

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 1030

By: Coleman

AS INTRODUCED

An Act relating to State Board of Licensure for Professional Engineers and Land Surveyors; amending 59 O.S. 2021, Section 475.1, which relates to registration as engineer or land surveyor; allowing for an individual's practice to be based on experience; amending 59 O.S. 2021, Section 475.2, which relates to definition; modifying definition to expand practice in this state; amending 59 O.S. 2021, Section 475.12c, which relates to structural engineering qualifications; removing certain provisions necessary for use of certain designation; amending 59 O.S. 2021, Section 475.13, which relates to application form; removing familial exclusion for statements; amending 59 O.S. 2021, Section 475.15, which relates to certificate of licensure; requiring distribution of administrative rules and changes within a certain time frame; amending 59 O.S. 2021, Section 475.18, which relates to disciplinary actions; removing provision for violation; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 475.1, is amended to read as follows:

Section 475.1. In order to safeguard life, health and property, and to promote the public welfare, the practice of engineering and the practice of land surveying in this state are hereby declared to

1 be subject to regulation in the public interest. It shall be  
2 unlawful to practice or to offer to practice engineering or land  
3 surveying in this state, as defined in the provisions of Section  
4 475.1 et seq. of this title, or to use in connection with any name  
5 or otherwise assume or advertise any title or description tending to  
6 convey the impression that any person is an engineer, professional  
7 engineer, professional structural engineer, land surveyor or  
8 professional land surveyor, unless such person has been duly  
9 licensed or authorized under the provisions of Section 475.1 et seq.  
10 of this title. The practice of engineering or land surveying shall  
11 be deemed a privilege granted by the state through the State Board  
12 of Licensure for Professional Engineers and Land Surveyors, based on  
13 the qualifications and experience of the individual as evidenced by  
14 a certificate of licensure, which shall not be transferable.

15 SECTION 2. AMENDATORY 59 O.S. 2021, Section 475.2, is  
16 amended to read as follows:

17 Section 475.2. As used in Section 475.1 et seq. of this title:

18 1. "Engineer" means a person who, by reason of special  
19 knowledge and use of the mathematical, physical and engineering  
20 sciences and the principles and methods of engineering analysis and  
21 design, acquired by engineering education and engineering  
22 experience, is qualified, after meeting the requirements of Section  
23 475.1 et seq. of this title and the regulations issued by the Board  
24 pursuant thereto, to engage in the practice of engineering;

1           2. "Professional engineer" or "P.E." means a person who has  
2 been duly licensed as a professional engineer as provided in Section  
3 475.1 et seq. of this title and the regulations issued by the Board  
4 pursuant thereto;

5           3. "Professional Structural Engineer", "P.E.", "S.E." or "S.E."  
6 means an individual who has been duly licensed as a professional  
7 engineer by the Board, and who has been further authorized by the  
8 Board to use the title Professional Structural Engineer, P.E. S.E.,  
9 or S.E., ~~and perform structural engineering analysis and design~~  
10 ~~services for significant structures~~ based upon education, experience  
11 and examinations as described in subsection D of Section 11 of this  
12 act. For purposes of this definition, the term "significant  
13 structures" may be defined by Board rule; provided, however, such  
14 definition shall not include any structure that is a residential  
15 structure;

16           4. "Engineer intern" or "E.I." means a person who complies with  
17 the requirement for education and has passed an examination in the  
18 fundamental engineering subjects, as provided in Section 475.1 et  
19 seq. of this title and the regulations issued by the Board pursuant  
20 thereto;

21           5. "Practice of engineering" means any service or creative work  
22 requiring engineering education, training and experience within all  
23 disciplines of engineering in the application of engineering  
24 principles and the interpretation of engineering data to engineering

1 activities that may impact the life, health, property and welfare of  
2 the public. The services may include work in any discipline in  
3 engineering. Oklahoma shall be a non-discipline-specific state.

