

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 655 Session of  
2005INTRODUCED BY MADIGAN, STOUT, O'PAKE, M. WHITE, COSTA, RAFFERTY,  
RHOADES, BOSCOLA, D. WHITE, ORIE AND WONDERLING, MAY 26, 2005

AS AMENDED ON THIRD CONSIDERATION, JUNE 21, 2006

## AN ACT

1 Amending the act of May 23, 1945 (P.L.913, No.367), entitled, as  
2 amended, "An act relating to and regulating the practice of  
3 the profession of engineering, including civil engineering,  
4 mechanical engineering, electrical engineering, mining  
5 engineering and chemical engineering, the profession of land  
6 surveying and the profession of geology and constituent parts  
7 and combinations thereof as herein defined; providing for the  
8 licensing and registration of persons practicing said  
9 profession, and the certification of engineers-in-training  
10 and surveyors-in-training, and the suspension and revocation  
11 of said licenses, registrations and certifications for  
12 violation of this act; prescribing the powers and duties of  
13 the State Registration Board for Professional Engineers, Land  
14 Surveyors and Geologists, the Department of State and the  
15 courts; prescribing penalties; and repealing existing laws,"  
16 providing for THE DEFINITION OF "GEOLOGIST-IN-TRAINING" AND <—  
17 FOR the use of the terms "engineer" and "engineering";  
18 FURTHER PROVIDING FOR GENERAL POWERS OF THE BOARD AND FOR <—  
19 PROCEDURE FOR LICENSING AS PROFESSIONAL GEOLOGIST; and  
20 providing for continuing professional engineering competency  
21 and education requirements. and for continuing land surveying <—  
22 competency and education requirements.

23 The General Assembly of the Commonwealth of Pennsylvania  
24 hereby enacts as follows:

25 ~~Section 1. Section 3 of the act of May 23, 1945 (P.L.913,~~ <—  
26 ~~No.367), known as the Engineer, Land Surveyor and Geologist~~  
27 ~~Registration Law, amended December 16, 1992 (P.L.1151, No.151),~~  
28 ~~is amended to read:~~

SECTION 1. SECTION 2 OF THE ACT OF MAY 23, 1945 (P.L.913,  
NO.367), KNOWN AS THE ENGINEER, LAND SURVEYOR AND GEOLOGIST  
REGISTRATION LAW, IS AMENDED BY ADDING A SUBSECTION TO READ:

SECTION 2. DEFINITIONS.--AS USED IN THIS ACT--

\* \* \*

(O) "GEOLOGIST-IN-TRAINING" MEANS A CANDIDATE FOR LICENSURE  
AS A PROFESSIONAL GEOLOGIST WHO HAS BEEN GRANTED A CERTIFICATE  
AS A GEOLOGIST-IN-TRAINING AFTER SUCCESSFULLY PASSING THE  
REQUIRED WRITTEN EXAMINATION IN FUNDAMENTAL GEOLOGY SUBJECTS AND  
WHO SHALL BE ELIGIBLE, UPON COMPLETION OF THE REQUISITE YEARS OF  
EXPERIENCE IN GEOLOGY UNDER THE SUPERVISION OF A PROFESSIONAL OR  
SIMILARLY QUALIFIED GEOLOGIST, FOR THE FINAL EXAMINATION  
PRESCRIBED FOR LICENSURE AS A PROFESSIONAL GEOLOGIST.

SECTION 2. SECTION 3 OF THE ACT, AMENDED DECEMBER 16, 1992  
(P.L.1151, NO.151), IS AMENDED TO READ:

Section 3. Practice of Engineering, Land Surveying or  
Geology Without Licensure and Registration Prohibited.--(a) In  
order to safeguard life, health or property and to promote the  
general welfare, it is unlawful for any person to practice or to  
offer to practice engineering in this Commonwealth, unless he is  
licensed and registered under the laws of this Commonwealth as a  
professional engineer, for any person to practice or to offer to  
practice land surveying, unless he is licensed and registered  
under the laws of this Commonwealth as a professional land  
surveyor or for any person to practice or to offer to practice  
geology unless he is licensed and registered under the laws of  
this Commonwealth as a professional geologist. Individuals  
licensed as professional engineers, professional land surveyors  
or registered landscape architects may perform geological work  
which is incidental to their engineering, surveying or landscape

1 architecture without being licensed as a professional geologist.

