

**DIVISION 10**

**LICENSING**

**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 draftsman. Land Surveying "technician work" includes, but is not limited to, work as a survey technician, a draftsman, 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 signor verification, document security and authentication.

(17) "Certificate Authority" is the trusted third party that issues and manages digital certificates (private and public keys) for digital signatures.

(18) "Digital certificate" is required to affix a digital signature, for the recipient to verify the identity of the signor, and for the recipient to verify that the contents of the document have not been altered since the signature was affixed.

(19) The words "branch" and "discipline" are synonymous as used in OAR chapter 820 divisions 10 and 40.

(20) 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) EAC — Engineering Accreditation Commission of ABET;

(e) EI — Engineering Intern;

(f) FE — Fundamentals of Engineering;

(g) FLS — Fundamentals of Land Surveying;

(h) LSI — Land Surveying Intern;

(i) NCEES — National Council of Examiners for Engineering and Surveying;

(j) TAC — Technology Accreditation Commission of ABET.

(k) PE — Professional Engineer;

- (l) PLS — Professional Land Surveyor;
- (m) RPP — Registered Professional Photogrammetrist;
- (n) CWRE — Certified Water Right Examiner.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 17, f. 4-22-74, ef. 5-11-74; EE 20, f. & ef. 12-15-77; EE 1-1987, f. & ef. 1-5-87; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2000, f. & cert. ef. 1-14-00; BEELS 4-2000, f. & cert. ef. 8-4-00; BEELS 5-2000, f. & cert. ef. 10-19-00; BEELS 1-2001, f. & cert. ef. 5-22-01; BEELS 1-2002, f. & cert. ef. 3-13-02; BEELS 1-2004, f. & cert. ef. 1-26-04; BEELS 2-2004, f. & cert. ef. 7-14-04; BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 2-2014, f. & cert. ef. 2-26-14

## **820-010-0200**

### **Application 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;

(A) 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.

(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.

(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 at home examination on the laws and rules in Oregon.

(6) Application must be accompanied by the \$360.00 fee.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1993, f. 1-28-93, cert. ef. 2-1-93; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2000, f. & cert. ef. 1-14-00; BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 1-2003, f. & cert. ef. 1-28-03; BEELS 1-2004, f. & cert. ef. 1-26-04; BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2013, f. & cert. ef. 3-13-13

#### **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 five 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;

(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.

(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 NCEES 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 at home examination on the laws and rules in Oregon.

(4) Application must be accompanied by the \$360.00 fee.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13

#### **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;

(A) 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.

(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.

(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 at home examination on the laws and rules in Oregon.

(7) Application must be accompanied by the \$360.00 fee.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92; BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 5-2005(Temp), f. & cert. ef. 9-23-05 thru 3-21-06; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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 five 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;

(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.

(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 NCEES 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 at home examination on the laws and rules in Oregon.

(5) Application must be accompanied by the \$360.00 fee.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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;

(A) 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.

(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.

(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 at home examination on the laws and rules in Oregon.

(6) Application must be accompanied by the \$360.00 fee.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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 five 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;

(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.

(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 NCEES Fundamentals of Land Surveying examination and a professional photogrammetry examination recognized by the Board.

(3) Before receiving a certificate of registration to practice professional photogrammetric mapping in Oregon, each applicant must pass a take at home examination on the laws and rules in Oregon.

(4) Application must be accompanied by the \$360.00 fee.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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 an application for readmission to the examination for certification as a water right examiner is \$40.00.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 2-2012, f. & cert. ef. 5-10-12

## **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 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) Application for readmission 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

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 2-1999, f. & cert. ef. 9-15-99; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 1-2011, f. & cert. ef. 1-

14-11; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 5-2013(Temp), f. & cert. ef. 8-13-13 thru 2-7-14; Administrative correction, 2-24-14

### **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 at home examination on the laws and rules in Oregon.

(3) Application must be accompanied by the \$210.00 fee.

(4) Application for readmission 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

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13

### **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 at home examination on the laws and rules in Oregon.

(3) Application must be accompanied by the \$250.00 fee.

(4) Applications for readmission:

(a) Applications for readmission for both the National (6-hour) examination and the Oregon Specific (4-hour) examination must be accompanied by the \$130.00 fee.

(b) Application for readmission for the National (6-hour) examination must be accompanied by the \$75.00 fee.

(c) Application for readmission 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

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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 at home examination on the laws and rules in Oregon.
- (3) Application must be accompanied by the \$230.00 fee.
- (4) Application for readmission 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

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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.
  - (f) If applicable, any evidence of further preparation for readmission to a subsequent examination as required by OAR 820-010-0465.
- (4) Applications for registration as professional engineers, professional land surveyors, or professional photogrammetrists must be accompanied by a completed take at 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, subject to OAR 820-010-0300, and not eligible to forward fees.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1983, f. 2-28-83, ef. 3-1-83; EE 2-1986, f. 3-26-86, ef. 3-31-86; EE 4-1987, f. & ef. 12-1-87; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; Renumbered from 820-010-0220; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 4-2008, f. & cert. ef. 12-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 2-2010(Temp), f. & cert. ef. 12-28-10 thru 6-26-11; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 4-2012, f. & cert. ef. 9-14-12; BEELS 1-2013, f. & cert. ef. 3-13-13

## **820-010-0225**

### **Educational Qualifications to Take the Fundamentals of Engineering (FE) Examination for Enrollment as an Engineering Intern (EI)**

Applicants for admission to examination for enrollment as an EI will be required to submit the following evidence to show eligibility to take the FE examination:

- (1) Official transcripts that document the degree and date awarded, demonstrating completion of an engineering curriculum satisfactory to the Board, as described in subsection (2) below.
- (2) For entrance to the FE examination, a curriculum satisfactory to the Board shall include:
  - (a) Graduation from an EAC of ABET accredited engineering program;
  - (b) Graduation from a TAC of ABET baccalaureate engineering program;
  - (c) Graduation from an ACCE accredited four-year baccalaureate construction engineering management program;
  - (d) Graduation from a graduate degree program in engineering at a college or university that has an EAC of ABET accredited undergraduate degree program in the same field as the graduate degree program, combined with completion of 21 semester/32 quarter hours of engineering related technical course work. The courses shall include at least six of the following nine subjects: Differential Equations, Physics, Statistics, Statics, Dynamics, Thermodynamics, Fluid Mechanics, Electrical Fundamentals and Strength of Materials.

(e) Graduation from TAC of ABET accredited two-year Engineering Technology program or graduation from a two-year Associate of Applied Science program in Engineering Technology that includes the following:

(A) A total of at least 64 semester/96 quarter hours;

(B) At least 32 semester/48 quarter hours in technical courses. (Skills and knowledge of appropriate methods, procedures and techniques; experience in carrying out established engineering procedures);

(C) At least 16 semester/24 quarter hours in math and science, including:

(i) 4 semester/6 quarter hours in basic science (physics, chemistry, earth and life sciences);

(ii) 8 semester/12 quarter hours in mathematics (not including courses below the level of college algebra or courses in computer programming);

(D) At least 9 semester/13 quarter hours in social science, humanities and communications; and

(E) In addition to the educational requirements set forth in paragraph (e) of subsection (3), graduates from two-year programs shall complete two or more years of engineering work before qualifying to take the FE examination for enrollment as an EI. In the alternative, graduates from two-year programs may complete additional course work consisting of 21 semester/32 quarter hours in Differential Equations, Physics, Statistics, Statics, Dynamics, Thermodynamics, Fluid Mechanics, Electrical Fundamentals and Strength of Materials.

(f) Completion of a curriculum that the Board finds has adequately prepared the application for enrollment as an EI.

(3) To be eligible to sit for the examination prior to graduation from a baccalaureate engineering program described in subsections (2)(a), (b) or (c) of this rule, a verification statement must be signed by an official from the applicant's school, university or college, verifying the applicant is currently enrolled in the senior year of a qualifying baccalaureate program, and also verifying that if the applicant graduates timely, when the degree from that program will be conferred upon the applicant.

(4) To be eligible to sit for the examination prior to graduation from a baccalaureate engineering program that is not accredited as described in subsections (2)(a), (b) or (c) of this rule, a verification statement must be signed by an official from the applicant's school, university or college, verifying the applicant is currently enrolled in the senior year of a baccalaureate engineering program that includes 21 semester/32 quarter hours in at least six of the following nine courses: differential equations; Physics; Statistics; Statics; Dynamics; Thermodynamics; Fluid Mechanics; Electrical Fundamentals; Strength of Materials, and also verifying that if the applicant graduates timely, when the degree from that program will be conferred upon the applicant.

(5) The verification statement required under subsections (3) and (4) of this rule must be submitted in the same packet as the completed application to be considered.

(6) NCEES will be notified of approved applications. The applicant may not schedule with NCEES to sit for the examination unless and until NCEES has been notified of the Board's approval of the application.

(7) An applicant who is admitted to the examination under subsections (3) or (4) of this rule shall, within 10 months of sitting for the exam, provide the Board with an official transcript showing that the degree for which the applicant was approved to sit for the examination has been conferred on the applicant. Failure

of the applicant to timely provide the board with an official transcript showing that the degree has been conferred on the applicant vacates any passing score that the applicant achieved on the examination.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 1-1986, f. 2-4-86, ef. 2-15-86; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; EE 2-1996, f. & cert. ef. 10-3-96; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-1999, f. 5-27-99, cert. ef. 7-1-99; BEELS 1-2001, f. & cert. ef. 5-22-01; BEELS 1-2004, f. & cert. ef. 1-26-04; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 4-2012, f. & cert. ef. 9-14-12; BEELS 1-2013, f. & cert. ef. 3-13-13; BEELS 4-2013(Temp), f. & cert. ef. 7-10-13 thru 1-6-14; BEELS 8-2013(Temp) f. & cert. ef. 11-14-13 thru 1-6-14; Administrative correction, 2-5-14; BEELS 1-2014(Temp), f. & cert. ef. 2-14-14 thru 8-13-14; BEELS 3-2014, f. & cert. ef. 7-16-14

## **820-010-0226**

### **Educational Qualifications to Take the Fundamentals of Land Surveying (FLS) Examination for Enrollment as a Land Surveying Intern (LSI)**

Applicants for admission to examination for enrollment as an LSI will be required to submit the following evidence to show eligibility to take the FLS examination:

- (1) Official transcripts that document the degree and date awarded, demonstrating completion of a land surveying curriculum satisfactory to the Board, as described in subsection (2) below.
- (2) For entrance to the FLS Examination, a curriculum satisfactory to the Board shall include:
  - (a) Graduation from an EAC of ABET accredited four-year baccalaureate land surveying program;
  - (b) Graduation from an ASAC of ABET accredited four-year baccalaureate land surveying program;
  - (c) Graduation from a TAC of ABET accredited four-year baccalaureate land surveying program;
  - (d) Graduation from an EAC of ABET accredited four-year baccalaureate engineering program with 11 semester/16 quarter hours of surveying instruction and surveying law.
  - (e) Graduation from a TAC of ABET accredited four-year baccalaureate engineering program with 11 semester/16 quarter hours of surveying instruction and surveying law.
  - (f) Graduation from an ACCE accredited four-year baccalaureate engineering program with 11 semester/16 quarter hours of surveying instruction and surveying law.
  - (g) Graduation from a graduate degree program in land surveying at a college or university that has an ABET accredited undergraduate degree program in the same field, combined with completion of 11 semester/16 quarter hours of surveying instruction.
  - (h) Graduation from an ASAC of ABET accredited two-year Surveying Technology program, a TAC of ABET accredited two-year Surveying Technology program, or a two-year Association of Applied Science program in Surveying Technology or Engineering Technology that includes the following:
    - (A) A total of at least 64 semester/96 quarter hours;



(B) At least 32 semester/48 quarter hours in technical courses, of which a minimum of 11 semester/16 quarter hours shall be in surveying instruction;

(C) At least 16 semester/24 quarter hours in subjects such as math, science, basic electricity, hydraulics, road design, construction management and estimating engineering economics with college level algebra, trigonometry and statistics;

(D) At least 9 semester/13 quarter hours in social science, humanities and communications; and

(E) In addition to the educational requirements set forth in paragraph (h) of subsection (2) above, graduates from two-year education programs shall complete two or more years of active practice in land surveying work before qualifying to take the FLS examination for enrollment as an LSI.

