



Alabama Board of Licensure for PE and LS

2016 Proposed Licensing Law Changes

Alabama PE and LS Licensing Board Members

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Presentation Overview

- ❖ **Background**

- ❖ **Process**

- ❖ **Proposed Changes**

 - ❖ **General**

 - ❖ **Practice Related**

 - ❖ **Certificates of Authorization**

 - ❖ **Enforcement and Disciplinary Process**

 - ❖ **Board Composition and Authorities**

Background

❖ Last Licensing Law Revisions - 2014

❖ Changes to Exam Requirements due to Computer Based Testing

❖ 8 Hour Exam Required v. 6 Hour Exam Offered by NCEES

❖ Board Quorum

❖ Corrected Language

❖ Board Composition

❖ Surveyor Positions Nominated From all Societies Changed to ASPLS Society Only

The Revision Process

- ❖ **Subcommittee of Board Created to Develop Revisions**
 - ❖ **Reviewed NCEES Model Law**
 - ❖ **Reviewed generic model laws of developed by licensing affiliated associations**
 - ❖ **Reviewed the Alabama Law as it relates to current practice**
 - ❖ **Reviewed the Alabama Law for format and wording and overall structure**

The Revision Process

❖ Subcommittee Revisions Presented to Full Board

- ❖ Full Board Reviewed Revisions
- ❖ Discussion at Board Meeting
- ❖ Voted to Present Revisions to Profession

The Revision Process

❖ Revised Law Presented to Licensees for Input

- ❖ Town Hall Meetings
- ❖ Comments Submitted in Writing
- ❖ Written Comments & Feedback from Town Halls
- ❖ Board Made Revisions to Proposed Law Based on Feedback & Comments
- ❖ Final Revised Law to be Submitted to Legislature for Action in 2016

Proposed Changes - General

❖ Consistency

- ❖ Changes made to assure that the Law clearly protects the public
- ❖ Reordered, regrouped, and modified sections for consistency
- ❖ Eliminated redundant sections
- ❖ Clarified definitions
- ❖ Added definitions

Changes - Practice Related

❖ Requirements for Licensure

- ❖ Decoupled the experience requirement from examination
- ❖ Maintained requirement to only license college graduates
- ❖ Maintained requirement that applicants must pass the FE or FS respectively
- ❖ Maintained that applicants must have 4 years experience
- ❖ Maintained that applicants must pass the NCEES licensing exam for their chosen field of practice

Changes - Practice Related

❖ Requirements for Licensure

- ❖ Removed barriers to allow for on-line applications
- ❖ Granted a maximum of 3 years experience for PhD
- ❖ Combined the application fee and the licensure fee
- ❖ Increased the maximum allowable fee to \$300 (increase of \$100)
- ❖ Adds possibility of PE licensing by discipline
- ❖ Adds capability for having additional state exams for licensure (ethics, state laws, etc.,)

Changes - Practice Related

❖ Revised Definitions

- ❖ Teaching of advanced engineering and surveying included in the practice definitions
- ❖ Citations for expert witness and testimony within the practice of engineering are combined
- ❖ Practice of engineering and surveying definitions broken out into subsections

❖ Identifies that the practices of engineering and land surveying are privileges, not rights

❖ Adds P.E. and P.L.S. as protected titles

Changes - Practice Related

❖ Renewals

- ❖ Retired Emeritus position created – no renewal required
- ❖ Certified Interns will not be required to renew
- ❖ Deletes the requirement for the Board to “mail” the renewal notices
- ❖ Streamlines the current licensees to be active or inactive
- ❖ Licenses not renewed automatically expire
- ❖ Expired licenses can be reinstated for up to 2 years without reapplication
- ❖ Increased the maximum allowable renewal fee to \$200 (increase of \$50) for annual and \$400 (increase of \$100) if biennial
- ❖ Continuing Professional Competency changed to Continuing Professional Education

Changes – Certificates of Authorization

❖ General

- ❖ All references to CA's, other than enforcement, moved into one section
- ❖ All entities that require a CA are referenced by the single title “firm”

❖ Firm Requirements

- ❖ Reference to CA Principal is now “Managing Agent”
- ❖ Branch responsible charge is now “Branch Resident Professional”
- ❖ Identifies that the Branch Resident Professional is to provide operational oversight, but not necessarily design oversight

❖ Requires Secretary of State to verify CA requirements are met prior to registering corporation

Changes – Enforcement and Disciplinary Process

❖ General

- ❖ Two enforcement sections created
 - ❖ Licensees, interns, and CA's
 - ❖ Unlicensed practice by individuals and firms
- ❖ One disciplinary process that outlines the process for both enforcement sections

Changes – Enforcement and Disciplinary Process

❖ Disciplinary Process

- ❖ Increases maximum fine/civil penalty to \$10,000 per offense
- ❖ Provides guidelines to the Board for use when considering the amount of fine/penalty to be assessed
- ❖ Changes that a majority vote of the deliberating board members is required for a passing vote
- ❖ Provides for unencumbered gubernatorial intervention when there is an insufficient number of Board members to conduct hearing.

Changes – Enforcement and Disciplinary Process

❖ Disciplinary Process

- ❖ Adds the capability for the Board to issue cease and desist orders
- ❖ Provides avenue to force compliance of orders through the court system
- ❖ Individuals in violation of cease and desist orders not eligible to apply for licensure for 1 year
- ❖ Reissuance of revoked license for a felony criminal conviction will now be by majority vote versus the unanimous vote previously required

Changes – Board Composition and Authorities

❖ Public Members

- ❖ Adds 2 public members bringing the Board to 9 members
- ❖ Governor appointed without input from the engineering and land surveying communities
- ❖ Public members must be 40 years of age or older

Changes – Board Composition and Authorities

❖ Licensed Board Members

- ❖ Must have 12 years of experience as licensed professionals

❖ All Board Members

- ❖ US Citizens
- ❖ Alabama residents for a minimum of 6 months
- ❖ Two-term limit
- ❖ Staggered terms with no more than 2 members rotating off in a given year

Changes – Board Composition and Authorities

- ❖ Board reserve funds increased from 25% to 33% of budget
- ❖ Per diem for serving on the Board set by the Board
- ❖ E-mail addresses recognized as not being releasable to the public

Questions & Comments?

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