2 (b) A person shall be construed to practice or offer to  
3 practice engineering, land surveying or geology who practices  
4 any branch of the profession of engineering, land surveying or  
5 geology; or who, by verbal claim, sign, advertisement,  
6 letterhead, card, or in any other way represents himself to be  
7 an engineer, land surveyor or geologist, or through the use of  
8 some other title implies that he is an engineer, land surveyor  
9 or geologist or that he is registered under this act; or who  
10 holds himself out as able to perform, or who does perform any  
11 engineering, land surveying or geological service or work or any  
12 other service designated by the practitioner or recognized as  
13 engineering, land surveying or geology.

14 (c) Notwithstanding subsection (b), the title "engineer" may  
15 only be used by an individual licensed as a professional  
16 engineer unless the individual is one of the following:

17 (1) A locomotive engineer.

18 (2) An operating engineer.

19 (3) A project engineer in the construction industry.

20 SECTION 3. SECTIONS 4(D) AND (G) AND 4.4(A) OF THE ACT, <—  
21 AMENDED OR ADDED DECEMBER 16, 1992 (P.L.1151, NO.151), ARE  
22 AMENDED AND THE SECTIONS ARE AMENDED BY ADDING SUBSECTIONS TO  
23 READ:

24 SECTION 4. GENERAL POWERS OF BOARD.--THE BOARD SHALL HAVE  
25 POWER--

26 \* \* \*

27 (D) EXAMINATIONS; FEES.--TO PRESCRIBE THE SUBJECTS, MANNER,  
28 TIME AND PLACE OF EXAMINATIONS FOR LICENSES AS PROFESSIONAL  
29 ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL  
30 GEOLOGISTS AND FOR CERTIFICATES FOR ENGINEERS-IN-TRAINING,

1 GEOLOGISTS-IN-TRAINING AND SURVEYORS-IN-TRAINING, AND THE FILING  
2 OF APPLICATIONS FOR SUCH EXAMINATIONS, AND TO PREPARE OR PROVIDE  
3 FOR THE PREPARATION OF SUCH EXAMINATIONS, CONDUCT OR PROVIDE FOR  
4 THE CONDUCT OF SUCH EXAMINATIONS, TO MAKE WRITTEN REPORTS OF  
5 SUCH EXAMINATIONS, WHICH REPORTS SHALL BE PRESERVED FOR A PERIOD  
6 OF NOT LESS THAN THREE YEARS, TO COLLECT SUCH FEES FOR SUCH  
7 EXAMINATIONS, AND FOR LICENSES AND CERTIFICATES ISSUED WITHOUT  
8 EXAMINATION, AS MAY BE FIXED ACCORDING TO LAW, AND TO ISSUE  
9 LICENSES AND CERTIFICATES TO SUCH PERSONS AS SUCCESSFULLY PASS  
10 SUCH EXAMINATIONS.

11 \* \* \*

12 (G) SUSPENSION AND REVOCATION OF LICENSES; REGISTRATIONS AND  
13 CERTIFICATES; REINSTATEMENTS.--TO SUSPEND OR REVOKE THE LICENSE  
14 AND REGISTRATION OF ANY PROFESSIONAL ENGINEER, PROFESSIONAL LAND  
15 SURVEYOR OR PROFESSIONAL GEOLOGIST OR THE CERTIFICATE OF ANY  
16 ENGINEER-IN-TRAINING, GEOLOGIST-IN-TRAINING OR SURVEYOR-IN-  
17 TRAINING, WHO IS FOUND GUILTY BY THE BOARD, BY A MAJORITY VOTE  
18 OF ALL ITS MEMBERS, OF THE PRACTICE OF ANY FRAUD, DECEIT OR  
19 MISREPRESENTATION IN OBTAINING HIS LICENSE, CERTIFICATION OR  
20 REGISTRATION, OR OF GROSS NEGLIGENCE, INCOMPETENCY OR MISCONDUCT  
21 IN THE PRACTICE OF ENGINEERING, IN THE PRACTICE OF LAND  
22 SURVEYING OR IN THE PRACTICE OF GEOLOGY, OR OF VIOLATION OF THE  
23 CODE OF ETHICS OF THE ENGINEERING PROFESSION, AND TO REINSTATE  
24 SUSPENDED LICENSES, REGISTRATIONS AND CERTIFICATES IN ANY CASES  
25 WHERE A MAJORITY OF ALL THE MEMBERS OF THE BOARD SHALL DETERMINE  
26 THE SAME TO BE JUST AND PROPER. UNLESS ORDERED TO DO SO BY A  
27 COURT, THE BOARD SHALL NOT REINSTATE THE LICENSE, CERTIFICATE OR  
28 REGISTRATION OF A PERSON TO PRACTICE AS A PROFESSIONAL ENGINEER,  
29 PROFESSIONAL LAND SURVEYOR, PROFESSIONAL GEOLOGIST OR AN  
30 ENGINEER-IN-TRAINING, GEOLOGIST-IN-TRAINING OR A SURVEYOR-IN-

