

Connected

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 January 11, 2011 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

Mari Lopez, Executive Secretary
Rules Coordinator
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Address
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to become effective January 14, 2011. Rulemaking Notice was published in the December 1, 2010 Oregon Bulletin.**
Date upon filing or later
Month and Year

RULE CAPTION

To amend rules that clarify requirements related to registration or application for registration. Repeal 1 rule.

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:

AMEND:

OAR 820-010-0209, 820-010-0210, 820-010-0212, 850-010-0213, 820-010-0214, 820-010-0215, 820-010-0305, 820-010-0400, 820-010-0417, 820-010-0427, 820-010-0463, 820-010-0505, 820-010-0520

REPEAL:

OAR 820-010-0435, 820-010-0215(T)

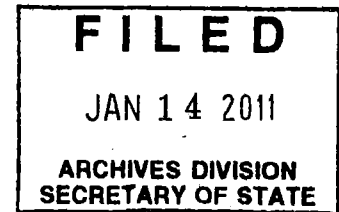
RENUMBER:

AMEND & RENUMBER:

Stat. Auth.: ORS 672.255

Other Auth.: ORS 670.310

Stats. Implemented: ORS 672.002 – 672.325



RULE SUMMARY

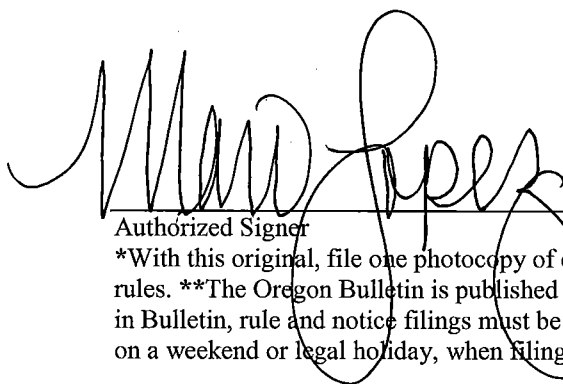
OAR 820-010-0209 – Revises the initial fee for certification as a water right examiner and makes the amount consistent with the fee already contained in rule (OAR 820-010-0305).
OAR 820-010-0210 – Expands on the information and documentation required for applications to the fundamental examinations.
OAR 820-010-0212 – Illustrates the fee required (already contained in OAR 820-010-0305 – Fees) with a re-application for the PE examination.
OAR 820-010-0213 – Illustrates the fee required (already contained in OAR 820-010-0305 – Fees) with a re-application for the PLS examination.
OAR 820-010-0214 – Illustrates the fee required (already contained in OAR 820-010-0305 – Fees) with a re-application for the RPP examination.
OAR 820-010-0215 – Revises the deadline to submit documents issued by another jurisdiction, educational institution, or by NCEES.
OAR 820-010-0305 – Revises the fee for the initial professional structural engineering examination application due to a change in the examination; a decrease from \$575.00 to \$100.00.
OAR 820-010-0400 – Deletes the language related to the prior practice period (ended December 31, 2009).
OAR 820-010-0417 – Revises the requirements for registration as a structural engineer.
OAR 820-010-0427 – Clarifies the examination is written and scored by the Colonial States Boards of Surveyor Registration.
OAR 820-010-0463 – Deletes reference to the MOU related to the Forest engineering examination and includes the cutoff score for the photogrammetric mapping examination.

BEELES 1-2011

OAR 820-010-0505 – Clarifies that a registration or certification in the “inactive” status for a period of 5 or more years may not be renewed; similar to a registration in the “delinquent” or “retired” status.

OAR 820-010-0520 – Clarifies that a registration or certification in the “inactive” status has a period of 5 years to return to “active” status upon submitting the required documents and fees.

OAR 820-010-0435 – Repeals rule; the Board no longer conducts oral interviews. The authority remains in statute.



Mari Lopez, Executive Secretary

January 14, 2011

Authorized Signer

Printed name

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

1-14

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REPEAL:

OAR 820-010-0435

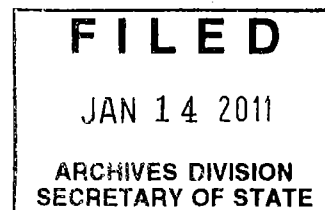
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Stat. Auth.: ORS 672.255

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Stats. Implemented: ORS 672.002 – 672.325



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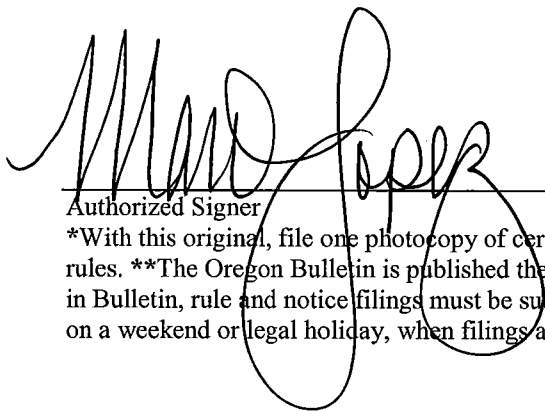
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BEELS 1-2011

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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 \$105.00.
- (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

820-010-0210**Application for Enrollment as an Engineering Intern (EI) and Land Surveying Intern (LSI)**

Applicants for enrollment as an EI or LSI must submit documentation, compliant with OAR 820-010-0215.