4 The services may include, but are not limited to, such services or  
5 creative work as:

- 6 a. consultation,
- 7 b. investigation,
- 8 c. evaluation,
- 9 d. planning and design of engineering works and systems,
- 10 e. planning the engineering use of land and water,
- 11 f. teaching of advanced engineering subjects or courses  
12 related thereto,
- 13 g. engineering research,
- 14 h. engineering surveys,
- 15 i. engineering studies,
- 16 j. engineering reports,
- 17 k. written engineering opinions,
- 18 l. the inspection or review of construction for the  
19 purposes of ensuring compliance with drawings and  
20 specifications, and
- 21 m. engineering reports or like material developed in  
22 connection with expert witness testimony or  
23 anticipated testimony,

1 any of which embraces such services or work, either public or  
2 private, in connection with any utilities, structures, buildings,  
3 machines, equipment, processes, work systems, projects,  
4 communication systems, transportation systems and industrial or  
5 consumer products or equipment of a mechanical, electrical,  
6 chemical, environmental, hydraulic, pneumatic, thermal, control  
7 system or communications nature, insofar as they involve  
8 safeguarding life, health or property, and including such other  
9 professional services as may be necessary to the design review and  
10 integration of a multidiscipline work, planning, progress and  
11 completion of any engineering services.

12 Design review and integration includes the design review and  
13 integration of those technical submissions prepared by others,  
14 including as appropriate and without limitation, engineers,  
15 architects, landscape architects, land surveyors, and other  
16 professionals working under the direction of the engineer. The  
17 definition of design review and integration by engineers does not  
18 restrict the services other licensed professional disciplines are  
19 authorized to offer or perform by statute or regulation.

20 Engineering surveys include all survey activities required to  
21 support the sound conception, planning, design, construction,  
22 maintenance and operation of engineered projects, but exclude the  
23 surveying of real property for the establishment of land boundaries,  
24

1 rights-of-way, easements and the dependent or independent surveys or  
2 resurveys of the public land survey system.

3 A person or entity shall be construed to practice or offer to  
4 practice engineering, within the meaning and intent of Section 475.1  
5 et seq. of this title who does any of the following: practices any  
6 branch of the profession of engineering; by verbal claim, sign,  
7 advertisement, letterhead, card or in any other way represents such  
8 person to be a professional engineer or through the use of some  
9 other title implies that any person is a professional engineer or is  
10 licensed or qualified under Section 475.1 et seq. of this title; or  
11 who represents qualifications or ability to perform or who does  
12 practice engineering;

13 6. "Professional land surveyor" or "land surveyor" or "P.L.S."  
14 means a person who has been duly licensed as a professional land  
15 surveyor pursuant to Section 475.1 et seq. of this title and the  
16 regulations issued by the Board pursuant thereto; and is a person  
17 who, by reason of special knowledge in the technique of measuring  
18 land and use of the basic principles of mathematics, the related  
19 physical and applied sciences and the relevant requirements of law  
20 for adequate evidence and all requisite to surveying of real  
21 property, acquired by education and experience, is qualified to  
22 engage in the practice of land surveying;

23 7. "Land surveyor intern" or "L.S.I." means a person who  
24 complies with the requirement for education and has passed an

1 examination in the fundamental land surveying subjects, as provided  
2 in Section 475.1 et seq. of this title and regulations issued by the  
3 Board pursuant thereto;

4 8. a. "Practice of land surveying" means any authoritative  
5 service or work performed to a stated accuracy, the  
6 adequate performance of which involves the application  
7 of special knowledge of the principles of mathematics,  
8 methods of measurement, and the law for the  
9 determination and preservation of land boundaries.

