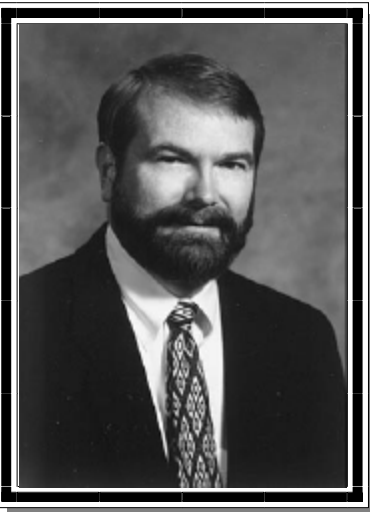


The North Carolina Bulletin

The Newsletter of the North Carolina
Board of Examiners for Engineers and Surveyors

June, 2000

SUMMER ISSUE



View from the Chair by **David L. Peeler, PE** **Board Chair**

Times are good! There has never been as much work available for engineers and land surveyors as there is now. The work load is heavy and the pace is fast for each licensed professional. But it is during these times that we should take a moment to reflect upon that which is important to us and how we can make the profession better for future generations.

Are we doing enough to promote licensure? The Board has noted a decline in the number of students taking the Fundamentals Exam (EI) before graduation and the number of applicants for surveying licensure in recent years. We, as Board members, are constantly looking for ways to make the process of application for licensure easier to understand and to educate students on the benefits of licensure. But the Board can only do so much and then it becomes incumbent upon you, the individual licensee, to help promote the licensure process.

There are a number of ways you can help the Board in this effort. For example, the following ideas or possibilities come to mind as actions that could be easily put into practice if we just took the time and effort.

Require new graduates to have taken the EI exam - Many of us begin recruiting new graduates early in their senior years. If we make a commitment to hire them upon graduation, we should make employment conditional upon the prospective employee having taken the EI exam. In North Carolina, the engineering student can be seated for the EI upon attaining senior status. History shows nearly 70% of those who take the exam pass and we all know how much more difficult it is to take such an exam several years after graduation. Taking the EI while in school (and passing it) will give applicants the incentive to sit for the PE exam when they have the necessary work experience.

Require your staff in lead roles to be licensed - Any professional serving in a capacity of responsible charge must be licensed and have direct supervisory control over the work product. We are all starving for staff, but can we afford not to promote licensure and entrust certain responsibilities to those who have not taken or passed the test? Are your PEs and PLSs doing an adequate job overseeing these efforts, or are they pushed, because of time, to seal a drawing or map with little involvement in its preparation? Encourage your engineers and surveyors who meet the requirements to take the PE/PLS exam as a condition of advancement into a supervisory role.

Use Licensure as a Standard for Promotion - Each office offering engineering or surveying services must be licensed by the Board and have a resident professional in responsible charge. Encourage employees to obtain licensure which would allow the opportunity to assume responsibility for a branch office at some future date.

We have all realized the benefits of licensure at some time or another. Our future generations of engineers and land surveyors need to hear it from us and see how it can work for them. We have an obligation to protect the public health, safety and welfare and we cannot do that without promoting licensure.

THE NORTH CAROLINA BULLETIN

Published to provide news and information regarding statutory and regulatory changes, and to promote a better understanding of the practices of engineering and land surveying in the State of North Carolina.

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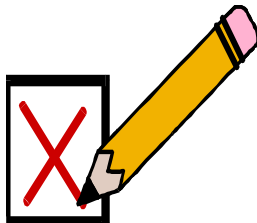
Lou Ann Buck
Associate Editor

EXAM CORNER

The format for the Principles & Practice of Engineering examination continues to evolve to a breadth/depth format. The Civil exam will convert to the breadth/depth format for the October 2000 exam with the Electrical and Mechanical disciplines tentatively scheduled to convert in the October 2001 exam.

The breadth/depth format will require all examinees to work the same morning exam that covers the breadth of the discipline and consists of forty (40) multiple choice questions. For the afternoon portion, the candidates will select one of the depth modules available under that discipline which again will consist of forty (40) multiple choice problems. All of the available modules for the depth section will follow the same format that is currently utilized on the p.m. portion of the Fundamentals of Engineering exam. All available modules will be bound in the same p.m. examination book and examinees will select a module and mark their selections on their answer sheets. Applicants will not be required to select the afternoon module in advance of the examination.

