



THE PELS NEWS

A Publication of the State Board of Licensure For Professional Engineers & Professional Surveyors

October 2012

Newsletter

Thirty-First Edition

THE PRESIDENT'S MESSAGE

By Ronnie Hawkins, P.E., P.S.



First of all, congratulations to Mr. Bob Holloway, P.E., P.S., Mr. Sherman Smith, P.E., P.S., and Ms. Nora Moses on their re-appointment to the Board! I can tell you from personal experience, these folks are a pleasure to work with on the Board and their continued service to the Board, our professions, and the citizens of the State of Arkansas is very much appreciated.

As you know, the Statutes and Rules for both Professional Engineers and Professional Surveyors require continuing education in order to maintain a license (Article 20 of the Rules of the Board). To verify continuing education claimed during a renewal period, Board staff has been conducting random audits on 2% of licensees. I would encourage each licensee to review Article 20, for two reasons: one is to take a refresher course on the determination and eligibility of credit; and the second is to review the maintenance of records. In my experience, it's much easier to obtain and keep the proper records "as I go along", than to go back and remember which particular credit course or seminar I took as much as two years ago. And if you are chosen for audit, a good record keeping system will make the process much easier for both the licensee and the auditing staff.

On a final note, I want to share with you some information I received very recently. We have a professional staff of five (5) which serves 10,000 plus licensees. That's a ratio of about 1 staff per 2500 licensees. When comparing this to the licensing Boards' of Architect's, Accountant's, Appraiser's, Contractor's, and Real Estate Agent's, with a staff to licensee ratio from 1 per 280 to 1 per 700, this statistic speaks very well for the dedication, hard work and efficiency of our staff and they are to be commended. ~ Ronnie Hawkins, P.E., P.S.

BOARD ELECTS HAWKINS AND ENGSTROM OFFICERS FOR 2012-2013

At its May, 2011 meeting, elections were held for the upcoming year with Ronnie Hawkins, P.E., P.S., being elected as President and Jim Engstrom, P.E., as Vice-President. Mr. Hawkins became a Professional Engineer in 1976, a Professional Surveyor in 1980 and founded Hawkins-Weir Engineers, Inc. in 1981 where he continues to serve as President/CEO. Mr. Engstrom became a Professional Engineer in 1970 and has been the President and owner of H. James Engstrom & Assoc., Inc since 1971.

BOARD MEMBER HOFFMAN & FORMER MEMBER RUCK NAMED TO NCEES NATIONAL COMMITTEES

Gene Dinkins, incoming President of the National Council of Examiners for Engineering and Surveying (NCEES) announced recently that he had appointed current Board member Ivan Hoffman, P.S. and former Board member Bill Ruck, P.E., P.S. to national committees for 2012-2013.

Hoffman was named Vice Chairman of the Committee on Examinations for Professional Surveyors. The Committee is charged with supervising the preparation of examination specifications and is responsible for the content and scoring of all fundamentals and principles and practice of surveying examinations. Mr. Hoffman has been a member of the Committee for the past several years.

Ruck, a Board member from 2005 to 2009, was appointed to the Public Outreach/Communications Task Force. This special committee is charged with developing: criteria for determining sponsorship opportunities; methods to promote the importance of engineer and surveyor licensure; and assisting NCEES staff with developing plans in its public communication programs and efforts.

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Engineer & Surveyor
Member

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Engineer Member

Sherman Smith, PE PS
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Ivan Hoffman, PS
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THE DIRECTOR'S CORNER

by Steve Haralson, PE

Arkansas' Engineer and Surveyor Licensure Laws – Protecting the Public or the Profession?

A few months ago, I got a call from a reporter with our state-wide newspaper. The reporter said she was calling other licensing boards too, and the resulting article opined that licensing laws often serve only to protect a profession's local economic interests rather than a legitimate purpose like public protection. Fortunately, she quoted me correctly when I said our engineering and surveying laws and rules mirrored national model standards in order to create uniformity and promote mobility.