10 "Practice of land surveying" includes, without  
11 limitation:

- 12 (1) restoration and rehabilitation of corners and  
13 boundaries in the United States Public Land  
14 Survey System or the subdivision thereof,
- 15 (2) obtaining and evaluating evidence for the  
16 accurate determination of land boundaries,
- 17 (3) monumenting the subdivision of land parcels into  
18 smaller parcels and the preparation of the  
19 descriptions in connection therewith,
- 20 (4) measuring and platting underground mine workings,
- 21 (5) creation, preparation or modification of  
22 electronic or computerized data including  
23 portions of geographic information systems and  
24

- land information systems, relative to the performance of the practice of land surveying,
- (6) establishment, restoration, and rehabilitation of land survey monuments and bench marks,
  - (7) preparation of land survey plats, condominium plats, monument records, and survey reports,
  - (8) surveying, monumenting, and platting of easements, and rights-of-way,
  - (9) measuring, locating, or establishing lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes for a survey, the configuration or contour of the earth's surface, or the position of fixed objects on the earth's surface,
  - (10) geodetic surveying,
  - (11) any other activities incidental to and necessary for the adequate performance of the services described in this paragraph, and
  - (12) surveying reports or like material developed in connection with expert witness testimony or anticipated testimony.

1           b. A person or entity shall be construed to practice or  
2           offer to practice land surveying, within the meaning  
3           and intent of Section 475.1 et seq. of this title who  
4           does any one of the following: practices any branch  
5           of the profession of land surveying; by verbal claim,  
6           sign, advertisement, letterhead, card or in any other  
7           way represents such person to be a professional land  
8           surveyor or through the use of some other title  
9           implies that such person or entity is a professional  
10          land surveyor or that such person is registered,  
11          licensed, or qualified under Section 475.1 et seq. of  
12          this title; represents qualifications or ability to  
13          perform; or who does practice land surveying;

14          9. "Board" means the State Board of Licensure for Professional  
15          Engineers and Land Surveyors;

16          10. "Responsible charge" means direct control and personal  
17          supervision of engineering or land surveying work;

18          11. "Rules of professional conduct for professional engineers  
19          and professional land surveyors" means those rules promulgated by  
20          the Board;

21          12. "Firm" means any form of business or entity, other than an  
22          individual operating as a sole proprietorship under his or her name;

23          13. "Direct control" and "personal supervision" whether used  
24          separately or together mean active and personal management of the

1 firm's personnel and practice to maintain charge of, and concurrent  
2 direction over, engineering or land surveying decisions and the  
3 instruments of professional services to which the licensee affixes  
4 the seal, signature, and date;

5 14. "Core curriculum" means the Board-approved land surveying  
6 courses adopted by Board policy, developed to ensure that  
7 professional land surveyor applicants meet the minimum educational  
8 requirements for licensure;

9 15. "Related science degree" means a bachelor's degree from an  
10 Engineering Technology Accreditation Commission/Accreditation Board  
11 for Engineering and Technology (ETAC/ABET) accredited engineering  
12 technology program of four (4) years or more. A degree of four (4)  
13 years or more in architecture, mathematical, physical or engineering  
14 sciences may be considered as a related science degree if it was  
15 obtained from a Board-approved program, and shall include a minimum  
16 of eight (8) hours of mathematics beyond trigonometry, including  
17 calculus, and twenty (20) hours of engineering sciences or related  
18 sciences, including physics. Non-accredited engineering degree  
19 programs shall meet the above requirements to be considered a  
20 related science degree;

21 16. "Authoritative" means being presented as trustworthy and  
22 competent when used to describe products, processes, applications or  
23 data resulting from the practice of engineering or land surveying;  
24 and

1 17. "Disciplinary action" means any final written decision or  
2 settlement taken against an individual or firm by a licensing board  
3 based upon a violation of the Board's laws and rules.

4 SECTION 3. AMENDATORY 59 O.S. 2021, Section 475.12c, is  
5 amended to read as follows:

6 Section 475.12c. A. "Professional Structural Engineer", "P.E.,  
7 S.E.", or "S.E." Professional engineer licensed in Oklahoma who were  
8 approved by the Board to claim structural engineering, with or  
9 without an "S.E.", as an area of competence prior to November 1,  
10 2017, shall submit the following by application and prescribed fees,  
11 if applicable, for Board consideration as minimum evidence that the  
12 applicant is qualified to use the title "Professional Structural  
13 Engineer", "P.E., S.E.", "S.E.", or any similar variation using the  
14 "S.E." designation ~~and perform structural engineering analysis and  
15 design services for significant structures:~~