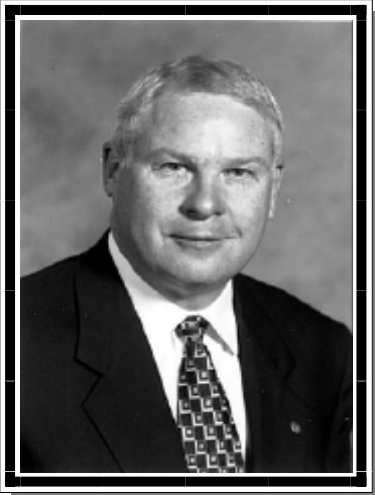
The afternoon depth modules for the Civil exam for fall 2000 include Environmental, Geotechnical, Structural, Transportation and Water Resources. All exam specifications are posted on the WEB site of the National Council of Examiners for Engineering and Surveying (NCEES) at www.ncees.org.



EXAM STATISTICS

Statistics from the October 1999 administration of the licensure exams are as follows:

<i>Exam</i>	<i>Total Applicants</i>	<i>Passing %</i>	<i>Failing %</i>
Fundamentals of Engineering	358	229 / 64.0%	129 / 36.0%
Principles & Practice of Engineering	356	172 / 48.3%	184 / 51.7%
Fundamentals of Land Surveying	68	25 / 36.8%	43 / 63.2%
Principles & Practice of Land Surveying	119	64 / 53.8%	55 / 46.2%



LILES APPOINTED TO BOARD OF EXAMINERS

Governor Hunt has appointed Henry V. Liles, Jr., PE to the North Carolina Board of Examiners for Engineers and Surveyors. Mr. Liles' appointment by the Governor was effective February 1, 2000 and the term of service will expire on December 31, 2004.

Mr. Liles is a North Carolina native and holds both baccalaureate and post-baccalaureate degrees in Civil Engineering from North Carolina State University. Mr. Liles has extensive experience in civil and structural engineering, beginning with the North Carolina DOT and including his service as the CEO of a North Carolina-based engineering/architectural firm. Mr. Liles was recently appointed as Associate Vice President in charge of HNTB North Carolina, which specializes in the planning, design and construction management for surface transportation and airport programs, and other infrastructure.

Mr. Liles has been significantly involved in professional and civic organizations and currently serves as the President of the Professional Engineers of North Carolina (PENC); a Commissioner with the Wake County Industrial Facilities and Pollution Control Financing Authority; a Member of the North Carolina Engineering Foundation at North Carolina State University; and a Trustee of the Engineers for Better Government. Liles is also active in the Crabtree Rotary Club where he has twice served as the Chair of the club's annual fundraiser benefiting the Alice Aycock Poe Center for Health Education.

VOLUNTEERS NEEDED

Proposed amendments to the Board Regulations will allow the use of a "Consultant" to the Board for any occasion that a current Board Member is a complainant, witness or respondent in a potential disciplinary matter.

Under the proposed language, "The consultant shall be a currently licensed professional engineer or professional land surveyor, depending on the nature of the case, selected from a list, provided by the executive director, of former Board members or other licensed professionals who are knowledgeable with the Board's processes and who have expressed an interest in serving as a consultant. The consultant shall review all case materials and make a recommendation for consideration by the review committee as to the merits of the case. The consultant shall review any new information presented in the event of a settlement conference and make a recommendation to the settlement conference committee."

In addition to matters that involve current Board Members, the Board often has the need for additional expertise in a specific discipline of engineering or aspect of surveying in order to determine if a violation of G.S. 89C or the Board Regulations has occurred. In these instances, the consultant would be asked to review the work product of another licensee and to provide a professional opinion concerning the adequacy of the product or the level of competency of the licensee. In matters that would require a disciplinary hearing before the Board or other judicial body, the consultant may be requested to appear and provide sworn testimony in support of that opinion.

If you are interested in assisting the Board as a consultant in such matters, please contact Executive Director Jerry Carter at the Board office. The names of persons interested in serving in this capacity will be placed on a list that will be made available to the Board and its staff when circumstances dictate such a need.

JOHNSON REJOINS STAFF

Brenda Johnson rejoined the Board's staff in March of this year. Brenda was previously employed as the Board Receptionist and left to pursue additional educational opportunities. With her return, Brenda has been assigned the responsibility of processing all surveying applications and exam reviews. The Board and staff are happy to have Brenda back as a member of the team.

