

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

LCB File No. R115-12

August 3, 2012

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

AUTHORITY: §§1, 3, 4 and 7-10, NRS 625.140; §2, NRS 625.110 and 625.140; §5, NRS 625.140 and 625.382; §6, NRS 625.140, 625.154, 625.193 and 625.280.

A REGULATION relating to professional engineers and land surveyors; increasing the number of votes needed by members of the State Board of Professional Engineers and Land Surveyors to elect an officer of the Board; revising provisions pertaining to applicants for licensure who are not residents of this State; revising provisions concerning examinations given by the Board; and providing other matters properly relating thereto.

Section 1. Chapter 625 of NAC is hereby amended by adding thereto a new section to read as follows:

“Examination” includes, without limitation, an oral, written or computer-generated examination, or any other type of examination deemed acceptable by the Board.

Sec. 2. NAC 625.100 is hereby amended to read as follows:

625.100 1. The Board will elect a Chair and a Vice Chair from among its members. Any member of the Board may nominate another member of the Board as an officer. The Board may elect an officer by an affirmative vote of at least ~~[four]~~ *five* members of the Board.

2. The term of office for the Chair and Vice Chair is 1 year.

3. A member may not be elected to an office for more than two terms, not including the remainder of an unexpired term filled by the member.

4. If a vacancy occurs in the office of:

(a) Chair, the Vice Chair shall assume the duties of *the* Chair for the unexpired term.

(b) Vice Chair, the Board will, at its next meeting, elect from among its members a Vice Chair to fill the vacancy for the unexpired term.

5. The Board may remove an officer by an affirmative vote of at least five members of the Board.

Sec. 3. NAC 625.110 is hereby amended to read as follows:

625.110 1. The Board will meet at least four times annually and its meetings will be uniformly spaced as nearly as may be practical.

2. ~~[Meetings must be scheduled at least 2 months in advance.]~~ Persons who desire to attend meetings or bring matters to the Board's attention may request notices of meetings from the office of the Board.

Sec. 4. NAC 625.210 is hereby amended to read as follows:

625.210 1. Unless otherwise permitted by the Board, an applicant shall not give as professional references persons who are all members of the same organization and not more than one-half of the persons named by the applicant may be members of the applicant's organization. An applicant shall not give the Executive Director of the Board as a professional reference.

2. Each applicant must furnish transcripts as proof of his or her college and postgraduate education. Each transcript must be sent directly to the Board by the issuing institution. If transcripts are not available, the applicant must furnish other proof of his or her education in a form acceptable to the Board.

3. Each applicant who was born in a foreign country must supply documentary proof of his or her naturalization as a citizen of the United States or of his or her right to remain and work in the United States.

4. ~~If an applicant is not a resident of this State, the Board will not consider him or her for licensure upon written examination unless the type of license for which the applicant is applying, or its reasonable equivalent, is unavailable to him or her in the state of his or her legal residence.~~

~~—5.]~~ Each applicant must pay the following fee, as appropriate, at the time of application:

(a) For each application for licensure as a professional engineer or professional land surveyor or for licensure in an additional discipline of engineering, \$200.

(b) For each application for certification as an engineer intern or a land surveyor intern, \$50.

Sec. 5. NAC 625.240 is hereby amended to read as follows:

625.240 1. An applicant who applies for licensure in this State on the basis of previous licensure in another jurisdiction must:

(a) Pay an application fee of \$200 and file the required application with the Board;

(b) Pass a short written examination on chapter 625 of NRS and the regulations and code of conduct of the Board; and

(c) Pass an oral examination if required by the Board.

2. All oral examinations may be conducted by a committee of at least three persons selected by the Board who are licensed in this State as professional engineers or land surveyors. One member of such a committee must be a member of the Board.

3. An applicant who appears for an oral examination shall submit to the Board all necessary material to ensure that the information in the file of the applicant is current on the date that the applicant takes the oral examination.

