IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

IDAHO BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

24.32.01 – Rules of Board of Licensure of Professional Engineers and Professional Land Surveyors

Who does this rule apply to?
This rule applies to all licensees and certificate holders of the Board and those applicants seeking a license or certificate.

What is the purpose of this rule?
The purpose of the rule is to describe the process applicants use to apply for or become eligible for a license or certificate. The primary qualifications described in the rule are education, examination and experience for those seeking a license or intern certificate. The rule addresses the process used for renewing and reinstating licenses and certificates.

The rule also describes the ethical obligations licensees and certificate holders have to the public, their employers and other licensees and certificate holders. This rule outlines expectations the citizens and business in Idaho should have regarding ethical and competent practice of professional engineering and land surveying.

The rule also prescribes the form and related information needed to perpetuate evidence of original land survey monuments placed by government land office land surveyors, and other monuments placed by private or county land surveyors. Original monuments control the location of property boundaries. Preserving evidence of their location is important to provide stable land boundaries for land owners. These corner records are filed or recorded in county courthouses in each county of the state and available as record documents for land owners and land surveyors to use. The rule describes the form and related information that must be put on the form that is actually filed or recorded in the county courthouse.

The rule also promotes professionalism for professional engineers and land surveyors by the demonstration of continuous education. It is incumbent on licensees to continuously update their skills and knowledge in order to stay current with the state of the practice. This rule establishes continuing education requirements for licensees, including the minimum number of hours, the approved activities, and procedures for demonstrating that licensees have met the requirements.

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statutes passed by the Idaho Legislature:

Professions, Vocations, and Businesses - Engineers and Surveyors:
- 54-1208(1), Idaho Code – Board -- Powers

Property in General - Corner Perpetuation and Filing:
- 55-1606, Idaho Code – Filing or Recording Information

Who do I contact for more information on this rule?

Idaho Board of Professional Engineers and Land Surveyors
1510 E Watertower St., Ste. 110
Meridian, ID 83642
Phone: (208) 373-7210 / Fax: (208) 373-7213
Email: jim.szatkowski@ipels.idaho.gov
Web: https://ipels.idaho.gov/

Table of Contents

24.32.01 – Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

000. Legal Authority. 4
001. Title And Scope. 4
002. -- 009. (Reserved) 4
010. Definitions. 4

SUBCHAPTER A – RULES OF PROCEDURE

011. Fees. 5
012. Reissuance Of Certificates. 5
013. (Reserved) 5
014. Seals. 5
015. Certificates. 5
016. Application For Licensure Or Certification. 5
017. Examinations And Education. 6
018. Reexaminations. 9
019. Licensees Or Certificate Holders Of Other States, Boards, and Countries. 9
020. Discontinued, Retired, And Expired Licenses And Certificates. 12
021. (Reserved) 13
022. Requirements To Be Considered "Exceptional" Under Section 54-1223(2), Idaho Code. 13
023. Professional Engineer Licensure For Faculty Applicants. 14
024. -- 099. (Reserved) 14

SUBCHAPTER B – RULES OF PROFESSIONAL RESPONSIBILITY

100. Responsibility To The Public. 14
101. Competency For Assignments. 15
102. Public Statements. 15
103. Conflict Of Interest. 15
104. Solicitation Of Work. 16
105. Improper Conduct. 17
106. -- 199. (Reserved) 17

SUBCHAPTER C – RULES OF CONTINUING PROFESSIONAL DEVELOPMENT

200. Requirements. 17
201. Units. 18
202. Determination Of Credit. 18
203. Record Keeping. 19
204. Exemptions. 19
205. Comity/Out-Of-Jurisdiction Residents. 20
206. Use Of NCEES Model CPC Standard. 20
207. -- 299. (Reserved) 20

SUBCHAPTER D – RULES FOR CORNER PERPETUATION AND FILING

300. Form. 20

301. Completion Of Form. 20
302. Contents on the form. 20
303. -- 999. (Reserved) 21

000. LEGAL AUTHORITY.
These rules are promulgated as authorized by Sections 54-1208(1) and 55-1606, Idaho Code. (3-20-20)T

001. TITLE AND SCOPE.

01. Title. These rules are titled IDAPA 24.32.01, "Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors." (3-20-20)T

02. Scope. These rules include procedures of the Board, rules of professional responsibility, rules of continuing professional development, and rules for properly completing corner perpetuation and filing forms. (3-20-20)T

002. -- 009. (RESERVED)

010. DEFINITIONS.
The following terms are used as defined below: (3-20-20)T

01. Active Participation. Serving as an officer or committee chair at either the national, state or local (section or chapter) level. (3-20-20)T

02. Activity. Any qualifying action with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice or practices. Routine job assignments are not considered qualified activities. (3-20-20)T

03. Board. The Board of Licensure of Professional Engineers and Professional Land Surveyors. (3-20-20)T

04. Certificate Holder. Any person holding a current certificate as an Engineer Intern or a Land Surveyor Intern or a business entity (which is also herein referred to as a "person") holding a current certificate of authorization, which has been duly issued by the Board. (3-20-20)T

05. College Semester or Quarter Credit Hour. Credit for college courses. (3-20-20)T

06. Continuing Education Unit (CEU). Unit of credit customarily used for continuing education courses. One (1) continuing education unit equals ten (10) hours of class in an approved continuing education course. (3-20-20)T

07. Deceit. To intentionally misrepresent a material matter, or intentionally omit to disclose a known material matter. (3-20-20)T

08. Documented Self-Study. Documented study of professional/technical journals, published papers, articles, books, software or other areas of training which increase knowledge of the technology above and beyond routine job assignments. (3-20-20)T

09. Incompetence. Failure to meet the standard of care. (3-20-20)T

10. Licensee. Any person holding a current license as a Professional Engineer, a Professional Land Surveyor, or a combination thereof, which has been duly issued by the Board. (3-20-20)T

11. Misconduct. A violation or attempt to violate these rules of professional responsibility or to knowingly assist or induce another to do so, or do so through the acts of another; a finding of guilt of commitment of a felony or a plea of guilty to a felony; commit fraud or deceit; failure to respond within twenty (20) days of an inquiry from the Board or its representative, unless such time is extended by the Board for justifiable cause; state or imply an ability to influence improperly a government agency or official. (3-20-20)T

12. Professional Development Hour (PDH). A contact hour (minimum of fifty (50) minutes) of instruction or presentation. The common denominator for other units of credit. (3-20-20)T

SUBCHAPTER A – RULES OF PROCEDURE
(Rules 011 through 099)

011. FEES.

01. Applications and Renewals. All fees are set by the Board in the following categories and may in no event be more than the amount specified in Sections 54-1213, 54-1214, 54-1216, 54-1219 and 54-1223, Idaho Code. Fees are not refundable. (3-20-20)T

a. Licensure as a professional engineer or professional land surveyor by examination. (3-20-20)T

b. Reinstatement of a retired or expired license. (3-20-20)T

c. Certification for a business entity applying for a certificate of authorization to practice or offer to practice engineering or land surveying. (3-20-20)T

d. Renewals for professional engineers, professional land surveyors, engineer interns, land surveyor interns, and business entities. (3-20-20)T

e. Licensure for professional engineers or professional land surveyors by comity. (3-20-20)T

02. Late or Denied Renewals. Failure on the part of any licensee or business entity to renew their license or certificate of authorization prior to their expiration will not deprive such persons or business entity of the right of renewal, but the fees to be paid for renewal after their expiration will be increased as prescribed in Section 54-1216, Idaho Code, unless otherwise waived by the Board. (3-20-20)T

012. REISSUANCE OF CERTIFICATES.

A new certificate of licensure or authorization, to replace any certificate lost, destroyed or mutilated, may be issued upon written request and payment of fee of ten dollars ($10). (3-20-20)T

013. (RESERVED)

014. SEALS.

01. Official Seal of Board. The official seal of this Board consists of the seal of the state of Idaho, surrounded with the words "Board of Professional Engineers and Professional Land Surveyors" and "State of Idaho." (3-20-20)T

02. Standard Seals for Engineers and Land Surveyors. The Board adopts standard seals for use by licensed professional engineers and professional land surveyors as prescribed by Section 54-1215, Idaho Code. Seals prepared and approved prior to July 1, 2008 are valid for continued use. (3-20-20)T

