

Senate Bill 208

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Governor John A. Kitzhaber, M.D., for State Board of Examiners for Engineering and Land Surveying)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows applicant enrolled in senior year of curriculum approved by State Board of Examiners for Engineering and Land Surveying to take fundamentals of engineering examination or fundamentals of land surveying examination. Requires applicant to furnish board with proof of successful completion of curriculum. Allows board to administer examinations that are computer-based.

Allows board to consider education of applicant for licensing as land surveyor as relevant factor in lieu of degree. Revises position title of board secretary.

A BILL FOR AN ACT

1
2 Relating to the State Board of Examiners for Engineering and Land Surveying; creating new pro-
3 visions; and amending ORS 672.090, 672.102, 672.105, 672.115, 672.118, 672.141, 672.151, 672.170
4 and 672.255.

5 **Be It Enacted by the People of the State of Oregon:**

6 **SECTION 1. Section 2 of this 2013 Act is added to and made a part of ORS 672.002 to**
7 **672.325.**

8 **SECTION 2. (1) Notwithstanding ORS 670.010, 672.105 and 672.118 the State Board of Ex-**
9 **aminers for Engineering and Land Surveying may waive the educational requirement for**
10 **admission to the fundamentals of engineering examination or the fundamentals of land sur-**
11 **veying examination if an applicant furnishes evidence satisfactory to the board that the ap-**
12 **plicant is currently enrolled in the senior year of a curriculum approved by the board.**

13 **(2) An applicant who is admitted to an examination under a waiver described in sub-**
14 **section (1) of this section shall, within a time specified by the board by rule, provide the**
15 **board with an official transcript showing that the applicant has successfully completed the**
16 **board-approved curriculum. Failure of the applicant to timely provide the board with an of-**
17 **ficial transcript showing that the applicant has successfully completed the curriculum va-**
18 **cates any passing score that the applicant achieved on an examination to which the applicant**
19 **was admitted under the waiver.**

20 **(3) The board may not refund any part of an application fee, examination fee or other fee**
21 **paid by an applicant described in subsection (2) of this section who fails to timely provide the**
22 **board with an official transcript as required by board rule.**

23 **SECTION 3. ORS 672.090 is amended to read:**

24 **672.090. (1) The State Board of Examiners for Engineering and Land Surveying shall issue cer-**
25 **tificates of registration as provided by ORS 672.002 to 672.325. All certificates shall be signed by the**
26 **president and [*secretary*] **the administrator** of the board and issued under the seal of the board.**
27 **The board shall prescribe and furnish forms for applications for examinations and for certificates**
28 **and permits.**

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 (2) Examinations shall be held at such times and at such places in each year as the board shall
 2 determine. The scope of the examinations and the methods of procedure shall be prescribed by the
 3 board. Examinations for registration may be written or *[oral, or both]* **computer-based**.

4 **SECTION 4.** ORS 672.102 is amended to read:

5 672.102. As minimum evidence of qualification for registration as a professional engineer, an
 6 applicant shall:

7 (1) Successfully pass the fundamentals *[in]* **of** engineering examination;

8 (2) Successfully pass a practical engineer's examination as may be prescribed by the State Board
 9 of Examiners for Engineering and Land Surveying; and

10 (3) Have a work record of four years or more of active practice in engineering work satisfactory
 11 to the board.

12 **SECTION 5.** ORS 672.105, as amended by section 2, chapter 43, Oregon Laws 2012, is amended
 13 to read:

14 672.105. (1) As minimum evidence of qualification for the fundamentals *[in]* **of** engineering ex-
 15 amination, an applicant shall provide evidence of graduation in an approved engineering curriculum
 16 of four years or more from a school or college approved by the State Board of Examiners for Engi-
 17 neering and Land Surveying.

18 (2) Notwithstanding subsection (1) of this section:

19 (a) The board shall adopt rules to consider an applicant's work experience or education, or other
 20 relevant factors, in lieu of a degree in engineering as qualification for the fundamentals *[in]* **of** en-
 21 gineering examination.

