

IN THE SENATE

SENATE BILL NO. 1252

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1212, IDAHO CODE,  
2 TO REVISE TERMINOLOGY, TO REVISE CERTAIN REQUIREMENTS FOR EXAMINATION  
3 AND LICENSURE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION  
4 54-1214, IDAHO CODE, TO REMOVE PROVISIONS REGARDING FAILED EXAMINA-  
5 TIONS.  
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 54-1212, Idaho Code, be, and the same is hereby  
9 amended to read as follows:

10 54-1212. GENERAL REQUIREMENTS FOR EXAMINATION AND LICENSE. Except as  
11 herein otherwise expressly provided, no license as a professional engineer  
12 or professional land surveyor, or certification as an engineer intern or  
13 land surveyor intern, shall be issued until an applicant has successfully  
14 passed an examination given by or ~~under the supervision of~~ approved by the  
15 board, nor shall a license as a professional engineer or professional land  
16 surveyor, or certification as an engineer intern or land surveyor intern,  
17 be issued to an applicant having habits or character that would justify  
18 revocation or suspension of his license or certificate, as provided in sec-  
19 tion 54-1220, Idaho Code. Except for military personnel stationed in the  
20 state of Idaho on military orders and except for persons employed full-time  
21 in the state of Idaho, only residents of the state of Idaho and students  
22 enrolled at an Idaho university or college may qualify ~~for assignment to~~  
23 ~~examinations~~ for initial licensure. The following shall be considered as  
24 minimum evidence satisfactory to the board that the applicant is qualified  
25 for certification as an intern or ~~assignment to~~ licensure as a professional  
26 ~~engineering engineer~~ or professional land ~~surveying examination~~ surveyor:

27 (1) As a professional engineer:

28 (a) Graduation from an approved engineering program of four (4) years  
29 or more in a school or college approved by the board as being of satis-  
30 factory standing, passage of ~~an~~ examinations on the fundamentals of en-  
31 gineering and professional engineering acceptable to the board, and a  
32 specific record, after graduation, of an additional four (4) years or  
33 more of progressive experience in engineering work of a grade and char-  
34 acter satisfactory to the board, and indicating that the applicant is  
35 competent to practice professional engineering; or

36 (b) Graduation with a bachelor's degree in a related science from a  
37 school or college approved by the board, and evidence satisfactory to  
38 the board that the applicant possesses knowledge and skill approxi-  
39 mating that attained through graduation from an approved four (4) year  
40 engineering program, passage of ~~an~~ examinations on the fundamentals  
41 of engineering and professional engineering acceptable to the board,  
42 and a specific record, after graduation, of four (4) years or more of

1 progressive experience in engineering work of a grade and character  
2 satisfactory to the board and indicating that the applicant is compe-  
3 tent to practice professional engineering.

4 (2) As a professional land surveyor:

5 (a) Graduation from an approved surveying program of four (4) years or  
6 more in a school or college approved by the board as being of satisfac-  
7 tory standing, passage of ~~an~~ examinations on the fundamentals of sur-  
8 veying and professional land surveying acceptable to the board, and a  
9 specific record of an additional four (4) years or more of progressive  
10 combined office and field experience in land surveying work of a grade  
11 and character satisfactory to the board and indicating that the appli-  
12 cant is competent to practice professional land surveying; or

13 (b) Graduation with a bachelor's degree in a related ~~science~~ program  
14 from a school or college approved by the board as being of satisfactory  
15 standing, and evidence satisfactory to the board that the applicant  
16 possesses knowledge and skill approximating that attained through  
17 graduation from an approved four (4) year surveying program, passage  
18 of ~~an~~ examinations on the fundamentals of surveying and professional  
19 land surveying acceptable to the board, and a specific record of an ad-  
20 ditional four (4) years or more of progressive combined office and field  
21 experience in land surveying work of a grade and character satisfactory  
22 to the board and indicating that the applicant is competent to practice  
23 land surveying.

24 (3) As an engineer intern:

25 (a) Passage of an examination on the fundamentals of engineering and  
26 graduation from an approved engineering program of four (4) years or  
27 more in a school or college approved by the board as being of satisfac-  
28 tory standing and indicating that the applicant is competent to enroll  
29 as an engineer intern;

30 (b) Passage of an examination on the fundamentals of engineering and  
31 graduation with a bachelor's degree in a related science from a school  
32 or college approved by the board, and evidence satisfactory to the board  
33 that the applicant possesses knowledge and skill approximating that  
34 attained through graduation from an approved four (4) year engineering  
35 program, and indicating that the applicant is competent to be enrolled  
36 as an engineer intern; or

37 (c) Passage of an examination on the fundamentals of engineering and  
38 graduation with an engineering master's or doctoral degree approved by  
39 the board, evidence satisfactory to the board that the applicant pos-  
40 sesses knowledge and skill approximating that attained through gradua-  
41 tion from an approved four (4) year engineering program, and indicating  
42 that the applicant is competent to be enrolled as an engineer intern.

43 (d) In the event the applicant passes the examination prior to gradua-  
44 tion under the provisions of paragraph (a), (b) or (c) of this subsec-  
45 tion, a certificate will be issued only after the applicant graduates.

46 (4) As a land surveyor intern:

47 (a) Passage of an examination on the fundamentals of surveying and  
48 graduation from an approved surveying program of four (4) years or more  
49 in a school or college approved by the board as being of satisfactory

1 standing and indicating that the applicant is competent to be enrolled  
2 as a land surveyor intern; or

3 (b) Passage of an examination on the fundamentals of surveying and  
4 graduation with a bachelor's degree in a related ~~science~~ program from a  
5 school or college approved by the board, evidence satisfactory to the  
6 board that the applicant possesses knowledge and skill approximating  
7 that attained through graduation from an approved four (4) year sur-  
8 veying program, and indicating that the applicant is competent to be  
9 enrolled as a land surveyor intern.

