

2000

Keith W. Bourgeois v. Utah Department of Commerce : Brief of Appellant

Utah Court of Appeals

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IN THE UTAH COURT OF APPEALS

KEITH W. BOURGEOUS,	:	
	:	
Plaintiff/Appellant,	:	Case No. 20000780-CA
	:	
	:	District Court No. 98-0900810
vs.	:	
	:	Priority No. 15
UTAH DEPARTMENT	:	
COMMERCE,	:	
	:	
Defendant/Appellee.	:	

APPELLEE'S BRIEF

ON APPEAL FROM THE FINAL ORDER OF
THE THIRD DISTRICT COURT
HONORABLE RONALD E. NEHRING

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Clerk of the Court

IN THE UTAH COURT OF APPEALS

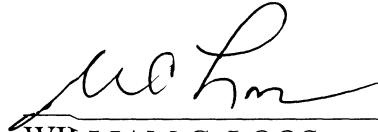
KEITH W. BOURGEOUS,	:	
Plaintiff/Appellant,	:	DESIGNATION OF PAPERS REFERRED TO IN BRIEF
vs.	:	
UTAH DEPARTMENT COMMERCE,	:	District Court No. 98-0900810
Defendant/Appellee.	:	Judge Ronald Nehring
	:	Utah Court of Appeals Case No. 20000780-CA

Pursuant to Rule 11(d)(2)(B) of the Utah Rules of Appellate Procedure, Appellee Utah Department of Commerce hereby notifies the clerk of the trial court that it designates the following pages as referenced in their brief: pages 230-400. In addition to these designated

pages, the clerk should transmit to the Utah Court of Appeals those additional documents identified in subpart i through ix of Rule 11(d)(2)(B).

Respectfully submitted this 26th day of July, 2001.

MARK L. SHURTLEFF
ATTORNEY GENERAL


A handwritten signature in black ink, appearing to read 'W. C. Loos', written over a horizontal line.

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CERTIFICATE OF SERVICE

I HEREWITH CERTIFY that I am a member of and/or employed by the Utah Attorney General's Office, 160 East 300 South, 5th Floor, Salt Lake City UT 84111, and that in said capacity a true copy of the attached DESIGNATION OF PAPERS REFERRED TO IN BRIEF was caused to be served upon the following by U.S. Postal Service, this 27th day of July, 2001.

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APPELLEE'S BRIEF

STATEMENT REGARDING JURISDICTION

The Court of Appeals has jurisdiction in this matter pursuant to Utah Code Ann. § 78-2a-3(2)(a)(1996).

STATEMENT OF ISSUES PRESENTED ON APPEAL

1. Issue: Was the District Court correct in ruling that Bourgeois' September 1997 application was governed by the 1996 statute, Utah Code Ann. § 58-22-302(i)(d), which delegated authority to the Division of Occupational and Professional Licensing ("DOPL") to establish educational requirements?

Standard of Review:

The trial court's interpretation of statutes, rules and ordinances is a question of law reviewed for correctness. Rushton v. Salt Lake County, 977 P.2d 1201, 1203 (Utah 1999).

Determining which statute governs . . . is a question of law reviewed for correctness. State v. Burgess, 870 P.2d 276, 279 (Utah App. 1994).

2. Issue: Was the District Court correct in ruling that Bourgeois' case was substantially dissimilar to John Hunter's, so that the different treatment of Bourgeois by the Division was not unfair or arbitrary?

Standard of Review:

When a claim is brought alleging that an agency action was arbitrary, the appellate court reviews the agency action for reasonableness and rationality. R.O.A. General, Inc. v. Utah Department of Transportation, 966 P.2d 840, 842 (Utah 1998); Utah Code Ann. § 63-46b-16(4)(h)(iii),(iv) (1988).

3. Issue: Was the District Court correct in concluding that the DOPL acted pursuant to legislative mandate when it promulgated a rule recognizing the EAC/ABET (Engineering Accreditation Commission/Accreditation Board for Engineering and Technology) as the sole authorized curriculum for licensure as a professional engineer?

Standard of Review:

When a grant of discretion exists, appellate courts will not disturb the agency's ruling unless its determination exceeds "the bounds of reasonableness and rationality." Osman Home Improvement v. Industrial Comm'n, 958 P.2d 240, 243 (Utah App. 1998).

When the legislature has explicitly granted discretion to an agency, the appellate court applies "an intermediate standard of review" to the agency's decision, reviewing that determination for reasonableness. Johnson Bros. Constr. v. Labor Comm'n, 967 P.2d 1258, 1259 (Utah App. 1998).

STATUTES AND RULES DETERMINATIVE OF APPEAL

The text of the following provisions is included in the Addenda:

Utah Code Ann. § 58-22-302 and 306 (1996);

Utah Code Ann. § 63-46b-16(4)(h)(iii),(iv) (1988);

Utah Code Ann. § 58-22-5 (1992); and

Utah Admin. Code R 156-22-201 (1996).

A. Nature of Case

This is an appeal from the Third District Court's Order dated August 25, 2000, which order was certified for appeal by the District Court pursuant to Rule 54(b) of the Utah Rules of Civil Procedure.

B. Statement of Case

This case deals with an individual who graduated from Weber State College in 1989 with a degree that at the time was sufficient to fill one of the requirements to become a professional engineer in the State of Utah. Before he could become fully licensed, Mr. Bourgeois had to fulfill other requirements. However, before he did so the legislature in 1992 changed the educational requirement and no longer recognized his degree as sufficient to fulfill the educational requirement. The new requirement was to take effect July 1, 1996. Mr. Bourgeois did not fulfill the other requirements by that date, and so did not qualify to be licensed. He applied for licensure and was turned down by the Division of Occupational and Professional Licensing and the Division's decision was affirmed by the Department of Commerce. He appealed said matter to the Third District Court and on December 20, 1999, moved for summary judgment on the merits of his case. By Order dated August 25, 2000, the District Court denied Bourgeois motion for summary judgment and ruled in favor of the Department. (Addendum F). Bourgeois then appealed this case to the Utah Court of Appeals. This appeal is of the District Court's de novo review of the Department's denial of Mr. Bourgeois' application for licensure.

FACTS RELEVANT TO ISSUES ON APPEAL

In June 1989, Bourgeois graduated with a four-year degree from Weber State College in a TAC/ABET (Technology Accreditation Commission) accredited program (R

272). In October 1989, he passed his Fundamentals of Engineering (“FE”) exam (R 231). DOPL (Division of Occupational & Professional Licensing) issued an Engineer-in-training (“EIT”) certificate to Bourgeois.

In 1992, the Utah State Legislature changed the education requirements for licensure as a Professional Engineer from allowing either a TAC/ABET or EAC/ABET accredited degree to requiring an EAC/ABET (Engineering Accreditation Commission) accredited degree. Utah Code Ann. § 58-22-5 (1992) (Addendum A). However, the Legislature provided that the change would not take effect for four years hence, making it effective July 1, 1996. Id.

After receiving the Engineer-in-training certificate in 1989, Bourgeois, like all others, needed to complete the four years of qualifying work experience under the supervision of a licensed Engineer and pass the last examination, the Principles and Practices Engineering Examination (PPE), to earn his license. Utah Code Ann. § 58-22-5(3) (1986) (Addendum B). Prior to July 1, 1996 if Bourgeois had completed his work experience requirements and passed the PPE exam, he would have received his license, even with his TAC/ABET degree. Utah Code Ann. § 58-22-5(1) (1992) (Addendum A).

In June of 1991 Bourgeois accepted a job with Philips Petroleum that provided only about fifty percent of qualifying time towards the four years experience required for licensure (R 231). Bourgeois did not complete his work experience time or take the PPE exam by July 1, 1996 (R 231-232).

In April 1997, Bourgeois passed his Principles and Practice of Engineering (“PPE”) examination (R 243) and, later in September of the same year, applied for licensure as a Professional Engineer (R 232; 243; 278-279). DOPL denied Bourgeois’ application for licensure because the requirements were not completed by July 1, 1996 (R 232; 292). (Addendum G).

Other Applicant (John Hunter)

In June 1987, John Hunter graduated with a four-year degree from a TAC/ABET accredited program; in October 1994, Hunter passed the Fundamentals of Engineering exam (FE) and in April of 1996 took the Principles and Practice of Engineering exam (PPE) (R 349). He was told he failed the PPE exam but, upon petition to re-score the examination, it was later determined that he had in fact passed when he initially took the examination in April 1996 (R 350). After this was discovered and corrected, Hunter applied for licensure in January 1997, as a Professional Engineer, and was notified by DOPL that his application had been denied (R 350). In April 1997, this matter was reviewed and the Department of Commerce reversed DOPL’s decision (R 244). The Department found that the passing score, awarded on the re-score of the Principles and Practice of Engineering Exam, should have been awarded in the first scoring of the examination taken in April 1996. Therefore, Hunter had met all the requirements for licensure *prior* to July 1, 1996, the effective date of the statutory change. For that reason, his TAC/ABET accredited degree was acceptable. It was only after July 1, 1996 that the

TAC/ABET degree was not accepted. Since Hunter had taken and actually passed his last exam prior to this date, the Department concluded that he had done all that he could prior to 1996 and awarded him a license.

Bourgeois was denied licensure because he did not complete the requirements by July 1, 1996. He had not taken the last exam (“PPE”) and had not completed his work experience prior to the statutory deadline of July 1, 1996, whereas Hunter had done so. The TAC/ABET degree was only accepted until July 1, 1996.

Since July 1, 1996, Utah has not granted an engineering license to any applicant with only a TAC/ABET accredited degree with the exception of reciprocal licenses of engineers already licensed in other states (R 246). In order to have reciprocal privileges, the person must be fully licensed in another state, have passed all their requirements and have been licensed at least five of the last seven years as a principal, and have the required practical experience required by that state (R 245-246). Utah Code Ann. § 58-22-302(4)(1996) (Addendum C).

SUMMARY OF THE ARGUMENT

The Utah State Legislature in 1992 changed the educational requirements to become a licensed professional engineer in the State of Utah. The legislature gave four years notice before the new requirements would take effect. Bourgeois was aware of the change in requirements and could have gotten a license by doing one of two things. Either he could have gotten his four years’ work experience and passed the final exam

(PPE) before the law changed in 1996 or taken additional classes in order to obtain the new degree that was required. He did neither.

DOPL was correct in refusing to issue him a license because he had not met the requirements of the old law before the new law took effect.

Bourgeois' application was submitted in 1997 and so was governed by the 1996 amendments to the statute, which gave DOPL the authority to establish educational requirements that Bourgeois had not met.

ARGUMENTS

A. Background

Bourgeois received his TAC/ABET degree from Weber State College in 1989. This is a program accredited by the Technology Accreditation Commission. The University of Utah and Utah State University provided the EAC/ABET degree. This is a program accredited by the Engineering Accreditation Commission. Utah Code Ann. § 58-22-2 (1992). The two degrees have different classes and requirements and different groups accredit them.

One of the requirements that Mr. Bourgeois had to fulfill in order to become fully licensed as a professional engineer was four years of work experience that would qualify under the laws at that time. Utah Code Ann. § 58-22-5(3)(b) (1986). He took a job with a company in 1991 that by the nature of the work only provided fifty percent of the credit

per year rather than a full year so it would take him longer to obtain the necessary work requirement experience (R 231).

In 1992 the legislature changed the law and requirements dealing with licensure as a professional engineer in the state of Utah. The legislature required that as of July 1, 1996 (they gave a full four years' advance notice) an applicant for licensure had to have an EAC/ABET degree and they would not consider a TAC/ABET degree as qualifying. Bourgeois could have done one of two things. One, he could have gotten his work experience in prior to July 1, 1996, and taken the requisite examination. Since his TAC/ABET degree was recognized until July 1, 1996, he could have qualified for licensure. However, he did not change employment or obtain the necessary work experience years. Secondly, he could have, in those four years, taken additional classes and obtained an EAC/ABET degree and therefore qualified as of July 1, 1996. He also did not do this.

Just prior to the statute becoming effective on July 1, 1996, the Legislature passed a new law which basically left the requirements for licensure up to the Department of Commerce and the Division of Occupational and Professional Licensing. Utah Code Ann. § 58-22-302 (1996). The Division promulgated its rules later in 1996. They were very similar to the statutory requirements the legislature had passed in 1992 that were to take effect in 1996. They required an EAC/ABET degree for professional licensure in the State of Utah. Utah Admin. Code R 156-22-201 (1996). (Addendum H).

Bourgeois did not meet these requirements. In 1997 he finally completed his work experience requirement and took the final exam (PPE) (R 231-232), but it was a year after the requirements had changed and the new ones had become effective. DOPL was correct in refusing to issue him a license the year after the deadline for accepting a TAC/ABET degree had passed.

I. THE DEPARTMENT'S DENIAL OF BOURGEOUS' APPLICATION DID NOT VIOLATE UTAH CODE ANN. § 68-3-5.

Bourgeois argues that once he had fulfilled one of the requirements for licensure (the educational requirement) that requirement could not be affected by the subsequent repeal of the statute and the passage of a new one. He cites Utah Code Ann. § 68-3-5.

We are not dealing with a statute that retroactively affected a license after a person had met all the requirements and had been licensed. This is a situation where the legislature changed one of the requirements for licensure before the license was attained and gave four years advance notice of the change, and where the person did not even attempt to meet the new requirement. If Bourgeois did not want to meet the new requirement, all he had to do was fulfill the existing requirements within four years and he would not be subject to the new requirement. For Bourgeois to argue, as he does, that once he had fulfilled just one of the requirements, the educational requirement, and had not yet been licensed that the requirements could not be changed by subsequent statute (and apply to him) is simply not true.

There is an oft cited 1935 Utah State Supreme Court case which illustrates this point very clearly and emphatically. The case is Riggins v. District Court of Salt Lake County 89 Utah 183, 51 P.2d 645 (1935). The Riggins plaintiffs argued that their licenses, issued under the 1933 law, were valid notwithstanding the enactment of the new Liquor Control Act of 1935, which did away with those licenses. 51 P.2d at 657. The court disagreed with the Plaintiffs on this issue and basically said the license to sell liquor is revoked by the repeal of the law authorizing the grant of that license. The court added that they followed the general principle that a license is not a contract and that it does not create a vested right or a permanent right and that free latitude is reserved by the legislature to impose new or additional burdens on the licensee. Id. The court cited a number of cases to support their reasoning and later, on the same page, enunciated the principle that it was incumbent upon state legislatures that they adopt no irrepealable legislation. Id. The court opined that the legislature can and should exercise these changes in statutes as often as the public interest requires.

This case certainly shows the court is firm in its opinion that laws can be changed even if it means that a person loses their license after they have qualified and paid for it and that the laws can continue to be changed even after a license is obtained. The court used strong language in articulating its opinion that a license was not a contract, did not create vested rights or any permanent rights and that the legislature had free latitude to

impose new burdens on the licensee. This dispels Appellant's argument, especially since he did not even yet have a license.

In light of this case Bourgeois has a hard time arguing that the legislature did not have the right to change one of the requirements for licensure before he even was licensed and before he had fulfilled the requirements, especially after four years' notice was given.

Bourgeois has presented no legal authority for his claim that licensing requirements cannot be changed prior to their completion or prior to the license being granted.

Appellant claims that this is not the first time the Department has sought to create stricter educational requirements than what the statute contemplated. Br. of Appellant at 18. (He is referring to the 1996 statute that gave DOPL the authority to determine the educational requirements for licensure). He cites the case of Fussell v. Department of Commerce, 815 P.2d 250 (Utah App. 1991). In Fussell there was a difference of interpretation regarding whether or not the license applicant's degree met the statutory requirements. Dr. Fussell had received her doctorate in the field of human development counseling rather than psychology and her application had been denied because her doctorate had not been obtained through a course of study that was "clearly labeled" as a psychology program. The Division's rule stated that the program must be clearly identified and labeled as a psychology program. The statute, however, did not require that labeling. Dr. Fussell argued that her program of studies had been primarily

psychological in content and therefore fulfilled the requirements of the statute. The Court of Appeals agreed. 815 P.2d at 254. It was clear from the content of her studies that she had in fact majored in psychology and met the requirements of the statute. The court concluded the Division in this case had, in its rule, imposed additional requirements for psychologist licensure that were not contained within the statutory language therefore, the Division's ruling was overturned. Id.

Beginning in July 1996, however, the legislature gave the Division the rule-making authority to determine what educational requirements would be accepted. The legislature did not bind the agency by statutory language; therefore, there was no action by the Department that went beyond the wording of the statute, as in Dr. Fussell's case. Because the legislature granted the agency discretion since 1996, to set educational requirements, it is not appropriate for a court to second guess the requirements actually set. See Morton Int'l Inc. v. Auditing Div., 814 P.2d 581, 589 (Utah 1991).

The legislature clearly gave discretion to the Division to determine the appropriate criteria for licensing in the 1996 statute, Utah Code Ann. § 58-22-302 (1996). This is often done and has been upheld by the courts. See Clayton v. Bennett 298 P.2d 531, 534 (Utah 1956). See also State v. Gallion 572 P.2d 683, 687 (Utah 1977).

Appellant argues that had the Utah Legislature intended to limit licensure after July 1, 1996 to just those applicants with an EAC/ABET degree they could easily have done so. As was mentioned before, in 1992 the legislature did just that by statutory

language. Utah Code Ann. § 58-22-5 (1992). But in 1996 the legislature amended the 1992 statute that outlined the specific educational requirements and allowed the Division to make those decisions. Utah Code Ann. § 58-22-302 (1996). By Appellant's logic, if the legislature had intended to allow the TAC/ABET degree to continue to be in fulfillment of the requirements it would have expressly said so, which it did not.

II. THE DIVISION DID NOT ACT ARBITRARILY OR CAPRICIOUSLY IN DENYING BOURGEOUS' APPLICATION BUT GRANTING JOHN HUNTER'S APPLICATION.

Bourgeois did not complete the requirements for licensure before July 1, 1996 whereas Hunter did. Hunter's application was made after July 1, 1996 only because of the mis-scoring of his examination.

Appellant Bourgeois argues that the department of Commerce and DOPL acted arbitrarily and capriciously because they treated Bourgeois differently from John Hunter. However, an examination of the facts and circumstances of the two makes it clear that Bourgeois' circumstances were materially different from Hunter's.

Like Bourgeois, Hunter applied for licensure after the July 1, 1996 effective change in the education requirement. However, unlike Bourgeois, Hunter had completed all educational, testing, and work experience requirements before July 1, 1996 (R 349-350). His April 1996 Principles and Practice of Engineering Exam was incorrectly scored as failing. Following an appeal and a re-scoring of the exam, it was determined that Hunter actually passed that exam. Until he passed the exam, he could not apply for a

license. Hunter applied for licensure after this re-scoring of the exam determined that he had received a passing score. Thus, the exam was taken and actually passed before the July 1, 1996 change in education requirements, but because of the mistake the re-scoring took place after July 1, 1996 and so his application had to be made after that date. In other words, it was the mistake in the initial grading of the examination which prevented Hunter's application from being made prior to July 1, 1996. DOPL would not issue Hunter a license because he applied after July 1, 1996.

The Department of Commerce reversed DOPL and issued Hunter his license. However, it did not do it for the reasons stated in the preceding paragraph. The Department made the same error that Bourgeois is making in this appeal. Department counsel, Michael Medley, sent Hunter a letter stating that the reason the Department was reversing DOPL was that Hunter's February 1997 application for licensure should have simply been considered an amendment to his earlier license application (Addendum D). This was an error because Hunter did not file an earlier application for licensure (R 350). His earlier applications were simply applications to take exams, as were Bourgeois'. A person cannot apply for a license before fulfilling all the requirements (passing the tests, education and work experience). Nevertheless, the Department did the right thing, even if it cited the wrong reason for doing so. Had Hunter's exam been correctly scored in the first place, he would have had more than two months to apply for licensure under the pre July 1, 1996 requirements. There is no such basis to excuse Bourgeois' late application

for licensure. In fact, he did not even take the Principles and Practices of Engineering Exam (the final requirement for his Professional Engineers license) until April 1997, well after the July 1, 1996 change in education requirements.

Bourgeois did not act in reliance on Mr. Medley's mistake in the John Hunter application. First, there is no evidence that Bourgeois knew of the mistake. Secondly, Mr. Medley's letter was dated April 7, 1997, well after the July 1, 1996 change in education requirements.

At one point in his brief, Appellant argues he did apply before July 1, 1996 and therefore met the deadline. Br. of Appellant at 21. What he applied for was an Engineer-in-training certificate (R 270). Appellant argues that an application for an Engineer-in-Training Certificate is the same as an application for licensure. There are no statutes, regulations, or rules equating an application for an Engineer-in-Training Certificate with an application for full licensure as a Professional Engineer. An Engineer-in-Training Certificate is obtained after passing the Fundamentals of Engineering exam. It only gives the person the right to work under a licensed engineer. Many requirements still exist before full licensure can be applied for, as will be discussed later.

Bourgeois says he applied for licensure prior to July 1, 1996. Br. of Appellant at 21. Later he makes the inconsistent argument that, through no fault of his own and in spite of his intentions, he was prevented from filing his final application prior to July 1, 1996. Id. at 22 He says the reason he was prevented from filing before July 1, 1996 was

that his job only provided fifty percent time under the supervision of a licensed professional engineer. It was Bourgeois' decision to work for that company and no one else is to blame. He knew he needed to have the four years of work experience (all the statutes since 1989 required this, See Utah Code Ann. § 58-22-5, 58-22-302) and if that meant getting another job, that is what he should have done. In contrast, John Hunter completed all the requirements, including the work experience, prior to July 1, 1996. This difference justifies the different treatment given Hunter. Courts will grant relief only if the person has been substantially prejudiced by action which is contrary to the agency's prior practice, unless the agency justifies the inconsistency by giving facts and reasons that demonstrate a fair and rational basis for the inconsistency. Doxey-Hatch Medical Center v. Department of Health 899 P.2d 784, 786 (Utah App. 1995).

Appellant Bourgeois admits that the requirements that prevented him from making application for licensure prior to July 1, 1996 were the work experience and the final examination (PPE or PE). Br. of Appellant at 25. That is precisely the point the Department is making, namely, he had not fulfilled the requirements prior to July 1, 1996 whereas Hunter had. Appellant erroneously argues that it did not matter when he completed those two requirements. The four years the legislature gave until the new law took effect was to give people a chance to fulfill those requirements and get their license before the new law changed the educational requirement. The deadline for Bourgeois to

complete all the requirements was July 1, 1996 and he failed to meet that deadline, despite the statute giving four years' notice.

Appellant's brief includes a chart which compares Hunter and Bourgeois. Br. of Appellant at 25. That chart is in error and needs to be clarified at this point. On the second line it says that Hunter and Bourgeois passed the (PPE) exam prior to July 1, 1996. That is false. It was the FE exam (Fundamentals of Engineering) which was passed by both Hunter and Bourgeois prior to 1996 (R 349; 231). That is a major error and is a focal point in this case. When they each took the PPE test is critical. The PPE exam is the major and final examination that needs to be passed before licensure. It was taken by Mr. Hunter prior to July 1, 1996, but taken by Mr. Bourgeois after July 1, 1996 (R 349; 232). Appellant's argument based on this chart is flawed because of the mistaken facts on the chart.

Utah Code Ann. § 63-46b-16(4)(h)(iii) (1988) states that the appellate court shall grant relief only if it determines that a person has been substantially prejudiced by agency action that is contrary to the agency's prior practice, unless the agency justifies the inconsistency by giving facts and reasons that demonstrate a fair and rational basis for the inconsistency. (Addendum I).

Here, there are ample reasons to justify the difference in treatment of Mr. Hunter and Mr. Bourgeois. In Pickett v. Utah Dep't of Commerce, 858 P.2d 187 (Utah App. 1993), the court addressed this issue quite thoroughly. The court concluded that the

statutory language requires consistency of agency action in the absence of an adequate rationale for departure from prior action. The court held the agency must demonstrate a fair and rational basis for departure. If the agency, the court stated, sets forth its rationale for deviation from its own precedent the review will be on the basis of reasonableness and rationality. Clearly, Bourgeois and Hunter were treated differently by the Division but there were fair and rational reasons for doing so, thereby satisfying the Pickett test. See Id. at 191

III. THE DEPARTMENT'S ALLOWANCE OF LICENSURE
BY ENDORSEMENT IS NOT ARBITRARY OR
CAPRICIOUS AND IS SIMILAR TO OTHER STATES

Appellant questions why the Department allows reciprocity for engineers from other states who possess a TAC/ABET degree but does not allow Utah trained individuals the same privilege.

In order to receive reciprocity, the applicant from out of state must be fully licensed in the other state, have successfully passed examinations established by its boards, and have full-time employment as a licensed professional engineer as a principal for at least five of the last seven years immediately preceding the date of application. Utah Code Ann. § 58-22-302(4)(d) (1996). In addition, there is a provision in the above statute cited by Appellant which says that the out-of-state applicant shall meet with the Board or representatives of the Division upon request for the purpose of evaluating the applicant's qualifications for license. Utah Code Ann § 58-22-302(4)(e). Therefore, the

person not only has to act as a principal for at least five of the last seven years but also if there is any question about his/her qualifications, meet with the Board or Division and convince them that he/she has fulfilled the necessary requirements and is qualified. This gives the Division ample opportunity to insure the applicant is qualified.

In 1992 the Court of Appeals handed down a case directly on point, which was cited in Appellant's brief, Ferro v. Utah Dep't of Commerce, 828 P.2d 507 (Utah App. 1992). In that case the Court had concern about when Ferro received his degree from a non-accredited college, but the fact that he had received a license as a psychologist in California allowed him reciprocal privileges in the State of Utah. 828 P.2d at 513.

The Division at first denied Ferro's reciprocity application for licensure claiming that California's licensure requirements were not equal to Utah's. Utah's psychologist reciprocity provision provided:

The Division with the approval of the Board may issue a license under this chapter to an applicant who is currently licensed as a psychologist in any state, district, or territory of the United States or any other jurisdiction approved by the Board, and whose education, experience, examination, and character requirements are, or were at the time the license was issued, equal to the requirements of this chapter or *upon a finding by the Board that the applicant, based upon education, experience, examination, and licensure status is substantially in compliance with the provision of this chapter.*

Utah Code Ann. § 58-25a-5 (1990) (emphasis added).

The Court held that the reciprocity provision itself was a statutory authorization for adjusting the minimum requirements for reciprocity applicants. By its own terms, the reciprocity provision is a specific exception from the general requirements of the statute,

the court concluded. Ferro, 828 P.2d at 513. The Court went on to say the reciprocity provision is clearly intended to allow licensure of applicants with less than the minimum requirements set forth in the statute because of their licensed status in other states. If the legislature did not intend this and if it intended that reciprocity applicants strictly comply with the statute, there would have been no need for the reciprocity statute. Id. The Court further stated that to adopt the Division's interpretation would be contrary to the Court's duty to construe a statute on the assumption that each term is used advisedly and that the intent of the Legislature is revealed in the use of the term in the context and structure in which it is placed. Id. at 514 The Court concluded by saying that it must give effect to the plain and unambiguous terms of the reciprocity provision by recognizing that it creates an exception to the general requirements. Id.

Whether Appellant agrees with licensure by endorsement or not, the legislature has provided for it and the Court has specifically upheld it.

**IV. THE DEPARTMENT OF COMMERCE AND THE
DIVISION OF OCCUPATIONAL AND PROFESSIONAL
LICENSING PROPERLY INTERPRETED UTAH CODE
ANN. § 58-22-302 IN REQUIRING AN EAC/ABET
DEGREE IN ORDER TO BE LICENSED.**

Appellant raises the point that both an EAC/ABET and a TAC/ABET degree qualify a person to take the Fundamentals of Engineering Examination (FE). Utah Code Ann. § 58-22-306 (1996). This is correct. Appellant also argues that by recognizing the TAC/ABET curriculum as acceptable and on equal footing with the EAC/ABET

curriculum for purposes of taking the Professional Engineering examination (PPE) the legislature has implicitly required the Division to recognize such curriculum throughout all licensure. Br. of Appellant at 29. Appellant has misquoted the statute in that the legislature has not recognized both the TAC/ABET and EAC/ABET degree for purposes of taking the Professional Engineering (PPE) exam. The legislature recognized them on equal footing only for taking the Fundamentals of Engineering (FE) examination. See Utah Code Ann. § 58-22-306 (1996). There is a major difference between the Fundamentals of Engineering examination, which is the first exam a person takes, and the Professional Engineering examination (PPE), which is the last, comprehensive examination a person takes. Secondly, the fact that the legislature allows a person having either degree to sit for the first examination (Fundamentals examination) does not mean that it is allowing the TAC/ABET curriculum to fulfill the requirements for full licensure.

Throughout his brief, Appellant confuses the Fundamentals of Engineering examination and the Engineering-in-Training certificate (EIT) with licensure. They are separate and distinct and to combine them not only is confusing but inaccurate. The EIT is only a certificate to allow a person to serve as a trainee under a licensed Engineer. The Fundamentals of Engineering examination is the first of several examinations that need to be passed on the way to full licensure. See Utah Code Ann § 58-22-5 (1992). The fact that the Legislature allows a TAC/ABET degree to take the Fundamentals examination in no way implies that it is sufficient for licensure.

The federal government hires some people with only a TAC/ABET degree but requires them to pass the Fundamentals of Engineering (FE) exam. Therefore, the Fundamentals examination is given if they have either a TAC/ABET or EAC/ABET degree.

In Addendum D of his brief, Appellant attaches the 1992 statute that sets forth the requirements for licensure after July 1, 1996. Utah Code Ann. § 58-22-5(9) is very clear in making a distinction between a TAC/ABET degree and EAC/ABET degree.

Subsection (9), with emphasis added, reads as follows:

After July 1, 1996, an individual who has graduated from an approved TAC/ABET accredited Engineering Technology curriculum shall be required to complete the educational requirements of an EAC/ABET accredited Engineering curriculum in order to complete the education requirements for a license as a Professional Engineer. However, students enrolled or individuals who have graduated from an approved TAC/ABET Engineering Technology curriculum shall be permitted to take the Fundamentals of Engineering examination upon submission of an application and the payment of the required fees. . .