22 (b) An applicant qualifies for the fundamentals *[in]* **of** engineering examination if the board de-
 23 termines that the applicant has military training or experience that is substantially equivalent to
 24 the education required by subsection (1) of this section.

25 (3) The fundamentals *[in]* **of** engineering examination shall be prescribed by the board and shall
 26 be devoted to basic engineering subjects. The examination shall be written or *[written and oral]*
 27 **computer-based**.

28 **SECTION 6.** ORS 672.115 is amended to read:

29 672.115. As minimum evidence of qualification for registration as a professional land surveyor,
 30 an applicant shall:

31 (1) Successfully pass the fundamentals *[in]* **of** land surveying examination;

32 (2) Successfully pass a professional land surveyor's examination as may be prescribed by the
 33 State Board of Examiners for Engineering and Land Surveying; and

34 (3) Have a work record of four or more years of active practice in land surveying work satis-
 35 factory to the board.

36 **SECTION 7.** ORS 672.118, as amended by section 3, chapter 43, Oregon Laws 2012, is amended
 37 to read:

38 672.118. (1) As minimum evidence of qualification for the fundamentals *[examination in]* **of** land
 39 surveying **examination**, an applicant shall provide evidence of graduation in an approved land sur-
 40 veying or photogrammetric mapping curriculum of four years or more from a school or college ap-
 41 proved by the State Board of Examiners for Engineering and Land Surveying.

42 (2) Notwithstanding subsection (1) of this section:

43 (a) The board shall adopt rules to consider an applicant's work experience **or education**, or
 44 other relevant factors, in lieu of a degree as qualification for the fundamentals *[in]* **of** land surveying
 45 examination.

1 (b) An applicant qualifies for the fundamentals [*in*] of land surveying examination if the board
 2 determines that the applicant has military training or experience that is substantially equivalent to
 3 the education required by subsection (1) of this section.

4 (3) The fundamentals [*in*] of land surveying examination shall be prescribed by the board and
 5 shall be devoted to basic land surveying subjects. The examination shall be written[, *or written and*
 6 *oral*] **or computer-based**.

7 **SECTION 8.** ORS 672.141 is amended to read:

8 672.141. (1) Notwithstanding ORS 672.102, the State Board of Examiners for Engineering and
 9 Land Surveying may issue a certificate of registration as an engineer to an applicant who:

10 (a) Provides proof satisfactory to the board that the applicant:

11 (A) Meets the minimum qualifications established under ORS 672.105 for taking the fundamentals
 12 [*in*] of engineering examination;

13 (B) Within five years prior to the application date, has taken a standardized fundamentals of
 14 engineering examination and a practical engineer's examination that were administered by a na-
 15 tional organization recognized by the board;

16 (C) Satisfactorily passed the standardized fundamentals of engineering examination and practical
 17 engineer's examination in all subjects required by law or board rule; and

18 (D) Has a work record of four years or more of active practice in engineering work satisfactory
 19 to the board;

20 (b) Pays the required fee; and

21 (c) Meets any other requirements established under ORS 672.002 to 672.325 or board rules for
 22 registration as an engineer.

23 (2) Notwithstanding ORS 672.115, the board may issue a certificate of registration as a land
 24 surveyor to an applicant who:

25 (a) Provides proof satisfactory to the board that the applicant:

26 (A) Meets the minimum qualifications established under ORS 672.118 for taking the fundamentals
 27 [*in*] of land surveying examination;

28 (B) Within five years prior to the application date, has taken a standardized fundamentals of
 29 land surveying examination and a professional land surveyor's examination that were administered
 30 by a national organization recognized by the board;

31 (C) Satisfactorily passed the standardized fundamentals of land surveying examination and the
 32 professional land surveyor's examination in all subjects required by law or board rule; and

33 (D) Has a work record of four or more years of active practice in land surveying work satis-
 34 factory to the board;

35 (b) Pays the required fee; and

36 (c) Meets any other requirements established under ORS 672.002 to 672.325 or board rules for
 37 registration as a land surveyor.

