

## SF XXX – Surveyors and Engineers Practice Act – Revisions 2012

The Wyoming Board of Registration for Professional Engineers and Professional Land Surveyors supports SF XXX, which modifies our current practice act. Our statutes were last modified in 1987 and are, therefore, out of date. The major modifications are as follows:

- Remove “discipline-specific” engineering licensure. Wyoming is one of a small handful of states that still licenses by discipline. That is, the area in which an applicant passed the PE exam is placed on their seal. Since PEs are already allowed to practice in any area where they have competence via education and experience, having discipline-specific licensure doesn’t make much sense.
- Simplify the education requirements for surveying licensure. The requirements will be:
  - Graduate from a surveying curriculum approved by the board of at least two (2) years and
  - Have at least thirty (30) semester credit hours in surveying approved by the board. These hours may be part of the curriculum in the bullet above or in addition to that curriculum.
- Remove any reference to specific map sizes. These standard sizes will be moved to Board rules which will allow the Board more flexibility when common map sizes change.
- Changing the Board size from seven (7) members to nine (9) members, of which one (1) would be an additional land surveyor position. This is necessary in order to have larger subcommittees for review of applications, review of complaints, etc, and to protect against insufficiency for a quorum in the event contested cases come forward. In such an event, board members involved in such cases cannot rule in any part of any appeal, so two additional members ensures fair and uninvolved members hear such an appeal. Because the board is self-funding, and because the number of licensees is growing, the board anticipates no increase in cost, at this time, from either the state or our registrants, for supporting the additional members. In general this change helps us be better positioned to protect the health, safety, and welfare of the Wyoming public.
- Throughout the bill, we have changed references from “registrant” or “registration” to “licensee” and “licensure.” Such a change reflects the national trend where these professions are truly seen as licensed in a more formal sense, rather than just recorded or followed as “registration” suggests.
- Create two new pathways for licensure for groups with special qualifications. In particular,
  - For applicants who have an earned doctoral degree in engineering, candidates will be issued a professional license if they:
    - § Have four years of engineering experience in increasing responsibility and scope of a grade and character that evidence the applicant is competent to practice as a professional engineer; and
    - § Have passed any examinations required by rule of the board to establish competence at a professional level in Wyoming licensing laws and professional ethics.
  - For applicants who hold a license issued by another jurisdiction to practice professional engineering or professional land surveying, and who have held the license for fifteen (15) years immediately prior to submitting the application, may be issued a professional license if they:
    - § Have not been disciplined in any jurisdiction; and
    - § Have passed any examination required by rule of the board to establish competence at a professional level in Wyoming licensing laws and professional ethics.

- These new pathways allow Wyoming to evolve with the times. The board seeks the ability to at least review, and license if applicable, candidates from other countries, or with significant and appropriate domestic experience, that our current statutory model does not address. Oftentimes, Wyoming faces turning down candidates that other states will license simply because our statutes do not allow such licensure, even though the individual may be determined competent in all other ways.
- Employees of the State of Wyoming, performing regulatory reviews within the scope of their authority and employment, would be exempt from licensure under the proposed bill.
- Remove reference to BS degrees being ABET/EAC accredited, and replace it with education approved by the Board. While ABET/EAC accredited degrees will automatically meet the definition of "approved by the Board," other educational pathways exist for applicants to meet the technical rigor provided by an ABET/EAC degree. For example, a candidate might have a BS degree in Geology and an MS degree in Environmental Engineering. The candidate's combined education might be acceptable to the Board. Our current statutes limit the flexibility of the Board.
- Allows the Board to impose Civil Penalties of up to \$2,000 per violation and Criminal Penalties of up to \$1,000 per violation on anyone who violates the Act.

Issues the bill does not affect:

- Exemptions for industrial employees who are doing work for their employer still exist (as long as the workers are not preparing submittals for the public record). This exemption is in current law, and is maintained in the proposed bill.
- Employees of companies regulated by the Public Service Commission are exempt while performing within the scope and authority of their employment. This exemption is also in current law.
- The need for a Wyoming-specific surveying examination.
- The location of the Board, which is currently under the umbrella of the State Engineer's Office.

A current copy of the proposed legislation can be found at <http://engineersandsurveyors.wy.gov/>