(i) Graduation from a baccalaureate degree program related to engineering or land surveying that includes the following:

(A) 21 semester/32 quarter hours of coursework with a direct geomatics focus that requires the application of geomatics knowledge and skills. One of these courses must be surveying law related;

(B) 27 semester/40 quarter hours that requires the application of mathematics for problem solving. At least one of these courses must focus on the application of differential and integral calculus;

(C) 24 semester/35 quarter hours related to physical and natural science with laboratory applications; and

(D) 4 semester/6 quarter hours of capstone or integrating experience that develops student competencies in applying both technical and non-technical skills in solving problems.

(j) Completion of a curriculum that the Board finds adequately prepared the applicant for enrollment as an LSI.

(3) To be eligible to sit for the examination prior to graduation from a baccalaureate land surveying or engineering program described in subsections (2)(a) through (c) of this rule, a verification statement must be signed by an official from the applicant's school, university or college, verifying the applicant is currently enrolled in the senior year of a qualifying baccalaureate program, and also verifying that if the applicant graduates timely, when the degree from that program will be conferred upon the applicant.

(4) To be eligible to sit for the examination prior to graduation from a baccalaureate engineering program described in subsections (2)(d) through (f) of this rule, a verification statement must be signed by an official from the applicant's school, university or college, verifying the applicant is currently enrolled in the senior year of a qualifying baccalaureate engineering program that includes: 11 semester/16 quarter hours of surveying instruction and surveying law, and also verifying that if the applicant graduates timely, when the degree from that program will be conferred upon the applicant.

(5) To be eligible to sit for the examination prior to graduation from a baccalaureate engineering or land surveying program that is not accredited as described in subsections (2)(a) through (f) of this rule, a verification statement must be signed by an official from the applicant's school, university or college, verifying the applicant is currently enrolled in the senior year of a baccalaureate engineering or land surveying program that includes: 21 semester/32 quarter hours of coursework with a direct geomatics focus that requires the application of geomatics knowledge and skills. One of these courses must be surveying law related; 27 semester/40 quarter hours that requires the application of mathematics for problem solving. At least one of these courses must focus on the application of differential and integral calculus; 24 semester/35 quarter hours related to physical and natural science with laboratory applications; and 4 semester/6 quarter hours of capstone or integrating experience that develops student

competencies in applying both technical and non-technical skills in solving problems, and also verifying that if the applicant graduates timely, when the degree from that program will be conferred upon the applicant.

(6) The verification statement required under this subsections (3), (4), and (5) of this rule must be submitted in the same packet as the completed application to be considered.

(7) NCEES will be notified of approved applications. The applicant may not schedule with NCEES to sit for the examination unless and until NCEES has been notified of the Board's approval of the application.

(8) An applicant who is admitted to the examination under subsections (3), (4), or (5) of this rule shall, within 10 months of sitting for the exam, provide the Board with an official transcript showing that the degree for which the applicant was approved to sit for the examination has been conferred on the applicant. Failure of the applicant to timely provide the Board with an official transcript showing that the degree has been conferred on the applicant vacates any passing score that the applicant achieved on the examination.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 4-2012, f. & cert. ef. 9-14-12; BEELS 1-2013, f. & cert. ef. 3-13-13; BEELS 4-2013(Temp), f. & cert. ef. 7-10-13 thru 1-6-14; BEELS 8-2013(Temp) f. & cert. ef. 11-14-13 thru 1-6-14; Administrative correction, 2-5-14; BEELS 1-2014(Temp), f. & cert. ef. 2-14-14 thru 8-13-14; BEELS 3-2014, f. & cert. ef. 7-16-14

## **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 NCEES Credentials Evaluations, 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 820-010-0225. The cost for such evaluation will be borne by the applicant.

(3) Military training or experience may be considered as qualifying if it is evaluated by the Joint Services Transcript (JST), and the Board determines that the military training or experience is considered substantially equivalent to the educational degrees or courses listed in OAR 820-010-0225.

(4) 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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. The Reference Details form must be received by the Board office in a sealed envelope.

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

(9) FE examination application fee is \$0.00.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 1-2014(Temp), f. & cert. ef. 2-14-14 thru 8-13-14; BEELS 3-2014, f. & cert. ef. 7-16-14

## **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 NCEES Credentials Evaluations, 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 820-010-0226. The cost for such evaluation will be borne by the applicant.

(3) Military training or experience may be considered as qualifying if it is evaluated by the Joint Services Transcript (JST), and the Board determines that the military training or experience is considered substantially equivalent to the educational degrees or courses listed in OAR 820-010-0226.

(4) 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.

(5) 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.

(6) 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.

(7) 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.

(8) 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. The Reference Details form must be received by the Board office in a sealed envelope.

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

(9) FLS examination application fee is \$0.00.

Stat. Auth.: ORS 670.310, 672.095, 672.118, & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 1-2014(Temp), f. & cert. ef. 2-14-14 thru 8-13-14; BEELS 3-2014, f. & cert. ef. 7-16-14

## **820-010-0230**

### **Information to be Furnished by Professional Engineer Applicants**

(1) Applicants for admission to examination for registration as professional engineers will be required to submit evidence to show qualification of eligibility consisting of current enrollment as an EI meeting the requirements of the State of Oregon at the time of enrollment and the following practice experience:

(a) Applicants qualified under OAR 820-010-0225(3)(a), (3)(d), (3)(f), or 820-010-0227 shall complete four or more years of active practice in engineering work in addition to the requirements for admission to examination for enrollment as an EI. Applicants will be allowed to submit as qualifying work experience that work experience obtained based on employment up to the date of the PE examination.

(b) Applicants qualified under OAR 820-010-0225(3)(b), (3)(c) or (3)(e) shall complete six or more years of active practice in engineering work in addition to the requirements for admission to examination for enrollment as an EI. The six years of active practice year requirement may be reduced to four years provided that the applicant completes at least 21 semester/32 quarter hours in a curriculum including: Differential Equations, Physics, Statistics, Statics, Dynamics, Thermodynamics, Fluid Mechanics, Electrical Fundamentals and Strength of Materials.

(2) Active practice in engineering work shall be practice in the applicant's area of competence, in responsible charge performed under the direction and supervision of a licensed engineer.

(3) Graduation from a post-baccalaureate degree program in engineering at a college or university that has an EAC of ABET accredited undergraduate degree program in a similar discipline as the post-baccalaureate degree program may be substituted for one year of the four years of active practice required by this rule so long as the degree was not the basis for admission to the fundamental examination under OAR 820-010-0225(3)(d).

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2001, f. & cert. ef. 5-22-01; BEELS 1-2002, f. & cert. ef. 3-13-02; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 2-2009, f. & cert. ef. 11-13-09

## **820-010-0231**

### **Information to be Furnished by Professional Land Surveyor Applicants**

(1) Applicants for admission to examination for registration as professional land surveyors will be required to submit evidence to show qualification of eligibility consisting of current enrollment as an LSI, meeting the requirements of the State of Oregon at the time of enrollment and the following practice experience:

(a) Applicants qualified under OAR 820-010-0226(3)(a), (3)(b), (3)(c), (3)(d), (3)(e), (3)(f), (3)(g), (3)(i), or 820-010-0228 shall complete four or more years of active practice in land surveying work in addition to the requirements for admission to examination for enrollment as an LSI. Applicants will be allowed to submit as qualifying work experience that work experience obtained based on employment up to the date of the PLS examination.

(b) Applicants qualified under OAR 820-010-0226(3)(h) shall complete six or more years of active practice in land surveying work in addition to the requirements for admission to examination for enrollment as an LSI.

(2) Active practice in land surveying work shall be under the responsible charge performed under the direction and supervision of a licensed land surveyor.

(3) Graduation from a post-baccalaureate degree program in engineering or surveying at a college or university which has an ABET accredited undergraduate degree program in the same field as the post-baccalaureate degree program may be substituted for one year of the four years of active practice required by this rule so long as the degree was not the basis for admission to the fundamental examination under OAR 820-010-0226(3)(g).

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 5-2007, f. & cert. ef. 9-20-07

#### **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

Hist.: EE 4-1987, f. & ef. 12-1-87; BEELS 3-2008, f. & cert. ef. 11-14-08

#### **820-010-0236**

##### **Information to be Furnished by Registered Professional Photogrammetrist Applicants**

(1) Applicants for admission to examination for registration as registered professional photogrammetrists will be required to submit evidence to show qualification of eligibility consisting of current enrollment as an LSI, meeting the requirements of the State of Oregon at the time of enrollment and the following practice experience: Applicants qualified under OAR 820-010-0226(3) shall complete four or more years of active practice in photogrammetric work in addition to the requirements for admission to examination for enrollment as an LSI. Applicants will be allowed to submit as qualifying work experience that work experience obtained based on employment up to the date of the professional photogrammetry examination;

(2) Active practice in photogrammetric work shall be under the supervision and control of a licensed photogrammetrist or licensed land surveyor or be active practice in photogrammetric work satisfactory to the Board.

(3) Graduation from a post-baccalaureate degree program in engineering or surveying at a college or university which has an ABET accredited undergraduate degree program in the same field as the post-baccalaureate degree program may be substituted for one year of the four years of active practice required by this rule so long as the degree was not the basis for admission to the fundamental examination under OAR 820-010-0226(3)(g).

(4) Experience as a full-time assistant professor, or above, in a Board approved photogrammetric curriculum, may be considered at the discretion of the Board as qualifying experience.

Stat. Auth.: ORS 670.310 & 672.255  
Stats. Implemented: ORS 672.002 - 672.325  
Hist.: BEELS 1-2008, f. & cert. ef. 3-12-08

### **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  
Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2001, f. & cert. ef. 5-22-01; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 3-2008, f. & cert. ef. 11-14-08

### **820-010-0300**

#### **Refunds and Charges**

- (1) Application fees are non-refundable.
- (2) Refunds of application fees will not be made to individuals who fail to complete the application process, to qualify for, withdraw from, or do not appear for, the examination.
- (3) Comity application fees will not be refunded, but may be applied toward examination fee if requested by the applicant and the application has not been denied.
- (4) Rescore fees are non-refundable.
- (5) If the Board receives payment of any fees by check and the check is deposited and returned to the Board, the payor of the fees will be assessed a charge of \$20 in addition to the required payment of the fees.

Stat. Auth.: ORS 670.310 & 672.255  
Stats. Implemented: ORS 672.002 - 672.325  
Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 2-1985, f. 12-4-85, ef. 12-16-85; BEELS 2-2004, f. & cert. ef. 7-14-04; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 2-2012, f. & cert. ef. 5-10-12

### **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:

(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 — \$0.00.

