

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-X-9.-02

Rule Title: Branches of Engineering and Land Surveying

_____ New; _____ Amend: XX 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? No

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? N/A

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? No

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 Adams
Date 4/17/12

APA-2

ALABAMA STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 330-X-9-.01 Classification of Licensure
330-X-9-.02 Branches of Engineering and Land Surveying -
repeal

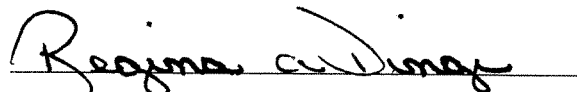
INTENDED ACTION: Amend and Repeal

SUBSTANCE OF AMENDMENT: The Board proposes to amend an existing rule to correct the Chapter 9 Title and to identify that licenses issued do not have specific designations as to the discipline of engineering or land surveying practice that the licensee is authorize to practice. The Board proposes to repeal 330-X-9-02 since it is no longer needed. It's contents were combined with other rules.

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-X-9
~~CLASSIFICATIONS AND BRANCHES OF ENGINEERING AND LAND SURVEYING~~
LICENSURE**

330-X-9-.01 Classification of Licensure.

(1) Applicants shall be licensed under one or more of the following titles:

- (a) Professional Engineer or
- (b) Professional Land Surveyor.

(2) Applicants shall be certified under one or more of the following titles:

- (a) Engineer Intern or
- (b) Land Surveyor Intern.

(3) Chapter 11, Title 34, Code of Alabama 1975 makes no specific designations as to the discipline of engineering or land surveying practice for which a license as Professional Engineer or Professional Land Surveyor shall be issued; however, the Rules of Professional Conduct, Rule 330-X-14-.03, provides that a professional engineer or professional land surveyor shall practice only in technical fields in which he or she is qualified by education or experience.

Discipline of examinations taken by a licensee is considered a public record and will be provided by request.

Author: Board

Statutory Authority: Section 34-11-1; Section 34-11-35, Code of Alabama 1975

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

330-X-9-.02 Branches of Engineering and Land Surveying.

Repealed

(1) Chapter 11, Title 34, Code of Alabama 1975 makes no specific designations as to the branches of engineering or land surveying practice for which a license as Professional Engineer or Professional Land Surveyor shall be issued; however, the Rules of Professional Conduct, Rule 330-X-14-.03, provides that a professional engineer or professional land surveyor shall practice only in fields in which he or she is qualified by education or experience.

Discipline of examinations taken by a licensee is considered a public record and will be provided by request.

(2) If all design plans for a building or structure, which may include electrical, mechanical, structural and incidental architectural drawings, are all signed and sealed by

the same engineer, a form provided by the Board showing qualifications to perform these disciplines must be completed and submitted to the Board by the engineer within one week of the submittal of the plans.

(3) All disciplinary cases involving geology/engineering professional overlaps will be referred to the board issuing the license for hearing and disposition. The complaining board may have a board member or designated representative at the hearing for liaison and evidence as necessary.

Author: Board

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

Effective date: September 10, 1982. Amended: October 28, 1998 and June 4, 2003.