

Idaho Board of Professional Engineers and Land Surveyors

Board/Commission Members: Glenn Bennett, PLS; Raymond J. Watkins, PE; Dusty Obermayer PLS; George Wagner, PE; George Murgel PE, PhD; John Elle, PE, PLS; John Tomkinson – public member.

Board/Commission Composition: *Four (4) licensed PEs; Two (2) licensed PLSs; one (1) public member, Idaho Code 54-1203*
<https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1203/>.

The Idaho Board of Professional Engineers was created by an act of the Legislature in 1939 under Title 54, Chapter 12. Engineers were originally licensed by the department of law enforcement, and Idaho licenses were issued beginning in 1919. The 1939 act created a 5 member board appointed by the governor from engineers and surveyors residing in the state for the purpose of issuing licenses to engineers and surveyors who were qualified to practice. In 1978, engineers were no longer authorized to practice land surveying without meeting the minimum requirements of education, examination and experience. At the time, some engineers who were practicing land surveying were allowed to grandfather as licensed land surveyors and were licensed accordingly. In 2015, one engineer was added and one land surveyor was added to make a 7 member board. In 2016 the governor passed a law that removed one engineer and added a public member.

The primary obligation of the board is to protect public health, safety and welfare by ensuring those individuals and companies who practice are competent and ethical. Not all engineers are licensed. Idaho has an “industrial exemption” which means only those engineers who are directly involved in projects that affect public health, safety and welfare are required to obtain a license. This means those who work in industry in a manner that is internal to the company usually do not require a license. For instance, mechanical engineers who work on printers at Hewlett Packard do not need professional engineering license because their work has no effect on public health safety and welfare. Conversely, engineers who work on infrastructure such as roads and bridges must be licensed as their work has an impact on public health safety and welfare. Idaho has over 7,000 actively licensed engineers of which over 2300 reside in the state. All land surveyors must be licensed as all their work directly affects public welfare with over 600 total active licensees of which nearly 250 reside in Idaho. The board issues Certificates of Authorization (COA) to business entities who offer engineering or land surveying services to the public to ensure those offering professional services are staffed with professionally qualify licensees. Total business entities with active COAs total nearly 1,600 of which 400 have an Idaho office address.

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Index of Statute, Rule, and Policy Requirements for Licensure and Renewal

		Statute I.C. §	Rule IDAPA 10.01.01	Policy	Application	Time from Complete Application to Final Action	Basis to Deny or Not Accept Application	Basis to Refuse Renewal	Fees IDAPA 10.01.01 011	Cost per applicant or licensee	
						Range	Average				
PE or PLS License	Issuance Requirements by Examination	54- 1212 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SEC54-1212/	017 https://adminrules.idaho.gov/rules/current/10/0101.pdf		PE or PLS by Exam https://ipels.idaho.gov/applist.cfm			I.C. § 54-1212 & 54-1214; IDAPA 10.01.01.016 & 017 https://adminrules.idaho.gov/rules/current/10/0101.pdf		I.C. § 54- 1213; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SEC54-1213/	\$ 2 5 6
	FY 2017 73 issued			Staff Approval for MLE/MLS & COA Applications					IDAPA 10.01.01. 011 https://adminrules.idaho.gov/rules/current/10/0101.pdf		

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	<p>Issuance Requirements by Comity</p> <p>FY 2017 428 issued</p>	<p>54-1219 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1219/.</p>	<p>019 https://adminrules.idaho.gov/rules/current/10/0101.pdf.</p>	<p>Staff Approval for MLE/MLS & COA Applications; Applicants with Non-US Licenses</p>	<p>PE or PLS by Comity https://ipels.idaho.gov/applist.cfm.</p>		<p>I.C. § 54-1212 & 54-1214; IDAPA 10.01.01.016 & 019. https://adminrules.idaho.gov/rules/current/10/0101.pdf.</p>		<p>I.C. § 54-1213; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1213/.</p> <p>IDAPA 10.01.01.011 https://adminrules.idaho.gov/rules/current/10/0101.pdf</p>	<p>\$ 2 7 7</p>
	<p>Renewal Requirements</p> <p>FY 2017 Over 5000 renewed</p>	<p>54-1216 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1216/.</p>	<p>020 https://adminrules.idaho.gov/rules/current/10/0101.pdf.</p>					<p>I.C. § 54-1220 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1220/;</p>	<p>I.C. § 54-1216; https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1216/.</p>	<p>\$ 2 4</p>