- (1) Applications for admission to examination based on educational qualifications must include:
 - (a) Application for the Fundamentals of Engineering/Fundamentals of Land Surveying examination.
 - (b) Official transcripts or evaluation of degree credentials demonstrating completion of a curriculum satisfactory to the Board as defined in OAR 820-010-0225 or OAR 820-010-0226.
 - (2) Applications for admission to examination based on experience or based on a combination of educational and experience qualifications must include:
 - (a) Application for the Fundamentals of Engineering/Fundamentals of Land Surveying examination.
 - (b) Official transcripts or evaluation of degree credentials for those degrees not from an ABET accredited program, if applicable.
 - (c) Experience Details form.
 - (d) Three references that meet the requirements of the OAR 820-010-0255;
- (A) 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.
 - (B) References must be submitted on the Board approved Reference Details form.
 - (C) The Board may, for good cause upon written application, reduce the number of references required.
- (3) Application must be accompanied by the \$35.00 fee.

(4) Re-application must be accompanied by the \$25.00 fee.
Stat. Auth.: ORS 670.310, 672.105, 672.118 & 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;
 - (A) 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.
 - (B) References must be submitted on the Board approved Reference Details form.
 - (C) 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.
- (4) Re-application must be accompanied by the \$90.00 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;
 - (A) 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.
 - (B) References must be submitted on the Board approved Reference Details form.
 - (C) 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.
- (4) Re-applications:
 - (a) Re-application for both the National (6-hour) examination and the Oregon Specific (4-hour) examination must be accompanied by the \$130.00 fee.
 - (b) Re-application for the National (6-hour) examination must be accompanied by the \$75.00 fee.
 - (c) Re-application for the Oregon Specific (4-hour) examination must be accompanied by the \$55.00 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;
 - (A) 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.
 - (B) References must be submitted on the Board approved Reference Details form.
 - (C) 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.
- (4) Re-application must be accompanied by the \$110.00 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 will be made on printed forms issued by the Board in accordance with Board instructions.

(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:

(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) Applications for registration as professional engineers, professional land surveyors, or professional photogrammetrists must be accompanied by a completed take-home examination on the laws and rules in Oregon.

(5) The following documents may be submitted by the issuer to the Board office and received no later than December 15 for the Spring examination administration or no later than June 15 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.

(6) 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

820-010-0305

Fees

(1) The Board has determined an outside testing provider will administer examinations on behalf of the Board. In addition to state fees, all approved applicants are charged for the test administration fee in addition to any book or scoring fees or any other examination-related fees. The applicant must pay all these costs in advance to the Board and the outside testing provider. The amount for each specific application is compiled in section (2) of this rule. Where applicable, the initial activation and certificate fee must be included. The total amount for each specific application is compiled in a fee schedule published separately. The amount to be submitted will be equal to a total of items (a) through (c) in this section. Actual dollar amounts for application, initial activation, renewal and certificate are listed in sections (2) and (3) of these rules:

(2) of this rule. Where applicable, the initial activation and certificate fee must be included.

The total amount for each specific application is compiled in a fee schedule published separately. The amount to be submitted will be equal to a total of items (a) through (c) in this section.

Actual dollar amounts for application, initial activation, renewal and certificate are listed in sections (2) and (3) of these rules:

(a) Fee for application.

(b) Fee for initial activation equal to one year renewal (one time fee applies to PE, PLS, RPP, and CWRE only; not applicable to reexamination).

(c) Fee for issuance of first certificate (one time fee applies to PE, PLS, RPP, and CWRE only).

(2) Fees for examination application:

- (a) Initial fundamentals of engineering examination application -- \$35.
- (b) Initial fundamentals of land surveying examination application -- \$35.
- (c) Initial professional engineering (PE) examination application -- \$100.
- (d) Initial professional geotechnical examination application -- \$375.
- (e) Initial professional land surveying examination application -- \$140.
- (f) Initial professional photogrammetric mapping examination application -- \$120.
- (g) Certified Water Right Examiner test application -- \$50.
- (h) Fundamentals of engineering examination re-application -- \$25.
- (i) Fundamentals of land surveying examination re-application -- \$25.
- (j) Professional engineering (PE) examination re-application -- \$90.
- (k) Professional geotechnical examination re-application -- \$365.
- (l) Professional land surveying (PLS) examination re-application -- \$130.
- (m) Oregon law portion of PLS examination re-application -- \$55.
- (n) National portion of PLS examination re-application -- \$75.
- (o) Professional photogrammetric mapping examination re-application -- \$110.
- (p) Certified Water Rights Examiner test re-application -- \$40.
- (q) Proctor Request -- \$100.

