

**PROPOSED REGULATION OF THE STATE BOARD OF
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

LCB File No. R073-09

September 2, 2009

EXPLANATION – Matter in *italics* is new; matter in brackets ~~[omitted material]~~ is material to be omitted.

AUTHORITY: §1, NRS 625.140 and 625.175; §§2 and 4, NRS 625.140; §3, NRS 625.140, 625.154, 625.193 and 625.280; §5, NRS 625.140 and 625.390; §6, NRS 625.140, 625.390, 625.395 and 625.397; §§7 and 8, NRS 625.140 and 625.398.

A REGULATION relating to professions; revising provisions relating to the disciplines of engineering for which a person may be licensed; revising provisions relating to the examinations required for licensure as a professional engineer or as a professional land surveyor; revising provisions relating to the expiration and renewal of a license as a professional engineer or as a professional land surveyor; and providing other matters properly relating thereto.

Section 1. NAC 625.220 is hereby amended to read as follows:

625.220 1. Each applicant ~~[shall]~~ *must* specify the discipline of engineering in which he *or she* desires to be examined and licensed.

2. The Board will classify applicants in a manner which is reasonably consistent with custom in the profession. The Board may classify and examine an applicant in the basic discipline of engineering which is most closely associated with the applicant's area of concentration.

3. An applicant may apply for licensure in the following disciplines of engineering:

- (a) Agricultural;
- (b) Chemical;
- (c) Civil;

- (d) Control systems;
- (e) Electrical;
- (f) Environmental;
- (g) Fire protection;
- (h) Geological;
- (i) Industrial;
- (j) Manufacturing;
- (k) Mechanical;
- (l) Metallurgical ~~{} and materials;~~
- (m) Mining ~~{} and mineral processing;~~
- (n) *Naval architecture and marine;*
- (o) Nuclear;
- ~~{} (p) Petroleum;~~
- ~~{} Ship design;~~
- (q) Structural; or
- (r) Any other discipline of engineering which the Board deems appropriate.

4. Each applicant must know the basic concepts of engineering in the fields of mathematics, physics, chemistry, statics, dynamics, strength of materials, fluid mechanics, electricity and magnetism, thermodynamics and economic analysis, and understand the application of these concepts in his *or her* specialized discipline of engineering.

Sec. 2. NAC 625.230 is hereby amended to read as follows:

625.230 1. An applicant who applies for licensure in more than one discipline of engineering or in both the categories of professional engineer and land surveyor ~~{} shall:~~ *must:*

(a) File a separate application for each additional category or discipline requested and pay the application fee for each additional application filed; and

(b) Complete the application forms to indicate clearly the education, experience and personal references which will substantiate his *or her* claims of proficiency in each category or discipline for which he *or she* is applying. Experience and personal references must be stated separately for each discipline.

2. If an applicant who is not a professional engineer concurrently applies for initial licensure in two or more disciplines of engineering, the Board will not approve the application unless the applicant submits evidence of significant experience, or education and experience, in each of the disciplines.

3. The Board generally will not approve an application in an additional discipline of engineering unless the applicant possesses a minimum of 10 years of education and experience.

4. The Board may accept a second baccalaureate degree in an approved curriculum in partial satisfaction of the requirements for licensure in an additional discipline of engineering if the applicant clearly shows that he *or she* possesses significant experience in the additional discipline, but in no case will the Board grant such a license within 6 years after the applicant received his *or her* first baccalaureate degree.

5. An applicant who applies for licensure on the basis of comity in more than one discipline of engineering may be granted licensure in the additional disciplines if ~~he~~ *the applicant* clearly shows in ~~his~~ *the* application that he *or she* possesses the required education and experience and his *or her* claims of proficiency are substantiated ~~by~~ *by an examination administered by the Board.*

Sec. 3. NAC 625.310 is hereby amended to read as follows:

625.310 1. The Board will administer written examinations at least once each year and additional examinations as needed. The time and place for a written examination will be established at least 4 months in advance. Specific information concerning times and places for scheduled examinations may be obtained from the office of the Board.

2. The Board will administer the following written examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as an engineer:

(a) The Fundamentals of Engineering, which is an 8-hour examination that covers the fundamentals of engineering; and

(b) The Principles and Practice of Engineering, which is an 8-hour examination that covers the principles and practice of engineering.

3. The Board will administer the following written examinations that are prepared by the National Council of Examiners for Engineering and Surveying which meet the requirements for licensure as a land surveyor:

(a) The Fundamentals of ~~Land~~ Surveying, which is an 8-hour examination that covers the fundamentals of land surveying; and

(b) The Principles and Practice of ~~Land~~ Surveying, which is a 6-hour examination that covers the principles and practice of land surveying.

4. In addition to the examinations set forth in subsection 3, the Board will prepare a 2-hour examination that covers the laws of this State and the procedures for the practice of land surveying. The Board will administer this examination at the same time that the Board administers the examination set forth in paragraph (b) of subsection 3 ~~and~~ *and at such other times as the Board determines.*

5. The examination to become a structural engineer is a 16-hour examination which is composed of two parts, each of which lasts 8 hours. ~~[An applicant is not required to complete both parts of this examination on consecutive days. An applicant for this examination must be a professional engineer in the discipline of civil engineering who has passed 16 hours of written examination acceptable to the Board and has also fulfilled the requirements of NAC 625.230.]~~

Sec. 4. NAC 625.340 is hereby amended to read as follows:

625.340 1. If an applicant is unable to take ~~[a written]~~ *an* examination for which he *or she* has been scheduled, ~~[he shall]~~ *the applicant must* notify the Board of his *or her* withdrawal not later than ~~[5 weeks before]~~ the date ~~[of]~~ *posted on the Internet website of the Board as the deadline for applying to take* the examination ~~[.]~~ *for which the applicant was scheduled.*

2. An applicant who fails to ~~[make a timely withdrawal from a]~~ *attend a* scheduled ~~[written]~~ examination must pay an additional fee of \$50 to cover the cost of rescheduling the examination.