This shows very clearly that the legislature intended that the new educational requirement for licensure be an EAC/ABET degree and that a TAC/ABET degree would not fulfill the requirements except for the purposes of taking the Fundamentals of Engineering exam. The argument that, because the TAC/ABET degree was sufficient to take the Fundamentals of Engineering exam, it must be on equal footing with the EAC/ABET degree for purposes of full licensure is without merit.

Bourgeois claims it would be “misleading, discriminatory, and patently unfair for an applicant to rely upon Utah Code Ann. § 58-22-306 (1996) in preparing for the [FE]

examination, only to find out later, after completing the examination and the TAC/ABET degree that he would have to start over in an EAC/ABET curriculum at another university in order to receive his professional license.” This logic is flawed for at least three reasons. First, in 1992 the Utah Legislature gave four years’ advance notice to prospective applicants that in 1996 the educational requirement would be changed from a TAC/ABET degree to an EAC/ABET degree. Secondly, the heading of section 58-22-306 is “Admission Criteria to Take the Fundamentals of Engineering Examination.” Thus, the title to the section makes it clear that the requirements listed within the section are for taking the FE exam. There can be no reasonable confusion between that section and section 58-22-302, entitled, “Qualifications for Licensure.” Thirdly, and most importantly, Bourgeois admitted in an affidavit that he knew of the change in education requirements for licensure in 1994, approximately two years before the change. (R 231). He was not misled or confused and, in fact, knew of the change in educational requirements.

V. AN ENGINEERING IN TRAINING CERTIFICATE (EIT)
DOES NOT AFFECT OR ALTER THE REQUIREMENTS
FOR A PROFESSIONAL ENGINEER’S LICENSE.

Bourgeois argues that his Engineering in Training Certificate, valid for ten years, gave him ten years to fulfill all the requirements to become a fully licensed engineer and that the requirements did not have to be completed by July 1, 1996, as the 1992 statute required. See Utah Code Ann. § 58-22-5 (1992). Bourgeois, however, provides no

evidence or authority to substantiate that assertion. An Engineering in Training Certificate is exactly what the name implies, namely, it allows a person to train under a licensed engineer without being in violation of the law that prohibits practicing without a license. There is nothing in the rules or statute that says it extends the statutory period for completing the requirements for a license. Bourgeois did have his EIT certificate but did not complete his work experience or pass the PPE examination by July 1, 1996 when the law changed the requirements.

Bourgeois repeatedly states that he had met the education requirements as they existed prior to 1996. That is true, but he failed to complete the required work experience and did not pass the final exam and so could not qualify for a license by July 1, 1996. Since he did not complete all the requirements by July 1, 1996 he lost the opportunity to qualify under the old educational requirements, and instead came under the new law and rules which by then required the EAC/ABET degree only.

In Addendum B of Appellant's brief is a copy of the relevant Division rules. It is important to note that R 153-22-2 lists the Requirements for Engineer-in-Training and R 153-22-3 lists the minimum requirements for Engineering Graduates to be Licensed. It should also be noted they are separate rules with separate requirements. Juxtaposing those two rules shows that an EIT is not the same as licensure and that an EIT is only one of the requirements for licensure. Therefore, obtaining an EIT does not guarantee

licensure nor is the application for an EIT the same as an application for licensure since other requirements must be met.

VI. THE LEGISLATURE WAS CLEAR IN SHOWING ITS
INTENT AS TO QUALIFICATIONS FOR LICENSURE AS
A PROFESSIONAL ENGINEER IN THE STATE OF
UTAH.

Appellant acknowledges that the 1992 statute disallowed, beginning in 1996, the TAC/ABET degree as a qualification for licensure. Utah Code Ann. § 58-22-5 (1992). Bourgeois agrees that the legislature changed the statute again and took out the specifics of the requirements and gave full rule-making authority to the Division to set the requirements for licensure beginning July 1, 1996. Utah Code Ann. § 58-22-302 (1996). He then argues that that somehow means the TAC/ABET degree is still valid.

This is simply not a correct interpretation of what occurred and is not logical. The legislature showed its clear intent in the 1992 law and then in 1996 delegated the rule-making and policy-making authority to the Division. The Division has since promulgated rules and requirements. There is no logic or substance to Appellant's argument that the legislature would still allow a TAC/ABET degree to be enough for licensure. There is no conflict within the same statute as Appellant implies. One statute (1992) specifically disallowed the TAC/ABET as fulfilling a requirement and the later statute (1996) gave the authority to set the requirements to the Division, which it did. It only allowed the EAC/ABET degree. See Utah Admin. Code R156-22-201 (1996) (Addendum H). There is no conflict within those statutes. There was a grant of discretion to the Division to do

exactly what it did. Nowhere did the Division provide that the TAC/ABET degree was acceptable.

The TAC/ABET degree is considered by most states to be somewhat inferior to an EAC/ABET degree, as shown by the 1999 annual survey of the National Council of Examiners for Engineers in Survey (NCEES). In that survey, there is a listing of states and what they require for licensure. (Addendum E). Many of those states that allow a TAC/ABET degree to fulfill licensing requirements require more experience than if a person has an EAC/ABET degree. This is shown on the chart on the next page and more fully in Addendum J.

State	Years Experience Required for Licensure with EAC/ABET Degree	Years Experience Required for Licensure with TAC/ABET Degree
Alabama	4	8
California	2	4
Colorado	4	6
Georgia	4	7
Hawaii	4	8
Idaho	4	6
Nevada	4	6
New Jersey	4	6
New Mexico	4	6
New York	4	6
No. Carolina	4	8
No. Dakota	4	20
Ohio	4	8
Oklahoma	4	6
Oregon	4	10
So. Carolina	4	8
Virginia	4	6

It is also noteworthy that there are some states, when surveyed as to their requirements for licensure for graduates with a TAC/ABET degree, that respond they had no provision for such. Those states are Indiana, Kansas, Kentucky, Mississippi and Utah.

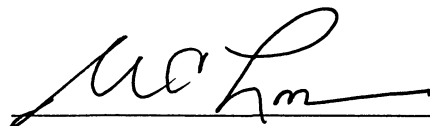
Therefore, it is certainly reasonable and within the discretion of the State of Utah to decide, as they have, the requirements for full licensure as a Professional Engineer.

CONCLUSION

Appellant Bourgeois only fulfilled one of the requirements for licensure as a professional engineer prior to the changing of the requirements in 1996. The degree he completed, the TAC/ABET degree, was sufficient to allow him to take the Fundamentals of Engineering examination and receive an Engineering-in-Training certificate but was not sufficient, in and of itself, for full licensure. To be fully licensed he had to obtain the necessary years of work experience and pass the final PPE examination. This he did not do by July 1, 1996. He applied for licensure in 1997 when the new requirements were in place and therefore it was proper for him not to be licensed as a professional engineer. His case is far different than Mr. Hunter's who had completed all of the requirements prior to July 1, 1996. Accordingly, the Department's order denying licensure should be affirmed.

DATED this 29th day of June, 2001.

MARK L. SHURTLEFF
ATTORNEY GENERAL

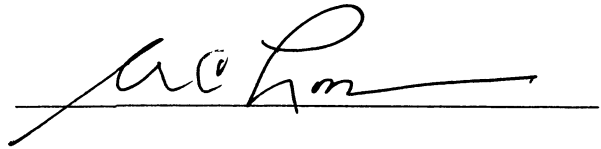


WILLIAM C. LOOS
ASSISTANT ATTORNEY GENERAL

CERTIFICATE OF SERVICE

I certify that on this 29th day of June, 2001 I mailed two copies of the foregoing Appellee's Brief, postage prepaid, to the following person at the following address:

Cass C. Butler
Callister Nebeker & McCullough
Gateway Tower East, Suite 900
10 East South Temple
Salt Lake City UT 84133

A handwritten signature in dark ink, appearing to read "C. Butler", is written over a horizontal line.

ADDENDUM A

viduals, listing unlawful acts, and exempting certain persons from licensure, and enacts the present section, effective July 1, 1993.

NOTES TO DECISIONS

County surveyor.

Notwithstanding provision in former § 58-22-1 that "any person in either public or private capacity" practicing land surveying should be registered, one elected as county surveyor was

entitled to take office even though he was not registered since Chapter 16 of Title 17, dealing specifically with county officers, took priority over that provision. *Cannon v. Gardner*, 611 P.2d 1207 (Utah 1980).

58-22-4.5. Exceptions from licensure.

(1) In addition to the exemptions from licensure in Section 58-1-307 the following persons may engage in the practice of engineering and land surveying subject to the stated circumstances and limitations without being licensed under this chapter:

(a) an employee or subordinate of a person holding a license under this chapter if the work does not include responsible charge and if the employee or subordinate is under the direct supervision of a person holding a license under this chapter;

(b) an employee of a communications, utility, railroad, mining, petroleum, manufacturing company, or an affiliate of such a company if the engineering work is done solely in connection with the products or systems of the entity and is not offered directly to the public;

(c) students enrolled in an approved engineering or land surveying curriculum if the work performed is part of the curriculum and if the engineering services offered or performed do not involve work or facilities which directly involve the public health, safety, or welfare; and

(d) agents, officers, or employees of the United States government while engaged in activities regulated under this chapter as a part of their employment with a federal agency.

(2) A person licensed to practice architecture under Title 58, Chapter 3, Architects Licensing Act, may engage in acts or practices of engineering if the engineering acts or practices do not exceed the scope of the education and training of the person performing engineering.

History: C. 1953, 58-22-4.5, enacted by L. 1993, ch. 297, § 136.

Effective Dates. — Laws 1993, ch. 297, § 282 makes the act effective on July 1, 1993.

58-22-5. Qualifications for licensure.

(1) Before July 1, 1996:

(a) All applicants for licensure as a professional engineer shall satisfy one or more of the following requirements:

(i) (A) All applicants shall complete four years of qualifying experience under the direct supervision of a licensed professional engineer.

(B) Qualifying education approved by the division in collaboration with the board may be substituted for the qualifying experience referred to in Subsection (A) up to a maximum of two of the four years.

(ii) (A) All applicants shall complete a four-year degree from a TAC/ABET accredited engineering curriculum or an equivalent curriculum approved by the division in collaboration with the board and complete two years of qualifying experience under the direct supervision of a licensed professional engineer.

(B) Students while enrolled in an approved engineering curriculum may be permitted to take the fundamentals of engineering examination.

(iii) (A) All applicants shall complete a four-year degree from an EAC/ABET accredited engineering curriculum or an equivalent engineering curriculum approved by the division in collaboration with the board.

(B) Students while enrolled in an approved engineering curriculum may be permitted to take the fundamentals of engineering examination.

(b) All applicants for licensure as a professional engineer shall apply for, pay the required fees for, and pass the fundamentals of engineering examination.

(c) (i) All applicants for licensure as a professional engineer shall complete four years of qualifying experience under the direct supervision of a licensed professional engineer, which experience is in addition to any experience used to qualify to take the fundamentals of engineering examination, as described under Subsection (1)(a). All applicants shall apply for, pay the required fees for, and pass the principles and practices of engineering examination, and pass the Utah law and rules examination.

(ii) Teaching, research, and completion of advanced degrees may be substituted for up to a maximum of three of the four years of qualifying experience if the fourth year of qualifying experience is obtained outside of the educational system under the direct supervision of a licensed professional engineer.

(2) After July 1, 1996:

(a) All applicants for licensure as a professional engineer shall complete a four-year degree from an EAC/ABET accredited engineering curriculum or an equivalent curriculum approved by the division in collaboration with the board.

(b) Students while enrolled in an approved engineering curriculum may be permitted to take the fundamentals of engineering examination.

(c) All applicants shall apply for, pay the required fees for, and pass the fundamentals of engineering examination.

(d) (i) All applicants shall complete four years of qualifying experience under the direct supervision of a licensed professional engineer, which experience is in addition to any experience used to qualify to take the fundamentals of engineering examination, as set forth under Subsection (1)(a).

(ii) Teaching, research, and completion of advanced degrees may be substituted for up to a maximum of three of the four years of qualifying experience.

(iii) One of the four years of qualifying experience shall be obtained outside of the educational system under the direct supervision of a licensed professional engineer.

- (e) All applicants shall apply for, pay the required fees for, and pass the principles and practices of engineering examination and pass the Utah law and rules examination.
- (3) (a) All applicants for licensure as a land surveyor shall complete one or more of the following requirements:
- (i) All applicants must have graduated from a land surveying curriculum of two or more years, approved by the division in collaboration with the board.
 - (ii) All applicants must have graduated in a related field with a four-year curriculum, approved by the division in collaboration with the board, that includes at least 32 quarter hours, or equivalent semester hours, of surveying courses including:
 - (A) four hours of boundary law;
 - (B) courses in writing legal descriptions;
 - (C) the public land survey system; and
 - (D) surveying field techniques.
 - (iii) All applicants shall complete six years or more of experience in land surveying work approved by the division in collaboration with the board under the direct supervision of a licensed land surveyor.
- (b) All applicants shall apply for, pay the required fees for, and pass the fundamentals of land surveying examination.
- (c) All applicants must have completed four years of qualifying experience under the direct supervision of a licensed professional land surveyor, which experience is in addition to any experience used to qualify to take the fundamentals of land surveying examination described in Subsection (a).
- (i) Teaching, research, and completion of advanced degrees may be substituted for up to a maximum of three of the four years of qualifying experience.
 - (ii) One of the four years of qualifying experience must be obtained outside of the educational system under the direct supervision of a licensed land surveyor.
- (d) All applicants shall apply for, pay the required fees for, and pass the principles and practices of land surveying examination and the regional and local Utah examinations defined by rule.
- (4) The teaching of advanced engineering/land surveying subjects in a college or university offering an approved engineering/land surveying curriculum of four years or more may be recognized as qualifying engineering/land surveying experience as defined by rule.
- (5) Research may be recognized as qualifying experience, as defined by rule.
- (6) Engineering/land surveying experience obtained prior to graduation may be recognized as qualifying experience, as defined by rule.
- (7) Completion of advanced degrees from an approved engineering or land surveying curriculum may be recognized as qualifying experience, as defined by rule.
- (8) An individual who fails any one of the required examinations three times may be required to meet with the board to determine what additional education and experience may be required before being permitted to retake the examination.
- (9) After July 1, 1996, an individual who has graduated from an approved TAC/ABET accredited engineering technology curriculum shall be required to

complete the educational requirements of an EAC/ABET accredited engineering curriculum in order to complete the educational requirements for a license as a professional engineer. However, students enrolled or individuals who have graduated from an approved TAC/ABET engineering technology curriculum shall be permitted to take the fundamentals of engineering examination upon submission of an application and payment of the required fees to the division on forms prescribed by the division.

History: C. 1953, 58-22-5, enacted by L. 1992, ch. 183, § 5.

Cross-References. — Licensing of stationary engineers, § 17-5-37.

58-22-6. Term of license — Expiration — Renewal.

(1) Each license issued under this chapter shall be issued in accordance with a two-year renewal cycle established by rule. A renewal period may be extended or shortened by as much as one year to maintain established renewal cycles or to change an established renewal cycle.

(2) At the time of renewal the licensee shall show satisfactory evidence of completion of continuing education as may be required by rules enacted pursuant to Section 58-22-11.

(3) Each license automatically expires on the expiration date shown on the license unless renewed by the licensee in accordance with Section 58-1-308.

History: C. 1953, 58-22-6, enacted by L. 1993, ch. 297, § 137.

Repeals and Reenactments. — Laws 1993, ch. 297, § 137 repeals former § 58-22-6, as enacted by Laws 1992, ch. 183, providing for license expiration on April 30 of even-numbered

years and license renewal according to Section 58-1-14, and enacts the present section, effective July 1, 1993.

Cross-References. — Licensing of stationary engineers, § 17-5-37.

58-22-7. Grounds for denial of license and disciplinary proceedings.

Grounds for refusal to issue a license to an applicant, for refusal to renew the license of a licensee, to revoke, suspend, restrict, or place on probation the license of a licensee, to issue a public or private reprimand to a licensee, and to issue cease and desist orders shall be in accordance with Section 58-1-401.

History: C. 1953, 58-22-7, enacted by L. 1993, ch. 297, § 138.

Repeals and Reenactments. — Laws 1993, ch. 297, § 138 repeals former § 58-22-7,

as enacted by Laws 1992, ch. 183, listing the grounds for denial of licenses and providing for disciplinary proceedings, and enacts the present section, effective July 1, 1993.

COLLATERAL REFERENCES

A.L.R. — Revocation or suspension of license of professional engineer, 64 A.L.R.3d 509.

58-22-8. Repealed.

Repeals. — Laws 1993, ch. 297, § 280 repeals § 58-22-8, as last amended by Laws 1992,

ch. 183, § 8, relating to use of title or designation, effective July 1, 1993.

ADDENDUM B

- (c) has obtained or attempted to obtain a license or certificate by misrepresentation; or
- (d) fails to pay the renewal fee or secure a renewal of his license within the time fixed by statute or rule.

History: C. 1953, 58-22-4, enacted by L. 1986, ch. 24, § 1; 1988, ch. 64, § 2.

Amendment Notes. — The 1988 amendment, effective April 25, 1988, in the introductory language of Subsection (7) substituted "an

engineer-in-training certificate, or a land surveyor-in-training certificate, if the licensee or certificate holder" for "or an engineer-in-training certificate, who"

58-22-5. Applications — Fees — Qualifications.

- (1) (a) An applicant for certification as an engineer-in-training or land surveyor-in-training or for licensure as a professional engineer or land surveyor under this chapter shall submit a written application to the division, verified under oath, showing the applicant's education and a detailed summary of his technical work as required by this section, and containing the names and addresses of at least eight references, of whom at least three shall be professional engineers or land surveyors licensed under this chapter and having personal knowledge of the applicant's engineering or land surveying work experience.
- (b) Upon filing the application, the applicant shall pay to the Department of Commerce a fee determined pursuant to Subsection 63-38-3(2) for admission to the examination and for issuance of an initial license or certificate.
- (2) An applicant for an engineer-in-training certificate shall:
 - (a) (i) graduate from an engineering curriculum of four years or more approved by the board as being of satisfactory standing; or
 - (ii) complete four years or more of experience in engineering work satisfactory to the board; and
 - (b) after completing the requirements of Subsection (2)(a), pass an eight-hour written examination in the fundamentals of engineering.
- (3) An applicant for a professional engineer's license under this chapter shall:
 - (a) hold a current engineer-in-training certificate;
 - (b) complete four years or more of progressive experience on engineering projects of a grade and character which indicates to the board that the applicant is competent to practice engineering, which experience is in addition to any experience used to qualify the applicant for an engineer-in-training certificate; and
 - (c) after completing the requirements of Subsections (3)(a) and (b), pass an eight-hour written examination in the principles and practice of engineering.
- (4) An applicant for a land surveyor-in-training certificate shall:
 - (a) (i) graduate from a land surveying curriculum of two years or more approved by the board as being of satisfactory standing; or
 - (ii) graduate in a related field with a four-year curriculum that includes at least 32 quarter hours, or equivalent semester hours, of surveying courses including four hours of boundary law, and including courses in writing legal descriptions, the public land survey system, and surveying field techniques; or

- (iii) complete four years or more of experience in land surveying work satisfactory to the board; and
- (b) after completing the requirements of Subsection (a), pass an eight-hour written examination in the fundamentals of land surveying.
- (5) An applicant for a land surveyor's license prior to January 1, 1991, shall:
 - (a) (i) complete a curriculum of two years or more approved by the board as being of satisfactory standing, including the completion of an approved course in land surveying; and complete two years or more of experience in land surveying work satisfactory to the board; or
 - (ii) complete six years or more of experience in land surveying work satisfactory to the board and indicating that the applicant is competent to practice land surveying;
 - (b) pass an eight-hour written examination in the fundamentals of land surveying; and
 - (c) after completing the requirements of Subsections (a) and (b), pass an eight-hour written examination in the principles and practice of land surveying.
- (6) An applicant for a land surveyor's license after January 1, 1991, shall:
 - (a) hold a current land surveyor-in-training certificate;
 - (b) complete four years or more of experience on land surveying projects of a grade and character that indicates to the board that the applicant is competent to practice land surveying, which experience is in addition to any experience used to qualify the applicant as a land surveyor-in-training; and
 - (c) after completing the requirements of Subsections (a) and (b), pass an eight-hour written examination in the principles and practices of land surveying.
- (7) The teaching of advanced engineering subjects and the design of engineering research and projects in a college or university offering an approved engineering curriculum of four years or more may be considered as experience in engineering work as required by this section.
- (8) The satisfactory completion of each year of an engineering curriculum approved by the board as being of satisfactory standing, without graduation, shall be considered as equivalent to a year of experience in engineering work as required by this section. Graduation in a curriculum other than engineering from a college or university of recognized standing may be considered as equivalent to two years of experience in engineering work as required by this section. However, no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications.
- (9) The execution or supervision of construction as a contractor, foreman, or superintendent of work designed by a professional engineer is not experience in engineering work as required by this section.
- (10) A person having the qualifications required by this chapter is eligible for licensure even though he is not practicing engineering or land surveying at the time of making application.

History: C. 1953, 58-22-5, enacted by L. 1986, ch. 24, § 1; 1988, ch. 64, § 3; 1989, ch. 225, § 47.

Amendment Notes. The 1988 amend-

ment, in Subsection (1)(a) inserted "land surveyor-in-training or," inserted Subsection (4), redesignated former Subsection (4) as Subsection (5) and in the introductory paragraph in-

serted prior to January 1, 1991," inserted Subsection (6) and renumbered subsequent subsections

The 1989 amendment effective March 14,

1989, substituted "Department of Commerce" for "Department of Business Regulation" in Subsection (1)(h)

58-22-6. Issuance of certificates and licenses — Renewal of licenses — Expiration of certificates.

(1) The director shall issue

(a) an engineer-in-training certificate stating that the applicant has successfully passed the examination in the fundamentals of engineering to an applicant who has completed all the requirements of Subsection 58-22-5(2),

(b) a land surveyor-in-training certificate stating that the applicant has successfully passed the examination in the fundamentals of land surveying to an applicant who has completed all the requirements of Subsection 58-22-5(4),

(c) a license authorizing the practice of engineering to an applicant who has completed all the requirements of Subsection 58-22-5(3), or

(d) a license authorizing the practice of land surveying to an applicant who has completed all the requirements of Subsection 58-22-5(5)

(2) Licenses issued under Subsections (1)(c) and (d), and renewals of these licenses, expire on April 30 of each even-numbered year, and may be renewed upon payment to the Department of Commerce of the fee determined pursuant to Subsection 63-38-3(2)

History: C 1953, 58-22-6, enacted by L 1986, ch 24, § 1; 1988, ch 64, § 4; 1989, ch 225, § 48

Amendment Notes — The 1988 amendment inserted Subsection (1)(b), renumbered former Subsections (1)(b) and (1)(c) as Subsections (1)(c) and (1)(d), and deleted former Sub

section (3) pertaining to expiration of engineer in training certificates

The 1989 amendment, effective March 14, 1989, substituted "Department of Commerce" for "Department of Business Regulation" in Subsection (2)

58-22-7. Licensure of persons qualified in other jurisdictions.

The board may, upon application and payment to the Department of Commerce of a fee determined pursuant to Subsection 63-38-3(2), recommend that the division issue a professional engineer's license or land surveyor's license to any person who holds a current license, certificate of qualification, or registration issued to him by proper authority of the National Council of Engineering Examiners, or of the National Bureau of Engineering Registration, or of any state, territory, or possession of the United States, or of any country, if the applicant's qualifications meet the requirements of this chapter and the rules established by the division and if the jurisdiction issuing the original license, certificate, or registration will grant similar privileges to persons licensed in this state

History: C 1953, 58-22-7, enacted by L 1986, ch 24, § 1; 1989, ch 225, § 49

Amendment Notes — The 1989 amend

ment effective March 14, 1989 substituted "Department of Commerce" for "Department of Business Regulation"

CHAPTER 24 PHYSICAL THERAPISTS

Sunset Act 1995 Section 63-55-7 provides that Chapter 24, Title 58 is terminated on July 1,

Section	License requirements — Examination license and renewal fee	Section	Temporary license — Requirements — Fee
58-24-6		58-24-10	
		58-24-14	Reinstatement of revoked license — Fee

58-24-6. License requirements — Examination, license, and renewal fee.

(1) An applicant for a license shall

(a) present evidence satisfactory to the division and the board that he is of good moral character as it relates to the practice of physical therapy;

(b) make written application as required under Chapter 1, Title 58,

(c) graduate from a school of physical therapy approved by the division and the board,

(d) pass to the satisfaction of the division and the board an examination approved by them to determine his fitness for practice as a physical therapist, and

(e) pay a fee to the Department of Commerce determined by it pursuant to Subsection 63-38-3(2) for admission to the examination, for an original license, and for a renewal license

(2) Each license shall expire on December 31 of each odd-numbered year

History: L 1959, ch 101, § 6, 1980, ch 6, § 27, 1984 (2nd SS), ch 15, § 84, 1985, ch 187, § 65, 1985, ch 251, § 4, 1989, ch 225, § 50

Amendment Notes — The 1989 amendment effective March 14, 1989, substituted "Department of Commerce" for "Department of Business Regulation" in Subsection (1)(e)

58-24-10. Temporary license — Requirements — Fee.

The division, in collaboration with the board, may issue a temporary license to practice physical therapy in this state for a period not to exceed one year to a person who meets all the following requirements

(1) complies with Subsections 58-24-6(1) and (2),

(2) submits evidence satisfactory to the division that he is in this state on a temporary basis to assist in a case of medical emergency or to engage in a special physical therapy project,

(3) submits evidence satisfactory to the division that he has graduated from an approved physical therapy school and has filed an application under Section 58-24-6 to take the examination and become licensed to practice physical therapy in the state, but the graduate may practice as a physical therapist only under the supervision of a licensed physical therapist in a licensed health care facility, and the graduate's temporary license may not extend beyond the publication of the results of the next succeeding examination for licensing, and

ADDENDUM C

History: C. 1953, 58-22-4, enacted by L. 1993, ch. 297, § 135; renumbered by L. 1994, ch. 274, § 8; 1996, ch. 259, § 5. **Amendment Notes.** — The 1996 amendment, effective July 1, 1996, rewrote the section.

58-22-302. Qualifications for licensure.

- (1) Each applicant for licensure as a professional engineer shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63-38-3.2;
 - (c) provide satisfactory evidence of good moral character;
 - (d) have graduated and received an earned bachelors or masters degree from an engineering program meeting criteria established by rule by the division in collaboration with the board;
 - (e) have successfully completed a program of qualifying experience established by rule by the division in collaboration with the board;
 - (f) have successfully passed examinations established by rule by the division in collaboration with the board; and
 - (g) meet with the board or representative of the division upon request for the purpose of evaluating the applicant's qualification for licensure.
- (2) Each applicant for licensure as a professional structural engineer shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63-38-3.2;
 - (c) provide satisfactory evidence of good moral character;
 - (d) have graduated and received an earned bachelors or masters degree from an engineering program meeting criteria established by rule by the division in collaboration with the board;
 - (e) have successfully completed three years of licensed professional engineering experience established by rule by the division in collaboration with the board;
 - (f) have successfully passed examinations established by rule by the division in collaboration with the board; and
 - (g) meet with the board or representative of the division upon request for the purpose of evaluating the applicant's qualification for licensure.
- (3) Each applicant for licensure as a professional land surveyor shall:
 - (a) submit an application in a form prescribed by the division;
 - (b) pay a fee determined by the department under Section 63-38-3.2;
 - (c) provide satisfactory evidence of good moral character;
 - (d) have graduated and received an earned associates, bachelors, or masters degree from a land surveying program, or an equivalent land surveying program, established by rule by the division in collaboration with the board; or
 - (e) have successfully completed a program of qualifying experience in land surveying established by rule by the division in collaboration with the board;
 - (f) have successfully completed a program of qualifying experience in land surveying established by rule by the division in collaboration with the board, which experience is in addition to any experience obtained in Subsection (3)(e);
 - (g) have successfully passed examinations established by rule by the division in collaboration with the board; and
 - (h) meet with the board or representative of the division upon request for the purpose of evaluating the applicant's qualification for licensure.
- (4) Each applicant for licensure by endorsement shall:
 - (a) submit an application in a form prescribed by the division;

- (b) pay a fee determined by the department under Section 63-38-3.2;
- (c) provide satisfactory evidence of good moral character;
- (d) submit satisfactory evidence of:
 - (i) current licensure in good standing in a jurisdiction recognized by rule by the division in collaboration with the board; and
 - (ii) have successfully passed any examination established by rule by the division in collaboration with the board; and
 - (iii) full-time employment as a licensed professional engineer, professional structural engineer, or professional land surveyor as a principal for at least five of the last seven years immediately preceding the date of the application; and
- (e) meet with the board or representative of the division upon request for the purpose of evaluating the applicant's qualifications for license.

History: C. 1953, 58-22-302, enacted by L. 1996, ch. 259, § 6.

Repeals and Reenactments. — Laws 1996, ch. 259, § 6 repeals former § 58-22-302, as

last renumbered by Laws 1994, ch. 274, § 9 relating to qualifications for licensure as a professional engineer, and enacts the present section, effective July 1, 1996.

58-22-303. Term of license — Expiration — Renewal.

(1) The division shall issue each license under this chapter in accordance with a two-year renewal cycle established by rule. The division may by rule extend or shorten a renewal period by as much as one year to stagger the renewal cycles it administers.

(2) At the time of renewal the licensee shall show satisfactory evidence of completion of continuing education as may be required by rules enacted pursuant to Section 58-22-304.

(3) Each license automatically expires on the expiration date shown on the license unless renewed by the licensee in accordance with Section 58-1-308.

History: C. 1953, 58-22-6, enacted by L. 1993, ch. 297, § 137; renumbered by L. 1994, ch. 274, § 10; 1996, ch. 259, § 7.

Amendment Notes. — The 1996 amendment, effective July 1, 1996, rewrote Subsection (1).

58-22-304. Continuing professional education.

(1) Each individual licensed as a professional land surveyor shall be required to complete a program of qualifying continuing professional education in accordance with standards defined by rule.

(2) Each individual licensed as a professional engineer or professional structural engineer may be required to complete a program of qualifying continuing professional education in accordance with standards defined by rule.