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									<p>IDAPA 10.01.01. 020 https://adminrules.idaho.gov/rules/current/10/0101.pdf.</p> <p>10.01.04 https://adminrules.idaho.gov/rules/current/10/0104.pdf.</p>	<p>IDAPA 10.01.01. 011 https://adminrules.idaho.gov/rules/current/10/0101.pdf</p>	
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Intern Certificate	<p>Issuance Requirements</p> <p>FY 2017 98 issued</p>	<p>54-1212 https://legislatures.idaho.gov/statutes/idstat/Title54/T54CH12/SECT54-1212/.</p>	<p>017 https://adminrules.idaho.gov/rules/current/10/0101.pdf.</p>		<p>Engineer or Surveyor Intern https://ipels.idaho.gov/applist.cfm.</p>					<p>I.C. § 54-1213; https://legislatures.idaho.gov/statutes/rules/idstat/Title54/T54CH12/SECT54-1213/.</p> <p>IDAPA 10.01.01. 011 https://adminrules.idaho.gov/rules/current/10/0101.pdf</p>	<p>\$ 2 4 3</p>

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										idaho.gov/rules/current/10/0101.pdf	
Renewal Requirements FY 2017 Over 200 Renewed	54-1216 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1216/								I.C. § 54-1220 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1220/ ;	I.C. § 54-1216 https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/SECT54-1216/ . IDAPA 10.01.01.011 https://adminrules.idaho.gov/rules/current/10/0101.pdf	\$ 2 4

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Applications and Renewals Denied (either May 19, 2016-May 19-2017 OR May 19, 2017-May 19, 2018)

Refusal to Issue Initial or Comity License or Certificate [Total Number: # 27]

	Application/ Identification Number	Statutory Basis	Factual Summary (optional)
1	PLS-AR-1	54-1219, IDAPA 10.01.01.019	Denied – insufficient education
2	PE-UT-1	54-1214	Denied – multiple PE exam failures
3	PE/PLS-CA-1	54-1219, IDAPA 10.01.01.019	Denied PLS – insufficient education, PE license issued
4	PE-IA-1	54-1219, IDAPA 10.01.01.019	Denied – missing FE exam
5	PE-MT-1	54-1214	Denied – multiple PE exam failures
6	PLS-ID-1	54-1212, IDAPA 10.01.01.017	Denied – insufficient education
7	PLS-CA-2	54-1219, IDAPA 10.01.01.019	Continued – pending work samples & education info
8	PE-CA-2	54-1219, IDAPA 10.01.01.019	Continued – pending additional education
9	PE-GA-1	54-1219, IDAPA 10.01.01.019	Continued – pending FE examination
10	PLS-MT-2	54-1219, IDAPA 10.01.01.019	Continued – pending additional education
11	PLS-CA-3	54-1219, IDAPA 10.01.01.019	Continued – pending transcripts & work samples
12	PLS-LA-1	54-1219, IDAPA 10.01.01.019	Continued – pending transcripts & work samples
13	PE-MD-1	54-1214	Continued – pending additional education, exam failure
14	PE-UT-2	54-1214	Continued – pending additional education, exam failure
15	PE-WA-1	54-1214	Continued – pending additional education, exam failure
16	PE-MI-1	54-1219, IDAPA 10.01.01.019	Continued – pending additional education
17	EI-ID-1	54-1212, IDAPA 10.01.01.017	Continued – pending additional education, foreign educ
18	EI-ID-2	54-1212, IDAPA 10.01.01.017	Continued – pending additional education, foreign educ
19	PE-WY-1	54-1214	Continued – pending additional education, exam failure
20	PE-NY-1	54-1219, IDAPA 10.01.01.019	Continued – pending additional education
21	EI-ID-3	54-1212, IDAPA 10.01.01.017	Continued – pending additional education, foreign educ
22	PE-CAN-1	54-1219, IDAPA 10.01.01.019	Continued – pending additional experience verification
23	PE-ID-1	54-1212, IDAPA 10.01.01.017	Continued – pending additional experience for exam
24	PE-UK-1	54-1219, IDAPA 10.01.01.019	Continued – pending verification of exam & education
25	PE-AZ-1	54-1219, IDAPA 10.01.01.019	Continued – pending additional education, foreign educ
26	PE-CA-3	54-1219, IDAPA 10.01.01.019	Continued – pending additional education, foreign educ
27	PE-UK-2	54-1214	Continued – pending additional education, exam failure

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Refusal to Renew License [Total Number: # 1]

	License/ Identification Number	Statutory Basis	Factual Summary (optional)
1	L-13699	54-1222, 54-1234, 54-1212, 54-1220	Practicing on Expired License, et. al.

