



ARKANSAS

State Board of Registration for Professional Engineers and Land Surveyors

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April 1997

NEWSLETTER

Thirteenth Edition

President Driggers Comments

The Board has been very busy during the first eight months of this fiscal year. We have met five times, one of which was in Fayetteville on the campus of the University of Arkansas.

The meeting in Fayetteville was highlighted by the opportunity to meet with Department Heads and the Dean of the College of Engineering. I was extremely pleased with the meeting and the opportunity to discuss relevant issues with the Dean and his staff. I believe the Board will have an excellent long term relationship with the Dean.

The Board is considering the development of an examination for the relatively new discipline of Computer Systems Engineering. No national examination is available in this field and the Computer Systems Engineering Department is the largest in the College of Engineering. There is an effort being generated by some other states encouraging NCEES to pursue the development of a national examination. This will eventually happen, but it may not be soon enough to help with the immediate problem in Arkansas

We continue to pursue an ongoing dialogue with the Architects Board, especially concerning cross discipline practice. The most recent revisions in both registration Acts should have clarified this issue but we still have need for face-to-face discussions on particular projects. Professional Engineers should be very careful to practice only in areas where they are qualified by education and experience.

An important consideration for our May meeting is the rules revision shown in this Newsletter. I urge you to carefully review this and send your comments to the Board or come to the Public Hearing. We intend to conclude this matter at the July Board meeting after the board members have had an opportunity to digest comments received.

Investigating complaints and handling disciplinary matters concerning both registrants and non-registrants claims a considerable amount of time. The actions of the board on these matters are summarized in another section of the Newsletter.

I welcome Don Brady, PE, PLS to the Board. Don was appointed by Governor Tucker and is making a good contribution to the Board.

I have enjoyed serving as President of this Board.

DISCIPLINARY ACTIONS

The Board had a busy year during 1996 on disciplinary matters. The Board received a total of 26 Land Surveyor complaints. Seven of these were dismissed after the Land Surveyor made corrections to the surveys. Eleven were dismissed because of no merit to the complaint. One is scheduled for a disciplinary hearing. Three of the complaints are still under investigation. Three resulted in a consent decree between the Board and the surveyor.

The Board received 14 complaints against engineers. Two were dismissed because of no merit to the complaint. Four were dismissed after corrective action by the engineers. Three of the complaints are still under investigation. Five of the complaints resulted in disciplinary action with a consent decree between the engineer and the Board.

BOARD APPOINTMENTS

Donald R. Brady was appointed to the Board July 1, 1996 for a four year term. Don is a graduate of the University of Arkansas at Fayetteville. He is president of Affiliated Engineers in Hot Springs. He is both a Professional Engineer and a Professional Land Surveyor. Don and his wife, Beverly, live in Hot Springs.

Albert H. Miller was reappointed to his third four year term effective July 1, 1996. Al is president of Miller-Newell Engineers in Newport. He is both a Professional Engineer and a Professional Land Surveyor. He and his wife, Lynette, live in Newport.

We welcome both of these gentlemen as Board members and look forward to working with them for the next four years.

RULES CHANGES

The Board has been studying for the past several months some rule changes. The major part of this is the implementation of mandatory continuing education for Professional Engineers. A public hearing will be held at the Board office, Suite 660, Mercantile Bank Building, North Little Rock, Arkansas at 3:00 p.m. on Tuesday, May 20, 1997. Written comments may be mailed to the Board office at anytime prior to that and oral or written comments will be received at that time.

The full text of the proposed rule changes follows:
ARTICLE 8 General Requirements for Registration and Certification:

A. General Information

4. The term "Engineering Accreditation Commission of Accreditation Board for Engineering and Technology (EAC of ABET) approved or equivalent" will be defined by the Arkansas Board as "those judged substantially equivalent by ABET or NCEES or those who have a non EAC of ABET undergraduate

engineering degree plus a graduate engineering degree from an institution that offers an EAC of ABET accredited undergraduate degree in the same discipline as the graduate degree."