FEE SCHEDULE REVISED

Due to increases in the costs of certain national licensure exams, the Board of Examiners has revised its fee schedule. The current fee schedule is as follows:

SCHEDULE OF FEES

Application Fees (Individual)

License Application	100.00
Comity Application	100.00
Temporary Permits	100.00

** Fees for any required exams must be submitted with application fee*

Exam Fees

Student EI Application (Green Form)	60.00
Engineering Fundamentals (Exam I) (White Form)	60.00
Engineering Principles and Practice Exam (Exam II)	110.00
Engineering Principles and Practice Exam (Structural I)	110.00
Engineering Principles and Practice Exam (Structural II)	410.00
Surveying Fundamentals (Exam I)	75.00
Surveying Principles and Practice (Exam II)	120.00

Individual Renewal Fees

Annual License Renewal - Per Year	40.00
Penalty fee for late renewal	100.00

Business License Fees

Licensure	100.00
Name Change	15.00
Annual License Renewal - Per Year	40.00
Penalty fee for late renewal	100.00

Continuing Professional Competency Sponsor License

100.00

Publication/Miscellaneous Fees

Annual Board Yearbook (Roster of NC licensees)	5.00
Engineering Application Kit	5.00
Land Surveying Application Kit	5.00
Duplicate Certificate of Licensure	25.00
Engineering Intern	5.00
Surveyor Intern	5.00
Mailing Labels	
All Professional Engineers & Professional Land Surveyors	250.00
All Professional Engineers	200.00
Professional Engineers - North Carolina residents only	150.00
All Professional Land Surveyors	100.00
Computer Disk (ASCII File, Comma Delimited) - all licensees	50.00
Standards of Practice for Land Surveying in North Carolina	No Charge
Student EI Application Kit	No Charge
Corporation Application Kit	No Charge
Limited Liability Company Application Kit	No Charge
Business Firm Application Kit	No Charge

(Returned Checks are subject to a \$25.00 processing charge)



Do We Have Your Email Address?

In the hope of more frequent communication with licensees, the Board would like to obtain your email address for our records.

Persons who renewed on-line for the renewal cycle were asked to provide their email addresses as an update to their Board records. Although we were able to capture a number of email addresses during this process, there are still a number of addresses needed for those Professional Engineers and Professional Land Surveyors who routinely do business on the WEB.

With this additional information, the Board would like to broadcast items via the Internet such as future newsletters, notices of public hearings, rulings by the Board and many other items of interest to the licensed population.

You can notify us of your email address by one of two methods. First, you can write the Board and include this information. The second method is to visit the Board WEB site at www.ncbels.org and click on the button "Registrants Only." You will then be cued to enter your license number and the four digit PIN that was provided to each licensee in advance of the last renewal cycle. After entering the required information, you will have the option of updating your records which includes listing your email address.

We encourage each of you who have an email address to provide the Board with this information.

DELINQUENT TAX DEBT BRINGS CHANGE

Effective July 1, 2000, the NC Board of Examiners will be required, on an annual basis and upon request, to provide the Secretary of Revenue with the name, address, and tax identification number of every nonresident individual and foreign entity licensed by the Board. If the Secretary of Revenue determines that any nonresident individual or foreign corporation licensed by the Board, a member of any foreign limited liability company licensed by the Board, or a partner in any foreign partnership licensed by the Board, owes a delinquent income tax debt, the Secretary of Revenue may notify the Board of these nonresident individuals and foreign entities and instruct the Board not to renew their certificates of licensure. Any license suspension would remain in effect until the Board receives written confirmation from the Department of Revenue that the debt has been paid or is being paid pursuant to an installment agreement.

In order to accommodate this new statutory requirement, the Board is reviewing its current records to determine what additional information is needed in order to comply. With the renewals of all business firms in June, the Board will send notices to all foreign firms that have not provided evidence of a certificate of authority from the North Carolina Secretary of State in accordance with the provisions of Article 15 of Chapter 55 of the General Statutes and request the information be provided prior to the renewal of the license for the firm.

RENEWAL REMINDERS

A renewal form is mailed to the current address of each licensee in November of each year, so it is **very** important that the Board office be promptly notified of any change in residence or business address. **Renewal of a license is the licensee's responsibility and may be accomplished by letter or on-line even if the notice of renewal is not received.**

Renewals postmarked after January 31st are subject to a penalty fee of \$100.00 in addition to the renewal fee. Failure to renew a license for a period of one year requires the filing of a new application, including transcripts, references, etc. and could result in further examinations prior to licensure.

Disciplinary Actions

The following summaries represent disciplinary actions taken by the Board from December 1, 1999 to May 1, 2000. Penalties vary, depending upon the specific circumstances of each case. Space limitations preclude a full reporting of all circumstances. Questions or requests for additional information concerning specific cases should be directed to the Board Counsel at Ext. 111.