Probably the best proof our laws do not just protect local Engineers and Surveyors can be found by looking at addresses in our licensee roster. Of the roughly 7750 Engineers licensed by the Board, about 75% or around 5500 reside outside the state. Nearly 1400 of the 1800 companies licensed also have an out-of-state address. Predictably, Surveyors are somewhat the exception but even so only about 60% live in the state. In total more of our licensees live somewhere other than Arkansas.

Any credit (or blame if you prefer) is largely the result of tradition – it has just always been that way. The original 1925 law establishing the Board gave it authority to “arrange for reciprocal registration of professional engineers from other States, territories, and countries”. Act 202 of 1925 §12. Arkansas was also one of the very early members of the Council of State Boards of Engineering Examiners (which later became NCEES) whose purpose was to encourage and expedite reciprocal registration within its member states. The original Surveyor licensing law too provided for licensure by comity or endorsement for applicants licensed in any “state, territory, possession of the United States, the District of Columbia, or any foreign country”. Act 101 of 1967 §4(a).

Adhering to model licensing standards benefits our licensees too. Because our Board essentially adopted the NCEES “Model Law Engineer”¹ standard about ten years ago, those licensed originally here have few problems when seeking licensure in other states. The recent efforts by the Arkansas Society of Professional Surveyors and the State Surveyor to enact new Surveyor licensing standards that will take effect in 2017, will ensure that our Surveyor licensees can be mobile as well.

You might now be asking “so what?” - does mobility and consistent licensing standards really contribute to public protection? I think this can be answered two ways. The best answer is that having clear, consistent, and objective licensing standards similar to those in other states and that are administered in an unbiased and even-handed manner, serves to assure Arkansas citizens that its engineering and surveying services are performed by qualified and competent professionals without regard to where the professional resides. The more sarcastic answer and the one the reporter might have preferred is that if the sole aim goal of the Board were to protect our in-state licensees from out-of-state competition then we are obviously doing a very poor job!

¹ The Model Law Engineer standard requires that an applicant for licensure have the following 4 qualifications: 1) a degree from an EAC/ABET accredited program; 2) 4 years of progressive engineering experience; 3) pass the NCEES Fundamentals of Engineering Exam; 4) pass the NCEES Principles and Practice of Engineering Exam.

ARE YOU READY FOR THE BIG SWITCH IN 2013? What Switch you ask? From Paper Correspondence to Electronic!

Beginning in 2013, correspondence such as 1st and 2nd Renewal Notices, and Lapsed License/Cease & Desist letters will be sent via email instead of USPS. A postcard with more details on how the validity of the electronic addresses we have on file will be tested and the opportunity to “opt out”, will be sent soon.

In preparation for these changes licensees are encouraged to verify their current email address. To do this:

1. Visit PELS at <https://pelslicensing.arkansas.gov> and log in (1st time visitors will need to create a new user ID and password); and
2. Under General Information, review and make any necessary changes.

If you have any questions, comments, suggestions or concerns, please send by email to pelsboard@arkansas.gov or contact us by phone (501) 682-2824.



By James Atchley, PE

**REPORT ON DISCIPLINARY ACTIONS
by the Board since April 2012**

2011-12 in the matter of Randy Ritchey, PE

Charged with multiple violations of practicing or offering to practice engineering on a lapsed license. The Board accepted a Consent Agreement which provided for an admission of violation and a civil penalty of \$900.

2011-16 in the matter of Jeffrey Arnold

Charged with practicing engineering in Arkansas without a license. The Board accepted a Consent Agreement which provided for an admission of violation and a civil penalty of \$1,000

2011-17 in the matter of JL Arnold Engineering

Charged with providing or offering to provide engineering services in Arkansas without a valid Certificate of Authorization. The Board accepted a Consent Agreement which provided for an admission of violation and a civil penalty of \$1,000.

2012-03 in the matter of Brian Schaller, PE

Charged with failing to respond to a request for audit materials of his continuing education. After a formal hearing on 7/10/2012, the Board revoked his Professional Engineer license.

2012-05 in the matter of Bartley McMillen, PS

Charged with fraud or deceit in the practice of surveying. The Board accepted a Consent Agreement which provided for an admission of violation, a letter of reprimand, and a civil penalty of \$1,000.