03. Seal for Professional Engineer/Land Surveyor. Engineers obtaining licensure as land surveyors under the changes to Section 54-1217, Idaho Code, by the 1978 Legislature use the seal showing licensure as a Professional Engineer and Land Surveyor as adopted by the Board. Seals prepared and approved prior to July 1, 2008 are valid for continued use. (3-20-20)T

015. CERTIFICATES.

Certificates of licensure or authorization issued by the Board must be displayed in the place of business. (3-20-20)T

016. APPLICATION FOR LICENSURE OR CERTIFICATION.

01. Forms. Application forms for licensure as a professional engineer, or professional land surveyor, certification as an engineer intern, land surveyor intern or certificates of authorization to practice or offer to practice engineering or land surveying by a business entity may be obtained online from the Board. (3-20-20)T

02. Completion of Application. Applications must be made on such forms as may be prescribed by

the Board. All forms, references, transcripts and other written materials must be in English. An application that is not fully completed by the applicant need not be considered or acted upon by the Board. The application by a business entity for a certificate of authorization to practice or offer to practice engineering or land surveying must set forth its address, and name and address of the individual, or individuals, duly licensed to practice engineering or land surveying in this state, who will be in responsible charge of engineering or land surveying services offered or rendered by the business entity in this state. (3-20-20)T

03. Submittal of Applications and Examination Cutoff Date. Submittal of applications for licensure or intern certification must occur after passing the required national examinations. Examinations may be given in various formats and different registration dates apply depending on the examination format. (3-20-20)T

a. For national examinations administered in a computer-based or paper format once or twice per year the registration requirements, including the deadline and testing windows, are established by the National Council of Examiners for Engineering and Surveying (NCEES). (3-20-20)T

b. For national examinations administered continuously in a computer-based format, there is no deadline for registering with NCEES. The registration requirements, including the testing windows, are established by NCEES. (3-20-20)T

c. In order for the Board to be able to verify experience, only experience up to the date of submittal of the application for licensure will be considered as valid. (3-20-20)T

d. Applications for certification as engineering or surveying interns are submitted after passing the Fundamentals of Engineering or the Fundamentals of Surveying examination and providing evidence of graduation with educational credentials required by Subsection 017.03 of this chapter. (3-20-20)T

04. Residency Requirement. Except for military personnel stationed in the state of Idaho on military orders, and except for persons employed full-time in the state of Idaho, only residents of the state of Idaho and students enrolled at an Idaho university or college may qualify for initial licensure. The Board will accept as proof of Idaho residency a valid Idaho issued driver's license, a utility bill issued within the last sixty (60) days with an Idaho address in the name of the applicant, a statement from a financial institution issued within the last sixty (60) days to the applicant at an Idaho address, proof of current voter registration in Idaho, or current Idaho vehicle registration in the name of the applicant. The Board will accept as proof of full-time employment in the state of Idaho verification from the Idaho employer stating employment status. The Board will accept a valid student identification card as proof of enrollment at an Idaho university or college. (3-20-20)T

05. Confidentiality of References. All information received from references named by the applicant is held in confidence by the Board except as provided by Section 74-113, Idaho Code. Neither members of the Board nor relatives of the applicant by blood or marriage may be named or accepted as references. (3-20-20)T

06. Minimum Standards -- References. An applicant may not be licensed until satisfactory replies have been received from a minimum of five (5) of his references for professional engineers or land surveyors. It is the responsibility of each applicant to furnish references with the forms prescribed by the Board. (3-20-20)T

07. Minimum Boundary Survey Experience. The Board requires a minimum of two (2) years boundary survey experience as a condition of professional land surveyor licensure. (3-20-20)T

017. EXAMINATIONS AND EDUCATION.

01. Special or Oral Examination. Examinations for licensure as a professional engineer or professional land surveyor, or certification as an engineer intern or land surveyor intern will be held on dates and at times and places to be determined by the Board. Special oral or written examinations may be given by the Board as necessary. (3-20-20)T

02. Use of NCEES Examinations. National examinations prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES) may be used by the Board. Applicants registering for a national professional examination must have first passed the fundamentals examination unless exempted per

Subsection 017.10 of this chapter. (3-20-20)T

03. Eligibility for Licensure, Educational Requirements. The application for licensure as a professional engineer or professional land surveyor together with a passing score on the written ethics questionnaire or Idaho specific land surveying examination, is considered in the determination of the applicant's eligibility. Each applicant must meet the minimum requirements as set forth in Section 54-1212, Idaho Code, before being licensed. Prescriptive education requirements are as follows: (3-20-20)T

a. In regard to educational requirements, the Board will consider as unconditionally approved only those engineering programs that are accredited by the Engineering Accreditation Commission (EAC) of ABET, Inc., or the bachelor of science programs accredited by the Canadian Engineering Accrediting Board, or those bachelor of science engineering programs that are accredited by official organizations recognized by the U.K. Engineering Council. Non-EAC/ABET accredited engineering programs, related science programs, and engineering technology programs will be considered by the Board on their specific merits, but are not considered equal to engineering programs accredited by EAC/ABET. The Board may continue consideration of an application for valid reasons for a period of one (1) year, without forfeiture of the application fee. (3-20-20)T

b. An applicant who has completed a four (4) year bachelor degree program in engineering not accredited by EAC/ABET or a four (4) year bachelor degree program in engineering technology, or in a related science degree program other than engineering must have completed the following before the Board will consider them to possess knowledge and skill approximating that attained through graduation from an approved four (4) year engineering curriculum as required by Section 54-1212(3)(b), Idaho Code, for certification as an Engineer Intern or as required by Section 54-1212(1)(b), Idaho Code, for licensure as a professional engineer: (3-20-20)T

i. Thirty-two (32) college semester credit hours of higher mathematics and basic sciences. The credits in mathematics must be beyond algebra and trigonometry and emphasize mathematical concepts and principles rather than computation. Courses in differential and integral calculus are required. Additional courses may include differential equations, linear algebra, numerical analysis, probability and statistics and advanced calculus. The credits in basic sciences must include at least two (2) courses. These courses must be in general chemistry, general calculus-based physics, or general biological sciences; the two (2) courses may not be in the same area. Additional basic sciences courses may include earth sciences (geology, ecology), advanced biology, advanced chemistry, and advanced physics. Computer skills and/or programming courses may not be used to satisfy mathematics or basic science requirements. Basic engineering science courses or sequence of courses in this area are acceptable for credit but may not be counted twice. (3-20-20)T

ii. Twelve (12) college credit hours in a general education component that complements the technical content of the curriculum. Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics (micro and macro), professional ethics, social responsibility. Examples of other general education courses deemed acceptable include management (such as organizational behavior), accounting, written and oral communications, business, and law. No more than six (6) credit hours may come from courses in management, accounting, business, or law. Courses in engineering economics, engineering management, systems engineering/ analysis, production, and industrial engineering/management will not be counted. Language courses in the applicant's native language are not acceptable for credit; no more than six (6) credit hours of foreign language courses are acceptable for credit. Native language courses in literature and civilization may be considered in this area. Courses which instill cultural values are acceptable, while routine exercises of personal craft are not. (3-20-20)T

iii. Forty-eight (48) college credit hours of engineering science and/or engineering design courses. Courses in engineering science must be taught within the college / faculty of engineering having their roots in mathematics and basic sciences but carry knowledge further toward creative application of engineering principles. Examples of approved engineering science courses are mechanics, thermodynamics, heat transfer, electrical and electronic circuits, materials science, transport phenomena, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. Graduate level engineering courses may be included to fulfill curricular requirements in this area. Engineering technology courses cannot be considered to meet engineering topic requirements. (3-20-20)T

iv. The Board may require detailed course descriptions for seminar, directed study, special problem and similar courses to ensure that the above requirements are met. (3-20-20)T