1 TRAINING WHICH HAS BEEN REVOKED, AND SUCH PERSON SHALL BE  
2 REQUIRED TO APPLY FOR A LICENSE, CERTIFICATE OR REGISTRATION  
3 AFTER A PERIOD OF FIVE YEARS IN ACCORDANCE WITH SECTION 2 IF HE  
4 DESIRES TO PRACTICE AT ANY TIME AFTER SUCH REVOCATION. THE BOARD  
5 SHALL REQUIRE A PERSON WHOSE LICENSE OR REGISTRATION HAS BEEN  
6 SUSPENDED OR REVOKED TO RETURN THE LICENSE OR REGISTRATION IN  
7 SUCH MANNER AS THE BOARD DIRECTS. FAILURE TO DO SO SHALL BE A  
8 MISDEMEANOR OF THE THIRD DEGREE. MISCONDUCT IN THE PRACTICE OF  
9 ENGINEERING, LAND SURVEYING OR GEOLOGY SHALL INCLUDE, BUT NOT BE  
10 LIMITED TO CONVICTION FOR A CRIMINAL OFFENSE SUCH AS EXTORTION,  
11 BRIBERY OR FRAUD OR ENTRY OF A PLEA OF NOLO CONTENDERE TO A  
12 CHARGE THEREOF FOR CONDUCT RELATING TO THE PRACTICE OF  
13 ENGINEERING, LAND SURVEYING OR GEOLOGY, OR HAS VIOLATED ANY  
14 PROVISION OF THIS ACT OR ANY REGULATION PROMULGATED BY THE  
15 BOARD. FOR THE PURPOSES OF THIS SUBSECTION, THE CODE OF ETHICS  
16 IS AS FOLLOWS:

17 IT SHALL BE CONSIDERED UNPROFESSIONAL AND INCONSISTENT WITH  
18 HONORABLE AND DIGNIFIED BEARING FOR ANY PROFESSIONAL ENGINEER,  
19 PROFESSIONAL LAND SURVEYOR OR PROFESSIONAL GEOLOGIST:

20 (1) TO ACT FOR HIS CLIENT OR EMPLOYER IN PROFESSIONAL  
21 MATTERS OTHERWISE THAN AS A FAITHFUL AGENT OR TRUSTEE, OR TO  
22 ACCEPT ANY REMUNERATION OTHER THAN HIS STATED RECOMPENSE FOR  
23 SERVICES RENDERED.

24 (2) TO ATTEMPT TO INJURE FALSELY OR MALICIOUSLY, DIRECTLY OR  
25 INDIRECTLY, THE PROFESSIONAL REPUTATION, PROSPECTS OR BUSINESS  
26 OF ANYONE.

27 (3) TO ATTEMPT TO SUPPLANT ANOTHER ENGINEER, LAND SURVEYOR  
28 OR GEOLOGIST AFTER DEFINITE STEPS HAVE BEEN TAKEN TOWARD HIS  
29 EMPLOYMENT.

30 (4) TO COMPETE WITH ANOTHER ENGINEER, LAND SURVEYOR OR

1 GEOLOGIST FOR EMPLOYMENT BY THE USE OF UNETHICAL PRACTICES.

2 (5) TO REVIEW THE WORK OF ANOTHER ENGINEER, LAND SURVEYOR OR  
3 GEOLOGIST FOR THE SAME CLIENT, EXCEPT WITH THE KNOWLEDGE OF SUCH  
4 ENGINEER, LAND SURVEYOR OR GEOLOGIST, OR UNLESS THE CONNECTION  
5 OF SUCH ENGINEER, LAND SURVEYOR OR GEOLOGIST WITH THE WORK HAS  
6 TERMINATED.