AIDING AND ASSISTING

There is an often-overlooked provision of the statutes of the Board that all licensees should be aware of. Both the Engineer and Surveyor laws provide for possible sanctions for "Aiding or assisting another person in violating this chapter or the rules of the board." A.C.A. §§ 17-30-305 and 17-48-205

So what does it take to aid and assist? Often it can take the form of stamping or sealing a plan prepared by someone else such as a Professional Engineer sealing a spill prevention control and countermeasures (SPCC) plan or some other plan or document prepared by someone else not properly licensed to do so.

Other times, it's performing work with or for a person or firm that is contracted for the work but not licensed in this state. A typical case such as this is when a Professional Surveyor receives a solicitation to perform a survey for an out-of-state firm that has already been engaged to perform the survey but doesn't itself have a Certificate of Authorization to offer or provide surveying services in Arkansas.

In general, a licensee aids and assists when he or she helps a person or firm provide services they are not otherwise authorized to do. Aside from the matter of Responsible Charge which we discussed in the last newsletter, the examples listed above could aid and assist a person or firm to evade the necessary licensing requirements.

However, collaboration with other appropriately-licensed professionals or firms is not a violation. For example, a Professional Surveyor may certainly provide a sealed plat to an authorized engineering firm preparing a subdivision plan, for example. Likewise, a Professional Engineer competent to do so may provide structural, mechanical, or electrical design to an architectural firm.

THE WAY WE WERE

A history of the Arkansas Board of Licensure for Professional Engineers and Professional Surveyors

The Early Days – Applicants, Examinations & Licenses . . .

It is an accepted fact that examinations are part of Surveyor and Engineer licensure. For the last 40-50 years, the exams have generally been standardized national ones prepared by NCEES. In the early days of engineering and surveying licensure in Arkansas, however, it was much different.

The next few articles will attempt to show the early efforts at developing and administering examinations and how those efforts evolved over time. The information was pieced together from Board minutes, licensee's files, old rosters and other records. Some information that would have been helpful, like copies of the early examinations could not be found. Even so, it is hoped that these articles give the reader an idea of the considerable effort required by early Boards to develop and administer the examinations.

This first article focuses on the very early days of engineering examinations, mostly in 1920's and 1930's, and before more than one examination was the norm.

The original Act 202 of 1925 provided for applicants to be examined. Section 9 of the Act provided that "examination of applicants for registration shall be held at least twice a year". Act 202 of 1925, § 9. Early instructions to applicants noted that the examinations could be "oral or written . . . dependent upon the applicant's education and experience in handling professional engineering work of importance." 1926 Roster, p. 5.

The first report of examinations being administered is at the July 3, 1926 meeting when 5 applicants were approved and then sat for a written examination. Unfortunately, there's nothing in the minutes or any of the licensee's files, which would indicate how these early exams were structured, graded or even what was considered a passing score. Only in Mr. Stevenson's license file (License No. 227), one of the 4 reported as passing, is there a handwritten notation that he was approved for the exam and passed. Other indications that early recordkeeping left something to be desired are that Mr. Loeffler (License 225), also reported in the minutes as one of the 4 passing, has erroneous information in his file that he was instead grandfathered.

While both written and oral exams were options, the Board's early expressed preference was for them to be written. At a meeting in January 1927, the Board voted that "for all applications pending and hereafter received, the applicants be required to take a written examination".

A year later, however, minutes of the July 7th, 1928 meeting record a vote authorizing two members to administer an oral examination in Fayetteville to a Mr. Wynkoop Kiersted and he was shortly thereafter awarded License number 252. Soon after that, Mr. Standford was also given an oral exam at a January, 1929 meeting and licensed – others were given a written exam that day too. It is not clear why these applicants were chosen for the oral exam although both files showed each had studied engineering but only Mr. Kiersted's file shows he had a degree in engineering.

