

**The Board Rule for Arkansas State Board of Licensure for Professional  
Engineers and Professional Surveyors  
Department of Labor and Licensing**

**Summary of Public Comment and Agency Response**

1. Comments of Randy Johnson, E.I.; Kiron Browning, P.E.; John Campbell, P.E.; Dwayne Calhoun, P.E.; Sam Paulus, P.S.; John Harty, P.E.; and Rick Nichols, P.E. were regarding the deleting of character requirements such as “good moral character” and “moral turpitude”.

**Board Response.** On July 14, 2020, the Board discussed and voted that the character requirements such as “good moral character” and “moral turpitude” will be deleted from the Board’s Rules pursuant to Act 990 of 2019. Rules of the Board, Article 20. Ethics and Rules of Professional Conduct did not contain such character requirements; therefore, no requirements were deleted from this article.

2. Comment of John Campbell, P.E. was to add “webinars” to the PDH credits.

**Board Response.** On July 14, 2020, the Board discussed and voted that Article 19 Continuing Professional Competency (CPC) D.1.d, D.2.d, lists seminars as a qualifying unit for PDHs.; therefore, there was no change to the rule.

3. Comment of Kiron Browning, P.E. was wanting clarification of amending reciprocity/comity requirements for all applicants who hold substantially similar licenses.

**Board Response.** On July 14, 2020, the Board discussed and voted that the amendments to the current rule regarding reciprocity/comity licensure was pursuant to Act 1011 of 2019.

4. Comment of Kiron Browning, P.E. was wanting clarification of amending the temporary license.

**Board Response.** On July 14, 2020, the Board discussed and voted that the amendments to the current rule regarding temporary licensure was pursuant to Act 1011 of 2019 and Act 426 of 2019.

5. Comment of Kiron Browning, P.E. was wanting clarification of amending the rule regarding members of the military and their spouses to include expedited licensure for Professional Surveyor applicants and automatic licensure for Professional Engineers, Engineer Intern, and Surveyor Intern applicants.

**Board Response.** On July 14, 2020, the Board discussed and voted that the amendments to the current rule regarding the members of the military and their spouses was pursuant to Act 820 of 2019. *Article 8.I Military Licensure* rule received initial approval by the Legislative Administrative Rules Subcommittee on May 14, 2020.

6. Comment of “Trey” Roy Lee Lewis, S.I. was seeking clarification whether the original applicants would still be required to get board permission to take the NCEES Professional and Practice Exams.

**Board Response.** On July 14, 2020 the Board discussed and voted that amendments to the current rule Articles 8.C.1.e and 8.E.1.d would give the Professional Engineer-Original license applicant and Professional Surveyor-Original license applicant the option to either request approval and/or permission to take the NCEES Professional and Practice Exam or the applicant may take and pass the NCEES Professional and Practice Exam without approval and/or permission and apply for licensure once they pass the exam and meet all qualifications for licensure.

7. Comment of Sam Paulus, P.S. was seeking clarification regarding the “removal of college requirements for original applicants.”.

**Board Response.** On July 14, 2020 the Board discussed and voted that amendments to the current rule in Article 8.D.1.c and Article 8.E.1.a.iii would clarify the education qualifications for Surveyor Intern applicant and Professional Surveyor-Original applicant seeking licensure with a non-surveying degree by eliminating the outdated, specified 30 hours of course requirements and requiring proof of completing 30 hours of survey courses to be combined with a bachelor’s degree.

8. Comment of Joe McGartland, P.E. was removing the social security number (SSN) from the applications.

**Board Response.** On July 14, 2020 the Board discussed and voted that there would not be an amendment to the rule due to the SSN is required pursuant to Federal Law (the Social Security Act section 466(a)(13)), and State Law (A.C.A. §17-1-1 04(a)) disclosure of the Social Security Number (SSN) is mandatory and will be used under the child support enforcement program.

9. Comment of John Harty, P.E. was the Director should not “approve licensure at his discretion” and he gives “no credence to the qualifying statements regarding Board ratification and “qualified applicants.” To allow one person to wield that kind of power is to invite corruption and public endangerment.”

**Board Response.** On July 14, 2020, the Board discussed and voted that amendments to the current rule were necessary to make a long-standing Board Policy from 1998 a board rule. Article 8.A.4 will allow the Director the authority to Conditionally Approve qualified applicants who meet all the licensure qualifications subject to later Board ratification. Original licensure applicants are not Conditionally Approved.

10. Comment of Leland Dyson, P.E. Arkansas State Engineer was to clarify the proposed rule regarding the sealing and signing of the cover sheet of drawings.

**Board Response.** On July 14, 2020, the Board discussed, agreed with the comment, and voted to remove proposed amendments to Article 12.B.1. The proposed corrected language is as follows: “Each page of each final engineering document to include drawings, and the cover sheet of ~~each volume of~~ specifications and the signature page of written reports prepared by a licensee shall, when issued, be dated, signed and stamped with the said seal or facsimile thereof by the responsible licensee(s).”

11. Comment of Jason Waldemer, P.S. was verifying that the rule change “would require PDH’s in Minimum Technical standards or standards of practice.”

**Board Response.** On July 14, 2020, the Board discussed and voted that amendments to Article 19.C.2 would require 2 PDH of Arkansas Standards of Practice No. 1 for Professional Surveyor licensees during the biennial renewal period.