CASE NO. V97-073

Richard S. Hiatt, PLS L-2555
Mount Airy, NC

VIOLATION: Failed to make adequate investigation and violated the *Standards of Practice for Land Surveying in NC* by not properly identifying adjacent properties and by having an inaccurate bargraph.

BOARD ACTION: Reprimand.

CASE NO. V97-084

Earl F. McKinney, PE 8541
Lexington, KY

VIOLATION: Submitted incomplete electrical design drawings for permitting and designated design drawings as "architectural."

BOARD ACTION: By Consent Order, levied civil penalty of \$2000.

CASE NO. V98-098

David E. Klett, PE 7465
Greensboro, NC

VIOLATION: Affixed his seal to work not done under his direct supervisory control or responsible charge.

BOARD ACTION: By Consent Order, levied civil penalty of \$1500.

CASE NO. V98-150

C E Tech, LLC, unlicensed
Alpharetta, GA

VIOLATION: Limited Liability Company offering to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Board requested Office of Secretary of State to suspend corporation in that the purpose clause states "engineering."

CASE NO. V98-167

Scientific Services Inc/Avtek, unlicensed
Fishers, IN

VIOLATION: Corporation practicing or offering to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Referred to Office of the Attorney General for appropriate action.

CASE NO. V98-183

Energy & Environmental Research Corporation, unlicensed
Cary, NC

VIOLATION: Corporation practicing or offering to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Referred to Office of the Attorney General for appropriate action.

CASE NO. V98-200

John W. Harris, PE 10742
Raleigh, NC

VIOLATION: Produced an inaccurate report that failed to include all relevant and pertinent information and allowed his professional judgment to be overruled.

BOARD ACTION: Reprimand and licensee must complete the ethics course offered by the Murdough Center of Texas Tech University within one year from date of Decision and Order, or license will be suspended until evidence of course completion.

CASE NO. V98-202

PMA Engineering, P. C., C-1120
Gastonia, NC

VIOLATION: Presented or attempted to use the certificate of licensure or seal of another, gave false evidence in obtaining a certificate of licensure, and failed to have a resident licensed professional in responsible charge in each office.

(Continued from page 6)

BOARD ACTION: Revocation of Certificate of Licensure.

CASE NO. V98-228

Robert E. Light, PE 16156
Columbia, SC

VIOLATION: Affixed his seal to work not done under his direct supervisory control or responsible charge.

BOARD ACTION: Reprimand and civil penalty of \$500.

CASE NO. V98-271

Herman Davis Bolick, PLS
Valdese, NC

VIOLATION: Performed an inaccurate or substandard survey and failed to monument property corners.

BOARD ACTION: Suspension of surveying license until successful completion of national ethics course.

CASE NO. V99-015

Waste Technical Services, Inc., unlicensed
Wilmington, NC

VIOLATION: Corporation practicing or offering to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Referred to Office of the Attorney General for appropriate action.

CASE NO. V99-022

Tompkins Associates Incorporated, unlicensed
Raleigh, NC

VIOLATION: Corporation practicing or offering to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Referred to Office of the Attorney General for appropriate action.

CASE NO. V99-039

Charles R. Shuffler, PE
Charlotte, NC

VIOLATION: Produced a deficient, substandard or inaccurate report and failed to properly certify engineering documents.

BOARD ACTION: Reprimand and civil penalty of \$500.

CASE NO. V99-049

Stephen C. Wilber, Jr., PE
Cornelius, NC

VIOLATION: Failed to properly certify engineering documents.

BOARD ACTION: Reprimand.

CASE NO. V99-070

Construction Control Services Corporation, unlicensed
Durham, NC

VIOLATION: Corporation practicing or offering to practice engineering in violation of G.S. 89C-24 and 55B.

BOARD ACTION: Referred to Office of the Attorney General for appropriate action.

CASE NO. V00-001

Stephen P. Byrne, PE 22163
Port Orange, FL

VIOLATION: Failed to comply with audit of annual CPC requirements.

BOARD ACTION: Refused to renew PE license.

CASE NO. V00-034

Richard B. Klein, PE
Miami, FL

VIOLATION: Suspension or revocation by another jurisdiction and violating G.S. 89C or the Board rules. (Voluntary Relinquishment in Florida)

BOARD ACTION: By Consent Order, will not renew PE license at any time in the future.

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Main Number: 919-841-4000**

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