4. An applicant who fails to appear on two separate occasions for an oral examination required pursuant to this section may not take an oral examination for at least 12 months after the

date of the second examination for which he or she did not appear unless the applicant is excused from appearance by the Board at least 7 days before the scheduled examination.

5. Before an applicant may schedule an oral examination, the applicant must pay any costs incurred by the Board related to scheduling any previous examinations for which the applicant did not appear.

6. The Board will determine the costs that the applicant must pay pursuant to subsection 5.

7. After the oral examination, the Board may require the applicant to pass ~~[a written]~~ *another* examination *acceptable to the Board* as a condition precedent to licensure.

Sec. 6. NAC 625.310 is hereby amended to read as follows:

625.310 1. The Board will ~~[administer written examinations]~~ *offer an examination* at least once each year and additional examinations as needed. The time and place for ~~[a written]~~ *an* 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]~~ *offer* 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]~~ *a national* examination that covers the fundamentals of engineering; and

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

3. The Board will ~~[administer]~~ *offer* 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 Surveying, which is ~~[an 8-hour]~~ *a national* examination that covers the fundamentals of land surveying; and

(b) The Principles and Practice of Surveying, which is ~~[a 6-hour]~~ *a national* 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]~~ *offer* this examination at the same time that the Board ~~[administers]~~ *offers* the examination set forth in paragraph (b) of subsection 3 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.

Sec. 7. NAC 625.320 is hereby amended to read as follows:

625.320 1. An applicant may take the examination to become a land surveyor intern only if the applicant meets the requirements of education or experience for certification as a land surveyor intern as prescribed in NRS 625.386.

2. The Board will consider an applicant to have met the statutory requirements if the applicant has a combination of education and experience totaling 4 years or more which is satisfactory to the Board.

3. The examination for a land surveyor intern consists of a ~~[1-day written test]~~ *national examination* which ~~[is given in two 4-hour periods and]~~ covers the fundamentals of land surveying as set forth in NRS 625.280.

4. A person is not eligible to apply to take the examination to become a professional land surveyor unless he or she has successfully passed or has been excused from the examination for a land surveyor intern.

Sec. 8. NAC 625.330 is hereby amended to read as follows:

625.330 1. If the Board schedules an ~~[oral interview or a written]~~ examination ~~[, or both,]~~ for an applicant, the Board must send to that applicant a notice of the time and place to appear before the Board for ~~[an oral interview or a written]~~ *the* examination . ~~[, or both,]~~

2. An applicant who is sent a notice shall appear before the Board in accordance with the schedule established by the Board.

3. If an applicant fails to appear for an ~~[interview or]~~ examination within 1 year, he or she must file a new application for licensure and pay the application fee in effect at the time of reapplication. Any fee previously paid is not refundable.

Sec. 9. NAC 625.350 is hereby amended to read as follows:

625.350 1. Except as otherwise provided in subsection 2 ~~[,]~~ *and NAC 625.360*, an applicant who fails to pass ~~[the written]~~ *an* examination may reapply to take the examination:

(a) Within 12 months after the examination, by paying a fee 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]~~ *Offer* the examination.

(b) Twelve months or more after the examination, by:

(1) Submitting an updated application;

(2) Paying an application fee of \$200; and

(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~~ Offer the examination.

2. ~~Each time~~ Except as otherwise provided in NAC 625.360, if an applicant fails to pass ~~the written~~ an examination three times, 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 the applicant is to be examined.

Sec. 10. NAC 625.360 is hereby amended to read as follows:

625.360 An applicant who fails to pass ~~the~~ an oral examination , *other than an oral examination given pursuant to NAC 625.240*, may reapply to take the oral examination:

1. Four months or more after failing the first oral examination.
2. Twelve months or more after failing the second oral examination.
3. Twenty-four months or more after failing the third oral examination.
4. A reasonable time as determined by the Board after failing the fourth oral examination.