c. In regard to educational requirements, the Board will consider as unconditionally approved only those surveying programs that are accredited either by the Engineering Accreditation Commission (EAC), the Applied and Natural Science Accreditation Commission (ANSAC) or the Engineering Technology Accreditation Commission (ETAC) of ABET, Inc. An applicant who has completed a four (4) year bachelor degree program in a related program must have completed a minimum of the following college level academic courses, or their equivalents as determined by the Board, before the Board will consider them to possess knowledge and skill approximating that attained through graduation from an approved four (4) year surveying curriculum as required by Section 54-1212(4)(b), Idaho Code, for certification as a Land Surveyor Intern or as required by Section 54-1212(2)(b), Idaho Code, for licensure as a professional land surveyor: (3-20-20)T

i. Eighteen (18) college semester credit hours of mathematics and basic sciences. A minimum of twelve (12) credits in mathematics must be beyond basic mathematics, but the credits include college algebra or higher mathematics. These courses must emphasize mathematical concepts and principles rather than computation. Mathematics courses may include college algebra, trigonometry, analytic geometry, differential and integral calculus, linear algebra, numerical analysis, probability and statistics, and advanced calculus. A minimum of six (6) credits must be in basic sciences. These courses must cover one or more of the following topics: general chemistry, advanced chemistry, life sciences (biology), earth sciences (geology, ecology), general physics, and advanced physics. Computer skills and/or programming courses may not be used to satisfy mathematics or basic science requirements; (3-20-20)T

ii. Twelve (12) college semester credit hours in a general education component that complements the technical content of the curriculum. Examples of traditional courses in this area are religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, professional ethics, and social responsibility. No more than six (6) credit hours of languages other than English or other than the applicant's native language are acceptable for credit. English and foreign language courses in literature and civilization may be considered in this area. Courses that instill cultural values are acceptable, while routine exercises of personal craft are not; (3-20-20)T

iii. Thirty (30) college semester credit hours of surveying science and surveying practice. Courses must be taught by qualified surveying faculty. Examples of surveying courses are basic surveying, route surveying, geodesy, geographic information systems, land development design and planning, global positioning systems, photogrammetry, mapping, survey adjustment and coordinates systems, cartography, legal descriptions, and remote sensing. Required courses will include a minimum of basic surveying, route surveying, geodesy, surveying law, public land survey system and global positioning systems. Graduate-level surveying courses can be included to fulfill curricular requirements in this area. (3-20-20)T

d. The Board may require an independent evaluation of the engineering education of an applicant who has a non-EAC/ABET accredited engineering degree or a non-engineering degree. Such evaluation must be done through an organization approved by the Board and be done at the expense of the applicant to ensure that the applicant has completed the coursework requirements of Subsection 017.03.b. The Board may table action on the application pending receipt of the evaluation, and, in the event the applicant does not provide the evaluation within one (1) year, the Board may terminate the application, in which case the application fee is forfeited. (3-20-20)T

04. Two Examinations for Engineering Licensure. The complete examining procedure for licensure as a professional engineer normally consists of two (2) separate written examinations. The first is the Fundamentals of Engineering examination for engineer intern certification, and the second is the Principles and Practice of Engineering for professional engineer licensure. The examination will be a duration as determined by the Board. Normally, applicants are eligible to take the Fundamentals of Engineering examination during the last or second-to-last semester of or after graduation from an accredited bachelor of science engineering program. A certificate as an Engineer Intern will be issued only to those student applicants who earn a passing grade on the examination and who receive a degree. Having passed the Fundamentals of Engineering examination, applicants will be required to take the Principles and Practice of Engineering examination at a later date when qualified by the Board. (3-20-20)T

05. Fundamentals of Engineering. The Fundamentals of Engineering examination will cover such subjects as are ordinarily given in engineering college curricula and which are common to all fields of practice. The

examination may also cover subject matters that are specific to the engineering discipline of the applicants' education. (3-20-20)T

06. Principles and Practice of Engineering -- Disciplines. The Principles and Practice of Engineering examination will cover the practice of engineering to test the applicant's fitness to assume responsibility for engineering works affecting the public health, safety and welfare. Separate examinations will be given to test the applicant's fitness in any discipline for which there is an examination which, in the opinion of the Board, meets the requirements of duration and difficulty necessary to adequately test the applicant's fitness to practice in that particular discipline. The Board may use examinations prepared by the National Council of Examiners for Engineering and Surveying (NCEES) or it may prepare or commission the preparation of, or utilize other state examinations in disciplines other than those for which examinations may be available from NCEES. (3-20-20)T

07. Three Examinations for Land Surveying Licensure. The complete examining procedure for licensure as a professional land surveyor consists of three (3) separate written examinations. The first is the Fundamentals of Surveying examination for land surveyor intern certification, and the second is the Principles and Practice of Surveying, and the third is the Idaho specific professional land surveying examination. All examinations are required for professional land surveyor licensure. The examination will be a duration as determined by the Board. Having passed the Fundamentals of Surveying examination, applicants will be required to take the Principles and Practice of Surveying examination at a later date when qualified by the Board. The examination covers the theory and principles of surveying, the practice of land surveying and the requirements of legal enactments. The Principles and Practice of Surveying examination may consist of separate modules, each of which must be passed. Having passed the Principles and Practice of Surveying examination, applicants will be required to pass the Idaho specific professional land surveying examination, which tests for knowledge of the laws and rules of Idaho, and the legal and technical aspects of land surveying in Idaho. (3-20-20)T

08. Oral or Unassembled Examinations. An oral examination or unassembled written examination, in addition to the prescribed written examination, may be required for professional engineer and professional land surveyor applicants. (3-20-20)T

09. Grading. Unless otherwise provided in 54-1219, or 54-1223 Idaho Code, each land surveyor intern, engineer intern, professional land surveyor and professional engineer applicant must attain a passing score on the entire examination or modules as determined by the Board, before being awarded certification or licensure. Passing scores on national examinations are established by the National Council of Examiners for Engineering and Surveying. A passing score on the Idaho specific ethics questionnaire is eighty (80), a passing score on the law and rules module of the Idaho specific land surveying examination is ninety (90), and a passing score on the public land surveying module of the Idaho specific land surveying examination is seventy-five (75). (3-20-20)T

10. Exemption – Examination on the Fundamentals of Engineering. The Board may exempt an exceptional individual who has twelve (12) or more years of appropriate engineering experience from the requirement for satisfactory completion of an examination on the fundamentals of engineering as specified in 54-1223(2), Idaho Code. The Board will exempt an individual who has an earned bachelor's degree and an earned doctoral degree from an approved engineering program from the requirement for satisfactory completion of an examination on the fundamentals of engineering as specified in 54-1223(3), Idaho Code. (3-20-20)T

11. Review of Examination by Examinee. Due to security concerns about the examinations, examinees are not allowed to review their examinations. Examinees who fail an examination will be provided a diagnostic analysis of their performance on the examination if such an analysis is available to the Board. (3-20-20)T

018. REEXAMINATIONS.

The reexamination policy for each failed national examination will be established by NCEES. Reexamination for failed Idaho specific examinations will be allowed until a passing score is attained, but the Board may, in addition, require oral or other examinations. (3-20-20)T

019. LICENSEES OR CERTIFICATE HOLDERS OF OTHER STATES, BOARDS, AND COUNTRIES.

01. Interstate Licensure Evaluation. Each application for an Idaho professional engineer license or professional land surveyor license submitted by an applicant who is licensed as a professional engineer, or licensed as

a professional land surveyor, respectively, in one (1) or more states, possessions or territories or the District of Columbia, will be considered by the Board on its merits, and the application evaluated for substantial compliance with respect to the requirements of the Idaho law related to experience, examination, and education. A minimum of four (4) years of progressive experience after graduation with a bachelor of science degree is required for licensure. Individuals who have passed the National Council of Examiners for Engineering and Surveying (NCEES) examinations for professional engineering or professional land surveying will be considered to have satisfied the examination requirement for issuance of a license as a professional engineer or professional land surveyor provided that land surveyor applicants also pass the Idaho specific professional land surveying examination. Prescriptive education requirements are as follows: (3-20-20)T

a. Graduates from programs accredited by the Engineering Accreditation Commission of the ABET, Inc., (EAC/ABET), or graduates of university bachelor of science engineering programs accredited by the Canadian Engineering Accrediting Board, or those university bachelor of science engineering programs that are accredited by official organizations recognized by the U.K. Engineering Council, or graduates of engineering programs with coursework evaluated by the Board as being substantially equivalent to EAC/ABET degrees, will be considered to have satisfied the educational requirement for issuance of a license as a professional engineer. (3-20-20)T

