

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1801 Session of 2021

INTRODUCED BY ZIMMERMAN, ROWE, JAMES AND GILLEN, AUGUST 24, 2021

SENATOR AUMENT, CONSUMER PROTECTION AND PROFESSIONAL LICENSURE, IN SENATE, AS AMENDED, JANUARY 25, 2022

AN ACT

1 Amending the act of May 23, 1945 (P.L.913, No.367), entitled "An
2 act relating to and regulating the practice of the profession
3 of engineering, including civil engineering, mechanical
4 engineering, electrical engineering, mining engineering and
5 chemical engineering, the profession of land surveying and
6 the profession of geology and constituent parts and
7 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 procedure for licensing as professional <--
17 engineer. FURTHER PROVIDING FOR DEFINITIONS, FOR GENERAL <--
18 POWERS OF BOARD, FOR PROCEDURE FOR LICENSING AS PROFESSIONAL
19 ENGINEER, FOR CONTINUING PROFESSIONAL COMPETENCY
20 REQUIREMENTS, FOR FEES AND FOR PENALTIES.

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

23 Section 1. Section 4.2(c)(1) of the act of May 23, 1945 <--
24 (P.L.913, No.367), known as the Engineer, Land Surveyor and
25 Geologist Registration Law, is amended to read:

26 Section 4.2. Procedure for Licensing as Professional

1 ~~Engineer. * * *~~

2 ~~(c) An applicant who is a certified engineer in training may~~
3 ~~apply for licensure and shall pass the examination in~~
4 ~~engineering principles and practice. To qualify for the~~
5 ~~principles and practice examination, an applicant shall, in~~
6 ~~addition to holding the engineer in training certificate, show~~
7 ~~satisfactory proof of:~~

8 ~~(1) four or more years of progressive experience in~~
9 ~~engineering work performed [after the issuance of the engineer~~
10 ~~in training certificate and] under the supervision of a~~
11 ~~professional engineer or a similarly qualified engineer of a~~
12 ~~grade and character to fit him to assume responsible charge of~~
13 ~~the work involved in the practice of engineering; or~~

14 ~~* * *~~

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

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

20 (A) (1) "PRACTICE OF ENGINEERING" SHALL MEAN THE
21 APPLICATION OF THE MATHEMATICAL AND PHYSICAL SCIENCES FOR THE
22 DESIGN OR ANALYSIS OF PUBLIC OR PRIVATE BUILDINGS, STRUCTURES,
23 MACHINES, EQUIPMENT, PROCESSES, WORKS OR ENGINEERING SYSTEMS,
24 AND THE CONSULTATION, INVESTIGATION, EVALUATION[, ENGINEERING]
25 OR SURVEYS, CONSTRUCTION MANAGEMENT, MODIFICATION AND
26 ALTERATION, PLANNING AND INSPECTION IN CONNECTION THEREWITH, THE
27 PERFORMANCE OF THE FOREGOING ACTS AND SERVICES BEING PROHIBITED
28 TO PERSONS WHO ARE NOT LICENSED UNDER THIS ACT AS PROFESSIONAL
29 ENGINEERS UNLESS EXEMPT UNDER OTHER PROVISIONS OF THIS ACT.

30 (2) THE TERM "PRACTICE OF ENGINEERING" SHALL ALSO MEAN AND

1 INCLUDE RELATED ACTS AND SERVICES THAT MAY BE PERFORMED BY OTHER
2 QUALIFIED PERSONS, INCLUDING BUT NOT LIMITED TO, MUNICIPAL
3 PLANNING, INCIDENTAL LANDSCAPE ARCHITECTURE, TEACHING,
4 CONSTRUCTION, MAINTENANCE AND RESEARCH BUT LICENSURE UNDER THIS
5 ACT TO ENGAGE IN OR PERFORM ANY SUCH RELATED ACTS AND SERVICES
6 SHALL NOT BE REQUIRED.

