

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 301
PROPOSED COMMITTEE SUBSTITUTE H301-PCS70272-SV-11

Short Title: Clarifying Changes/Engineers/Surveyors Laws.

(Public)

Sponsors:

Referred to:

March 14, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS REGULATING
3 ENGINEERS AND LAND SURVEYORS AND TO WAIVE THE EXAMINATION
4 REQUIREMENT FOR GIS PRACTITIONERS WITH CERTAIN EXPERIENCE UNTIL
5 JULY 1, 2014.

6 The General Assembly of North Carolina enacts:

7 SECTION 1. G.S. 89C-3 reads as rewritten:

8 "§ 89C-3. Definitions.

9 The following definitions apply in this Chapter:

- 10 (1) Board. – The North Carolina State Board of Examiners for Engineers and
11 Surveyors provided for by this Chapter.
- 12 (1a) Business firm. – A partnership, firm, association, or another organization or
13 group that is not a corporation and is acting as a unit.
- 14 (2) Engineer. – A person who, by reason of special knowledge and use of the
15 mathematical, physical and engineering sciences and the principles and
16 methods of engineering analysis and design, acquired by engineering
17 education and engineering experience, is qualified to practice engineering.
- 18 (3) ~~Engineering~~ Engineer intern. – A person who complies with the
19 requirements for education, experience and character, and has passed an
20 examination ~~in the fundamental engineering subjects, on the fundamentals of~~
21 engineering as provided in this Chapter.
- 22 (3a) Inactive licensee. – ~~Licensees~~ A licensee who are is not engaged in the
23 practice of engineering or land surveying in this ~~State.~~ State, but renews his
24 or her license as "inactive" as provided in this Chapter.
- 25 (4) Land surveyor intern. – A person who ~~has qualified for, taken,~~ complies with
26 the requirements for education, experience, and character and has passed an
27 examination on the ~~basic disciplines~~ fundamentals of land surveying as
28 provided in this Chapter.

29"

30 SECTION 2. G.S. 89C-13 reads as rewritten:

31 "§ 89C-13. General requirements for licensure.

32 (a) Engineer Applicant. – ~~To be eligible for licensure as a professional engineer, an~~
33 ~~applicant must be of good character and reputation. An applicant desiring to take the~~
34 ~~examination in the fundamentals of engineering must submit three character references, one of~~
35 ~~whom shall be a professional engineer. An applicant desiring to take the examination in the~~
36 ~~principles and practice of engineering must submit five references, two of whom shall be~~



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1 professional engineers having personal knowledge of the applicant's engineering experiences.
 2 The following shall be considered as minimum evidence satisfactory to the Board that the
 3 applicant is qualified for licensure: licensure as a professional engineer:

4 (1) ~~As a professional engineer (shall meet one):~~ To be certified as an engineer
 5 intern, an applicant shall (i) pass the fundamentals of engineering
 6 examination and make application to the Board, (ii) be of good character and
 7 reputation, (iii) submit three character references to the Board, one of whom
 8 is a professional engineer, (iv) comply with the requirements of this Chapter,
 9 and (v) meet one of the following requirements:

10 a. Education. – Be a graduate of an engineering curriculum or related
 11 science curriculum of four years or more, approved by the Board as
 12 being of satisfactory standing.

13 b. Education and experience. – Be a graduate of an engineering
 14 curriculum or related science curriculum of four years or more, other
 15 than curriculums approved by the Board as being of satisfactory
 16 standing, or possess equivalent education and engineering experience
 17 satisfactory to the Board with a specific record of four or more years
 18 of progressive experience on engineering projects of a grade and
 19 character satisfactory to the Board.

20 (1a) To be licensed as a professional engineer, an applicant shall (i) be of good
 21 character and reputation, (ii) submit five character references to the Board,
 22 three of whom are professional engineers or individuals acceptable to the
 23 Board with personal knowledge of the applicant's engineering experience,
 24 (iii) comply with the requirements of this Chapter, and (iv) meet one of the
 25 following requirements:

26 ...
 27 b. E.I. Certificate, Experience, and Examination. – A holder of a
 28 certificate of ~~engineering engineer~~ intern issued by the Board, and
 29 with a specific record of an additional four years or more of
 30 progressive experience on engineering projects of a grade and
 31 character which indicates to the Board that the applicant may be
 32 competent to practice engineering, shall be admitted to the principles
 33 and practice of engineering examination. Upon passing the
 34 examination, the applicant shall be granted a certificate of licensure
 35 to practice professional engineering in this State, provided the
 36 applicant is otherwise qualified.

37 ...

