

APA-1  
6/93

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control 330 Department or Agency Board of Licensure for Professional Engineers & Land Surveyors  
Rule No. 330-X4-03  
Rule Title: Examination Fees  
         New; XX Amend:          Repeal;          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, safety, or welfare?         No        

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?         Yes        

Is there another, less restrictive method of regulation available that could adequately protect the public?         No        

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?         Yes        

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?         No        

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?         Yes        

Does the proposed rule have any economic impact?         Yes        

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....  
Certification of Authorized Official

I certify that the attached rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975 and that it conforms to all applicable filing requirements of the Administrative Procedures Division of the Legislative Reference Service.

Signature of certifying officer Regina A. Dinger  
Date 4/17/12

ECONOMIC IMPACT STATEMENT  
FOR APA RULE  
(Section 41-22-23(f))

Control No. 330 Department or Agency Board of Licensure for Professional  
Engineers and Land Surveyors

Rule No: Rule 330-X-4.03

Rule Title: Examination Fees

New  Amend  Repeal  Adopt by Reference

This rule has no economic impact.

This rule has an economic impact, as explained below:

1. NEED/EXPECTED BENEFIT OF RULE:

Examination fees will be collected by the national examination organization. Fees will no longer be collected by the licensing board. Current fees charged for the national examinations exceed those allowable to be charged by the Board.

The Alabama Board of Licensure for Professional Engineers and Land Surveyors is statutorily required to operate as a self sustaining Board and relies on examination fees and licensure fees for revenue to provide for the operation of the Board. Not being able to charge for the total cost of the examinations caused the Board to operate at a loss. The Board was operating only as a throughput for the monies.

2. COSTS/BENEFITS OF RULE AND WHY RULE IS THE MOST EFFECTIVE, EFFICIENT, AND FEASIBLE MEANS FOR ALLOCATING RESOURCES AND ACHIEVEING THE STATED PURPOSE:

Applicants will pay the national organization directly for the cost of the national examinations. The Board's budget will be decreased since the earmarked monies will not be collected. The Board staff will not have the workload associated with the collecting of monies. A contract between the national organization and the Board will no longer be required as the only monies being paid to the national organization will be membership fees.

3. EFFECT OF THIS RULE ON COMPETITION:

None

4. EFFECT OF THIS RULE ON COST-OF-LIVING AND DOING BUSINESS IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

Impact will be the same state wide and has an inconsequential impact of the costs of living and doing business.

5. EFFECT OF THIS RULE ON EMPLOYMENT IN THE GEOGRAPHICAL AREA WHERE THE RULE IS TO BE IMPLEMENTED:

None

6. SOURCE OF REVENUE TO BE USED FOR IMPLEMENTING AND ENFORCING THIS RULE:

No additional costs involved to implement.

7. THE SHORT-TERM/LONG-TERM ECONOMIC IMPACT OF THIS RULE ON AFFECTED PERSONS, INCLUDING ANALYSIS OF PERSONS WHO WILL BEAR THE COSTS AND THOSE WHO WILL BENEFIT FROM THE RULE:

Those individuals taking the examinations will be responsible for paying the full amount of the examinations. Licensees' renewal fees will not have to be increased to cover the deficiencies in exam revenue.

8. UNCERTAINTIES ASSOCIATED WITH THE ESTIMATED BENEFITS AND BURDENS OF THE RULE, INCLUDING QUALITATIVE/QUANTITATIVE BENEFITS AND BURDEN COMPARISON:

The difference in the amount collected and owed for the examinations varies with the number of exam takers. This causes uncertainties as to the deficit amount that the Board has to assume.

9. THE EFFECT ON THIS RULE ON THE ENVIRONMENT AND PUBLIC HEALTH:

None

10. DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE RULE IS NOT IMPLEMENTED:

If the Board can not collect all monies required to cover the cost of the examinations, other fees will have to be increased including corporate and individual renewals. These increases could be passed on to their clients as the cost of doing business.

APA-2

ALABAMA STATE BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

**NOTICE OF INTENDED ACTION**

**RULE NO. & TITLE:** 330-X-4-.03 Examination Fees  
330-X-4-.04 Fees Not Refundable

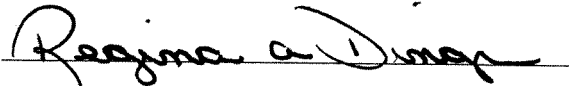
**INTENDED ACTION:** Amend

**SUBSTANCE OF AMENDMENT:** The Board proposes to amend existing rules to clarify which examination fees are payable to the Board and that the fees payable to the Board are not refundable.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** A public hearing will be held only if requested by an interested party. A written request should be submitted to the agency contact person listed below. Interested persons may present their views in writing to the Alabama Board of Licensure for Professional Engineers and Land Surveyors, 100 N. Union Street, Suite 382, Post Office Box 304451, Montgomery, Alabama 36130-4451.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:** Written comments concerning these changes must be received by the Alabama Board of Licensure for Professional Engineers and Land Surveyors no later than June 6, 2012.

**CONTACT PERSON AT AGENCY:** Regina A. Dinger, Executive Director; Alabama Board of Licensure for Professional Engineers and Land Surveyors; P.O. Box 304451, Montgomery, AL 36130-4451; (334) 242-5568.



Regina A. Dinger, Executive Director  
Alabama State Board of Licensure for  
Professional Engineers and Land Surveyors

**BOARD OF LICENSURE FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**CHAPTER 330-4  
FEES**

**330-X-4-.03 Examination Fees.** The examination fee for ~~all examinations~~ state specific examinations will be set by the Board and are contained in Appendix A to Chapter 4. Examination fees for examinations provided by NCEES are set by NCEES and will be paid directly to NCEES by the applicant.

Author: Board

Statutory Authority: Section 34-11-6; Section 34-11-35, Code of Alabama 1975

Effective date: September 10, 1982. Amended: October 18, 1998, June 4, 2003, and December 5, 2006.

**330-X-4-.04 Fees Not Refundable.** No fee, or part of any fee, paid to this board by any applicant for application, examination or licensure will be returned to the applicant, in the event of withdrawal of the application, denial of the application, or failure to take or pass the examination.

Author: Board

Statutory Authority: Section 34-11-5; Section 34-11-35, Code of Alabama 1975

Effective date: September 10, 1982. Amended: October 28, 1998.