16 1. Certified copies of all formal or informal disciplinary  
17 actions taken against their professional engineer license in any  
18 state or jurisdiction, if applicable; and

19 2. Proof of structural engineering experience by way of a list  
20 of representative projects completed, or courses taught, as  
21 described on Board-approved application forms, and three references  
22 by licensed professional engineers having personal knowledge of and  
23 verifying the applicant's structural engineering experience; and  
24

1           3. Proof of structural engineering education, including ten  
2 (10) professional development hours of continuing education related  
3 to the technical aspects of structural engineering in the two (2)  
4 years preceding the date of application, and original transcripts  
5 submitted directly to the Board office from the university or  
6 college showing coursework or degrees obtained since the individuals  
7 original professional engineer application to the Board, if  
8 applicable; or

9           4. Proof of successful completion of one of the following  
10 structural engineering examination paths below:

- 11           a. the NCEES Structural I and Structural II exams taken  
12                 prior to January 1, 2011,
- 13           b. an equivalent sixteen-hour state-written examination  
14                 prior to January 1, 2004,
- 15           c. the NCEES Structural II exam plus an equivalent eight-  
16                 hour state-written structural examination prior to  
17                 January 1, 2011, or
- 18           d. the NCEES sixteen-hour S.E. examination taken after  
19                 January 1, 2011.

20           B. Professional engineers submitting proof pursuant to  
21 paragraph 4 of subsection A of this section shall submit a properly  
22 completed application form, including certified copies of all formal  
23 or informal disciplinary actions taken against their professional  
24 engineering license in any state or jurisdiction, if applicable, for

1 Board consideration as minimum evidence that the applicant is  
2 qualified to use the title "Professional Structural Engineer",  
3 "P.E., S.E.", "S.E.", or any similar variation using the "S.E."  
4 designation and ~~perform structural engineering analysis and design~~  
5 ~~services for significant structures.~~

6 C. Professional engineers licensed in Oklahoma who were  
7 approved by the Board to claim structural engineering with an "S.E."  
8 as an area of competence prior to November 1, 2017, who do not  
9 submit an application form and prescribed fees, if applicable, for  
10 Board consideration as minimum evidence that the applicant is  
11 qualified to use the title "Professional Structural Engineer",  
12 "P.E., S.E.", "S.E.", or any variation using the "S.E." designation  
13 ~~and perform structural engineering analysis and design services for~~  
14 ~~significant structures~~ by October 31, 2020, shall be notified in  
15 writing that their file will be amended to state structural  
16 engineering without an "S.E." as their area of competence.

17 D. Comity applicants for a professional engineer license who  
18 wish to also apply for authorization to use the title "Professional  
19 Structural Engineer", "P.E., S.E.", "S.E.", or any variation using  
20 the "S.E." designation and ~~perform structural engineering analysis~~  
21 ~~and design services for significant structures~~ who apply after  
22 November 1, 2017, shall submit the following by application and  
23 prescribed fees for Board consideration as minimum evidence that the  
24 applicant is qualified:

1 1. Certified copies of all formal or informal disciplinary  
2 actions taken against their professional engineer license in any  
3 state or jurisdiction, if applicable;

4 2. Proof of structural engineering experience by way of a list  
5 of representative projects completed, or courses taught, as  
6 described on Board-approved application forms, and three references  
7 by licensed professional engineers having personal knowledge of and  
8 verifying the applicant's structural engineering experience;

9 3. Proof of structural engineering education, including ten  
10 (10) professional development hours of continuing education related  
11 to the technical aspects of structural engineering in the two (2)  
12 years preceding the date of application, and, if applicable,  
13 original transcripts submitted directly to the Board office from the  
14 university or college showing coursework or degrees obtained since  
15 the individual's original professional engineer application to the  
16 Board, if applicable; and

17 4. Proof of successful completion of one of the following  
18 structural engineering examination paths below:

- 19 a. the NCEES Structural I and Structural II exams taken  
20 prior to January 1, 2011,  
21 b. an equivalent sixteen-hour state-written examination  
22 prior to 2004,  
23  
24  
25

- 1 c. the NCEES Structural II exam plus an equivalent eight-  
2 hour state-written structural examination prior to  
3 January 1, 2011, or  
4 d. the NCEES sixteen-hour S.E. Examination taken after  
5 January 1, 2011.

