

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1704 Session of 2015

INTRODUCED BY MUSTIO, GODSHALL, MILLARD, ORTITAY, COHEN AND SAINATO, NOVEMBER 16, 2015

AS REPORTED FROM COMMITTEE ON PROFESSIONAL LICENSURE, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 16, 2016

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 further providing for definitions, for continuing
17 professional competency requirements and for exemption from
18 licensure and registration.

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

21 Section 1. Section 2(c) of the act of May 23, 1945 (P.L.913,
22 No.367), known as the Engineer, Land Surveyor and Geologist
23 Registration Law, amended November 24, 1967 (P.L.548, No.270),
24 is amended to read:

25 Section 2. Definitions.--As used in this act--

1 * * *

2 (c) "Engineer Intern" formerly known as "Engineer-in-
3 Training" means a candidate for licensure as a professional
4 engineer, who has been granted a certificate as an engineer
5 intern or the predecessor title of engineer-in-training after
6 successfully passing the prescribed written examination in
7 fundamental engineering subjects, and who shall be eligible upon
8 the completion of the requisite years of experience in
9 engineering, under the supervision of a professional engineer,
10 or similarly qualified engineer, for the final examination
11 prescribed for licensure as a professional engineer.

12 * * *

13 Section 2. Section 4.5(c) of the act, amended May 12, 2010
14 (P.L.192, No.25), is amended to read:

15 Section 4.5. Continuing Professional Competency
16 Requirements.--* * *

17 (c) Each licensee shall be required to obtain twenty-four
18 PDH units during the biennial renewal period. If a licensee
19 exceeds the requirement in any renewal period, a maximum of
20 twelve PDH units may be carried forward into the subsequent
21 renewal period. PDH units may be earned as follows:

22 (1) Successful completion of college courses relevant to
23 professional practice.

24 (2) Completion of continuing education courses relevant to
25 professional practice.

26 (3) Completion of [correspondence, televised, videotaped and
27 other short courses or tutorials relevant to professional
28 practice.] distance learning courses if the course relates to
29 professional practice and the PDH units awarded are verifiable
30 and measurable by the actual hours of instruction.

1 (4) Completion of seminars, employer-sponsored courses,
2 workshops or professional or technical presentations made at
3 meetings, conventions or conferences relevant to professional
4 practice.

5 (5) Teaching, presenting or instructing in any of the
6 activities listed in clauses (1), (2), (3) and (4).

7 (6) Authoring published papers, articles or books relevant
8 to professional practice.

9 (7) Obtaining patents relevant to professional practice.

10 * * *

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

13 Section 5. Exemption from Licensure and Registration.--
14 Except as specifically provided in this section, this act shall
15 not be construed to require licensure and registration in the
16 following cases:

17 (a) The practice of engineering, land surveying or geology
18 by any person who acts under the supervision of a professional
19 engineer, professional land surveyor or geologist, respectively,
20 or by an employe of a person lawfully engaged in the practice of
21 engineering, land surveying or geology and who, in either event,
22 does not assume responsible charge of design or supervisions;

23 †(b) The practice of engineering, land surveying or geology, <--
24 not exceeding thirty days in the aggregate in one calendar year,
25 by a nonresident not having a place of business in this
26 Commonwealth, if such person is legally qualified to engage in
27 the practice of engineering, land surveying or geology in the
28 state or territory of his residence: Provided, That THE PERSON <--
29 APPLIES FOR RECIPROCITY IN THIS COMMONWEALTH AND THAT THE
30 standards of such state or territory are at least equal to the

1 standards of this Commonwealth;†

2 (c) The practice of engineering, land surveying or geology
3 by officers and employes of the United States Government for the
4 said government;

5 (d) Except as otherwise provided in subsection (g) of this
6 section, the practice of engineering or land surveying by a
7 regular employe of a public utility company, as defined by the
8 Public Utility Code (66 Pa.C.S. § 101 et seq.) in connection
9 with the facilities of such public utility, which are subject to
10 regulation by the Pennsylvania Public Utility Commission:

11 Provided, That such public utility shall employ at least one
12 professional engineer, as defined in this act, who shall be in
13 responsible charge of such utility's engineering work and shall
14 employ at least one professional land surveyor, as defined in
15 this act, who shall be in responsible charge of such utility's
16 land surveying;

17 (e) The practice of architecture by a duly registered
18 architect, and the doing of such engineering work as is
19 incidental to his architectural work;

20 [(f) The practice of engineering, land surveying or geology
21 by any person or by any employe of any copartnership,
22 association or corporation upon property owned by such person or
23 such copartnership, association or corporation, unless such
24 practice affects the public safety or health or the property of
25 some other person or entity.]

26 (g) The practice of engineering, land surveying or geology
27 work by a manufacturing, mining, communications common carrier,
28 research and development or other industrial corporation or by
29 employes of such corporation, provided such work is in
30 connection with or incidental to products of, or non-engineering

1 services rendered by, such corporation or its affiliates.

2 (h) The running of lines or grades and layout work on or
3 within established property limits, or from established points
4 outside the property limits to or within such property limits
5 when performed by a contractor or home builder in conjunction
6 with the construction, reconstruction, alteration, maintenance
7 or demolition of a structure or other facility.

8 (i) The writing of deed descriptions.

9 (j) The preparation of shop drawings or the performance of
10 construction management services by persons customarily engaged
11 in construction work.

12 (k) The practice of individuals providing geologic services
13 to businesses engaged in the exploration or development of gas
14 or oil.

15 Section 4. This act shall take effect in 60 days.