7 (6) TO ATTEMPT TO OBTAIN OR RENDER TECHNICAL SERVICES OR  
8 ASSISTANCE WITHOUT FAIR AND JUST COMPENSATION COMMENSURATE WITH  
9 THE SERVICES RENDERED: PROVIDED, HOWEVER, THE DONATION OF SUCH  
10 SERVICES TO A CIVIC, CHARITABLE, RELIGIOUS OR ELEEMOSYNARY  
11 ORGANIZATION SHALL NOT BE DEEMED A VIOLATION.

12 (7) TO ADVERTISE IN SELF-LAUDATORY LANGUAGE, OR IN ANY OTHER  
13 MANNER, DEROGATORY TO THE DIGNITY OF THE PROFESSION.

14 (8) TO ATTEMPT TO PRACTICE IN ANY FIELD OF ENGINEERING, LAND  
15 SURVEYING OR GEOLOGY IN WHICH THE REGISTRANT IS NOT PROFICIENT.

16 (9) TO USE OR PERMIT THE USE OF HIS PROFESSIONAL SEAL ON  
17 WORK OVER WHICH HE WAS NOT IN RESPONSIBLE CHARGE.

18 (10) TO AID OR ABET ANY PERSON IN THE PRACTICE OF  
19 ENGINEERING, LAND SURVEYING OR GEOLOGY NOT IN ACCORDANCE WITH  
20 THE PROVISION OF THIS ACT OR PRIOR LAWS.

21 THE BOARD SHALL APPOINT, WITH THE APPROVAL OF THE GOVERNOR,  
22 SUCH HEARING EXAMINERS AS SHALL BE NECESSARY TO CONDUCT HEARINGS  
23 AS MAY BE REQUIRED UNDER THIS SUBSECTION.

24 THE BOARD SHALL HAVE THE POWER TO ADOPT AND PROMULGATE RULES  
25 AND REGULATIONS SETTING FORTH THE FUNCTIONS, POWERS, STANDARDS  
26 AND DUTIES TO BE FOLLOWED BY THE HEARING EXAMINERS.

27 THE HEARING EXAMINERS SHALL HAVE THE POWER TO CONDUCT  
28 HEARINGS IN ACCORDANCE WITH THE REGULATIONS OF THE BOARD, AND TO  
29 ISSUE SUBPOENAS REQUIRING THE ATTENDANCE AND TESTIMONY OF  
30 INDIVIDUALS OR THE PRODUCTION OF, PERTINENT BOOKS, RECORDS,

1 DOCUMENTS AND PAPERS BY PERSONS WHOM THEY BELIEVE TO HAVE  
2 INFORMATION RELEVANT TO ANY MATTER PENDING BEFORE THE EXAMINER.

3 THE HEARING EXAMINERS SHALL HAVE THE POWER TO CONDUCT  
4 HEARINGS IN ACCORDANCE WITH THE REGULATIONS OF THE BOARD, AND TO  
5 ISSUE SUBPOENAS REQUIRING THE ATTENDANCE AND TESTIMONY OF  
6 INDIVIDUALS OR THE PRODUCTION OF, PERTINENT BOOKS, RECORDS,  
7 DOCUMENTS AND PAPERS BY PERSONS WHOM THEY BELIEVE TO HAVE  
8 INFORMATION RELEVANT TO ANY MATTER PENDING BEFORE THE EXAMINER.  
9 SUCH EXAMINER SHALL ALSO HAVE THE POWER TO ADMINISTER OATHS.

10 THE HEARING EXAMINER SHALL HEAR EVIDENCE SUBMITTED AND  
11 ARGUMENTS OF COUNSEL, IF ANY, WITH REASONABLE DISPATCH, AND  
12 SHALL PROMPTLY RECORD HIS DECISION, SUPPORTED BY FINDINGS OF  
13 FACT, AND A COPY THEREOF SHALL IMMEDIATELY BE SENT TO THE BOARD  
14 AND TO COUNSEL OF RECORD, OR THE PARTIES, IF NOT REPRESENTED.

