11-14

Secretary of State
Certificate and Order for Filing

PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on November 12, 2008 by the

Oregon State Board of Examiners for Engineering and Land Surveying	Date prior to or same as filing date 820
Agency and Division	Administrative Rules Chapter Number

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BEELS 3-2008

to become effective November 14, 2008. (Date upon filing or later) Rulemaking Notice was published in the October 1, 2008 Oregon Bulletin.** (Month and Year)

RULE CAPTION

Clarify rules related to registration and applying for registration.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

List each rule number separately (000-000-0000)

Secure approval of new rule numbers (Adopted or Renumbered rules) with the Administrative Rules Unit prior to filing.

ADOPT:
OAR 820-010-0209, 820-010-0212, 820-010-0213, 820-010-0214, 820-010-0442, 820-010-0443, 820-010-0444, 820-010-0505

AMEND:
OAR 820-010-0010, 820-010-0200, 820-010-0204, 820-010-0205, 820-010-0206, 820-010-0207, 820-010-0208, 820-010-0215, 820-010-0227, 820-010-0228, 820-010-0235, 820-010-0255, 820-010-0440, 820-010-0455, 820-010-0470, 820-010-0600, 820-020-0040.

REPEAL:

RENUMBER:

AMEND & RENUMBER:

FILED
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ARCHIVES DIVISION
SECRETARY OF STATE

Stat. Auth.: ORS 672.255

Other Auth.: ORS 670.310

Stats. Implemented: ORS 672.002 – 672.325

RULE SUMMARY

OAR 820-010-0209 - Proposed language outlines the application requirements for certification as a certified water right examiner.
OAR 820-010-0212 - Proposed language outlines the information and documentation required from applicants for registration as professional engineers based on examination.
OAR 820-010-0213 - Proposed language outlines the information and documentation required from applicants for registration as professional land surveyors based on examination.
OAR 820-010-0214 - Proposed language outlines the information and documentation required from applicants for registration as professional photogrammetrists based on examination.
OAR 820-010-0442 - Proposed language outlines the deadlines to submit applications for registration and the process to withdraw and forward an application.
OAR 820-010-0443 - Proposed language informs applicants of the process to request reasonable accommodations due to documented disabilities within the meaning of the American Disabilities Act (ADA) of 1990 or due to religious convictions that prohibit testing on scheduled dates.
OAR 820-010-0444 - Proposed language informs applicants that Oregon Specific examinations administered by the Board will be held only at the time and place prescribed by the Board within the State of Oregon.
OAR 820-010-0505 - Proposed language clarifies the biennial renewal fees, delinquent fees, and required continuing professional development hours for registration renewal.

OAR 820-010-0010 - Housekeeping revisions related to the proposed amendments of OAR 820-010-0227 and OAR 820-010-0228.
OAR 820-010-0200 - Proposed amendments clarify the requirements for applications for registration as professional engineers based on current licensure by another jurisdiction.
OAR 820-010-0204 - Proposed amendments clarify the requirements for applications for registration as professional engineers based on examination by another jurisdiction or by NCEES.
OAR 820-010-0205 - Proposed amendments clarify the requirements for applications for registration as professional land surveyors based on current licensure by another jurisdiction.
OAR 820-010-0206 - Proposed amendments clarify the requirements for applications for registration as professional land surveyors based on examination by another jurisdiction or by NCEES.
OAR 820-010-0207 - Proposed amendments clarify the requirements for applications for registration as professional photogrammetrists based on current licensure by another jurisdiction.
OAR 820-010-0208 - Proposed amendments clarify the requirements for applications for registration as professional photogrammetrists based on examination by another jurisdiction or by NCEES.
OAR 820-010-0215 - Proposed amendments clarify the application process and required documentation.
OAR 820-010-0227 - Proposed amendments clarify the information and documentation required for application to take the Fundamentals of Engineering (FE) examination based on educational and experience qualifications.
OAR 820-010-0228 - Proposed amendments clarify the information and documentation required for application to take the Fundamentals of Land Surveying (FLS) examination based on educational and experience qualifications.
OAR 820-010-0235 - Proposed amendments clarify the requirements for applications for certification as a certified water right examiner.
OAR 820-010-0255 - Proposed amendments clarify the qualifications of providing a reference for an applicant.
OAR 820-010-0440 - Proposed amendments clarify the schedule of examinations and the examinations offered for registration.
OAR 820-010-0455 - Housekeeping.
OAR 820-010-0470 - Proposed amendments clarify the review of the Washington Structural III examination.
OAR 820-010-0600 - Proposed amendments clarify the retention of Board records to include the records for certified water right examiners.
OAR 820-020-0040 - Proposed amendments clarify the consequences for an examinee that refuses to sign the compliance statement prior to an examination.