38 (3) Notwithstanding ORS 672.123, the board may issue a certificate of registration as a pho-
 39 togrammetrist to an applicant who:

40 (a) Provides proof satisfactory to the board that the applicant:

41 (A) Meets the minimum qualifications established under ORS 672.118 for taking the fundamentals
 42 [*in*] of land surveying examination;

43 (B) Within five years prior to the application date, has taken a standardized fundamentals of
 44 land surveying examination and a professional photogrammetric mapping examination that were
 45 administered by a national organization recognized by the board;

1 (C) Satisfactorily passed the standardized fundamentals of land surveying examination and the
2 professional photogrammetric mapping examination in all subjects required by law or board rule;
3 and

4 (D) Has four or more years of experience acceptable to the board as an active practitioner of
5 photogrammetric mapping;

6 (b) Pays the required fee; and

7 (c) Meets any other requirements established under ORS 672.002 to 672.325 or board rules for
8 registration as a photogrammetrist.

9 (4) The board may refuse to issue a registration under this section to an applicant who has been
10 found to have violated ethical or professional standards by a court or administrative body in another
11 state for committing or omitting acts that, if committed or omitted in this state, would be a violation
12 of ethical or professional standards established under ORS 672.002 to 672.325.

13 **SECTION 9.** ORS 672.151 is amended to read:

14 672.151. As soon as practicable after the close of each examination, the [*secretary*] **administra-**
15 **tor** of the State Board of Examiners for Engineering and Land Surveying shall notify each candidate
16 of the result of the candidate's examination.

17 **SECTION 10.** ORS 672.170 is amended to read:

18 672.170. (1) Renewal of a certificate may be effected at any time prior to the renewal date by
19 paying the required renewal fee to [*the secretary of*] the State Board of Examiners for Engineering
20 and Land Surveying.

21 (2) Subject to subsection (4) of this section, the failure of a registrant to renew the certificate
22 before the renewal date does not deprive the registrant of the right of renewal thereafter.

23 (3) The amount to be paid for the renewal of a certificate after the renewal date shall be the
24 renewal fee plus a late-payment charge determined by the board.

25 (4) A certificate may not be renewed if the certificate has been retired for more than five years
26 or delinquent for more than five years.

27 **SECTION 11.** ORS 672.255 is amended to read:

28 672.255. (1) The State Board of Examiners for Engineering and Land Surveying shall adopt rules:

29 (a) Establishing fees as provided in ORS 672.155 and late-payment charges under ORS 672.170.

30 (b) Providing a procedure for the issuance, denial, suspension or revocation of certificates, en-
31 rollments and permits.

32 (c) Prescribing standards of professional conduct for professional engineers, professional land
33 surveyors, photogrammetrists, engineering interns and land surveying interns.

34 (d) Specifying branches of engineering, land surveying and photogrammetric mapping in which
35 examinations are offered.

36 (e) For registering individuals and issuing certificates of registration and temporary permits to
37 individuals under ORS 672.002 to 672.325.

38 (f) Prescribing standards and intellectual, educational and technical qualifications for examina-
39 tion, registration and renewal in addition to the qualifications and conditions prescribed in ORS
40 672.105, 672.118, 672.123 and 672.170 **and section 2 of this 2013 Act.**

41 (g) Prescribing standards and guidelines for retired or inactive status of registrants, including
42 provisions to allow the return to active status.

43 (h) Defining the scope of practice for individuals holding a certificate issued by the board to
44 practice engineering, land surveying or photogrammetric mapping or a temporary permit issued by
45 the board to perform engineering or photogrammetric mapping.

1 (2) In adopting rules under subsection (1)(c) to (h) of this section, the board shall give consid-
2 eration to national practices as well as **to** local practices. Adoption of rules shall be in accordance
3 with ORS chapter 183.

4 **SECTION 12.** **Section 2 of this 2013 Act applies to applications pending or filed with the**
5 **State Board of Examiners for Engineering and Land Surveying on or after the effective date**
6 **of this 2013 Act.**

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