(b) Initial fundamentals of land surveying examination application — \$0.00.

(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) Application for readmission to the Fundamentals of engineering examination — \$0.00.

(i) Application for readmission to the Fundamentals of land surveying examination — \$0.00.

(j) Application for readmission to the Professional engineering (PE) examination — \$90.

(k) Application for readmission to the Professional geotechnical examination — \$365.

(l) Application for readmission to the Professional land surveying (PLS) examination — \$130.

(m) Application for readmission to the Oregon law portion of PLS examination — \$55.

(n) Application for readmission to the National portion of PLS examination — \$75.

(o) Application for readmission to the Professional photogrammetric mapping examination — \$110.

(p) Application for readmission to the Certified Water Rights Examiner test— \$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 — \$75.

(j) Annual renewal of a professional land surveyor certificate — \$75.

(k) Annual renewal of a registered professional photogrammetrist certificate — \$75.

(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

Hist.: EE 2-1980, f. & ef. 5-14-80; EE 4-1981, f. & ef. 12-14-81; EE 2-1984(Temp), f. & ef. 5-7-84; EE 2-1984(Temp), f. & ef. 5-7-84; EE 4-1984, f. & ef. 12-11-84; EE 2-1987, f. & ef. 7-2-87; EE 3-1987, f. & ef. 8-25-87; EE 2-1989, f. 1-3-89, cert. ef. 1-15-89; EE 1-1990(Temp), f. & cert. ef. 5-21-90; EE 1-1991(Temp), f. 8-14-91, cert. ef. 9-1-91; EE 2-1991, f. & cert. ef. 9-23-91; EE 1-1992, f. & cert. ef. 2-3-92; EE 2-1992, f. & cert. ef. 2-4-92; EE 4-1992, f. & cert. ef. 7-22-92; EE 2-1993(Temp), f. & cert. ef. 2-22-93; EE 3-1993, f. & cert. ef. 6-3-93; EE 2-1994, f. & cert. ef. 7-22-94; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; EE 2-1997, f. & cert. ef. 8-6-97; BEELS 3-1998, f. & cert. ef. 5-11-98; BEELS 1-1999, f. 5-27-99, cert. ef. 7-1-99; BEELS 1-2000, f. & cert. ef. 1-14-00; BEELS 3-2000, f. 3-17-00, cert. ef. 3-20-00; BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 3-2002, f. & cert. ef. 11-13-02; BEELS 4-2002, f. & cert. ef. 12-3-02; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 1-2012(Temp), f. & cert. ef. 3-16-12 thru 5-15-12; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 2-2014, f. & cert. ef. 2-26-14

## **820-010-0325**

### **Budget**

The amount of \$3,000,000 is established for the biennium beginning July 1, 2013, as the intended limit for payment of expenses from fees, moneys or other revenue, including miscellaneous receipts, collected or received by the Board.

Stat. Auth.: ORS 182.462, 670.310, 672.155 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 1-1999, f. 5-27-99, cert. ef. 7-1-99; BEELS 1-2001, f. & cert. ef. 5-22-01; BEELS 2-2002, f. & cert. ef. 5-15-02; BEELS 4-2003, f. 5-14-03, cert. ef. 7-1-03; BEELS 2-2004, f. & cert. ef. 7-14-04; BEELS 2-2005(Temp), f. & cert. ef. 6-9-05 thru 12-5-05; BEELS 4-2005, f. & cert. ef. 9-23-05; BEELS 1-2007(Temp), f. & cert. ef. 3-23-07 thru 6-30-07; Administrative correction, 7-15-07; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 1-2009, f. & cert. ef. 5-15-09; BEELS 2-2011, f. & cert. ef. 5-12-11; BEELS 3-2013, f. & cert. ef. 6-17-13; BEELS 9-2013(Temp), f. & cert. ef. 11-14-13 thru 5-9-14; Administrative correction, 5-21-14

## **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

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 4-1987, f. & ef. 12-1-87; EE 1-1992, f. & cert. ef. 2-3-92; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 1-2011, f. & cert. ef. 1-14-11

### **820-010-0415**

#### **Nature of the Examination for Professional Engineer (PE)**

(1) An applicant to qualify for registration must obtain a passing grade for:

(a) 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 subsection (1)(b) of this rule; and

(b) A written examination in a professional branch of engineering, other than structural engineering, covering practical engineering problems in branches listed in OAR 820-010-0450.

(2) The uniform, national examinations are written and scored by the NCEES and administered by NCEES Exam Administration Services. Acoustical and Forest examinations are written, scored and administered by the Board.

(3) Before receiving a certificate of registration to practice professional engineering in Oregon, each applicant must pass a take at home examination on the laws and rules in Oregon.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 – 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 2, f. 12-4-85, ef. 12-16-85; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 4-2012, f. & cert. ef. 9-14-12; BEELS 1-2013, f. & cert. ef. 3-13-13

### **820-010-0417**

#### **Nature of Examination for Structural Engineer**

(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 16-hour Structural Examination, administered by NCEES.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 1-2015, f. & cert. ef. 2-3-15

#### **820-010-0420**

##### **Nature of Examination for Engineering Intern (EI)**

The examination to qualify for enrollment as an EI will be an examination devoted to basic engineering subjects on the fundamentals of engineering. The examination may cover such subjects as chemistry, dynamics, engineering economics, engineering mechanics, electrical circuits, electronics and electrical machinery, fluid mechanics, materials science, mathematics, mechanics of materials, statistics, structure of matter and thermodynamics, and discipline specific questions in the chosen discipline.

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

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 1-1983, f. 2-28-83, ef. 3-1-83; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2014(Temp), f. & cert. ef. 2-14-14 thru 8-13-14; BEELS 3-2014, f. & cert. ef. 7-16-14

#### **820-010-0425**

##### **Nature of Examination for Professional Land Surveyor (PLS)**

(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 unless exempted for this examination under 820-010-0455. Such examination may be taken at any scheduled period but must be passed in order to be admitted to the examination in subsection (1)(b) of this rule;

(b) A written examination in practical land surveying problems; and

(c) A four-hour Oregon specific examination covering the U. S. Public Land Survey system, Oregon laws relating to land surveying, and other matters.

(2) The uniform, national examinations referenced in sections (1)(a) and (1)(b) are written and scored by the NCEES and administered by NCEES Exam Administration Services. The four-hour Oregon specific examination is written, scored and administered by the Board.

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

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 – 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 2, f. 12-4-85, ef. 12-16-85; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2013, f. & cert. ef. 3-13-13

## **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 fundamentals of land surveying 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 at home examination on the laws and rules in Oregon.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 1-2013, f. & cert. ef. 3-13-13

## **820-010-0430**

### **Nature of Examination for Land Surveyor Intern (LSI)**

The examination to qualify for enrollment as a land surveyor intern (LSI) will be a written examination on the fundamentals of land surveying. The examination may cover such subjects as science fundamentals, mathematics, surveying fundamentals, measurements, computations, applications and legal principles.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented:

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 1-1983, f. 2-28-83, ef. 3-1-83; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95

## **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:
    - (A) Chemical.
    - (B) Civil.
    - (C) Electrical and Computer.
    - (D) Environmental.
    - (E) Industrial.
    - (F) Land Surveying.
    - (G) Mechanical.
    - (H) Naval Architecture/Marine.
    - (I) Structural 16-hour.
  - (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:
    - (A) Agricultural.
    - (B) Chemical.
    - (C) Civil.
    - (D) Control Systems.
    - (E) Electrical and Computer.

- (F) Environmental.
- (G) Fire Protection.
- (H) Land Surveying.
- (I) Mechanical.
- (J) Metallurgical.
- (K) Nuclear.
- (L) Structural 16-hour.
- (d) Oregon Specific Acoustical.
- (e) California Geotechnical.
- (f) Oregon Specific Land Surveying.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92; EE 2-1993(Temp), f. & cert. ef. 2-22-93; EE 3-1993, f. & cert. ef. 6-3-93; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; EE 3-1994(Temp), f. & cert. ef. 11-21-94; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 5-2000, f. & cert. ef. 10-19-00; BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 4-2012, f. & cert. ef. 9-14-12

## **820-010-0442**

### **Application Deadlines**

(1) Deadlines to submit applications for admission to examinations based on the schedule contained in OAR 820-010-0440 are:

- (a) December 1 is the deadline for applications for the Spring examination administration.
- (b) January 1 is the deadline for applications for readmission to the Spring examination administration.
- (c) June 1 is the deadline for applications for the Fall examination administration.
- (d) July 1 is the deadline for applications for readmission to the Fall examination administration.

(2) 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.

(3) Deadlines to submit applications for registration as a PE or RPP based on licensure by another jurisdiction (comity) or based on examination by another jurisdiction or NCEES (1st registration) are the first day of the month prior to the month of a Board meeting.

(4) Deadlines to submit applications for registration as a PLS based on licensure by another jurisdiction (comity) or based on examination by another jurisdiction or NCEES (1st registration) are:

(a) February 1st to sit for the Spring Oregon Specific Land Surveying examination.

(b) August 1st to sit for the Fall Oregon Specific Land Surveying examination.

(c) If successful results on the Oregon Specific Land Surveying examination are not attained, the applicant must comply with the readmission deadlines contained in subsection (1) of this rule.

(5) All 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 following business day.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 2-2014, f. & cert. ef. 2-26-14

#### **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

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08

#### **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, 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

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 4-2012, f. & cert. ef. 9-14-12

## **820-010-0450**

### **Branches Examined and Issued by the Board**

The Board may conduct examinations and issue registrations in accordance with the following:

(1) Examinations may be offered annually and successful examinees will be registered as professional engineers especially qualified in one of the branches listed below. The applicant will be limited to the selection of examination questions pertaining to that branch:

- (a) Acoustical;
- (b) Agricultural;
- (c) Chemical;
- (d) Civil;
- (e) Control Systems;
- (f) Electrical and Computer;
- (g) Environmental;
- (h) Fire Protection;
- (i) Forest;
- (j) Geotechnical;
- (k) Industrial;
- (l) Mechanical;
- (m) Metallurgical;
- (n) Naval Architecture/Marine;
- (o) Nuclear;
- (p) Structural.

(2) Persons desiring to be registered as a professional engineer naming a branch other than one listed under section (1) of this rule as one in which the individual is especially qualified may petition the Board to amend the list. Procedures are designated in the Model Rules of Procedure under the Administrative Procedure Act, OAR 137-001-0070. Information in the petition shall include:

- (a) The public need for recognition of the new discipline;
- (b) The number of potential registrants that would be affected;
- (c) Whether the new branch is a specialty under an already recognized discipline; and
- (d) Recommendations for examination sources in that discipline.

(3) The Board may, at its option, discontinue examining and registering in any branch at any time that it receives fewer than six qualified applicants in that branch in a three-year period.

(4) For a registration as a professional land surveyor the applicant will be examined in land surveying.

(5) For a registration as a professional photogrammetrist the applicant will be examined in photogrammetry.