Disciplinary Actions (past 5 years)

Case No	Date of Final Action	Action Taken	Statutory Basis	Factual Basis (optional)
FY17.13	8/1/17	Reprimand \$2,500 fine	54-1220	Failure to report discipline in another state, et. al.
FY17.12A	11/17/17	Voluntary Retirement	54-1220	Failure to properly record a survey
FY17.07	3/16/17	Reprimand \$2,500 fine	54-1220	Standard of Care, et. al.
FY17.06	6/8/17	Voluntary Retirement	54-1220	Standard of Care, et. al.
FY17.05	3/16/17	Reprimand \$750 fine	54-1220	Plat & monument violations
FY17.04	3/16/17	Reprimand \$2,500 fine	54-1220	Incorrect/missing ROS, CPF, notice of discrepancy
FY17.01	3/16/17	Reprimand \$500 fine	54-1220	Failure to respond to Board inquiry
FY16.09-54	10/27/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-53	11/8/16	Admonishment \$500 fine	54-1220	CPD non-compliance
FY16.09-52	10/24/17	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-51	11/16/16	Revocation	54-1220	Default, CPD non-compliance
FY16.09-48	11/8/16	Admonish \$1,000 fine	54-1220	CPD non-compliance, failure to respond
FY16.09-46	11/16/16	Revocation	54-1220	Default, CPD non-compliance
FY16.09-44	1/24/17	Admonishment \$1,000 fine	54-1220	CPD non-compliance, failure to respond
FY16.09-43	11/16/16	Suspension	54-1220	Default, CPD non-compliance
FY16.09-42	10/31/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-39	11/16/16	Suspension	54-1220	Default, CPD non-compliance

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FY16.09-35	10/24/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-34	10/24/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-33	10/13/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-32	9/26/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-31	10/13/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-28	10/31/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-27	10/13/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-26	11/16/16	Suspension	54-1220	Default, CPD non-compliance
FY16.09-24	11/16/16	Revocation	54-1220	Default, CPD non-compliance
FY16.09-23	11/16/16	Revocation	54-1220	Default, CPD non-compliance
FY16.09-21	11/8/16	Admonishment \$500 fine	54-1220	CPD non-compliance
FY16.09-20	12/12/16	Voluntary Surrender	54-1220	CPD non-compliance
FY16.09-18	12/23/16	Voluntary Surrender	54-1220	CPD non-compliance
FY16.09-17	8/18/17	Voluntary Surrender	54-1220	CPD non-compliance
FY16.09-16	10/31/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-15	11/8/16	Admonishment \$500 fine	54-1220	CPD non-compliance
FY16.09-14	1/24/17	Admonishment \$1,000 fine	54-1220	CPD non-compliance, failure to respond
FY16.09-11	11/8/16	Admonishment \$500 fine	54-1220	CPD non-compliance
FY16.09-6	10/27/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-5	10/17/16	Voluntary Retirement	54-1220	CPD non-compliance
FY16.09-4	10/14/16	Voluntary Surrender	54-1220	CPD non-compliance
FY16.09-3	11/16/16	Suspension	54-1220	Default, CPD non-compliance
FY16.07	6/13/16	Voluntary Surrender	54-1220	Reciprocal Standard of Care
FY15.21	1/28/16	Admonished	54-1220	Misconduct
FY15.09	11/6/14	Admonished \$250 fine	54-1220	CPD non-compliance
FY15.08	4/10/15	Reprimand \$500 fine	54-1220	Misconduct, failure to respond
FY15.06.03	3/2/16	Admonishment \$500 fine	54-1220	Failure to set monuments, et. al.
FY15.06.02	8/3/15	Admonishment \$250 fine	54-1220	Failure to tie two PLLS corners