Authorized Signer	Mari Lopez Printed name	November 14, 2008 Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules. **The Oregon Bulletin is published the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday. ARC 930-2005

820-010-0209

Applications for Certification as a Water Right Examiner

(1) Applicants who hold a current registration as a professional engineer, land surveyor, or registered geologist may be considered for certification as a water right examiner.
(2) Before receiving a certificate as a water right examiner, the applicant must successfully pass a written examination on properly performing surveying, mapping, hydraulic computations, and information gathering duties required by ORS 537.798.
(3) Applications must be submitted by the dates specified in OAR 820-010-0442 to be considered by the Board.
(4) Applications submitted by registered geologists will be accompanied by official documentation verifying current registration with the Oregon State Board of Geologist Examiners (OSBGE).
(5) Requests for special accommodations will be made in accordance with OAR 820-010-0443.
(6) Fee for an initial application for certification as a water right examiner is $115.00.
(7) Fee for a reapplication for certification as a water right examiner is $40.00.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0212

Applications for Registration as Professional Engineers (PE) Based on Examination

(1) Applicants for registration as a professional engineer must submit documentation, compliant with OAR 820-010-0215, to include:
(a) Application for Registration by Examination;
(b) Experience Details form including active practice in engineering;
(c) Five references that meet the requirements of the OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of engineering as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(d) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(e) Official verification of successful completion of the Fundamentals of Engineering examination.
(2) Before receiving a certificate of registration to practice professional engineering in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(3) Application must be accompanied by the $225.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0213

Applications for Registration as Professional Land Surveyors (PLS) Based on Examination

(1) Applicants for registration as a professional land surveyor must submit documentation to include:

(a) Application for Registration by Examination;
(b) Experience Details form including active practice in land surveying;
(c) Five references that meet the requirements of the OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of land surveying as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(d) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(e) Official verification of successful completion of the Fundamentals of Land Surveying examination.
(2) Before receiving a certificate of registration to practice professional land surveying in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(3) Application must be accompanied by the $265.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0214
Applications for Registration as Professional Photogrammetrists (RPP) Based on Examination
(1) Applicants for registration as a professional photogrammetrist must submit documentation to include:
(a) Application for Registration by Examination;
(b) Experience Details form including active practice in photogrammetric mapping;
(c) Five references that meet the requirements of the OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of photogrammetric mapping as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(d) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(e) Official verification of successful completion of the Fundamentals of Land Surveying examination.
(2) Before receiving a certificate of registration to practice professional photogrammetric mapping in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(3) Application must be accompanied by the $245.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0442
Application Deadlines
Deadlines to submit applications for admission to examinations based on the schedule contained in OAR 820-010-0440 are:
(1) December 1 is the deadline for applications for the Spring examination administration.
(2) June 1 is the deadline for applications for the Fall examination administration.
(3) Applications must be postmarked or hand delivered by 5:00 p.m. on the deadline. If the deadline falls on a Saturday, Sunday, or legal Holiday, applications are accepted until 5:00 p.m. on the preceding business day.
(4) Applicants may request to withdraw an application and fees paid to the Board for consideration from an examination administration. An application and fees paid to the Board may be withdrawn and forwarded to the next available examination administration only.
(a) Request must be made in writing; and
(b) Request must be made no later than March 1 to withdraw from the Spring examination administration or no later than September 1 to withdraw from the Fall examination administration; and
(c) The request can only be made once per application.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0443
Requests for Reasonable Accommodations for Oregon State Specific Examinations
Applicants for admission to Oregon State Specific examinations may request reasonable accommodations to the administration. Reasonable accommodations may be provided for applicants who have documented disabilities within the meaning of the American Disabilities Act (ADA) of 1990 or for applicants whose religious convictions prohibit them from testing on the scheduled examination date. Requests must be submitted with the application by the dates specified in OAR 820-010-0442.
(1) Requests for reasonable accommodations to Oregon State Specific examinations administered by the Board must be submitted on the Board approved form and accompanied by supporting documentation.
(2) Requests for reasonable accommodations to the examination for certification as a water right examiner must be submitted on the Board approved form.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0444
Proctoring of Examinations
1. The Board has determined an outside testing provider will administer the NCEES examinations on behalf of the Board.
2. The acoustical, forest, California geotechnical, Washington structural III, and four-hour Oregon Specific land surveying examinations are administered by the Board and will be held only at the time and place prescribed by the Board within the State of Oregon.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0505
Biennial Renewal of Registration or Certification
1. Registration as a professional engineer, professional land surveyor, or professional photogrammetrist with the Board is on a biennial renewal schedule. As a condition of registration renewal, registrants must comply with the continuing professional development requirements in OAR 820-010-0635. Certification of completing the required professional development requirements and fee must be postmarked or hand delivered by 5:00 p.m. on the day of the expiration date of the registration. The biennial fee to renew a registration is described below:
a) Professional Engineer - $180.00;
b) Professional Land Surveyor - $180.00;
c) Professional Photogrammetrist - $180.00;
2. Certification as a certified water right examiner is on a biennial renewal schedule. The fee must be postmarked or hand delivered by 5:00 p.m. on the day of the expiration date of the certification. The biennial fee to renew a certification as a water right examiner is $40.00
3. A delinquent fee of $80.00 will be assessed on the first day following the expiration date of each registration or certification, for each biennial renewal period in which payment or certification of completing the required continuing professional development hours is not submitted.
Stat. Auth.: ORS 670.310, 672.160, 672.170, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0010
Definitions
The following definitions and guides have been adopted by the Board to assist registrants and the general public in their interpretation of specific portions of ORS 672.002 to 672.325.
(1) "Board" means the Oregon State Board of Examiners for Engineering and Land Surveying provided by ORS 672.240.
(2) "Practice of engineering" refers to ORS 672.005 and 672.007.
(3) "Technician work" means the time spent on work where the personal responsibility and technical knowledge required are small; that is, where the individual performance of a task, set and supervised by others, is all that is required. It shall also include all time spent in work before an applicant is 18 years old "Technician work" does not include engineering work as described in section (4), land surveying work as described in section (7) or photogrammetric work as described in section (10). Engineering "technician work" includes, but is not limited to, work as an inspector, a laboratory assistant, a design assistant, a survey technician, or a draftsperson. Land Surveying "technician work" includes, but is not limited to, work as a survey technician, a draftsperson, an instrument plotter, or computation work under close supervision and not requiring the exercise of judgment in survey or map design, or decisions on boundary location. Photogrammetric mapping "technician work" includes but is not limited to, work as a photogrammetric mapping technician to perform technical photogrammetric or remote sensing tasks to extract spatial data from photographic imagery, digital imagery or other remotely-sensed data under close supervision and not requiring the exercise of judgment in project design or decisions related to authoritative photogrammetric measurements.
(4) "Engineering work," is work performed after a person is 18 years old and involves work of a higher grade and responsibility than that defined as "technician work." Credit for engineering