(6) For certification as a water right examiner, the applicant will be examined on water right applications and the preparation of claims of beneficial use.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 2-1978, f. 12-21-78, ef. 1-1-79; EE 1-1981, f. 5-19-81, ef. 6-1-81; EE 1-1984, f. & ef. 3-6-84; EE 2-1986, f. 3-26-86, ef. 3-31-86; EE 4-1987, f. & ef. 12-1-87; EE 1-1992, f. & cert. ef. 2-3-92; EE 3-1992, f. 3-19-92, cert. ef. 4-1-92; EE 5-1993, f. 8-3-93, cert. ef. 8-13-93; BEELS 5-2000, f. & cert. ef. 10-19-00; BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 1-2004, f. & cert. ef. 1-26-04; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 1-2010, f. & cert. ef. 5-12-10

## **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

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 1-1984, f. & ef. 3-6-84; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 3-2008, f. & cert. ef. 11-14-08

## **820-010-0460**

### **Exemption from FE Section**

Any applicant who was previously registered as a professional engineer in one branch of engineering by this Board, shall be excused from the FE section should the applicant desire admission to examination for registration in any other branch of engineering.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented:

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95

### **820-010-0463**

#### **Cutoff Scores for Examinations**

(1) The cutoff scores for the FE, FLS, PE, PLS, and Structural 16-hour examinations are established by NCEES.

(2) The cutoff scores for the acoustical, forest, and four-hour Oregon specific land surveying examinations are 70 points out of 100 points.

(3) The cutoff score for the photogrammetric mapping examination is established by the Colonial States Board of Surveyor Registration (CSBSR).

(4) The cutoff score for the California Geotechnical examination is established by the California Board for Professional Engineers, Land Surveyors, and Geologists (California Board).

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 4-2012, f. & cert. ef. 9-14-12; BEELS 1-2015, f. & cert. ef. 2-3-15

### **820-010-0465**

#### **Application for Readmission to Examination**

(1) Applicants for registration as a PE, PLS, or RPP, and for EI and LSI enrollment who did not achieve a passing grade in their first and second written examinations will, before re-admittance to a subsequent examination, be required to submit valid evidence of further preparation on their part. Such evidence must include proof of one or more of the following:

(a) Courses of study undertaken;

(b) Special training; or

(c) Additional experiences gained since their last examination.

(2) If two or more examination administrations have passed since the date the last application was made to the Board, applicants must provide the following updated documents:

(a) Experience Details form; and

(b) One Reference Details form.

(3) In all cases, submitted proof must be satisfactory to the Board.

(4) Application for readmission and fees will not be accepted prior to the release of the results from the preceding examination.

(5) If five years or more have passed since the date the last application was made to the Board, applicants must submit a new initial application along with all supporting documents and a full application fee.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 2-2012, f. & cert. ef. 5-10-12

## **820-010-0470**

### **Review of Examinations Administered by the Board**

(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 a two-hour examination review when 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 four-hour Oregon Specific Land Surveying 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 a complete written request within the two-hour timeframe.

(3) With respect to the certified water right examiner test, an applicant may submit a written request to review the applicant's own test results. The board will allow an examination review where the applicant

failed the test and the applicant achieved a score within five points of the cutoff score. With respect to such reviews.

- (a) An applicant may examine only the question, solution, and answer key for the failed problem.
- (b) An applicant may review the test on only one occasion. The board will prescribe a time and place for the review.
- (c) All test 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 test review.
- (4) Fee for rescore requests of examinations must accompany the written request. Acoustical, forest, certified water right test, or four-hour Oregon Specific Land Surveying examination — \$50/ per item to be rescored. Fee is payable to the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS).
- (5) As the California Board does not facilitate examination reviews and appeals, California Geotechnical examination reviews are not permitted.
- (6) Photogrammetry examination reviews are not permitted.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 3-1986, f. & ef. 7-21-86; EE 1-1989, f. & cert. ef. 1-3-89; EE 1-1992, f. & cert. ef. 2-3-92; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 3-2002, f. & cert. ef. 11-13-02; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 4-2012, f. & cert. ef. 9-14-12

#### **820-010-0480**

##### **NCEES Examinations**

- (1) As NCEES does not facilitate examination reviews and appeals, NCEES examination reviews are not permitted.
- (2) Examinees are subject to the NCEES 2012 Examination Administration Policies. For the purposes of investigations of potential violations of OAR 820-020-0040, the Board will consider recommendations from NCEES for any breach of examination security and examination subversion.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2013, f. & cert. ef. 3-13-13

#### **820-010-0500**

##### **Qualifications of Administrative Officer (Administrator)**

The administrative officer of the Oregon State Board of Examiners for Engineering and Land Surveying authorized by ORS 670.306 shall:

- (1) Not be a member of the Board.
- (2) Serve at the pleasure of the Board.
- (3) Receive such compensation as the Board may determine.
- (4) Perform such duties as assigned by the Board.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1983, f. 2-28-83, ef. 3-1-83; EE 1-1984, f. & ef. 3-6-84; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2001, f. & cert. ef. 5-22-01; BEELS 3-2002, f. & cert. ef. 11-13-02; BEELS 3-2003(Temp), f. 5-14-03, cert. ef. 5-15-03 thru 11-11-03; BEELS 5-2003(Temp), f. 11-10-03, cert. ef. 11-12-03 thru 5-8-04; BEELS 1-2004, f. & cert. ef. 1-26-04

### **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 — \$150.00;
- (b) Professional Land Surveyor — \$150.00;
- (c) Professional Photogrammetrist — \$150.00;

(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. Failure to pay the delinquent fee will place a registration or certificate in the "delinquent" status.

(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

Hist.: BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 1-2012(Temp), f. & cert. ef. 3-16-12 thru 5-15-12; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2015, f. & cert. ef. 2-3-15

### **820-010-0510**

## **Registrants or Certificate Holders Qualified to Practice**

Active registrants or certificate holders 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 and who are current with regards to payment of application and biennial renewal fees and continuing Professional Development Hour (PDH) requirements, if applicable, may practice in their respective professions. These registrants maintain an "active status."

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

Stats. Implemented: ORS 672.020(1), 672.025(1), 672.028(1), 672.045(1)

Hist.: BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 2-2009, f. & cert. ef. 11-13-09

## **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 or delinquent 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 any delinquent renewal fee required by OAR 820-010-0305(3);

(c) By paying any biennial renewal fee required by OAR 820-010-0505; and

(d) 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 at 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) 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 at 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) 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)

Hist.: BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 1-2011, f. & cert. ef. 1-14-11; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2013, f. & cert. ef. 3-13-13; BEELS 1-2015, f. & cert. ef. 2-3-15

## **820-010-0530**

### **United States Military Registrants**

(1) Upon written request, biennial renewal fees and continuing professional development units may be waived while a registrant holding a registration to practice engineering, land surveying, or photogrammetry in Oregon is on active duty with the Armed Forces of the United States.

(2) An active duty registrant with the Armed Forces of the United States may return a registration to its former status upon written notification to the Board within 60 days of the date of honorable discharge. Former status will be restored by satisfying and submitting proof of completion of 15 PDH units per year for each year (or part of a year) in active military status on the Continuing Professional Development Organizational Form. Biennial renewal fees will not be required until the biennial renewal period following the date of honorable discharge.

(3) If a registrant fails to notify the Board in writing within 60 days from the date of honorable discharge, or within the registration biennial renewal period in which the honorable discharge becomes effective,



whichever is the longer period of time, that person may be subject to fees, including late-payment fees, assessed by the Board or other registration requirements in accordance with ORS Chapter 672.

Stat. Auth: ORS 408.450 & 672.255(1)(g)

Stats. Implemented: ORS 672.020(1), 672.025(1), 672.028(1) & 672.045(1)

Hist.: BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 2-2012, f. & cert. ef. 5-10-12

## **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

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 2-1986, f. 3-26-86, ef. 3-31-86; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 3-2008, f. & cert. ef. 11-14-08

## **820-010-0605**

### **Address Changes; Service of Notice; and Name Changes**

(1) It is the registrant's responsibility to inform the Board in writing, within 30-days, of any address change, including any change of an e-mail address. Notice by registered or certified mail to the registrant's last address on file with the Board shall constitute service.

(2) It is the registrant's responsibility to inform the Board in writing, within 30-days, of any name change. Documentation showing current legal name must be submitted.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1980, f. & ef. 5-14-80; EE 1-1992, f. & cert. ef. 2-3-92; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 1-2008, f. & cert. ef. 3-12-08; BEELS 2-2009, f. & cert. ef. 11-13-09

## **820-010-0610**

### **Certificates**

Certificates shall be of a design approved by the Board. These shall bear on their face a notation stating that the registrant is qualified to practice land surveying, photogrammetry, engineering, especially qualified in a particular branch, or to engage in the professional activities of a certified water right examiner as defined in ORS Chapter 537 and OAR chapter 690; this qualification having been determined by a written examination.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 670.310 & 672.255

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 1-2010, f. & cert. ef. 5-12-10

## **820-010-0615**

### **Posting of Certificates**

Registrants doing business with the public on their own account, or as consultants, or otherwise where appropriate shall keep their certificates of registration issued by the Board posted conspicuously in their places of business, where the public can readily examine said certificates. It is the registrants' responsibility to ensure that their certificate is valid.

Stat. Auth.: ORS 670.310 & 672.225

Stats. Implemented:

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 1-1992, f. & cert. ef. 2-3-92

## **820-010-0617**

### **Civil Penalty Factors**

(1) In establishing the amount of a civil penalty to be assessed pursuant ORS 672.325, the Board may consider the following factors:

- (a) The nature, gravity and magnitude of the violation;
- (b) Prior violations, including administrative, civil or criminal proceedings in any state;
- (c) Whether the violation was repeated or continuous;
- (d) Whether the violation was an inadvertent act or an intentional act;
- (e) The history of the respondent in taking steps necessary or appropriate to correct any violation;
- (f) The opportunity for and the difficulty in correcting the violation at issue.

(2) In considering the factors set forth in section (1) of this rule, the applicable factors may be given varying weight depending upon the circumstances of the violation.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 4-1981, f. & ef. 12-14-81; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 2-2006, f. & cert. ef. 11-21-06

## **820-010-0619**

### **Civil Penalties for Violations of ORS 92.040 to 92.080, 209.250, and County Ordinances**

Pursuant to ORS 209.250(11), the Board may impose civil penalties against a registrant for any violation of ORS 92.040 to 92.080, 209.250(1) to (9), or of any county ordinance that establishes standards or plats, in an amount not to exceed \$1,000 per offense.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 6-2005, f. & cert. ef. 12-13-05

## 820-010-0620

### Official Seal

(1) Seals, as referenced by ORS 672.020(2) and 672.025(2), must contain the printed name of the registrant, the date of registration, the number of the registrant's certificate of registration, and the registrant's professional title. The registrant's printed name on the seal will be exactly the same as the name printed on registrant's certificate of registration.

(2) The size, design and content of the seal will be an exact replica, in style, of the examples shown in Exhibit 1 (Official Seals) for the profession or branch of the profession in which the registrant is licensed. (A tolerance of 1/4" is permitted as to the size of the seal). The expiration or renewal date may be made part of the seal. If the expiration or renewal date is not made part of the seal, it must be handwritten, in permanent ink, after the word "Expires" or "Renews." Reduced or enlarged seals are not permitted on final documents. In addition to these requirements, registrants will use the following seals:

(a) Professional engineers holding a structural engineering certificate will use the seal with the designation "Structural" above the words "Registered Professional Engineer," as shown in Exhibit 1-b. Other registered professional engineers will use the seal shown in Exhibit 1-a; [Exhibit not included. See ED. NOTE.]

