing a comprehensive review of the *Model Law* and *Model Rules* and proposing revisions to reconcile conflicts and inconsistencies between the two documents. When it was doing the review, the committee noted that the language for structural engineers is not parallel to that of professional engineers. The *Model Rules* lists structural engineering separately in 210.20 Definitions and in 230.40 Examinations, but the *Model Law* does not. It noted that a committee may need to be charged with addressing *Model Law* 130.10 section in the future with regard to structural engineers. This year's committee was charged with doing that.

In discussing this charge, the committee agreed that adding parallel language only in *Model Law* 130.10 would not be consistent within the *Model Law* or with the *Model Rules*. Because the committee was charged with developing parallel language for structural engineers, UPLG is amending the language to make that language parallel throughout both documents. The language in italics and brackets is to make it clear that boards would add the language appropriate for the type of licensure they oversee.

Additional notes

UPLG is recommending that 130.10 be reorganized to make the language flow more clearly and logically (as shown in this report's appendix). The proposed Structural Engineering language in 130.10 in the motion above is added using that new organization. As part of UPLG Motion 9, *Model Rules* 230.40 is being reorganized to separate the exams by discipline. The proposed Structural Engineering language in 230.40 in the motion above is added using that new organization.

Model Rules 230.40 Examinations

3. NCEES Structural Engineering (SE) Examination

- a. Applicants for licensure as a structural engineer will be permitted to sit for the SE examination upon satisfactorily fulfilling all application requirements of the jurisdiction.
- b. No applicant may sit for the SE examination until the board has established that the applicant is eligible for the examination.
- c. Engineering doctorate degree applicants with an undergraduate degree from a program accredited by the Engineering Accreditation Commission of ABET (EAC/ABET) and with a doctorate degree in engineering, with structural engineering emphasis, from an institution that offers EAC/ABET-accredited undergraduate programs in the doctorate degree field of engineering and with experience that meets the qualifications defined by the board may sit for the SE examination without having taken or passed the FE examination.

Board of directors' position

Endorses, non-consent agenda

The Section does not support the motion.

Technology Task Force

Technology Task Force Motion 1

Move that the UPLG Committee be charged with incorporating the following changes into *Model Rules 240.20 B*.

Model Rules 240.20 Seals

B. Seal of Licensee

When an applicant is granted licensure, he or she **must may** obtain a seal. It may be a rubber stamp. It shall contain the following:

1. Jurisdiction of licensure
2. Licensee's name
3. License number
4. The words "Professional Engineer" and discipline *[if licensed by]* or "Professional Surveyor" *(In part from Section 140.10 C, Certificates of Licensure, Seals, NCEES Model Law)*

Rationale

The proposed language will provide for flexibility by allowing the option of obtaining a seal upon licensure by changing the language from "must" to "may." This is essentially a change in guidelines for uniformity for member boards related to signing and sealing engineering and surveying documents as defined in the *Model Rules*.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Technology Task Force Motion 2

Move that the UPLG Committee be charged with incorporating the following changes into *Model Rules 240.20 C*.

Model Rules 240.20 Seals

C. Seal on Documents

1. The seal and signature of the licensee and the date of signing shall be placed on all final engineering specifications, reports, drawings, plans, design information, and calculations or surveys, reports, plats, drawings, plans, and calculations whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the responsible charge of the licensee. Working drawings or preliminary documents are not required to have a seal and signature if the working drawing or preliminary document contains a statement in large bold letters to the effect "PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION."
2. The seal and signature shall be placed on all original copy, tracings, or other reproducible documents so that the seal and signature will be reproduced when copies are made.
3. When the document contains more than one sheet, the first or title page shall be sealed and signed by the licensee who was in responsible charge. Two or more licensees may affix their signatures and seals provided that a note under the seal designates the specific subject matter for which each is responsible. In addition, each sheet shall be sealed and

signed by the licensee or licensees responsible for that sheet. When a firm performs the work, each sheet shall be sealed and signed by the licensee or licensees who were in responsible charge of that sheet.

4. The seal and signature shall be placed on work only when it was under the licensee's responsible charge. The licensee shall sign and seal only work within the licensee's areas of competence.