History: C. 1953, 58-22-304, enacted by L. 1996, ch. 259, § 8.

Repeals and Reenactments. — Laws 1996, ch. 259, § 8 repeals former § 58-22-304, as

last renumbered by Laws 1994, ch. 274, § 11, relating to continuing professional education, and enacts the present section, effective July 1 1996.

58-22-305. Exemption from licensure.

(1) In addition to the exemptions from licensure in Section 58-1-307, the following may engage in the stated limited acts or practices without being licensed under this chapter:

ADDENDUM D



State of Utah

DEPARTMENT OF COMMERCE

Michael O. Leavitt
Governor
Douglas C. Borba
Executive Director

Heber M. Wells Building
160 East 300 South
Box 146701
Salt Lake City, Utah 84114-6701
(801) 530-6955
FAX 530-6001
INTERNET <http://www.commerce.state.ut.us>

April 7, 1997

Cass Butler, Esq.
Callister, Nebeker & McCullough
Attorneys at Law
Gateway Tower East Suite 900
10 East South Temple
Salt Lake City UT 84133


RE: John P. Hunter - Request for Agency Review

Dear Ms. Butler:

Please be advised that the Division of Occupational and Professional Licensing is in the process of issuing your client a license which would render the appeal moot. Since it is still within the 30 day period for pursuing an appeal we will not have to delay issuance until an Order of Remand is entered.

The problem in this case was that your client filed a new application rather than amending his old one. When he filed the appealed application he did not qualify under the law now in effect. If he had passed the examination when taken, it would have been prior to the effective date and he would have qualified for licensure. Since the actual examination was taken prior to the new law, and it was that examination which was rescored to a passing grade, we consider that the passing grade is applicable to his initial application and he is therefore qualified for licensure on the initial application.

Sincerely yours,



MICHAEL R. MEDLEY
Department Counsel
Utah Department of Commerce

cc: Douglas C. Borba, Executive Director, Utah Department of Commerce
J. Craig Jackson, Director, Division of Occupational and Professional Licensing
Ray Walker, Enforcement Counsel, Division of Occupational and Professional Licensing
David Fairhurst, Bureau Manager, Division of Occupational and Professional Licensing



ADDENDUM E

**S
E
E
C
Z**

1999 SURVEY INFORMATION



The National Council of Examiners for Engineering and Surveying compiled this comprehensive survey from licensing boards which covers the following: Licensing Board Information, FE Examination and Certification Information, PE Examination and Licensing Information, and Land Surveying Examination and Licensing Information. This survey supercedes any previous surveys.

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for Engineering and Surveying*

The 1999 Member Board Survey

The following pages include the complete survey questions and all results received for the 1999 Member Board Survey. Any state with a * indicates that their responses are at least one year old.

Surveys were sent to each state board administrator for completion. We received responses from all boards except:

Connecticut

Illinois Professional Engineering (Responses from 1998 are included in results.)

Illinois Land Surveyors (Responses from 1998 are included in results.)

Illinois Structural Engineering

Massachusetts (Responses from 1998 are included in results.)

Puerto Rico

Rhode Island Land Surveyors (Responses from 1997 are included in results.)

South Carolina (Responses from 1998 are included in results.)

Tennessee Land Surveyors (Responses from 1998 are included in results.)

Virgin Islands

West Virginia Land Surveyors (Responses from 1997 are included in results.)

If you have any questions or need additional information, please contact:

National Council of Examiners
for Engineering and Surveying

PO Box 1686

Clemson, SC 29633-1686

www.ncees.org

Phone: (864) 654-6824

Fax: (864) 654-6033

1999 Annual Survey of NCEES Member Boards

BOARD OF LICENSURE

1. Mark the professions regulated by your board: (Please check all that apply.)

- ☐ Engineers
- ☐ Surveyors
- ☐ Interior Designers
- ☐ Architects
- ☐ Geologists
- ☐ Landscape Architects
- ☐ Other (please name) _____

2. What is the term of a board member in your jurisdiction?

- ☐ 6 years
- ☐ 5 years
- ☐ 4 years
- ☐ 3 years
- ☐ 2 years
- ☐ Other _____

3. What is the maximum number of terms a board member may be appointed?

- ☐ No maximum
- ☐ 1 term
- ☐ 2 terms
- ☐ 3 terms
- ☐ Appointed indefinitely

4. What is the procedure(s) of appointment?

- ☐ Governor appoints
- ☐ Society nominates, governor appoints
- ☐ Personal application, governor appoints
- ☐ Other (please describe) _____

5. What is the composition of the board? (number of)

- | | |
|----------------|-----------------------------|
| ___ Engineers | ___ Engineer/Land Surveyors |
| ___ Surveyors | ___ Interior Designers |
| ___ Architects | ___ Landscape Architects |
| ___ Public | ___ Other _____ |

Please delineate if specific disciplines, fields, sexes, etc. are required _____

6. How is your Board Chair/President selected?

- ☐ Elected by Board
- ☐ Appointed by Governor
- ☐ Other _____

7. How often does your board meet? _____
8. Is your board an independent agency/corporation or under an umbrella organization?
☐ Independent
☐ Umbrella
9. How does your board receive its funding?
☐ General Revenue
☐ Special fund supported wholly by applicant/registrant fees
☐ Other funding _____
10. Is the executive secretary/director (chief administrator) of your board required to be a professional licensed by your board?
☐ Yes
☐ No
 Is the executive secretary/director (chief administrator) of your board under the direct supervision of anyone other than the board?
☐ Yes If yes, then who? _____
☐ No
11. How many staff members are employed by your board office (including yourself)?
 _____ (number)
 How many staff members hold the positions of:
 _____ Investigators
 _____ Supervisors
12. Does your board establish candidate examination and licensure fees in your jurisdiction?
☐ Yes; If yes, ____ rule ____ law Amount of fee \$ _____
☐ No
13. Does it take legislative action to change candidate fees in your jurisdiction?
☐ Yes
☐ No
14. What is the minimum amount of time needed between notice and implementation for your board to comply with a change in fees?
 _____ Time needed to respond to an increase in NCEES membership dues
 _____ Time needed to respond to an increase in examination fees

15. List the applicable fees charged in your jurisdiction for:

_____ FE application _____ FE examination
_____ FE re-examination _____ EI certification/certificate
_____ EI certification by comity or transfer of EI
_____ EI renewal; frequency _____

_____ PE application _____ PE examination
_____ PE re-examination _____ PE application by comity
_____ PE renewal; frequency _____

_____ FLS application _____ FLS examination
_____ FLS re-examination _____ LSI certification/certificate
_____ LSI certification by comity or transfer of LSI
_____ LSI renewal; frequency _____

_____ PLS application _____ PLS examination
_____ PLS re-examination _____ LS application by comity
_____ LS renewal; frequency _____

16. Does your board publish a roster?

☐ Yes; If yes, when? _____

☐ No

Does your board publish a newsletter?

☐ Yes; If yes, how often? _____

☐ No

Does your board maintain a web site?

☐ Yes; If yes, provide the address _____

☐ No

17. Does your board currently allow the use of electronically transmitted seals on final documents?

☐ Yes

☐ No

18. How does your jurisdiction evaluate foreign education?

☐ Uses or requires the applicant to use an evaluation service

☐ Uses faculty

☐ Uses members of the board as a committee

☐ Accepts foreign evaluations done through the FEEEP program

☐ Other (please describe) _____

19. *How many applicants per year present foreign education credentials?* _____

20. Does your jurisdiction have an agreement or policy regarding overlap in the practices of engineering, architecture, land surveying, or landscape architecture?

☐ Yes

☐ No

- 21 Does your jurisdiction have a licensing requirement for those teaching design courses?
☐ Yes
☐ Yes, with a grandfathering provision
☐ No
- 22 Can your board initiate disciplinary action against a licensee based on disciplinary action taken against the same licensee in another jurisdiction?
☐ Yes
☐ No
If yes, briefly describe conditions under which this may be done _____

- 23 Can your board initiate disciplinary action against a non-licensee?
☐ Yes
☐ No
- 24 Approximately how many complaints are filed with the board each year against
_____ Registered Land Surveyors
_____ Registered Engineers
_____ Non-registrants engaged in the practice of engineering and land surveying
- 25 Does your jurisdiction have a statute of limitations for the processing of complaints?
☐ Yes, If yes, what time period? _____
☐ No
- 26 What specific action can your board take or initiate against non-registrants involved in the practice of engineering or land surveying?
☐ Injunctive proceedings
☐ Referral for prosecution
☐ None
☐ Other _____
- 27 Will your board arrange for proctored examinations outside the U S A or its territories
For U S military personnel?
☐ Yes
☐ No
For non-military U S citizens?
☐ Yes
☐ No
For non-U S citizens?
☐ Yes
☐ No
List the countries in which you proctor examinations for any of the above groups

28. How does your board handle the proctoring of examinations outside the U.S.A. or its territories?
- ☐ Board personnel administer at site
 - ☐ Testing contractor administers at site
 - ☐ Other (please explain) _____
-
29. Does your board restrict competitive bidding for engineering and surveying services:
- In the public sector?
- ☐ Yes
 - ☐ No;
- In the private sector?
- ☐ Yes
 - ☐ No
30. Does your board award additional points to some candidate examination scores in order to recognize other factors (such as veteran preferences, etc.)?
- ☐ Yes (please explain) _____
 - ☐ No

COUNCIL RECORDS

31. Our board accepts the following portions of the NCEES Council Record:
- ☐ Transcript
 - ☐ Engineer references
 - ☐ Verification of registration
 - ☐ Employment verification
 - ☐ None
32. How many "current" engineer references does your board require for comity applications?
- _____
- How current do the references need to be? (months or years) _____
33. How many years of engineering experience does your board verify for comity applications? (15 years, 10 years, all, etc.) _____
34. Does your board require verification of non-engineering employment?
- ☐ Yes
 - ☐ No
35. Does your board require verification of engineering experience obtained prior to the confirmation of BS degree?
- ☐ Yes
 - ☐ No

36. Does your board give credit for engineering experience obtained prior to the confirmation of a BS degree?
☐ Yes
☐ No
37. Which sections of the jurisdictional application form must be completed by an NCEES Record holder?
☐ All
☐ Licensure
☐ General information
☐ Examination
☐ None
38. Do you routinely, on the application or information sheet, inform the applicant how much of the jurisdictional form must be completed if an NCEES Record is being transmitted?
☐ Yes
☐ No
39. Does your board charge a fee for verifying licensure or examination?
☐ Yes; If yes, how much? _____
☐ No
40. Does your board accept the NCEES Record for land surveyors?
☐ Yes
☐ No
41. If question 40 was answered "yes," please indicate which portions of the NCEES Record are accepted:
☐ Transcript
☐ Surveyor references
☐ Verification of registration
☐ Employment verification

FUNDAMENTALS OF ENGINEERING EXAMINATION ENGINEER-INTERN CERTIFICATION

42. What are the minimum education requirements for taking the FE examination?
☐ Senior year
☐ Junior year
☐ % toward degree _____
☐ Expected graduation
☐ Other (specify) _____
43. What degrees are acceptable for taking the FE examination?
☐ EAC/ABET
☐ TAC/ABET
☐ Non-EAC/ABET Engineering
☐ Non-TAC/ABET Engineering Technology
☐ Other (specify) _____

44. If Technology degrees are acceptable, is graduation required?
☐ Yes
☐ No;
 If Technology degrees are acceptable, is experience required?
☐ Yes; If yes, how many years? _____
☐ No
45. Are applicants with no degrees (experience only) permitted to take the examination?
☐ Yes; If yes, how many years of experience are required? _____
☐ No
46. What is the cut-off date for submission of an application to sit for the FE examination?
 _____ Days prior _____ (Specific dates)
47. How long are successful results valid for Engineer-Intern certification purposes?
 _____ Indefinitely _____ Years (Specify)
48. Is the method/format of FE examination score reporting covered in your:
☐ Jurisdiction Statute or,
☐ Board Rules and Regulations
49. What methods/formats of score reporting are allowed in your jurisdiction? (Check all that apply.)
☐ Pass/Fail only
☐ Converted Score
☐ Raw Score
50. How does your board report FE examination results?
☐ Pass/Fail only
☐ Converted Score
☐ Raw Score
51. What is the maximum number of times a candidate is allowed to sit for the FE examination?
☐ Provide a number _____
☐ No limit
52. Does your jurisdiction allow FE examinees to review failed exams?
☐ Yes (how many times?) _____
☐ No
53. What FE examination materials are reviewable in your jurisdiction? (Check all that apply.)
☐ Candidate answer sheet
☐ Template
☐ Examination booklet
54. Does your jurisdiction allow FE examinees to appeal exam results?
☐ Yes
☐ No

55. Does your jurisdiction grant a waiver for the FE examination?
☐ Yes; If yes, under what conditions? Experience: ____ Years Education: ____ (Specify)
☐ No
56. Are the requirements for this examination and EI certification covered in your:
☐ Jurisdiction Statute or,
☐ Board Rules and Regulations
57. Is the FE exam used as an “exit/outcome assessment examination” at any engineering school(s) within your jurisdiction?
☐ Yes; If yes, list school(s) _____
☐ No
58. If answer to 57 is yes, are students required to pass the examination?
☐ Yes
☐ No

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION PROFESSIONAL ENGINEERING LICENSING

59. Which of the following terms are partially or fully restricted in your jurisdiction?
(Please check all that apply.)
☐ Engineer
☐ Variations of “engineer”
☐ Professional engineer
☐ None
60. Does your jurisdiction have a residency requirement for original licensure?
☐ Yes
☐ No
61. List requirements for engineering licensure for graduates with an EAC/ABET-accredited engineering degree:
☐ Hours examination (number) _____
☐ Years experience (number) _____
☐ No provision
62. List requirements for engineering licensure for graduates with a TAC/ABET-accredited 4-year engineering technology degree:
☐ Hours examination (number) _____
☐ Years experience (number) _____
☐ No provision
63. List requirements for engineering licensure for graduates with a non-ABET-accredited degree:
☐ Hours examination (number) _____
☐ Years experience (number) _____
☐ Proof that the candidate's non-ABET-accredited degree has been evaluated and determined to be equivalent to an ABET-accredited degree
☐ No provision

64. List requirements for engineering licensure for applicants with no degree:
☐ Hours examination (number) _____
☐ Years experience (number) _____
☐ No provision
65. Does your jurisdiction require evaluation of a foreign degree for licensure?
 _____ Yes
 _____ No
66. Does your jurisdiction have and use a provision for eminence?
☐ Yes
☐ No
67. Does your jurisdiction have and use a provision for long-established practice?
☐ Yes; If yes, how many years of experience are required? _____
☐ No
68. Does your jurisdiction license as:
☐ A discipline-specific engineer, restricted to practice in a specific field
☐ A professional engineer limited to practice to his/her field(s) of expertise
69. Please check NCEES exams offered in your jurisdiction.
- | | | |
|--|--|---|
| <input type="checkbox"/> Agricultural | <input type="checkbox"/> Fire Protection | <input type="checkbox"/> Mining/Mineral |
| <input type="checkbox"/> Chemical | <input type="checkbox"/> Industrial | <input type="checkbox"/> Nuclear |
| <input type="checkbox"/> Civil | <input type="checkbox"/> Manufacturing | <input type="checkbox"/> Petroleum |
| <input type="checkbox"/> Control Systems | <input type="checkbox"/> Mechanical | <input type="checkbox"/> Structural I |
| <input type="checkbox"/> Electrical | <input type="checkbox"/> Metallurgical | <input type="checkbox"/> Structural II |
| <input type="checkbox"/> Environmental | | <input type="checkbox"/> Ship Design |
70. Please list all non-NCEES examinations that are given by your board:
☐ Jurisdiction statute/board rule examination
☐ Ethics/conduct examination (or an examination combined with above)
☐ Non-NCEES discipline examination in _____ engineering
71. Is the method/format of PE examination score reporting covered in your:
☐ Jurisdiction Statute or,
☐ Board Rules and Regulations
72. What methods/formats of PE examination score reporting are allowed in your jurisdiction?
 (Check all that apply.)
☐ Pass/Fail only
☐ Converted Score
☐ Raw Score
☐ Other _____
73. How does your board report PE examination results?
☐ Pass/Fail only
☐ Converted Score
☐ Raw Score
☐ Other _____

74. What is the maximum number of times a candidate is allowed to sit for a PE examination?
☐ Provide a number _____
☐ No limit
75. At any time after a candidate has failed the examination, is he/she required to obtain more education before retaking the examination?
☐ Yes; If yes, please explain. _____
☐ No
76. Will your board accept comity applications from licensees who were examined in disciplines other than the ones your board offers?
☐ Yes
☐ No
77. Will your board proctor examinations for other jurisdictions?
☐ Yes
☐ No;
Does your board assess a proctoring fee?
☐ Yes; If yes, how much? _____
☐ No
78. Does your jurisdiction allow PE examinees to review failed exams?
☐ Yes (how many times?) _____
☐ No
79. What PE examination materials are reviewable in your jurisdiction? (Check all that apply.)
☐ Candidate answer sheet
☐ Template
☐ Examination booklet
☐ Solution and Scoring Plan
80. Does your jurisdiction allow PE examinees to appeal exam results?
☐ Yes
☐ No
81. Which entities are required to be registered, licensed, or otherwise enrolled by your board to practice in your jurisdiction? (Please check all that apply.)
☐ Professional Corporations
☐ General Business Corporations
☐ Limited Liability Companies
☐ Limited Liability Partnerships
☐ Other (please explain) _____
82. Our board accepts the following degrees as equivalent to EAC/ABET-accredited degrees: (Please check all that apply.)
☐ Canadian degrees accredited by the Canadian Engineering Accreditation Board
☐ Degrees from Washington Accord countries that are listed in ABET publications
☐ Other degrees as noted _____
☐ None

83. Our board accepts the following degrees as equivalent to TAC/ABET-accredited degrees (Please check all that apply):
- ☐ Canadian degrees accredited by the Canadian Engineering Accreditation Board
 - ☐ Degrees from Washington Accord countries that are listed in ABET publications
 - ☐ Other degrees as noted _____
 - ☐ None
84. What are the requirements in your jurisdiction for licensure by comity?
- ☐ Applicant must meet present-day requirements.
 - ☐ Applicant must meet requirements which were in effect when he/she was originally licensed.
 - ☐ Other _____
- When the word "requirements" is used, which of the following does it include: (Check all that apply.)
- ☐ Education
 - ☐ Experience
 - ☐ Examinations
85. Our board's current status with regard to continuing professional competency (CPC) is (Please check all that apply):
- ☐ CPC is mandatory for renewal of license (answer 89 & 90).
 - ☐ CPC may become mandatory in the next 5 years or so.
 - ☐ Our jurisdiction has a voluntary program in place (answer 89 & 90).
 - ☐ Our jurisdiction has no program, but is studying the case.
 - ☐ Our jurisdiction will probably not address CPC in the near future.
86. If your jurisdiction has any type of CPC program in place, check all of the following that apply:
- ☐ Our guidelines/rules are close to the NCEES model.
 - ☐ We recognize CPC programs in other jurisdictions by comity regardless of their requirements.
 - ☐ We recognize CPC programs in other jurisdictions when those programs are at least as strict as ours.
87. If your jurisdiction has any type of CPC program in place, how does your board qualify courses which are eligible for Continuing Professional Competency credits?
- ☐ We pre-qualify courses.
 - ☐ We qualify courses after the fact.
 - ☐ We do not qualify courses.
88. What benefits have accrued from the institution of your CPC program? (Check all that apply.)
- ☐ Fewer complaints before the board
 - ☐ Increased quality of work being performed by the professionals
 - ☐ Fewer ethics violations
 - ☐ Other (please list) _____
89. What side effects have come about from the institution of your CPC program? (Check all that apply.)
- ☐ Higher license renewal rate
 - ☐ Lower license renewal rate
 - ☐ Problems tracking CPC credits
 - ☐ Problems identifying/tracking qualifying CPC courses
 - ☐ Increased membership in state professional societies
 - ☐ Decreased membership in state professional societies
 - ☐ Other (please list) _____

90. When a licensee's license is not renewed, how much time can elapse during which the licensee can renew without re-applying for a new license? _____ years
91. Does your jurisdiction law recognize any of the following licensing exemptions?
- | | | |
|------------------------------|-----------------------------|--|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Employee of Professional Engineer |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Temporary or limited practice of non-resident or new resident |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Employee of public utility or public transportation |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Manufacturing or scientific research |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Officer or employee of U.S. Government |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Employee of industrial or manufacturing firm |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Work incidental to the practice of architecture, land surveying or contracting |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Miscellaneous building |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Employee of jurisdiction government |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Expert witness |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Academia |
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | Other _____ |

FUNDAMENTALS OF LAND SURVEYING EXAMINATION
PRINCIPLES AND PRACTICE OF LAND SURVEYING EXAMINATION
LAND SURVEYING LICENSING

92. What are the requirements to take the Fundamentals of Land Surveying examination?
- ☐ Education (describe): _____
- ☐ Experience (describe): _____
93. List requirements for land surveying licensure for applicants who have a 4-year RAC/ABET-accredited land surveying degree:
- ☐ Hours examination (number) _____
- ☐ Years experience (number) _____
- ☐ Surveying courses (# hrs) _____
94. List requirements for land surveying licensure for applicants who have a 4-year non-RAC/ABET-accredited land surveying degree:
- ☐ Hours examination (number) _____
- ☐ Years experience (number) _____
- ☐ Surveying courses (# hrs) _____
95. List requirements for land surveying licensure for applicants who have a degree (not a 4-year land surveying degree):
- ☐ Hours examination (number) _____
- ☐ Years experience (number) _____
- ☐ Surveying courses (# hrs) _____
96. List requirements for land surveying licensure for applicants without a degree.
- ☐ Hours examination (number) _____
- ☐ Years experience (number) _____
- ☐ Surveying courses (# hrs) _____

97. Will your board proctor examinations for other jurisdictions?
☐ Yes
☐ No
98. Does your jurisdiction have a residency requirement?
☐ Yes
☐ No
99. Are applicants for land surveying licensure required to complete an examination (to include take-home examination) on any of the following?
☐ Jurisdiction statute
☐ Standards of Surveying
☐ Board rules and regulations
☐ Rules of Professional Conduct
☐ Other (Describe): _____
 Not including take-home examinations, what length of time is the candidate given to complete this examination? _____
100. What are the requirements for land surveying licensure for applicants who are applying via comity?
☐ Applicant must meet present-day requirements.
☐ Applicant must meet requirements which were in effect when he/she was originally licensed.
☐ Other _____
 When the word "requirements" is used, which of the following does it include: (Check all that apply.)
☐ Education
☐ Experience
☐ Examinations
101. Does your jurisdiction provide for licensing by "long-established practice?"
☐ Yes; If yes, how many years of experience are necessary to qualify? _____
☐ No
102. Does your jurisdiction require mandatory continuing professional competency for land surveying license renewal?
☐ Yes; If yes, briefly describe requirements. _____
☐ No
103. Does your jurisdiction allow FLS examinees to review failed exams?
☐ Yes (how many times) _____
☐ No
104. What FLS examination materials are reviewable in your jurisdiction? (Check all that apply.)
☐ Candidate answer sheet
☐ Template
☐ Examination booklet
105. Does your jurisdiction allow FLS examinees to appeal exam results?
☐ Yes
☐ No

106. Does your jurisdiction allow PLS examinees to review failed exams?
- ☐ Yes (how many times) _____
 - ☐ No
107. What PLS examination materials are reviewable in your jurisdiction? (Check all that apply.)
- ☐ Candidate answer sheet
 - ☐ Template
 - ☐ Examination booklet
108. Does your jurisdiction allow PLS examinees to appeal exam results?
- ☐ Yes
 - ☐ No

Question	1	2-3	4	5
State	Professions Regulated by Bd	Bd Term/ Max #	Procedure of Appointment	Composition of Board
AL	Eng, LS	5 yrs/No max	Soc nominates	4 PE, 1 LS
AK	Eng, LS, Arch, LA	4 yrs/2 terms	Gov	5 PE, 2 LS, 2 Arch, 1 Public, Others
AZ	Eng, LS, Arch, Geo, LA	3 yrs/2 terms	Gov	3 PE, 1 LS, 2 Arch, 1 Public, 1 LA, 1 Geo
AR	Eng, LS	3 yrs/No max	Soc nominates	5 PE, 1 LS, 2 Public, 1 Eng
CA	Eng, LS	4 yrs/2 terms	All	5 PE, 1 LS, 7 Public
CO	Eng, LS	4 yrs/2 terms	Gov	4 PE, 2 LS, 2 Public, 1 Eng
CT				
DEPE	Eng	4 yrs/2 terms	Gov, 12 Members	12 PE, 3 Public
DELS	LS	3 yrs/2 terms	All	4 LS, 3 Public
DC	Eng, LS	1 to 3 yrs/3 terms	Mayoral	4 PE, 2 Eng, 1 Consumer member
FLPE	Eng	4 yrs/2 terms	Gov	7 PE, 2 Public
FLLS	LS	4 yrs/2 terms	Gov	LS, Public
GA	Eng, LS	5 yrs/No max	Soc, Personal app	6 PE, 2 LS, 1 Public
GU	Eng, LS, Arch	4 yrs/2 terms	Gov	2 PE, 1 LS, 2 Arch, 1 Public, 1 Dir of Pub Works
HI	Eng, LS, Arch, LA	4 yrs/2 terms	Gov, Sen	4 PE, 2 LS, 3 Arch, 3 Public, 2 LA
ID	Eng, LS	5 yrs/2 terms	Soc nominates	4 PE, 1 LS
*ILPE	PE	5 yrs/3 terms	Dir/Gov	9 PE, 1 Public
*ILLS	LS	5 yrs/2 terms	Dir/Gov	6 LS, 1 Public
ILSE				
INPE	PE	4 yrs/No max	Gov	6 PE, 1 Public
INLS	LS	4 yrs/No max	Gov	5 LS, 1 Public, 1 At Large
IA	PE, LS	3 yrs/3 terms	Gov, Soc nom	5 PE, 2 LS, 2 Public
KS	PE, LS, Arch, Geo, LA	4 yrs/3 terms	Soc/Gov	3 PE, 2 LS, 3 Arch, 3 Public, 1 Eng, 1 LA
KY	PE, LS	4 yrs/2 terms	Soc nominates	5 PE, 3 LS, 1 Public, 2 Dean College of Eng
LA	PE, LS	6 yrs/1 term	Soc nominates	9 PE, 2 LS
MEPE	PE	5 yrs/No max	Gov	6 PE, 1 Public
MELS	LS	5 yrs/No max	Gov	LS, Public
MDPE	PE	5 yrs/No max	All	5 PE, 2 Public
MDLS	LS	3 yrs/No max	All	3 LS, 2 Public, 1 Property line LS
*MA	PE, LS	5 yrs/No max	Gov	4 PE, 1 LS, 1 Public, 2 Eng/LS
MIPE	PE	4 yrs/2 terms	Gov	5 PE, 1 LS, 1 Arch, 2 Public
MILS	LS	4 yrs/2 terms	Gov	1 PE, 5 LS, 1 Arch, 2 Public
MN	PE, LS, ID, Arch, Geo, LA, Soil Sci	4 yrs/2 terms	Gov	5 PE, 2 LS, 3 Arch, 5 Public, 2 ID, 2 LA, 1 Geo, 1 Soil Sci
MS	PE, LS	4 yrs/No max	Soc nominates	5 PE, 2 LS
MO	PE, LS, Arch	4 yrs/2 terms	Soc nominates	3 PE, 3 LS, 3 Arch, 1 Public, Bd Chairperson

Question	1	2-3	4	5
State	Professions Regulated by Bd	Bd Term/ Max #	Procedure of Appointment	Composition of Board
MT	PE, LS	4 yrs/3 terms	Gov	5 PE, 2 LS, 2 Public
NEPE	PE, Arch	5 yrs/No max	Gov	4 PE, 3 Arch, 1 Public
NELS	LS	5 yrs/Indef	Gov	4 LS, 1 Public
NV	PE, LS	3 yrs/No max	Gov	6 PE, 1 LS
NHPE	PE, LS, Arch, Natural Sci, Foresters	5 yrs/2 terms	Gov, Exec Council	4 PE, 4 LS, 4 Arch, 1 Public, 4 Forest, 4 Nat Sc
NHLS	PE, LS, Arch, Natural Sci, Foresters	5 yrs/2 terms	Gov, Exec Council	4 PE, 4 LS, 4 Arch, 1 Public, 4 Forest, 4 Nat Sc
NJ	PE, LS	5 yrs/2 terms	Gov	PE, LS, Public
NM	PE, LS	5 yrs/2 terms	Gov	5 PE, 3 LS, 2 Public
NY	PE, LS	5 yrs/2 terms	Bd of Regents	8 PE, 2 LS, 1 Public, 1 Eng
NC	PE, LS	5 yrs/2 terms	Gov	4 PE, 3 LS, 2 Public
ND	PE, LS	5 yrs/No max	Soc nominates	4 PE, 1 LS
NMI	PE, LS, Arch, LA, Property Appraiser	6 yrs/No max	Gov	1 PE, 1 LS, 1 Arch, 3 Public
OH	PE, LS	5 yrs/2 terms	Gov	4 PE, 1 LS
OK	PE, LS	6 yrs/No max	Gov	4 PE, 1 Public, 1 Eng/LS, 1 LS only
OR	PE, LS	4 yrs/2 terms	Gov	6 PE, 2 LS, 2 Public, 1 Eng
PA	PE, LS, Geo	6 yrs/2 terms	Gov	5 PE, 2 LS, 3 Public, 2 Geo
PR				
RIPE	PE	5 yrs/2 terms	Gov	5 PE
*RILS	LS	5 yrs/2 terms	Pres/Gov	4 PLS, 1 PELS
*SC	PE, LS	5 yrs/No max	Soc/Gov	5 PE, 2 LS, 1 Public
SD	PE, LS, Arch, LA, Pet Env	4 yrs/No max	Gov	2 PE, 2 LS, 2 AR, 1 Public
TNPE	PE, Int Design, Arch, LA	4 yrs/No max	Soc nominates	3 PE, 3 AR, 1 Public, 1 ID, 1 LA, 3 Assoc
*TNLS	LS	6 yrs/No max	Gov	3 LS, 1 Public
TXPE	PE	6 yrs/No max	Gov	6 PE, 3 Public
TXLS	LS	6 yrs/2 terms	Gov	6 LS, 3 Public, Comm Gen Land Off
UT	PE, LS	4 yrs/2 terms	Gov	5 PE, 1 LS, 1 Public
VTPE	PE	5 yrs/2 terms	Gov	4 PE, 1 Public
VTLS	LS	5 yrs/2 terms	Gov	5 LS, 2 Public
VA	PE, LS, ID, Arch, LA	4 yrs/2 terms	Gov	3 PE, 3 LS, 3 Arch, 2 ID, 2 LA
VI				
WA	PE, LS	5 yrs/2 terms	Gov	5 PE, 2 LS
WVPE	PE	5 yrs/3 terms	Soc nominates	5 PE
*WVLS	LS	3 yrs/No max	Gov	
WI	PE, LS, Arch, LA, Design PE Sys	4 yrs/2 terms	Gov, Sen	PE, LS, Arch, Public, LA
WY	PE, LS	4 yrs/No max	Personal app	3 PE, 1 LS, 1 Public, 1 Eng/LS, 1 St Eng