6 E. Initial applicants for a professional engineer license who  
7 wish to also apply for authorization to use the title "Professional  
8 Structural Engineer", "P.E., S.E.", "S.E.", or any variation using  
9 the "S.E." designation ~~and to perform structural engineering~~  
10 ~~analysis and design services for significant structures~~ who apply  
11 after November 1, 2017, and before October 31, 2020, shall submit  
12 the following by application and prescribed fees for Board  
13 consideration as minimum evidence that the applicant is qualified,  
14 in addition to all requirements in Section 475.1 et seq. of Title 59  
15 of the Oklahoma Statutes:

16 1. Proof of structural engineering experience by way of a list  
17 of representative projects completed, or courses taught, as  
18 described on Board-approved application forms, and three references  
19 by licensed professional engineers having personal knowledge of and  
20 verifying the applicant's structural engineering experience; and

21 2. Proof of structural engineering education and original  
22 transcripts submitted directly to the Board office from the  
23 university or college showing coursework or degrees obtained.

1 F. Beginning November 1, 2020, the following shall be  
2 considered as minimum evidence for all applicants who wish to apply  
3 to the Board for authorization that the applicant is qualified to  
4 use the title "Professional Structural Engineer", "P.E., S.E.",  
5 "S.E.", or any variation using the "S.E." designation ~~and to perform~~  
6 ~~structural engineering analysis and design services for significant~~  
7 ~~structures:~~

8 1. Holds a professional engineer license in good standing in  
9 the State of Oklahoma;

10 2. Successfully completed at least one of the following  
11 structural engineering examination paths:

- 12 a. the NCEES Structural I and Structural II exams taken  
13 prior to January 1, 2011,
- 14 b. an equivalent sixteen-hour state-written examination  
15 prior to January 1, 2004,
- 16 c. the NCEES Structural II exam plus an equivalent eight-  
17 hour state-written structural examination prior to  
18 January 1, 2011, or
- 19 d. the NCEES sixteen-hour S.E. Examination taken after  
20 January 1, 2011; and

21 3. The record of experience supplied to the Board and verified  
22 by reference indicates structural engineering projects or teaching  
23 experience equivalent to the years of experience required in  
24

1 paragraph 4 of subsection D of Section 9 of this act, according to  
2 the education degree program completed by the applicant.

3 G. Professional engineers who have indicated in their official  
4 board records that they have competence in structural engineering  
5 may offer and perform structural engineering services and use the  
6 ~~term~~ title structural engineer or structural engineering to describe  
7 their qualifications or services. However, only licensed  
8 professional engineers who have been authorized by this Board to do  
9 so may use the title "Professional Structural Engineer", "P.E.,  
10 S.E.", "S.E.", or any title using the "S.E." designation ~~and to~~  
11 ~~perform structural engineering analysis and design services for~~  
12 ~~significant structures.~~

13 H. The Board may adopt rules defining significant structures  
14 ~~and establish standards of competence in structural engineering~~  
15 ~~analysis and design~~ relating to seismic or other influences which  
16 have a direct impact on the life, health, safety, property and  
17 welfare of the public.

18 SECTION 4. AMENDATORY 59 O.S. 2021, Section 475.13, is  
19 amended to read as follows:

20 Section 475.13. A. 1. Application for licensure as a  
21 professional engineer or professional land surveyor or certification  
22 as an engineer intern or land surveyor intern shall be on a form  
23 prescribed and furnished by the Board. It shall contain statements  
24 made under oath, showing the applicant's education and a detailed

1 summary of technical and engineering or land surveying experience  
2 and shall include the names and complete mailing addresses of the  
3 references, none of whom may be members of the Board ~~or immediate~~  
4 ~~family members of the applicant.~~

5 2. The Board may accept the certified information contained in  
6 a valid council record issued by the National Council of Examiners  
7 for Engineering and Surveying for professional engineer or  
8 professional land surveyor applicants in lieu of the same  
9 information that is required on the form prescribed and furnished by  
10 the Board.