5. Plans, plats, specifications, drawings, reports, and other documents will be deemed to have been prepared under the responsible charge of a licensee only when all the following conditions have been met and documented:

a. The client requesting preparation of such plans, plats, specifications, drawings, reports, or other documents makes the request directly to the licensee, or a member or employee of the licensee's firm;

b. The licensee supervises the preparation of the plans, plats, specifications, drawings, reports, or other documents and has input into their preparation prior to their completion;

c. The licensee reviews the final plans, plats, specifications, drawings, reports, or other documents; and

d. The licensee has the authority to, and does, make any necessary and appropriate changes to the final plans, plats, specifications, drawings, reports, or other documents.

The licensee is responsible for meeting all of the preceding requirements whether the work is being performed remotely or locally.

6. Any revision to a document containing the seal and signature of a licensee shall be described and dated. If the revisions are not done by the original licensee, the revisions must also be signed and sealed by the licensee in responsible charge of those revisions.

7. In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee, a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's work. The burden is on the successor licensee to show such compliance. The successor licensee shall have control of and responsibility for the work product and the signed and sealed originals of all documents.

8. ~~Computer-generated seals not signed with a digital signature may be used on final original drawings provided that a handwritten signature is placed adjacent to or across the seal and the date is written below the seal.~~

~~Drawings, specifications, plans, reports, and documents that do not require sealing may be transmitted electronically but shall have the generated seal, if any, removed before transmitting and shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by [insert name of licensee], P.E. # _____/ P.S. # _____ on [insert date of sealing]. This document should not be considered a sealed document."~~

~~A licensee may seal and sign engineering/surveying documents by one of the following methods:~~

~~a. A physical placement of a seal and a handwritten signature in permanent ink containing the name of person who applied it; or~~

~~b. An electronic or digital placement of a seal and a handwritten, electronic, or digital signature containing the name of person who applied it;~~

~~Drawings, reports, and documents that are signed using a digital signature must have an electronic authentication process attached to or logically associated with the electronic document.~~

~~The digital signature must be~~

~~a. Unique to the individual using it~~

~~b. Capable of verification~~

~~c. Under the sole control of the individual using it~~

~~d. Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.~~

~~A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in subsections 8 a–d above. Any hard copy printed from the transmitted~~

electronic file shall bear the facsimile of the signature and seal and be a confirmation that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the facsimile of the signature to be voided.

Rationale

The proposed language will provide clarity for member boards regarding both physical (ink) and electronic methods of signing and sealing professional engineering and surveying documents as defined in the *Model Rules*.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Technology Task Force Motion 3

Move that the UPLG Committee be charged with incorporating the following changes into *Model Law* 140.10 C.

Model Law 140.10 Certificates of Licensure, Seals

C. Each licensee hereunder ~~must~~ **may**, upon licensure, obtain a seal as described in Section 110.20 K of this Act. Documents must be sealed, signed, and dated in accordance with the Rules.

Rationale

As described in Motion 1, the proposed language will provide for flexibility by allowing the option of obtaining a seal upon licensure by changing the language from “must” to “may.” This is essentially a change in guidelines for uniformity for member boards related to signing and sealing engineering and surveying documents as defined in the *Model Law*.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Technology Task Force Motion 4

Move that Position Statement XX be adopted as follows:

PS XX Remote Sensing Technologies

In the interest of safeguarding the public health, safety, and welfare, the use of remote sensing technology (both aerial and ground based) to perform professional services defined in NCEES *Model Law* 110.20 A5, *Practice of Engineering*, and 110.20 B4, *Practice of Surveying*, shall be under the responsible charge of an appropriately licensed professional.

Rationale

This position statement clarifies the responsibilities related to safeguarding the public health, safety, and welfare by licensed professionals regarding the use of remote sensing and other emerging technologies in execution of their duties as licensed engineers and surveyors.

Board of directors' position

Endorses, consent agenda

The Section does support the motion.

Financial Reserves Task Force

Financial Reserves Task Force Motion 1

Move that a Special Committee on Bylaws be charged with creating a standing Reinvestment Committee as described below:

- A standing committee comprised of five members—a chair and one member from each zone, appointed by the president-elect. The NCEES chief financial officer would serve as staff liaison and the treasurer as board of directors liaison.
- Each committee member will have a three-year term and be eligible to serve three terms.
- Five percent of total invested reserves would be made available to the committee each year. The 5 percent of total invested reserves would be a line item in the approved operating budget and would be available for funding discretionary expenditures that benefits and supports NCEES.
- The percentage amount, 5 percent, is arbitrary and could be changed at the request of the board of directors by a majority vote of the Council. It can be reduced unilaterally by

the board of directors when the potential exists for the reserves level to be less than that mandated by Financial Policy 1.