(3) Fees for certification, registration, and renewal:

- (a) Professional wall certificate -- \$35.
 - (b) Application for registration as a professional engineer -- \$250.
 - (c) Application for registration as a professional land surveyor -- \$250.
 - (d) Application for registration as a registered professional photogrammetrist -- \$250.
 - (e) Temporary permit issued under ORS 672.109 and 672.127 -- \$100.
 - (f) Re-issuance of lost or mutilated pocket card -- \$10.
 - (g) Issuance of certificate without examination based on experience as provided under ORS 672.255 -- \$250.
 - (h) Re-score of an Oregon specific examination item -- \$50.
 - (i) Annual renewal of a professional engineering certificate -- \$90.
 - (j) Annual renewal of a professional land surveyor certificate -- \$90.
 - (k) Annual renewal of a registered professional photogrammetrist certificate -- \$90.
 - (l) Delinquency renewal fee -- \$80 for any part of each two-year renewal period during delinquency.
 - (m) Fee for reinstatement for inactive or retired registrant or certificate holder -- \$225.
 - (n) Annual renewal of water right examiner certificate -- \$20.
 - (o) Verification of certification(s) and/or registration(s) -- \$15.
- Stat. Auth.: ORS 670.310, 672.153, 672.155, & 672.255
Stats. Implemented: ORS 672.002 - 672.325

820-010-0400

Application for Registration as a Geotechnical Engineer

- (1) The Board shall grant registration as a geotechnical engineer, as defined in OAR 820-040-0040(2), if an applicant:
 - (a) Holds an unexpired, valid Oregon certificate of registration as a professional engineer;

- (b) Passes the geotechnical engineering examination offered by the Board; and
- (c) Submits evidence satisfactory to the Board demonstrating at least four years of qualifying experience in geotechnical engineering, as that term is defined in OAR 820-040-0040(1).
- (d) Up to one year of credit may be given in lieu of experience for possession of a post-graduate degree from a Board approved engineering program with major studies in soil engineering. Credit will not be given for possession of a post-graduate degree if that degree was the basis for experience used by the applicant to obtain a certificate of registration as a professional engineer.
- (2) "Qualifying experience," as used in subsections (1)(c) of this rule, means having responsible charge of soil engineering projects while registered as a professional engineer and engaged in the practice of geotechnical engineering, as that term is defined in OAR 820-040-0040(1).
- (a) The application for registration as a geotechnical engineer must contain a description of the pertinent geotechnical aspects of each project claimed as part of the qualifying experience.
- (b) Teaching soil engineering and related courses at a Board approved school of engineering will be considered qualifying experience.
- (4) Unless waived by the Board, an applicant for registration as a geotechnical engineer must provide at least three references acceptable to the Board from professional engineers substantiating the applicant's experience in geotechnical engineering.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

820-010-0417

Nature of Examination for Structural Engineer (SE)

- (1) An applicant to qualify for registration must:
 - (a) Obtain a passing grade for a written examination in engineering fundamentals for qualification as an EI as covered in OAR 820-010-0420, unless exempted from this examination under 820-010-0455. Such examination may be taken at any scheduled examination period but must be passed in order to be admitted to the branch examination as covered in (1)(b) of this rule; and
 - (b) Obtain a passing grade for a written examination in a professional branch of engineering covering practical engineering problems in branches listed in OAR 820-010-0450; and
 - (c) Obtain at least two years of progressive responsibility in structural engineering experience. These two years of structural experience are in addition to the required years of engineering experience required to be registered as a professional engineer. The structural engineering experience must be supervised by a registered professional engineer in the branch of structural engineering or a registered professional engineer with substantial structural engineering work experience; and
 - (d) After receiving a license as an Oregon registered professional engineer, obtain a passing grade for the Structural Examination (buildings portion), administered by NCEES.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

820-010-0427**Nature of Examination for Registered Professional Photogrammetrist (RPP)**

- (1) An applicant to qualify for registration must obtain a passing grade for:
 - (a) A written examination in land surveying fundamentals as covered in OAR 820-010-0430. Such examination may be taken at any scheduled period but must be passed in order to be admitted to the examination as covered in subsection (1)(b) of this rule;
 - (b) A written examination in practical photogrammetric mapping problems.
- (2) The land surveying fundamentals examination is written and scored by NCEES and administered by NCEES Exam Administration Services.
- (3) The practical photogrammetric mapping examination is written and scored by the Colonial States Boards of Surveyor Registration (CSBSR) pursuant to a contract entered into between the Oregon Board and the CSBSR. The Oregon Board administers the examination in Oregon.
- (4) 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.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