work will only be given for time worked such that persons performing work for more than one entity during a given period of time will not receive multiple credit for dates worked. Time spent in engineering teaching subsequent to graduation shall be listed as "engineering work." Work performed in conjunction with a course of study provided by a community college, college, university, or any other educational program, for which tuition or similar payment is made, credit is earned, or as a requirement of the program, will not be considered "engineering work."
(5) "Responsible charge," as used in ORS 672.002(9), means to have supervision and control over engineering work as defined in 672.005(1), land surveying work, and photogrammetric mapping, as evidenced by performing substantially the following:
(a) Establishing the manner or method by which services are rendered;
(b) Establishing quality controls for the services rendered;
(c) Communicating with clients;
(d) Reviewing designs, calculations, plans, surveys or maps;
(e) Supplying deficiencies found in or correcting errors contained in designs, calculations, plans, surveys or maps;
(f) Making changes to documents, including but not limited to, designs, plans, plats, surveys or maps; and
(g) With respect to land surveying, reviewing field evidence and making final decisions concerning the placement of survey monuments and surveyed lines.
(6) "Supervision and control," as used in ORS 672.002(10), means establishing the nature of, directing and guiding the preparation of, and approving the work product and accepting responsibility for the work product, as evidenced by performing the following:
(a) Spending time directly supervising the work to assure that the person working under the licensee is familiar with the significant details of the work;
(b) Providing oversight, inspection, observation and direction regarding the work being performed;
(c) Providing adequate training for persons rendering services and working on projects under the licensee;
(d) Maintaining readily accessible contact with the person providing services or performing work by direct proximity or by frequent communication about the services provided or the work performed. Communications between the licensee and persons under the licensee's supervision and control include face-to-face communications, electronic mail, and telephone communications and similar, other communications that are immediate and responsive; and
(e) Applying the licensee's seal and signature to a document.
(7) "Practice of land surveying" refers to ORS 672.005(2) and 672.007.
(8) "Land surveying work" is work performed after a person is 18 years old and involves work of a higher grade and responsibility than that defined as "technician work". Engineering work, not related to the practice of land surveying, is not land surveying work. Credit for land surveying work will only be given for time worked such that persons performing work for more than one entity during a given period of time will not receive multiple credit for dates worked. Work performed in conjunction with a course of study provided by a community college, college, university, or any other educational program, for which tuition or similar payment is made, credit is earned, or as a requirement of the program, will not be considered "land surveying work."
(9) "Practice of photogrammetric mapping" or "practice of photogrammetry" refers to ORS 672.002(7).