(b) Registered professional traffic engineer, who may practice only traffic engineering will use the seal shown in Exhibit 1-f; [Exhibit not included. See ED. NOTE.]

(c) Registered professional land surveyors will use the seal shown in Exhibit 1-c; [Exhibit not included. See ED. NOTE.]

(d) Registered professional photogrammetrists will use the seal shown in Exhibit 1-d; [Exhibit not included. See ED. NOTE.]

(e) Registered water rights examiners will use the seal shown in Exhibit 1-e. [Exhibit not included. See ED. NOTE.]

(3) The seal may be applied to a document by rubber stamp or it may be computer-generated onto the document.

(4) The registrant will sign through the middle of the seal or in the place on the seal as indicated for signature, in handwriting, and in permanent ink.

(5) A digital signature, for final documents is acceptable as an alternative to a handwritten signature in permanent ink if the digital signature:

(a) Is unique to the registrant using it;

(b) Is independently verifiable by a Certificate Authority (3rd Party);

(c) Is under the sole control of the registrant using it;

(d) Is linked to the document in such a manner that the digital signature is invalidated if any data in the document is changed; and

(e) Bears the phrase "digital signature" in place of a handwritten signature.

(6) Only individuals registered as professional engineers, professional traffic engineers, professional land surveyors, professional photogrammetrists, or certified water rights examiners may use a seal with a shape, form or wording similar to those shown in Exhibit 1. Using such a seal without registration constitutes falsely representing that the person is authorized to practice the profession.

[ED. NOTE: Exhibits referenced are available from the agency.]

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 16, f. 3-5-74, ef. 3-25-74; EE 20, f. & ef. 12-15-77; EE 2-1986, f. 3-26-86, ef. 3-31-86; EE 4-1987, f. & ef. 12-1-87; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 1-2000, f. & cert. ef. 1-14-00; BEELS 3-2006(Temp), f. & cert. ef. 12-5-06 thru 6-3-07; Administrative Correction, 6-16-07; BEELS 4-2007, f. & cert. ef. 8-15-07; BEELS 2-2008, f. & cert. ef. 7-9-08; BEELS 2-2009, f. & cert. ef. 11-13-09; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 2-2014, f. & cert. ef. 2-26-14

## **820-010-0621**

### **Final Documents**

(1) In addition to the final documents identified in ORS 672.020(2) and 672.025(2), final documents include plats, design information, and calculations. All final documents must bear the seal and signature of the registrant under whose supervision and control they were prepared.

(2) Documents that are not final documents must be marked as "preliminary", "not for construction", "review copy", "draft copy, subject to change", or with some similar wording to indicate that the documents are not intended to represent the final work product of the registrant.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 3-2006(Temp), f. & cert. ef. 12-5-06 thru 6-3-07; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 6-2013, f. & cert. ef. 9-11-13; BEELS 7-2013(Temp); f. & cert. ef. 11-12-13 thru 5-9-14; BEELS 10-2013(Temp), f. & cert. ef. 12-5-13 thru 3-14-14; BEELS 2-2014, f. & cert. ef. 2-26-14

## **820-010-0622**

### **Modifying Designs or Documents**

(1) Documents prepared and sealed by a Professional Engineer may be modified only when all of the following requirements are met:

(a) Only a Professional Engineer or Registered Architect if within the scope of practice of architecture and if competent by education or experience, can modify designs or documents prepared and sealed by a Professional Engineer.

(b) A Professional Engineer shall only modify another Professional Engineer's design or document if they are competent by education or experience.

(c) The Professional Engineer modifying another Professional Engineer's design or document shall cloud, encircle, or in some other way clearly indicate the portion of the design or document they are revising and refer the viewer to a separate design or document.

(d) The Professional Engineer making the design revisions shall seal and sign the separate design or document.

(e) A Professional Engineer modifying designs or documents not sealed must provide all the engineering services that would have been required had they started the work from its origin.

(2) Professional Engineers modifying designs or documents prepared by an unlicensed person for an exempt structure must do the following:

(a) The Professional Engineer modifying the design or document shall cloud, encircle, or in some other way clearly indicate the portion of the design or document they are revising and refer the viewer to a separate design or document.

(b) The Professional Engineer making the design revision shall seal and sign the separate design or document.

(3) A Professional Engineer may modify a Registered Architect's documents as follows:

(a) The Professional Engineer shall only modify a Registered Architect's documents if within the scope of practice of engineering and if competent by education and experience.

(b) The Professional Engineer modifying a Registered Architect's documents shall make modifications on separate documents that clearly indicate the portion of the Registered Architect's documents being modified.

(c) The Professional Engineer modifying a Registered Architect's documents shall seal and sign the separate documents that provide the modifications.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 3-2012, f. & cert. ef. 7-13-12; BEELS 3-2014, f. & cert. ef. 7-16-14

### **820-010-0623**

#### **Dual Stamping Documents**

No more than one registrant will seal documents unless it is clearly explained and denoted on the document by all registrants which portion of the work each registrant prepared and for which each registrant is responsible.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 1-2004, f. & cert. ef. 1-26-04

### **820-010-0625**

#### **Registration and Certificate Number**

Professional engineer, professional land surveyor, and professional photogrammetrist registration numbers; EI and LSI enrollment numbers; and water right examiner certificate numbers will be issued by

the Board consecutively in the order in which applicants make application to and qualify before the Board. No discrimination or preference will be permitted in issuing numbers.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 13, f. 3-29-72, ef. 4-15-72; EE 20, f. & ef. 12-15-77; EE 2-1986, f. 3-26-86, ef. 3-31-86; EE 4-1987, f. & ef. 12-1-87; EE 1-1992, f. & cert. ef. 2-3-92; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 1-2010, f. & cert. ef. 5-12-10

## **820-010-0635**

### **Continuing Professional Development**

The purpose of professional development requirements is to demonstrate a continuing level of competency of professional engineers, land surveyors, and photogrammetrists.

(1) Requirements:

(a) Every registrant is required to obtain 30 professional development hour (PDH) units during the registrant's current biennial renewal period in order to renew for the next biennial renewal period.

(b) Every registrant will report their PDH units on the Continuing Professional Development (CPD) Organizational form and submit to the Board office with the renewal form and fee. The CPD Organizational form must be completed in its entirety.

(c) Supporting documentation to verify the PDH units recorded on the CPD Organizational form must be submitted to the Board office when requested to participate in an audit. Supporting documentation may include, but are not limited to:

(A) Completion certificate(s);

(B) Paid receipt(s);

(C) Attendance log;

(D) Other documents supporting evidence of attendance.

(d) The CPD Organizational form and supporting documentation must be submitted to the Board in English or translated to English.

(e) Records must be retained for five (5) years.

(2) PDH units must be obtained in qualifying activities related to the individual's registration. A qualifying activity is any course or activity with a clear purpose and objective which improves, or expands the skills and knowledge relevant to the registrant's field of practice or practices.

(3) Non-qualifying activities may include, but are not limited to:

(a) Regular employment;

(b) Real estate licensing courses;

- (c) Personal, estate, or financial planning;
  - (d) Personal self improvement;
  - (e) Service club meetings or activities;
  - (f) Equipment demonstrations or trade show displays;
  - (g) Topics not relevant to engineering, land surveying, or photogrammetry professions;
  - (h) Enrollment without attendance at courses, seminars, etc.
  - (i) Repetitive attendance at the same course;
  - (j) Repetitive teaching of the same course;
  - (k) Attending committee meetings or general business meetings of any organization;
  - (l) Taking professional or required examinations.
- (4) Units — The conversion of other units of credit to PDH units is as follows:
- (a) 1 College Semester hour equals 45 PDH;
  - (b) 1 College Quarter hour equals 30 PDH;
  - (c) 1 Continuing Education unit equals 10 PDH.
- (5) Sources of PDH units — One (1) PDH unit may be obtained for each contact hour of instruction or presentation. Unless otherwise noted, there is no maximum amount of PDH units a registrant may earn per biennial renewal period. Sources of PDH units include, but are not limited to the following:
- (a) Successful completion of college courses;
  - (b) Successful completion of short courses, tutorials, correspondence, web based courses, televised and videotaped courses;
  - (c) Active participation in seminars, in-house courses, workshops, and professional conventions;
  - (d) Teaching or instructing a course, seminar, or workshop one time only. (This does not apply to full-time faculty teaching college courses);
  - (e) Authoring or co-authoring published papers, articles or books. Maximum of 10 PDH units per biennial renewal period;
  - (f) Active participation in professional or technical society, committee, or board. Maximum of 8 PDH units per biennial renewal period;
  - (g) Self study. Maximum of 6 PDH units per biennial renewal period;

(h) Mentoring of engineering, land surveying, or photogrammetry topics to a nonregistered individual not under your supervision. Each 10 hours spent mentoring equals 1 PDH unit. Maximum of 4 PDH units per biennial renewal period;

(i) Non-technical educational activities related to the registrant's employment;

(j) Developing, writing, or scoring an engineering, land surveying, or photogrammetric mapping examination for licensure or certification. Maximum of 15 PDH units per biennial renewal period.

(6) Determination of Credit — The Board has final authority with respect to approval of courses, credit, PDH units for courses and other methods of earning credit.

(a) The Board will approve without listing courses which are sponsored by nationally recognized technical societies and those technical societies listed in 820-001-0000(4)(b)(A) through (E) and (4)(c)(A) through (H).

(b) Credit determination for activities is the responsibility of the registrant and is subject to review by the Board.

(7) If a registrant exceeds the requirement in any renewal period, a maximum of 15 PDH units in courses/activities may be carried forward into the next renewal period.

(8) Delinquent, retired or inactive registrants must complete PDH requirements as outlined in OAR 820-010-0520 in order to attain active status.

(9) In the event a registrant holds a license in another state that has a lesser PDH requirement than Oregon or no PDH requirement, the registrant will need to satisfy Oregon's 30 PDH requirement to renew the Oregon license.

(10) Multiple Registrants. The number of PDH units required shall remain a total of 30 PDH per renewal period for persons who hold registration as an engineer, land surveyor, and/or photogrammetrist.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.375

Hist.: BEELS 2-2000, f. & cert. ef. 2-17-00; BEELS 5-2000, f. & cert. ef. 10-19-00; BEELS 3-2002, f. & cert. ef. 11-13-02; BEELS 1-2003, f. & cert. ef. 1-28-03; BEELS 6-2005, f. & cert. ef. 12-13-05; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 5-2007, f. & cert. ef. 9-20-07; BEELS 1-2009, f. & cert. ef. 5-15-09; BEELS 1-2010, f. & cert. ef. 5-12-10; BEELS 2-2011, f. & cert. ef. 5-12-11; BEELS 1-2013, f. & cert. ef. 3-13-13

## **820-010-0715**

### **Construction Contractors Offering Engineering**

(1) For the purpose of this rule, the following definitions apply:

(a) "Offering services" means manifesting a willingness to provide services, either orally or in writing, such that another person may reasonably believe that their assent to the services is invited and will establish an agreement.

(b) "Appurtenant" services are those services that relate to the construction trade, which include constructing, altering, repairing, or improving real estate.