b. The Board may require an independent evaluation of the engineering education of an applicant who has a non-EAC/ABET accredited four (4) year bachelor degree. Such evaluation must be done through an organization approved by the Board and is done at the expense of the applicant to ensure that they have completed the coursework requirements of Subsection 019.01.c. Such evaluation is not required if the applicant has been licensed in another jurisdiction of the United States for an minimum of ten (10) years and has not had any disciplinary action against them and there is none pending, and possesses the education, experience and examination credentials that were specified in the applicable registration chapter in effect in this state at the time such certification was issued. The Board may table action on the application pending receipt of the evaluation, and, in the event the applicant does not provide the evaluation within one (1) year, the Board may terminate the application, in which case the application fee will be forfeited. (3-20-20)T

c. An applicant who was originally licensed in another jurisdiction after June 30, 1996, and who has completed a four (4) year bachelor degree program in engineering technology, or in a related science degree program other than engineering must have completed the following before the Board will consider them to possess knowledge and skill approximating that attained through graduation from an approved four (4) year engineering curriculum as required by Section 54-1212(1)(b), Idaho Code: (3-20-20)T

i. Thirty-two (32) college semester credit hours of higher mathematics and basic sciences. The credits in mathematics must be beyond algebra and trigonometry and must emphasize mathematical concepts and principles rather than computation. Courses in differential and integral calculus are required. Additional courses may include differential equations, linear algebra, numerical analysis, probability and statistics and advanced calculus. The credits in basic sciences must include at least two (2) courses. These courses must be in general chemistry, general calculus-based physics, or general biological sciences; the two (2) courses may not be in the same area. Additional basic sciences courses may include earth sciences (geology, ecology), advanced biology, advanced chemistry, and advanced physics. Computer skills and/or programming courses may not be used to satisfy mathematics or basic science requirements. Basic engineering science courses or sequence of courses in this area are acceptable for credit but may not be counted twice. (3-20-20)T

ii. Twelve (12) college credit hours in a general education component that complements the technical content of the curriculum. Examples of traditional courses in this area are philosophy, religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics (micro and macro), professional ethics, social responsibility. Examples of other general education courses deemed acceptable include management (such as organizational behavior), accounting, written and oral communications, business, and law. No more than six (6) credit hours may come from courses in management, accounting, business, or law. Courses in engineering economics, engineering management, systems engineering/ analysis, production, and industrial engineering/management will not be counted. Language courses in the applicant's native language are not acceptable for credit; no more than six (6) credit hours of foreign language courses are acceptable for credit. Native language courses in literature and civilization may be considered in this area. Courses which instill cultural values are acceptable, while routine exercises of personal craft are not. (3-20-20)T

iii. Forty-eight (48) college credit hours of engineering science and engineering design courses. Courses in engineering science must be taught within the college / faculty of engineering having their roots in mathematics and basic sciences but carry knowledge further toward creative application of engineering principles. Examples of approved engineering science courses are mechanics, thermodynamics, heat transfer, electrical and electronic circuits, materials science, transport phenomena, and computer science (other than computer programming skills). Courses in engineering design stress the establishment of objectives and criteria, synthesis, analysis, construction, testing, and evaluation. Graduate level engineering courses may be included to fulfill curricular requirements in this area. Engineering technology courses cannot be considered to meet engineering topic requirements. (3-20-20)T

d. In regard to educational requirements, the Board will consider as unconditionally approved only those surveying programs that are accredited either by the Engineering Accreditation Commission (EAC), the Applied and Natural Science Accreditation Commission (ANSAC) or the Engineering Technology Accreditation Commission (ETAC) of ABET, Inc. An applicant who has completed a four (4) year bachelor degree program in a related program must have completed a minimum of the following college level academic courses, or their equivalents as determined by the Board, before the Board will consider them to possess knowledge and skill approximating that attained through graduation from an approved four (4) year surveying curriculum as required by Section 54-1212(2)(b), Idaho Code, for licensure as a professional land surveyor: (3-20-20)T

i. Eighteen (18) college semester credit hours of mathematics and basic sciences. A minimum of twelve (12) credits in mathematics must be beyond basic mathematics, but the credits include college algebra or higher mathematics. These courses must emphasize mathematical concepts and principles rather than computation. Mathematics courses may include college algebra, trigonometry, analytic geometry, differential and integral calculus, linear algebra, numerical analysis, probability and statistics, and advanced calculus. A minimum of six (6) credits must be in basic sciences. These courses must cover one or more of the following topics: general chemistry, advanced chemistry, life sciences (biology), earth sciences (geology, ecology), general physics, and advanced physics. Computer skills and/or programming courses may not be used to satisfy mathematics or basic science requirements; (3-20-20)T

ii. Twelve (12) college semester credit hours in a general education component that complements the technical content of the curriculum. Examples of traditional courses in this area are religion, history, literature, fine arts, sociology, psychology, political science, anthropology, economics, professional ethics, and social responsibility. No more than six (6) credit hours of languages other than English or other than the applicant's native language are acceptable for credit. English and foreign language courses in literature and civilization may be considered in this area. Courses that instill cultural values are acceptable, while routine exercises of personal craft are not; (3-20-20)T

iii. Thirty (30) college semester credit hours of surveying science and surveying practice. Courses must be taught by qualified surveying faculty. Examples of surveying courses are basic surveying, route surveying, geodesy, geographic information systems, land development design and planning, global positioning systems, photogrammetry, mapping, survey adjustment and coordinates systems, cartography, legal descriptions, and remote sensing. Required courses will include a minimum of basic surveying, route surveying, geodesy, surveying law, public land survey system and global positioning systems.Graduate-level surveying courses can be included to fulfill curricular requirements in this area. (3-20-20)T

02. International Engineering Licensure Evaluation - Countries or Jurisdictions with Board Approved Licensure Process. The Board may determine the professional engineering licensure process in other countries or jurisdictions within other countries is substantially equivalent to that required 54-1219 Idaho Code. As such, the Board may waive prescriptive education and examination requirements if the applicant possesses a professional engineer license credential, attains a minimum of eight (8) years of experience after licensure, provided the applicant has no criminal or outstanding disciplinary action in any country or jurisdiction, and is in good standing with the licensing Board within that country or jurisdiction. A bona fide licensing process in another country must include requirements of experience, education, testing, a code of professional responsibility, regulation of licensees including the ability take disciplinary action and the willingness, availability, and capacity of a foreign Board to release information to the Idaho Board in English. (3-20-20)T

03. International Engineering Licensure Evaluation - Countries or Jurisdictions Without a Board Approved Licensure Process. Each application for an Idaho professional engineer license submitted by an

applicant who is licensed as a professional engineer in one (1) or more foreign countries or jurisdictions within a country, will be considered by the Board on its merits, and the application evaluated for substantial compliance with the requirements of Idaho law with respect to experience, examination, and education. A minimum of four (4) years of progressive experience after graduation is required for licensure. The Board will require two (2) years of experience working in the United States or two (2) years of experience working on projects requiring the knowledge and use of codes and standards similar to those utilized in the United States where the experience is validated by a professional engineer licensed in the United States. The Board may postpone acting on or deny an application for a license by comity if disciplinary or criminal action related to the applicant's practice has been taken or is pending in any country or jurisdiction. Applicants must have passed a professional engineering examination administered by NCEES. Applicants who meet the residency requirements of 54-1212, Idaho Code, are eligible for initial licensure in Idaho when qualified by the Board. Prescriptive education requirements are as follows: (3-20-20)T

a. Graduates of engineering university programs accredited by the Canadian Engineering Accrediting Board, or official organizations recognized by the U.K. Engineering Council, or graduates of engineering university programs accredited by EAC/ABET or evaluated by the Board as being substantially equivalent to EAC/ABET programs will be considered to have satisfied the educational requirement for issuance of a license as a professional engineer. (3-20-20)T

b. The Board may require an independent credentials evaluation of the engineering education of an applicant educated outside the United States who has a non-EAC/ABET accredited engineering degree. Such evaluation must be done through NCEES or another organization approved by the Board and is done at the expense of the applicant. (3-20-20)T

c. The Board may require an independent credentials evaluation of the education for an applicant who has completed a four (4) year bachelor degree program outside the United States in engineering technology, or in a related science degree program other than engineering and must demonstrate completion of the requirements of Subsection 019.01.c. before the Board will consider the applicant to possess the knowledge and skill approximating that attained through graduation from an approved four (4) year engineering curriculum as required by Section 54-1212(1)(b), Idaho Code. Such evaluation must be done through NCEES or another organization approved by the Board and is done at the expense of the applicant. (3-20-20)T