(10) "Photogrammetric work" is work performed after a person is 18 years old and involves work of a higher grade and responsibility than that defined as "technician work." Credit for photogrammetric work will only be given for time worked such that persons performing work for more than one entity during a given period of time will not receive multiple credit for dates worked. Time spent teaching photogrammetric mapping after graduation is "photogrammetric work." Work performed in conjunction with a course of study provided by a community college, college, university, or any other educational program, for which tuition or similar payment is made, credit is earned, or as a requirement of the program, will not be considered "photogrammetric work."
(11) Professional Development Hour (PDH) -- A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit.
(12) Continuing Education Unit (CEU) -- Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 hours of class in an approved continuing education course.
(13) College/Unit Semester/Quarter Hour -- Credit for course work in an approved program or other related college course approved in accordance with article (e) of this section.
(14) Course/Activity -- Any qualifying course or activity with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to the licensee's field of practice.
(15) Multiple Registrant means a person who is registered as both a land surveyor and an engineer or is registered as an engineer in two or more disciplines.
(16) "Digital signature" means a type of electronic signature, as allowed by the ORS 84.001 to 84.061, that transforms a message through the use of an algorithm or series of algorithms that provide a key pair, private and public, for signer verification, document security and authentication.
(17) Acronyms:
(a) ABET -- Accreditation Board for Engineering and Technology, Inc.;
(b) ACCE -- American Council for Construction Education;
(c) ASAC -- Applied Science Accreditation Commission of ABET;
(d) CPEES -- Center for Professional Engineering Education Services;
(e) EAC -- Engineering Accreditation Commission of ABET;
(f) EI -- Engineering Intern;
(g) ELSES -- Engineering Land Surveying Examination Services;
(h) FE -- Fundamentals of Engineering;
(i) FLS -- Fundamentals of Land Surveying;
(j) LSI -- Land Surveying Intern;
(k) NCEES -- National Council of Examiners for Engineering and Surveying;
(l) TAC -- Technology Accreditation Commission of ABET.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0200
Applications for Registration as Professional Engineers (PE) Based on Licensure by Another Jurisdiction (Comity)

(1) Professional engineers registered in other jurisdictions may file applications for registration on the basis of comity as provided in ORS 672.148. NCEES records, current within the two years prior to application, may be accepted to document registration.
(2) In lieu of a NCEES record, application will consist of:
(a) Experience Details form including active practice in engineering;
(b) Five references that meet the requirements of OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that verifies the applicant's work meets the definition of engineering as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(c) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(d) Official verification of EI and current registration in another NCEES jurisdiction.
(3) The other jurisdiction that issued the certificate of registration must have had substantially equivalent requirements for registration as Oregon had at the time the other jurisdiction issued the certificate of registration.
(4) The Board may require the applicant to provide documentation of the requirements for registration by such other jurisdiction in effect at the time the applicant obtained a certificate of registration.
(5) Before receiving a certificate of registration to practice professional engineering in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(6) Application must be accompanied by the $375.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0204
Applications for Registration as Professional Engineers (PE) Based on Examination by Another Jurisdiction or by NCEES (1st Registration)
(1) Applicants who are not registered in another jurisdiction but who meet all the requirements for registration in Oregon may be considered for registration if the application is submitted within two years following passing the practical examination as a professional engineer in another jurisdiction or by NCEES. This includes, for example, applicants who have passed the FE and PE examinations in another jurisdiction or by NCEES, but who are not registered in a jurisdiction. This rule does not apply to applicants who are not currently registered due to expired, delinquent, or otherwise invalid certificates of registration.
(2) Application must include:
(a) Experience Details form including active practice in engineering;
(b) Five references that meet the requirements of the OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of engineering as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.