- The Reinvestment Committee would have the authority to grant funding requests submitted by applicants.
- The Reinvestment Committee would have one face-to-face meeting a year.

Rationale

As described in the committee's report, the creation of the Reinvestment Committee would provide continuity and the committee would be authorized to award up to 5 percent of invested reserves each year to support the mission and vision of NCEES.

Financial impact

The financial impact is estimated to be \$10,200 annually for the face-to-face committee meeting.

Board of directors' position

Does not endorse, non-consent agenda

The Section does not support the motion.

Board of directors' rationale

The NCEES board of directors does not support the creation of a standing Reinvestment Committee. The board's opposition is based on advice from corporate counsel that NCEES fiduciary responsibilities belong to the board of directors in accordance with the South Carolina Nonprofit Corporation Act. Therefore, non-board committees should not have those responsibilities.

Northeast Zone Resolution

WHEREAS: The NCEES board of directors passed the following motion at its February 2016 meeting:

Approve a third approval option for the professional exams to allow applicants to test if they attest to having met the selected board's requirements. The three models would be manual, education restricted with verification of the fundamentals exam and verification of education through a transcript, and automatic with applicants attesting to meeting the selected board's requirements.

THEREFORE, be it

RESOLVED: That the NCEES board of directors stay the motion passed at its February 2016 board meeting concerning attesting to qualifications allowing applicants to take the professional exams offered by NCEES; be it further

RESOLVED: That a task force or special committee be formed to study this issue because this subject impacts a number of areas of NCEES. This group would be charged to develop a recommendation for approval by the Council at the 2017 annual meeting.

Rationale

When NCEES converted the FE/FS exams from the pencil-and-paper exam to computer-based testing (CBT), an option was developed to allow the test takers to apply directly to NCEES for admittance to the exam. This direct admittance bypassed the requirement that the examinee had to apply through the local jurisdiction. The result of this is that in most states there is no review of the applicants' credentials prior to taking the exam. The concern was that unqualified persons could take the exam.

Because of this concern, the CBT Task Force and the Council staff spent much time discussing the pros and cons of no preapproval process for the FE/FS exams and came to the conclusion that since the fundamentals exam was only the first of the two exams and engineer intern/surveyor intern certification provided no authority to practice, this would be an acceptable option. During those same discussions, Council members were told that state jurisdictions would still have the requirement and responsibility as the exam gatekeepers to ensure that only persons who were qualified or could be qualified are admitted to sit for the PE/PS exams. The concerns of the high-stakes exam exposure and potential security threats were among the many reasons that we were assured that this would not ever become an issue with the PE/PS exams and that credential checks would certainly be required before allowing applicants to take the PE/PS exams.

At the February 2016 board of directors meeting, the board passed a motion to give states the option to allow persons who have not been vetted by a Council jurisdiction to sit for

the exam by simply paying the fee and attesting that they can meet the selected board's requirements. There was no committee that had this as a charge, and there has been no detailed review of the consequences—implied or unintended—of this action. Further, this action is of such significance that to adopt such a policy that will apply to all future professional exams (pencil-and-paper and CBT) needs additional study and a vote of the Council.

While this makes it easier upfront for the examinee to take the exam, in the long run the person will still need to supply the information to obtain his or her license—if the jurisdictions are doing their job. The only benefit is to the jurisdiction staff and board members, as they will not be reviewing people who cannot pass the exam. States that require failed applicants to furnish a plan of study and/or mentoring sessions with the board will no longer have this control.

There are a number of issues that need to have a closer review and in some cases a legal review. Some of these issues are as follows:

- Liability of denying a license to a person who has passed the exam because he or she does not meet the jurisdiction's legal requirements.
- Signing up to take the exam through the state that adopt the attest option and then applying to other states. An example is persons who attest to meeting the requirements of State A; take the test in State B; and initially apply to their home state, State C, where they don't meet the requirements.