(2) The engineer registration requirements of ORS 672.002 to 672.325 do not prevent a construction contractor from offering services constituting the practice of engineering when all of the following conditions are met:

- (a) The construction contractor holds an active license under ORS 701;
- (b) The services offered by the construction contractor, constituting the practice of engineering, are appurtenant to construction services to be provided by the contractor;
- (c) The services constituting the practice of engineering are performed by an engineer or engineers registered under ORS 672.002 to 672.325; and
- (d) The offer by the construction contractor discloses in writing that the contractor is not an engineer and identifies the registered engineer or engineers that will perform the services constituting the practice of engineering.

(3) An engineer performing or identified as an engineer that will perform the services constituting the practice of engineering as provided in subsection (2) of this rule must notify the Board in writing, within thirty (30) days if, after the contractor is retained by the owner, the engineer ceases to provide engineering services identified in the offer by the construction contractor.

(4) Construction contractors who violate any provision of this rule may be practicing engineering or using an engineer title in violation of ORS 672.020 and 672.045. As such, the contractor may be subject, under 672.325, to sanctions and civil penalties of up to \$1,000 per violation.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 3-2002, f. & cert. ef. 11-13-02

## **820-010-0720**

### **Advertising for or Offering to Perform Services without Employing a Licensee or Certificate Holder; Engineering, Land Surveying and Photogrammetry Offices**

(1) A licensee or firm, partnership, corporation, limited liability company, joint stock company, or other organization shall not advertise for or offer to perform or perform professional services for which a license or certificate is required unless the licensee or organization has a full-time partner, manager, officer or employee licensed and certified to practice in the discipline for which a license is required or certificate to practice in accordance with Oregon Revised Statute Chapter 537.

(2) Licensees and organizations shall not advertise for or offer to perform or perform professional services for which a license is required but for which they do not hold, or have a qualified person who holds, a license and thereafter seek to employ persons who hold a qualifying license.

(3) As used in this rule, a "full-time partner, manager, officer or employee" refers to a person who:

(a) Is physically present at least one half of the person's working time in the offices of the licensee or organization during normal business hours unless the full-time partner's, manager's, officer's or employee's professional duties require that the person be elsewhere; and

(b) Is not working for the licensee or organization under a contract or as a consultant for specific projects.

(4) A licensee or person employing or having a licensee as its partner, manager, or officer, may operate a project office for which no licensed professional engineer, land surveyor or photogrammetrist is physically present at least one half of the person's working time, provided that the project office qualifies under this section and that no services are advertised or offered making reference to or in connection with the project office, its address or phone number. For purposes of this section, a project office is a workstation for a specific project, the use of which will not extend beyond the scope or duration of the specific project.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1980, f. & ef. 5-14-80; EE 2-1985, f. 12-4-85, ef. 12-16-85; EE 4-1987, f. & ef. 12-1-87; EE 1-1992, f. & cert. ef. 2-3-92; BEELS 1-1998, f. & cert. ef. 2-10-98; Renumbered from 820-010-0016, BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 2-2007, f. & cert. ef. 4-5-07; BEELS 1-2013, f. & cert. ef. 3-13-13

## **820-010-0730**

### **Use of Title if Registered in Other Jurisdiction**

(1) A person who is not registered in Oregon as a professional engineer, but holds a substantially equivalent unexpired certificate of registration in another state, territory or possession of the United States, the District of Columbia, or a foreign country, may use the title, "engineer," "professional engineer," "registered professional engineer," or any of its derivations provided that the jurisdiction(s) in which they are registered is written/printed after the title so as not to mislead the public regarding their credentials.

(2) Other than as described in subsection (1) of this rule, no persons may hold themselves out as an engineer in Oregon by use of the title "professional engineer," "registered professional engineer," or any of their abbreviations or derivatives;

(3) Unless registered as a professional engineer in Oregon, no persons may;

(a) Hold themselves out as an "engineer" other than as described in subsection (1) of this rule or in ORS 672.060;

(b) Offer to practice engineering; or

(c) Engage in the practice of engineering.

(4) A person who is not registered in Oregon as a professional land surveyor, but holds a substantially equivalent unexpired certificate of registration in another state, territory or possession of the United States, the District of Columbia, or a foreign country, may use the title, "land surveyor," "professional land surveyor," "registered professional land surveyor," or any of its derivations provided that the jurisdiction(s) in which they are registered is written/printed after the title so as not to mislead the public regarding their credentials.

(5) Other than as described in subsection (4) of this rule, no persons may hold themselves out as a land surveyor in Oregon by use of the title "professional land surveyor," "registered professional land surveyor," or any of their abbreviations or derivatives;

(6) Unless registered as a professional land surveyor in Oregon, no persons may;

(a) Hold themselves out as a "land surveyor" other than as described in subsection (4) of this rule or in ORS 672.060;

(b) Offer to practice land surveying; or

(c) Engage in the practice of land surveying.

(7) A person who is not registered in Oregon as a professional photogrammetrist, but holds a substantially equivalent unexpired certificate of registration in another state, territory or possession of the United States, the District of Columbia, or a foreign country, may use the title, "photogrammetrist" or any of its derivations provided that the jurisdiction(s) in which they are registered is written/printed after the title so as not to mislead the public regarding their credentials.

(8) Other than as described in subsection (7) of this rule, no persons may hold themselves out as a photogrammetrist in Oregon by use of the title "photogrammetrist," or any abbreviations or derivatives;

(9) Unless registered as a professional photogrammetrist in Oregon, no persons may;

(a) Hold themselves out as a "photogrammetrist" other than as described in subsection (7) of this rule or in ORS 672.060;

(b) Offer to practice photogrammetric mapping; or

(c) Engage in the practice of photogrammetric mapping.

Stat. Auth.: ORS 672.007, 672.020 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2012, f. & cert. ef. 5-10-12; BEELS 1-2015, f. & cert. ef. 2-3-15

## **DIVISION 15**

### **PROCEDURE FOR FILING COMPLAINTS**

#### **820-015-0005**

##### **Definitions**

(1) "Complainant" means a person who submits a complaint to the board.

(2) "Respondent" means a person or firm that is the subject of a complaint.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 3-1984, f. & ef. 6-18-84 ; BEELS 2-2006, f. & cert. ef. 11-21-06

#### **820-015-0010**

##### **Processing Complaints**

The Board will process complaints as follows:

(1) Anyone may submit a complaint against a licensed or unlicensed person. Complaints must be in writing and include evidence to document all charges.

(2) The Board will conduct a preliminary review of the complaint to establish that there is sufficient evidence to justify proceeding and that the allegations against the respondent are such that, if proven, would result in a penalty or sanction.

(3) If the Board concludes that the complaint may be valid, the Board will contact the respondent by mail and request written comments. Written comments must be received by the Board within two weeks after the Board's request was mailed, unless the Board authorizes an extension. Otherwise, the Board will evaluate the complaint using available evidence other than respondent's comments.

(4) The Board will evaluate all evidence and analysis, including any documentation or comments received from the respondent, Board investigators, Board expert witnesses or peer reviewers, Board staff or a committee of the Board. The Board will then proceed as follows:

(a) If the Board determines that the evidence is insufficient to issue a notice of intent to sanction, the complainant and respondent will be so notified in writing;

(b) If the Board determines that the evidence is sufficient to issue a notice of intent to sanction, the Board will issue such notice.

(5) Upon request of the Board, digitally signed documents must be provided to the Board in a form that can be processed by the Board's information processing systems.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 3-1984, f. & ef. 6-18-84 ; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 2-2008, f. & cert. ef. 7-9-08

## **820-015-0026**

### **Failure to Comply with Continuing Professional Development Requirements**

(1) Any registrant who fails to satisfy the Continuing Professional Development requirements in OAR 820-010-0635 will be subject to suspension of or refusal to renew the registrant's license. Failure to satisfy the Continuing Professional Development requirements will not be the sole basis for license revocation.

(2) Before suspending or refusing to renew a registrant's license, the Board shall allow a grace period of up to one year for a registrant who qualifies for the grace period to satisfy the requirements of OAR 820-010-0635(1). When a grace period is allowed, the registrant must complete all deficient Continuing Professional Development requirements and satisfy all current Continuing Professional Development requirements within the grace period. If the registrant fails to obtain all required deficient and current PDH units within the grace period, the Board shall suspend the registrant's license.

(3) To qualify for the grace period in subsection (2), a registrant must:

(a) Respond to Board notifications;

(b) Complete a Continuing Education Request for a Grace Period Form;

(c) Not otherwise be subject to Board investigation, audit, or discipline; and

(d) Have failed to satisfy the Continuing Professional Development requirements by 15 or fewer PDH units.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 2-2000, f. & cert. ef. 2-17-00; BEELS 1-2004, f. & cert. ef. 1-26-04; BEELS 2-2006, f. & cert. ef. 11-21-06; BEELS 1-2013, f. & cert. ef. 3-13-13; BEELS 1-2015, f. & cert. ef. 2-3-15

## **DIVISION 20**

### **RULES OF PROFESSIONAL CONDUCT**

#### **820-020-0005**

##### **Preamble**

(1) In order to safeguard life, health and property, to promote the public welfare, and to establish and maintain a high standard of integrity and practice, the following Rules of Professional Conduct shall be binding on every person holding a certificate of registration or enrolled as an intern.

(2) All persons registered under ORS 672.002 to 672.325 are charged with having knowledge of these Rules of Professional Conduct, and are deemed to be familiar with their provisions and to understand them. Such knowledge encompasses the understanding that the practice of engineering, land surveying, and photogrammetric mapping is a privilege and not a right.

(3) In these Rules of Professional Conduct, the word "registrant" means any person holding a license or certificate issued by this Board.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 14, f. 4-26-72, ef. 5-15-72; EE 20, f. & ef. 12-15-77; EE 2-1981, f. 5-19-81, ef. 6-1-81; BEELS 3-2002, f. & cert. ef. 11-13-02; BEELS 2-2006, f. & cert. ef. 11-21-06

#### **820-020-0015**

##### **Registrants Shall Hold Paramount the Safety, Health and Welfare of the Public in the Performance of their Professional Duties**

(1) Registrants shall at all times recognize that their primary obligation is to protect the safety, health, property and welfare of the public. If their professional judgment is overruled under circumstances where the safety, health, property or welfare of the public are endangered, they shall notify their employer or client and such other authority as may be appropriate.

(2) Registrants shall approve and seal only those design documents and surveys which are safe for public health, property and welfare in conformity with accepted engineering and land surveying standards.

(3) Registrants shall not reveal facts, data or information obtained in a professional capacity without the prior consent of the client, or employer except as authorized or required by law.

(4) Registrants shall not permit the use of their name or firm name nor associate in business ventures with any person or firm which they have reason to believe is engaging in fraudulent or dishonest business or professional practices.

(5) Registrants having knowledge of any alleged violation of any of these Rules of Professional Conduct, shall cooperate with the Board in furnishing such information or assistance as may be required.

(6) Conviction of a felony without restoration of civil rights, or the revocation or suspension of the license of a registrant in another jurisdiction, if for a cause which in the State of Oregon would constitute a violation of ORS 672.020 to 672.310 or of these rules, shall be grounds for a charge of violation of these rules.

(7) Registrants shall continue their professional development throughout their careers; and they shall provide opportunities for the professional development of individuals under their supervision. The Board may require, as a condition for license renewal, that registrants provide documentation to support actions taken to maintain their professional competency.

(8) Registrants shall cooperate with the Board on all matter subject to the Board's jurisdiction.

(9) Registrants must apply a seal of the type, kind, size and wording, and affix their signature as required by OAR 820-010-0620.