11 B. 1. The application fees shall be established by Board  
12 rules.

13 2. The certification fee for a firm shall be established by  
14 Board rules.

15 3. Should the Board deny the issuance of a certificate of  
16 licensure to any applicant, including the application of a firm for  
17 a certificate of authorization, the fee shall be retained as an  
18 application fee.

19 SECTION 5. AMENDATORY 59 O.S. 2021, Section 475.15, is  
20 amended to read as follows:

21 Section 475.15. A. The Board shall issue to any applicant who,  
22 in the opinion of the Board, has met the requirements of Section  
23 475.1 et seq. of this title, a certificate of licensure giving the  
24 licensee proper authority to practice in this state. The

1 certificate of licensure for a professional engineer shall carry the  
2 designation "Professional Engineer" and for a professional land  
3 surveyor, "Professional Land Surveyor". It shall give the full name  
4 of the licensee with the licensure number and shall be signed by the  
5 Chair and the Secretary under the seal of the Board. At the time of  
6 licensure, and each year upon the adoption of changes to  
7 administrative rules, the Board shall distribute a copy of the  
8 changes to licensees within one (1) week of publication.

9 B. This certificate shall be prima facie evidence that the  
10 person named thereon is entitled to all rights, privileges and  
11 responsibilities of a professional engineer or professional land  
12 surveyor, while the certificate remains unrevoked and unexpired.

13 C. Each licensee hereunder may, upon licensure, obtain a seal,  
14 the design and use of which are described in Board rules. It shall  
15 be unlawful for a licensee to affix, or permit his or her seal or  
16 signature to be affixed, to any document after the expiration or  
17 revocation of a license, or for the purpose of aiding or abetting  
18 any other person to evade or attempt to evade any provision of  
19 Section 475.1 et seq. of this title. Whenever the seal is applied,  
20 the document must be signed by the licensee thereby certifying that  
21 he or she is competent in the subject matter and was in responsible  
22 charge of the work product. Documents must be sealed and signed in  
23 accordance with the Board rules whenever presented to a client, a  
24 user or any public or governmental agency. Whenever the seal is

1 applied, the signature of the licensee and date of signature shall  
2 be placed adjacent to or across the seal. Drawings, reports or  
3 documents that are signed using a digital or electronic signature  
4 must be done in a manner that is in direct control and personal  
5 supervision of the professional engineer or professional land  
6 surveyor and must conform to the specifications in the Board rules  
7 regarding digital or electronic signatures.

8 D. A professional engineer, professional land surveyor or firm  
9 shall retain a hard copy or electronic copy of all technical  
10 submissions produced for a minimum of ten (10) years following the  
11 date of preparation.

12 E. The Board shall issue to any applicant who, in the opinion  
13 of the Board, has met the requirements of Section 475.1 et seq. of  
14 this title, a certificate as an engineer intern or land surveyor  
15 intern which indicates that his or her name has been recorded as  
16 such in the Board office. The engineer intern or land surveyor  
17 intern certificate does not authorize the holder to practice as a  
18 professional engineer or professional land surveyor.

19 SECTION 6. AMENDATORY 59 O.S. 2021, Section 475.18, is  
20 amended to read as follows:

21 Section 475.18. A. As provided in subsections A and B of  
22 Section 475.8 of this title, the Board shall have the power to deny,  
23 place on probation, suspend, revoke or refuse to issue a certificate  
24 or license, or fine, reprimand, issue orders, levy administrative

1 fines or seek other penalties, if a person or entity is found guilty  
2 of:

3 1. Any fraud or deceit in obtaining or attempting to obtain or  
4 renew a certificate of licensure, or a certificate of authorization  
5 or in taking the examinations administered by the Board or its  
6 authorized representatives;