Question	6	7	8	9	10a.	10b.	11a.	11b.	11c.
State	Board Chair Selected	Freq of Mtg	Ind/Umb Agency	Board Funding	Bd Adm Req. Lic.	Bd Adm Supervised	# of Staff	# Invest	# Super
AL	Elected by BD	6	Indep	Special	No	No	7	1	1
AK	Elected by BD	4	Umb	Special	No	Yes, Gov	25		
AZ	Elected by BD	4	Indep	Special	No	No	17	4	3
AR	Elected by BD	6	Indep	Special	No	No	3		
CA	Elected by BD	6-8 wks	Umb	Special	No	No	40		8
CO	Elected by BD	10	Umb	General	No	Yes, Div Dir&Exec Dir	7	0	2
CT									
DEPE	Elected by BD	12	Indep	Other	No	No	2		
DELS	Elected by BD	8	Umb	Special	No	Yes	1		
DC	Mayoral	12	Umb	General	No	Yes, Mayor	1		
FLPE	Elected by BD	6	Both	Special	No	Yes, Exec Dir	14	1	
FLLS	Elected by BD	6	Umb	Special	No	Yes, Division Director	6		1
GA	Elected by BD	12	Umb	General	No	Yes, Joint Sec	5		1
GU	Elected by BD	6	Umb	Special	No	No	1	1	1
HI	Elected by BD	12	Umb	Other	No	Yes, Umbrella Agency	4		0
ID	Elected by BD	6	Indep	Special	Yes	No	3	0	0
*ILPE	Elected by BD	6	Umb		No	Yes, Dir Of Agency	5	2	
*ILLS	Elected by BD	6	Umb		No	Yes, Dir Of Agency	5	2	
ILSE									
INPE	Elected by BD	12	Umb	Other	No	No	35	15	4
INLS	Elected by BD	12	Umb	Other	No	No	35	15	4
IA	Elected by BD	10	Umb	General	No	Yes, Div Admin	2	0	0
KS	Elected by BD	5	Indep	Special	No	No	6		2
KY	Elected by BD	4	Indep	Special	No	No	10	1	1
LA	Elected by BD	6	Indep	Special	Yes	No	13	2	3
MEPE	Elected by BD	4	Indep	Special	No	No	3		1
MELS	Elected by BD	6	Umb	Special	No	Yes, Dept Prof Reg			
MDPE	Elected by BD	12	Umb	General	No	Yes, Sec Of the Dept	2	4	1
MDLS	Appoint by Gov	12	Umb	General	No	Yes, Sec Of DLLR	2	4	1
*MA	Elected by BD	12	Umb	General	No	Yes, Dir of Division	2	1	1
MIPE	Elected by BD	6	Umb	General	No	Yes, Dir of Licensing	3		1
MILS	Elected by BD	6	Umb	General	No	Yes, Dir of Licensing	6		2
MN	Elected by BD	6	Indep	Appropriations	No	No	7	1	
MS	Elected by BD	6	Indep	Special	No	No	4		1
MO	Appoint by Gov	Min 4	Indep	Special	No	No	9	1	2

Question	6	7	8	9	10a.	10b.	11a.	11b.	11c.
State	Board Chair Selected	Freq of Mtg	Ind/Umb Agency	Board Funding	Bd Adm Req. Lic.	Bd Adm Supervised	# of Staff	# Invest	# Supper
MT	Elected by BD	4	Umb	Special	No	Yes, Admin Officer	3	1	1
NEPE	Elected by BD	10	Indep	Special	No	No	4	0	1
NELS	Elected by BD	3-4	Umb	Special	Yes	No	1		
NV	Elected by BD	6	Indep	Other	No	No	6	1	1
NHPE	Elected by BD	12	Umb	General	No	No	5		2
NHLS	Elected by BD	12	Umb	General	No	No	5		2
NJ	Elected by BD	24	Umb	Special	No	Yes	13	0	3
NM	Elected by BD	6	Indep	Special	No	No	6	1	2
NY	Elected by BD	6	Umb	Special	Yes	Yes, Deputy Commissioner	4		
NC	Elected by BD	10	Indep	Special	No	No	13	4	3
ND	Elected by BD	7-10	Indep	Special	No	No	2	1	1
NMI	Elected by BD	12	Indep	General	No	No	3	1	
OH	Elected by BD	12	Indep	Special	No	No	7	1	2
OK	Elected by BD	6	Indep	Special	No	No	6		2
OR	Elected by BD	6	Indep	Special	Yes	No	6		1
PA	Elected by BD	6	Umb	Special	No	Yes, Commissioner	3		
PR									
RIPE	Elected by BD	12	Indep	General	No		3		1
*RILS		12	Umb				1		
*SC	Elected by BD	5	Umb	Special	No	Yes, Asst Deputy Dir	2.5		1
SD	Elected by BD	6	Indep	Special	No	Yes, Commerce Sec	3		
TNPE	Elected by BD	4	Umb	Special	No	Yes, Asst Commissioner	10	0	3
*TNLS	Elected by BD	10	Umb	General	No	Yes, Dept of Comm	2	0	0
TXPE	Elected by BD	4	Indep	General	Yes	No	22	3	3
TXLS	Appoint by Gov	6	Indep	Other	No	No	4	0	1
UT	Elected by BD	6	Umb	Special	No	Yes, Exec Dir	N/A	N/A	N/A
VTPE	Elected by BD	12	Umb	Special	No	Yes, Dir, Sec of State	1	Shared	Shared
VTLS	Elected by BD	6	Umb	Special	No	Yes, Director	3	0	1
VA	Elected by BD	4	Umb	Special	No	Yes, Chief Deputy Dir	6		
VI									
WA	Elected by BD	6-8	Umb	Special	No	Yes, Agency Mgt	15	3	5
WVPE	Elected by BD	12	Indep	Special	No	No	3		1
*WVLS		10	Indep				1		
WI	Elected by BD	2	Umb	General, Other	No	Yes, Sec Dept of Reg	8		
WY	Elected by BD	4	Umb	Special	No	Yes, State Engineer	3	0	1

Question	12	13	14		15		FE		FLS	FE	FLS	FE	FLS	Re-Exam	EI	LSI
State	Bd Sets Fees	Leg Chg Fees	Response Time		Exam Fees	Application	FE	FLS	FE	FLS	FE	FLS	Re-Exam	EI	Cert	
			Dues													
AL	Yes, rule&law	Yes	1 yr	1 yr		15	20	60	85	60	85	60	85	Incl	Incl	
AK	No	No				50	50	75	80	75	80	75	80	N/A	N/A	N/A
AZ	Yes, rule	No	2 yrs	2 yrs		30	30	80	135	80	135	80	135	0	0	0
AR	Yes, rule&law	No	6 mos	6 mos		10	10	30	30	30	30	30	30	1st incl		
CA	Yes, rule	No	1 yr	1 yr		60	60	60	60	60	60	60	60			
CO	Yes	No	2 yrs	2 yrs		N/A	N/A	35	25	25	25	25	25	N/A	N/A	N/A
CT																
DEPE	Yes, law	No	1 yr	1 yr		10	N/A	50	N/A	50	N/A	50	N/A	N/A	N/A	N/A
DELS	No	No	6 mos	6 mos												
DC	No	Yes	6 mos	6 mos		25	25	75	75	75	75	75	75	15	15	15
FLPE	Yes, rule&law	Yes	1 yr	2 yrs		60		60		60		60		60		
FLLS	Yes, law	Yes	1 yr	2 yrs												
GA	Yes, rule&law	No	2 mos	6 mos		20	25	85	120	85	120	85	120	0	0	0
GU	Yes, rule	Yes	1 yr	1 yr		100	100	80	80	100	80	100	80	None	N/A	N/A
HI	No	No	1 yr	6 mos		50	50	50	95	50	95	50	95	0	0	0
ID	Yes, rule	No	3 mos	3 mos		0	0	55	90	55	90	55	90	7	10	10
*ILPE	Yes, law		2 yrs	1 yr		20		100 9								
*ILLS	Yes, law		2 yrs	1 yr			70		136 95							
ILSE																
INPE	Yes, rule	No	N/A	6 mos		20		0		20		20		0		
INLS	Yes, rule	No	N/A	6 mos			20		20		20		20			0
IA	Yes, rule	No	120 days	120 days		25	25	75	110	75	110	75	110	0	0	0
KS	Yes, law	No	3 yrs	3 yrs		45	45	30	65	75	110	75	110	0	N/A	N/A
KY	Yes, rule	No	1 mon	9 mos												
All fees are changing																
LA	Yes, rule	No	Immed	Immed		90	90	Incl in app	Incl in app	90	90	90	90	Incl in app	Incl in app	Incl in app
MEPE	Yes, rule	No	0	0		5-10		35		35		35		0		
MELS	Yes, rule&law	No					50		75		75		75			
MDPE	Yes, rule	No	2 yrs	1 yr		N/A		81		81		81		15		
MDLS			2 yrs	1 yr			N/A		65		65		65			10
*MA	No		90 days	90 days		20	20	105	149	105	149	105	149	15	15	15
MIPE	No	Yes	2 yrs	1 yr		None		76		76		76		15		
MILS	No	Yes	2 yrs	2 yrs			30		55		55		55			15
MN	Yes, law	No	3 yrs	6 mos		0	0	25+Cost	25+Cost	25+Cost	25+cost	25+Cost	25+cost	0	0	0
MS	Yes, law	Yes	2 yrs	2 yrs		25	25	30	65	30	65	30	65	N/A	N/A	N/A
MO	Yes, rule	No	2 yrs	2 yrs		50	70	1st covered	1st covered	50	70	50	70	Included	Included	Included

All fees are changing

Question	12	13	14		15							
	Bd Sets	Leg Chg	Response Time		FE	FLS	FE	FLS	FE	FLS	EI	LSI
State	Fees	Fees	Dues	Exam Fees	Application		Exam		Re-Exam		Cert	
MT	Yes, rule	No			40	60	Incl in app	Incl in app	50	50		
NEPE	Yes, law	No	2 yrs	N/A	20	N/A	70	N/A	20	N/A	N/A	N/A
NELS	Yes, law		2 yrs	1 yr		75		N/A	75			N/A
NV	Yes, rule	No	2 mos	2 mos	50	85	50	85	50	85	0	0
NHPE	Yes, rule	Yes	2 yrs	9 mos	25		55		55			
NHLS	Yes, rule	Yes	2 yrs	9 mos		25		60		60		
NJ	Yes, rule	No	6 mos	6 mos	30	30	70	70	75	70		
NM	Yes, rule	No	1 yr	1 yr	0	0	65	75	65	75	0	0
NY	No	Yes	1 yr	1 yr	70	70	75	110	75	110	N/A	N/A
NC	Yes, law	Yes	0	12 mos	100	100	40	75	40	75	0	0
ND	Yes, rule	No	12 mos	6 mos								
NMI	Yes, rule	No	2 yrs	2 yrs	200	200	100	100			100	100
OH	Law	No	2 yrs	2 yrs	25	25	30	65	30	65	Free	
OK	Yes, rule	Yes	1 yr									
OR	Yes, rule	No	2 yrs	1 yr			50	50	50	50		
PA	No	Yes	1 yr	1 yr		50	75	110	75	110		
PR												
RIPE	Yes, law	Yes	1 yr	1 yr	40		1st incl		100		0	
*RILS	Yes					100		100		100		100
*SC	Yes, rule		2-3 yrs	2-3 yrs								
SD	Yes, rule	No	12mos	6 mos			50	65	50	65		
TNPE	Yes, rule	No	1 yr	1 yr			50		50			
*TNLS	Yes, rule		2 yrs	2 yrs		150		100				
TXPE	Yes, rule	Yes	1 yr	2 yrs			50		50		5	
TXLS	No	Yes	3 yrs	3 yrs		100		125		125		
UT	No	No	N/A	N/A	30		90		90		N/A	
VTPE	Yes, law	Yes	1 yr	1 yr	50	N/A	40	N/A	40	N/A		N/A
VTLS	Yes, law					70		175		175		20
VA	Yes	No	3 yrs	3 yrs	20	50	30	95	20	50		
VI												
WA	Yes, rule	No	N/A	1 yr	50	75	NCEES	NCEES	50	75	Included	Included
WVPE	Yes, rule&law	Yes	90 days	90 days	45	N/A	30	N/A	50	N/A	0	N/A
*WVLS	Yes					35		150		150		N/A
WI	No	Yes	2 yrs	1 yr	44		72	101	72	101	44	
WY	Yes, rule	Yes	2 yrs	1 yr	30	30	55	90	55	90	0	0

Question					15									
	EI	LSI	EI	LSI	PE	PLS	PE	PLS	PE	PLS	PE	PLS	PE	PLS
State	Comity		Renew/Freq		Application		Exam		Re-Exam		Comity		Renew/Freq	
AL	15	20	5/Annual	5/Annual	50	50	125	135	125	135	50	50	35/Annual	35/Annual
AK	N/A	N/A	N/A	N/A	50	50	145	95	145	95	175	175	195/Biennial	195/Biennial
AZ	30	0	10/Annual	10/Annual	90	90	135	155	135	155	90	90	126/3 yrs	126/3 yrs
AR	10	150	5/Annual	5/Annual	40	35	70	60	70	60	150	150	20/Annual	15/Annual
CA					175	175	175	175	175	175	175	175	160/4 yrs	
CO	35	35	N/A	N/A	N/A	N/A	147	157	25	25	160	160	68/Biennial	68/Biennial
CT														
DEPE	N/A	N/A	N/A	N/A	75	N/A	100	N/A	100	N/A	75	N/A	36/Biennial	
DELS						10		Varies				10		Biennial
DC					50	50	120	120	120	120	50	50	75/Biennial	75/Biennial
FLPE					125		100		100		125		125/Biennial	
FLLS														
GA	0	0	0	0	30	30	130	155	130	155	70	70	50/Biennial	50/Biennial
GU	0	N/A	N/A	N/A	100	100	90	90	90	90	100	100	200/Annual	200/Annual
HI	N/A	N/A	N/A	N/A	50	50	95	140	95	140	50	50	130/Biennial	130/Biennial
ID	N/A	N/A	10/Annual	10/Annual	0	0	125	150	125	150	120	120	40/Annual	40/Annual
*ILPE					100		147 25				100		60/Biennial	
*ILLS						150		147 25				150		60/Biennial
ILSE														
INPE	0		0		10		50		50		50		20/Biennial	
INLS		0		0		10		50		50		20		70/Biennial
IA	0	0	0	0	35	35	120	145	120	145	100	100	60/Biennial	60/Biennial
KS	0	N/A	None	None	45	45	75	100	120	45/100	250	250	90/Biennial	90/Biennial
KY					All fees are changing									
LA	90	90	60/Biennial	60/Biennial	150	150	Incl in app	Incl in app	150	150	150	150	90/Biennial	90/Biennial
MEPE	5		0		10		85		85		10		50/Biennial	
MELS				75/Biennial		50		50		150		50		140 Biennial
MDPE	N/A		N/A		N/A		126		126		100		20/Biennial	
MDLS		N/A		N/A				210		210		150		60
*MA	N/A	N/A	N/A	N/A	30	25	180	169	180	169	30		35/Biennial	30 Biennial
MIPE			None		30		121		121		30		20/Annual	
MILS				None		30		40-45		40-45		30		50 Biennial
MN	0	100	0	104	0	0	25+ cost	25+cost	25+cost	25+cost	100	100	104/Biennial	104 Biennial
MS	N/A	N/A	N/A	N/A	75	75	75	100	75	100	75	75	30/Annual	30 Biennial
MO	N/A	N/A	N/A	N/A	150	150	1st covered	1st covered	80	70	150	150	70/Biennial	70 Biennial

Question					15									
	EI	LSI	EI	LSI	PE	PLS	PE	PLS	PE	PLS	PE	PLS	PE	PLS
State	Comity		Renew/Freq		Application		Exam		Re-Exam		Comity		Renew/Freq	
MT					120	80			50	50	140	140		
NEPE	N/A	N/A	N/A	N/A	30	N/A	120	N/A	30	N/A	100	N/A	90/Biennial	N/A
NELS		N/A		20/Biennial		100		N/A		100		100		100/Biennial
NV	0	0	N/A	N/A	200	200	25	25	125	125	200	200	Biennial	Biennial
NHPE					30		115		115				120/Biennial	
NHLS	N/A		N/A			50		180		180		50		100/Biennial
NJ		N/A		25/One 5 yr	75	75	85	85	75		75		80/Biennial	
NM	25	25	0	0	75	75	65	40	75	40	100	75	80/Biennial	80/Biennial
NY	70	70	N/A	N/A	345	345	120	145	120	145	345	345	210/Biennial	210/Biennial
NC	0	0	0	0	100	100	85	110	85	110	100	100	40/Annual	40/Annual
ND														
NMI	100	100	250/Bien	250/Bien	200	200	150	150			300	300	250/Biennial	250/Biennial
OH	0	N/A	0	16/Annual	25	25	75	125	75	125	160	245	16/Annual	16/Annual
OK														
OR							165	215	120	120	155	155	80/Biennial	80/Biennial
PA					50	50	120	120	120	120	50	50	25/Biennial	25/Biennial
PR														
RIPE	40		N/A		100		Included		100		100		250/bien	
*RILS		100				100		100		100		100		200/Annual
*SC														
SD					100	100	100	100	110	110	100	100	70/Biennial	70/Biennial
TNPE					55+Cost		30+Cost		150		195		Biennial	
*TNLS														
TXPE	5				250		95		95		250		227/Annual	
TXLS						100		125		125		100		115/Annual
UT														
V IPE	N/A	N/A	N/A	N/A	100	N/A	135	N/A	111	N/A	100	N/A	75/Biennial	N/A
V ILS		70		225/Biennial		70		175		175		70		225/Biennial
V A	N/A	N/A	N/A	N/A	40	50	100		100				30/Biennial	80/Biennial
V I														
WA	N/A	N/A	N/A	N/A	115	140			105	130	100	60	100/Biennial	100/Biennial
WVPE	0	N/A	0	N/A	60	N/A	75	N/A	95	N/A	120	N/A	35/Annual	N/A
*WVLS		N/A		N/A		Incl		150		150		150		40/Annual
WI	44		N/A		44	44	117	111	117	111	49	75	49	75
WY	0	0	0	0	75	75	120	265	90	265	75	75	95/Biennial	95/Biennial

Question	16	17	18	19	20	21
State	Publish Roster/Newsletter/Web site	Allow Elec. Seals	How Bd Eval For Educ	# of For Educ Cre	Policy Reg Overlap	Licensing Req'ment For Teaching Design
AL	Yes/Yes/No	Yes	FEEEP	20	Yes	Yes
AK	Yes/Yes/Yes	Yes	Evaluation service	5	Yes	Yes
AZ	Yes/Yes/Yes	No	Other, ECEI	< 100		No
AR	Yes/Yes/Yes	No	ECEI (ABET) only	> 20	Yes	Yes
CA	Yes/Yes/Yes	No			No	No
CO	Yes/Yes/Yes	Yes	FEEEP	35 avg	Yes	No
CT						
DEPE	Yes/Yes/Yes		FEEEP		Yes	No
DELS	Yes/No/No		Evaluation service	0	Yes	No
DC	Yes/No/No	Yes	Evaluation service	50	No	No
FLPE	Yes/Yes/Yes	Yes	Eval service, Committee		No	
FLLS	No/Yes/Yes		Eval serv, Committee	1	No	No
GA	Yes/Yes/Yes	Yes	FEEEP	75-100	Yes	No
GU	Yes/No/No	No	Eval serv, FEEEP	20 + or -	Yes	No
HI	No/No/No	Yes	Eval serv, FEEEP	20	Yes	No
ID	Yes/Yes/Yes	Yes	FEEEP	10	No	Yes w/provision
*ILPE	Yes/Yes/Yes	Yes	Req App/FEEEP	No Data	No	No
*ILLS	Yes/Yes/Yes	Yes	Req App/FEEEP	No Data	No	No
ILSE						
INPE	No/No/Yes	Yes	FEEEP	1/4	Yes	No
INLS	No/No/Yes	Yes	FEEEP	1/4	Yes	No
IA	No/Yes/Yes	Yes	Evaluation service	35	No	No
KS	Yes/Yes/Yes	Yes	Eval Serv, NCEES	10-15	No	No
KY	Yes/Yes/Yes	No	Faculty, FEEEP	25	Yes	Yes w/provision
LA	Yes/Yes/Yes	No	FEEEP	10	Yes	Yes w/provision
MEPE	Yes/Yes/Yes	Yes	FEEEP	10	No	No
MELS	Yes/No/Yes	No	Committee		Yes	No
MDPE	No/No/Yes	Yes	Evaluation service	N/A	No	No
MDLS	No/No/Yes		Evaluation service	N/A	No	No
*MA	No/No/Yes	No	FEEEP	15	Yes	No
MIPE	No/No/Yes	No	Eval serv, FEEEP, Other	100	No	No
MILS	No/No/No	No	Committee	4	No	No
MN	No/Yes/Yes	Seals	FEEEP	20	No	No
MS	Yes/Yes/Yes	Yes	FEEEP	30 or less	Yes	No
MO	No/No/Yes	No	Faculty, FEEEP	56	No	Yes

Question	16	17	18	19	20	21
	Publish	Allow	How Bd	# of For	Policy Reg	Licensing Req'ment
State	Roster/Newsletter/Web site	Elec. Seals	Eval For Educ	Educ Cre	Overlap	For Teaching Design
MT	Yes/Yes/Yes	No	FEEEP	0-1	Exemption	No
NEPE	Yes/Ycs/Yes	Yes	FEEEP	30	No	No
NELS	Yes/No/Yes	No		None		No
NV	Yes/Yes/Yes	No	FEEEP		No	No
NHPE	Yes/Yes/Yes	No	Evaluation service	Don't track	No	No
NHLS	Yes/Yes/Yes	No	Evaluation service	Don't track	No	No
NJ	Yes/Yes/Yes	No	Evaluation service	200	No	No
NM	No/Ycs/Yes	Yes	Faculty, FEEEP	10	Yes	No
NY	No/No/Yes	Yes	Other, Dept staff	400-500	No	No
NC	Yes/Yes/Yes	No	FEEEP	100	Yes	No
ND	Yes/Yes/No	Yes	Eval service, FEEEP	5-10	No	Yes
NMI	No/No/No	Yes	Evaluation service	3-5 app	No	No
OH	Yes/Yes/Yes	Yes	Other, Board staff	48	Yes	No
OK	Yes/Yes/Yes	No	ABET		No	Yes
OR	No/Yes/Yes	Yes	Evaluation service	Unknown	No	No
PA	Yes/Yes/Yes		FEEEP	Unknown	No	No
PR						
RIPE	Yes/No/No	No	Evaluation service	6-10	Yes	No
*RILS		No	Evaluation service	1	Yes	No
*SC	Yes/Yes/Yes	Yes	FEEEP	55	Yes	No
SD	No/Yes/Yes	Yes	Req App/FEEEP	0	Yes	No
TNPE	Yes/Yes/Yes	Yes	Evaluation service	50	Yes	No
*TNLS		No	Members of Bd	0	No	No
TXPE	Yes/Yes/Yes	Yes	Eval Service, FEEEP	100	Yes	Yes
TXLS	Yes/Ycs/Yes	Yes	Other	1%	No	No
UT	Yes/Yes/Yes	Yes	FEEEP	N/A	Yes	No
VTPE	No/Ycs/Yes	Yes	FEEEP	8-12	No	No
VTLS	No/No/Yes	Yes	Faculty		No	No
VA	No/Yes/Yes	No	Evaluation service	300	Yes	No
VI						
WA	No/Yes/Yes	Yes	FEEEP	200	No	No
WVPE	Yes/Yes/No	Yes	FEEEP	10%	No	Yes
*WVLS	Yes/No	No	Bd Members	0	N/A	No
WI	Yes/Yes/Yes	No	Other, NCEES		Yes	No
WY	Yes/Yes/Yes	Yes	FEEEP	15-20	No	Yes

Question	22	23	24	25	26
State	Disc Agnst Lic	Disc Agnst	Complaints Filed per Year	Statue of Limitations	Specific Action Bd Can Take
AL	Yes	Yes	18 RLS, 20 RE, 16 Non	No	Injuc proc, Ref pros, Fine by Bd
AK	No	Yes	2 RLS, 8 RE, 12 Non	No	Injuc proc, Ref for pros
AZ	Yes	Yes	30 RLS, 46 RE, 22 Non	No	Injuc proc, Ref pros, Civil
AR		Yes	15 RLS, 5 RE, 5 Non	Yes	Injuc proc, Civil Penalties
CA	Yes	Yes	15 RLS, 70 RE, 65 Non	No	Other/Cite, Fine
CO	Yes	Yes	49 RLS, 38 RE, 25 Non	Yes	Injuc proc, Fine
CT					
DEPE		No	6 RE	Yes	Ref for pros
DELS	No	No	6 RLS	No	None
DC	Yes	Yes		No	Injuc proc, Ref for pros
FLPE	Yes	No	59 Admin RE, 155 RE, 36 Non	No	None
FLLS	No	No	60 RLS	No	None
GA	Yes	Yes	35-40 RLS, 20 RE, 30 Non	No	Injuc proc, Ref for pros
GU	No	Yes	5 RLS, 10 Non	Yes	Fine or Levy, Civil Pen
HI	Yes	No	1 RLS, 2 RE, 2 Non	No	Other
ID	Yes	No	10 RLS, 10 RE, 20 Non	No	Injuc proc, Ref for pros
*ILPE	Yes	Yes			Civil Penalties
*ILLS	Yes	Yes			Civil Penalties
ILSE					
INPE	Yes	No	Confidential	No	Ref for pros
INLS	Yes	No	Confidential	No	Ref for pros
IA	Yes	Yes	6 RLS, 8 RE, 7 Non	No	Injuc proc, Civil Penalties
KS	Yes	Yes	26 Total	No	Ref For pros, Other
KY		No		No	Injuc proc, Ref for pros
LA	Yes	Yes	36 RLS, 48 RE, 122 Non	Yes/1 yr	Injuc proc, Ref for pros, Other
MEPE	Yes	No	5 RE, 3 Non	No	Ref for pros
MELS	Yes	Yes	10 RLS	No	Ref for pros
MDPE	Yes	Yes	9 RE	No	Ref for pros, Fining authority
MDLS	Yes		19 RLS	No	Fine
*MA	Yes	No	5 RLS, 15 RE	No	None
MIPE	Yes	Yes	15 RE	Yes/30 days	Ref for pros, Fine up to \$10,000
MILS	Yes	Yes	20 RLS	Yes/30 days	Ref for pros, Fine up to \$10,000
MN	Yes	Yes	20 RLS, 40 RE, 100 Non	No	Other, Cease and Desist plus Civil Pen
MS	Yes	Yes	20 RLS, 15 RE, 5 Non	No	Injuc proc, Ref for pros
MO	Yes	No	51 RLS, 19 RE, 40 Non	Yes/3 yrs	Injuc proc, Ref for pros

Question	22	23	24	25	26
State	Disc Agnst Lic	Disc Agnst	Complaints Filed per Year	Statue of Limitations	Specific Action Bd Can Take
MT	Yes	Yes	12 RLS, 4 RE, 15 Non	No	Injuc proc
NEPE	Yes	Yes	10 RE	No	Injuc proc, Ref for pros
NELS	Yes	No	1 RLS	No	None
NV	Yes	Yes	4 RLS, 42 RE, 7 Non	Yes/1	Injuc proc, Ref for pros
NHPE	Yes	No	12 RLS, 3 RE, 7 Non	No	Ref for pros
NHLS	Yes	No	12 RLS, 3 RE, 7 Non	No	Ref for pros
NJ	Yes	Yes	60 RLS, 40 RE, 20 Non	No	Ref for pros
NM	Yes	No	46 RLS, 18 RE, 6 Non	Yes/2-10	Injuc proc, Ref for pros
NY	Yes	Yes	36 RLS, 76 RE, 42 Non	No	Ref for pros
NC	Yes	No	50 RLS, 50 RE, 100 Non	No	Injuc proc, Ref for pros
ND	Yes	No	3-4 RLS, 2-3 RE, 4-5 Non	Yes	Injuc proc, Ref for pros
NMI	Yes	No	1-3 RE, 3-5 Non	No	Ref for pros
OH	Yes	Yes	30 RLS, 30 RE, 30 Non	No	Injuc proc, Ref for pros
OK	Yes	Yes	40 RLS, 20 RE, 20 Non	No	Injuc proc, Fine
OR	Yes	Yes		No	Injuc proc, Civil Penalties
PA	Yes	Yes			
PR					
RIPE	Yes	Yes	10 RE, 4 Non	No	Ref for pros
*RILS	Yes	Yes			
*SC	Yes, same offense	Yes	25-30 RLS, 75-85 RE, 75-100 Non	No	Injuc proc, Ref for pros, Consent
SD	Yes	No	5 RLS, 3 RE, 5 Non	No	Injuc proc
TNPE	Yes	Yes	36 RE, 17 Non	No	Injuc proc, Ref for pros, Civil Penalty
*TNLS	Yes	Yes	12 RLS, 12 Non	No	Injuc proc
TXPE	Yes	Yes	300 RE, 40 Non	No	Injuc proc, Ref for pros, Admin Penalty
TXLS	No	Yes	40 RLS & non	Yes/10 yrs	Injuc proc
UT	Yes	Yes	10 RLS, 5 RE, 30 Non	Yes/5 yrs	Administrative fines
VTPE	Yes	Yes	8-10 RE	No	Ref for pros
VTLS	Yes	No	16 RLS	No	Other
VA	Yes	No	13 RLS, 19 RE, 10 Non	Yes/3 yrs	Ref for pros
VI					
WA	Yes	No	40 RLS, 60 RE, 10 Non	No	Injuc proc, Ref for pros
WVPE	Yes	Yes	4 RE, 7 Non	No	Injuc proc, Ref for pros
*WVLS	No	No			
WI	Yes	No			Injuc proc
WY	Yes	No	7 RLS, 5 RE, 5 Non	No	Injuc proc

