

## STATE OF MAINE

—  
 IN THE YEAR OF OUR LORD  
 TWO THOUSAND AND THIRTEEN

—  
 S.P. 456 - L.D. 1313

**An Act To Amend Licensing Requirements for Professional Engineers**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 32 MRSA §1251**, as amended by PL 2005, c. 315, §2, is further amended to read:

**§1251. Definitions**

As used in this chapter, unless ~~a different meaning clearly appears from the context;~~ otherwise indicates, the following terms have the following meanings.

**1. Board.** "Board" means the State Board of Licensure for Professional Engineers.

**1-A. Accreditation board.** "Accreditation board" means the accreditation board for engineering and technology.

**1-B. Engineering accreditation commission.** "Engineering accreditation commission" means the engineering accreditation commission of the accreditation board.

**2. Engineer-intern.** ~~The term "engineer-intern"~~ "Engineer-intern" means a person who has been certified as such an engineer-intern by the board ~~and whose name has been entered in the register of engineer interns.~~

**2-A. National council.** "National council" means the National Council of Examiners for Engineering and Surveying.

**3. Practice of professional engineering.** ~~The term "practice"~~ "Practice of professional engineering" ~~shall be held to mean~~ means any professional service, such as consultation, investigation, evaluation, planning, design or responsible supervision of construction in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects, wherein the public welfare or the safeguarding of life, health or property is concerned or involved, when such professional service requires the application of engineering principles and data.

**4. Professional engineer.** ~~The term "professional~~ "Professional engineer" means a person who, by reason of a knowledge of mathematics, the physical sciences and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in engineering practice as defined.

**5. Technology accreditation commission.** "Technology accreditation commission" means the technology accreditation commission of the accreditation board.

**Sec. 2. 32 MRSA §1352-A, sub-§1,** as amended by PL 2005, c. 315, §20, is further amended to read:

**1. Professional engineer.** Minimum evidence satisfactory to the board that the applicant is qualified for licensure as a professional engineer includes the following.

A. An applicant for licensure by endorsement or comity who provides proof that the applicant is a licensed professional engineer, in good standing, in another state, territory or possession of the United States, District of Columbia or any foreign country and whose qualifications meet the requirements of this chapter upon application may be licensed without further examination. To seek licensure under this paragraph, the applicant must be a graduate of an engineering curriculum approved by the engineering accreditation commission ~~of the accreditation board for engineering and technology~~ or of an equivalent engineering curriculum and have not less than 4 years of acceptable engineering experience after graduation and have been licensed by passing ~~16 hours of written examinations~~ the national council principles and practice of engineering examination and the fundamentals of engineering examination.

B. A person holding a certificate of record verification issued by the ~~National Council of Examiners for Engineering and Surveying~~ national council whose qualifications meet the requirements of this chapter upon application may be licensed without further examination.

C. An applicant who provides proof of graduation from an engineering curriculum approved by the engineering accreditation commission ~~of the accreditation board for engineering and technology~~ or of an equivalent engineering curriculum of 4 years or more; has passed ~~an 8-hour written~~ the national council examination in the fundamentals of engineering; has a record of an additional 4 years or more of progressive engineering experience, after graduation, of a grade and character that indicates to the board that the applicant may be competent to practice and has experienced increased engineering responsibilities; and has passed ~~an 8-hour written~~ the national council examination in the principles and practice of engineering may be licensed as a professional engineer. An applicant for licensure may not sit for the principles and practice of engineering examination until the applicant has passed the fundamentals of engineering examination.

D. An applicant who provides proof of graduation from an engineering technology curriculum approved by the technology accreditation commission ~~of the accreditation board for engineering and technology~~ or of an equivalent engineering technology curriculum of 4 years or more; has passed ~~an 8-hour written~~ the national council examination in the fundamentals of engineering; has a record of an additional 4 years

or more of progressive engineering experience, after graduation, of a grade and character that indicates to the board that the applicant may be competent to practice and has experienced increased engineering responsibilities; and has passed ~~an 8-hour written~~ the national council examination in the principles and practice of engineering may be licensed as a professional engineer. An applicant for licensure may not sit for the principles and practice of engineering examination until the applicant has passed the fundamentals of engineering examination.

E. An applicant who has a baccalaureate from an engineering or engineering technology curriculum that has not been approved by the accreditation board ~~for engineering and technology~~ or from an allied science curriculum of 4 years or more; has passed ~~an 8-hour written~~ the national council written examination in the fundamentals of engineering; has a record of an additional 8 years or more of progressive engineering experience, after graduation, of a grade and character that indicates to the board that the applicant may be competent to practice and has experienced increased engineering responsibilities; and has passed ~~an 8-hour written~~ the national council examination in the principles and practice of engineering may be licensed as a professional engineer. An applicant for licensure may not sit for the principles and practice of engineering examination until the applicant has passed the fundamentals of engineering examination.

~~G. An applicant with a record of at least 15 years of experience in engineering work, of which at least 10 years has been in responsible jobs of engineering work and of a grade and character that indicates to the board that the applicant may be competent to practice engineering, who has a license to engage in the practice of engineering on the basis of experience or a non-National Council of Examiners for Engineering and Surveying examination issued by a proper authority of a state, territory or possession of the United States, the District of Columbia or any foreign country and who in the opinion of the board meets the requirements of this chapter based on verified evidence may be licensed upon application by passing an oral examination conducted by the board or by a board committee.~~

~~H. An applicant with a record of less than 15 years of experience in engineering work, who has a license to engage in the practice of engineering on the basis of experience or a non-National Council of Examiners of Engineering and Surveying examination issued by a proper authority of a state, territory or possession of the United States, the District of Columbia or any foreign country, may be licensed upon application by passing an 8-hour examination in the principles and practice of engineering.~~

Engineering teaching experience of 4 years or more in a college or university offering an engineering or engineering technology curriculum approved by the accreditation board ~~for engineering and technology~~ may be considered as engineering experience.