(10) Registrants must affix a seal and sign any final document prepared under their supervision and control. Any document not clearly marked as a preliminary document under OAR 820-010-0621(2) is a final document that must bear the seal and signature of the registrant under whose supervision and control the document was prepared.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1981, f. 5-19-81, ef. 6-1-81; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; BEELS 3-2001, f. & cert. ef. 11-26-01; BEELS 2-2007, f. & cert. ef. 4-5-07

#### **820-020-0020**

##### **Registrants Shall Perform Services Only in the Areas of Their Competence**

(1) Registrants shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or land surveying involved.

(2) Registrants shall not affix their signatures or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any such plan or document not prepared under their direction and control.

Stats. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.255

Hist.: EE 2-1981, f. 5-19-81, ef. 6-1-81; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; EE 1-1995, f. 8-15-95, cert. ef. 9-1-95; EE 2-1995, f. 12-15-95, cert. ef. 1-1-96

#### **820-020-0025**

##### **Obligation of Registrants to Issue Statements only in an Objective and Truthful Manner**

(1) Registrants must be objective and truthful and include all relevant and pertinent information in professional reports, statements or testimony.

(2) Registrants may express a professional opinion on technical subjects only when that opinion is founded upon adequate knowledge of the facts and the registrant is competent in the subject matter.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1981, f. 5-19-81, ef. 6-1-81; BEELS 2-2006, f. & cert. ef. 11-21-06

### **820-020-0030**

#### **Obligation of Registrants to Act in Professional Matters for Each Employer or Client as Faithful Agents or Trustees, and to Avoid Conflicts of Interest**

(1) Registrants must disclose all known or potential conflicts of interest to their employers or clients by promptly informing them, in writing, of any business association, interest, or other circumstances that could influence their judgment or the quality of their services. For purposes of this rule, a "conflict of interest" includes, but is not limited to, an interest in any property or any other thing of value that is related in any way to or potentially affected by the services that the registrant provides.

(2) A registrant may not accept any thing of value, including any forgiveness of debt, directly or indirectly, from a person other than the registrant's employer or client for services offered or performed for the employer or client, unless the registrant makes full written disclosure and the registrant's employer or client consents in writing.

(3) A registrant who is a member, advisor or employee of a governmental body shall not participate in decisions made by that governmental body with respect to professional services solicited from or provided by the registrant or a business or firm that employs the registrant or in which the registrant holds an ownership interest and through which the registrant offers or provides professional services.

(4) A registrant may not solicit or accept employment or a contract for professional services from a governmental body for which a registrant's associate is a member or officer unless the registrant discloses all pertinent facts and circumstances of the registrant's relationship to the registrant's associate and the governmental body provides written consent. For purposes of this rule, a "registrant's associate" refers to a registrant's employer or an owner or officer of a business or firm that employs the registrant or in which the registrant holds an ownership interest and through which the registrant offers or provides professional services.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1981, f. 5-19-81, ef. 6-1-81; BEELS 1-1998, f. & cert. ef. 2-10-98; BEELS 2-2006, f. & cert. ef. 11-21-06

### **820-020-0035**

#### **Obligation of Registrants to Avoid Improper Solicitation of Professional Employment**

(1) An applicant or registrant may not falsify or permit misrepresentation of the academic or professional qualifications of the applicant or registrant, another registrant, or a registrant's associate. For purposes of this rule, a "registrant's associate" refers to a registrant's employer or an owner or officer of a business or firm that employs the registrant or in which the registrant holds an ownership interest and through which the registrant offers or provides professional services.

(2) An applicant or registrant may not misrepresent or exaggerate the responsibility for performance of prior assignments by the applicant or registrant, by any other registrant, or by a registrant's associate.

(3) A registrant may not offer, give, solicit or receive, either directly or indirectly, any commission or gift or other valuable consideration in order to secure work.

(4) A registrant may not make any political contribution intended to influence the award of a contract by a governmental body.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1981, f. 5-19-81, ef. 6-1-81; BEELS 2-2006, f. & cert. ef. 11-21-06

## **820-020-0040**

### **Examination Subversion: Grounds for Invalidation of Examination Results**

(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.

(2) The Board may invalidate the examination results of an examinee who engages in examination subversion. Examination subversion may include, 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.

(m) Having a cell phone in the examinee's possession.



(n) Having a device with copying, recording, or communication capabilities in the examinee's possession. These include but are not limited to cameras, pagers, PDAs, radios, headsets, tape players, calculator watches, electronic dictionaries, electronic translators, transmitting devices, and digital media players.

(o) Having a calculator in the examinee's possession that is not on the NCEES approved list.

(p) Removing pages from an exam booklet.

(q) Leaving the exam room without authorization.

(r) Engaging in any other act of examination collusion not listed above.

(3) The Board may invalidate the examination results of an examinee who engages in any other conduct for which NCEES invalidates the examinee's examination results.

(4) In addition to subsections 2 and 3 of this rule, the Board may invalidate the examination results for any examinee who engages in prohibited examination conduct, which includes but is not limited to:

(a) Having loose papers, legal pads, writing tablets, or unbound notes in the examinee's possession.

(b) Using a non-NCEES writing instrument or eraser to complete any portion of an NCEES exam.

(c) Beginning the exam before the proctor instructs the examinee to do so.

(d) Failing to stop writing immediately when time is called.

(e) Writing on anything other than the exam booklet or answer sheet; writing in the FE Supplied-Reference Handbook.

(f) Violating any other terms contained in the testing regulations provided by the examination's administrator or proctor that are cause for dismissal or exam invalidation by the examination's administrator or proctor.

(5) At the discretion of the Board or its designee, 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.

(6) 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 (1) through (3) herein.

(7) 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.

(8) 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.

(9) 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

Hist.: BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 3-2008, f. & cert. ef. 11-14-08; BEELS 4-2012, f. & cert. ef. 9-14-12; BEELS 1-2013, f. & cert. ef. 3-13-13

#### **820-020-0045**

##### **Obligation Not to Engage in Unprofessional Behavior**

(1) An applicant or registrant will not, by word or conduct, act in a manner intended to place a client, another registrant, a board member, a board employee, or an examination proctor in fear of imminent serious physical injury.

(2) An applicant or registrant will not engage in reckless, knowing or willful conduct that causes serious physical injury to a client, another registrant, a board member, a board employee or an examination proctor.

(3) An applicant or registrant must make timely and full payment to the Board of all Board assessed fees, fines and penalties.

(4) An applicant or registrant must give written notification to the Board of any disciplinary action or sanction related to the practice of engineering, land surveying, or photogrammetric mapping imposed by any licensing agency immediately upon receiving notice of the action or sanction.

(5) An applicant or registrant will not assist or aid the unsupervised or unlawful practice of engineering, land surveying, or photogrammetric mapping.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 2-2006, f. & cert. ef. 11-21-06

### **DIVISION 30**

#### **THE PRACTICE OF LAND SURVEYING**

#### **820-030-0060**

## **Filing Time and Place**

The registered professional land surveyors making a survey pursuant to ORS 209.250 shall submit for filing a complete record that contains all the elements listed in ORS 209.250(2)(3) in all affected counties within 45 days of establishment or reestablishment of any boundary monument or boundary reference monument. The 45-day limit will commence with the setting of the first monument, not the completion of the project.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1986, f. 3-26-86, ef. 3-31-86; BEELS 2-2001, f. & cert. ef. 9-14-01, Renumbered from 820-015-0020; BEELS 1-2009, f. & cert. ef. 5-15-09

## **820-030-0070**

### **Surveyor's Seal and Signature Required**

In both ORS 209.250(2)(c) and (3)(g) the intent is that each page of the map and the last page of the narrative, if the narrative is a separate document, shall bear the seal and original signature of the professional land surveyor.

Stat. Auth.: ORS 670.310 & ORS 672.255

Stats. Implemented: ORS 672.002 – 672.325

Hist.: EE 1-1985, f. & ef. 8-5-85; BEELS 2-2001, f. & cert. ef. 9-14-01, Renumbered from 820-015-0035

## **DIVISION 40**

### **THE PRACTICE OF ENGINEERING**

## **820-040-0005**

### **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) As used in ORS 672.060(10) and 672.107(1)(a)(B), "Ground Area" is defined as any projected or suspended occupied areas above the ground level in combination with areas in contact with the ground. Measurements in determining the ground area shall be taken from outside wall to outside wall and include the sum of the areas of all additions and the area of the original structure. The ground area of a building, or portion thereof, not provided with surrounding exterior walls is the usable area under the horizontal projection of the roof or floor above.

(2) As used in ORS 672.060(10) and 672.107(1)(a)(B), "Height" is measured from the top surface of the lowest flooring to the highest interior overhead finish of the structure in determining whether a building exceeds the 20-foot height limitation. A basement floor is considered the lowest flooring when useable (i.e., storage, garage, etc.).

(3) As used in ORS 672.107(1)(a)(D), the height of a structure is defined as the vertical dimension from the average ground level to the average roof height for sloped roofs or parapet height for flat roofs. In multi-level structures, utilize the upper roof only to determine the dimension.

Stat. Auth.: ORS 670.310, 672.060, 672.129 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 4-2005, f. & cert. ef. 9-23-05; BEELS 1-2009, f. & cert. ef. 5-15-09

## **820-040-0010**

### **Electrical Engineering**

(1) "Electrical engineering" is the design of the electric power, control, and fire and life safety systems with the following electrical services:

- (a) Below 250 volts, 96 Kva and above;
- (b) Above 250 volts, and less than 600 volts, 150 Kva and above;
- (c) Above 600 volts.

(2) Example where the services of a registered engineer may be required include the design of electrical systems for the following:

- (a) Hospitals;
- (b) Nursing Homes;
- (c) Homes for Aged (with medical care and/or central dining facilities);
- (d) Retirement Homes (with medical care and/or central dining facilities);
- (e) Auditoriums (includes Concert Halls and Assembly Places for 100 or more persons);
- (f) Schools;
- (g) Gymnasiums;
- (h) Fraternal Buildings;
- (i) Structures under the purview of UBC 1807 with Oregon amendments;
- (j) Multi-family Dwellings;
- (k) Planned Unit Developments;
- (l) Retail Stores;
- (m) Office Buildings.

(3) The Board recognizes that there may be some electrical systems in the above listed structures, which are not sufficiently complex to require the services of a registered engineer. These systems may be submitted to the Board prior to issue of a building permit, and the requirement for a registered engineer may be waived.

(4) The design of electrical systems for the following structures are exempted from the requirements of subsection (1) of this rule:

(a) Duplex dwellings and structures used in connection with or auxiliary to a single-family dwelling or a duplex dwelling.

(b) Farm buildings and structures used in connection with or auxiliary to a farm building, public, commercial, industrial, or storage buildings where electric power use is limited to general purpose lighting, branch circuits not exceeding 60 amps, and the voltage not exceeding 250 volts.

(c) Any electrical contractor whose practice includes the installation and fabrication of electrical systems which he installs by virtue of a license issued under ORS 479.510 to 479.990, which requires an aggregate service capacity below that defined in subsection (1) of this rule is exempted from the requirements of subsection (1) of this rule.

Stat. Auth.: ORS 670.310 & ORS 672.255

Stats. Implemented: ORS 672.002 – 672.325

Hist.: BEELS 2-2001, f. & cert. ef. 9-14-01

#### **820-040-0020**

##### **Structural Engineering**

"Structural Engineering" means that branch of professional engineering that provides analysis, design, evaluation or review of structures or their elements, parts or systems for support of external forces such as gravity, lateral loading, temperature, seismic influence, etc.