Question	27			28	29		30
	Proctor Exams			Exams	Rules Prohibiting		Add'l Points
State	Outside USA			Outside USA	Soliciting Bids		to Scores
	Military	Non-Military Citizens	Non-U.S. Citizens		Public	Priv.	
AL	No	No	No	N/A	Yes	Yes	No
AK	No	No	No	N/A	No	No	No
AZ	No	No	No		No	No	No
AR					Yes	No	No
CA	No	No	No	N/A	No	No	No
CO	No	No	No	N/A	No	No	No
CT							
DEPE	No	No	No		No	No	No
DELS	No	No	No	N/A	No	No	No
DC	No	No	No		No	No	No
FLPE	No	No	No	N/A	No	No	No
FLLS	No	No	No	Other	No	No	No
GA	No	No	No		Yes	Yes	Yes
GU	No	No	No	BD	Yes	Yes	No
HI	No	No	No	N/A	No	No	No
ID	No	No	No		No	No	No
*ILPE	No	No	No	N/A			No
*ILLS	No	No	No	N/A			No
ILSE							
INPE	No	No	No	N/A	No	No	No
INLS	No	No	No	N/A	No	No	No
IA	No	No	No	N/A	No	No	No
KS	No	No	No	N/A	No	No	No
KY	No	No	No		No	No	No
LA	Yes	Yes	Yes	Other	No	No	No
MEPE	No	No	No	N/A	No	No	No
MELS	Yes	Yes	Yes	Other	Yes		No
MDPE	No	No	No	N/A			No
MDLS	No	No	No	N/A			No
*MA	No	No	No	N/A	No	No	No
MIPE	No	No	No	N/A	No	No	No
MILS	No	No	No	N/A	No	No	No
MN	No	No	No	None	No	No	No
MS	No	No	No		Yes	Yes	No
MO	No	No	No	N/A	No	No	No

Question	27			28	29		30
State	Proctor Exams Outside USA			Exams Outside USA	Rules Prohibiting Soliciting Bids		Add'l Points to Scores
	Military	Non-Military Citizens	Non-U.S. Citizens		Public	Priv.	
MT	Yes	Yes	Yes	Refer to NCEES	No	No	No
NEPE	No	No	No		Yes	No	No
NELS	No	No	No		No	No	No
NV	No	No	No	N/A	Yes	No	No
NHPE	Yes	No	No	Board Personnel	No	No	No
NHLS	Yes	No	No	Board Personnel	No	No	No
NJ	No	No	No		No	No	No
NM	No	no	no		No	No	No
NY	No	No	No	N/A	No	No	No
NC	Yes	Yes	No	Other	Yes	No	No
ND	No	No	No	See #28	No	No	No
NMI	No	No	No	N/A	No	No	No
OH	No	No	No	N/A	No	No	No
OK	No	No	No		Yes	No	No
OR	Yes	Yes	Yes	Bd, other	No	No	No
PA	No	No	No		No	No	No
PR							
RIPE	No	No	No		No	No	No
*RILS	No	No			No	No	
*SC	Yes	No	No		No	No	No
SD	No	No	No	N/A	No	No	No
TNPE	Yes	Yes	No	Educ Director	No	No	No
*TNLS	No	No	No	N/A	No	No	No
TXPE	No	No	Yes		Yes	No	No
TXLS	No	No	No	N/A	Yes	No	No
UT	No	No	No	N/A	No	No	No
VTPE	No	No	No		No	No	No
VTLS	Yes	Yes	Yes	Tcst Contractor	No	No	No
VA	No	No	No	N/A	No	No	No
VI							
WA	No	No	No	N/A	Yes	Yes	No
WVPE	No	No	No	N/A	No	No	No
*WVLS	No	No			No	No	
WI	No	No	No		No	No	No
WY	No	NO	No		No	No	No

Question	31	32	33	34	35
State	Portions of Record	# of PE Ref/Current	Years Eng Experience	Non-Eng Employment	Verif of Eng Exp
AL	Educ/Ref/Reg/Emp	5/1 yr	All	No	Yes
AK	Educ/Reg/Emp	5/no req	3-12	No	No
AZ	Ref/Reg/Emp	3/no req	# needed for 8 yrs educ and exp req	Yes	Yes
AR	Educ/Ref/Reg/Emp	5/1 yr	4+	No	No
CA	Educ/Ref/Reg/Emp	04-Jan	6 yrs	No	No
CO	Educ/Ref/Reg/Emp	Verify exp/12mos	Whatever is needed to qualify	No	Yes
CT					
DEPE	Educ/Ref/Reg/Emp	5/< 3 yrs	All	No	Yes
DELS	Educ/Reg/Emp				
DC	Educ/Ref/Reg/Emp	3/1 yr	4 yrs	No	No
FLPE	Educ/Ref/Reg/Emp	3/6 mos	Minimum 4 yrs	No	Yes
FLLS	N/A	N/A	N/A	N/A	N/A
GA	Educ/Ref/Reg/Emp	5/varies	All	No	Yes
GU	Educ/Ref/Reg/Emp	8/1 yr min	All	Yes	Yes
HI	Educ/Reg/Emp	verify exp/ N/A	4 yrs	No	No
ID	Educ/Ref/Reg/Emp	5	All	No	No
*ILPE	Educ/Ref/Reg/Emp	Verify emp	4 or 8		
*ILLS					
ILSE					
INPE	Educ/Ref/Reg/Emp	5	4 yrs	No	No
INLS	Educ/Ref/Reg/Emp	5	4 yrs	No	No
IA	Educ/Ref/Reg/Emp	5/same yr	Varies	No	No
KS	Educ/Ref/Reg/Emp		4 yrs	No	No
KY	Educ/Ref/Reg/Emp	3/within 1 yr	4 yrs	No	No
LA	Educ/Ref/Reg/Emp	3/12 mos	ABET grad 4 yrs Non 8yrs	No	No
MEPE	Educ/Ref/Reg/Emp	3	None	No	Yes
MELS	None				
MDPE	Educ/Ref/Reg/Emp	5	N/A	No	N/A
MDLS					
*MA	Educ/Ref/Reg	3/6 mos	All		
MIPE	Educ/Ref/Reg/Emp	5	8 yrs including educ	No	No
MILS	Educ/Ref/Reg/Emp	5	8 yrs including educ	No	No
MN	Educ/Ref/Reg/Emp	5/no req	4-5 yrs	No	Yes
MS	Educ/Ref/Reg/Emp	3	4	No	No
MO	Educ/Ref/Reg/Emp	5/within 6 mos	10 yrs	No	No

Question	31	32	33	34	35
	Portions of	# of PE	Years Eng	Non-Eng	Verif of
State	Record	Ref/Current	Experience	Employment	Eng Exp
MT	Educ/Ref/Reg/Emp	3/3 mos	4	No	Yes
NEPE	Ref/Reg/Emp	3	15 w/ Ref. 20 yrs exp.	No	Yes
NELS	Educ/Reg/Emp				
NV	Educ/Reg/Emp	4	All	No	No
NHPE	Educ/Ref/Reg/Emp	5/2yrs or less	Verification not req.	No	No
NHLS	Educ/Ref/Reg/Emp	5/2yrs or less	Verification not req.	No	No
NJ	Educ/Ref/Reg	5/<1	All	N	N
NM	Educ/Ref/Reg/Emp	1/1 yr	All	No	No
NY	Educ/Reg/Emp	None	All	No	Yes
NC	Educ/Ref/Reg/Emp	5/12 mos	N/A	No	No
ND	Educ/Ref/Reg/Emp	5/2 yrs	All	No	Yes
NMI	Educ/Ref/Reg/Emp	5/No limit	At least 4 yrs	No	No
OH	Educ/Ref/Reg/Emp	3/5 yrs	4-8 yrs	No	No
OK	Educ/Ref/Reg/Emp		All	No	No
OR	Educ/Ref/Reg/Emp	3/1 yr	8 yrs min.	No	Yes
PA	Educ/Ref/Reg/Emp	5	4 yrs	No	Not acc prior to BS
PR					
RIPE	Educ/Reg	5/12 mos		Yes	Yes
*RILS	Educ/Reg/Emp				
*SC	Educ/Ref/Reg/Emp	5	All		
SD	Educ/Ref/Reg/Emp	1/1yr	4 yrs	Yes	Yes
TNPE	Educ/Ref/Reg/Emp	5/ No spec	All	Yes	Yes
*TNLS	Educ	N/A	N/A		
TXPE	Educ/Reg	3-5	Varies	No	No
TXLS	Educ/Reg/Emp				
UT	Educ/Reg	Min 1/6 mos	5 yrs	No	No
VTPE	Educ/Ref/Reg/Emp	5	All	No	No
VTLS	None				
VA	Educ/Ref/Reg/Emp	3/<1 yr old	Minimum 4 yrs	No	Yes
VI					
WA	Educ/Ref/Reg/Emp	5	8-10	No	Maybe
WVPE	Educ/Ref/Emp	3/2yrs	All	No	No
*WVLS					
WI	Educ/Ref/Reg/Emp	5/1yr	Refer to Web Site	No	Yes
WY	Educ/Ref/Reg/Emp	3/10 yrs	All	No	No

Question	36	37	38	39	40	41
State	Credit for Exp before Degree	Portion of Juris Form	Applicant Instructed	Verif Fee	Bd Accept LS Record	Portion of LS Record
AL	Yes	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
AK	Yes	All	Yes	Yes, \$20	No	
AZ	Yes	Lic, Gen Info, Exam	Yes	Yes, \$10	Yes	Ref/Reg/Emp
AR	No	General Info	No	No		
CA	No	All	Yes	No	Yes	
CO	Yes	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
CT						
DEPE	Yes	All	Yes	No	N/A	
DELS				Yes, \$10	Yes	Educ/Ref/Reg/Emp
DC	Yes	All	Yes	Yes, \$20	Yes	Educ/Ref/Reg/Emp
FLPE	Yes	General Info	Yes	Yes, \$25	N/A	N/A
FLLS	N/A	All	No	Yes, \$25	Yes	Emp
GA	Yes	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
GU	Yes	All	Yes	No	Yes	Educ/Ref/Reg/Emp
HI	Yes	None	No	Yes, \$15	Yes	Educ/Ref/Reg/Emp
ID	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
*ILPE		General Info	Yes	Yes, \$20	Yes	Educ/Ref/Reg/Emp
*ILLS		General Info	Yes	Yes, \$20		
ILSE						
INPE	No	General Info	Yes	No	No	N/A
INLS	No	General Info	Yes	No	No	N/A
IA	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
KS	Yes	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
KY	No	General Info	Yes	Yes, \$10	Yes	Educ/Ref/Reg/Emp
LA	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
MEPE	N	General Info	Yes	No	N/A	N/A
MELS				No	No	
MDPE	N/A	General Info	Yes	Yes, \$10		
MDLS				Yes, \$10		N/A
*MA		All	Yes	Yes, \$10	Yes	Educ/Ref/Reg
MIPE	No	General Info	Yes	Yes, \$15	No	
MILS	Yes	General Info	Yes	Yes, \$15	Yes	Educ/Ref/Reg/Emp
MN	Yes	All	No	No	Yes	Educ/Ref/Reg/Emp
MS	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
MO	No	General Info	Yes	Yes, \$5	Yes	Educ/Ref/Reg/Emp

Question	36	37	38	39	40	41
State	Credit for Exp before Degree	Portion of Juris Form	Applicant Instructed	Verif Fee	Bd Accept LS Record	Portion of LS Record
MT	Yes	Lic, Gen Info, Exam	Yes	No	Yes	Educ/Ref/Reg/Emp
NEPE	Yes	All	Yes	No	No	
NELS				No	Yes	Educ/Reg/Emp
NV	No	General Info	Yes	No	Yes	Educ/Reg/Emp
NHPE	Case by Case	Lic, Gen Info, Exam	Yes	Yes, \$10	Yes	Educ/Ref/Reg/Emp
NHLS	Case by Case	Lic, Gen Info, Exam	Yes	Yes, \$10	Yes	Educ/Ref/Reg/Emp
NJ	Yes	All	No	No	Yes	Educ/Ref/Reg/Emp
NM	Yes	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
NY	Yes	General Info	Yes	Yes, \$20	Yes	Educ/Reg/Emp
NC	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
ND	No	Lic, Gen Info, Exam	Yes	No	Yes	Educ/Ref/Reg/Emp
NMI	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
OH	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
OK	No	Lic, Gen Info	Yes	No	Yes	Educ/Ref/Reg/Emp
OR	Yes	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
PA	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
PR						
RIPE	No	All	No	No	No	
*RILS		All	Yes	No	Yes	Educ/Ref/Reg/Emp
*SC		All	Yes	No	Yes	Educ/Ref/Reg/Emp
SD	Yes		Yes	No	Yes	Educ/Ref/Reg/Emp
TNPE	Yes	All	Yes	No	N/A	
*TNLS				No	No	N/A
TXPE	No	General Info	Yes	No		
TXLS			No	No	Yes	Educ/Ref/Reg/Emp
UT	Yes	N/A	N/A	No	Yes	Educ/Reg
VTPE	No	All	Yes	Yes, \$20		
VTLS					No	
VA	Yes	General Info	Yes	Yes, \$25	No	
VI						
WA	Maybe	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp
WVPE	No	General Info	Yes	No	N/A	N/A
*WVLS			No	No	No	
WI	Yes			Yes, \$10	Yes	Educ/Ref/Reg/Emp
WY	No	General Info	Yes	No	Yes	Educ/Ref/Reg/Emp

FUNDAMENTALS OF ENGINEERING EXAMINATION					
Question	42	43	44a.	44b.	45
State	Minimum Edu Requirements	Degrees Accepted	Deg. Grad Req	Deg. Exp. Req	Admit W/No Degree to Exam
AL	Junior yr	EAC/TAC/Non-EAC/Related Sci	No	No	No
AK	75% toward degree	All	No	Yes	Yes, 6 yrs
AZ	None	4 yrs accepted educ & exp			Yes, 4 yrs
AR	Expected graduation	EAC/TAC	Yes	Yes, 1 yr	Yes, 8 yrs
CA	3 yrs educ or exp	EAC/TAC/Non-EAC/Non-TAC	No	Yes, 4 yrs	No
CO	Senior yr	EAC/TAC/Non-EAC/Non-TAC	Yes	No	Yes, 6 yrs
CT					
DEPE	Senior yr	All	No	No	Yes, 20 yrs
DC	Senior yr, 1 sem of grad				Yes, 12 yrs
FLPE	Senior yr	EAC, Other			No
GA	Senior, Expected grad	EAC/TAC/Non-EAC, Other	Yes	No	Yes, 8 yrs
GU	Senior yr	EAC/TAC/Non-EAC/Non-TAC	Yes	Yes, 2 yrs	Yes, 6 yrs
HI	Expected graduation	All	Yes	Yes, 2 yrs	Yes, 9 yrs
ID	Senior yr	EAC/TAC/Non-EAC/Non-TAC	Yes	Yes, 2 years	No
*ILPE	Senior yr, ABET	EAC, Non-EAC, Other			No
ILSE					
INPE	Expected graduation	No Degree Req , Specific Educ		N/A	Yes
IA	Senior yr, Expected grad	EAC/Non-EAC	N/A	N/A	No
KS	Junior yr	EAC	N/A	N/A	No
KY	Senior yr	EAC			No
LA	Senior yr	EAC/Non-EAC	N/A	N/A	No
MEPE	Senior yr	EAC/TAC/Non-EAC/Non-TAC	Yes	No	No
MDPE	W/in 6 mos of Exp Grad	EAC/Non-EAC			No
*MA	Senior yr, Junior yr	EAC, Non, Foreign	Yes	Yes, 4 yrs	Yes, 12 yrs
MIPE	None	EAC/Other	Not Acceptable		No
MN	Senior yr, w/in 3 mos of grad	EAC/Eval of Non ABET	Yes		No
MS	Senior yr	EAC/Other			No
MO	Senior yr	EAC/Other	N/A	N/A	No

FUNDAMENTALS OF ENGINEERING EXAMINATION					
Question	42	43	44a.	44b.	45
State	Minimum Edu Requirements	Degrees Accepted	Deg. Grad Req	Deg. Exp. Req	Admit W/No Degree to Exam
MT	Senior yr, Expected grad	EAC/TAC	Yes	No	No
NEPE	Senior	EAC/TAC	No	Yes, 2 yrs	Yes, 12 years
NV	% towards degree, other	EAC/TAC/Non-EAC/Non-TAC	No	No	Yes, 4 yrs
NHPE	None	No Requirement		No req	No requirement
NJ	Senior, Junior	EAC/TAC	Yes	Yes, 6 yrs	No
NM	Senior yr	EAC/TAC	No	Yes, 2 yrs	N
NY	Junior yr	EAC/TAC/Non-EAC	Yes	No	Yes, 6 yrs
NC	Senior yr	EAC/TAC/Non-EAC/Non-TAC	Yes	Yes, 8 yrs	Yes, 12 years
ND	Senior yr	All plus No degree	N/A		Yes, 10 yrs
NMI	Senior yr	EAC/TAC/Non-EAC/Non-TAC	No	Yes, 8 yrs	Yes, 8 yrs
OH	Senior, Expect grad, Other	All	Yes	No	No
OK	90 hrs towards degree	All	No	No	No
OR	Expected graduation	EAC/Non-EAC			Yes, 8 yrs
PA	Junior yr	EAC/TAC	Yes	No	Yes, 8 yrs
PR					
RIPE	Senior yr	EAC/Non-EAC	Yes	Yes, 2 yrs	No
*SC	Senior yr/Expected grad	EAC	Yes	Yes, 4 yrs	
SD	Senior yr	EAC/TAC/Non-EAC/Non-TAC	Yes	No	Yes, Vocational + 9yrs
TNPE	Senior yr	EAC			No
TXPE	W/in 24 sem hrs of grad	EAC/TAC/Non-EAC/Non-TAC	No	No	No
UT	Senior yr	EAC/TAC	No		No
VTPE	Other/Comp of 5 Sem	EAC/TAC/Non-EAC/Non-TAC	No	No	Yes, 6 yrs
VA	Senior yr, Expected grad	EAC/TAC/Non-EAC/Non-TAC	No	Yes, 6 yrs	No
VI					
WA	Senior yr, Expected grad	EAC/TAC/Non-EAC/Non-TAC	No	No	Yes, 4 yrs
WVPE	Senior yr	EAC/TAC	Yes	Yes, 2 yrs	No
WI	Senior/4 yrs educ or exp	EAC/TAC/Non-EAC/Non-TAC	Yes	Yes	Yes, 8 yrs
WY	Senior yr, Expected grad	EAC			No

FUNDAMENTALS OF ENGINEERING EXAMINATION							
Question	46	47	48	49	50	51	52
State	Cut-off Date For Application	FE Results Valid	Report Covered	Method of Score Report	FE Results Reported	Max # Permit Sit for Exam	Permit Review Exam
AL	60 days	Indef	Bd rules	All	All	No limit	Yes
AK	90 days	Indef		All	Converted, Raw	5	Yes/1
AZ			Bd rules	Converted Score	Converted	No limit	Yes/no limit
AR	Feb 1, Aug 1	Indef	Bd rules	Pass/Fail, Converted	Pass/Fail	6	Yes/1
CA	80 days	Indef	Both	Pass/Fail, Converted	All	No limit	No
CO	Jan 1, July 1	Indef	Neither	All	All	No limit	No
CT							
DEPE	60 days	Indef	No		Converted	No limit	Yes/no limit
DC	90 days prior to exam	Indef	Bd rules	All	All	No limit	Yes/1
FLPE	180 days prior to exam	Indef	Bd rules	Converted Score	Converted	5	Yes
GA	June 15, Dec 15	Indef	Bd rules	Converted Score	Converted	4	No
GU	90 days prior to exam	Indef	Bd rules	Pass, Converted	Pass, Converted	No limit	No
HI	90 days prior to Jan 10	Indef	Bd rules	Converted, Raw	Pass/Fail	No limit	Yes
ID	Jan 1, Aug 1	Indef	Bd rules	Converted Score	Converted	3	Yes/1
*ILPE	May 15, Nov 15	Indef			Pass/Fail	3	No
ILSE							
INPE	July 1, Jan 1	Indef	Neither	Converted, Raw	Converted, Raw	2	Yes/1
IA	Feb 1, Mar 1	Indef	Both	Pass/Fail	Pass/Fail	No limit	Yes/1
KS	Feb 15, July 15	Indef	Bd rules	Converted Score	Converted	No limit	No
KY		Indef			Converted, Raw	No limit	Yes/1
LA	90 days	Indef	Bd rules	All	Pass/Fail	No limit	Yes/no limit
MEPE	5 days	Indef	Bd rules	Converted Score	Converted	3	Yes/1
MDPE	90 days	Indef	Juris	Converted Score	Converted	3	Yes
*MA	60 days	Indef			Converted	No limit	No
MIPE	Mar 1, Sept 1	Indef	No	Pass/Fail, Converted	Pass/Converted	No limit	Yes/no limit
MN	60 days prior to exam	Indef	Bd rules	Pass/Fail, Raw Score	Pass/Fail, Raw	No limit	No
MS	Jan 15, July 15	Indef	N/A	Converted Score	Converted	No limit	Yes/1
MO	45 days prior to exam	Indef			Pass/Fail, Converted	No limit	N

FUNDAMENTALS OF ENGINEERING EXAMINATION							
Question	46	47	48	49	50	51	52
State	Cut-off Date For Application	FE Results Valid	Report Covered	Method of Score Report	FE Results Reported	Max # Permit Sit for Exam	Permit Review Exam
MT	Feb 15, Aug 15	Indef		Converted Score	Converted	3	Yes/1
NEPE	Feb 1	Indef	Juris	Pass/Fail	Pass/Fail	No limit	Yes
NV	75 days prior Jan 28, Apr 15	Indef	Bd rules	All	All	No limit	Yes/2 hrs
NHPE	Feb 1, Sept 10	Indef	N/A	Converted Score	Converted	No limit	Yes
NJ		Indef		Converted Score	Converted	No limit	Yes/1
NM	56 days prior to exam	Indef	N/A	All	Pass/Fail	3	Yes/1
NY	Nov 1, May 1	Indef	Both	Converted Score	Converted	No limit	No
NC	Jan 2, Aug 1	Indef	Bd rules		Pass/Fail	No limit	No
ND	Jan 1, July 1	Indef	Bd rules	Converted Score	Converted	No limit	Yes/1
NMI	Jan 1, July 1	Indef	Bd rules	Pass/Fail	Pass/Fail	No limit	NCEES
OH	90 days prior to exam	Indef	Bd rules	All	Converted	No limit	Yes/90 days
OK	Feb 15, Sept 15	Indef	Bd rules		Converted	No limit	Yes/1
OR	Jan 5, July 1	Indef	Bd rules	All	Pass/Fail	No limit	Yes/1
PA	Dec 1, July 1	Indef	Neither	All	Converted	No limit	Yes
PR							
RIPE	90 days prior to exam	12 yrs	Bd rules	Pass/Fail	Pass/Fail	3	Yes/3
*SC		Indef			Raw	No limit	Yes
SD	Feb 15, Sept 15	Indef	Bd rules	All	Converted	No limit	Yes/no limit
TNPE	Jan 15, Aug 1	Indef	Bd rules	Converted Score	Converted	No limit	Yes
TXPE	50 days prior to exam	Indef		Converted Score	Converted	No limit	No
UT	Feb 11, Aug 25	N/A	N/A	All	Pass/Fail, Converted	No limit	No
VTPE	90 days prior to exam	Indef		Converted Score	Converted	No limit	No
VA	120 days to exam	Indef	Bd rules	Converted Score	Converted	No limit	No
VI							
WA	120 days to exam	Indef	Bd rules	Raw Score, Fail only	Raw Score, Fail	No limit	Yes/1
WVPE	60 days to exam date	12 yrs	Both	Converted Score	Converted	No limit	Yes/no limit
WI	60 days	Indef	No	Converted Score	Converted	No limit	Yes/1
WY	Jan 1, July 1	Indef	Bd rules	Pass/Fail	Pass/Fail	No limit	Yes/1

FUNDAMENTALS OF ENGINEERING EXAMINATION						
Question	53	54	55	56	57	58
State	Reviewable Material	Permit Appeal Exam	Jurisdiction Grant Waiver	Covered in Statute or Rules	FE Exam Used as an Exit/outcome Exam	Req'd Pass
AL	Ans sht/Booklet	Yes	No	Juris	Yes	No
AK	Ans sht/Booklet	Yes	Yes, 20 yrs exp	Bd rules	Yes, UAF	No
AZ		Yes	Yes, 12 yrs exp, 4 yes edu	Bd rules		
AR	Ans sht/Booklet	No	Yes, 15 yrs exp, PhD	Juris	No	
CA		No	Yes, 15-17 yrs exp	Both		No
CO		No	Yes, 16 yrs exp, 4 yr Eng degree	Juris	Yes	No
CT						
DEPE	All	No	Yes, 20 yrs exp or PhD, Eng degree	Juris	No	
DC	Ans sht/Booklet	Yes	No	Bd rules		No
FLPE	All	Yes	15 yrs to 20 yrs exp, Ph D	Juris	Unknown	
GA		No	Yes, 16 yrs exp, BS Eng or related sci	Both	Yes, Univ of GA, Mercer	No
GU		No	No	Both	No	
HI	Booklet	Yes	No	Bd rules	No	N/A
ID	Ans sht/Booklet	No	Yes, 25 yrs exp	Juris		N/A
*ILPE		No	No	Both	Not Sure	
ILSE						
INPE	Ans sht/Booklet	Yes	No	Both	No	N/A
IA	All	Yes	Yes, 25 yrs exp, PhD	Both	No	N/A
KS	N/A	No	No	Both	Unknown	N/A
KY	All	No	No	Juris	No	
LA	Ans sht/Booklet	Yes	Yes, PhD		Bd rules	N/A
MEPE	All	Yes	Yes, 11 yrs exp & 4 yrs edu or 15 yrs exp	Both	No	
MDPE	All	Yes	Yes, 12 yrs exp	Both	Unknown	
*MA		No	Yes, 20 yrs	Bd rules	No	
MIPE	All	Yes	Yes, 5 yrs or PhD in Eng	No	No	
MN	N/A	Yes	Yes, 20 yrs + educ or PhD	Bd rules	No	
MS	All	No	No	Both	Yes, Ole Miss	Yes
MO	N/A	No	No	Both	Yes, Univ of MO -Rolla	No

FUNDAMENTALS OF ENGINEERING EXAMINATION

Question	53	54	55	56	57	58
	Reviewable	Permit	Jurisdiction Grant	Covered	FE Exam	Req'd
State	Material	Appeal	Waiver	in Statute	Used as an	Pass
		Exam		or Rules	Exit/outcome Exam	
MT	All	No	Yes, 20 yrs, Ph D	Both	Yes, MT State Univ	No
NEPE	All	Yes	No	Juris	No	
NV	All	No	Yes, 15 yrs exp, ABET B/S	Both	Yes	No
NHPE	All	Yes	Yes, 10 yrs exp, ABET	Both	No	
NJ	Ans sht	Yes	Yes, 15 yrs	Bd rules	No	
NM	All	No	No	Juris	Yes, NMMI & NMSU	No
NY		No	Yes, 15 yrs	Both	No	
NC		Yes	Yes, 20yrs	Both	No	
ND	All	Yes	No	Bd rules	No	No
NMI	NCEES	NCEES	Yes	Bd rules		N/A
OH	All	Yes	No	Juris	No	
OK	All	Yes	No	Bd rules	No	
OR	All	No	No	Juris	No	
PA	Ans sht	No	No	Juris	Yes, Gannon University	Yes
PR						
RIPE	Ans sht, Temp	Yes	Yes, 12 yrs exp, ABET	Juris	No	
*SC		No	Yes, 15 yrs	Both	No	N/A
SD	All	No	No	Bd rules	No	
TNPE	Ans sht	Yes	Yes, 12 yrs exp	Both	Unknown	Unknown
IXPE		No	Yes, 16 yrs exp, Ph D	Bd rules	No	
UT	N/A	Yes	Exp	Juris	Yes, Univ of Utah	By Dept
VTPE		No	Yes, 16 yrs exp	Both	No	No
VA	None	No	Yes, 20 yrs exp or PhD, Eng degree	Bd rules	No	
VI						
WA	Ans sht/Booklet	N	Yes, 12 yrs exp, ABET/EAC	Bd rules	No	
WVPE	Ans sht/Temp	Yes	No	Both	No	N/A
WI	All	Yes	Yes, 12 yrs exp	Bd rules	No	
WY	Ans sht/Booklet	Yes	Yes, 20 yrs exp, ABET	Both	No	N/A