**Sec. 3. 32 MRSA §1352-A, sub-§2**, as amended by PL 2005, c. 315, §20, is further amended to read:

**2. Engineer-intern.** Minimum evidence satisfactory to the board that the applicant is qualified for certification as an engineer-intern includes the following.

A. An applicant for certification as an engineer-intern is eligible to sit for the fundamentals of engineering examination during the applicant's senior year of college before graduation from a program approved by the accreditation board ~~for engineering and technology~~. Certification as an engineer-intern may not take place until verification of graduation is received.

B. An applicant who provides proof of graduation from an engineering curriculum approved by the engineering accreditation commission ~~of the accreditation board for engineering and technology~~ or of an equivalent engineering curriculum of 4 years or more and has passed ~~an 8-hour written~~ the national council examination in the fundamentals of engineering may be certified as an engineer-intern.

C. An applicant who provides proof of graduation from an engineering technology curriculum approved by the technology accreditation commission ~~of the accreditation board for engineering and technology~~ of 4 years or more and has passed ~~an 8-hour written~~ the national council examination in the fundamentals of engineering may be certified as an engineer-intern.

D. An applicant who is a graduate of an engineering curriculum not approved by the accreditation board ~~for engineering and technology~~ or an allied science curriculum of 4 years or more and who has submitted a transcript showing the completion of the minimum number of engineering science and design credits as required in a curriculum approved by the accreditation board ~~for engineering and technology~~ and who has passed ~~an 8-hour written~~ the national council examination in the fundamentals of engineering may be certified as an engineer-intern.

Certification as an engineer-intern is valid for an indefinite period.

**Sec. 4. 32 MRSA §1353, first ¶**, as amended by PL 2005, c. 315, §21, is further amended to read:

Application for licensure as a professional engineer or certification as an engineer-intern is must be made on a form prescribed and furnished by the board; ~~contains, contain~~ statements made under oath; showing the applicant's education and a detailed summary of the applicant's technical experience; and ~~contains~~ contain references as set forth in section 1352-A, none of which may be from members of the board. An application fee ~~and an examination fee~~ may be established by rule by the board in ~~amounts~~ an amount that ~~are~~ is reasonable and necessary for ~~their respective purposes~~ its purpose.

**Sec. 5. 32 MRSA §1354**, as amended by PL 1999, c. 186, §8, is further amended to read:

#### **§1354. Examinations**

~~Examinations must be held at such times and places as the board determines.~~ Examinations required on fundamental engineering subjects may be taken as provided in section 1352-A. The principles and practices of engineering examinations may not be taken until the applicant has completed a period of engineering experience as set forth in section 1352-A.

The passing grade on any examination is established by the board. If an applicant receives a failing grade on the principles and practices of engineering examination, that applicant may be readmitted to 2 subsequent examinations ~~upon payment of an examination fee~~. An applicant who fails to complete the application process within 5 years, or who fails the principles and practices of engineering examination a 3rd time must reapply to the board, meet qualification requirements that are in effect at the time of the new application and present 3 new references and new documentation for each subsequent request for reexamination satisfactory to the board that the applicant has acquired additional education and experience and is prepared to retake the examination. Upon approval by the board ~~and payment of the examination fee~~, that applicant may be permitted to retake the examination.

**Sec. 6. 32 MRSA §1357**, as amended by PL 2005, c. 315, §24, is further amended to read:

**§1357. Expiration and renewals**

Licenses expire on the last day of December of odd-numbered years following their issuance or renewal and become invalid on that date unless renewed. The board shall notify every person licensed under this chapter of the date of the expiration of that person's license and the amount of the fee that is required for its renewal for a 2-year period, except when the applicant has become licensed during the first year of the 2-year period, then the renewal fee is for the remaining one year of that 2-year period. The notice must be ~~mailed~~ provided at least one month in advance of the date of the expiration of the license. Renewal may be effected at any time after completion of continuing education requirements and after receipt of notice by the payment of a fee established by rule by the board, which may not exceed \$50 annually. Licenses may be renewed up to 90 days after the date of expiration upon payment of a late fee of \$10 in addition to the renewal fee. Any person who submits an application for renewal more than 90 days after the license renewal date is subject to all requirements governing new applicants under this chapter, except that the board may in its discretion, giving due consideration to the protection of the public, waive examination if the renewal application is made within 3 years from the date of the expiration.

**Sec. 7. 32 MRSA §1361, 2nd ¶**, as amended by PL 2005, c. 315, §26, is further amended to read:

A retired licensee may retain but not use the seal and may not practice engineering. ~~The board shall reissue a license to a retired licensee who pays all application fees, meets all current requirements for licensure renewal and demonstrates to the board's satisfaction that, for 2 years preceding the application for licensure, the A retired licensee met the requirements for maintaining professional competence established under the~~ may apply for reinstatement to active status in accordance with section 1357 and after completing continuing education requirements according to board rules.