

## **HB 3143 -1 STAFF MEASURE SUMMARY**

### **House Committee On Business and Labor**

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**Prepared By:** Jan Nordlund, LPRO Analyst

**Meeting Dates:** 3/20

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#### **WHAT THE MEASURE DOES:**

Clarifies that practice of engineering or land surveying means providing specified services for others. Clarifies that someone is practicing engineering, land surveying, or photogrammetric mapping when they bid to perform or perform commercial or professional services or work or when they claim in advertising, signage, card, or such, that they are a professional or registered practitioner.

#### **ISSUES DISCUSSED:**

##### **EFFECT OF AMENDMENT:**

-1 Limits regulation of certain activities of land surveyors to when work performed is for others.

##### **BACKGROUND:**

The Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) regulates the practices of engineering, land surveying, photogrammetric mapping, and water right examination in the State as they relate to the welfare of the public in safeguarding life, health and property. The Board assures that only competent individuals are granted licenses to practice engineering, land surveying, and photogrammetric mapping, that only registered individuals are offering and/or providing engineering, land surveying or photogrammetric mapping services, or water right examination and that registered individuals maintain high standards of practice and compliance with applicable statutes, rules, and regulations.

Mats Jarlstrom was fined by the Board for claiming to be an engineer as he advocated for a review of traffic light calculations after his wife was ticketed for running a red light. He took his case to U.S. District Court. The court ruled that the engineering statutes and administrative rules violated his rights under the Speech Clause and Petition Clause of the First Amendment.