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION												
Question	59	60	61		62		63		64		65	66
State	Terms Res	Res Req'ment	EAC/ABET Degree		TAC/ABET Degree		Non-ABET Degree		No Degree		Eval of Foreign Degree	Emi Clause
			Exam	Exp	Exam	Exp	Exam	Exp	Exam	Exp		
AL	All	No	16	4	16	8	16	8	No Provision		Yes	No
AK	Eng, PE	No	8	4	8	5	8	6	8	12	Yes	No
AZ	PE	No	8	4	8		8		8	8	Yes	
AR	All	No	16	4	16	5	16	4	16	8	Yes	No
CA	Eng, PE	No	8	2	8	4	8	4-6	8	6	Yes	No
CO	Variations, PE	No	16	4	16	6	16	6	16	12	Yes	No
CT												
DEPE	All	No	16	4	16	8	16	8	16	20	Yes	No
DC	All	No	16	4	16	4	16	4	16	12	Yes	No
FLPE	PE	No	2	4	No Provision		Proof		No Provision		Yes	No
GA	All	No	16	4	16	7	16	7	16	15	Yes	No
GU	All	No	16	4	16	4	16	8	16	12	Yes	No
HI	Eng, PE	No	16	4	16	8	16	4	16	12	Yes	No
ID	All	Yes	16	4	16	6	16	8	16	8	Yes	No
*ILPE	All	No	16	4	No Provision		16	8	No Provision		Yes	Yes
INPE	PE	No		4-6		5-6	8	4-6	8	4-6	Yes	No
IA	PE	No	16	4	No Provision		16	5	No Provision		Yes	Yes
KS	Eng, PE	No	16	4	No Provision		N/A		N/A		Yes	No
KY	Eng, PE	No	8	4	No Provision		No Provision		No Provision		Yes	No
LA	All	No	16	4	0	0	16	8	No Provision		No	No
MEPE	PE	Yes	16	4	16	4	16	8	8	15	Yes	No
MDPE	PE	No	16	4	8	12	16	8		12	Yes	No
*MA		No	16	4			16	8	16	12	Yes	Yes
MIPE	PE	No	16	4+BS	No Provision		16	4+BS	No Provision		Yes	No
MN	Eng, PE	No	8	4	8	4	8	4	No Provision		Yes	No
MS	All	Yes	8	4	No Provision		Proof		No Provision		Yes	No
MO	All	No	NCEES		N/A		NCEES	4	N/A		Yes	Yes

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION												
Question	59	60	61		62		63		64		65	66
	Terms Res	Res Req'ment	EAC/ABET Degree		TAC/ABET Degree		Non-ABET Degree		No Degree		Eval of Foreign Degree	Emi Clause
State			Exam	Exp	Exam	Exp	Exam	Exp	Exam	Exp		
MT	PE	No	8	4	8	4	8	8	No Provision		Yes	No
NEPE	PE	No	16	4	16	6	16	12	16	12	Yes	No
NV	All	Yes	8	4	8	6	8	6	8	10	No	No
NHPE	All	No	16	4	16	8	16	8	8	25	Yes	No
NJ	Eng, PE	No	16	4	16	6	16	4	No Provision		Yes	No
NM	All	No	16	4	16	6	16	4	No Provision		Yes	No
NY	PE	No	16	4	16	6	16	6	16	12	Yes	No
NC	All	Yes	16	4	16	8	16	8	16	12	Yes	No
ND	All	No	8	4	8	20	8	8	8	20	Yes	No
NMI	All	No	16	2	16	12	16	8	16	12	Yes	No
OH	All	No	16	4	16	8	16	8	No Provision		No	Yes
OK	All	Yes	16	4	16	6	16	6	No Provision		Yes	No
OR	All	No	16	4	16	10	16	12	16	12	Yes	No
PA	All	No	8	4	8	4	8	4	8	4	Yes	No
PR												
RIPE	Eng, PE	No	8-16	4	16	4	16	6	No Provision		Yes	No
*SC	"Eng", PE	Yes	16	4	16	8	16	8	No Provision		Yes	No
SD	PE	No	8	4	8	5	8	6	No Provision		Yes	No
TNPE	All	Yes	8	4			8	4	No Provision		Yes	No
TXPE	All	Yes	16	4	16	8	16	8	No Provision		Yes	No
UT	PE	No	8	4	N/A		No Provision		No Provision		Yes	No
VTPE	PE	No	8	4	8	8	8	6	8	12	Yes w/<12yrs ex	No
VA	PE	No	8	4	8	6	8	6	8	10	Yes	No
VI												
WA	Variations	No	16	4	16	5	16	8	16	8	Yes	No
WVPE	All	Yes	16	4	16	6	No Provision		No Provision		Yes	Yes
WI	All	No	16	4	16	5	16	Varies	16	8	Yes	Yes
WY	PE	No	16	4	No Provision		Proof		No Provision		Yes	No

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION					
Question	67	68	69	70	71
State	Lg Est Prac Yrs Nec	Lic as PE or Disc	NCEES Examinations Administered	Non-NCEES Examinations	Report Covered
AL	No	PE	All	N/A	Bd rules
AK	No	Disc	Chem, Civ, Elec, Mech, M/M, Pet	Juris Statute	
AZ	Yes, 10 yrs	PE	All except SD		Bd rules
AR	No	PE	All		Bd rules
CA	No	Disc	All except Env, Struc I&II, SD	All	Both
CO	No	PE	All		Neither
CT					
DEPE	Yes, 20 yrs	PE	All	N/A	No
DC	No	Disc	All except CS, Env, Struc II, SD		Bd rules
FLPE	Yes, 25 yrs	PE	All	None	Bd rules
GA	No	PE	All	Juris Statute	Bd rules
GU	No	Both	Chem, Civ, Elec, Mech, Struc I&II	Non-NCEES, Civil	Bd rules
HI	No	Disc	Ag,Chem,Civ,Elec,Ind,Mech,Struct I&II	N/A	Bd rules
ID	Yes, 25 yrs	PE	All	Juris Statute/Ethics/Geological	Bd rules
*ILPE	No	PE	All		
INPE	No	PE	All except Struc II	Juris statute	None
IA		Both	All except Struc II & SD	Ethics/LS	Both
KS	No	PE	All except Structural II	N/A	Bd rules
KY	No	PE	All except SD		
LA	No	Disc	All	Juris statute	Bd rules
MEPE	No	PE	All		Bd rules
MDPE		PE	All except Struc II, SD	None	Juris
*MA	Yes, 20 yrs	Disc	All except Structural II	N/A	
MIPE	No	PE	All except Pet, Struc I&II, SD	None	No
MN	No	PE	All	Non-NCEES, Geo	Bd rules
MS	No	PE	All		N/A
MO	No	PE	All	N/A	

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION					
Question	67	68	69	70	71
State	Lg Est Prac Yrs Nec	Lic as PE or Disc	NCEES Examinations Administered	Non-NCEES Examinations	Report Covered
MT	Yes, 20+	PE	All except Struct I & II, SD	Juris statute	No
NEPE	Yes, 15 yrs	Disc	All	Juris statute	Juris
NV	No	Disc	All except Ag, CS, Nuclear, SD	Juris statute, Geological	Bd rules
NHPE	No	PE	All	None	N/A
NJ	No	PE	Chem, Civ, Elec, Mech	Ethics/conduct	Bd rules
NM	No	PE	All except CS, Man, Struc II, SD	N/A	N/A
NY	No	PE	All		Both
NC	No	PE	All	Juris statute	Bd rules
ND	No	PE	All	None	Bd rules
NMI	Yes, 12 yrs	Disc	All	Non-NCEES	Bd rules
OH	No	PE	All	Juris, Non-NCEES	Bd rules
OK	No	PE	All	Juris statute for LS only	No
OR	No	PE	All except M/M, SD	All	Both
PA	No	PE	All		N/A
PR					
RIPE	No	Disc	Chem, Civ, Elec, Env, Mech, Struc I		Juris
*SC	No	PE	All except Structural II	Juris statute, Ceramics	
SD	No	PE	All	Juris statute, Ethics	Bd rules
TNPE	Yes, 12 yrs	PE	All		Bd rules
TXPE	No	PE	All	Ethics/conduct	
UT	No	PE	All	Juris statute	N/A
VTPE	No	Disc	All		
VA	No	PE	All	N/A	Bd rules
VI					
WA	No	PE	All	Juris statute, Ethics	Bd rules
WVPE	No	PE	All	None	Both
WI	Yes, 12 yrs	PE	All	N/A	N/A
WY	No	PE	All		Bd rules

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION						
Question	72	73	74	75	76	77
State	Reporting Allowed	PE Results Reported	Max # Permitted Sit for Exam	Req'd to Obtain More Educ.	Comity Apps Disc Other Than Bd Offers	Proc Exams For Other Juris/Fee
AL	Pass/Fail, Converted, Raw	Pass, Converted	No limit	Yes	Yes	Yes
AK	Pass/Fail, Converted, Raw	Converted, Raw	5	No	Yes	Yes/Yes, \$50
AZ	Converted Score	Converted	No limit	No	Yes	Yes
AR	Pass/Fail	Pass/Fail, Converted	6	Yes	Yes	Yes/No
CA	Pass/Fail, Converted	Raw	No limit	No	No	No
CO	All	All	No limit	No	Yes	Yes/No
CT						
DEPE		Converted	No limit	No	N/A	Yes/No
DC	All	All	No limit	No	No	No
FLPE	Converted Score	Converted	5	Yes	No	Yes/No
GA	Converted Score	Converted	4	Yes	Yes	Yes/Yes
GU	Pass, Converted	Pass, Converted	No limit	No	No	Yes/Yes
HI	All	Pass/Fail	No limit	No	No	Yes/Yes,\$50
ID	Converted Score	Converted Score	3	No	Yes	Yes/No
*ILPE		Pass/Fail	3	No	Yes	Yes/No
INPE	Converted, Raw	Converted, Raw	2	Yes	Yes	Yes/Yes, \$50
IA	Pass/Fail	Pass/Fail	No limit	Yes, after 2 fails	Yes	Yes/No
KS	Pass/Fail, Converted, Other	Converted Score	No limit	No	Yes	Yes/Yes, \$100
KY	Raw Score	Raw	No limit	No	Yes	Yes
LA	All	Pass/Fail	No limit	No	Yes	Yes/No
MEPE	Converted Score	Converted	3	No	Yes	Yes/Yes, \$10
MDPE	Converted Score	Converted	3	No	Yes	No
*MA		Converted	2	Yes, individual	Yes	Yes
MIPE	Pass, Converted	Pass, Converted	No limit	No	Yes	No
MN	All	Pass/Fail, Converted	No limit	No	Yes	Yes/Yes, \$25
MS	Converted Score	Converted	No limit	No	Yes	Yes/Yes, \$25
MO		Pass/Fail, Converted	No limit	No	Yes	Yes/No

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

Question	72	73	74	75	76	77
State	Reporting Allowed	PE Results Reported	Max # Permitted Sit for Exam	Req'd to Obtain More Educ.	Comity Apps Disc Other Than Bd Offers	Proc Exams For Other Juris/Fee
MT	Converted, Raw	Converted	3	No	Yes	Yes/No
NEPE	Pass/Fail	Pass/Fail	No limit	Yes, 2 Bd discretion	No	Yes/Yes
NV	All	All	No limit	No	No	Yes/Yes
NHPE	Converted Score	Converted	No limit	No	Yes	Yes/No
NJ	Converted Score	Converted	No limit	No	Yes	No
NM	All	Pass/Fail	3	Yes	No	Yes/Yes
NY	Converted, Raw	Converted, Raw	No limit	No	Yes	No
NC	Pass/fail	Pass/Fail	No limit	Yes, after 3 fails	No	Yes/No
ND	Converted Score	Converted	No limit	No	Yes	Yes/No
NMI	Pass/Fail	Pass/Fail	No limit	No	No	No
OH	All	Converted	No limit	No	Yes	Yes/No
OK	Converted Score	Converted	No limit	No	Yes	Yes/Yes
OR	All	Converted	No limit	Yes, after 3 times	Yes	Yes/No
PA	All	Converted	No limit	No	Yes	Yes/Yes
PR						
RIPE	Pass/Fail	Pass/Fail	3	Yes, after 3 fails	No	No
*SC		Raw	No limit	No	No	No
SD	All	Converted	No limit	No	Yes	Yes/Yes
TNPE	Converted Score	Converted	No limit	No	Yes	Yes/Yes
TXPE	Converted Score	Converted	4	No	No	Yes/No
UT	All	Pass/Fail, Converted	No limit	No	Certain conditions	Yes/No
VTPE	Pass/Fail, Converted	Converted	No Limit	No	Yes	Yes
VA	Converted Score	Converted	No limit	No	No	Yes
VI						
WA	Raw Score, Fail only	Raw, Fail only	No limit	No	Yes	Yes/No
WVPE	Converted Score	Converted	No limit	Yes, after 2 fails	No	No
WI	N/A	N/A	No limit	No	Yes	Yes/Yes
WY	Pass/Fail	Pass/Fail	No limit	No	No	Yes/Yes

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION						
Question	78	79	80	81	82	83
State	Rev Failed Exam	Rev Mat	App Exam Res	Entities Req'd License to Practice	Acc Deg Equiv to EAC	Acc Deg Equiv to TAC
AL	Yes/1	Ans sht, Booklet, Solution	Yes	All	All	None
AK	Yes/1	Ans sht, Booklet, Solution	Yes	Gen Business	Accord	Accord
AZ			Yes	All		
AR	Yes/1	Ans sht, Booklet, Solution	Yes	Other	CEAB	CEAB
CA	Yes/no limit	Booklet	Yes	None	None	None
CO	Yes/1	Exam, Solution	Yes	N/A	CEAB, Accord	CEAB, Accord
CT						
DEPE	Yes/no limit	All	Yes	All	CEAB	CEAB
DC	Yes/1	Ans sht, Template	Yes	Prof Corp	All	
FLPE	Yes	All	Yes		None	None
GA	No	All	No	All	CEAB	CEAB
GU	Yes	Booklet, Solution	Yes	All	CEAB, Accord	CEAB, Accord
HI	Yes/2	Booklet	Yes	None	CEAB, Accord	CEAB, Accord
ID	Yes/1	Ans sht, Booklet, Solution	Yes	Prof Corp, Gen Business	CEAB, Accord	CEAB, Accord
*ILPE	No		No	All	CEAB	None
INPE	Yes/1	Ans sht, Booklet	Yes	No requirement	None	None
IA	Yes/1	All	Yes	N/A	CEAB, Accord	None
KS	Yes/1	Solution	Yes	Prof Corp, Gen Business	All	N/A
KY	Yes/1	All	Yes	All	CEAB, Accord	None
LA	Yes/no limit	Ans sht, Booklet	Yes	All	All	None
MEPE	Yes	All	Yes		CEAB, Accord	CEAB, Accord
MDPE	Yes	Ans sht, Temp, Booklet	Yes	None		N/A
*MA	No		No	N/A	CEAB, Accord	Accord
MIPE	Yes/no limit	All	Yes	Other	CEAB, Other	N/A
MN	Yes/1 portion	Booklet, Solution	Yes	Prof Corp	CEAB, Accord	None
MS	Yes/1	All	Yes	Lic indiv only	CEAB, Accord, FEEEP	None
MO	Yes/no limit	Ans sht, Booklet, Solution	Yes	Prof Corp, Gen Bus, Limit Co	CEAB	N/A

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

Question	78	79	80	81	82	83
State	Rev Failed Exam	Rev Mat	App Exam Res	Entities Req'd License to Practice	Acc Deg Equiv to EAC	Acc Deg Equiv to TAC
MT	Yes/1-3	All	Yes	All	CEAB, Accord	CEAB, Accord
NEPE	Yes/most recent	All	Yes	All	CEAB, Accord	
NV	Yes/2 hrs	Ans sht/Booklet/Solution	Yes		CEAB, FEEEP	Accord, FEEEP
NHPE	Yes/No limit	All	Yes	All	CEAB, Accord	None
NJ	Yes/1	Ans sht/Booklet	Yes	Gen Business, Limit Co	CEAB, Accord	CEAB, Accord
NM	Yes/1	Ans sht/Temp/Solution	Yes	N/A	CEAB, Accord	
NY	Yes/1	Ans sht/Solution	Yes	Prof Corp, Limit Co	CEAB, Accord	CEAB, Accord
NC	Yes/after ea exam	All	Yes	All	Accord	Accord
ND	Yes/1	All	Yes	Gen Business, Reg Partnership	CEAB, Accord	CEAB, Accord
NMI	NCEES	NCEES	NCEES	All	CEAB	None
OH	Yes/90 days	All	Yes	All	CEAB, Accord	CEAB, Accord
OK	Yes/1	All	Yes	All	CEAB, Accord	Other
OR	Yes/1	All	Yes		CEAB, Accord	None
PA	Yes	Booklet, Solution		Prof Corp, Gen Business	CEAB	CEAB
PR						
RIPE	Yes/3	All	Yes	Prof Corp, Gen Business	CEAB, Accord	CEAB, Accord
*SC	Yes		Yes	All	CEAB, Accord	None
SD	Yes/after ea exam	All	Yes	All	CEAB, Accord	CEAB, Accord
TNPE	Yes	Ans sht/Booklet/Solution	Yes	All	None	N/A
TXPE	Yes	Booklet, Solution	Yes	Other	CEAB, Accord, FEEEP, Other	None
UT	No	N/A	Yes	N/A	CEAB	N/A
VTPE	No	All	Yes		CEAB, Accord, FEEEP	CEAB, Accord, FEEEP
VA	Yes/2	All	Yes	All	CEAB, Accord	CEAB, Accord
VI						
WA	Yes/1	Ans sht/Booklet/Solution	Yes	Gen Business, Limit Partner	CEAB, Accord, FEEEP, Other	CEAB, Accord
WVPE	Yes/No limit	Ans sht/Temp/Booklet	Yes	Prof Corp, Limit Co, Limit Partner	CEAB, Accord	CEAB, Accord
WI	Yes/1	Ans sht/Temp/Booklet	Yes	Prof Corp, Other	CEAB	CEAB
WY	Yes/1	Ans sht/Booklet/Solution	Yes	Prof Corp, Gen, Limit Co	CEAB, Accord	None

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

Question	84a	84b	85	86	87	88
	Req'ments For Lic By Comity	Req'ments Includes	CPC Status	Juris CPC Program NCEES Model/ Juris CPC/Strict	Qualify CPC Courses	Benefits Accrued From CPC
AL	Present	Educ/Exp/Exam	Mandatory	Close/Strict	Do not qualify	
AK	Orig	Educ/Exp/Exam	Not in near future	N/A	N/A	N/A
AZ	Orig	Educ/Exp/Exam	Not in near future			
AR	Present	Educ/Exp/Exam	Mandatory	Close/Strict	Do not qualify	Only 1 yr of experience
CA	Present	Educ/Exp/Exam	Studying			
CO	Other	Educ/Exp/Exam	Not in near future	N/A	N/A	N/A
CT						
DEPE	Orig, Other	Educ/Exp/Exam	Voluntary			
DC	Present	Educ/Exp/Exam	Not in near future			
FLPE	Orig	Educ/Exp/Exam	Mandatory 5 yrs			
GA	Present	Educ/Exp/Exam	Mandatory	Close/Strict	Do not qualify	
GU	Present, Orig	Educ/Exp/Exam	Mandatory 5 yrs	Close		
HI	Present	Educ/Exp/Exam	Mandatory 5 yrs	N/A	N/A	N/A
ID	Orig	Educ/Exp/Exam	LS/Man, PE/not in near future	Close/Strict	Do not qualify	Too Early to tell
*ILPE	Orig	Educ/Exp/Exam	Studying			
INPE	Present	Educ/Exp/Exam	Not in near future	N/A	N/A	N/A
IA	Present, Orig	Educ/Exp/Exam	Mandatory	Other	Do not qualify	All
KS	Orig		Mandatory	Close/Strict	Do not qualify	Too Early to tell
KY	Orig		Studying	Strict	Pre-qualify	Increased quality, Fewer violations
LA	Orig	Educ/Exp/Exam	Mandatory	Close/regardless	Do not qualify	Too Early to tell
MEPE	Present	Educ/Exp/Exam	Voluntary			
MDPE	Present, Orig	Educ/Exp/Exam	Not in near future	N/A	N/A	N/A
*MA	Present	Educ/Exp/Exam	Not in near future			
MIPE	Orig	Educ/Exp/Exam	Not in near future			
MN	Orig	Educ/Exp/Exam	Mandatory	Strict	Do not qualify	Unknown
MS	Present	Educ/Exp/Exam	Studying			
MO	Orig, Other	Educ/Exp/Exam	Mand LS, Mand 5 yr PE & Arch	Strict	Pre-qualify, qualify	Increased quality

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

Question	84a	84b	85	86	87	88
	Req'ments For Lic By Comity	Req'ments Includes	CPC Status	Juris CPC Program NCEES Model/ Juris CPC/Strict	Qualify CPC Courses	Benefits Accrued From CPC
MT	Orig	Educ/Exp/Exam	Mandatory			Yet to be determined
NEPE	Orig	Educ/Exp/Exam	Voluntary, Mand 5 yrs			
NV	Present	Educ/Exp/Exam	Mandatory	Close/Regardless	Do not qualify	
NHPE	Present	Educ/Exp/Exam	Mandatory	Close/Regardless	Do not qualify	Yet to be determined
NJ	Orig	Educ/Exp/Exam	Not in near future			
NM	Orig	Educ/Exp/Exam	Mandatory	Close/Strict	Do not qualify	No effective means of measurement
NY	Present, Orig	Educ/Exp/Exam	Studying			
NC	Orig		Mandatory	Close/Strict	Do not qualify	
ND	Present	Educ/Exp/Exam	Not in near future	N/A	N/A	N/A
NMI	Orig	Educ/Exp/Exam	Studying	N/A	N/A	N/A
OH	Orig	Educ/Exp/Exam	Not in near future	N/A	N/A	N/A
OK	Orig	Educ/Exp/Exam	Mandatory	Close/Regardless	Pre, Do not qualify, Other	Yet to be determined
OR	Orig	Educ/Exp/Exam	Mandatory	Close/Regardless	Do not qualify	Unknown
PA	Orig	Educ/Exp/Exam	Not in near future			
PR						
RIPE	Present		Studying	N/A	N/A	N/A
*SC	Present	Educ/Exp/Exam	Mandatory	Close/Strict	Do not qualify	
SD	Orig	Educ/Exp/Exam	Mandatory	Close/Regardless	Do not qualify	Fewer complaints, Incr quality
TNPE	None	Educ/Exp/Exam	Mandatory	Close/Strict	Do not qualify	
TXPE	Present	Educ/Exp/Exam	Voluntary			
UT	Orig		Not in near future	N/A	N/A	N/A
VTPE	Present	Educ/Exp/Exam	Not in near future			
VA	Orig	Educ/Exp/Exam	Not in near future			N/A
VI						
WA	Present	Educ/Exp/Exam	Not in near future			
WVPE	Present	Educ/Exp/Exam	Mandatory	NCEES Model	Do not qualify	w complaints, Inc quality, Few violatio
WI	Present	Educ/Exp/Exam	Not in near future			
WY	Orig	Educ/Exp/Exam	Mandatory			Few complaints, Inc quality, Few violatio

Question	89	90	91	LICENSING EXEMPTIONS		
State	Side Effects From CPC	Policy For Reins Of Exp Lic	Emp Of PE	Temp Prac Non-Res New Res	Emp of Pub Util Pub Tran	Man Scient Resch
AL	Lower license renewal rate	4 yrs	Yes	No	Yes	No
AK	N/A	5 yrs	Yes	No	Yes	Yes
AZ		3 yrs	Yes	No	Yes	Yes
AR	Lower lic renewal, Problems qualifying	1 yr	No	Yes	No	No
CA		3 yrs	Yes	No	Yes	No
CO	N/A	2 yrs	Yes	No	No	Yes
CT						
DEPE		10 yrs				
DC						
FLPE			Yes	Yes	Yes	Yes
GA		4 yrs	Yes	Yes	Yes	Yes
GU		10	No	No	No	No
HI	N/A	2 yrs	Yes	No	No	No
ID	Too Early to tell	Unlimited	Yes	Yes	No	Yes
*ILPE		5 yrs or less	Yes	No	Yes	Yes
INPE	N/A			No	Yes	Yes
IA	Other	Unlimited	No	Yes	No	Yes
KS	Too Early to tell	N/A	Yes	No	No	No
KY	Increased membership	2				
LA	Too Early to tell	Unlimited	Yes	Yes	Yes	Yes
MEPE		3	Yes	Yes	No	
MDPE	N/A		Yes	Yes		Yes
*MA		2 yrs	Yes	No	Yes	Yes
MIPE		3 yrs	Yes	No	No	Yes
MN	Unknown	2 yrs	Yes	No	No	No
MS		2 yrs	Yes	No	Yes	Yes
MO	No study performed	1 yr	Yes	No	No	Yes

Question	89	90	91	LICENSING EXEMPTIONS		
	Side Effects From CPC	Policy For Reins Of Exp Lic	Emp Of PE	Temp Prac Non-Res New Res	Emp of Pub Util Pub Tran	Man Scient Resch
	State					
MT	Yet to be determined	1 yr	Yes	No	No	No
NEPE			Yes	Yes	No	No
NV	Lower license renewal	6 months	Yes		Yes	
NHPE	Yet to be determined	12 months	Yes	Yes	No	No
NJ		0				
NM	Increased Membership	1 yr	Yes	No	No	Yes
NY		Indef	Yes	Yes	Yes	No
NC	Problems tracking credits & Increased membership	1 yr	Yes	Yes	Yes	Yes
ND	N/A	5 yrs	Yes	No	Yes	Yes
NMI	N/A	1 yr	No	No	Yes	No
OH	N/A	1 yr	No	Yes	Yes	Yes
OK	Lower lic renew, Other	90 days				
OR	Lower lic renew, Increased Membership, Other	5 yrs	Yes	No	No	Yes
PA		Indef	Yes	Yes	Yes	Yes
PR						
RIPE	N/A	3 yrs	Yes	Yes	Yes	Yes
*SC		2 yrs		Yes	Yes	
SD	Lower lic renew, Prob track CPC, Prob Ident qualify	3 yrs	Yes	No	Yes	Yes
TNPE	Others	6 months	Yes	No	Yes	Yes
TXPE		2 yrs	Yes	No	No	Yes
UT	N/A	2 yrs	Yes	No	Varies	Varies
VTPE		5 yrs	Yes	No	Yes	Yes
VA	N/A	6 months	Yes	Yes	Yes	Yes
VI						
WA		Indef	Yes	Yes	No	No
WVPE	Lower renewal, Inc. membership	90 days	Yes	No	No	No
WI		5 yrs	Yes	Yes	Yes	
WY	Increased Membership	2 yrs	Yes	No	Yes	Yes

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION

Question	LICENSING EXEMPTIONS							
State	Officer/ Emp US Gvt	Indus/ Man Firm	Work Incdttl to Ar, LS Contracting	Misc Bldg	Emp Juris Govt	Expert Witness	Academia	Other
AL	Yes	No	Yes	No	No	No	No	
AK	Yes	Yes	Yes	Yes	No	No	Yes	
AZ	Yes	Yes	Yes	No	No	Yes	Yes	
AR	No	No	Yes	No	No	No	No	No
CA	Yes	Yes	No	No	No	Yes	No	
CO	Yes	Yes	No	No	Yes	Yes	No	
CT								
DEPE		Yes	Yes					
DC	Yes		Yes		No		No	
FLPE	Yes	Yes	Yes	Yes	Yes	No	Yes	
GA	Yes	Yes	Yes	No	No	No	No	
GU	No	No	No	No	No	No	No	
HI	Yes	No	Yes	No	No	No	Yes	
ID	No	Yes	No	No	No	No	No	
*ILPE	Yes	Yes	No	No	No	No	No	
INPE	Yes	Yes	Yes		Yes	Yes	Yes	
IA	Yes	Yes	No	No	No	No	No	
KS	No	No	No	No	No	No	No	
KY								
LA	Yes	Yes	Yes	No	No	No	No	
MEPE	Yes	Yes	No	No	No	No	No	
MDPE	Yes	Yes	No	No	No	No	No	
*MA	Yes	Yes	Yes	No	No	No	Yes	
MIPE	Yes	Yes	Yes	No	No	No	No	
MN	Yes	No	No	No	No	No	No	No
MS	Yes	Yes	No	No	No	No	No	
MO	No	Yes	Yes	No	No	No	No	

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION								
Question	LICENSING EXEMPTIONS							
State	Officer/ Emp US Gvt	Indus/ Man Firm	Work Incdtl to Ar, LS Contracting	Misc Bldg	Emp Juris Govt	Expert Witness	Academia	Other
MT	No		Yes	No	No	No		
MIPE	No	No	No	No	No	No	Yes	
NV	Yes					Yes	Yes	
NIPE	Yes	No	No	No	No	No	No	
NJ								
NM	No	Yes	Yes	No	No	No	No	
NY	No	Yes	Yes	No	No	No	No	
NC	Yes	Yes	No	No	Yes	No	No	
ND	Yes	Yes	No	Yes	Yes	Yes	Yes	
NMI	Yes	No	No	No	Yes	No	No	
OH	Yes	Yes	Yes	No	No	No	No	
OK								
OR	No	Yes	Yes	No	No	Yes	No	
PA	Yes	Yes	Yes		No	No	No	
PR								
RIPE	Yes	Yes	Yes	No	No	Yes	Yes	
*SC	Yes		Yes	Yes				
SD	Yes	Yes	Yes	Yes	Yes	Yes	Yes	
TNPE	Yes	Yes			Yes	Yes	Yes	
TXPE	Yes	Yes	No	No	No	No	No	
UT	Varies	Varies	Varies	Varies	Varies	No	No	
VTPE	Yes	Yes	No	Yes	Yes	No	No	
VA	Yes	Yes	Yes	Yes	Yes	No	No	
VI								
WA	Yes	Yes	No	No	No	No	No	
WVPE	No	No	No	No	No	No	No	
WI	Yes						Yes	
WY	Yes	Yes	No	No	No	Yes	No	