(iii) The Board may, for good cause upon written application, reduce the number of references required.
(c) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(d) Official verification of successful completion of the Fundamentals of Engineering examination and the NCEES Principles and Practice of Engineering examination.
(3) Before receiving a certificate of registration to practice professional engineering in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(4) Application must be accompanied by the $375.00 fee.
Stat. Auth.: ORS 670.310, 672.095, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0205
Applications for Registration as Professional Land Surveyors (PLS) Based on Licensure by Another Jurisdiction (Comity)
(1) Professional land surveyors registered in other jurisdictions may file applications for registration on the basis of comity as provided in ORS 672.148. NCEES records, current within the two years prior to application, may be accepted to document registration.
(2) In lieu of a NCEES record, application will consist of:
(a) Experience Details form including active practice in land surveying;
(b) Five references that meet the requirements of OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that verifies the applicant's work meets the definition of land surveying as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(c) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(d) Official verification of LSI and current registration in another NCEES jurisdiction.
(3) The other jurisdiction that issued the certificate of registration must have had substantially equivalent requirements for registration as Oregon had at the time the other jurisdiction issued the certificate of registration.
(4) The Board may require the applicant to provide documentation of the requirements for registration by such other jurisdiction in effect at the time the applicant obtained a certificate of registration.
(5) Before receiving a certificate of registration to practice professional land surveying in Oregon, each applicant must successfully pass a state specific examination covering Oregon law relating to land surveying.
(6) Before receiving a certificate of registration to practice professional land surveying in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(7) Application must be accompanied by the $375.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0206

Applications for Registration as a Professional Land Surveyors (PLS) Based on Examination by Another Jurisdiction or by NCEES (1st Registration)

(1) Applicants who are not registered in another jurisdiction but who meet all the requirements for registration in Oregon may be considered for registration if the application is submitted within two years following passing the practical examination as a professional land surveyor in another jurisdiction or by NCEES. This includes, for example, applicants who have passed the FLS and PLS examinations in another jurisdiction or by NCEES, but who are not registered in a jurisdiction. This rule does not apply to applicants who are not currently registered due to expired, delinquent, or otherwise invalid certificates of registration.

(2) Application must include:

(a) Experience Details form including active practice in land surveying;

(b) Five references that meet the requirements of the OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;

(i) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of land surveying as defined in the OAR 820-010-0010.

(ii) References must be submitted on the Board approved Reference Details form.

(iii) The Board may, for good cause upon written application, reduce the number of references required.

(c) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.

(d) Official verification of successful completion of the Fundamentals of Land Surveying examination and the NCEES Principles and Practice of Land Surveying examination.

(3) Before receiving a certificate of registration to practice professional land surveying in Oregon, each applicant must successfully pass a state specific examination covering Oregon law relating to land surveying.

(4) Before receiving a certificate of registration to practice professional land surveying in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.

(5) Application must be accompanied by the $375.00 fee.

Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255

Stats. Implemented: ORS 672.002 - 672.325

820-010-0207

Applications for Registration as Professional Photogrammetrists Based on Licensure by Another Jurisdiction (Comity)

(1) Professional photogrammetrists registered in other jurisdictions may apply for registration on the basis of comity as provided in ORS 672.148. NCEES records, current within the two years prior to application, may be accepted to document registration.

(2) In lieu of a NCEES record, application will consist of:

(a) Experience Details form including active practice in photogrammetric mapping;

(b) Five references that meet the requirements of OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;

(i) Qualifying experience accrued by the applicant must be accompanied by a reference that verifies the applicant's work meets the definition of photogrammetric mapping as defined in the OAR 820-010-0010.