Article 8.B.2 - To be deleted completely

Article 8.B.3 - To be deleted completely

Article 8.B.5 - To be deleted completely

Article 8.C.2.d - To be deleted completely

ADD: Article 8.C.2.d - upon satisfactory completion of these requirements, the applicant will be registered in the State of Arkansas

Article 8.c.1.j - To be deleted completely

Article 8 Sections C.1.d, C.2.c, E.1.d and E.2.c the following sentence will be added. Preferably these references should include both present and past supervisors.

Article 8.D. Land Surveyor-in-Training

1. An applicant for Land Surveyor-in-Training who shall supply proof of graduation from a Bachelor of Science (BS) curriculum with at least nine (9) hours of surveying, Three (3) hours of which must be in Principles and Practices of Boundary Location, approved by the Board, or graduation from an Associate of Science (AS) degree program in Land Surveying, approved by the Board, and who has passed an eight (8) hour written examination in the fundamentals of surveying shall be certified as a Land Surveyor-in-Training.

Article 8.E. Land Surveyor

1. Original registration

a. An applicant shall submit proof of graduation from a Bachelor of Science (BS) curriculum with at least nine (9) hours of surveying, three (3) hours of which must be in Principles and Practices of Boundary Location, approved by the Board, or graduation from an Associate of Science (AS) Degree Program in Land Surveying, approved by the Board, followed by at least two (2) years of land surveying experience of a character which indicates to the Board that the applicant may be competent to practice.

Delete existing Article 20 and replace with the following:

ARTICLE 20. Continuing Professional Competency (CPC).

A. Introduction. - In order to safeguard life, health, property and to promote public welfare, it has been determined that the practice of engineering and land surveying will require continuing education in order to renew licenses.

B. Definitions. - Terms used in this article are defined as follows:

1. Professional Development Hour (PDH) - A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit.

2. Continuing Education Unit (CEU) - Unit of credit customarily used for continuing education courses. One continuing education unit equals ten (10) hours of class in an approved continuing education course.

3. College/Unit Semester/Quarter Hour - Credit for ABET approved course or other related college course approved in accordance with "Section E" of this article.

4. Course/Activity - Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice.

5. Dual Registrant - A person who is registered as both a professional engineer and a professional land

surveyor.

6. **Sponsor** - Organization or individual that has supplied information on a form prescribed and furnished by the Board with respect to the organization or individual's ability to provide instruction in "for credit" courses. Course offered by those designated as "Sponsor" must contain a clear purpose and objective, and result in the maintenance, improvement, or expansion of skills and knowledge relevant to a registrant's field of practice. Courses offered by "Sponsors" are deemed acceptable for PDH credit without scrutiny of individual course content.

C. Requirements. - Every registrant is required to obtain fifteen (15) PDH units during the annual renewal period. If a registrant exceeds the annual requirement in any renewal period, a maximum of fifteen (15) PDH units may be carried forward into the subsequent renewal period. Professional Land Surveyors must have a minimum of four (4) PDH units in the Minimum Standards for Property Surveys in Arkansas every three (3) years. PDH units may be earned as follows:

1. Successful completion of college courses.
2. Successful completion of continuing education courses.
3. Successful completion of correspondence, televised, videotaped, audiotape, and other short courses/tutorials.
4. Presenting or attending qualifying seminars, in-house courses, workshops, or professional, technical, or managerial presentations made at meetings, conventions, or conferences.
5. Teaching or instructing in (1) through (4) above.
6. Authoring published papers, articles, or books.
7. Active participation in professional or technical societies.
8. Patents granted.

D. Units. - The conversion of other units of credit to PDH units are as follows:

1. 1 College or unit semester hour-----45 PDH
2. 1 College or unit quarter hour-----30 PDH
3. 1 Continuing Education Unit-----10 PDH
4. 1 Hour of professional development in course work, seminars, or professional, or management, conventions, or conferences-----1 PDH
5. For teaching apply a multiple of 2 (teaching credit is valid for teaching a course or seminar for the first time only).
5. Each published paper, article, or book----10 PDH Max.
7. Active participation in professional and technical society (each organization)-----2 PDH
8. Each patent granted-----10 PDH Max.

