

BEFORE THE ARKANSAS BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Case #2008-42, in the matter of Michael Dean Miller:

COMPLAINT

The Arkansas Board of Registration for Professional Engineers and Land Surveyors (hereinafter "the Board") registered a complaint on November 19, 2008, charging Michael Dean Miller (PE #13582, hereinafter "Miller"), representing SAE Towers, LTD (non-registrant, hereinafter "SAE Towers") with practicing and/or offering to practice engineering in Arkansas, in violation of Arkansas Code Annotated §17-30-102(b), and with offering to provide engineering services in Arkansas as an incorporated entity without a Certificate of Authorization from the Board, in violation of §17-30-303(a)(1)(C)

FINDINGS OF FACT

1. On July 31, 2008, the Board received an application from Miller for comity registration as a Professional Engineer in Arkansas.
2. When the application was reviewed by the Board on November 10, 2008, Miller's statements in the application suggested he had possibly offered to practice and/or practiced engineering in Arkansas. The staff of the Board was ordered to initiate an investigation into possible violations.
3. The investigation determined that Miller was an employee of the firm for which the engineering work was to be performed, that he was not required to be licensed, and therefore his firm did not need a Certificate of Authorization.

CONCLUSIONS OF LAW

Upon review of the evidence in its possession, the Board finds Miller's actions and those of SAE Towers as described in the Findings of Fact do not constitute a violation of the statutes or rules governing the Arkansas Board of Registration for Professional Engineers and Land Surveyors.

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ORDER

Based on these findings, the complaint against Miller and SAE Towers is dismissed without further action by the Board.

SO ORDERED this 3rd day of March, 2009

Bill Ruck

William E. Ruck, President

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