15 IF APPLICATION FOR REVIEW IS MADE TO THE BOARD WITHIN TWENTY  
16 DAYS FROM THE DATE OF ANY DECISION MADE AS A RESULT OF A HEARING  
17 HELD BY A HEARING EXAMINER, THE BOARD SHALL REVIEW THE EVIDENCE,  
18 AND IF DEEMED ADVISABLE BY THE BOARD, HEAR ARGUMENT AND  
19 ADDITIONAL EVIDENCE. AS SOON AS PRACTICABLE, THE BOARD SHALL  
20 MAKE A DECISION AND SHALL FILE THE SAME WITH ITS FINDING OF THE  
21 FACTS ON WHICH IT IS BASED AND SEND A COPY THEREOF TO EACH OF  
22 THE PARTIES IN DISPUTE.

23 \* \* \*

24 (N) MEMBER OF NATIONAL ASSOCIATION OF STATE BOARDS OF  
25 GEOLOGY; DUES.--TO BECOME A MEMBER OF THE NATIONAL ASSOCIATION  
26 OF STATE BOARDS OF GEOLOGY, TO PAY DUES AS THE ASSOCIATION SHALL  
27 ESTABLISH, TO SEND DELEGATES TO THE ANNUAL MEETING OF THE  
28 ASSOCIATION AND TO DEFRAY THEIR EXPENSES.

29 SECTION 4.4. PROCEDURE FOR LICENSING AS PROFESSIONAL  
30 GEOLOGIST.--(A) [THE BOARD SHALL PROVIDE FOR A LICENSURE

1 EXAMINATION. ALL WRITTEN, ORAL AND PRACTICAL EXAMINATIONS SHALL  
2 BE PREPARED AND ADMINISTERED BY A QUALIFIED AND APPROVED  
3 PROFESSIONAL TESTING ORGANIZATION IN THE MANNER PRESCRIBED FOR  
4 WRITTEN EXAMINATIONS BY THE PROVISIONS OF SECTION 812.1 OF THE  
5 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS "THE  
6 ADMINISTRATIVE CODE OF 1929." HOWEVER, DURING THE FIRST TWO  
7 YEARS AFTER THE EFFECTIVE DATE OF THIS ACT, THE BOARD SHALL  
8 ISSUE LICENSES WITHOUT EXAMINATION TO APPLICANTS WHO MEET THE  
9 REQUIREMENTS OF SUBSECTION (B)(1), (2), (3) AND (5). THE BOARD  
10 MAY FURTHER POSTPONE THE EXAMINATION FOR UP TO TWO ADDITIONAL  
11 YEARS IF NECESSARY IN ORDER TO PROVIDE FOR AN EXAMINATION IN  
12 ACCORDANCE WITH SECTION 812.1 OF "THE ADMINISTRATIVE CODE OF  
13 1929." ] AN APPLICANT FOR LICENSURE AS A PROFESSIONAL GEOLOGIST  
14 SHALL SATISFACTORILY COMPLETE THE FUNDAMENTALS OF GEOLOGY  
15 EXAMINATION AND PROVIDE THE BOARD WITH SATISFACTORY EVIDENCE OF  
16 EXPERIENCE THAT WOULD HAVE PREPARED THE APPLICANT FOR THE  
17 PRACTICE OF GEOLOGY.

18 \* \* \*

19 (C) (1) AN APPLICANT FOR THE GEOLOGIST-IN-TRAINING  
20 CERTIFICATE SHALL PROVIDE SATISFACTORY EVIDENCE OF GRADUATION  
21 FROM AN APPROVED GEOLOGY CURRICULUM OF FOUR OR MORE YEARS.

22 (2) A GEOLOGY STUDENT THAT HAS COMPLETED TWO OR MORE YEARS  
23 OF AN APPROVED PROGRAM IN GEOLOGY MAY SIT FOR THE FUNDAMENTALS  
24 OF GEOLOGY EXAMINATION IF APPROVED BY THE BOARD BUT MAY NOT BE  
25 CERTIFIED UNTIL PROOF OF GRADUATION IS SUBMITTED TO THE BOARD.