7 (3) THE FOREGOING SHALL NOT BE DEEMED TO INCLUDE THE
8 PRACTICE OF ARCHITECTURE AS SUCH, FOR WHICH SEPARATE
9 REGISTRATION IS REQUIRED UNDER [THE PROVISIONS OF THE ACT OF
10 JULY 12, 1919 (P.L.933, NO.369), ENTITLED "AN ACT TO REGULATE
11 THE PRACTICE OF ARCHITECTURE IN THE COMMONWEALTH OF PENNSYLVANIA
12 BY PROVIDING FOR THE EXAMINATION AND REGISTRATION OF ARCHITECTS
13 BY A STATE BOARD OF EXAMINERS; DEFINING THE POWER AND DUTIES OF
14 SAID BOARD OF EXAMINERS; AND PROVIDING PENALTIES FOR THE
15 VIOLATION OF THIS ACT," EXCEPTING ONLY ARCHITECTURAL WORK
16 INCIDENTAL TO THE "PRACTICE OF ENGINEERING."] THE ACT OF
17 DECEMBER 14, 1982 (P.L.1227, NO.281), KNOWN AS THE "ARCHITECTS
18 LICENSURE LAW."

19 (4) THE "PRACTICE OF ENGINEERING" SHALL NOT PRECLUDE THE
20 PRACTICE OF THE SCIENCES WHICH SHALL INCLUDE BUT NOT BE LIMITED
21 TO: SOIL SCIENCE, GEOLOGY, PHYSICS AND CHEMISTRY.

22 * * *

23 [(C) "ENGINEER-IN-TRAINING MEANS A CANDIDATE FOR LICENSURE
24 AS A PROFESSIONAL ENGINEER, WHO HAS BEEN GRANTED A CERTIFICATE
25 AS AN ENGINEER-IN-TRAINING AFTER SUCCESSFULLY PASSING THE
26 PRESCRIBED WRITTEN EXAMINATION IN FUNDAMENTAL ENGINEERING
27 SUBJECTS, AND WHO SHALL BE ELIGIBLE UPON THE COMPLETION OF THE
28 REQUISITE YEARS OF EXPERIENCE IN ENGINEERING, UNDER THE
29 SUPERVISION OF A PROFESSIONAL ENGINEER, OR SIMILARLY QUALIFIED
30 ENGINEER, FOR THE FINAL EXAMINATION PRESCRIBED FOR LICENSURE AS

1 A PROFESSIONAL ENGINEER.]

2 (C.1) "ENGINEER INTERN" MEANS A CANDIDATE FOR LICENSURE AS A
3 PROFESSIONAL ENGINEER, WHO HAS BEEN GRANTED A CERTIFICATE AS AN
4 ENGINEER INTERN AFTER SUCCESSFULLY PASSING THE PRESCRIBED
5 WRITTEN EXAMINATION IN FUNDAMENTAL ENGINEERING SUBJECTS, AND WHO
6 IS ELIGIBLE UPON THE COMPLETION OF THE REQUISITE YEARS OF
7 EXPERIENCE IN ENGINEERING, UNDER THE SUPERVISION OF A
8 PROFESSIONAL ENGINEER, OR SIMILARLY QUALIFIED ENGINEER, FOR THE
9 FINAL EXAMINATION PRESCRIBED FOR LICENSURE AS A PROFESSIONAL
10 ENGINEER.

11 * * *

12 SECTION 2. SECTIONS 4(G), 4.2(A), (B) AND (C), 4.5(C)(3),
13 9(A) AND 11(A) OF THE ACT ARE AMENDED TO READ:

14 SECTION 4. GENERAL POWERS OF BOARD.--THE BOARD SHALL HAVE
15 POWER--

16 * * *

17 (G) SUSPENSION AND REVOCATION OF LICENSES; REGISTRATIONS AND
18 CERTIFICATES; REINSTATEMENTS.--TO SUSPEND OR REVOKE THE LICENSE
19 AND REGISTRATION OF ANY PROFESSIONAL ENGINEER, PROFESSIONAL LAND
20 SURVEYOR OR PROFESSIONAL GEOLOGIST OR THE CERTIFICATE OF ANY
21 [ENGINEER-IN-TRAINING] ENGINEER INTERN, GEOLOGIST-IN-TRAINING OR
22 SURVEYOR-IN-TRAINING, WHO IS FOUND GUILTY BY THE BOARD, BY A
23 MAJORITY VOTE OF ALL ITS MEMBERS, OF THE PRACTICE OF ANY FRAUD,
24 DECEIT OR MISREPRESENTATION IN OBTAINING HIS LICENSE,
25 CERTIFICATION OR REGISTRATION, OR OF GROSS NEGLIGENCE,
26 INCOMPETENCY OR MISCONDUCT IN THE PRACTICE OF ENGINEERING, IN
27 THE PRACTICE OF LAND SURVEYING OR IN THE PRACTICE OF GEOLOGY, OR
28 OF VIOLATION OF THE CODE OF ETHICS OF THE ENGINEERING
29 PROFESSION, AND TO REINSTATE SUSPENDED LICENSES, REGISTRATIONS
30 AND CERTIFICATES IN ANY CASES WHERE A MAJORITY OF ALL THE

