

BOARD RULES REVISIONS

The proposed Board Rule revisions that were described in the article in the Spring Newsletter are now fully adopted and published. The link on our website will direct you to the latest version of the Board Rules with the revisions that were effective on August 1 and September 1, 2011.

The rule-making process for this round began in the fall of 2010. It included publishing the proposed changes in the April 15, 2011 North Carolina Register, allowing for a 60 day written comment period that ended on June 14, 2011 and conducting a public hearing for comments at the May 19, 2011, Board meeting. Further, the Rules were reviewed and approved by the Rules Review Commission.

The proposed changes fell into two categories: adoption of new rules; and revisions (amendments) to existing rules. These are summarized as follows (each rule is prefaced by 21-56 for Title 21, Chapter 56 of the NC Administrative Code):

Adopt:

.0506 and .0607 to provide for waiver of renewal fees and continuing education for licensees serving on active duty in the Armed Forces of the U.S. as required by G.S. 93B-15.

Amend:

.0401 to align with retention requirements for Board records;

.0501 – An associate degree or high school diploma with additional experience will no longer be deemed equivalent to an engineering or related science curriculum of four years or more and will not meet the education requirements for engineering licensure. Effective July 1, 2016, those persons who have already been admitted to the principles and practice of engineering examination based on an associate degree, can take the exam, continuing until required to re-apply. An associate degree becomes no longer available as a basis for taking the exam. The 20 year waiver of the fundamentals exam remains in effect.

.0505 and .0606 to make business and residence addresses be the physical location to conform to "place" in G.S. 89C-12 (a P.O. Box does not meet the physical location requirement); require reporting criminal conviction or disciplinary action to the Board within 30 days of conviction, and provide rules for "retired" status;

.0701 to add successor licensee requirements to the rules on "responsible charge," specifically .0701(c)(4):

(4) In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee (not a site adaptation of a standard design plan under 21 NCAC 56 .1106), a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work;

.0804 to make the firm's address be the physical location to conform to "place" in G.S. 89C-12 (P.O. Box continues to be allowed for mailing address), require reporting disciplinary action to the Board within 30 days, and to provide for waiver of renewal fees for a business entity that ceases business while licensee is serving on active duty in the Armed Forces of the U.S.;

.1103 to clarify individual license number to be used for exempt sole proprietorship;

.1301 and .1302 to allow for Assistant Executive Director to serve in lieu of Executive Director in Review Committees and Settlement Conferences;

Revise Standards of Practice for Land Surveying in Section .1600:

.1602 to update that coordinates of geodetic monuments are on file in the North Carolina Geodetic Survey Section of the Division of Land Resources of the Department of the Environment and Natural Resources;

.1605 and .1606 to revise vertical accuracy standards and certification statements;

.1607 to correct omitted item, "Units;"

.1608 to add a GIS accuracy classification and a certification statement;

.1703 and .1705 to eliminate exam for webinar course (if attendance is documented);

.1707 to waive continuing education for licensees serving on active duty in the Armed Forces of the U.S. as required by G.S. 93B-15;

.1713 to eliminate CPC sponsor quarterly reporting.

The Board, with your input, continues to revise the Board Rules to adapt to current practice and issues. If you have any questions when you refer to the actual language of the revised Rules, please contact us.