(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(c) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(d) Official verification of LSI and current registration in another NCEES jurisdiction.
(3) The other jurisdiction that issued the certificate of registration must have had substantially equivalent requirements for registration as Oregon had at the time the other jurisdiction issued the certificate of registration.
(4) The Board may require the applicant to provide documentation of the requirements for registration by such other jurisdiction in effect at the time the applicant obtained a certificate of registration.
(5) Before receiving a certificate of registration to practice photogrammetric mapping in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(6) Application must be accompanied by the $375.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0208
Applications for Registration as a Professional Photogrammetrists Based on Examination by Another Jurisdiction or by NCEES (1st Registration)
(1) Applicants who are not registered in another jurisdiction but who meet all the requirements for registration in Oregon may be considered for registration if the application is submitted within two years following passing the examination as a photogrammetrist in another jurisdiction or by NCEES. This rule does not apply to applicants who are not currently registered due to expired, delinquent, or otherwise invalid certificates of registration.
(2) Application must include:
(a) Experience Details form including active practice in photogrammetric mapping;
(b) Five references that meet the requirements of the OAR 820-010-0255, three of whom hold registration in a NCEES jurisdiction;
(i) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of photogrammetric mapping as defined in the OAR 820-010-0010.
(ii) References must be submitted on the Board approved Reference Details form.
(iii) The Board may, for good cause upon written application, reduce the number of references required.
(c) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program.
(d) Official verification of successful completion of the Fundamentals of Land Surveying examination and a professional photogrammetry examination.
(3) Before receiving a certificate of registration to practice professional photogrammetric mapping in Oregon, each applicant must pass a take-home examination on the laws and rules in Oregon.
(4) Application must be accompanied by the $375.00 fee.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0215
Form of Applications
(1) Applications for registration as professional engineers, professional land surveyors, professional photogrammetrists and for enrollment as an EI, an LSI, or an application for certification as a water right examiner shall be made on printed forms issued by the Board.
(2) All applications must be accompanied by the appropriate fee.
(3) The following must be submitted to the Board in a single package by the application deadline in OAR 820-010-0442, and received by the Board no later than March 1 for the Spring examination administration or no later than September 1 for the Fall examination administration:
(a) Application;
(b) Experience Details form;
(c) Reference Details forms;
(d) Request for Reasonable Accommodations to Oregon Specific Examinations; and
(e) Explanation of any work performed in conjunction with any educational program as defined in OAR 820-010-0010.
(4) The following documents may be submitted by the issuer to the Board office and received no later than March 1 for the Spring examination administration or no later than September 1 for the Fall examination administration:
(a) Official verification of examinations and/or substantially equivalent examinations successfully passed;
(b) Official verification of current registration by another jurisdiction;
(c) Official transcripts or course-by-course evaluations; or
(d) NCEES Records.
(5) Applicants who do not comply with this rule will be considered failing to complete the application process and subject to OAR 820-010-0300.
Stat. Auth.: ORS 670.310, 672.095, 672.157, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0227
Educational and Experience Qualifications to Take the Fundamentals of Engineering (FE) Examination for Enrollment as an Engineering Intern (EI) and Applications Based on Non-Accredited Degrees
(1) An applicant that does not qualify pursuant to OAR 820-010-0225 may apply for admission to the FE examination based on a combination of education and experience in the practice of engineering. Applicants will be allowed to submit as qualifying work experience that work experience obtained based on employment up to the date of the FE examination.
(2) Degrees from educational institutions not identified in OAR 820-010-0225 may be considered as qualifying if they are evaluated by CPEES, and the Board determines that the degree or course work is substantially equivalent to the educational degrees or courses required for degrees for those institutions listed in OAR 820-010-0225. The cost for such evaluation will be borne by the applicant.
(3) Course work from institutions that are identified in OAR 820-010-0225 may be considered as qualifying if the coursework involves engineering principles or was obtained by the applicant while enrolled in an engineering program.

(4) Where an applicant applies for admission to the FE examination on the basis of sections (1) through (3) of this rule, the applicant must also demonstrate that the applicant's years of education when combined with the applicant's years of engineering work total at least 8 years. Work experience in excess of that needed to satisfy this requirement may be included by applicant in a subsequent application to apply for admission to the PE examination.
(5) The Board may give credit for qualifying course work in proportion to the amount of course work completed relative to the degree towards which the course work would apply. For example, completion of one year of a two-year Engineering Technology program may be considered equivalent to one year of education, requiring 7 years of engineering work experience, in accordance with section (4). Qualifying course work includes classes in engineering ethics, fundamentals and design.
(6) An applicant may qualify for admission to the FE examination on the basis of 8 years of engineering work without any qualifying degree or course work.
(7) Applicants for admission to the fundamentals of engineering examination on the basis of experience or combined education and experience will be required to provide a minimum of three references with knowledge of engineering technician work gained as defined in the OAR 820-010-0010.
(a) At least one of the three references must be registered in a NCEES jurisdiction.
(b) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work product as meeting the definition of engineering technician work as defined in the OAR 820-010-0010.
(c) References must be submitted on the Board approved Reference Details form.
(d) The Board may, for good cause upon written application, reduce the number of references required.
(8) Application must be accompanied by the $35.00 fee.
Stat. Auth.: ORS 670.310, 672.095, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0228
Combined Educational and Experience Qualifications to Take the Fundamentals of Land Surveying (FLS) Examination for Enrollment as a Land Surveying Intern (LSI) and Applications Based on Non-accredited Degrees
(1) An applicant that does not qualify pursuant to OAR 820-010-0226 may apply for admission to the FLS examination based on a combination of education and experience in the practice of land surveying. Applicants will be allowed to submit as qualifying work experience that work experience obtained based on employment up to the date of the FLS examination.
(2) Degrees from educational institutions not identified in OAR 820-010-0226 may be considered as qualifying if they are evaluated by CPEES, and the Board determines that the degree or course work is substantially equivalent to the educational degrees or courses required for degrees for those institutions listed in OAR 820-010-0226. The cost for such evaluation will be borne by the applicant.
(3) Course work from institutions that are identified in OAR 820-010-0226 may be considered as qualifying if the coursework involves land surveying principles or was obtained by the applicant while enrolled in a land surveying program.
(4) Where an applicant applies for admission to the FLS examination on the basis of sections (1) through (3) of this rule, the applicant must also demonstrate that the applicant's years of