- Applicants looking for the “easy” states in which to obtain a license (this may currently be a problem).

- This may make it harder to obtain comity and Model Law Engineer or Model Law Surveyor status.

- It will not reduce the need for jurisdictions to review the applicants for either initial status or comity.

- It does not support meeting the board of directors' goal of promoting commonality between states if there are “options” for preapproval or attestations.

- Initially, this was proposed by the surveyors on the NCEES board of directors, and their applicants generally practice in jurisdictions that are adjoining. There are also different education requirements (4-year degree vs. 2-year or experience) so their applicants would normally know what the licensing requirements are.

- This would require more work by the NCEES staff to determine if the attesting applicant has passed the fundamentals exam in his or her field (not sure that this review was made a requirement). Without this requirement, people could attest that they meet the requirements when they obviously don't.

- This could allow people without a degree to take the exam. This is especially a concern for the engineering and surveying jurisdictions that do have an educational requirement.

Again, does this put more work on NCEES staff to check this out? If this and the above bullet are true, it is moving more work and responsibility on the NCEES staff. If it is not true, anyone can take the exam; is this what we want?

- Some other unanswered questions and possible unintended consequences:

- What impact will this have on exam security?

- What can be done to people who falsely attest?

Board of directors' position

Does not endorse, non-consent agenda

The Section does support the motion.

Board of directors' rationale

At its May meeting, the NCEES board of directors discussed the Northeast Zone resolution thoroughly. The resolution has two parts: (1) Asking the board to remove the automatic approval option that was approved at the February board of directors meeting and (2) Asking the Council to study the idea further. The board discussed the pros and cons of the automatic approval option and acknowledged that some member boards had requested for this option to be available. Consequently, the board agreed for the automatic approval option to be available to all member boards effective June 20, 2016, pending further action by the full Council at the 2016 annual meeting.

Southern Zone Resolution

WHEREAS: NCEES funding has remained constant with respect to zone interim meetings regardless of attendance at the meeting; therefore, be it

RESOLVED: That NCEES Financial Policy 4 be amended to state that each zone shall be granted an equal sum of money each year from the funds of the Council for attendance of up to 75 members. Additional funding by the Council for attendance above 75 members shall granted to the respective zone at \$200 per member.

Rationale

NCEES Financial Policy 4 currently states the following:

Each zone shall be granted an equal sum of money each year from the funds of the Council to be used for zone expenses, zone meetings, and expenses of the zone vice president, assistant vice president, and secretary-treasurer to the interim zone meeting. The amount of the grant will be determined by the board of directors. Zone operations conducted under the Council's federal tax identification number shall be considered part of the Council activities and will be administered and monitored by the chief executive officer in conjunction with zone officers.

The Southern Zone routinely has greater than 75 attendees at annual zone interim meetings. The additional contribution of \$200 for each attendee greater than 75 at an interim meeting would further assist in defraying costs to the zone to conduct the meeting, assist in maintaining the quality of the meeting, and further enhance the attendance at the interim meeting.

Financial impact

The projected cost is estimated to be \$7,500 annually.

Board of directors' position

No position, non-consent agenda

The Section agreed by consensus to wait until further discussions were held at the annual meeting before deciding how to vote.

Unfinished Business

After all other motions have been considered, the Finance Committee chair will present the 2016–17 fiscal year budget for Council action.

MOTION

Move to adopt the 2016–17 proposed operating and capital expenditure budgets, which are shown in the Finance Committee Appendices B and C.

The Section does support the motion.

Elections were conducted for Section Chairs. Mr. Dunlap moved to nominate Mr. Zmuda as Chair. Mr. Allen seconded the motion, which was unanimously approved by members: Allen, Dunlap, and Mr. Zmuda.

Other Business

Mr. Johnson moved to nominate Mr. Stone as Chair. Ms. Langelotti seconded the motion, which was unanimously approved by members: Johnson, Stone, and Langelotti.

The Section reviewed the VAS State Workforce letter.

The previously approved certification statement was discussed by the Section and agreed by consensus no changes are necessary at this time.

Conflict of Interest forms were completed by all members present.

Conflict of Interest Forms

There being no further business, the meeting was adjourned at 12:01 p.m.

Adjourn

Charles F. Dunlap, Chair

Jay W. DeBoer, Secretary

DRAFT