3. An applicant for the examination to become an engineer intern or a land surveyor intern who fails to make a timely withdrawal must pay an additional fee in the amount of the fee for the missed examination.

Sec. 5. NAC 625.350 is hereby amended to read as follows:

625.350 ~~[An]~~

1. Except as otherwise provided in subsection 2, an applicant who fails to pass the written examination may reapply to take the examination:

~~[.]~~ *(a)* Within 12 months after the examination, by paying a fee ~~[of \$75.]~~ *for the examination which is based on the actual cost of the Board to:*

(1) Purchase the examination from the National Council of Examiners for Engineering and Surveying; and

(2) Administer the examination.

~~[(2)]~~ *(b)* Twelve months or more after the examination, by:

~~[(a)]~~ *(1)* Submitting ~~[a-new]~~ *an updated* application;

~~[(b)]~~ *(2)* Paying an application fee of \$200; and

~~[(e) Furnishing]~~

(3) Paying a fee for the examination which is based on the actual cost of the Board to:

(I) Purchase the examination from the National Council of Examiners for Engineering and Surveying; and

(II) Administer the examination.

2. Each time an applicant fails to pass the written examination three times after the applicant initially applied or reapplied to take the examination, the applicant may reapply to take the examination only if, in addition to satisfying the requirements set forth in paragraph (b) of subsection 1, the applicant furnishes proof that he or she has completed a refresher course in professional land surveying or the discipline of professional engineering in which ~~[he]~~ the applicant is to be examined.

Sec. 6. NAC 625.410 is hereby amended to read as follows:

625.410 1. The fee for a biennial renewal of a single license is \$100.

2. The first letter of the surname of a licensee determines the last date on which a licensee may pay his *or her* renewal fee, as set forth in the following schedule:

A through E - January 1 of each odd-numbered year.

F through K - July 1 of each odd-numbered year.

L through R - January 1 of each even-numbered year.

S through Z - July 1 of each even-numbered year.

3. *The Board will prorate the initial application fee paid by a licensee as necessary to provide a biennial renewal period for the licensee that is consistent with the schedule set forth in subsection 2.* A person who is licensed in more than one professional category or discipline of engineering must pay the full renewal fee for the first classification and one-half of the renewal fee for each additional classification. No licensee will be charged more than \$200 in a biennium for the renewal of his *or her* licenses.

4. If a licensee does not renew his *or her* licensure by the appropriate date set forth in subsection 2, his *or her* licensure expires and he *or she* is not licensed to continue to practice. A former licensee whose licensure has expired because of a failure to pay the renewal fee may renew his *or her* licensure within 6 months after the date of expiration by paying the renewal fee and a late charge of \$100.

5. A licensee whose license has been expired for more than 6 months:

(a) Must reapply for licensure and pay the appropriate application fee.

(b) May be required to appear before the Board.

(c) May be required to pass a written or oral examination.

(d) May be required to submit proof to the Board of the completion of 30 professional development hours.

Sec. 7. NAC 625.420 is hereby amended to read as follows:

625.420 1. In lieu of the renewal of his *or her* license, a licensee may apply to the Board to change his *or her* status to:

(a) Retired, by filing with the Board a notice in writing that states ~~[his]~~ *the licensee's* intention to retire from practice. The Board will issue an identification card indicating that the licensee is retired. ~~[and showing the period of his active professional licensure in this State.]~~

(b) Inactive, by filing with the Board a notice in writing that states ~~[his]~~ *the licensee's* intention to change his *or her* status to inactive and paying a fee that is equal to the fee required for a licensee who wishes to renew his *or her* license. The Board will issue an identification card indicating that the licensee is inactive.

2. If an identification card is issued to a licensee pursuant to this section, his *or her* license expires and he *or she* is not licensed to continue to practice.

3. A licensee who has changed his *or her* status to retired pursuant to this section may reinstate his *or her* license to active status by complying with the requirements for the issuance of an original license and submitting proof that he *or she* has completed at least 30 professional development hours within the 2 years immediately preceding the date of ~~[his]~~ *the licensee's* request to reinstate his *or her* license to active status.

4. A licensee who has changed his *or her* status to inactive pursuant to this section may reinstate his *or her* license to active status by submitting proof that he *or she* has completed at least 30 professional development hours within the 2 years immediately preceding the date of ~~[his]~~ *the licensee's* request to reinstate his *or her* license to active status.

Sec. 8. NAC 625.440 is hereby amended to read as follows:

625.440 *1.* A licensee who applies for the renewal of his *or her* license ~~[is not required to comply with]~~ *may apply to the Board for an exemption from* the requirements of NAC 625.430 for a biennial renewal period if:

~~{1. The licensee was issued his initial license during the biennial renewal period or less than 2 years before the beginning of the biennial renewal period; or~~

~~—2.} (a) The licensee served more than 120 consecutive days on active duty in the Armed Forces of the United States during the biennial renewal period {1} ;~~

(b) The licensee is employed outside of the United States and spent more than 120 consecutive days outside of the United States during the biennial renewal period; or

(c) The licensee experienced a serious illness or injury during the last year of the biennial renewal period that was of such a nature and duration that the licensee was prohibited from completing the requirements of NAC 625.430.

2. A request for an exemption pursuant to subsection 1 must include documentation that supports the request for the exemption.

3. If the Board approves a licensee's request for an exemption pursuant to subsection 1, the licensee is not required to comply with the requirements of NAC 625.430 for the biennial renewal period.