26 (D) UPON GRADUATION AN APPLICANT THAT HAS SATISFACTORILY  
27 COMPLETED THE FUNDAMENTALS OF GEOLOGY EXAMINATION SHALL BE  
28 CERTIFIED AS A GEOLOGIST-IN-TRAINING AND MAY RETAIN THAT  
29 CERTIFICATION UNTIL THE APPLICANT BECOMES LICENSED AS A  
30 PROFESSIONAL GEOLOGIST.



1       Section 2 4. The act is amended by adding sections to read: <—  
2       Section 4.5. Continuing Professional ~~Engineering~~ Competency <—  
3 Requirements.--(a) In order to help safeguard life, health and  
4 property and to promote the public welfare, the practice of  
5 professional engineering, PROFESSIONAL LAND SURVEYING AND <—  
6 PROFESSIONAL GEOLOGY in this Commonwealth requires continuing  
7 professional competency.  
8       (b) Each in-State and out-of-State ~~engineering~~ licensee <—  
9 shall be required to meet the continuing professional competency  
10 requirements of this section as a condition for licensure  
11 renewal. Continuing professional competency obtained by an <—  
12 ~~engineering~~ A licensee should maintain, improve or expand skills <—  
13 and knowledge obtained prior to initial licensure or develop new  
14 and relevant skills and knowledge.  
15       (c) Each ~~engineering~~ licensee shall be required to obtain <—  
16 twenty-four PDH units during the biennial renewal period. If an <—  
17 ~~engineering~~ A licensee exceeds the requirement in any renewal <—  
18 period, a maximum of twelve PDH units may be carried forward  
19 into the subsequent renewal period. PDH units may be earned as  
20 follows:  
21       (1) Successful completion of college courses relevant to the <—  
22 professional practice of ~~engineering~~. <—  
23       (2) Successful completion of continuing education courses  
24 relevant to the professional practice of engineering. <—  
25       (3) Successful completion of correspondence, televised,  
26 videotaped and other short courses or tutorials relevant to the <—  
27 professional practice of ~~engineering~~. <—  
28       (4) Presenting or attending qualifying seminars, in-house  
29 courses, workshops or professional or technical presentations  
30 made at meetings, conventions or conferences relevant to the <—

1 professional practice of engineering. <—

2 (5) Teaching or instructing in any of the activities listed  
3 in clauses (1) through (4).

4 (6) Authoring published papers, articles, books or accepted  
5 licensing examination items.

6 (7) Actively participating in professional or technical  
7 societies relevant to the professional practice of engineering. <—

8 ~~An engineering~~ A licensee shall serve as an officer or actively <—  
9 participate in a committee of the organization in order to  
10 receive credit. PDH credits shall not be earned until the end of  
11 each year of service ~~is~~ completed. <—

12 (8) Obtaining patents.

13 (d) (1) Except as provided in clause (2), units of other  
14 types of credit shall be converted to PDH units as follows:

15 (i) One college or unit semester hour shall equal forty-five  
16 PDH units.

17 (ii) One college or unit quarter hour shall equal thirty PDH  
18 units.

19 (iii) One continuing education unit shall equal ten PDH  
20 units.

21 (iv) One hour of professional development in course work,  
22 seminars or professional or technical presentations made at  
23 meetings, conventions or conferences shall equal one PDH unit.

24 (v) Each published paper, article or book shall equal ten  
25 PDH units.

26 (vi) Active participation in a professional and technical  
27 society relevant to the professional practice of engineering <—  
28 shall equal, for each organization, two PDH units.

29 (vii) Each patent obtained shall equal ten PDH units.

30 (2) Teaching any of the activities listed in clause (1)(i)

1 through (iv) shall equal double the amount of PDH units provided  
2 for in those subclauses. Teaching credit shall be awarded for  
3 teaching a course or seminar for the first time only, but shall  
4 not be awarded to full-time faculty in the performance of their  
5 duties at their employing institutions.

6 (e) The board shall have final authority with respect to  
7 approval of courses, credit, PDH value for courses and other  
8 methods of earning credit. Credit determination for activities  
9 listed in subsection (d)(1)(v) and (vii) shall be the  
10 responsibility of the ~~engineering~~ licensee. <—

11 (f) The ~~engineering~~ licensee shall be responsible for <—  
12 maintaining records to be used to support credits claimed.