38 At its discretion the Board may require an applicant to submit exhibits, drawings, designs,
 39 or other tangible evidence of engineering work which the applicant personally accomplished or
 40 supervised.

41 ~~The following shall be considered as minimum evidence that the applicant is qualified for~~
 42 ~~certification:~~

43 (2) ~~As an engineering intern (shall meet one):~~

44 a. ~~Graduation and Examination. — A graduate of an engineering~~
 45 ~~curriculum or related science curriculum of four years or more,~~
 46 ~~approved by the Board as being of satisfactory standing, or a student~~
 47 ~~who is graduating within two semesters, or the equivalent, of the~~
 48 ~~semester in which the fundamentals of engineering examination is~~
 49 ~~administered, shall be admitted to the fundamentals of engineering~~
 50 ~~examination. The applicant shall be notified if the examination was~~

1 ~~passed or not passed and if passed he shall be certified as an~~
2 ~~engineering intern if the applicant is otherwise qualified.~~

- 3 ~~b. Graduation, Experience, and Examination. — A graduate of an~~
4 ~~engineering or related science curriculum of four years or more,~~
5 ~~other than the ones approved by the Board as being of satisfactory~~
6 ~~standing, or with equivalent education and engineering experience~~
7 ~~satisfactory to the Board and with a specific record of four or more~~
8 ~~years of progressive experience on engineering projects of a grade~~
9 ~~and character satisfactory to the Board, shall be admitted to the~~
10 ~~fundamentals of engineering examination. The applicant shall be~~
11 ~~notified if the examination was passed or not passed and if passed,~~
12 ~~the applicant shall be certified as an engineering intern if the~~
13 ~~applicant is otherwise qualified.~~

14 (b) ~~Land Surveyor Applicant. — To be eligible for admission to examination for land~~
15 ~~surveyor intern or professional land surveyor, an applicant must be of good character and~~
16 ~~reputation and shall submit five references with the application for licensure as a land surveyor,~~
17 ~~two of which references shall be professional land surveyors having personal knowledge of the~~
18 ~~applicant's land surveying experience, or in the case of an application for certification as a land~~
19 ~~surveyor intern by three references, one of which shall be a licensed land surveyor having~~
20 ~~personal knowledge of the applicant's land surveying experience.~~

21 The evaluation of a land surveyor applicant's qualifications shall involve a consideration of
22 the applicant's education, ~~technical~~ technical, and land surveying experience, exhibits of land
23 surveying projects with which the applicant has been associated, and recommendations by
24 references. The land surveyor applicant's qualifications may be reviewed at an interview if the
25 Board determines it necessary. Educational credit for institute courses, correspondence courses,
26 or other courses shall be determined by the Board.

27 The following shall be considered ~~a~~ as minimum evidence satisfactory to the Board that the
28 applicant is qualified for licensure as a professional land surveyor ~~or for certification as a land~~
29 ~~surveyor intern respectively:~~ surveyor:

- 30 (1) ~~As a professional land surveyor (shall meet one):~~ To be certified as a land
31 surveyor intern, an applicant shall (i) pass the fundamentals of land
32 surveying examination and make application to the Board, (ii) be of good
33 character and reputation, (iii) submit three character references to the Board,
34 one of whom is a professional land surveyor, (iv) comply with the
35 requirements of this Chapter, and (v) satisfy one of the following
36 requirements related to education and experience:
37 a. Be a graduate of a surveying curriculum of four years or more or
38 other equivalent curriculum in surveying approved by the Board.
39 b. Have rightful possession of an associate degree in surveying
40 technology approved by the Board, a record satisfactory to the Board
41 of four years of progressive practical experience, two years of which
42 shall have been under a practicing professional land surveyor, and
43 have satisfactorily passed a written and oral examination as required
44 by the Board.
45 c. Have graduated from high school or completed a high school
46 equivalency certificate with a record satisfactory to the Board of 10
47 years of progressive, practical experience, six years of which shall
48 have been under a practicing licensed land surveyor, and have
49 satisfactorily passed any oral and written examinations required by
50 the Board.

1 (1a) To be licensed as a professional land surveyor, an applicant shall (i) be of
2 good character and reputation, (ii) submit five character references to the
3 Board, three of whom are professional land surveyors or individuals
4 acceptable to the Board, with personal knowledge of the applicant's land
5 surveying experience, (iii) comply with the requirements of this Chapter, and
6 (iv) meet one of the following requirements:

7 ...
8 j. Any person performing activities described in G.S. 89C-3(7)a.2. and
9 7. with at least seven years of experience in performing mapping
10 science surveys, two or more of which have been in responsible
11 charge of mapping science projects that meet the requirements of 21
12 NCAC 56 .1608, shall, upon application, be licensed to practice
13 surveying in their area of competence (mapping science) provided all
14 of the following requirements are met:

15 1. The applicant submits certified proof of graduation from high
16 school, high school equivalency, or higher degree.