E. Determination of Credit. - The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

1. Credit for college or community college approved courses will be based upon credit established by the college.
2. Credit for qualifying seminars and workshops, will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDH units for the actual time of each program.

3. Credit determination for activities D6 and D8 is the responsibility of the registrant (subject to review as required by the board).
4. Credit for activity D7, active participation in professional and technical societies (limited to 2 PDH per organization), requires that a registrant serve as an officer and/or actively participate in a committee of the organization. PDH credits are not earned until the end of each year of service is completed.

F. Records. - The responsibility of maintaining records to be used to support credits claimed is the responsibility of the registrant. Records required include, but are not limited to:

1. A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned;
2. Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance; or
3. Records as maintained by the Professional Development Registry for Engineers and Surveyors (PDRES) or other similar repositories.

These records must be maintained for a period of three (3) years, and copies may be requested by the board for audit verification purposes.

G. Exemptions. A registrant may be exempt from the professional development education requirements for one of the following reasons:

1. New registrants by way of examination or reciprocity shall be exempt for their first renewal period.
2. A registrant serving on temporary active duty in the Armed Forces of the United States for a period of time exceeding one hundred twenty (120) consecutive days in a year shall be exempt from obtaining professional development hours required during that year.
3. Registrants experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board may be exempt. Supporting documentation must be furnished to the Board.
4. Registrants who list their occupation as "inactive" on the Board approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or professional land surveying services shall be exempt from the professional development hours required.
5. Professional Land Surveyor registrants may be exempt if they are sixty (60) years of age or have twenty (20) years of acceptable professional experience in Arkansas. This request must be submitted annually on forms supplied by the Board and the request must be approved by Board.

Professional Engineer registrants may be exempt if they are sixty-five (65) years of age and have twenty-five (25) years of acceptable professional experience. This request must be submitted annually on forms supplied by the Board and the request must be approved by the Board.

H. Reinstatement. - A registrant who wishes to

reinstate an "inactive" registration of one year or more must submit a written request to the Board accompanied with a fee of one hundred dollars (\$100) and must satisfy the annual PDH requirement multiplied by the number of years of inactive status up to a maximum of thirty (30) PDH's.

I. Comity/Out-of-Jurisdiction Resident. - The CPC requirements for Arkansas will be deemed as satisfied when a non-resident registrant certifies to being licensed in and having met the mandatory CPC requirements of any jurisdiction approved and listed by Arkansas.

J. Dual Registrants. - The number of PDH units required shall be Twenty (20) PDH's per year at least five (5) PDH's shall be earned in each profession. The remaining ten (10) PDH's may be obtained in any subject that would be applicable to each of the professions.

K. Forms. - All renewal applications will require the completion of a continuing education form specified by the Board outlining PDH credit claimed. The registrant must supply sufficient detail on the form to permit audit verification, must certify and sign the continuing education form, and submit with the renewal application and fee.

L. Audit. - The Board may conduct random audits each year of the files and the annual renewals. Should deficiencies be discovered, registrants will be notified and have six (6) months from the date of notification to show that these deficiencies have been satisfied.

M. Effective Date. -

1. This article and its provisions shall be effective immediately upon approval for all Professional Land Surveyor registrants.
2. This article and its provision shall be effective and all Professional Engineering registrants shall show evidence of compliance on the renewal for December 31, 1998.

N. Noncompliance. - A registrant who does not satisfy the continuing education requirements at renewal time will be placed on probationary status and notified of that status. The registrant will have six (6) months from the renewal date to satisfy that condition or his license will be revoked.

IMPORTANT BOARD DATES

- MAY 8-10 -- Southern Zone - NCEES
Chattanooga, Tennessee
- May 20 -- Board Meeting
Board Office
- July 8 -- Board Meeting
Board Office
- August 6-9 -- NCEES Annual Meeting
New Orleans, LA
- Sept. 9 -- Board Meeting
Board Office

**ARKANSAS STATE BOARD OF
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