education when combined with the applicant's years of land surveying work total at least 8 years. Work experience in excess of that needed to satisfy this requirement may be included by applicant in a subsequent application to apply for admission to the PLS examination.
(5) The Board may give credit for qualifying course work in proportion to the amount of course work completed relative to the degree towards which the course work would apply. For example, completion of one year of a two-year Surveying Technology program may be considered equivalent to one year of education, requiring 7 years of surveying work experience, in accordance with section (4). Qualifying course work includes classes in land surveying ethics, fundamentals and application.
(6) An applicant may qualify for admission to the FLS examination on the basis of 8 years of land surveying work without any qualifying degree or course work.
(7) Applicants for admission to the fundamentals of land surveying examination on the basis of experience or combined education and experience will be required to provide a minimum of three references with knowledge of land surveying technician or photogrammetric mapping technician work gained as defined in the OAR 820-010-0010.
(a) At least one of the three references must be registered in a NCEES jurisdiction.
(b) Qualifying experience accrued by the applicant must be accompanied by a reference that supervised the work as meeting the definition of land surveying technician or photogrammetric mapping technician work as defined in the OAR 820-010-0010.
(c) References must be submitted on the Board approved Reference Details form.
(d) The Board may, for good cause upon written application, reduce the number of references required.
(8) Application must be accompanied by the $35.00 fee.
Stat. Auth.: ORS 670.310, 672.095, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0235
Information to Be Furnished by Water Right Examiner Applicants
Applicants for admission to the examination for certification as a water right examiner must be currently registered as a professional engineer or land surveyor by the Board or as a registered geologist by the Oregon State Board of Geologist Examiners. Once certified, the water right examiner certificate will remain valid and renewable as long as the individual's registration as a professional engineer, land surveyor, or registered geologist remains valid.
Stat. Auth.: ORS 672
Stats. Implemented: ORS 672.002 - 672.325

820-010-0255
Reference Qualifications
A reference is qualified if they have knowledge of the applicant's technician work or professional work.
(1) References are attesting to the applicant's ability and/or professional experience.
(2) Professional references must be registrants in a NCEES jurisdiction.
(3) References will complete the reference form provided by the Board and place in a sealed envelope.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0440
Schedule of Examinations
Examinations will be held at times and locations determined by the Board or the outside testing provider. A Spring examination is usually scheduled in April and a Fall examination is usually scheduled in October. Each applicant accepted for examination will be notified of the time and location of the scheduled test.
Examinations are offered based upon the following schedule:
1. Spring examinations held in April are:
a. NCEES Fundamentals of Engineering
b. NCEES Fundamentals of Land Surveying
c. NCEES Principles and Practice Examinations in the following branches:
i. Chemical
ii. Civil
iii. Electrical and Computer
iv. Environmental
v. Land Surveying
vi. Mechanical
vii. Naval Architecture/Marine
viii. Structural II
d. Certified Water Right Examiner
e. Oregon Specific Forest
f. Oregon Specific Land Surveying
g. Photogrammetry
2. Fall examinations held in October are:
a. NCEES Fundamentals of Engineering
b. NCEES Fundamentals of Land Surveying
c. NCEES Principles and Practice Examinations in the following branches:
i. Agricultural
ii. Chemical
iii. Civil
iv. Control Systems
v. Electrical and Computer
vi. Environmental
vii. Fire Protection
viii. Industrial
ix. Land Surveying
x. Mechanical
xi. Metallurgical
xii. Nuclear
xiii. Structural II
d. Oregon Specific Acoustical
e. California Geotechnical
f. Oregon Specific Land Surveying
g. Photogrammetry
h. Washington Structural III

Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0455
Exemption from FE or FLS Examination
An applicant for registration as a professional engineer, land surveyor, or photogrammetrist who is enrolled as an EI or LSI will be excused from the respective FE or FLS examination. The applicant must file with the application evidence of valid EI (Engineering Intern) or LSI (Land Surveying Intern) enrollment.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0470
Review of Examinations
(1) With respect to the acoustical, forest, and four-hour Oregon Specific land surveying examinations administered by the board, an applicant may submit a written request to review the applicant's own examination results. The board will allow an examination review where the applicant failed the examination and the applicant achieved a score within five points of the cutoff score. With respect to such reviews,
(a) An applicant may examine the test booklet, solution pamphlet and answer key.
(b) An acoustical, forest, or Oregon Land Survey 4-hour Law applicant may review the examination on only one occasion. The board will prescribe a time and place for the review. Applicants must notify the board at least five days before the scheduled date that they review their examinations. Applicants who fail to review their examination at the prescribed time and place will not be allowed to reschedule a review of the examination.
(c) All examination reviews will be conducted in the presence of a person designated by the board.
(d) Except as allowed by the board for persons requiring disability assistance, no person may accompany the applicant during the examination review.
(e) The applicant will not take any materials into nor remove any materials from the location where the examination review is conducted.
(f) The applicant may prepare and submit a written request for rescoring the applicant's examination, provided that the applicant's score otherwise satisfies the requirements of this section, while at the location where the examination review is conducted.
(2) The board may rescore an essay response for a qualified applicant if the applicant demonstrates, in writing, sufficient technical justification that their solution deserves reconsideration. The board's rescore determination is final and not subject to further review. An applicant requesting the board to rescore an examination must submit, with the written request, the fee provided for in subsection 4.
(3) Applicants who fail the Structural III examination by two points or less may submit a written request that the examination be rescored by the Washington Board, pursuant to the terms of the MOU entered into between the board and the Washington Board. Applicants requesting rescore of their Structural III examination must submit, with the written request, the fee provided for in subsection 4. The Washington Board may rescore any appealed questions. The Washington Board's rescore results are final.
(4) Fee for rescore requests of examinations.

(a) Acoustical, forest, or Oregon Land Survey 4-hour Law examination - $50/ per item to be rescored. Fee is payable to the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS).
(b) Structural III - $50/ per item to be rescored. Fee is payable to the Washington State Treasurer. The board will remit the request and fee to the Washington Board.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0600
Records
The Board will maintain and store records pursuant to OAR 166 division 350, on professional registrants registered by the Board, EIs and LSIs enrolled by the Board, and certification of water right examiners by the Board.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-020-0040
Examination Subversion
(1) Examination subversion is the use of any means to alter the results of an examination to cause the results to inaccurately represent the competency of an examinee. Examination subversion includes, but is not limited to:
(a) Communication between examinees inside of the examination room.
(b) Giving or receiving any unauthorized assistance on the examination while an examination is in process.
(c) Having any unauthorized printed or written matter or other devices in the examinee's possession that might serve to aid the examinee on the examination.
(d) Obtaining, using, buying, selling, distributing, having possession of, or having unauthorized access to secured examination questions or other secured examination material prior to, during or after the administration of the examination.
(e) Copying another examinee's answers or looking at another examinee's materials while an examination is in progress.
(f) Permitting anyone to copy answers to the examination.
(g) Removing any secured examination materials from the examination facility.
(h) Allowing another person to take the examination in the examinee's place.
(i) Placing any identifying mark upon the examinee's examination papers other than the examinee's identification number or other identifiers as directed by the examination administrator.
(j) Use by an examinee of any written material, audio material, video material, digital material, or any other mechanism not specifically authorized during the examination for the purpose of assisting an examinee in the examination.
(k) Writing on anything other than designated examination material.
(l) Writing or erasing anything after time is called.
(2) At the discretion of the Board or its designees, if there is evidence of examination subversion by an examinee prior to, during, or after the administration of the examination, one or more of the following may occur:

(a) The examinee may be denied the privilege of taking the examination if examination subversion is detected before the administration of the examination.
(b) If the examination subversion detected has not yet compromised the integrity of the examination, such steps as are necessary to prevent further examination subversion shall be taken, and the examinee may be permitted to continue with the examination.
(c) The examinee may be requested to leave the examination facility if examination subversion is detected during the examination. If the examinee does not leave the facility, the examinee will be deemed a trespasser.
(d) The examinee's examination results may be voided and the application fee forfeited.
(e) The examinee may not be allowed to sit for an examination for up to three years.
(3) If examination subversion is detected after the administration of the examination, the Board or its designee shall make appropriate inquiry to determine the facts concerning the examination subversion and the Board or its designee may take any of the actions described in section (2) herein.
(4) Notwithstanding OAR 820-010-0440, 820-010-0470, or any other rule, the Board or its designee may choose not to release or make available the examination results to examinee or any other person pending the outcome of an investigation into examination subversion.
(5) Removal of the examinee from or voiding the examinee's examination of any one part of a multiple part examination shall constitute removal from or voiding of all other parts of the multiple part examination.
(6) Applicants are required to sign statements regarding examination subversion in order to take an examination. Applicants who refuse to sign statements regarding examination subversion will be denied the privilege of taking the examination. The application fees for the examination paid to the Board are forfeited.
Stat. Auth.: ORS 670.310 & 672.255
Stats. Implemented: ORS 672.002 - 672.325