04. Waiver of Prescriptive Engineering Licensure Evaluation for Unique International Expertise. The Board may waive the prescriptive licensure evaluation requirements of 019.03 for international applicants who, in the Board's opinion, are qualified by reason of education and experience and offer unique technical expertise, provided the licensee meets the requirements of 54-1219 Idaho Code. (3-20-20)T

05. Denials or Special Examinations. An application from a licensee of another state, possession or territory, District of Columbia, or foreign country may be denied by the Board for any just cause and the application fee retained; or the Board may approve the applicant for a special written and/or oral examination. (3-20-20)T

06. Business Entity Requirements. No application for a certificate of authorization to practice or offer to practice professional engineering or professional land surveying, or both, in Idaho by a business entity authorized to practice professional engineering or professional land surveying, or both, in one (1) or more states, possessions or territories, District of Columbia, or foreign countries are considered by the Board unless such application includes the name and address of the individual or individuals, duly licensed to practice professional engineering or professional land surveying or both in this state, who will be in responsible charge of the engineering or land surveying services, or both, as applicable, to be rendered by the business entity in Idaho. The said individual or individuals must certify or indicate to the Board their willingness to assume responsible charge. (3-20-20)T

020. DISCONTINUED, RETIRED, AND EXPIRED LICENSES AND CERTIFICATES.

01. Reinstatement – Disciplinary. Licensees who choose to convert their license to retired status as part of a disciplinary action, or in lieu of discipline, or in lieu of compliance with continuing professional development requirements, may be reinstated upon written request. The Board will consider the reinstatement request at a hearing or may waive the hearing for minor violations. (3-20-20)T

02. Reinstatement – Nondisciplinary. Licensees who chose to convert their license to retired status

not as part of a disciplinary action may request reinstatement in writing. Reinstatement may require a hearing by the Board. (3-20-20)T

03. Continuing Professional Development. Licensees requesting reinstatement must demonstrate compliance with the continuing professional development requirements described in these rules as a condition of reinstatement. (3-20-20)T

04. Practice Not Permitted. Discontinued, retired, or expired status does not permit a licensee or certificate holder to engage in the practice of professional engineering or professional land surveying. (3-20-20)T

05. Designation. Licensees who chose retired status may represent themselves with the title of Professional Engineer Retired or Professional Land Surveyor Retired or similar designation. (3-20-20)T

06. Fee for Reinstatement of Retired License. The fee for reinstatement of a retired license to active practice is as required for renewals in Section 54-1216, Idaho Code. (3-20-20)T

07. Fee for Renewal of Expired License. The fee for renewal of an expired license or certificate to active practice is as required for delayed renewals in Section 54-1216, Idaho Code. (3-20-20)T

08. Eligibility. Unless otherwise approved by the Board, only unexpired licensees are eligible to convert to retired status. (3-20-20)T

09. Discontinued Certificate of Authorization. Business entities no longer providing engineering or land surveying services in Idaho may request their certificates be discontinued. Reinstatement of a discontinued certificate may be requested by submitting a new application with the Board. (3-20-20)T

10. Fee for Reinstatement of Discontinued Certificate of Authorization. The fee for reinstatement of a discontinued certificate will be as required for applications in Section 54-1213, Idaho Code. (3-20-20)T

021. (RESERVED)

022. REQUIREMENTS TO BE CONSIDERED "EXCEPTIONAL" UNDER SECTION 54-1223(2), IDAHO CODE.

01. Waiver of the Fundamentals of Engineering Examination. In order to be considered "exceptional" under Section 54-1223(2), Idaho Code, an applicant for licensure as a professional engineer, either by examination or by comity, who seeks waiver of the fundamentals of engineering examination, must have a record of service and contributions beyond the ordinary in two (2) of the following three (3) areas: (3-20-20)T

a. Professional or technical; (3-20-20)T

b. Business or industry; and (3-20-20)T

c. Community or cultural. (3-20-20)T

02. Activities That the Board Believes Are Exceptional. Examples of activities that the Board believes are exceptional are serving as an officer or committee chair, originating projects or initiatives, investing time or energy into the community, authoring significant publications, and receiving significant awards. (3-20-20)T

03. Activities That the Board Believes Are Ordinary. Examples of activities that the Board believes are only ordinary are completing routine job assignments, holding membership in professional and technical societies, contributing money to causes, attending community events, and owning a business. (3-20-20)T

04. Written Request for Exceptional Designation. An applicant who seeks waiver of the fundamentals of engineering examination must submit a written request for the exceptional designation accompanied by two (2) written references supporting and explaining the applicants contributions that are beyond the ordinary. (3-20-20)T

023. PROFESSIONAL ENGINEER LICENSURE FOR FACULTY APPLICANTS.
Written examinations related to applicable laws and rules for engineering licensure based upon criteria established by the Board must be offered to Idaho college or university faculty applicants whose credentials have been approved by the Board and who possess an earned doctorate degree. The credentials the Board considers in this regard should include the applicant's university course work completed, the applicant's thesis and dissertation work, the applicant's peer reviewed publications, and the nature of the applicant's professional experience. A satisfactory application, along with a passing score on the examination exempts the applicant from the written technical examinations, and may qualify the applicant for a restricted license as a professional engineer. The restricted license applies only to college or university related teaching upper division design subjects. All conditions for maintaining licensure, such as compliance with the laws and rules of the Board, fees and continuing professional development are the same as required for all licensees. The restricted license is effective from the date of issuance until such time as the licensee ceases to be a faculty member of an Idaho college or university, unless not renewed, retired, suspended or revoked and is subject to renewal requirements established in 54-1216, Idaho Code. Teaching and teaching work products are exempt from the requirements of sealing and signing engineering work under 54-1215(c), Idaho Code. Restricted licensees are not required to obtain a seal. (3-20-20)T

024. -- 099. (RESERVED)

SUBCHAPTER B – RULES OF PROFESSIONAL RESPONSIBILITY
(Rules 100 through 199)

100. RESPONSIBILITY TO THE PUBLIC.

01. Primary Obligation. All Licensees and Certificate Holders must at all times recognize their primary obligation is to protect the safety, health and welfare of the public in the performance of their professional duties. (3-20-20)T

02. Standard of Care. Each Licensee and Certificate Holder must exercise such care, skill and diligence as others in that profession ordinarily exercise under like circumstances. (3-20-20)T

03. Professional Judgment. If any Licensee's or Certificate Holder's professional judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, the Licensee or Certificate Holder must inform the employer or client of the possible consequences and, where appropriate, notify the Board or such other authority of the situation. (3-20-20)T

04. Obligation to Communicate Discovery of Discrepancy. Except as provided in the Idaho Rules of Civil Procedure 26(b)(4)(B), if a Licensee or Certificate Holder, during the course of his work, discovers a material discrepancy, error, or omission in the work of another Licensee or Certificate Holder, which may impact the health, property and welfare of the public, the discoverer must make a reasonable effort to inform the Licensee or Certificate Holder whose work is believed to contain the discrepancy, error or omission. Such communication must reference specific codes, standards or physical laws which are believed to be violated and identification of documents which are believed to contain the discrepancies. The Licensee or Certificate Holder whose work is believed to contain the discrepancy must respond within twenty (20) calendar days to any question about his work raised by another Licensee or Certificate Holder. In the event a response is not received within twenty (20) days, the discoverer must notify the License or Certificate Holder in writing, who has another twenty (20) days to respond. Failure to respond (with supportable evidence) on the part of the Licensee or Certificate Holder whose work is believed to contain the discrepancy is considered a violation of these rules and may subject the Licensee or Certificate Holder to disciplinary action by the Board. The discoverer must notify the Board in the event a response that does not answer the concerns of the discoverer is not obtained within the second twenty (20) days. A Licensee or Certificate Holder is exempt from this requirement if their client is an attorney and they are being treated as an expert witness. In this case, the Idaho Rules of Civil Procedure apply. (3-20-20)T