17 2. The applicant submits proof of employment in responsible
18 charge of mapping science projects within the State of North
19 Carolina, including itemized reports detailing methods,
20 procedures, amount of applicant's personal involvement, and
21 the name, address, and telephone numbers of the client for
22 five projects completed by the applicant within the State. The
23 applicant shall also submit a final map, report, or digital
24 product for one of the five projects.

25 3. Five references as to the applicant's character and quality of
26 work, three of which shall be from professional land
27 surveyors, are submitted to the Board.

28 4. The application is submitted to the Board by July 1, 2014.
29 After July 1, 2014, no individual performing surveys
30 described in 21 NCAC 56 .1608 shall be licensed without
31 meeting the same requirements as to education, length of
32 experience, and testing required of all land surveying
33 applications.

34 (2) As a land surveyor intern (shall meet one):

35 a. Rightful possession of an associate degree in surveying technology
36 approved by the Board, a record satisfactory to the Board of four
37 years of progressive practical experience, two years of which shall
38 have been under a practicing professional land surveyor, and
39 satisfactorily passing a written and oral examination as required by
40 the Board.

41 b. Repealed by Session Laws 2005-296, s. 1.

42 c. Graduation from high school or the completion of a high school
43 equivalency certificate and a record satisfactory to the Board of 10
44 years of progressive, practical experience, six years of which shall
45 have been under a practicing licensed land surveyor and satisfactorily
46 passing any oral and written examinations required by the Board.

47 d. Graduation and examination.— A graduate of a surveying curriculum
48 or other equivalent curriculum in surveying approved by the Board or
49 a student who is graduating within two semesters, or the equivalent,
50 of the semester in which the fundamentals of surveying examination
51 is administered, in an accredited surveying program of four years or

1 ~~more shall be admitted to the fundamentals of surveying~~
2 ~~examination. The applicant shall be notified if the examination was~~
3 ~~passed or not passed, and if passed the applicant shall be certified as~~
4 ~~a surveying intern if the applicant is otherwise qualified.~~

5 The Board shall require an applicant to submit exhibits, drawings, plats, or other tangible
6 evidence of land surveying work executed by the applicant under proper supervision and which
7 the applicant has personally accomplished or supervised.

8 Land surveying encompasses a number of disciplines including geodetic surveying,
9 hydrographic surveying, cadastral surveying, engineering surveying, route surveying,
10 photogrammetric (aerial) surveying, and topographic surveying. A professional land surveyor
11 shall practice only within the surveyor's area of expertise."

12 **SECTION 3.** G.S. 89C-15(b) reads as rewritten:

13 "(b) ~~Written examinations~~Examinations will be given ~~in sections and may be taken only~~
14 ~~after the applicant has met the other minimum requirements as given in G.S. 89C 13 and has~~
15 ~~been approved by the Board for admission to the examination~~as follows:

- 16 (1) ~~Engineering Fundamentals~~Fundamentals of Engineering. – Consists of an
17 ~~eight-hour~~ examination on the fundamentals of engineering. Passing this
18 examination qualifies the applicant for an ~~engineering~~engineer intern
19 certificate, provided the applicant has met all other requirements for
20 licensure required by this Chapter.
- 21 (2) Principles and Practice of Engineering. – Consists of an ~~eight-hour~~
22 examination on applied engineering. Passing this examination qualifies the
23 applicant for licensure as a professional engineer, provided the applicant has
24 met the other requirements for ~~registration~~licensure required by this
25 Chapter.
- 26 (3) ~~Surveying Fundamentals~~Fundamentals of Land Surveying. – Consists of an
27 ~~eight-hour~~ examination on the ~~elementary disciplines~~fundamentals of land
28 surveying. Passing this examination qualifies the applicant for a land
29 surveyor intern certificate provided the applicant has met all other
30 requirements for certification required by this Chapter.
- 31 (4) Principles and ~~Practices~~Practice of Land Surveying. – Consists of a
32 ~~six-hour~~an examination on the ~~basic~~and applied disciplines of land
33 surveying and a ~~two-hour~~an examination on requirements specific to the
34 practice of land surveying in North Carolina. Passing each of these
35 examinations qualifies the applicant for a professional land surveyor
36 certificate provided the applicant has met all other requirements for
37 certification required by this Chapter."

38 **SECTION 4.** This act is effective when it becomes law.