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THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1054 Session of 2011

INTRODUCED BY MUSTIO, KOTIK, BARRAR, EVERETT, GEIST, GRELL, HICKERNELL, KORTZ, KRIEGER, MAJOR, MARSHALL, MILLER, REICHLEY, SCAVELLO, STERN, WATSON, FARRY, METCALFE, BARBIN, MAHER, HUTCHINSON AND M. K. KELLER, MARCH 14, 2011

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF REPRESENTATIVES, AS AMENDED, MAY 11, 2011

AN ACT

Amending the act of May 23, 1945 (P.L.913, No.367), entitled, as amended, "An act relating to and regulating the practice of the profession of engineering, including civil engineering, mechanical engineering, electrical engineering, mining engineering and chemical engineering, the profession of land surveying and the profession of geology and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers-in-training and surveyors-in-training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, the Department of State and the courts; prescribing penalties; and repealing existing laws," further providing for continuing professional competency requirements.

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

Section 1. Section 4.5(b) and (g) of the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, amended May 12, 2010 (P.L.192, No.25), are amended to read:

Section 4.5. Continuing Professional Competency

Requirements.--* * *

(b) [Each] Except as otherwise provided under subsection (g), each licensee shall be required to meet the continuing professional competency requirements of this section as a condition for licensure renewal. Continuing professional competency obtained by a licensee should maintain, improve or expand skills and knowledge obtained prior to initial licensure, including law and ethics applicable to the profession, or develop new and relevant skills and knowledge. No credit shall be given for a course in practice building or office management.

* * *

(g) (1) A licensee may [be exempt] request exemption from the requirements of this section for any of the following reasons and to the extent specified in this subsection:

(i) A 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.

(ii) A licensee 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.

(iii) A licensee who lists his occupation as retired on the board-approved renewal form and certifies to the board that he no longer receives any remuneration for the practice of ~~engineering~~ HIS LICENSED PROFESSION shall be exempt from the requirement set forth in subsection (a) AND THE BOARD SHALL ISSUE HIM A RETIRED-STATUS LICENSE. If the licensee intends to return to ~~the practice of engineering~~ ACTIVE PRACTICE, then the

licensee must complete the number of professional development hours required for each year exempted, not to exceed the annual requirement for two years. AN INDIVIDUAL WHO HOLDS A RETIRED-STATUS LICENSE SHALL HOLD HIMSELF OUT TO OTHERS AS A RETIRED LICENSEE, WHICH INCLUDES USING THIS DESIGNATION IN ADVERTISING AND SIGNATURES.

(2) An individual applying for initial licensure and registration shall be exempt from the requirement set forth in subsection (a) for the licensure period immediately following initial licensure and registration.

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Section 2. This act shall take effect in 60 days.