



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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### **18 VAC 145-20 – Board for Professional Soil Scientists Regulations Department of Professional and Occupational Regulation September 14, 2000**

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The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 9-6.14:7.1.G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

### **Summary of the Proposed Regulation**

The Board for Soil Scientists (board) proposes to make several changes to the regulations. These changes include: 1) adding research and teaching as a category for qualifying experience, 2) eliminating the requirement that at least 50% of the qualifying experience be in one category, 3) requiring that individuals who qualify to take the certification examination must pass it within one year of approval, instead of the current two year period, and 4) requiring the applicant to retake and pass only those parts of the exam that he or she fails.

### **Estimated Economic Impact**

In order to qualify for certification, applicants must have a minimum amount of experience in soil evaluation. The current regulations list what activities qualify for experience. The board proposes to add "conducting research or teaching at an accredited institution of higher education the quality of which demonstrates to the board that the applicant is competent to practice as a professional soil scientist," as qualifying experience. Additionally, the current

regulations require that at least 50% of the qualifying experience be in one category. The proposed regulations require the same amount of total qualifying experience, but do not require that at least 50% of the experience be in one category. Neither of these proposed changes reduce the amount of required soil science-related experience, but both broaden what can qualify as required experience. The proposed changes may allow a small number of potential applicants to have the required amount of experience who might not have otherwise. For these individuals, the proposed amendments are clearly beneficial. Since the board reserves the right to require that the quality of the experience is such that it “demonstrates to the board that the applicant is competent to practice as a professional soil scientist,” the less restrictive language will not likely allow under-skilled individuals to become certified soil scientists and put the public at risk. Thus, these proposed changes are likely to produce a small net economic benefit.

The board proposes to require that individuals who qualify to take the certification examination must pass it within one year of approval, instead of the current two-year period. If the applicant does not pass the exam within the one-year period, a new application with updated information regarding convictions and board actions in other states, as well as a new application fee of \$150, are required. This proposed change is clearly more restrictive and potentially costly for an applicant. The benefit derives from the board’s ability to determine whether any convictions or board actions in other states have occurred during the second year; such events may persuade the board to deny the applicant permission to sit for the exam. This may help protect the public by preventing a potentially unscrupulous or incompetent individual from becoming certified in Virginia. There is insufficient data to determine whether the potential benefits outweigh the potential costs of this proposed change.

According to the Department of Professional and Occupational Regulation (DPOR), the certification exam has two parts. Under the current regulations, if either part is failed, the applicant must retake and pass both parts. The proposed regulations would require the applicant to retake and pass only those parts that he or she fails. This proposed change is clearly beneficial to applicants and is unlikely to put the public at risk. Thus, this proposed change would likely produce a net benefit.

## **Businesses and Entities Affected**

The proposed amendments potentially affect the 99 licensed soil scientists<sup>1</sup> in the Commonwealth, as well potential future licensees.

## **Localities Particularly Affected**

All Virginia localities are affected.

## **Projected Impact on Employment**

The proposed amendments are not expected to significantly affect employment.

## **Effects on the Use and Value of Private Property**

Some soil scientists may find it easier to satisfy the experience requirement for certification. These soil scientists may be able to attract more business by becoming certified. The potential increased business may increase the value of their practice.

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<sup>1</sup> Source: DPOR