13 Required records shall include all of the following:

14 (1) A log showing the type of activity claimed, sponsoring  
15 organization, location, duration, instructor's or speaker's name  
16 and PDH credits earned.

17 (2) Attendance verification records in the form of  
18 completion certificates or other documents supporting evidence  
19 of attendance.

20 (g) ~~An engineering~~ A licensee may be exempt from the <—  
21 requirements of this section for any of the following reasons:

22 (1) New ~~engineering~~ licensees who are licensed as a result <—  
23 of examination or comity shall be exempt for their first renewal  
24 period.

25 (2) ~~An engineering~~ A licensee serving on temporary active <—  
26 duty in the armed forces of the United States for a period of  
27 time exceeding one hundred twenty consecutive days in a year  
28 shall be exempt from obtaining the professional development  
29 hours required during that year.

30 (3) ~~Engineering licensees~~ LICENSEES experiencing physical <—

disability, illness or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board.

(4) Licensees who list their occupation as retired or inactive on the board-approved renewal form and who certify that they are no longer receiving any remuneration for providing professional ~~engineering~~ services shall be exempt from the professional development hours requirement. In the event such a person elects to return to active practice of ~~professional engineering~~, professional development hours must be earned before returning to active practice for each year exempted, not to exceed the biennial renewal requirements.

(h) ~~An engineering~~ A licensee may bring an inactive license to active status by obtaining all delinquent PDH units, except that under no circumstance shall ~~an engineering~~ A licensee be required to obtain more than twenty-four PDH units to restore an inactive license.

(i) The continuing professional competency requirements of this section are satisfied when a nonresident certifies to be licensed in and has met the mandatory continuing professional competency requirements of any jurisdiction approved and listed by the board.

(j) The following words and phrases shall have the meanings given to them in this subsection:

"Activity" shall mean any qualifying activity with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to a licensee's PROFESSIONAL practice of ~~professional engineering~~.

"College or Unit Semester Hour" or "College or Unit Quarter Hour" shall mean credit for courses in ABET-approved programs or

1 other related college courses.

2 "Continuing Education Unit" shall mean a unit of credit  
3 customarily used for continuing education courses.

4 "Course" shall mean any qualifying course with a clear  
5 purpose and objective which will maintain, improve or expand the  
6 skills and knowledge relevant to a licensee's PROFESSIONAL <—  
7 practice of professional engineering. <—

8 "Professional Development Hour" or "PDH" shall mean a contact  
9 hour of instruction or presentation relevant to the professional <—  
10 practice of engineering. <—

11 Section 4.6. Continuing Professional Land Surveying <—

12 Competency Requirements. (a) In order to help safeguard life,  
13 health and property and to promote the public welfare, the  
14 practice of professional land surveying in this Commonwealth  
15 requires continuing professional competency.

16 (b) Each in State and out of State land surveying licensee  
17 shall be required to meet the continuing professional competency  
18 requirements of this section as a condition for licensure  
19 renewal. Continuing professional competency obtained by a land  
20 surveying licensee should maintain, improve or expand skills and  
21 knowledge obtained prior to initial licensure or develop new and  
22 relevant skills and knowledge.

23 (c) Each land surveying licensee shall be required to obtain  
24 twenty four PDH units during the biennial renewal period. If a  
25 land surveying licensee exceeds the requirement in any renewal  
26 period, a maximum of twelve PDH units may be carried forward  
27 into the subsequent renewal period. PDH units may be earned as  
28 follows:

29 (1) Successful completion of college courses relevant to the  
30 professional practice of land surveying.

~~(2) Successful completion of continuing education courses relevant to the professional practice of land surveying.~~

~~(3) Successful completion of correspondence, televised, videotaped and other short courses or tutorials relevant to the professional practice of land surveying.~~

~~(4) Presenting or attending qualifying seminars, in house courses, workshops or professional or technical presentations made at meetings, conventions or conferences relevant to the professional practice of land surveying.~~

~~(5) Teaching or instructing in any of the activities listed in clauses (1) through (4).~~

~~(6) Authoring published papers, articles, books or accepted licensing examination items.~~

~~(7) Actively participating in professional or technical societies relevant to the professional practice of land surveying. A land surveying licensee shall serve as an officer or actively participate in a committee of the organization in order to receive credit. PDH credits shall not be earned until the end of each year of service is completed.~~

