

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 374

BY BUSINESS COMMITTEE

AN ACT

1 RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1212, IDAHO CODE,
2 TO PROVIDE THAT ONLY CERTAIN PERSONS MAY QUALIFY FOR ASSIGNMENT TO
3 EXAMINATIONS FOR INITIAL CERTIFICATION AND LICENSURE AND TO PROVIDE
4 EXCEPTIONS, TO PROVIDE CONDITIONS UNDER WHICH THE BOARD MAY POSTPONE
5 ACTING ON AN APPLICATION FOR ASSIGNMENT TO ANY EXAMINATION, TO PROVIDE
6 CONDITIONS UNDER WHICH THE BOARD MAY POSTPONE THE RELEASE OF SCORES TO
7 APPLICANTS AND TO GRANT THE BOARD AUTHORITY TO INVESTIGATE AND ADJUDI-
8 CATE THE VALIDITY OF EXAMINATION IRREGULARITIES AND TO INVALIDATE THE
9 SCORE OF AN APPLICANT UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION
10 54-1213, IDAHO CODE, TO REMOVE THE REQUIREMENT THAT APPLICATIONS FOR
11 LICENSURE AND CERTIFICATION BE MADE UNDER OATH; AND AMENDING SECTION
12 54-1219, IDAHO CODE, TO GRANT THE BOARD AUTHORITY TO POSTPONE ACTING ON
13 AN APPLICATION FOR A LICENSE BY COMITY UNDER CERTAIN CIRCUMSTANCES.
14

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

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

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

34 (1) As a professional engineer:

35 (a) Graduation from an approved engineering program of four (4) years
36 or more in a school or college approved by the board as being of satis-
37 factory standing, passage of an examination on the fundamentals of en-
38 gineering acceptable to the board, and a specific record, after gradua-
39 tion, of an additional four (4) years or more of progressive experience
40 in engineering work of a grade and character satisfactory to the board,
41 and indicating that the applicant is competent to practice professional
42 engineering; or

1 (b) Graduation with a bachelor's degree in a related science from a
2 school or college approved by the board, and evidence satisfactory to
3 the board that the applicant possesses knowledge and skill approxi-
4 mating that attained through graduation from an approved four (4) year
5 engineering program, passage of an examination on the fundamentals
6 of engineering acceptable to the board, and a specific record, after
7 graduation, of four (4) years or more of progressive experience in en-
8 gineering work of a grade and character satisfactory to the board and
9 indicating that the applicant is competent to practice professional
10 engineering.

11 (2) As a professional land surveyor:

12 (a) Graduation from an approved surveying program of four (4) years or
13 more in a school or college approved by the board as being of satisfac-
14 tory standing, passage of an examination on the fundamentals of survey-
15 ing acceptable to the board, and a specific record of an additional four
16 (4) years or more of progressive combined office and field experience in
17 land surveying work of a grade and character satisfactory to the board
18 and indicating that the applicant is competent to practice professional
19 land surveying; or

20 (b) Graduation with a bachelor's degree in a related science from
21 a school or college approved by the board as being of satisfactory
22 standing, and evidence satisfactory to the board that the applicant
23 possesses knowledge and skill approximating that attained through
24 graduation from an approved four (4) year surveying program, passage
25 of an examination on the fundamentals of surveying acceptable to the
26 board, and a specific record of an additional four (4) years or more of
27 progressive combined office and field experience in land surveying work
28 of a grade and character satisfactory to the board and indicating that
29 the applicant is competent to practice land surveying.

30 (3) As an engineer intern:

31 (a) Graduation from or in the last two (2) semesters of an approved
32 engineering program of four (4) years or more in a school or college
33 approved by the board as being of satisfactory standing and indicating
34 that the applicant is competent to enroll as an engineer intern; or

35 (b) Graduation with a bachelor's degree in a related science from a
36 school or college approved by the board, and evidence satisfactory to
37 the board that the applicant possesses knowledge and skill approxi-
38 mating that attained through graduation from an approved four (4) year
39 engineering program, and indicating that the applicant is competent to
40 be enrolled as an engineer intern.

41 (c) In the event the applicant qualifies for assignment to the examina-
42 tion during the last two (2) semesters of college under the provisions
43 of section 54-1212 (3) (a), Idaho Code, and a passing grade is attained, a
44 certificate will be issued only after the applicant graduates.

45 (4) As a land surveyor intern:

46 (a) Graduation from, or in the last two (2) semesters of, an approved
47 surveying program of four (4) years or more in a school or college ap-
48 proved by the board as being of satisfactory standing and indicating
49 that the applicant is competent to be enrolled as a land surveyor in-
50 tern; or

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

7 (c) In the event the applicant qualifies for assignment to the exam-
8 ination during the last two (2) semesters of college under the provi-
9 sions of subsection (4) (a) of this section, and attains a passing grade,
10 a certificate shall be issued only after the applicant graduates.