(1) Structural engineering services for significant structures, as referred to in ORS 672.002 to 672.325, shall mean structural engineering for the primary structural frame or load resisting system and its elements or parts. The primary frame shall be that portion of the structure, which provides the overall stability of the structure. Elements, components, or parts of the structure, which are not part of the primary frame do not require the services of a professional structural engineer.

(2) A "Structural Engineer" is a registered professional engineer who passes a structural engineering examination recognized by the Board and meets the other necessary qualifications for registration under ORS 672.002 to 672.325.

Stat. Auth.: ORS 670.310 & ORS 672.255

Stats. Implemented: ORS 672.002 – 672.325

Hist.: BEELS 2-2001, f. & cert. ef. 9-14-01

#### **820-040-0030**

##### **Traffic Engineering**

(1) "Traffic Engineering" is that branch of engineering which applies technology, science, and human factors to the planning, design, operations, and management of roads, streets, bikeways, highways, their networks, terminals, and abutting lands. Its objective is to provide for the safe, rapid comfortable, economical, convenient, and environmentally compatible movement of people, goods and services. Traffic engineering embraces studies and activities in connection with roads, streets, and highway traffic controls, which include signs, signals, lighting, pavement markings, and the following:

(a) The planning, use, and design of traffic control devices and systems;

- (b) The use of algorithms for the operation of traffic control system;
- (c) The operational adjustment of traffic control devices and systems;
- (d) The preparation of traffic engineering reports;
- (e) The planning of traffic systems and networks, including environmental impacts, predictions of future needs, and interface with other modes of transportation;
- (f) Traffic related engineering economic feasibility studies;
- (g) The conduct of investigations and the preparation of recommendations relating to safety measures and improvements to be applied to highways including intersections, ramps, and railroad crossings;
- (h) Interrelationships of highways to other travel modes and abutting lands;
- (i) The operational and geometric design of roads, streets, bikeways, and highways.

(2) Functional Areas: Four areas have been identified as functional classifications within traffic engineering. Each of the functional areas is further described as follows:

(a) "Traffic operations" is the science of analysis, review, and application of traffic data systems, including accident and surveillance records, and volume and other data gathering techniques necessary for traffic planning. It includes the knowledge of operational characteristics of persons and vehicles to determine the need for installation of traffic control devices, and the treatment of the functional characteristics of the controls such as traffic signal timing. It includes the assessment of vehicular and human factors, their relationship with other traffic characteristics, the determination of safe transportation systems, and the need for inherently safe features and controls;

(b) "Traffic design" consists of the design of traffic control devices and operational design. Traffic control device design includes those activities necessary to determine the appropriate and proper application of signs, pavement markings, signals, and signal systems, as well as to determine their location, and, if necessary, construction methods. It includes the preparation of plans, specifications, and estimates for the installation or modification of the various devices. Operational design concerns the visible features of a roadway. It may be thought of as the tailoring of the highway to the terrain, to the urban landscape, and to the requirements of the roadway user. It deals with such roadway elements as cross section, curvature, sight distance, channelization, and clearances, and thus depends directly on traffic flow characteristics;

(c) "Traffic planning" includes the determination of travel pattern of persons and goods based upon engineering judgments derived from the study and analysis of traffic characteristics involving present, future, and potential land-use plans; and recommendations for transportation systems and networks of roadways. Traffic planning may include origin and destination studies; functional classification plans; travel forecasts; system, land or mode capacity studies; trip generation and distribution; modal split; traffic assignment; terminal and route location; and economic analysis. The prime responsibility of the traffic planner is to determine travel patterns and networks in concert with the several modes of transportation and their terminals;

(d) "Traffic engineering research" includes the investigation of theoretical and applied aspects of all areas of traffic engineering for the purpose of developing new knowledge, new interpretations, and new applications. Traffic research may include hypothetical testing; impact studies; development of traffic hardware; theory formulation; methods of analysis, synthesis, and evaluation of existing phenomena and knowledge; and development of objectivity and thoroughness so that the validity of research findings can be demonstrated.

(3) A "Traffic Engineer" is a registered professional engineer who passes a traffic examination recognized by the Board and meets the other necessary qualifications for registration under ORS 672.002 to 672.325.

Stat. Auth.: ORS 670.310, 672.005 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: EE 2-1986, f. 3-26-86, ef. 3-31-86; BEELS 2-2001, f. & cert. ef. 9-14-01, Renumbered from 820-010-0475; BEELS 4-2005, f. & cert. ef. 9-23-05

## **820-040-0040**

### **Geotechnical Engineering**

(1) Geotechnical engineering is defined as the investigation and the evaluation of the physical and engineering properties of earth materials, such as soil and rock, including impacts of ground water and earthquakes, and their application to the design and construction of civil engineering works, such as foundations, earth dams, retaining walls, and similar, using soil and rock mechanics and earthquake engineering principles and related engineering laws, formula, and procedures. Further, the practice involves the application of soil and rock mechanics and related engineering laws and procedures to an evaluation of the performance of constructed civil engineering works as influenced by earth materials, groundwater, and earthquakes and to an evaluation of the performance, including stability, of natural and man-made slopes, including man-made fills and embankments, and for the design of mitigation measures to reduce risk and/or hazards as disclosed by the evaluation.

(2) A "geotechnical engineer" is a registered professional engineer recognized by the Board to practice geotechnical engineering and who meets the other necessary qualifications for registration under ORS 672.002 to 672.325.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 1-2003, f. & cert. ef. 1-28-03; BEELS 1-2005, f. & cert. ef. 3-16-05; BEELS 2-2006, f. & cert. ef. 11-21-06

## **DIVISION 50**

### **THE PRACTICE OF WATER RIGHT EXAMINATION**

## **820-050-0001**

### **Continuing Professional Development — Certified Water Right Examiner (CWRE)**

The purpose of professional development requirements is to demonstrate a continuing level of competency of certified water right examiners (CWRE).

(1) Requirements:

(a) A Registered Geologist that holds certification as a CWRE is required to obtain 10 professional development hour (PDH) units during the current biennial renewal period in order to renew for the next biennial renewal period.

(b) Every CWRE will report their PDH units on the Continuing Professional Development (CPD) Organizational form and submit to the Board office with the renewal form and fee. The CPD Organizational form must be completed in its entirety.

(c) Supporting documentation to verify the PDH units recorded on the CPD Organizational form must be submitted to the Board office when requested to participate in an audit. Supporting documentation may include, but are not limited to:

- (A) Completion certificate(s);
- (B) Paid receipt(s);
- (C) Attendance log;
- (D) Other documents supporting evidence of attendance.

(d) The CPD Organizational form and supporting documentation must be submitted to the Board in English or translated to English.

(e) Records must be retained for five (5) years.

(2) PDH units must be obtained in qualifying activities related to the individual's certification. A qualifying activity is any course or activity with a clear purpose and objective which improves, or expands the skills and knowledge relevant to the professional activities of a certified water right examiner as defined in ORS Chapter 537 and OAR chapter 690.

(3) Non-qualifying activities may include, but are not limited to:

- (a) Regular employment;
- (b) Personal self improvement;
- (c) Equipment demonstrations or trade show displays;
- (d) Enrollment without attendance at courses, seminars, etc.
- (e) Repetitive attendance at the same course;
- (f) Repetitive teaching of the same course;
- (g) Attending committee meetings or general business meetings of any organization;
- (h) Taking professional or required examinations.

(4) Units — The conversion of other units of credit to PDH units is as follows:

- (a) 1 College Semester hour equals 45 PDH;
- (b) 1 College Quarter hour equals 30 PDH;
- (c) 1 Continuing Education unit equals 10 PDH.

(5) Sources of PDH units — One (1) PDH unit may be obtained for each contact hour of instruction or presentation. Unless otherwise noted, there is no maximum amount of PDH units a CWRE may earn per biennial renewal period. Sources of PDH units include, but are not limited to the following:



- (a) Successful completion of college courses;
  - (b) Successful completion of short courses, tutorials, correspondence, web based courses, televised and videotaped courses;
  - (c) Active participation in seminars, in-house courses, workshops, and professional conventions;
  - (d) Teaching or instructing a course, seminar, or workshop one time only. (This does not apply to full-time faculty teaching college courses);
  - (e) Authoring or co-authoring published papers, articles or books. Maximum of 3 PDH units per biennial renewal period;
  - (f) Active participation in professional or technical society, committee, or board. Maximum of 2 PDH units per biennial renewal period;
  - (g) Self study. Maximum of 2 PDH units per biennial renewal period;
  - (h) Non-technical educational activities related to employment.
- (6) Determination of Credit — Credit determination for activities is the responsibility of the CWRE and is subject to review by the Board. The Board has final authority with respect to approval of courses, credit, PDH units for courses and other methods of earning credit.
- (7) If a CWRE exceeds the requirement in any renewal period, a maximum of 5 PDH units in courses/activities may be carried forward into the next renewal period.
- (8) Delinquent, retired or inactive certificate holders must provide evidence of holding active registration as a professional engineer, professional land surveyor, registered geologist, in addition to completing the PDH requirements as outlined in OAR 820-010-0520 in order to attain active status.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.375

Hist.: BEELS 2-2013(Temp), f. & cert. ef. 3-18-13 thru 7-15-13; BEELS 3-2013, f. & cert. ef. 6-17-13; BEELS 9-2013(Temp), f. & cert. ef. 11-14-13 thru 5-9-14; Administrative correction, 5-21-14

## **820-050-0010**

### **Continuing Professional Development Requirements: Failure to Comply**

#### (1) Requirements:

- (a) Certified Water Right Examiners are required to obtain 10 professional development hour (PDH) units in subjects related to the practice of water right examination. As used in this rule, "Water Right Examination" includes: courses or study related to water right applications and claims of beneficial use, Water Resources Department programs, water law, or other subjects related to the work of a Water Right Examiner.
- (b) For persons who hold registration as an engineer, land surveyor, or both, the number of PDH units required shall remain 30 PDH units per renewal period and may include the 10 PDH units required in OAR 820-050-0010(1)(a).

(c) Any Certified Water Right Examiner who fails to satisfy the Continuing Professional Development requirements in subsection (1)(a) shall be subject to suspension or refusal to renew the certificate. Failure to satisfy the Continuing Professional Development requirements shall not be the sole basis for revocation of certificate.

(2) Before suspending or refusing to renew the certificate of a Water Right Examiner, the Board shall allow a grace period of up to one year for a certificate holder who qualifies for the grace period to satisfy these Continuing Professional Development requirements. When a grace period is allowed under subsection (3), the certificate holder must complete all deficient Continuing Professional Development requirements and satisfy all current Continuing Professional Development requirements within the grace period. If the certificate holder fails to obtain all required deficient and current PDH units within the grace period, the Board shall suspend the registrant's certificate.

(3) To qualify for the grace period in subsection (2), a certificate holder must:

(a) Respond to Board notifications;

(b) Complete a Continuing Education Request for a Grace Period Form;

(c) Not otherwise be subject to Board investigation, audit, or discipline; and

(d) Have failed to satisfy the Continuing Professional Development requirements by 5 or fewer PDH units related to the practice of water right examination.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

Hist.: BEELS 1-2013, f. & cert. ef. 3-13-13; BEELS 1-2015, f. & cert. ef. 2-3-15