05. Obligation to Comply with Rules of Continuing Professional Development. All Licensees must comply with the continuing professional development requirements contained in these rules. (3-20-20)T

06. Obligation to Affected Landowners. Land surveyors have a duty to set monuments at the corners

of their client's property boundaries in compliance with 54-1227, Idaho Code. Per Subsection 100.04 above, land surveyors also have a duty to notify other licensees of a material discrepancy prior to setting monuments that represent a material discrepancy with a prior survey. If a monument is to be set at a location that represents a material discrepancy with an existing monument at any corner of record, land surveyors must also notify in writing all affected adjoining land owners and the Board prior to setting the new monument. (3-20-20)T

101. COMPETENCY FOR ASSIGNMENTS.

01. Assignments in Field of Competence. A Licensee must undertake to perform assignments only when qualified by education or experience in the specific technical field involved, however, a Licensee, as the prime professional, may accept an assignment requiring education or experience outside of his own field of competence, but his services are restricted to those phases of the project in which the Licensee is qualified. All other phases of such project must be performed by qualified associates, consultants or employees. For projects encompassing one (1) or more disciplines beyond the Licensee's competence, a Licensee may sign and seal the cover sheet for the total project only when the Licensee has first determined that all elements of the project have been prepared, signed and sealed by others who are competent, licensed and qualified to perform such services. (3-20-20)T

02. Aiding and Abetting an Unlicensed Person. A Licensee or Certificate Holder must avoid actions and procedures which, in effect, amount to aiding and abetting an unlicensed person to practice engineering or land surveying. (3-20-20)T

03. Use of Seal on Documents. A Licensee must affix his signature and seal only to plans or documents prepared under his responsible charge. (3-20-20)T

102. PUBLIC STATEMENTS.

01. Reports, Statements or Testimony. A Licensee or certificate holder must not commit fraud, violate the standard of care, or engage in deceit or misconduct in professional reports, statements or testimony. Each licensee or certificate holder must include all relevant and pertinent information in such reports, statements or testimony and will express opinions in such reports, statements or testimony in accordance with the standard of care. (3-20-20)T

02. Opinions Based on Adequate Knowledge. A Licensee or Certificate Holder, when serving as an expert or technical witness before any court, commission or other tribunal, may express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his testimony. (3-20-20)T

03. Statements Regarding Public Policy. On matters connected with establishing public policy a Licensee or Certificate Holder may issue no statements, criticisms or arguments that are paid for by an interested party, or parties, unless he has prefaced his comment by explicitly identifying himself, by disclosing the identities of the party, or parties, on whose behalf he is speaking, and by revealing the existence of any pecuniary interest he may have in the matters. (3-20-20)T

04. Actions in Regard to Other Licensees or Certificate Holders. A Licensee or Certificate Holder may not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of another Licensee or Certificate Holder, nor may he indiscriminately criticize another Licensee's or Certificate Holder's work in public. If he believes that another Licensee or Certificate Holder is guilty of fraud, deceit, negligence, incompetence, misconduct or violation of these rules he should present such information to the Board for action. (3-20-20)T

103. CONFLICT OF INTEREST.

01. Conflict of Interest to Be Avoided. Each Licensee or Certificate Holder must conscientiously avoid conflict of interest with an employer or client, and, when unavoidable, must forthwith disclose the circumstances in writing to the employer or client. In addition, the Licensee or Certificate Holder must promptly inform the employer or client in writing of any business association, interests, or circumstances which could influence a Licensee's or Certificate Holder's judgment or quality of service, or jeopardize the clients' interests.

(3-20-20)T

02. Compensations From Multiple Parties on the Same Project. A Licensee or Certificate Holder may accept compensation, financial or otherwise, from more than one (1) party for services on the same project, or for services pertaining to the same project, provided the circumstances are fully disclosed, in writing, in advance and agreed to by all interested parties. (3-20-20)T

03. Solicitation From Material or Equipment Suppliers. A Licensee or Certificate Holder may not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying or recommending the products of said suppliers, except with full disclosure as outlined in Subsection 103.02. (3-20-20)T

04. Gratuities. A Licensee or Certificate Holder may not solicit or accept gratuities, gifts, travel, lodging, loans, entertainment or other favors directly or indirectly, from contractors, their agents or other third parties dealing with a client or employer in connection with work for which the Licensee or Certificate Holder is responsible, which can be construed to be an effort to improperly influence the Licensee's or Certificate Holder's professional judgment. Minor expenditures such as advertising trinkets, novelties and meals are excluded. Neither may a Licensee or Certificate Holder make any such improper offer. (3-20-20)T

05. Solicitation From Agencies. A Licensee, a Certificate Holder or a representative thereof may not solicit or accept a contract from a governmental authority on which an existing officer, director, employee, member, partner, or sole proprietor of his organization serves as a member of the elected or appointed policy and governing body of such governmental authority or serves as a member of an entity of such governmental authority having the right to contract or recommend a contract for the services of a Licensee or a Certificate Holder. (3-20-20)T

06. Professional Services Decisions of Agencies. A Licensee, Certificate Holder or representative thereof serving as a member of the governing body of a governmental authority, whether elected or appointed, or an advisor or consultant to a governmental Board, commission or department may at all times be subject to the statutory provisions concerning ethics in government, Section 74-401, Idaho Code, et seq. A violation of the "Ethics in Government Act of 2015" will be considered a violation of these rules. (3-20-20)T

07. Unfair Advantage of Position and Work Outside Regular Employment. When a Licensee or an individual Certificate Holder is employed in a full time position, the person may not use the advantages of the position to compete unfairly with other professionals and may not accept professional employment outside of that person's regular work or interest without the knowledge of and written permission or authorization from that person's employer. (3-20-20)T

104. SOLICITATION OF WORK.

01. Commissions. A Licensee or Certificate Holder may not pay or offer to pay, either directly or indirectly, any commission, gift or other valuable consideration in an effort to secure work, except to bona fide employees or bona fide established business enterprises retained by a Licensee or Certificate Holder for the purpose of securing business or employment. (3-20-20)T

02. Representation of Qualifications. A Licensee or Certificate Holder may not falsify or permit misrepresentation of his or his associates' academic or professional qualifications, and may not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment may not misrepresent pertinent facts concerning employers, employees, associates, joint-venturers or his or their past accomplishments with the intent and purpose of enhancing qualifications for the work. The Licensee or Certificate Holder may not indulge in publicity that is misleading. (3-20-20)T

03. Assignment on Which Others Are Employed. A Licensee or Certificate Holder may not knowingly seek or accept employment for professional services for an assignment that another Licensee or Certificate Holder is employed, or contracted to perform without the currently employed or contracted entity being informed in writing. (3-20-20)T

04. Contingency Fee Contracts. A Licensee or Certificate Holder may not accept an agreement, contract, or commission for professional services on a "contingency basis" that may compromise his professional judgment and may not accept an agreement, contract or commission for professional services that includes provisions wherein the payment of fee involved is contingent on a "favorable" conclusion, recommendation or judgment. (3-20-20)T

05. Selection on the Basis of Qualifications. A Licensee or Certificate Holder should seek professional employment or professional service work on the basis of qualifications and competence for proper accomplishment of the work assignment. On selections for professional engineering and land surveying services that are required pursuant to Section 67-2320, Idaho Code, a licensee or certificate holder, in response to solicitations described in Section 67-2320, Idaho Code, may not submit information that constitutes a bid for services requested either as a consultant or subconsultant. (3-20-20)T

105. IMPROPER CONDUCT.

01. Fraudulent or Dishonest Enterprises. A Licensee or Certificate Holder may not knowingly associate with, or permit the use of his name or the firm name in a business venture by any person or firm that it is known to be, or there is reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature. (3-20-20)T

02. Confidentiality. Licensees or Certificate Holders may not reveal confidential facts, data or information obtained in a professional capacity without prior written consent of the client or employer except as authorized or required by law. (3-20-20)T