11 In counting years of experience for assignment to the professional en-
12 gineer or professional land surveyor examination, the board may, at its dis-
13 cretion, give credit, not in excess of one (1) year, for satisfactory gradu-
14 ate study toward a master's degree and not in excess of an additional one (1)
15 year for satisfactory graduate study toward a doctorate degree. In the event
16 an applicant obtains a doctorate degree without first obtaining a master's
17 degree, the board may, at its discretion, give credit, not in excess of two
18 (2) years.

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

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

32 Any person having the necessary qualifications prescribed in this chap-
33 ter to entitle him to assignment to an examination for licensure or certifi-
34 cation shall be eligible for such assignment although he may not be practic-
35 ing his profession at the time of making his application.

36 The board may postpone acting on an application for assignment to any
37 examination if disciplinary or criminal action related to the applicant's
38 practice has been taken or is pending in any other jurisdiction. The board
39 may postpone the release of scores to applicants on any examination if there
40 is any unresolved examination irregularity involving the applicant. The
41 board may investigate and adjudicate the validity of examination irregular-
42 ities and if the examination irregularities are substantiated, the board may
43 invalidate the score of the applicant.

44 SECTION 2. That Section 54-1213, Idaho Code, be, and the same is hereby
45 amended to read as follows:

46 54-1213. APPLICATIONS AND FEES. Applications for licensure as a pro-
47 fessional engineer or professional land surveyor, or certification as an en-
48 gineer intern or land surveyor intern, shall be on forms prescribed and fur-
49 nished by the board. The application shall be made under oath, and shall show

1 the applicant's education and a detailed summary of his engineering or land
2 surveying experience. An applicant for licensure as a professional engineer
3 or professional land surveyor shall furnish not less than five (5) refer-
4 ences, of whom three (3) or more should be professional engineers or profes-
5 sional land surveyors, as applicable, having personal knowledge of the ap-
6 plicant's engineering or land surveying experience. Applications for cer-
7 tificates of authorization shall be made in accordance with section 54-1235,
8 Idaho Code.

9 The maximum application fee for professional engineers or professional
10 land surveyors seeking to be licensed by examination shall not exceed one
11 hundred dollars (\$100). The application fee shall accompany the applica-
12 tion. The examination fee, which shall be separate from the application
13 fee, shall be paid by the applicant directly to the entity designated by the
14 board.

15 The maximum application fee for an applicant who seeks a certificate as
16 an engineer intern or land surveyor intern shall not exceed fifty dollars
17 (\$50.00). The application fee shall accompany the application. The exam-
18 ination fee, which shall be separate from the application fee, shall be paid
19 by the applicant directly to the entity designated by the board.

20 The maximum application fee for business entities seeking a certificate
21 of authorization shall be two hundred dollars (\$200). The application fee
22 shall accompany the application.

23 The amount of the license fee or certificate fee shall be fixed by the
24 board prior to June 30 of any year and shall continue in force until changed.

25 Should the board deny the issuance of a certificate or license to any ap-
26 plicant, the application fee paid shall be retained as a processing fee.

27 SECTION 3. That Section 54-1219, Idaho Code, be, and the same is hereby
28 amended to read as follows:

29 54-1219. COMITY LICENSURE -- FEE. The board, upon application there-
30 for and the payment of a fee of not to exceed a maximum of one hundred fifty
31 dollars (\$150), may issue a license as a professional engineer or profes-
32 sional land surveyor to any person who holds a license issued to the appli-
33 cant by the proper authority of any state, territory or possession of the
34 United States, the District of Columbia, or of a foreign country, provided
35 that, in the opinion of the board, the applicant possesses the education,
36 experience and examination credentials, or their equivalents, that were
37 specified in the applicable licensing chapter in effect in this state at the
38 time such license was issued, provided that a professional land surveyor ap-
39 plicant must successfully pass a land surveying examination as prepared and
40 administered by the board, and provided such state, territory, possession or
41 country will license, without examination and upon substantially the same
42 condition, to applicants holding licenses issued by the board under this
43 chapter. In the event the applicant has been licensed and has practiced as a
44 professional engineer or professional land surveyor in another jurisdiction
45 for a minimum of eight (8) years, has no outstanding disciplinary action,
46 and is in good standing under a licensing system which, in the opinion of
47 the board, maintains substantially equivalent professional standards as
48 required under this chapter, the board may, in its discretion, waive the
49 requirement for satisfaction of prescriptive credentials in education and

1 examination. The board may postpone acting on an application for a license
2 by comity if disciplinary or criminal action related to the applicant's
3 practice has been taken or is pending in any other jurisdiction.