



**NORTH CAROLINA BOARD OF EXAMINERS
FOR ENGINEERS AND SURVEYORS**

4601 Six Forks Rd Suite 310
Raleigh, North Carolina 27609

April 27, 2015

Nils W. Joyner, Jr., PLS
Chair
Carl M. Ellington, Jr., PE
Vice-Chair
Richard M. Benton, PLS
Secretary

David L. Pond, PE
Teresa H. Ratcliff, PE, PhD
Stacey A. Smith, PE
Linda A. Thurman, Public
Andrew G. Zoutewelle, PLS

Andrew L. Ritter
Executive Director

The Honorable Pat McCrory
Governor of North Carolina
20301 Mail Service Center
Raleigh, North Carolina 27699-0301

Dear Governor McCrory:

Section 89C-12 of the General Statutes requires that the North Carolina Board of Examiners for Engineers and Surveyors report to you its transactions for the preceding year.

The summary report of transactions and activities for the Board Fiscal Year 2014 (December 1, 2013 – November 30, 2014) has been prepared and is enclosed for your information and review.

The audit is in the process of being prepared by Bernard Robinson & Company, LLP and will be sent under separate cover.

For the Board,

Andrew L. Ritter
Executive Director

ALR/sd

CERTIFIED MAIL – Return Receipt Requested

cc: Secretary of State Elaine F. Marshall
Mr. Joseph Harrison Moore, Jr., Legislative Research Assistant

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NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS

2014 ANNUAL REPORT

TO

**THE HONORABLE PAT McCrORY
THE GOVERNOR OF NORTH CAROLINA**

REPORT TO THE GOVERNOR

THE HONORABLE PAT McCrORY
GOVERNOR OF NORTH CAROLINA

Presented April 27, 2015

Report of proceedings and activities of the

North Carolina Board of Examiners

for

Engineers and Surveyors

Fiscal Year 2014

The year 2014 was a very exciting year for the Board in several different and very distinct areas. The Board elected Willy Stewart PE as Chair of the Board becoming the first Hispanic in the history of the Board to hold that position. Gary Pendleton was appointed as a public member by Governor McCrory to replace Liz Willoughby. Ms. Willoughby had served for five years and had served in several key positions while on the Board including board Secretary and being appointed to a NCEES national committee. The Board also had several members active in National Council of Examiners for Engineer and Surveyors activities and committees. Dr. Ratcliff served as NCEES Southern Zone Vice President and also on the NCEES Leadership task force. Any Zoutwelle was appointed to the NCEES Committee for Examinations for Professional Surveyors. Emeritus Board Member Gary Thompson was elected to the NCEES Board of Directors and is serving a two year position as NCEES Board Treasurer. The Executive Director, Andrew Ritter was appointed to a committee for Member Board administrators.

In 2014 the Board continued to expand its leadership role in international engineering licensure as it entered into a historic memo of understanding with the Japanese Professional Engineering Group. This makes the second MOU the Board has entered into along with the Commonwealth of Bahamas. In 2014, the Board also opened and concluded a grandfathering provision (via statutory change) to incorporate the practitioners of geographic information systems into the practice on land surveying and professional surveying licensure. Over forty individuals took advantage of the process and became licensed as professional land surveyors.

The Board was also involved in several General Assembly driven initiatives in 2014. One involved assisting a committee that was researching the practice of engineering and use of the title "engineer" by government employees who were not licensed professional engineers. The second was assisting a legislative task force that was researching the role licensing boards had within North Carolina State government.

The Board also completed the transition to computer based testing as the NCEES FE and FS exams are now only via computer based testing. FE and FS applicants no longer apply with the Board to be seated prior to taking those exams and instead make application for the EI and SI certifications after passing the NCEES exams. The Board continued with its outreach programs with the universities and professional societies to assist with this transition.

The Board and its staff members participated as program speakers for PENC, ACEC-NC, NCSS, ASHRAE, ASME, ASCE, NCSU, numerous technical colleges, and state and local agencies. The Board participated in the Annual and Southern Zone meetings of the National Council of Examiners for Engineers and Surveyors. The Board also attended meetings of the Council of Licensure for Enforcement and Regulation and the Federation of Associations of Regulatory Boards. The Board also continues its program of licensure promotion. Board staff and Board members gave license promotion seminars to students at NCSU, Duke University, UNC-Charlotte, North Carolina A&T and to numerous community college programs.