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

23 IT SHALL BE CONSIDERED UNPROFESSIONAL AND INCONSISTENT WITH
24 HONORABLE AND DIGNIFIED BEARING FOR [ANY] A PERSON WHO IS A
25 PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYOR OR
26 PROFESSIONAL GEOLOGIST:

27 (1) TO ACT FOR [HIS] THE PERSON'S CLIENT OR EMPLOYER IN
28 PROFESSIONAL MATTERS OTHERWISE THAN AS A FAITHFUL AGENT OR
29 TRUSTEE, OR TO ACCEPT ANY REMUNERATION OTHER THAN [HIS] THE
30 PERSON'S STATED RECOMPENSE FOR SERVICES RENDERED.

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

4 (3) TO ATTEMPT TO SUPPLANT ANOTHER ENGINEER, LAND SURVEYOR
5 OR GEOLOGIST AFTER DEFINITE STEPS HAVE BEEN TAKEN TOWARD [HIS]
6 THE OTHER'S EMPLOYMENT.

7 (4) TO COMPETE WITH ANOTHER ENGINEER, LAND SURVEYOR OR
8 GEOLOGIST FOR EMPLOYMENT BY THE USE OF UNETHICAL PRACTICES.

9 (5) TO REVIEW THE WORK OF ANOTHER ENGINEER, LAND SURVEYOR OR
10 GEOLOGIST FOR THE SAME CLIENT, EXCEPT WITH THE KNOWLEDGE OF
11 [SUCH] THAT ENGINEER, LAND SURVEYOR OR GEOLOGIST, OR UNLESS THE
12 CONNECTION OF [SUCH] THAT ENGINEER, LAND SURVEYOR OR GEOLOGIST
13 WITH THE WORK HAS TERMINATED.

14 (6) TO ATTEMPT TO OBTAIN OR RENDER TECHNICAL SERVICES OR
15 ASSISTANCE WITHOUT FAIR AND JUST COMPENSATION COMMENSURATE WITH
16 THE SERVICES RENDERED: PROVIDED, HOWEVER, THE DONATION OF [SUCH]
17 THE SERVICES TO A CIVIC, CHARITABLE, RELIGIOUS OR ELEEMOSYNARY
18 ORGANIZATION SHALL NOT BE DEEMED A VIOLATION.

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

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

23 (9) TO USE OR PERMIT THE USE OF [HIS] THE PERSON'S
24 PROFESSIONAL SEAL ON WORK OVER WHICH [HE] THE PERSON WAS NOT IN
25 RESPONSIBLE CHARGE.

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

29 THE BOARD SHALL APPOINT, WITH THE APPROVAL OF THE GOVERNOR,
30 SUCH HEARING EXAMINERS AS SHALL BE NECESSARY TO CONDUCT HEARINGS

1 AS MAY BE REQUIRED UNDER THIS SUBSECTION.

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

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

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

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

26 * * *

27 SECTION 4.2. PROCEDURE FOR LICENSING AS PROFESSIONAL
28 ENGINEER.-- (A) AN APPLICANT FOR LICENSURE AS A PROFESSIONAL
29 ENGINEER SHALL SATISFACTORILY COMPLETE THE ENGINEERING
30 FUNDAMENTALS EXAMINATION AND BECOME CERTIFIED AS AN [ENGINEER-

1 IN-TRAINING] ENGINEER INTERN AND SUBSEQUENTLY SHOW EVIDENCE OF
2 EXPERIENCE SATISFACTORY TO THE BOARD TO PREPARE HIM FOR THE
3 ENGINEERING PRINCIPLES AND PRACTICE EXAMINATION.

4 (B) (1) AN APPLICANT FOR THE [ENGINEER-IN-TRAINING]
5 ENGINEER INTERN CERTIFICATE SHALL SHOW SATISFACTORY EVIDENCE OF:

6 (I) GRADUATION FROM AN APPROVED ENGINEERING CURRICULUM OF
7 FOUR OR MORE YEARS; OR

8 (II) EIGHT OR MORE YEARS OF PROGRESSIVE EXPERIENCE IN
9 ENGINEERING WORK AND KNOWLEDGE, SKILL AND EDUCATION
10 APPROXIMATING THAT ATTAINED THROUGH GRADUATION FROM AN APPROVED
11 ENGINEERING CURRICULUM.