7 2. Any fraud, misrepresentation, gross negligence, gross  
8 incompetence, misconduct or dishonest practice, in the practice of  
9 engineering or land surveying;

10 3. Conviction of or entry of a plea of guilty or nolo  
11 contendere to a felony crime that substantially relates to the  
12 practice of engineering or land surveying and poses a reasonable  
13 threat to public safety; or conviction of or entry of a plea of  
14 guilty or nolo contendere to a misdemeanor, an essential element of  
15 which is dishonesty or is a violation of the practice of engineering  
16 or land surveying;

17 4. Failure to comply with any of the provisions of Section  
18 475.1 et seq. of this title or any of the rules or regulations  
19 pertaining thereto;

20 5. Disciplinary action, including voluntary surrender of a  
21 professional engineer's or professional land surveyor's license in  
22 order to avoid disciplinary action by another state, territory, the  
23 District of Columbia, a foreign country, the United States  
24 government, or any other governmental agency, if at least one of the

1 grounds for discipline is the same or substantially equivalent to  
2 those contained in this section;

3 6. Failure, within thirty (30) days, to provide information  
4 requested by the Board or its designated staff as a result of a  
5 formal or informal complaint to the Board which would indicate a  
6 violation of Section 475.1 et seq. of this title;

7 7. Knowingly making false statements or signing false  
8 statements, certificates or affidavits;

9 8. Aiding or assisting another person or entity in violating  
10 any provision of Section 475.1 et seq. of this title or the rules or  
11 regulations pertaining thereto;

12 9. Violation of any terms imposed by the Board, or using a seal  
13 or practicing professional engineering or professional land  
14 surveying while the professional engineer's license or professional  
15 land surveyor's license is suspended, revoked, nonrenewed, retired  
16 or inactive;

17 10. Signing, affixing the professional engineer's or  
18 professional land surveyor's seal, or permitting the professional  
19 engineer's or professional land surveyor's seal or signature to be  
20 affixed to any specifications, reports, drawings, plans, design  
21 information, construction documents, calculations, other documents,  
22 or revisions thereof, which have not been prepared by, or under the  
23 direct control and personal supervision of the professional engineer  
24 or professional land surveyor in responsible charge;

1 11. Engaging in dishonorable, unethical or unprofessional  
2 conduct of a character likely to deceive, defraud, harm or endanger  
3 the public;

4 12. Providing false testimony or information to the Board;

5 13. Habitual intoxication or addiction to the use of alcohol or  
6 to the illegal use of a controlled dangerous substance;

7 14. Performing engineering or surveying services outside any of  
8 the licensee's areas of competence ~~or areas of competence designated~~  
9 ~~in the official Board records;~~

10 15. Violating the Oklahoma Minimum Standards for the Practice  
11 of Land Surveying; and

12 16. Failing to obtain the required professional development  
13 hours, as approved by the Board, Board staff or Continuing Education  
14 Committee as required by an audit.

15 B. The Board shall prepare and adopt Rules of Professional  
16 Conduct for Professional Engineers and Professional Land Surveyors  
17 as provided for in Section 475.8 of this title, which shall be made  
18 available in writing to every licensee and applicant for licensure  
19 under Section 475.1 et seq. of this title. The Board may revise and  
20 amend these Rules of Professional Conduct for Professional Engineers  
21 and Professional Land Surveyors and shall notify each licensee, in  
22 writing, of such revisions or amendments.

1 C. Principals of a firm who do not obtain a certificate or  
2 authorization for the firm as required by Section 475.1 et seq. of  
3 this title may be subject to disciplinary action.

4 D. As used in this section:

5 1. "Substantially relates" means the nature of criminal conduct  
6 for which the person was convicted has a direct bearing on the  
7 fitness or ability to perform one or more of the duties or  
8 responsibilities necessarily related to the occupation; and

9 2. "Poses a reasonable threat" means the nature of criminal  
10 conduct for which the person was convicted involved an act or threat  
11 of harm against another or has a bearing on the fitness or ability  
12 to serve the public or work with others in the occupation.

13 SECTION 7. This act shall become effective November 1, 2023.

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