820-010-0463**Cutoff Scores for Examinations**

- (1) The cutoff scores for the FE, FLS, PE, PLS, and Structural II examinations are established by NCEES.
- (2) The cutoff score for the Structural III examination is established by the Washington Board as provided in the Memorandum of Understanding between the Washington Board and the Oregon Board.
- (3) The cutoff scores for the acoustical, forest, and four-hour Oregon specific land surveying examinations are 70 points out of 100 points.
- (4) The cutoff score for the photogrammetric mapping examination is established by the Colonial States Board of Surveyor Registration (CSBSR).

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 on the CPD Organizational Form 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.

(4) Registrations or certificates in the delinquent or retired status for a period of 5 years or more may not be renewed. Delinquent or retired registrants or certificate holders must re-apply and re-take any applicable examination to obtain their certificate of registration or other certificate after a period of 5 years.

Stat. Auth.: ORS 670.310, 672.160, 672.170, & 672.255

Stats. Implemented: ORS 672.002 - 672.325

820-010-0520

Registrants or Certificate Holders Not Qualified to Practice

Registrants or certificate holders who are delinquent, retired, inactive, suspended or revoked by the Board, are not authorized to engage in the professional practice of engineering, land surveying, photogrammetric mapping, or the professional activities of a certified water right examiner as defined in ORS Chapter 537 and OAR Chapter 690.

Except as provided in section (2), registrants or certificate holders who are delinquent, retired, inactive, suspended or revoked may not hold out as professional engineers, professional land surveyors, professional photogrammetrists, or certified water right examiners.

(1) Delinquent registrants or certificate holders. Registrants or certificate holders become delinquent because they fail, within a period of five years from the renewal date, to renew their certificate of registration or to pay their renewal fees or satisfy the required PDH units. A delinquent registrant or certificate holder may return to active status:

- (a) Upon application to the Board;
- (b) By paying the delinquent renewal fee required by OAR 820-010-0305(3);
- (c) By paying the biennial renewal fee required by OAR 820-010-0505; and
- (d) If applicable, by satisfying and submitting proof of completion on a form approved by the Board of all delinquent PDH units, at a rate of 15 PDH units per year delinquent, to a maximum of 30 PDH units as stated in OAR 820-010-0635.

(2) Retired registrants or certificate holders. Registrants or certificate holders may retire once they notify the Board that they are not providing engineering, land surveying, photogrammetric mapping services, or professional activities of a certified water right examiner to the public and they request retired status. Registrants or certificate holders who are retired may not use their seal. However, retired registrants may sign documents, listing after their name the designation "PE (Retired)," "SE (Retired)," "PLS (Retired)," "Photogrammetrist (Retired)," or "CWRE (Retired)," as appropriate. A retired registrant or certificate holder may, within a period of 5 years from retirement, return to active status:

- (a) Upon application to the Board,
- (b) Successfully pass a take-home examination on the laws and rules in Oregon;

- (c) By paying the reinstatement fee required by OAR 820-010-0305(3);
- (d) By paying the biennial renewal fee required by OAR 820-010-0505; and
- (e) If applicable, by satisfying and submitting proof of completion on a form approved by the Board of 15 PDH units per year for each year (or part of a year) retired, to a maximum of 30 PDH units as stated in OAR 820-010-0635.

(3) Inactive registrants or certificate holders. Registrants or certificate holders may place their license or certification on inactive status if the registrant or certificate holder has suffered a debilitating mental or physical illness, injury or disease that prevents the registrant or certificate holder from engaging in the professional practice.

Registrants or certificate holders must request to be placed on inactive status. Registrants or certificate holders making such requests must provide documentation prepared by a licensed physician that the registrant or certificate holder suffers from a specific, named debilitating mental or physical illness, injury or disease that prevents the registrant or certificate holder from engaging in the professional practice, and an estimate of the period of time during when the illness, injury or disease will last or whether it is of an unlimited duration. An inactive registrant or certificate holder may, within a period of 5 years from inactive, return to active status:

- (a) Upon application to the Board;
- (b) Successfully pass a take-home examination on the laws and rules in Oregon;
- (c) By paying the reinstatement fee required by OAR 820-010-0305(3);
- (d) By paying the biennial renewal fee required by OAR 820-010-0505; and
- (e) If applicable, by satisfying and submitting proof of completion on a form approved by the Board of 15 PDH units per year for each year (or part of a year) inactive, to a maximum of 30 PDH units as stated in OAR 820-010-0635.

Stat. Auth: ORS 672.255(1)(g)

Stats. Implemented: ORS 672.170(4), 672.180 & 672.255(1)(g)