	LAND SURVEYING EXAMINATIONS							
Question	92		93			94		
	Requirements		Requirements			Requirements		
State	FLS Exam		for RAC/ABET			for non RAC/ABET		
	Educ	Exp	Exam	Exp	LS Crs	Exam	Exp	LS Crs
AL	LS degree	0	16	4	30	16	6	15 sem
AK			16	4		16	4	
AZ	4 yrs of educ and/or exp			4				
AR	LS degree	4	16	2		16	2	
CA	None	6	8	6		8	6	
CO	4 yr degree, No degree	0, 2	15 1/2	2		15 1/2	4	
CT								
DELS			N/A	N/A	N/A	N/A	N/A	N/A
DC								
FLLS	Last yr of sch		19 45	4	32 sem	19 45	4	25 sem
GA	0-4 yrs	0-4 yrs	22	4	20 qtr hrs	22	4	20 qtr hrs
GU	Senior or LS grad	Min 6	8/FLS,14/PLS	2		8/FLS,14/PLS	2	
HI	Approved degree	W/O Appr Degree	22	3		22	3	
ID	4, 2, <2	0, 3, 4	16	4	Unspecified	16	6	Unspecified
*ILLS	BS							
INLS	See 865 IAC-1-2-1		See 865 IAC-1-2-1			See 865 IAC-1-2-1		
IA	2 yrs	4 yrs	16	4	6	16	6	6
KS	8 yrs/Combination of Educ & Exp		15	4		15	8	
KY	Degree or Experience		16	4		16	4	
LA	BS + 30hrs	None	16	4	30	16	4	30
MELS	None	None	8	0	30	8	0	30
MDLS								
*MA	2 yr/4 yr	0-4 yrs						
MILS	BS LS or Equivalent		16	8	30	16	8	30
MN	W/in 3 mon of BS	3 yrs	8	3		8	3	
MS	62 hrs	3 yrs	8	3	9	16	7	
MO	Degree, 60 hrs, 12 hrs	No exp, 1 yr, 2 yr	NCEES	2	Min 12 sem	NCEES	2	Min 12 sem
MT	24 sem hrs w/in 4 yr degree		8/8	4		8/8	10 yrs	

	LAND SURVEYING EXAMINATIONS							
Question	92		93			94		
	Requirements		Requirements			Requirements		
State	FLS Exam		for RAC/ABET			for non RAC/ABET		
	Educ	Exp	Exam	Exp	LS Crs	Exam	Exp	LS Crs
NELS		4 yrs	8	2		8	2	
NV	90 credits	4 yrs	8	4		8	6	
NHLS	No Requirement		Review indiv Courses			Review indiv Courses		
NJ	4 yr LS degree		16	3				
NM	4 yr LS degree	4 yrs	16	4		16	4	
NY	HS	8 yrs	16	4		16	5	
NC	HS, BS, AAS	7 yrs, 2yrs,4yrs	16	2	45	16	2	45
ND	ABET, N-ABET, 2 yr LS	0, 4, 6	8	0	N/A	8	4	N/A
NMI	ABET 4 yrs		NCEES	4		NCEES	8	
OH	4 yr LS or EAC/ABET	4 yrs	16	4		N/A	N/A	N/A
OK	45 hrs		16	2	4 yrs	16	2	4 yrs
OR	ABET/RAC or EAC	8 yrs	16	4		16	12	
PA	2-4 yrs	6 yrs	16	4	10			
PR								
*RILS	0-4 yrs	3-12 yrs						
*SC	2 yrs	4						
SD	ABET 4 yrs	2 yr vo-tech	8			8		
*TNLS	High School	6 yrs						
TXLS			16	0	N/A	16	4	N/A
UT	Degree or 4 yrs	4 yrs	FLS & PLS	4	30	FLS & PLS	4	30
VTLS								
VA	0-4 yrs	0-10 yrs	6-8 yrs	0-4 yrs		6-8 yrs	1-4 yrs	
VI								
WA		4 yrs	16	varies		16	varies/min 8	
*WVLS	0-4 yrs	3-6 yrs						
WI	Info varies/Refer to Web Site		Info varies/Refer to Web Site			Info varies/Refer to Web Site		
WY	Assoc LS, BS Eng	4 yrs	16	4		16	4	30

				LAND SURVEYIN					
Question	95			96			97	98	
	Requirements for Lic W/Degree			Requirements for Lic w/out Degree			Proc Exams	Res Requirement	
State									
	Exam	Exp	LS Crs	Exam	Exp	LS Crs			
AL	16	8	0	16	8	0	Yes	No	
AK	16	6-8		16	8		Yes	No	
AZ				8 yrs educ and/or exp			Yes	No	
AR	16	4	9 hrs	16	6		Yes	No	
CA	8	6		8	6		No	No	
CO	15 1/2	6		15 1/2	10		Yes	No	
CT									
DELS	Varies	Varies	Varies	Varies	Varies	Varies	No	No	
DC									
FLLS	19.45	4	25 sem	N/A			No	No	
GA	22	6-8	20 qtr hrs	22	8	20 qtr hrs	Yes	No	
GU	8/FLS,14/PLS	8			12		Yes	No	
HI	22	7-11		22	11		Yes	No	
ID	16	5	Unspecified	16	8	Unspecified	Yes	Yes, Exams only	
*ILLS	8	4		8	4		Yes	No	
INLS	See 865 IAC-1-2-1			See 865 IAC-1-2-1			Yes	No	
IA	16	6	6	N/A	N/A	N/A	Yes	No	
KS	15	8	Evaluated	15	8	Evaluated	Yes	No	
KY	16	6		16	10		No	No	
LA	16	4	30	Not Eligible	Not Eligible	Not Eligible	Yes	No	
MELS	8	0	30	8	2	30	Yes	No	
MDLS							No	No	
*MA	16	8	60	16	12-20	60	Yes	No	
MILS	16	8	30	Not Accepted			No	No	
MN	8	3		8			Yes	No	
MS	16	7		16	7		Yes	Yes	
MO	NCEES	2	Min 12 sem	NCEES	1-2	Min 12 sem	Yes	No	
MT	8/8	2	27 sem	8/8	10+		Yes	No	

				LAND SURVEYING				
Question	95			96			97	98
State	Requirements for Lic W/Degree			Requirements for Lic w/out Degree			Proc Exams	Res Requirement
	Exam	Exp	LS Crs	Exam	Exp	LS Crs		
NELS	8	6		8	6		Yes	No
NV	8	8		8	10		Yes	Yes
NHLS	Review indiv Courses			17	6		Yes	No
NJ							No	No
NM	16	8					Yes	No
NY	16	6		16	8		No	No
NC	16	4	30	16	7	N/A	Yes	Yes
ND	8	6-8	N/A	8	6-8	N/A	Yes	No
NMI	NCEES	8		NCEES	12		No	No
OH	16	4	24	N/A	N/A	N/A	Yes	No
OK	16	4	4 yrs	16	9		Yes	Yes
OR	16	12		16	12		Yes	No
PA	16	4	10	16	10		Yes	No
PR								
*RILS	19	7-10		19	6-12		Yes	No
*SC	16	2	12	N/A	N/A	N/A	No	Yes
SD	8	2		8	11		Yes	No
*TNLS	16	4	36	16	10	0	No	No
TXLS	16	2	32	16	4	0	Yes	No
UT	FLS & PLS	4	30	FLS & PLS	8	0	Yes	No
VTLS								No
VA	6-8 yrs	2-4 yrs		6- 8 yrs	4		Yes	No
VI								
WA	16	varies/min 8		16	varies/min 8		Yes	No
*WVLS	16	4	10		8		Yes	No
WI	Info varies/Refer to Web Site			Info varies/Refer to Web Site			Yes	No
WY	No Provision			No Provision			Yes	No

	G EXAMINATIONS					
Question	99	100a	100b	101	102	103
State	Exams Req'd On Juris, Rules, PC, Standards	Requirements for Licensing By Comity	Requirements Includes	Lg Est Prac Yrs Nec	CPC for Renewal	Review Failed Exam
AL	All	Present	Educ/Exp/Exam	No	Yes, 15 hrs annual	Yes/1
AK	Juris, Bd rules, PC, Standard	Orig	Educ/Exp/Exam	No	No	Yes/1
AZ	All	Orig	Educ/Exp/Exam	Yes/10	No	Yes/No limit
AR	Juris statute	Present	Educ/Exp/Exam	No	Yes, 15 hrs	Yes/1
CA	Juris, Bd rules	N/A		No	NO	No
CO	All	Other	Educ/Exp/Exam	No	No	No
CT						
DELS	Juris, Bd rules, PC, Other	Orig	Educ/Exp/Exam	No	Yes, 40 PDH	Yes/1
DC						
FLLS	Juris, Bd rules	Orig	Educ/Exp/Exam	No	Yes, 25 hrs biennial	Yes/No limit
GA	All	Present	Educ/Exp/Exam	No	Yes, 15 PDH's biennial	No
GU	4 hr Guam Land Matters	All	Educ/Exp/Exam	No	Yes, Req to be determined	No
HI	Other	Present	Educ/Exp/Exam	No	No	Yes/2
ID	All	Orig	Educ/Exp/Exam	No	Yes, 15 PDH	Yes/1
*ILLS	Juris	Orig	Educ/Exp/Exam	No	No	Yes/1
INLS	See IC25-21 5-6-1	Present	Educ/Exp/Exam	No	No	Yes
IA	All	Present, Orig	Educ/Exp/Exam		Yes	Yes/1
KS	All	Orig	Educ/Exp/Exam	No	Yes, 30 PDH	No
KY	Juris, Standards, PC	Orig	Educ/Exp/Exam	No	Yes, 8 hrs per yr	Yes/1
LA	All	Orig	Educ/Exp/Exam	No	Yes, 15 PDH, Bien	Yes/No limit
MELS	All	Present	Educ/Exp/Exam	No	Yes, 12 PDH, biennial	Yes/1
MDLS	Juris, Other	Present, Orig	Educ/Exp/Exam	No	Yes	Yes
*MA	Juris	Present	Exam	Yes/20	No	No
MILS	All	Orig	Educ/Exp/Exam	No	No	Yes/No limit
MN	Local LS exam	Orig	Educ/Exp/Exam	No	Yes, 24 PDH	No
MS	All	Present	Educ/Exp/Exam	No	No	Yes/1
MO	All	Orig, Other	Educ/Exp/Exam	Yes/20	Yes, 20 PDH	No
MT	Juris, Bd rules	Orig	Educ/Exp/Exam	No	Yes, 30 PDH, Bien	Yes/1

	G EXAMINATIONS					
Question	99	100a	100b	101	102	103
State	Exams Req'd On Juris, Rules, PC, Standards	Requirements for Licensing By Comity	Requirements Includes	LgEst Prac YrsNec	CPC for Renewal	Review Failed Exam
NELS	Juris, Bd rules, Standards	Present	Exp/Exam	No	Yes, 30 PDH, Bien	Yes/1
NV	Juris statute	Present	Educ/Exp/Exam	No	Yes, 30 PDH, Bien	Yes/2 hrs
NHLS	Juris	Present	Educ/Exp/Exam	No	Yes, 32 hrs per Bien	Yes/No limit
NJ	Bd rules	Orig	Educ/Exp/Exam	No	Yes, 24 PDH's Bien	Yes/1
NM	Juris, Standards	Orig	Educ/Exp/Exam	No	Yes	Yes/1
NY	State specific	Present, Orig	Educ/Exp/Exam	No	No	No
NC	All	Orig lic, Other		No	Yes	Yes/After ea exam
ND	Juris, Bd rules	Present	Educ/Exp/Exam	No	No	Yes/1
NMI	No	Present	Educ/Exp/Exam	yes, 12 yrs	No	NCEES
OH	All	Orig, 2 hr state exam	Educ/Exp/Exam	No	N	Yes/90 days
OK	All	Orig	Educ/Exp/Exam	Yes, 9 yrs	Yes, close to model	Yes/1
OR	Juris, Bd rules, PC	Orig	Educ/Exp/Exam	No	Yes, 30 hrs/2 yrs	Yes/1
PA	Juris	Orig	Educ/Exp/Exam	No	N	No
PR						
*RILS	Juris, PC, Stand	Present/State Exam		No	No	
*SC	All	Present	Educ/Exp/Exam	No	Yes, 15 PDHs, Annual	Yes
SD	All	Orig lic	Educ/Exp/Exam	No	Yes, 30 PDH, Bien	Yes
*TNLS	All	Present	Educ/Exp/Exam	Yes, 10	Yes, 15 PDH per year	No
TXLS	All	Present, Other	Educ/Exp/Exam	Yes, 4 yrs	Yes, 8 contract hrs	No
UT	Juris statute			No	Yes, 24 hrs @ 2 yrs	No
VTLS	All	Present	Educ/Exp/Exam	No	Yes, 20 PDH, Bien	Yes
VA	Juris, Bd rules	Present	Educ/Exp/Exam	No	No	No
VI						
WA	Juris, Standards	Present	Educ/Exp/Exam	No	No	Yes/1
*WVLS	All	Present		No	No	
WI	Juris	Present		No	No	Yes/1
WY	Juris, Bd rules	Orig	Educ/Exp/Exam	No	Yes, 30 CPC crd biennial	Yes/1

	LAND SURVEYING EXAMINATIONS				
Question	104	105	106	107	108
State	Reviewable Material	Appeal Exam Results	Review Failed Exam	Reviewable Material	Appeal Exam Results
AL	Ans sht, Booklet	Yes	Yes/1	Ans sht, Booklet	Yes
AK	Ans sht, Booklet	Yes	Yes/1	Ans sht, Booklet	Yes
AZ		Yes	Yes/No limit		Yes
AR	Ans sht, Booklet	No	Yes/1	Ans sht, Booklet	Yes
CA		No	Yes	Ans sht, Booklet	Yes
CO		No	No		No
CT					
DELS	All	Yes	Yes/1		Yes
DC					
FLLS	Temp, Booklet	Yes	Yes/No limit	Temp, Booklet	Yes
GA		No	No		No
GU		No	No		No
HI	Booklet	Yes	Yes/2	Booklet	Yes
ID	Ans sht, Booklet	No	Yes/1	Ans sht, Booklet	No
*ILLS		Yes	Yes/1		Yes
INLS	Ans sht, Booklet	Yes	Yes	Ans sht, Booklet	Yes
IA	All	Yes	Yes/1	All	Yes
KS	Booklet	No	Yes		No
KY	Ans sht, Booklet	No	Yes/1	Ans sht, Booklet	Yes
LA	Ans sht, Booklet	Yes	Yes/No limit	Ans sht, Booklet	Yes
MELS	Ans sht, Booklet	Yes	Yes/1	Ans sht, Booklet	Yes
MDLS	All	Yes	Yes	All	Yes
*MA		No	Yes/2		No
MILS	All	Yes	Yes/No limit	All	Yes
MN		No	Yes/No limit		No
MS	All	No	Yes/1	All	No
MO	N/A	No	Yes/No limit	Ans sht, Booklet	Yes
MT	All	No	Yes/3	All	

	LAND SURVEYING EXAMINATIONS				
Question	104	105	106	107	108
State	Reviewable Material	Appeal Exam Results	Review Failed Exam	Reviewable Material	Appeal Exam Results
NELS	Ans sht, Booklet	Yes	Yes/1	Ans sht, Booklet	Yes
NV	Ans sht, Booklet	No	Yes/2 hrs	Ans sht, Booklet	No
NHLS	All	Yes	Yes		Yes
NJ	Answer sheet	Yes	Yes/1	Answer sheet	Yes
NM	All	No	Yes/1	All	No
NY		No	No		No
NC	All	Yes	Yes/After ea exam		Yes
ND	All	Yes	Yes/1	All	Yes
NMI	NCEES	NCEES	NCEES		
OH	All	Yes	Yes/90 days	All	Yes
OK	All	Yes	Yes/1	All	Yes
OR	All	No	Yes/1	All	Yes
PA		No	No		No
PR					
*RILS					
*SC		No	Yes		Yes
SD	All	No	Yes	All	Yes
*TNLS		No	No		No
TXLS		No	No		No
UT	N/A	Yes	No	N/A	Yes
VTLS	Ans sht, Booklet	Yes	Yes	Ans sht, Booklet	Yes
VA	N/A	No	Yes	N/A	Yes
VI					
WA	Ans sht, Booklet	No	Yes/1	Ans sht, Booklet	Yes
*WVLS					
WI		Yes	Yes/1		Yes
WY	Ans sht, Booklet	Yes	Yes/1	Ans sht, Booklet	Yes

Glossary of Abbreviations


ABET	Accreditation Board for Engineering and Technology	FE	Fundamentals of Engineering	Pub	Public
Acc	Accept	FP	Fire Protection	PC	Professional Council
Accomad	Accommodation	FLS	Fundamentals of Land Surveying	PDH	Professional Development Hours
Act	Actual	Freq	Frequency	PE	Professional Engineer
Admn	Administrator	Fut	Future	Per/Gov	Personal Application; Governor Appointment
AG	Agricultural	Gen	General	Pers	Personnel
An	Annually	Geo	Geologist	Pet	Petroleum
App	Applicant, Application			PLS	Principles and
Practice					of Land Surveying
Arch	Architect, Architecture	Gov	Governor	Prac	Practice
As	Assayer	Grad	Graduation	Pres	Present
BAE	Building Architecture Engineering	HS	High School	Prof	Professional
Bd	Board	Hydro	Hydrology	Psych	Psychoeducational
Bi	Biannually	Hr(s)	Hours	Qtr	Quarter
Bien	Biennially	ID	Interior Designer	Qual	Qualify
Bldg	Building	Inc	Increase	Quad	Quadrennially
BS	Bachelor of Science	Ind	Included		
Civ	Civil	Ind	Independent	Rec	Recommend
Registration		Ind	Industrial	Reg	Registered,
CEAB	Canadian Education Accreditation Board	Indef	Indefinitely	Req	Require
Cert	Certificate, Certification	Info	Information	Req'ment	Requirement
Chem	Chemical	Injunc Pros	Injunctive Proceedings	Ref	Reference
				Ref for Pros	Referral for Prosecution
Cony	Converted	Juris	Jurisdiction	Res	Results, restricted, residency
CRC	Continuing Professional Competency	LA	Landscape Architect	Rev	Review
Cre	Credits, Credentials	Lic	License, Licensure	RE	Registered Engineer
Crs	Courses	Loc	Local	RLS	Registered Land Surveyor
CS	Control Systems	Log	Logging	Ros	Roster
Deg	Degree	LS	Land Surveyor		
Dev	Development	Manuf	Manufacturing	SDE	Ship Design Engineering
Dir	Director	Mand	Mandatory	SE	Structural Engineering
Disc	Discipline	Max	Maximum	Sec	Secretary
Div	Division	Mec	Mechanical	Soc/Gov	Society nominates; Governor Appoints
Elec	Electrical	Mem	Member	Specs	Specifications
EAC	Engineering Accreditation Commission	Met	Metallurgical	Sr	Senior
ED	Executive Director	Milit	Military	St, STR	Structural
Educ	Education	Mm	Mining	Stand	Standards
Emi	Eminence	Misc	Miscellaneous	Suff	Sufficient
Emp	Employee, Employment	M/M	Mining/Mineral	Surv	Surveying
Eng	Engineer	Mos	Months		
Env	Environmental	Mtg	Meeting	Traf	Traffic
Equiv	Equivalent	NA	Not Applicable	Trans	Transmittal
Eval	Evaluate	Nec	Necessary	Trien	Triennially
Exec	Executive	News	Newsletter		
Exp	Experience	Non	Non-registrant	U, Univ	University
		Nuc	Nuclear	Umb	Umbrella
		Opn	Open	Unlim	Unlimited
		Orig	Original	Verif	Verification
		Oth	Other	Vol	Voluntary
				W/	With
				Wks	Weeks
				Yr(s)	Years

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FILED
AUG 23 2000
3rd DISTRICT COURT


IN THE THIRD JUDICIAL DISTRICT COURT OF SALT LAKE COUNTY

STATE OF UTAH

KEITH W. BOURGEOUS, Plaintiff, vs. UTAH DEPARTMENT OF COMMERCE, Defendant.	ORDER Civil No. 98-0900810 Judge Ronald Nehring
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Plaintiff's Motion for Summary Judgment was heard on June 1, 2000. Cass C. Butler appeared on behalf of Keith W. Bourgeois. Jeffrey C. Hunt appeared on behalf of the Utah Department of Commerce. Based upon the affidavits of Keith Bourgeois and David Fairhurst, a Stipulation of the parties dated August 22, 2000 and the other submissions, the Court concludes that plaintiff's motion is ripe for summary judgment, there being no disputed material issue of fact.

UNDISPUTED FACTS

The Court finds that the following facts are undisputed by the parties:

1. On June 9, 1989, Plaintiff received a Bachelors of Science in Electrical Engineering Technology from Weber State University. Plaintiff's Engineering Degree was in an accredited program recognized by the Technology Accreditation Commission/Accreditation Board for Engineering and Technology ("TAC/ABET").

2. Later that year Plaintiff applied with the Division of Professional and Occupational Licensing ("DOPL") to take the Fundamentals in Engineering Examination offered by the National Assessment Institute ("NAI"). On October 29, 1989, Plaintiff received a passing score on the exam.

3. Plaintiff also applied in 1989 with the Utah Department of Commerce and was given an Engineer-in-Training Certificate.

4. The Engineer-in-Training Certificate, No 9451-0999-0, was issued to Plaintiff pursuant to the then applicable Department regulation R153-22-2(c) which stated that the Certificate was valid for 10 years without renewal.

5. Regulation R153-22-2 stated, in part:

Engineer-in-Training.

a. Graduation in an approved engineering curriculum of four (4) years or more from an engineering school or college approved by the Committee, and successfully passing the eight (8) hour written examination in the fundamentals of engineering as prescribed by the Committee.

* * *

c. The Engineer-in-Training Certificate is not subject to renewal and is valid for only ten (10) years from the date the examination is passed.

6. Under Regulation R153-22-2(1)(a), approved engineering degrees included Electrical Engineering BS degrees from "a Utah college or university."

7. After receiving the Engineer-in-Training Certificate, Plaintiff needed to complete the 4 years of qualifying work experience under the supervision of a licensed engineer and pass the last examination. In June of 1991, Plaintiff accepted a job with Phillips Petroleum which provided only about 50% of qualifying time towards the then 4 years experience required for licensure. Plaintiff expected to complete the 4 years in 1997, two years before his Certificate would expire.

8. In 1994, Plaintiff became generally aware that the statute governing licensure had been amended and that DOPL was taking the position that after July 1, 1996, new applicants would need a EAC/ABET degree for licensure.

9. However, Plaintiff did not believe that DOPL's new changes in education requirements applied to him because he believed that his Engineer-in-Training Certificate established that he had already met the education requirements.

10. Plaintiff continued working on his qualifying time and completed the necessary years of experience in 1997, whereupon he applied to take the last and final examination necessary for licensure, the NCEES Principles and Practices Engineering Examination ("PE Exam"). On April 18, 1997, Plaintiff received a passing score on the PE exam. Plaintiff's application for license was received by DOPL on September 2, 1997.

11. By letter dated September 24, 1997, DOPL denied Plaintiff's application for "failure to document graduation from the required EAC/ABET accredited program in engineering," because after

July 1, 1996, engineering degrees from TAC/ABET accredited programs no longer satisfied the educational requirements for licensure, whereas prior to July 1, 1996, such degrees had satisfied those requirements. Plaintiff subsequently sought Agency Review on October 21, 1997.

12. On October 24, 1997, the Utah Department of Commerce dismissed Bourgeois' request on the grounds for "failure to comply with the rules governing agency review."

Other Applicants

13. In June of 1987, John Hunter graduated with a TAC/ABET accredited degree from Weber State University in Electrical Engineering.

14. In October of 1994, Hunter passed the Fundamental in Engineering Examination offered by the NAI.

15. On April 19, 1996, Hunter took the NCEES Principles and Practices of Engineering Examination. Hunter failed the examination and requested a re-scoring of his examination. On October 7, 1996, Hunter received from the NAI a revised score to the NCEES Principles and Practices of Engineering Examination he had taken earlier on April 19, 1996. The revised score was a passing score.

16. Hunter filed his first and only application for licensure with DOPL on or about January 31, 1997.

17. On March 7, 1997, DOPL denied John Hunter's application for licensure "for failure to meet the education requirements of an EAC/ABET accredited degree."

18. On April 3, 1997, John Hunter requested reconsideration of the denial of his application on a number of grounds, including that he took the final Principles and Practices of Engineering Exam

before July 1, 1996 and failed. Yet, Mr. Hunter subsequently requested a rescoring of his Principles and Practices of Engineering Exam which resulted in a passing score, which rescoring occurred after the July 1, 1996 change in the law.

19. On April 7, 1997, DOPL reversed itself and granted Mr. Hunter his license.

Licensure By Endorsement

20. DOPL will issue a license by endorsement (reciprocity) to an applicant who is a licensed professional engineer of another state such as Arizona and has passed the exams, provided the applicant meets the requirements of U.C.A. §58-22-302(4).

21. DOPL has licensed by endorsement since July 1, 1996 applicants who were licensed in other states and had only degrees from a TAC/ABET accredited university.

CONCLUSIONS OF LAW

A. Utah Law Does Not Mandate the Grant of an Engineers License to Plaintiff. With the aid of several legal theories, Plaintiff contends that he has met all of the statutory requirements for licensure and is therefore entitled to receive a license as a matter of law. Defendant resists this contention based on Plaintiff's failure to hold a Bachelor's or Master's Degree from an engineering program meeting the EAC/ABET accredited curriculum. This curriculum was promulgated by the Division of Professional Licensing pursuant to authority delegated to it by statute, Section 58-22-302(1)(d), Utah Code Ann. (1998). Plaintiff insists that his application for licensure was not made under this statute, but rather under a predecessor statute which expressly approved the TAC/ABET curriculum which Plaintiff successfully completed.

I conclude that as a matter of law Plaintiff applied for licensure in September, 1997. Plaintiff's earlier application, in 1989, was for permission to take the Fundamentals of Engineering Examination ("FE Examination"). Although the provisions of the statute governing licensure underwent substantial revision from 1989 to 1997, an element which remained unchanged was the opportunity afforded an individual to take the FE Examination well in advance of satisfying the other statutory preconditions for Professional Engineer licensure. It is clear to me that successful completion of the FE Examination was deemed to confer upon a Professional Engineer candidate a benefit independent of licensure, and I therefore decline to find that Plaintiff's application for the FE Examination was the equivalent of an application for licensure.

Having applied for licensure in September, 1997, Plaintiff's application was governed by the 1996 amendments to the statute which include the delegation of the authority to establish educational requirements to DOPL. DOPL acted pursuant to this legislative mandate when it promulgated a rule recognizing the EAC/ABET as the sole authorized curriculum for licensure applicants. Consistent with my views on the role of the FE Examination, I conclude that the legislature's recognition of the TAC/ABET curriculum as an authorized prerequisite for eligibility to take the FE Examination cannot be extended to support the conclusion that the legislature mandated recognition of the TAC/ABET curriculum as a suitable curriculum for licensure, Division rule to the contrary notwithstanding. In short, nothing in the history of the licensure statute nor in its current formulation modifies the expansive grant of authority to the Division to establish the educational criteria necessary for Professional Engineer licensure.


B. Plaintiff's Claim of Arbitrary and Capricious Conduct by the Defendant. Plaintiff's claim that the defendant treated him in an arbitrary and capricious manner arises from the alleged disparity in treatment between Plaintiff and Professional Engineer application John Hunter. The Court concludes that Plaintiff's case is substantially dissimilar to John Hunter in that had NAI correctly scored Mr. Hunter's examination, Mr. Hunter could have made application prior to the July 1, 1996 change in the statute requiring the EAC/ABET accredited degree, thereby qualifying for licensure under pre-July 1, 1996, requirements for licensure.

Therefore, Plaintiff's Motion for Summary Judgment is denied.

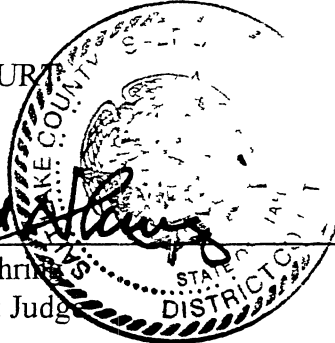
Pursuant to Rule 54(b) of the Utah Rules of Civil Procedure, this Court certifies for appeal this Order. In so certifying, this Court finds that this Order finally resolves Plaintiff's claims that he is entitled to license due to an incorrect interpretation by the Department of Commerce of Utah Code Ann. §§ 58-22-302 and 306, or that he is entitled to license because the Department has acted arbitrarily and capriciously by treating him unfairly and differently than other similarly situated Professional Engineer applicants, or that he qualifies for licensure under the old Engineer-in-Training certification promulgated by Rule 156-22-201. This Order effectively rules as a matter of law that none of Plaintiff's theories remain in this case. The Court further rules that there is no just cause for delay because: (1) it appears very unlikely that the need for appellate review might be mooted by future developments before this Court; (2) there is no counterclaim that could result in a setoff against the judgment now sought to be made final and appealed; (3) and other factors including delay, economic and judicial efficiency support certification of this Order for appeal.

SO ORDERED this 25 day of August, 2000

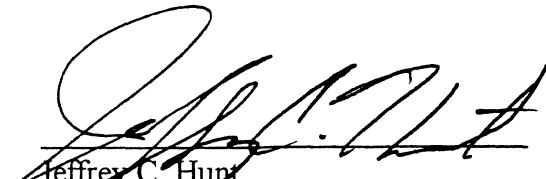
BY THE COURT



Ronald E. Nehring
District Court Judge



APPROVED AS TO FORM



Jeffrey C. Hunt
Assistant Attorney General

ADDENDUM G



DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL & PROFESSIONAL LICENSING

179465

Michael O. Leavitt
Governor
Douglas C. Borba
Executive Director
J. Craig Jackson, R. Ph.
Division Director

Heber M. Wells Building
160 East 300 South, P.O. Box 146741
Salt Lake City, Utah 84114-6741
(801) 530-6628 Fax (801) 530-6511
Investigations Fax (801) 530-6301
<http://www.commerce.state.ut.us/web/commerce/dopl/dopl1.htm>

September 24, 1997

KEITH W BOURGEOUS
2761 S 3000 W
SYRACUSE UT 84075

Dear Mr. Bourgeois:

DENIAL OF LICENSE:

Your application for licensure as a Professional Engineer was reviewed and denied for the following:

1. Failure to document graduation from the required EAC/ABET accredited program in engineering.

QUESTIONS OR ASSISTANCE:

If you have questions or need assistance, call:

Karen McCall, (801) 530-6632

CHALLENGE AFTER DENIAL OF LICENSURE:

You may challenge the denial by requesting agency review. If you choose to file a request for agency review, you must adhere to the attached procedures.