~~(8) Obtaining patents.~~

~~(d) (1) Except as provided in clause (2), units of other types of credit shall be converted to PDH units as follows:~~

~~(i) One college or unit semester hour shall equal forty five PDH units.~~

~~(ii) One college or unit quarter hour shall equal thirty PDH units.~~

~~(iii) One continuing education unit shall equal ten PDH units.~~

~~(iv) One hour of professional development in course work, seminars or professional or technical presentations made at~~

~~meetings, conventions or conferences shall equal one PDH unit.~~

~~(v) Each published paper, article or book shall equal ten PDH units.~~

~~(vi) Active participation in a professional and technical society relevant to the professional practice of land surveying shall equal, for each organization, two PDH units.~~

~~(vii) Each patent obtained shall equal ten PDH units.~~

~~(2) Teaching any of the activities listed in clause (1)(i) through (iv) shall equal double the amount of PDH units provided for in those subclauses. Teaching credit shall be awarded for teaching a course or seminar for the first time only, but shall not be awarded to full time faculty in the performance of their duties at their employing institutions.~~

~~(c) The board shall have final authority with respect to approval of courses, credit, PDH value for courses and other methods of earning credit. Credit determination for activities listed in subsection (d)(1)(v) and (vii) shall be the responsibility of the land surveying licensee.~~

~~(f) The land surveying licensee shall be responsible for maintaining records to be used to support credits claimed.~~

~~Required records shall include all of the following:~~

~~(1) A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name and PDH credits earned.~~

~~(2) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.~~

~~(g) A land surveying licensee may be exempt from the requirements of this section for any of the following reasons:~~

~~(1) New land surveying licensees who are licensed as a~~

~~result of examination or comity shall be exempt for their first renewal period.~~

~~(2) A land surveying licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding one hundred twenty consecutive days in a year shall be exempt from obtaining the professional development hours required during that year.~~

~~(3) Land surveying licensees experiencing physical disability, illness or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board.~~

~~(4) Licensees who list their occupation as retired or inactive on the board approved renewal form and who certify that they are no longer receiving any remuneration for providing professional land surveying services shall be exempt from the professional development hours requirement. In the event such a person elects to return to active practice of professional land surveying, professional development hours must be earned before returning to active practice for each year exempted, not to exceed the biennial renewal requirements.~~

~~(h) A land surveying licensee may bring an inactive license to active status by obtaining all delinquent PDH units, except that under no circumstance shall a land surveying licensee be required to obtain more than twenty four PDH units to restore an inactive license.~~

~~(i) The continuing professional competency requirements of this section are satisfied when a nonresident certifies to be licensed in and has met the mandatory continuing professional competency requirements of any jurisdiction approved and listed by the board.~~



~~(j) The following words and phrases shall have the meanings given to them in this subsection:~~

~~"Activity" shall mean any qualifying activity with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to a licensee's practice of professional land surveying.~~

~~"College or Unit Semester Hour" or "College or Unit Quarter Hour" shall mean credit for courses in ABET approved programs or other related college courses.~~

~~"Continuing Education Unit" shall mean a unit of credit customarily used for continuing education courses.~~

~~"Course" shall mean any qualifying course with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to a licensee's practice of professional land surveying.~~

~~"Professional Development Hour" or "PDH" shall mean a contact hour of instruction or presentation relevant to the professional practice of land surveying.~~

Section 3 5. Section 6 of the act, amended December 16, 1992 <—  
(P.L.1151, No.151), is amended to read:

Section 6. Practice by Firms and Corporations.--The practice of engineering, of land surveying and of geology being the function of an individual or of individuals working in concerted effort, it shall be unlawful for any firm or corporation to engage in such practice, or to offer to practice, or to assume use or advertise any title or description, including the use of the term "engineer" or "engineering" in its firm or corporate name, conveying the impression that such firm or corporation is engaged in or is offering to practice such profession, unless the directing heads and employes of such firm or corporation in

1 responsible charge of its activities in the practice of such  
2 profession are licensed and registered in conformity with the  
3 requirements of this act, and whose name, seal and signature,  
4 along with the date of signature, shall be stamped on all plans,  
5 specifications, plats and reports issued by such firm or  
6 corporation.

7 Section 4 6. This act shall take effect in 60 days.

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