The Board continues to take an aggressive approach with respect to the enforcement of the provisions of G. S. 89C and its role in protecting the public. The Board's violation section increased its productivity in 2014 as the Board now employs four full-time investigators. The Board also continues its proactive and educational approach to enforcement activities. The Board staff has given presentations and programs on the Board laws and rules and enforcement activities to code officials, inspection officials, Register of Deeds, affiliated trade associations and licensees across North Carolina.

REPORT TO THE GOVERNOR

Board Membership

The North Carolina Board of Examiners for Engineers and Surveyors is organized under the provisions of “*The North Carolina Engineering and Land Surveying Act*,” Chapter 89C of the North Carolina General Statutes (G.S. 89C). Section 89C-4 provides that the Board shall have the duty of administering the provisions of G.S. 89C, and shall consist of four Professional Engineers, three Professional Land Surveyors, and two Public Members, appointed by the Governor of the State of North Carolina. Members of the Board serve for staggered 5-year terms, and no member may be appointed for more than two (2) full terms.

The current members of the Board and the dates of expiration of their terms of appointment are as follows:

Engineering Appointees:

David L. Pond	December 2018
Teresa H. Ratcliff, PhD	December 2015
Carl M. Ellington, Jr.	December 2016
Stacey A. Smith	December 2019

Land Surveying Appointees:

Nils W. Joyner, Jr.	December 2015
Richard M. (Mike) Benton	December 2017
Andrew (Andy) G. Zoutewelle	December 2018

Public Member Appointee:

Linda A. Thurman	December 2019
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Board Meetings

By Statute, the Board is required to hold at least two regular meetings each year, and meetings at such other times as are required. The Board has found that, in order to conduct its business in a proper and timely manner, meetings are generally required each month of the year.

During Fiscal Year 2014 (December 1, 2013 through November 30, 2014), the Board held seven (7) meetings which were attended by Board members for the purpose of transacting the business of the Board, in accordance with an agenda prepared for each meeting. During each meeting, when required, the Engineering and Land Surveying Committees met separately to consider matters relating to engineering and land surveying, respectively. These matters include review of applications for licensure, review of examination results, and any other matters relating solely to the respective professions. Three board conference calls were conducted to approve consent agendas.

Licensure

At the end of Fiscal Year 2014 (November 30, 2014), a total of 24,304 Professional Engineers, 2,600 Professional Land Surveyors and 3,654 Businesses were licensed with the Board.

LICENSURE STATISTICS - FISCAL YEAR 2014 (December 1, 2013 - November 30, 2014)

APPLICATIONS

Engineering Applications.....	1,343
Surveying Applications.....	<u>96</u>
Total Applications.....	1,439

EXAMINATIONS

Engineering Exam II - Principles & Practice (8 hrs. written)	631
Surveying Exam II - Principles & Practice (6 hrs NCEES and/or 2 hrs State)	<u>83</u>
Total Examinations.....	714

LICENSURES

Professional Corporations.....	108
Limited Liability Companies.....	110
Business Firms.....	23
Chapter 87.....	13
Professional Engineers licensed by exam.....	397
Professional Engineers licensed by comity.....	791
Professional Land Surveyors licensed by exam.....	<u>79</u>
Total Licensed.....	1,521

DECEASED

Deceased.....	41
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LICENSURE AS OF NOVEMBER 30, 2014

Professional Engineers.....	24,304
Professional Land Surveyors.....	2,600
Firms.....	3,654

EXAMINATION RESULTS

Fiscal Year 2014 (December 1, 2013 - November 30, 2014)

	<u>Total</u>	<u>Passed</u>	<u>Failed</u>	<u>Percent Passed</u>
<u>Engineering Examination II - Principles & Practice</u>				
Spring 2014	304	201	103	66.1%
Fall 2014	<u>327</u>	<u>196</u>	<u>131</u>	59.9%
Total Fiscal Year 2014	631	397	234	62.9%
<u>Surveying Examination II - Principles & Practice (NCEES and/or State)</u>				
Jan. 2014 (State Only)	7	4	3	57.1%
Spring 2014	38	19	19	50.0%
July 2014 (State Only)	6	2	4	33.3%
Fall 2013	<u>32</u>	<u>17</u>	<u>15</u>	53.1%
Total Fiscal Year 2014	83	42	41	50.6%

HISTORICAL DATA

(Past 10 Fiscal Years)