12 (2) AN ENGINEERING STUDENT WHO HAS COMPLETED TWO OR MORE
13 YEARS OF AN APPROVED PROGRAM IN ENGINEERING MAY, SUBJECT TO
14 BOARD APPROVAL, SIT FOR THE EXAMINATION; BUT [SUCH] THE STUDENT
15 SHALL NOT BE ELIGIBLE FOR CERTIFICATION UNTIL [HE] THE STUDENT
16 SHOWS PROOF OF GRADUATION.

17 (3) AN APPLICANT WHO SATISFACTORILY COMPLETES THE
18 EXAMINATION IN ENGINEERING FUNDAMENTALS SHALL BE CERTIFIED AS AN
19 [ENGINEER-IN-TRAINING] ENGINEER INTERN WITHOUT TIME LIMITATION
20 AND MAY REMAIN CERTIFIED UNTIL SUCH TIME AS [HE] THE APPLICANT
21 BECOMES LICENSED UNDER THIS ACT AS A PROFESSIONAL ENGINEER.

22 (C) AN APPLICANT WHO IS A CERTIFIED [ENGINEER-IN-TRAINING]
23 ENGINEER INTERN MAY APPLY FOR LICENSURE AND SHALL PASS THE
24 EXAMINATION IN ENGINEERING PRINCIPLES AND PRACTICE. TO QUALIFY
25 FOR THE PRINCIPLES AND PRACTICE EXAMINATION, AN APPLICANT SHALL,
26 IN ADDITION TO HOLDING THE [ENGINEER-IN-TRAINING] ENGINEER
27 INTERN CERTIFICATE, SHOW SATISFACTORY PROOF OF:

28 (1) FOUR OR MORE YEARS OF PROGRESSIVE EXPERIENCE IN
29 ENGINEERING WORK PERFORMED [AFTER THE ISSUANCE OF THE ENGINEER-
30 IN-TRAINING CERTIFICATE AND] UNDER THE SUPERVISION OF A

1 PROFESSIONAL ENGINEER OR A SIMILARLY QUALIFIED ENGINEER OF A
2 GRADE AND CHARACTER TO [FIT HIM] QUALIFY THE APPLICANT TO ASSUME
3 RESPONSIBLE CHARGE OF THE WORK INVOLVED IN THE PRACTICE OF
4 ENGINEERING; OR

5 (2) FOUR OR MORE YEARS OF PROGRESSIVE TEACHING EXPERIENCE IN
6 AN APPROVED CURRICULUM UNDER THE SUPERVISION OF A PROFESSIONAL
7 ENGINEER OR A SIMILARLY QUALIFIED ENGINEER OF A GRADE OR
8 CHARACTER TO [FIT HIM] QUALIFY THE APPLICANT TO ASSUME
9 RESPONSIBLE CHARGE OF THE WORK INVOLVED IN THE PRACTICE OF
10 ENGINEERING.

11 * * *

12 SECTION 4.5. CONTINUING PROFESSIONAL COMPETENCY
13 REQUIREMENTS.--* * *

14 (C) EACH LICENSEE SHALL BE REQUIRED TO OBTAIN TWENTY-FOUR
15 PDH UNITS DURING THE BIENNIAL RENEWAL PERIOD. IF A LICENSEE
16 EXCEEDS THE REQUIREMENT IN ANY RENEWAL PERIOD, A MAXIMUM OF
17 TWELVE PDH UNITS MAY BE CARRIED FORWARD INTO THE SUBSEQUENT
18 RENEWAL PERIOD. PDH UNITS MAY BE EARNED AS FOLLOWS:

19 * * *

20 (3) COMPLETION OF [CORRESPONDENCE, TELEVISED, VIDEOTAPED AND
21 OTHER SHORT COURSES OR TUTORIALS RELEVANT TO PROFESSIONAL
22 PRACTICE.] DISTANCE LEARNING COURSES, IF THE COURSES RELATE TO
23 PROFESSIONAL PRACTICE AND THE PDH UNITS AWARDED ARE VERIFIABLE
24 AND MEASURABLE BY THE ACTUAL HOURS OF INSTRUCTION.