Those that failed were given the opportunity to retake the exam, some did and thus became licensed. For example, Mr. Marak is reported as 1 of 2 that failed at a March 15th, 1927 meeting (9 were reported as passing). Mr. Marak was approved to take the examination again at the January, 1928 meeting and it was reported at the next meeting in July that he had failed again. Although it is not clear when or how, Mr. Marak obviously passed because he was issued License Number 261 in August 1928. The only entry in his license file shows that the result of his first exam in 1927 was "below passing" and none of the later results are recorded.

It was apparently a challenge for members to prepare on their own what they believed to be adequate examinations. At the January 1938 meeting, the Board instructed the Secretary to procure examination questions for the Civil Engineering, Mechanical Engineering, Chemical Engineering and Electrical Engineering examinations and gave him authority to purchase them if necessary.

Next time . . . Exams are extended to 2 days and student EIT examinations begin.

Examinees Passing the April 2012 Exams

Fundamentals of Surveying

Jeffrey Cannatella	Hinton Murders
Robert Dorris	Brian Smith
Monica Frey	Bryan Thomas
Daniel Gallo	David White
Roy Lewis	

Principles of Surveying

Ronnie Hall	Jason Scheffer
Evan Harris	John Smart
Joshua Hendricks	Nicholas Tucker
Jonathan Hope	Timothy West
Jeremy Lawson	Tyler Wilson
Shannon Ozment	Jeffrey Wood

State Specific Exam

Rickey Kemp	Adam Whitlow
Ronnie Carabajal	Horace Walker, Jr.
John Russell	Keaton Johnson
Jeremy Lawson	Brandon Herpin
John Lane	John Smart
Andrew Faller	Jason Scheffer
Andrew Berryhill	Ronnie Hall, Jr.

Fundamentals of Engineering

Laura Anderson	James Gardner
Grant Arthur	Blake Garrison
Samuel Bader	Charles Gervasini
Kenneth Bon Banga	Steven Gordon
Anthony Battles	Michael Gorman
Nathan Bearden	Maranda Guinn
David Bednar	Shalini Gupta
Jake Brighter	James Hagler
Christopher Briley	Seth Halford
Alexander Cate	John Hall
Samuel Clark	Ryan Hansen
Wendell Cook	Daniel Harless
Aldo Henrique da Silva Campos	Caroline Hayden
Jenny Doyle	Ryan Hicks
James Fletcher	

Seth Holt	Eric Locke
Christopher Howell	Andrew Mainer
Chris Hulsey	Jesus Martinez-Perez
Josh Hunt	Michael May
Rahat Hussain	John Mccutcheon
Alexander Jackson	Christian McGuire
Joshua Johnson	Jordan McInvale
Eric Jones	Bethany Miller
Matthew Jones	Damon Mobbs
Mary Kennedy	Derek Mobbs
Kyle Killgore	Brock Morris
Matthew Koeneman	Caleb Mudford
Neal Kuburich	Kien Ngo
Tai Le	James Oquinn

William Pattengill	Jimmy Shyaka
Samuel Paulling	Bradley Silfies
Trevor Pringle	Cody Slayton
Travis Reimer	Sam Stange
John Richwine	Eric Sullivan
Lindy Roberts	Earnest Taylor
Adam Robertson	Kara Tobey
Alexander Roofe	Jesse Van Gorkom
John Ryan	Ricky Voigt
Bret Satterfield	Jacob White
James Schmitt	Kendall White
Elizabeth Selig	Jeff Wood
Carter Serage	Xingqiang Xiao
Subas Shrestha	Charles Zardin

Principles of Engineering

Kelsey Allen	James Geurtz
David Baker	Lonny Griffin
David Bridges	Chad Hastings
William Butler	Stephen Heard
Shawn Cook	James Holt
Matthew Emberton	

Terry Jacks	Timothy Miller
John Justice	Florian Misoc
Amy Kraft	Dorian Parker
Jason Mazurek	Joseph Parker
Jacob Mcrorey	Titus Prater

John Pruitt	Brent Snyder
Neil Reed	Benjamin Spahn
Robert Reese	Andrew Vining
Robert Reynolds	Matthew Vinyard
Aaron Smith	Dustin Ward
	Andrew Warren

These and other topics related to examination and licensure may be viewed at www.ncees.org.