	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>	<u>2014</u>
APPLICATIONS										
Engineer	1,521	1,764	1,998	2,163	2,105	2,004	2,096	2,153	2,106	1,343
Surveyor	<u>340</u>	<u>209</u>	<u>123</u>	<u>135</u>	<u>128</u>	<u>98</u>	<u>110</u>	<u>103</u>	<u>31</u>	<u>96</u>
Totals	1,861	1,973	2,121	2,298	2,233	2,102	2,206	2,256	2,137	1,439
EXAMINATIONS										
Engineer (Exam II)	1,767	1,859	1,839	1,823	1,961	1,798	1,839	1,877	1,851	631
Surveyor (Exam II)	<u>213</u>	<u>150</u>	<u>231</u>	<u>292</u>	<u>276</u>	<u>200</u>	<u>197</u>	<u>261</u>	<u>121</u>	<u>83</u>
Total	1,980	2,009	2,070	2,115	2,237	1,998	2,036	2,138	1,972	714
LICENSURE										
Exam – Eng.	372	361	367	385	379	427	374	395	352	397
Exam – LS	66	48	43	58	94	54	58	67	58	42
GIS – LS	0	0	0	0	0	0	0	0	0	37
Comity – Eng	<u>664</u>	<u>775</u>	<u>806</u>	<u>873</u>	<u>812</u>	<u>730</u>	<u>822</u>	<u>775</u>	<u>711</u>	<u>791</u>
Totals	1,102	1,184	1,216	1,316	1,285	1,211	1,254	1,237	1,121	1,267

**VIOLATIONS ACTIVITY
FISCAL YEAR 2014**

I SUMMATION

During Fiscal Year 2014 Review Committees considered 121 alleged violations of Chapter 89C of the North Carolina General Statutes. All cases were investigated and processed through the Review Committees and recommendations as to the disposition of the cases were made to the full Board.

The violation case origins and dispositions for Fiscal Year 2014 were as follows:

Case Load - 2014

A. Cases carried over from 2013	55
B. New cases recorded in 2014	<u>116</u>
Total case load for 2014	171

Case Dispositions for 2014

A. Case load for 2014	171
B. Cases closed in 2014	<u>96</u>
Cases carried over to 2015	75

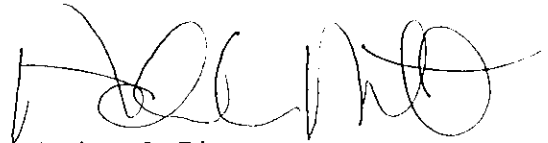
Disciplinary actions completed by the Board during the year resulted in:

Two (2) revocations of license; one (1) refusal to renew license; one (1) suspension of license until civil rights restored; one (1) suspension of license for six months, require 45 Professional Development Hours and audit continuing education; one (1) suspension of license for six months; one (1) suspension of license for three months and require 30 Professional Development Hours (code courses); one (1) reprimand and license restriction; one (1) license restriction; one (1) reprimand, \$3,000 civil penalty and license restriction; one (1) \$5,000 civil penalty and additional education; one (1) \$2,500 civil penalty and additional education; three (3) reprimands, \$2,000 civil penalty and ethics course; four (4) reprimands and \$2,000 civil penalty; one (1) reprimand and \$1,500 civil penalty; one (1) reprimand, \$1,000 civil penalty, make up Professional Development Hours and audit continuing education; one (1) reprimand, \$1,000 civil penalty, ethics and surveying courses; two (2) reprimands and \$1,000 civil penalty; one (1) reprimand and \$500 civil penalty; one (1) reprimand and require 30 Professional Development Hours (code courses); three (3) reprimands and ethics course; one (1) reprimand and audit continuing education; three (3) reprimands; ten (10) cease and desist letters; one (1) cease and desist letter and referral to the Board of Architecture; and one (1) cease and desist letter and referral to Board for Licensing of Geologists.

II. VERIFICATION

A. Cases carried over from 2013 to Fiscal Year 2014	55
B. New cases recorded in Fiscal Year 2014	116
C. Total case load for Fiscal Year 2014	171
D. Cases closed during Fiscal Year 2014	96
E. Cases carried over from 2014 to Fiscal Year 2015	75
F. Disciplinary Actions during Fiscal Year 2014	45
G. Cases considered by Review Committees during Fiscal Year 2014	121

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Andrew L. Ritter", with a stylized, cursive script.

Andrew L. Ritter
Executive Director