10 (c) In the event the applicant passes the examination prior to grad-  
11 uation from college under the provisions of paragraph (a) or (b) of  
12 this subsection, a certificate shall be issued only after the applicant  
13 graduates.

14 In counting years of experience for ~~assignment to the licensure as a~~  
15 professional engineer or professional land surveyor examination, the board  
16 may, at its discretion, give credit, not in excess of one (1) year, for sat-  
17 isfactory graduate study toward a master's degree and not in excess of an  
18 additional one (1) year for satisfactory graduate study toward a doctorate  
19 degree. In the event an applicant obtains a doctorate degree without first  
20 obtaining a master's degree, the board may, at its discretion, give credit,  
21 not in excess of two (2) years.

22 In considering the combined education and experience qualifications of  
23 applicants, the board shall consider engineering teaching, land surveying  
24 teaching, each year of satisfactory completion of undergraduate college  
25 education, advanced degrees in engineering and advanced degrees in land  
26 surveying in establishing the applicants' minimum composite knowledge and  
27 skill.

28 The mere execution, as a contractor, of work designed by a professional  
29 engineer, or the supervision of the construction of such work as a foreman or  
30 superintendent, shall not be deemed to be the practice of engineering, but  
31 if such experience, in the opinion of the board, has involved responsible su-  
32 pervision of a character that will tend to expand the engineering knowledge  
33 and skill of the applicant, the board may in its discretion give such credit  
34 therefor as it may deem proper.

35 Any person having the necessary qualifications prescribed in this chap-  
36 ter ~~to that otherwise~~ entitle him ~~to assignment to an examination for initial~~  
37 licensure or certification shall be eligible ~~for such assignment~~ although he  
38 may not be practicing his profession at the time of making his application.

39 The board may postpone acting on an application for ~~assignment to any~~  
40 examination certification or licensure if disciplinary or criminal action  
41 related to the applicant's practice has been taken or is pending in any other  
42 jurisdiction. The board may postpone the ~~release of scores~~ notification of  
43 examination results to applicants on any examination if there is any unre-  
44 solved examination irregularity involving the applicant. The board may in-  
45 vestigate and adjudicate the validity of examination irregularities and if  
46 the examination irregularities are substantiated, the board may invalidate  
47 the ~~score~~ examination result of the applicant.

48 SECTION 2. That Section 54-1214, Idaho Code, be, and the same is hereby  
49 amended to read as follows:

1           54-1214. EXAMINATIONS. (1) Examinations will be held at such times and  
2 places as the board directs. The board shall determine the acceptable grade  
3 on examinations.

4           (2) Written professional examinations may be taken only after the ap-  
5 plicant has met the other minimum requirements as given in section 54-1212,  
6 Idaho Code. The following examinations shall be offered:

7           (a) Fundamentals of Engineering -- The examination consists of a test  
8 on the fundamentals of engineering acceptable to the board. Passing  
9 this examination qualifies the examinee for an engineer intern cer-  
10 tificate, provided he has met all other requirements of certification  
11 required by this chapter.

12           (b) Principles and Practice of Engineering -- The professional engi-  
13 neering examination consists of a test on applied engineering accept-  
14 able to the board. Passing this examination qualifies the examinee for  
15 licensure as a professional engineer, provided he has met the other re-  
16 quirements for licensure required by this chapter.

17           (c) Fundamentals of Surveying -- The examination consists of a test on  
18 the fundamentals of surveying acceptable to the board. Passing this  
19 examination qualifies the examinee for a land surveyor intern cer-  
20 tificate, provided he has met all other requirements for certification  
21 required by this chapter.

22           (d) Principles and Practice of Surveying -- The professional surveying  
23 examination consists of a test on applied surveying acceptable to the  
24 board. Passing this examination qualifies the examinee for licensure  
25 as a professional land surveyor, provided he has met the other require-  
26 ments for licensure required by this chapter.

27           (3) A candidate failing all or part of a professional examination may  
28 request reexamination, which may be granted upon payment of a separate ex-  
29 amination fee paid by the applicant directly to the entity designated by the  
30 board. In the event of a second failure, the examinee shall be required to  
31 obtain a minimum of one (1) additional year of experience, acceptable to the  
32 board, from the date of the second examination failure, and submit evidence  
33 of having completed an additional eight (8) semester credits of college  
34 level academic education relating to the examination that may include a pro-  
35 fessional engineering or professional surveying review course, before the  
36 board will consider that he has acquired the necessary additional knowledge  
37 to warrant assignment to a third examination. In the event of a third or  
38 subsequent failure, the examinee shall be required to obtain a minimum of  
39 three (3) additional years of experience, acceptable to the board, from the  
40 date of the third or subsequent examination failure, and submit evidence  
41 of having completed an additional twelve (12) semester credits of college  
42 level academic education relating to the examination that may include a  
43 second professional engineering or professional surveying review course,  
44 before the board will consider that he has acquired the necessary additional  
45 knowledge to warrant assignment to a subsequent examination. The separate  
46 application and examination fees shall be as set forth herein.

47           (4) The board may prepare and adopt specifications for the examinations  
48 in engineering and land surveying.

49           (5) The board may issue a restricted license to engineering faculty  
50 with an earned doctorate degree. The license shall be restricted to those

1 licensees remaining employed by a college or university in this state and  
2 teaching upper division engineering courses. The board may waive technical  
3 examinations for such licenses in lieu of other requirements prescribed by  
4 rule. As used in this section, "restricted license" means a license to teach  
5 college or university upper division courses with an earned doctorate but  
6 without passing a technical examination.