Sincerely,

Karen McCall, Board Secretary
FOR THE BUREAU MANAGER

enclosure



ADDENDUM H

OCT. 1, 1996 < NO CHANGES IN 1997 >

OCCUPATIONAL AND PROFESSIONAL LICENSING

R156-22-103

(1) failing to comply with the professional continuing education requirements in Section R156-20a-304; and

(2) failing to provide general supervision as defined in Subsection 58-20a-102(2).

References: 58-1-106(1), 58-1-202(1), 58-20a-101.

History: 17282, NEW, see CPR; 17282, CPR, 01/02/96.

R156-22. Professional Engineers and Professional Land Surveyors Licensing Act Rules.

R156-22-101. Title.

R156-22-102. Definitions.

R156-22-103. Authority — Purpose.

R156-22-104. Organization — Relationship to Rule R156-1.

R156-22-201. Engineering Program Criteria.

R156-22-202. Qualifying Experience Requirements for Licensure as a Professional Engineer — Supervision of Construction Work Not Qualifying Experience — Verifications Required.

R156-22-203. Experience Requirements for Licensure as a Structural Engineer — Verifications Required.

R156-22-204. Examination Requirements for Licensure as a Professional Engineer.

R156-22-205. Examination Requirements for Licensure as a Structural Engineer.

R156-22-301. Equivalent Land Surveying Program for Licensure as a Professional Land Surveyor.

R156-22-302. Qualifying Experience Requirements for Licensure as a Professional Land Surveyor — Verifications Required.

R156-22-303. Examination Requirements for Licensure as a Professional Land Surveyor.

R156-22-401. Examination Requirements for Licensure by Endorsement.

R156-22-501. Continuing Education for Land Surveyors.

R156-22-601. Unprofessional Conduct.

R156-22-701. Seal Requirements.

R156-22-101. Title.

These rules are known as the "Professional Engineers and Professional Land Surveyors Licensing Act Rules".

R156-22-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 22, as used in Title 58, Chapters 1 and 22, or these rules:

(1) "Direct supervision" means that the supervising licensee is responsible for, and personally reviews, corrects when necessary, and approves the work performed by the applicant for licensure.

(2) "Employee" means one or more individuals who are working or providing services for compensation paid in the form of wages or salary from which there is withheld or should be withheld income taxes or social security taxes under applicable law.

(3) "Engineering surveys" as used in Subsection 58-22-102(9) include all survey activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineered

projects, but exclude the surveying of real property for the establishment of land boundaries, rights-of-way, easements, alignment of streets, and the dependent or independent surveys or resurveys of the public land survey system.

(4) "Full time" means a minimum of 30 hours per week for periods of time not less than 10 weeks in length.

(5) "Qualifying experience for licensure as a professional engineer" as used in Section R156-22-203 means full time professional engineering performed by an applicant for licensure as a professional engineer requiring the application of the engineering sciences in the investigation, planning, design and construction of engineering works and systems performed under the direct supervision of a licensed professional engineer.

(6) "Qualifying experience for licensure as a land surveyor" as used in Section R156-22-205 means full time professional land surveying performed by an applicant for licensure as a professional land surveyor requiring actual field and office time spent monumenting property boundaries, platting and laying out lands and subdivisions, recording plats and keeping accurate records and field notes performed under the direct supervision of a licensed professional land surveyor.

(7) "Recognized jurisdiction" means any state, district or territory of the United States, the Canadian provinces, or any foreign country whose education is determined to be substantially equivalent to an EAC/ABET accredited curriculum as determined by the NCEES Foreign Engineering Education Evaluation Program.

(8) "Responsible charge" as used in Subsection 58-22-102(7) means direct control and management over the practice of professional engineering, professional structural engineering or professional land surveying.

(9) "TAC/ABET" means Technology Accreditation Commission/Accreditation Board for Engineering and Technology.

(10) "Unlicensed employees, subordinates, associates, or drafters of a person licensed under this chapter" as used in Subsection 58-22-305(4) means persons not licensed as a professional engineer, professional structural engineer, or professional land surveyor, who perform professional engineering or land surveying services under the direct supervision of a licensed professional engineer, structural engineer or land surveyor, and who do not offer professional engineering or professional land surveying services directly to the public.

(11) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 22, is further defined, in accordance with Subsection 58-1-203(5), in Section R156-22-601.

R156-22-103. Authority — Purpose.

These rules are adopted by the division under the authority of Subsection 58-1-106(1) to enable the division to administer Title 58, Chapter 22.

R156-22-104. Organization — Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-22-201. Engineering Program Criteria.

In accordance with Subsections 58-22-302(1)(d) and 58-22-302(2)(d), the engineering program criteria is established as one of the following:

(1) The engineering program shall be accredited by EAC/ABET or the Canadian Engineering Accrediting Board.

(2) The post graduate engineering degree is earned from an institution which offers a bachelors or masters degree in an engineering program accredited by EAC/ABET.

(3) If the degree was earned in a foreign country, the engineering curriculum shall be determined to be substantially equivalent to a EAC/ABET accredited program by the NCEES Foreign Engineering Education Evaluation Program.

R156-22-202. Qualifying Experience Requirements for Licensure as a Professional Engineer — Supervision of Construction Work Not Qualifying Experience — Verifications Required.

In accordance with Subsection 58-22-302(1)(e), the qualifying experience requirements for licensure as a professional engineer are established as follows:

(1) Each applicant shall complete four years of qualifying experience in professional engineering approved by the division in collaboration with the board in accordance with the following:

(a) Up to one year of qualifying experience may be obtained while enrolled in an engineering program meeting the criteria set forth in Section R156-22-201.

(b) Unlimited qualifying experience may be obtained after meeting the education requirements.

(c) A maximum of three of the four years of qualifying experience may be approved by the board for persons who complete one or more of the following:

(i) A maximum of three years of qualifying experience may be granted for teaching advanced engineering subjects in a college or university offering an engineering curriculum accredited by EAC/ABET.

(ii) A maximum of three years of qualifying experience may be granted for conducting research in a college or university offering an engineering curriculum accredited by EAC/ABET.

(iii) A maximum of one year of qualifying experience may be granted for completion of a masters degree in engineering from an institution which offers a bachelor of science degree accredited by EAC/ABET, when the degree is the second professional engineering degree conferred.

(iv) A maximum of two years of qualifying experience may be granted for completion of a doctorate degree in engineering from an institution which offers a bachelor of science degree accredited by

EAC/ABET, when the degree is the second professional engineering degree conferred.

(2) The performance or supervision of construction work as a contractor, foreman or superintendent is not qualifying experience for licensure as a professional engineer.

(3) Each applicant shall submit a minimum of three verifications of qualifying experience on forms available from the division from licensed professional engineers who have provided direct supervision or who have personal knowledge of the applicant's knowledge, ability and competence to practice professional engineering.

R156-22-203. Experience Requirements for Licensure as a Structural Engineer — Verifications Required.

(1) In accordance with Subsection 58-22-302(2)(e), all applicants shall submit a minimum of three verifications of structural engineering experience on forms available from the division from licensed professional engineers or structural engineers who have personal knowledge of the applicant's knowledge, ability and competence to practice structural engineering, which experience is in addition to the qualifying experience required for licensure as a professional engineer.

(2) Structural engineering experience shall include responsible charge of structural design in one or more of the following areas:

(a) structural design of any building or structure two stories and more, or 45 feet in height, designed in Uniform Building Code (UBC) seismic zones 2, 3, or 4;

(b) structural design for a major seismic retrofit/rehabilitation of an existing building or structure in UBC seismic zones 2, 3, or 4; or

(c) structural design of any other structure of comparable structural complexity.

(3) Structural engineering experience shall include responsible charge of structural design in all of the following areas:

(a) use of three of the following four materials as they relate to the design, rehabilitation or investigation of buildings or structures:

- (i) steel;
- (ii) concrete;
- (iii) wood; or
- (iv) masonry;

(b) selection of framing systems including the consideration of alternatives and the selection of an appropriate system for the interaction of structural components to support vertical and lateral loads;

(c) selection of foundation systems including the consideration of alternatives and the selection of an appropriate type of foundation system to support the structure;

(d) design and detailing for the transfer of forces between stories in multi-story buildings or structures;

(e) application of lateral design in the design of the buildings or structures in addition to any wind design requirements; and

(f) application of the local, state and federal code requirements as they relate to design loads, materials, and detailing.

(4) Each applicant shall submit a minimum of three verifications of structural engineering work from licensed professional engineers who have personal knowledge of the applicant's knowledge, ability and competence to practice structural engineering.

R156-22-204. Examination Requirements for Licensure as a Professional Engineer.

In accordance with Subsection 58-22-302(1)(f), the examination requirements for licensure as a professional engineer are defined, clarified or established as the following:

(1) the NCEES Fundamentals of Engineering ("FE") Examination with a passing score as established by the NCEES;

(2) upon completion of the qualifying experience requirement, the NCEES Principles and Practice of Engineering ("PPE") Examination with a passing score as established by the NCEES; and

(3) the Utah Law and Rules Examination with a score of at least 75.

R156-22-205. Examination Requirements for Licensure as a Structural Engineer.

In accordance with Subsection 58-22-302(2)(f), the examination requirements for licensure as a professional structural engineer are defined, clarified, or established as the following:

(1) the NCEES Fundamentals of Engineering Examination with a passing score as established by the NCEES;

(2) the NCEES Principles and Practice Examination in the category of civil or structural with a passing score as established by the NCEES;

(3) the NCEES Structural I and Structural II Examinations with a passing score as established by the NCEES or the 16 hour California Structural Examination with a passing score as established by the California engineering board; and

(4) the Utah Law and Rules Examination with a passing score of at least 75 except for individuals who may have already passed a previous edition of the same examination for licensure as a professional engineer.

R156-22-301. Equivalent Land Surveying Program for Licensure as a Professional Land Surveyor.

In accordance with Subsection 58-22-302(3)(d), an equivalent land surveying program for licensure as a professional land surveyor is defined as an earned bachelors or masters degree from a curriculum related to land surveying and completion of a minimum of 32 quarter hours or equivalent semester hours of course work in land surveying which shall include the following courses:

- (i) boundary law;
- (ii) writing legal descriptions;
- (iii) public land survey system; and
- (iv) surveying field techniques.

R156-22-302. Qualifying Experience Requirements for Licensure as a Professional Land Surveyor — Verifications Required.

In accordance with Subsections 58-22-302(3)(e) and (f), qualifying experience for licensure as a professional land surveyor is defined, clarified or established as follows:

(1) Applicants who have met the education requirements in Subsection 58-22-302(3)(d) shall document four years of qualifying experience in land surveying which experience may be obtained before, during or after completing the education requirements for licensure.

(2) Applicants who did not complete the education requirements in Subsection 58-22-302(3)(d) shall document eight years of qualifying experience in land surveying.

(3) All applicants shall submit a minimum of three verifications of qualifying experience on forms available from the division from licensed professional land surveyors who have provided direct supervision or who have personal knowledge of the applicant's knowledge, ability and competence to practice professional land surveying.

R156-22-303. Examination Requirements for Licensure as a Professional Land Surveyor.

In accordance with Subsection 58-22-302(3)(g), the examination requirements for licensure as a professional land surveyor are established as the following:

(1) the NCEES Fundamentals of Land Surveying ("FLS") Examination with a passing score as established by the NCEES;

(2) upon completion of the qualifying experience, the NCEES Principles and Practice of Land Surveying ("PPLS") Examination with a passing score as established by the NCEES; and

(3) the Utah Local Practice Examination with a passing score of at least 75.

R156-22-401. Examination Requirements for Licensure by Endorsement.

In accordance with Subsection 58-22-302(4)(d)(ii), the examination requirements for licensure by endorsement are established as follows:

(1) An applicant for licensure as a professional engineer by endorsement shall comply with the examination requirements in Section R156-22-204 except that the board may waive the FE Examination or the PPE Examination for an applicant who was not required to pass the FE Examination or the PPE Examination for initial licensure from the state the applicant was originally licensed.

(2) An applicant for licensure as a professional structural engineer by endorsement shall comply with the examination requirements in Section R156-22-205 except that the board may waive the FE Examination for an applicant who was not required to pass the FE Examination for initial licensure from the state the applicant was originally licensed.

(3) An applicant for licensure as a professional land surveyor by endorsement shall comply with the

examination requirements in Section R156-22-303 except that the board may waive the FLS Examination or the PPLS Examination to an applicant who was not required to pass the FLS Examination or the PPLS Examination for initial licensure from the state the applicant was originally licensed.

R156-22-501. Continuing Education for Land Surveyors.

In accordance with Subsections 58-22-303(2) and 58-22-304(1), the qualifying continuing professional education standards for land surveyors are established as follows:

(1) During each two year period commencing on January 1 of each even numbered year, a licensed land surveyor shall be required to complete not less than 24 hours of qualified professional education directly related to the licensee's professional practice.

(2) The required number of hours of professional education for an individual who first becomes licensed during the two year period shall be decreased in a pro-rata amount equal to any part of that two year period preceding the date on which that individual first became licensed.

(3) Qualified continuing professional education under this section shall:

(a) have an identifiable clear statement of purpose and defined objective for the educational program directly related to the practice of a land surveyor;

(b) be relevant to the licensee's professional practice;

(c) be presented in a competent, well organized and sequential manner consistent with the stated purpose and objective of the program;

(d) be prepared and presented by individuals who are qualified by education, training and experience; and

(e) have associated with it a competent method of registration of individuals who actually completed the professional education program and records of that registration and completion are available for review.

(4) Credit for qualified continuing professional education shall be recognized in accordance with the following:

(a) unlimited hours shall be recognized for professional education completed in blocks of time of not less than one hour in formally established classroom courses, seminars, or conferences;

(b) a maximum of 12 hours per two year period may be recognized for teaching in a college or university or for teaching qualified continuing professional education courses in the field of land surveying;

(c) a maximum of four hours per two year period may be recognized for preparation of papers, articles, or books directly related to the practice of land surveying and submitted for publication;

(d) a maximum of six hours per two year period may be recognized for active professional practice of land surveying; and

(e) a maximum of six hours per two year period may be recognized for active membership in any state, national or international organization for the development and improvement of the profession of land surveying.

(5) A licensee shall be responsible for maintaining records of completed qualified continuing professional education for a period of four years after close of the two year period to which the records pertain. It is the responsibility of the licensee to maintain information with respect to qualified continuing professional education to demonstrate it meets the requirements under this section.

(6) If a licensee exceeds the 24 hours of qualified continuing professional education during the two year period, the licensee may carry forward a maximum of 12 hours of qualified continuing professional education into the next two year period.

(7) A licensee who documents they are engaged in full time activities or is subjected to circumstances which prevent that licensee from meeting the continuing professional education requirements established under this section may be excused from the requirement for a period of up to three years. However, it is the responsibility of the licensee to document the reasons and justify why the requirement could not be met.

R156-22-601. Unprofessional Conduct.

"Unprofessional conduct" includes failing to conform to the accepted and recognized standards and ethics of the profession including those stated in the "Model Rules of Professional Conduct" of the National Council of Examiners for Engineering and Surveying (NCEES), 1990, which is hereby incorporated by reference.

R156-22-701. Seal Requirements.

(1) In accordance with Section 58-22-601, all final plans, specifications, reports, maps, sketches, surveys, drawings, documents and plats prepared by the licensee or prepared under the direct supervision of the licensee, shall be sealed in accordance with the following:

(a) Each seal shall be a circular seal, 1-1/2 inches minimum diameter.

(b) Each seal shall include the licensee's name, license number, "State of Utah", and "Professional Engineer", "Licensed Professional Engineer", "Registered Professional Engineer", "Certified Structural Engineer", "Structural Engineer", "Licensed Professional Structural Engineer", "Professional Structural Engineer", "Land Surveyor", "Professional Land Surveyor", "Licensed Professional Land Surveyor" or "Licensed Land Surveyor", as appropriate.

(c) Each seal shall be signed and dated with the signature and date appearing across the face of each seal imprint.

(d) Each original set of final plans, specifications, reports, maps, sketches, surveys, drawings, documents and plats, as a minimum, shall have the original seal imprint, original signature and date placed on the cover or title sheet.

(e) A seal may be a wet stamp, embossed, or electronically produced.

(f) Copies of the original set of plans, specifications, reports, maps, sketches, surveys, drawings, documents and plats which contain the original seal, original signature and date is permitted, if the seal, signature and date is clearly recognizable.

(2) A person who qualifies for and uses the title of professional engineer intern is not permitted to use a seal.

References: 58-22-101, 58-1-106(1), 58-1-202(1).

History: 13999, NEW, see CPR; 13999, CPR, 04/01/93; 16023, AMD, see CPR; 16023, CPR, 10/17/94; 17871, R&R, see CPR; 17871, CPR, 09/17/96.

R156-24a. Physical Therapist Practice Act Rules.

R156-24a-101. Title.

R156-24a-102. Definitions.

R156-24a-103. Authority — Purpose.

R156-24a-104. Organization — Relationship to Rule R156-1.

R156-24a-302a. Qualifications for Licensure — Education Requirements.

R156-24a-302b. Qualifications for Licensure — Examination Requirements.

R156-24a-302c. Qualifications for Licensure — Examination Eligibility.

R156-24a-303. Renewal Cycle — Procedures.

R156-24a-307. Licensure by Endorsement.

R156-24a-502. Unprofessional Conduct.

R156-24a-503. Physical Therapist Supervisory Authority and Responsibility.

R156-24a-101. Title.

These rules are known as the "Physical Therapist Practice Act Rules".

R156-24a-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 24a, as used in Title 58, Chapters 1 and 24a or these rules:

(1) "Joint mobilization" means passive and active movements of the joints of a patient, including the spine, to increase the mobility of joint systems; but, does not include specific vertebral adjustment and manipulation of the articulation of the spine by those methods or techniques which are generally recognized as the classic practice of chiropractic.

(2) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 24a, is further defined, in accordance with Subsection 58-1-203(5), in Section R156-24a-502.

R156-24a-103. Authority — Purpose.

These rules are adopted by the division under the authority of Subsection 58-1-106(1) to enable the division to administer Title 58, Chapter 24a.

R156-24a-104. Organization — Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-24a-302a. Qualifications for Licensure — Education Requirements.

In accordance with Subsections 58-1-203(2) and 58-1-301(3), the requirements for licensure in Subsection 58-24a-109(2)(b) are defined, clarified, or established as follows:

(1) A school of physical therapy shall be accredited by the Commission on Accreditation in Physical Therapy Education.

(2) The education of foreign trained applicants must be evaluated and found to be equivalent to a physical therapy program as defined in Subsection (1) by one of the following evaluation agencies:

- (a) International Credentialing Associates, Inc;
- (b) International Educational Research Foundation, Inc.; or
- (c) International Consultants Inc. of Delaware.

R156-24a-302b. Qualifications for Licensure — Examination Requirements.

In accordance with Subsections 58-1-203(2) and 58-1-301(3), the education requirements for licensure in Subsection 58-24a-109(2)(c) are defined, clarified, or established as follows:

(1) The examination which shall be required for each applicant for licensure as a physical therapist shall consist of the following:

(a) the Federation of State Boards of Physical Therapy National Physical Therapy Examination; and

(b) the Utah Physical Therapy Law Examination.

(2) An applicant shall receive a score not lower than the passing score of 600 as recommended by the Federation of State Boards of Physical Therapy.

(3) An applicant shall receive a score of not lower than 75 percent to pass the Utah Physical Therapy Law Examination.

R156-24a-302c. Qualifications for Licensure — Examination Eligibility.

An applicant must have successfully completed or be within six months of completing all academic and associated clinical requirements before being eligible to sit for the examinations required for Utah licensure.

R156-24a-303. Renewal Cycle — Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licensees under Title 58, Chapter 24a is established by rule in Section R156-1-308.

(2) Renewal procedures shall be in accordance with Section R156-1-308.

R156-24a-307. Licensure by Endorsement.

Any applicant for licensure by endorsement who has not practiced physical therapy in the five years immediately preceding application shall satisfy the board as to his competency in the practice of physical therapy, or shall serve in an internship or take remedial courses as determined by the board, or both. The board may also require the applicant to take an examination.

ADDENDUM I

(3) (a) The agency head, or a person designated for that purpose, shall issue a written order granting the request or denying the request.

(b) If the agency head or the person designated for that purpose does not issue an order within 20 days after the filing of the request, the request for reconsideration shall be considered to be denied. 1988

63-46b-14. Judicial review — Exhaustion of administrative remedies.

(1) A party aggrieved may obtain judicial review of final agency action, except in actions where judicial review is expressly prohibited by statute.

(2) A party may seek judicial review only after exhausting all administrative remedies available, except that:

(a) a party seeking judicial review need not exhaust administrative remedies if this chapter or any other statute states that exhaustion is not required;

(b) the court may relieve a party seeking judicial review of the requirement to exhaust any or all administrative remedies if:

(i) the administrative remedies are inadequate; or
(ii) exhaustion of remedies would result in irreparable harm disproportionate to the public benefit derived from requiring exhaustion.

(3) (a) A party shall file a petition for judicial review of final agency action within 30 days after the date that the order constituting the final agency action is issued or is considered to have been issued under Subsection 63-46b-13(3)(b).

(b) The petition shall name the agency and all other appropriate parties as respondents and shall meet the form requirements specified in this chapter. 1988

63-46b-15. Judicial review — Informal adjudicative proceedings.

(1) (a) The district courts have jurisdiction to review by trial de novo all final agency actions resulting from informal adjudicative proceedings, except that the juvenile courts have jurisdiction over all state agency actions relating to:

(i) the removal or placement of children in state custody;
(ii) the support of children under Subsection (1)(a)(i) as determined administratively under Section 78-3a-906; and
(iii) substantiated findings of abuse or neglect pursuant to Section 62A-4a-116.5.

(b) Venue for judicial review of informal adjudicative proceedings shall be as provided in the statute governing the agency or, in the absence of such a venue provision, in the county where the petitioner resides or maintains his principal place of business.

(2) (a) The petition for judicial review of informal adjudicative proceedings shall be a complaint governed by the Utah Rules of Civil Procedure and shall include:

(i) the name and mailing address of the party seeking judicial review;
(ii) the name and mailing address of the respondent agency;
(iii) the title and date of the final agency action to be reviewed, together with a duplicate copy, summary, or brief description of the agency action;
(iv) identification of the persons who were parties in the informal adjudicative proceedings that led to the agency action;
(v) a copy of the written agency order from the informal proceeding;
(vi) facts demonstrating that the party seeking judicial review is entitled to obtain judicial review;

(vii) a request for relief, specifying the type and extent of relief requested; and

(viii) a statement of the reasons why the petitioner is entitled to relief.

(b) All additional pleadings and proceedings in the district court are governed by the Utah Rules of Civil Procedure.

(3) (a) The district court, without a jury, shall determine all questions of fact and law and any constitutional issues presented in the pleadings.

(b) The Utah Rules of Evidence apply in judicial proceedings under this section. 1988

63-46b-16. Judicial review — Formal adjudicative proceedings.

(1) As provided by statute, the Supreme Court or the Court of Appeals has jurisdiction to review all final agency action resulting from formal adjudicative proceedings.

(2) (a) To seek judicial review of final agency action resulting from formal adjudicative proceedings, the petitioner shall file a petition for review of agency action with the appropriate appellate court in the form required by the appellate rules of the appropriate appellate court.

(b) The appellate rules of the appropriate appellate court shall govern all additional filings and proceedings in the appellate court.

(3) The contents, transmittal, and filing of the agency's record for judicial review of formal adjudicative proceedings are governed by the Utah Rules of Appellate Procedure, except that:

(a) all parties to the review proceedings may stipulate to shorten, summarize, or organize the record;

(b) the appellate court may tax the cost of preparing transcripts and copies for the record:

(i) against a party who unreasonably refuses to stipulate to shorten, summarize, or organize the record; or
(ii) according to any other provision of law.

(4) The appellate court shall grant relief only if, on the basis of the agency's record, it determines that a person seeking judicial review has been substantially prejudiced by any of the following:

(a) the agency action, or the statute or rule on which the agency action is based, is unconstitutional on its face or as applied;

(b) the agency has acted beyond the jurisdiction conferred by any statute;

(c) the agency has not decided all of the issues requiring resolution;

(d) the agency has erroneously interpreted or applied the law;

(e) the agency has engaged in an unlawful procedure or decision-making process, or has failed to follow prescribed procedure;

(f) the persons taking the agency action were illegally constituted as a decision-making body or were subject to disqualification;

(g) the agency action is based upon a determination of fact, made or implied by the agency, that is not supported by substantial evidence when viewed in light of the whole record before the court;

(h) the agency action is:

(i) an abuse of the discretion delegated to the agency by statute;

(ii) contrary to a rule of the agency;

(iii) contrary to the agency's prior practice, unless the agency justifies the inconsistency by giving facts and reasons that demonstrate a fair and rational basis for the inconsistency; or

(iv) otherwise arbitrary or capricious. 1988

ADDENDUM J

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION												
Question	59	60	61		62		63		64		65	66
	Terms Res	Res Req'ment	<u>EAC/ABET Degree</u>		<u>TAC/ABET Degree</u>		Non-ABET Degree		No Degree		Eval of Foreign Degree	Emi Clause
State			Exam	Exp	Exam	Exp	Exam	Exp	Exam	Exp		
AL	All	No	16	4	16	✓ 8	16	8	No Provision		Yes	No
AK	Eng, PE	No	8	4	8	✓ 5	8	6	8	12	Yes	No
AZ	PE	No	8	4	8		8		8	8	Yes	
AR	All	No	16	4	16	✓ 5	16	4	16	8	Yes	No
CA	Eng, PE	No	8	2	8	✓ 4	8	4-6	8	6	Yes	No
CO	Variations, PE	No	16	4	16	✓ 6	16	6	16	12	Yes	No
CT												
DEPE	All	No	16	4	16	✓ 8	16	8	16	20	Yes	No
DC	All	No	16	4	16	4	16	4	16	12	Yes	No
FLPE	PE	No	2	4	No Provision		Proof		No Provision		Yes	No
GA	All	No	16	4	16	✓ 7	16	7	16	15	Yes	No
GU	All	No	16	4	16	4	16	8	16	12	Yes	No
HI	Eng, PE	No	16	4	16	✓ 8	16	4	16	12	Yes	No
ID	All	Yes	16	4	16	✓ 6	16	8	16	8	Yes	No
*ILPE	All	No	16	4	No Provision		16	8	No Provision		Yes	Yes
INPE	PE	No		4-6		5-6	8	4-6	8	4-6	Yes	No
IA	PE	No	16	4	No Provision		16	5	No Provision		Yes	Yes
KS	Eng, PE	No	16	4	No Provision		N/A		N/A		Yes	No
KY	Eng, PE	No	8	4	No Provision		No Provision		No Provision		Yes	No
LA	All	No	16	4	0	0	16	8	No Provision		No	No
MEPE	PE	Yes	16	4	16	4	16	8	8	15	Yes	No
MDPE	PE	No	16	4	8	✓ 12	16	8		12	Yes	No
*MA		No	16	4			16	8	16	12	Yes	Yes
MIPE	PE	No	16	4+BS	No Provision		16	4+BS	No Provision		Yes	No
MN	Eng, PE	No	8	4	8	4	8	4	No Provision		Yes	No
MS	All	Yes	8	4	No Provision		Proof		No Provision		Yes	No
MO	All	No	NCEES		N/A		NCEES	4	N/A		Yes	Yes

PRINCIPLES AND PRACTICE OF ENGINEERING EXAMINATION												
Question	59	60	61		62		63		64		65	66
	Terms Res	Res Req'ment	<u>EAC/ABET Degree</u>		<u>TAC/ABET Degree</u>		Non-ABET Degree		No Degree		Eval of Foreign Degree	Emi Clause
State			Exam	<u>Exp</u>	Exam	<u>Exp</u>	Exam	Exp	Exam	Exp		
MT	PE	No	8	4	8	4	8	8	No Provision		Yes	No
NEPE	PE	No	16	4	16	✓ 6	16	12	16	12	Yes	No
NV	All	Yes	8	4	8	✓ 6	8	6	8	10	No	No
NHPE	All	No	16	4	16	✓ 8	16	8	8	25	Yes	No
NJ	Eng, PE	No	16	4	16	✓ 6	16	4	No Provision		Yes	No
NM	All	No	16	4	16	✓ 6	16	4	No Provision		Yes	No
NY	PE	No	16	4	16	✓ 6	16	6	16	12	Yes	No
NC	All	Yes	16	4	16	✓ 8	16	8	16	12	Yes	No
ND	All	No	8	4	8	✓ 20	8	8	8	20	Yes	No
NMI	All	No	16	2	16	✓ 12	16	8	16	12	Yes	No
OH	All	No	16	4	16	✓ 8	16	8	No Provision		No	Yes
OK	All	Yes	16	4	16	✓ 6	16	6	No Provision		Yes	No
OR	All	No	16	4	16	✓ 10	16	12	16	12	Yes	No
PA	All	No	8	4	8	4	8	4	8	4	Yes	No
PR												
RIPE	Eng, PE	No	8-16	4	16	4	16	6	No Provision		Yes	No
*SC	"Eng", PE	Yes	16	4	16	✓ 8	16	8	No Provision		Yes	No
SD	PE	No	8	4	8	✓ 5	8	6	No Provision		Yes	No
TNPE	All	Yes	8	4			8	4	No Provision		Yes	No
TXPE	All	Yes	16	4	16	✓ 8	16	8	No Provision		Yes	No
UT	PE	No	8	4	N/A		No Provision		No Provision		Yes	No
VTPE	PE	No	8	4	8	✓ 8	8	6	8	12	es w/<12yrs ex	No
VA	PE	No	8	4	8	✓ 6	8	6	8	10	Yes	No
VI												
WA	Variations	No	16	4	16	✓ 5	16	8	16	8	Yes	No
WVPE	All	Yes	16	4	16	✓ 6	No Provision		No Provision		Yes	Yes
WI	All	No	16	4	16	✓ 5	16	Varies	16	8	Yes	Yes
WY	PE	No	16	4	No Provision		Proof		No Provision		Yes	No