25 * * *

26 SECTION 9. FEES.--(A) THE FEE FOR AN APPLICANT FOR
27 LICENSURE AS A PROFESSIONAL ENGINEER, PROFESSIONAL LAND SURVEYOR
28 OR PROFESSIONAL GEOLOGIST, INCLUDING EXAMINATION, AND FOR
29 EXAMINATION OR CERTIFICATION, OR BOTH, AS AN [ENGINEER-IN-
30 TRAINING] ENGINEER INTERN OR A SURVEYOR-IN-TRAINING, SHALL BE AS

1 FIXED BY THE BOARD BY REGULATION AND SHALL BE SUBJECT TO REVIEW
2 IN ACCORDANCE WITH THE ACT OF JUNE 25, 1982 (P.L.633, NO.181),
3 KNOWN AS THE "REGULATORY REVIEW ACT." IF THE REVENUES GENERATED
4 BY FEES, FINES AND CIVIL PENALTIES IMPOSED IN ACCORDANCE WITH
5 THE PROVISIONS OF THIS ACT ARE NOT SUFFICIENT TO MATCH
6 EXPENDITURES OVER A TWO-YEAR PERIOD, THE BOARD SHALL INCREASE
7 THOSE FEES BY REGULATION, SUBJECT TO REVIEW IN ACCORDANCE WITH
8 THE "REGULATORY REVIEW ACT," SUCH THAT THE PROJECTED REVENUES
9 WILL MEET OR EXCEED PROJECTED EXPENDITURES.

10 * * *

11 SECTION 11. PENALTIES.--(A) [WHOEVER SHALL ENGAGE] A PERSON
12 WHO ENGAGES IN THE PRACTICE OF ENGINEERING, THE PRACTICE OF LAND
13 SURVEYING OR THE PRACTICE OF GEOLOGY WITHOUT BEING LICENSED AND
14 REGISTERED AS REQUIRED BY THIS ACT, OR EXEMPTED THEREFROM, AS
15 PROVIDED IN THIS ACT, OR SHALL PRESENT OR ATTEMPT TO USE, AS
16 [HIS] THE PERSON'S OWN, THE LICENSE OR CERTIFICATE OF
17 REGISTRATION OF ANOTHER, OR SHALL GIVE ANY FALSE OR FORGED
18 EVIDENCE OF ANY KIND TO THE BOARD, OR TO ANY MEMBER THEREOF, IN
19 ORDER TO OBTAIN A LICENSE OR REGISTRATION AS A PROFESSIONAL
20 ENGINEER, PROFESSIONAL LAND SURVEYOR OR PROFESSIONAL GEOLOGIST
21 OR A CERTIFICATE AS AN [ENGINEER-IN-TRAINING] ENGINEER INTERN OR
22 SURVEYOR-IN-TRAINING, OR SHALL USE ANY EXPIRED, SUSPENDED OR
23 REVOKED CERTIFICATE OF REGISTRATION, OR SHALL OTHERWISE VIOLATE
24 THE PROVISIONS OF THIS ACT, SHALL BE GUILTY OF A SUMMARY OFFENSE
25 AND UPON CONVICTION THEREOF FOR A FIRST OFFENSE, SHALL BE
26 SENTENCED TO PAY A FINE NOT EXCEEDING ONE THOUSAND DOLLARS, OR
27 SUFFER IMPRISONMENT, NOT EXCEEDING THREE MONTHS, OR BOTH AND FOR
28 A SECOND OR SUBSEQUENT OFFENSE SHALL BE GUILTY OF A FELONY, AND
29 UPON CONVICTION THEREOF, SHALL BE SENTENCED TO PAY A FINE OF NOT
30 LESS THAN TWO THOUSAND DOLLARS BUT NOT MORE THAN FIVE THOUSAND

1 DOLLARS OR TO IMPRISONMENT FOR NOT LESS THAN ONE YEAR BUT NOT
2 MORE THAN TWO YEARS, OR BOTH.

3 * * *

4 SECTION 3. A REFERENCE TO "ENGINEER-IN-TRAINING" IN A
5 PROVISION OF 49 PA. CODE CH. 37 SHALL BE DEEMED TO BE A
6 REFERENCE TO AN ENGINEER INTERN.

7 SECTION 4. A PERSON WHO HAS BEEN AWARDED A CERTIFICATE AS AN
8 ENGINEER-IN-TRAINING PRIOR TO THE EFFECTIVE DATE OF THIS SECTION
9 SHALL BE DEEMED TO HAVE BEEN AWARDED A CERTIFICATE AS AN
10 ENGINEER INTERN.

11 Section ~~2~~ 5. This act shall take effect in 60 days.

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