PRINCIPLES & PRACTICE SURVEYING EXAM TO BE CLOSED BOOK STARTING APRIL 2013

Paraphrased from June 14, 2012 Article

Starting April 2013, examinees will use NCEES-supplied references during the exam and will no longer be allowed to bring other reference material into the exam room.

“There were two reasons to go to a closed-book exam: to increase the security of the exam and to prepare for the possibility of the PS transitioning to a computer-based format,” explained NCEES Director of Exam Services Tim Miller, P.E. “A closed-book exam will prevent candidates from copying exam content into their references or bringing in prohibited items. It will also make for an easier transition if the PS exam moves to a computer-based format at computer testing centers, where space for references is limited.”

A new edition of the NCEES Principles and Practice of Surveying Sample Questions and Solutions will be available for sale in November 2012. It will reflect the new exam specifications and include the supplied references. The supplied references will also be available online for free download at ncees.org.

Fundamentals of Engineering (FE) & Fundamentals of Surveying (FS) Exams Begin Transition to Computer Based Testing

At the August 2010 NCEES annual meeting, the state licensing boards that make up NCEES voted to begin converting the FE and FS exams to a computer-based format. The decision followed a prolonged study by a task force convened to research the issue. The transition will allow greater scheduling flexibility for examinees, more uniformity in testing conditions, and enhanced security for exam content. The NCEES Computer-Based Testing Task Force is developing a comprehensive plan and timetable for conversion of the FE and FS examinations to computer-based testing (CBT). Currently, the plan is for the FE and FS exams to be offered in a paper-and-pencil format for the last time in October 2013. The computer based exams will then begin being offered in early 2014. The PE and PS exams, which engineering and surveying candidates are required to take after completing work experience requirements, will continue to be paper-and-pencil exams for the foreseeable future.

TIMELINE FOR IMPLEMENTATION OF CBT:

- August 2011 to August 2012: The FE and FS content reviews will be completed: The exam item banks will be assessed, and item-writing sessions will be held: State licensure boards will review legislative rules and statutes for compliance with computer-based testing: New computer-based testing policies will be presented for adoption at the 2012 NCEES annual meeting
- August 2012 to August 2013: Pools of questions will be developed for the initial administration of the exams in this format.
- October 2013: Paper-and-pencil FE and FS exams will be offered for the last time.
- January 2014: The FE and FS exams will be administered electronically for the first time.

NCEES approves expanding computer-based testing to PE, PS exams

The state licensing boards that compose NCEES, the organization that develops and administers the exams used for engineering and surveying licensure throughout the United States, have voted to begin converting the PE and PS exams to a computer-based format.

The unanimous decision was made during the 2012 NCEES annual meeting, held August 22–25 in St. Louis, Missouri. It follows a 2010 decision to convert the FE and FS exams to computer-based testing, a transition that will be completed in January 2014.

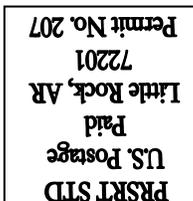
The PE exams will be converted to CBT in 2015 at the earliest, but as NCEES Executive Director Jerry Carter explained, the transition will be paced for each exam. “We offer 25 different PE exams in 17 different engineering disciplines, and NCEES will review each exam individually to determine what it needs to move to CBT,” he said. “The language approved by the Council is ‘at the earliest feasible date,’ and NCEES will move carefully and deliberately with each conversion to ensure that the exam continues to reliably measure professional competence.”

There is no set time for converting the PS exam to a computer-based administration, but Carter explained that NCEES wants to gain experience with computer-based testing for the FE and FS exams before it moves another exam to the new format.

While recognizing the effort involved in converting an exam to computer-based format, Carter also noted the advantages, including greater scheduling flexibility for candidates, more uniformity in testing conditions, and enhanced security for exam content.

The PE or PS exam is typically the last step in the engineering or surveying licensure process. Licensure candidates who pass the FE or FS exam and meet education and work experience requirements must pass the PE or PS exam to become eligible for licensure as a professional engineer or professional surveyor.

Over 25,000 candidates took the PE exam in the past year, which included October and April administrations. Over 1,200 examinees took the PS exam during the same period.



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