03. Actions by Other Jurisdictions. The surrender, revocation, suspension or denial of a license to practice Professional Engineering or Professional Land Surveying, as an individual or through a business entity, in another jurisdiction, for reasons or causes which the Board finds would constitute a violation of the Idaho laws regulating the practice of Engineering and Land Surveying, or any code or rules promulgated by the Board, is sufficient cause after a hearing for disciplinary action as provided in Title 54 Chapter 12, Idaho Code. (3-20-20)T

106. -- 199. (RESERVED)

SUBCHAPTER C – RULES OF CONTINUING PROFESSIONAL DEVELOPMENT (Rules 200 through 299)

200. REQUIREMENTS.

Every Licensee is required to obtain thirty (30) PDH units during the renewal period biennium (beginning on the first day of the month following the month in which the Licensee was born). Alternatively, the licensee may choose to obtain thirty (30) PDH units cumulative during the two (2) calendar years which are closest to the renewal period biennium. If a Licensee exceeds the biennial requirement in any renewal period or earns PDH's during a period in which he is exempt, a maximum of thirty (30) PDH units may be carried forward into the subsequent renewal period. If the exemption is for the "First Renewal Period" (see Rule 204.01), then at any time in the full biennium before this first license renewal the licensee may earn up to 30 PDHs to carry forward into their second renewal period following licensure. If the licensee chooses to use the calendar year basis, PDH's in excess of thirty (30) cumulative in two (2) years, or PDH's earned during a period in which he is exempt, can be carried forward to the next two (2) year calendar period, not to exceed thirty (30) PDH's carried forward to the next two (2) year calendar period. PDH units may be earned in the following activities, however, PDH units must come from two (2) or more activities. (3-20-20)T

01. Successful Completion of College Credits. (3-20-20)T

02. Successful Completion of Continuing Education Units. (3-20-20)T

03. Successful Completion of Other Courses. Correspondence, televised, online, and other short courses/tutorials for which college credits or CEUs are awarded. (3-20-20)T

04. Attending Qualifying Seminars. Attending qualifying seminars, inhouse courses, workshops, or

technical or professional presentations made at meetings, conventions, or conferences for which no college credits or CEUs are awarded. (3-20-20)T

05. Mentoring, Teaching or Instructing. Teaching or instructing in Subsections 200.01 through 200.04, above and beyond routine job assignments. (3-20-20)T

06. Authoring Published Papers, Articles, or Books. (3-20-20)T

07. Membership in Technical or Professional Organizations. (3-20-20)T

08. Active Participation in Technical or Professional Organizations. (3-20-20)T

09. Patents. (3-20-20)T

10. Presentations to Technical, Professional or Civic Organizations. (3-20-20)T

11. Documented Self Study. (3-20-20)T

201. UNITS.
The conversion of other units of credit to PDH (Professional Development Hour) units is as follows:

1 College semester credit hour	=	45 PDH
1 College quarter credit hour	=	30 PDH
1 Continuing Education Unit	=	10 PDH
1 Hour of attendance in course work, seminars, or technical or professional presentations made at meetings, conventions, or conferences	=	1 PDH
Mentoring or teaching the above, above and beyond normal job assignments, apply multiple of 2 for teaching the first time only	=	8 PDH per year for mentoring
Each published technical or professional paper, article, or book chapter not to exceed a total of 10 PDH's per year, above and beyond normal job assignments	=	5 PDH per paper, article, or book chapter
Each peer review of a published technical or professional paper, article, or book chapter not to exceed a total of 6 PDH's per year, above and beyond normal job assignments	=	3 PDH per paper, article, or book chapter
Membership in technical or professional organizations (Maximum of 2 organizations)	=	1 PDH per year per organization
Active participation in technical or professional organizations (Maximum of 2 organizations)	=	1 PDH per year per organization
Each patent 5 PDH's, not to exceed per year	=	5 PDH
Presentations to technical, professional, or civic organizations, first presentation only	=	2 PDH per hour of presentation
Documented self-study not to exceed 3 PDH per year at the rate of ½ PDH per hour of self-study		

(3-20-20)T

202. DETERMINATION OF CREDIT.
With the exception of those seminars and courses of continuing professional development offered by an organization registered with the Registered Continuing Education Providers Program of the American Council of Engineering Companies, which are preapproved, the Board will not pre-approve activities as qualifying for continuing professional development, but has final authority to judge the PDH value for all activities submitted to fulfill

continuing professional development requirements. (3-20-20)T

203. RECORD KEEPING.
Maintenance of records to support credits claimed is the responsibility of the Licensee. Records required include, but are not limited to: (3-20-20)T

01. Log. A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned; and (3-20-20)T

02. Attendance Verification. Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance; Time sheets or expense sheets signed by the Licensee documenting the Continuing Professional Development activity claimed (sponsoring organization, location, duration, instructor's or speaker's name), time and/or expense related thereto, and claimed PDH credits earned are acceptable if attendance certificates are not available; or (3-20-20)T

03. Records. Records may be maintained by a repository for same. (3-20-20)T

04. Documented Self-Study. In order to qualify in this category, the licensee must prepare and retain an abstract of the material studied, the date the activity occurred and the number of PDH's claimed, and a bibliographic reference of the material studied. A photocopy of pertinent parts of the material studied, annotated with the date the activity occurred and the number of PDH's claimed, are deemed to meet this requirement. (3-20-20)T

05. Record Retention. All continuing professional development records must be maintained for a period of six (6) years and copies must be provided to the Board upon request for audit purposes. (3-20-20)T

204. EXEMPTIONS.
A Licensee may be exempt from the continuing professional development requirements for one (1) of the following reasons: (3-20-20)T

01. First Renewal Period. New Licensees by way of examination or comity, reinstated licensees, and delayed renewal licensees less than one year from the biennial renewal date, are exempt from compliance with these rules during the time between issuance or reinstatement or delayed renewal of the license and the due date of their first renewal following the issuance of the license. (3-20-20)T

02. Active Duty in the Armed Forces. A Licensee serving on active duty in the armed forces of the United States, or a civilian deployed with the military, and temporarily assigned duty at a location other than their normal home station for a period of time exceeding one hundred twenty (120) consecutive days in a renewal period or the two (2) calendar year period closest to the renewal biennium is exempt from obtaining the professional development hours required during that renewal period or the two (2) calendar year period closest to the renewal biennium. (3-20-20)T

03. Extenuating Circumstances. A Licensee experiencing physical disability, serious illness, or other extenuating circumstances accepted by the Board. (3-20-20)T

04. Retired. A Licensee who has chosen "Retired" status is exempt from the professional development hours required. In the event such a person elects to return to active practice of professional engineering or professional land surveying, professional development hours must be earned before returning to active practice. Thirty (30) PDH's must be earned for an exempted period less than four (4) years prior to the reinstatement request date. The thirty (30) PDH's earned must be earned within the previous two (2) years of the reinstatement request date. Sixty (60) PDH's must be earned for exempted periods of four (4) years or more prior to the reinstatement request date. The sixty (60) PDH's must be earned within the previous four (4) years of the reinstatement request date. All PDH's earned must comply with the requirements of this chapter. (3-20-20)T

05. Expired License. A Licensee who has chosen to allow his license to expire is exempt from the professional development hours required. In the event such a person elects to renew the license, professional development hours must be earned and documented before renewing the license. The requirements for PDH's are the same as shown for retired licensees in Subsection 204.04 for delayed renewals more than three (3) months.