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FY15.06.01	3/19/15	Voluntary Retirement	54-1220	Failure to file CPFs timely on survey, et. al.
FY14.20	6/7/14	Voluntary Retirement	54-1220	CPD non-compliance
FY14.18	9/4/14	Voluntary Retirement	54-1220	CPD non-compliance
FY14.17	8/8/14	Admonishment \$250 fine	54-1220	CPD non-compliance
FY14.16	6/7/14	Voluntary Surrender	54-1220	CPD non-compliance
FY14.15	2/3/15	Revocation	54-1220	Default, CPD non-compliance
FY14.14	7/17/14	Voluntary Retirement	54-1220	CPD non-compliance
FY14.13	6/24/14	Admonishment \$250 fine	54-1220	CPD non-compliance
FY14.12	3/5/14	Admonishment \$500 fine	54-1220	Failure to file CPFs timely on survey
FY14.04	11/6/14	Reprimand \$2,500 fine	54-1220	Indiscriminate Criticism
FY14.03	2/11/14	Voluntary Surrender	54-1220	Reciprocal, standard of care
FY14.02	2/10/14	Admonishment \$2,500 fine	54-1220	Misrepresentation
FY14.01	9/16/13	Admonishment \$100 fine	54-1220	CPD non-compliance
FY13.18	11/15/13	Revocation	54-1220	Reciprocal, standard of care
FY13.16	9/1/13	Voluntary Retirement	54-1220	CPD non-compliance
FY13.15	9/16/13	Voluntary Surrender	54-1220	CPD non-compliance
FY13.14	11/15/13	Reprimand \$500 fine	54-1220	CPD non-compliance, failure to respond
FY13.10	9/9/15	Admonishment \$500 fine	54-1220	Misrepresentation
FY13.09	2/5/13	Revocation	54-1220	Reciprocal, misrepresentation
FY13.07	2/5/13	Voluntary Surrender	54-1220	Reciprocal, sealing work not in responsible charge
FY11.11	8/17/16	Revoke, stayed by Court	54-1220	https://ipels.idaho.gov/forms_pubs/08-17-16FinalOrderSIGNED.pdf

Law, Rule, or Policy Changes or Attempted Changes in Last 5 Years to Eliminate Barriers to Entry

Session	Legislation	Summary
2016	S1285a http://legislature.idaho.gov/wp-content/uploads/sessioninfo/2016/legislation/S1285E1.pdf .	Authorizes faculty licensure without examinations

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2016	10-0101-1601 http://legislature.idaho.gov/wp-content/uploads/sessioninfo/2016/interim/adminrules/1001011601G15.pdf .	Updated survey education making it easier for licensure; faculty licensure rule defining process for applications
2015	S1063 http://legislature.idaho.gov/wp-content/uploads/sessioninfo/2015/legislation/S1063.pdf .	Updates definition of Land Surveying; improves ways to meet minimum experience requirements
2015	S1079 http://legislature.idaho.gov/wp-content/uploads/sessioninfo/2015/legislation/S1079.pdf .	Allows engineers and surveyors to take the fundamentals examination without prior approval by the board when they are ready
2015	10-0101-1501 http://legislature.idaho.gov/wp-content/uploads/sessioninfo/2015/interim/adminrules/1001011501G42.pdf .	Aligns engineering education minimums with national rule for improved mobility of licensure with other states.
2015	10-0101-1502 http://legislature.idaho.gov/wp-content/uploads/sessioninfo/2015/interim/adminrules/1001011502G12.pdf .	Rule change to align with 2015 law changes improving examination and experience requirements for licensure

Assessment of Public Interest

[Provide an assessment or statement as to whether the licensure, or requirements relating thereto, are in the public interest, together with the reasons for such assessment or opinion. Executive Order 2.a.] The licensing provisions are in the public interest as engineers and land surveyors provide services that directly impact the public health, safety and welfare. The laws and rules establish minimum competency standards of education, examination, and experience for obtaining and retaining a license. The public and other licensees file complaints that are investigated and addressed with disciplinary actions when necessary. The licensees regulated by the statutes and rules are on record as supporting the current licensing framework as effective for the intended mission.

Recommendations for Improvement, Modification, or Elimination of Requirements

[Provide recommendations for improvement, modification or elimination of licensure or renewal requirements within the department or agency's jurisdiction. Specifically, identify: (1) suggestions on requirements for initial licensure that can be eliminated; and (2) suggestions on requirements for renewal that can be eliminated. Executive Order 1.b, 1.c, 2.b.]

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The board proposed the repeal of the provisions of 54-1214 that results in applications being denied or not acted upon due to multiple professional examination failures. Also proposed is the decoupling of the examinations from experience – meaning applicants may be assigned to examinations without first meeting the 4-year minimum experience requirement. The legislature will consider these law changes in the 2018 session. The current renewal process is now online and fairly perfunctory unless disciplinary actions are involved due to complaints or misconduct. No proposals for modifying the renewal provisions are planned.