

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 1316*
Judiciary II Committee Substitute Adopted 5/30/00

Short Title: Professional Engineers/Land Surveyors Licensure. (Public)

Sponsors:

Referred to:

May 18, 2000

A BILL TO BE ENTITLED

1 AN ACT TO IMPLEMENT A RECOMMENDATION OF THE JOINT LEGISLATIVE
2 ADMINISTRATIVE PROCEDURE OVERSIGHT COMMITTEE TO AUTHORIZE
3 THE BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS TO
4 ADOPT RULES TO REQUIRE ADDITIONAL INFORMATION PRIOR TO THE
5 REEXAMINATION OF AN APPLICANT; LIMIT THE NUMBER OF OFFICES A
6 LICENSEE MAY SUPERVISE; AND CHANGE THE ANNUAL LICENSE
7 RENEWAL DATE FOR BUSINESSES.
8

9 The General Assembly of North Carolina enacts:

10 Section 1. G.S. 89C-14(e) reads as rewritten:

11 "(e) A candidate failing an examination may apply, and be considered by the
12 Board, for reexamination at the end of six months. The Board shall make such
13 reexamination charge as is necessary to defray the cost of the examination.

14 A candidate with a combination of three failures or unexcused absences on an
15 examination shall only be eligible after submitting a new application with appropriate
16 application fee, documented evidence of actions taken by the candidate to enhance the
17 candidate's prospects for passing the exam, and be considered by the Board for
18 reexamination at the end of 12 months. After the end of the 12-month period, the
19 applicant may take the examination no more than once every calendar year."

1 Section 2. G.S. 89C-7 reads as rewritten:

2 **"§ 89C-17. Expirations and renewals of certificates.**

3 Certificates for licensure of corporations and business firms that engage in the
4 practice of engineering or land surveying shall expire on the last day of the month of June
5 following their issuance or renewal and shall become invalid on that date unless renewed.
6 All other certificates ~~Certificates~~ for licensure shall expire on the last day of the month of
7 December next following their issuance or renewal, and shall become invalid on that date
8 unless renewed. When necessary to protect the public health, safety, or welfare, the
9 Board shall require any evidence necessary to establish the continuing competency of
10 engineers and land surveyors as a condition of renewal of licenses. When the Board is
11 satisfied as to the continuing competency of an applicant, it shall issue a renewal of the
12 certificate upon payment by the applicant of a fee fixed by the Board but not to exceed
13 seventy-five dollars (\$75.00). The secretary of the Board shall notify by mail every
14 person licensed under this Chapter of the date of expiration of the certificate, the amount
15 of the fee required for its renewal for one year, and any requirement as to evidence of
16 continued competency. The notice shall be mailed at least one month in advance of the
17 expiration date of the certificate. Renewal shall be effected at any time during the month
18 of January immediately following, immediately following the month of expiration, by
19 payment to the secretary of the Board of a renewal fee, as determined by the Board,
20 which shall not exceed seventy-five dollars (\$75.00). Failure on the part of any registrant
21 to renew the certificate annually in the month of January, immediately following the
22 month of expiration, as required above, shall deprive the registrant of the right to practice
23 until renewal has been effected. Renewal may be effected at any time during the first 12
24 months immediately following its invalidation by payment of the established renewal fee
25 and a late penalty of one hundred dollars (\$100.00). Failure of a licensee to renew the
26 license for a period of 12 months shall require the individual, prior to resuming practice
27 in North Carolina, to submit an application on the prescribed form, and to meet all other
28 requirements for licensure as set forth in Chapter 89C. The secretary of the Board is
29 instructed to remove from the official roster of engineers and land surveyors the names of
30 all licensees who have not effected their renewal by the first day of February immediately
31 following the date of their expiration. The Board may adopt rules to provide for renewals
32 in distress or hardship cases due to military service, prolonged illness, or prolonged
33 absence from the State, where the applicant for renewal demonstrates to the Board that
34 the applicant has maintained active knowledge and professional status as an engineer or
35 land surveyor, as the case may be. It shall be the responsibility of each licensee to inform
36 the Board promptly concerning change in address. A licensee may request and be granted
37 inactive status. No inactive licensee may practice in this State unless otherwise exempted
38 in this Chapter. A licensee granted inactive status shall pay annual renewal fees but shall
39 not be subject to annual continuing professional competency requirements. A licensee
40 granted inactive status may return to active status by meeting all requirements of the
41 Board, including demonstration of continuing professional competency as a condition of
42 reinstatement."

43 Section 3. G.S. 89C-24 reads as rewritten:

1 **"§ 89C-24. Licensure of corporations and business firms that engage in the practice**
2 **of engineering or land surveying.**

3 A corporation or business firm may not engage in the practice of engineering or land
4 surveying in this State unless it is licensed by the Board and has paid an application fee
5 established by the Board in an amount not to exceed one hundred dollars (\$100.00). A
6 corporation or business firm is subject to the same duties and responsibilities as an
7 individual licensee. Licensure of a corporation or business firm does not affect the
8 requirement that all engineering or land surveying work done by the corporation or
9 business firm be performed by or under the responsible charge of individual registrants,
10 nor does it relieve the individual registrants within a corporation or business firm of their
11 design and supervision responsibilities. The Board may adopt a rule establishing a
12 reasonable limit on the number of separate offices or places of business at which a
13 licensee may serve as the resident professional engineer or the resident land surveyor.

14 This section applies to every corporation that is engaged in the practice of engineering
15 or land surveying, regardless of when it was incorporated. A corporation that is not
16 exempt from Chapter 55B of the General Statutes by application of G.S. 55B-15 must be
17 incorporated under that Chapter."

18 Section 4. This act is effective when it becomes law.