(3-20-20)T

205. COMITY/OUT-OF-JURISDICTION RESIDENTS.
The CPD requirements for non-resident licensees are the same as that for resident licensees. (3-20-20)T

206. USE OF NCEES MODEL CPC STANDARD.
Licensees have the option of complying with the requirements of this chapter, or may choose to comply with the National Council of Examiners for Engineering and Surveying (NCEES) Continuing Professional Competency (CPC) renewal standard as identified in the latest version of the NCEES Model Rule 240.30. This standard is found at http://ncees.org/wp-content/uploads/https://ncees.org/wp-content/uploads/CPC-Guidelines-2017-final.pdf.
(3-20-20)T

207. -- 299. (RESERVED)

SUBCHAPTER D – RULES FOR CORNER PERPETUATION AND FILING
(Rules 300 through 399)

300. FORM.
The form to be used in filing corner perpetuations in the state of Idaho shall be substantially the same as that form available from the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors, 1510 E. Watertower St., Ste. 110, Meridian, ID 83642-7993. Clear spaces on the form may be provided as requested and required by County Recorders in order to place recording information in an unobstructed area. The form is not available in quantity from the Board, but one (1) copy will be furnished, upon request, and it may be duplicated or reproduced. (3-20-20)T

301. COMPLETION OF FORM.
Prior to filing of the form, the professional land surveyor performing the work shall complete the form in compliance with the requirements set forth in these rules. Additional information, for example latitude and longitude, with datum used, may be included. (3-20-20)T

302. CONTENTS ON THE FORM.
The contents on the form must contain the following: (3-20-20)T

01. Record of Original Corner and Subsequent History. Information provided in this section includes the name of the original surveyor and the date or dates on which the original survey was performed and a description of the original monument set. The information also includes the history of subsequent remonumentation, including the name(s) of the surveyor(s), the agency or company they represented, the date(s) of the survey(s) and a description of all monuments found or set, including all monuments and accessories that are not shown on previously recorded corner records. Information provided in this section also includes the instrument numbers of all previously recorded corner records, or the filing information if the corner record was not recorded, pertaining to the corner in question. (3-20-20)T

02. Description of Corner Evidence Found. Information provided in this section includes a description of any evidence found relating to the original corner. If no evidence of the original corner is found, evidence of a subsequent remonumentation shall be indicated on the form. (3-20-20)T

03. Description and Sketch of Monument and Accessories Found or Established to Perpetuate the Location of this Corner. Information provided in this section includes a description and a sketch of the monument and accessories found or placed in the current survey as well as the date the work was performed and the true or assumed magnetic declination at the time of the survey if magnetic bearings are used. If magnetic bearings are not used, the professional land surveyor shall indicate the basis of bearing to accessories. (3-20-20)T

04. Surveyor's Certificate. Include a print of the surveyor's name, the license number issued by the Board, and the name of the employer for whom the surveyor is working. (3-20-20)T

05. Seal, Signature, Date. Include an imprint of the surveryor's professional land surveyor seal, which is signed and dated by the surveryor. (3-20-20)T

06. **Marks on Monument Found or Set**. Include a sketch or legible image of the marks found or placed on the monument, if applicable. (3-20-20)T

07. **Diagram**. Include clear marks on the section diagram the location of the monument found or being established or reestablished in the survey. (3-20-20)T

08. **Location**. State the county, section, township, range and the monument location being established or reestablished or found in the survey. (3-20-20)T

303. -- 999. **(RESERVED)**

Subject Index

A

Application For Licensure Or Certification 5
- Completion of Application 5
- Confidentiality of References 6
- Forms 5
- Minimum Boundary Survey Experience 6
- Minimum Standards -- References 6
- Residency Requirement 6
- Submittal of Applications & Examination Cutoff Date 6

Applications & Renewals 5

C

Certificates 5
Comity/Out-Of-Jurisdiction Residents 20
Competency For Assignments 15
- Aiding & Abetting An Unregistered Person 15
- Assignments in Field of Competence 15
- Use of Seal on Documents 15

Completion Of Form 20
Conflict Of Interest 15
- Compensations From Multiple Parties on the Same Project 16
- Conflict of Interest to be Avoided 15
- Gratuities 16
- Professional Services Decisions of Agencies 16
- Solicitation From Agencies 16
- Solicitation From Material or Equipment Suppliers 16
- Unfair Advantage of Position & Work Outside Regular Employment 16

Contents on the form. 20

D

Definitions, IDAPA 24.32.01 4
- Active Participation 4
- Activity 4
- Board 4
- Certificate Holder 4
- College Semester or Quarter Credit Hour 4
- Continuing Education Unit (CEU) 4
- Deceit 4
- Documented Self-Study 4
- Incompetence 4
- Licensee 4
- Misconduct 4
- Professional Development Hour (PDH) 4

Description & Sketch Of Monument & Accessories Established To Perpetuate The Location Of This Corner 20
Description Of Corner Evidence Found 20
Determination Of Credit 18
Diagram, Section Diagram 21
Discontinued, Retired, & Expired Licenses & Certificates 12
- Continuing Professional Development 13
- Designation 13
- Discontinued Certificate of Authorization 13
- Eligibility 13
- Fee for Reinstatement of Discontinued Certificate of Authorization 13
- Fee for Reinstatement of Expired License 13
- Fee for Reinstatement of Retired License 13
- Practice Not Permitted 13
- Reinstatement – Disciplinary 12
- Reinstatement – Nondisciplinary 12

E

Examinations & Education 6
- Eligibility for Licensure, Educational Requirements 7
- Exemption - Examination on the Fundamentals of Engineering 9
- Fundamentals of Engineering 8
- Grading 9
- Oral or Unassembled Examinations 9
- Principles & Practice of Engineering - Disciplines 9
- Review of Examination By Examinee 9
- Special or Oral Examination 6
- Three Examinations for Land Surveying Registration 9
- Two Examinations for Engineering Registration 8
- Use of NCEES Examinations 6

Exemptions 19
- Active Duty in the Armed Forces 19
- Expired License 19
- Extenuating Circumstances 19
- First Renewal Period 19
- Retired 19

F

Fees 5
Form 20
Form Contents
- Record of Original Corner and Subsequent History 20

I

Improper Conduct 17
- Actions by Other Jurisdictions 17
- Confidentiality 17
- Fraudulent or Dishonest Enterprises 17

L

Late or Denied Renewals 5
Legal Authority 4
Licensees Or Certificate Holders Of Other States, Boards, & Countries 9
- Business Entity Requirements 12
- Denials or Special Examinations 12
- International Engineering Licensure Evaluation - Countries or Jurisdictions with Board Approved Licensure Process 11
- International Engineering Licensure Evaluation - Countries or Jurisdictions without a Board Approved Licensure Process 11
- Interstate Licensure Evaluation 9
- Waiver of Prescriptive Engineering Licensure Evaluation for Unique International Expertise 12

Location 21

M

Marks On Monument Set 21

P

Professional Engineer Licensure For Faculty Applicants 14
Public Statements 15
- Actions in Regard to Other Registrants or Certificate Holders 15
- Opinions Based on Adequate Knowledge 15
- Reports, Statements or Testimony 15
- Statements Regarding Public Policy 15

R

Record Keeping 19
- Attendance Verification 19
- Documented Self-Study 19

Log 19
Record Retention 19
Records 19
Reexaminations 9
Reissuance Of Certificates 5
Requirements 17
Active Participation in Technical or Professional Organizations 18
Attending Qualifying Seminars 17
Authoring Published Papers, Articles, or Books 18
Documented Self Study 18
Membership in Technical or Professional Organizations 18
Mentoring, Teaching or Instructing 18
Patents 18
Presentations to Technical, Professional or Civic Organizations 18
Successful Completion of College Credits 17
Successful Completion of Continuing Education Units 17
Successful Completion of Other Courses 17
Requirements To Be Considered "Exceptional" Under Section 54-1223(2), Idaho Code 13
Activities Which the Board Believes are Exceptional 13
Activities Which the Board Believes are Ordinary 13
Waiver of the Fundamentals of Engineering Examination 13
Written Request for Exceptional Designation 13
Responsibility To The Public 14
Obligation to Affected Landowners 14
Obligation to Communicate Discovery of Discrepancy 14
Obligation to Comply With Rules of Continuing Professional Development 14
Primary Obligation 14
Professional Judgment 14
Standard of Care 14

S

Seal, Signature, Date 20
Seals 5
Official Seal of Board 5
Seal for Professional Engineer/ Land Surveyor 5
Standard Seals for Engineers & Land Surveyors 5
Solicitation Of Work 16
Assignment on Which Others are Employed 16
Commissions 16
Contingency Fee Contracts 17
Representation of Qualifications 16
Selection on the Basis of Qualifications 17
Surveyor's Certificate 20

T

Title & Scope 4

U

Units 18
Use Of NCEES Model CPC Standard 20