GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

SESSION LAW 2013-98
HOUSE BILL 301

AN ACT TO MAKE CLARIFYING CHANGES TO THE LAWS REGULATING ENGINEERS AND LAND SURVEYORS AND TO WAIVE THE EXAMINATION REQUIREMENT FOR GIS PRACTITIONERS WITH CERTAIN EXPERIENCE UNTIL JULY 1, 2014.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 89C-3 reads as rewritten:

"**§ 89C-3. Definitions.**

The following definitions apply in this Chapter:

(1) Board. – The North Carolina State Board of Examiners for Engineers and Surveyors provided for by this Chapter.

(1a) Business firm. – A partnership, firm, association, or another organization or group that is not a corporation and is acting as a unit.

(2) Engineer. – A person who, by reason of special knowledge and use of the mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, is qualified to practice engineering.

(3) ~~Engineering~~ Engineer intern. – A person who complies with the requirements for education, experience and character, and has passed an examination ~~in the fundamental engineering subjects,~~on the fundamentals of engineering as provided in this Chapter.

(3a) Inactive licensee. – ~~Licensees~~ A licensee who ~~are~~ is not engaged in the practice of engineering or land surveying in this ~~State.~~State, but renews his or her license as "inactive" as provided in this Chapter.

(4) Land surveyor intern. – A person who ~~has qualified for, taken,~~complies with the requirements for education, experience, and character and has passed an examination on the ~~basic disciplines~~fundamentals of land surveying as provided in this Chapter.

…."

SECTION 2. G.S. 89C-13 reads as rewritten:

"**§ 89C-13. General requirements for licensure.**

(a) Engineer Applicant. – ~~To be eligible for licensure as a professional engineer, an applicant must be of good character and reputation. An applicant desiring to take the examination in the fundamentals of engineering must submit three character references, one of whom shall be a professional engineer. An applicant desiring to take the examination in the principles and practice of engineering must submit five references, two of whom shall be professional engineers having personal knowledge of the applicant's engineering experiences.~~ The following shall be considered as minimum evidence satisfactory to the Board that the applicant is qualified for ~~licensure:~~licensure as a professional engineer:

(1) ~~As a professional engineer (shall meet one):~~To be certified as an engineer intern, an applicant shall (i) pass the fundamentals of engineering examination and make application to the Board, (ii) be of good character and reputation, (iii) submit three character references to the Board, one of whom is a professional engineer, (iv) comply with the requirements of this Chapter, and (v) meet one of the following requirements:

a. Education. – Be a graduate of an engineering curriculum or related science curriculum of four years or more, approved by the Board as being of satisfactory standing.

b. Education and experience. – Be a graduate of an engineering curriculum or related science curriculum of four years or more, other than curriculums approved by the Board as being of satisfactory standing, or possess equivalent education and engineering experience satisfactory to the Board with a specific record of four or more years of progressive experience on engineering projects of a grade and character satisfactory to the Board.

(1a) To be licensed as a professional engineer, an applicant shall (i) be of good character and reputation, (ii) submit five character references to the Board, three of whom are professional engineers or individuals acceptable to the Board with personal knowledge of the applicant's engineering experience, (iii) comply with the requirements of this Chapter, and (iv) meet one of the following requirements:

…

b. E.I. Certificate, Experience, and Examination. – A holder of a certificate of ~~engineering~~ engineer intern ~~issued by the Board,~~and with a specific record of an additional four years or more of progressive experience on engineering projects of a grade and character which indicates to the Board that the applicant may be competent to practice engineering, shall be admitted to the principles and practice of engineering examination. Upon passing the examination, the applicant shall be granted a certificate of licensure to practice professional engineering in this State, provided the applicant is otherwise qualified.

…

At its discretion the Board may require an applicant to submit exhibits, drawings, designs, or other tangible evidence of engineering work which the applicant personally accomplished or supervised.

~~The following shall be considered as minimum evidence that the applicant is qualified for certification:~~

~~(2) As an engineering intern (shall meet one):~~

~~a. Graduation and Examination. – A graduate of an engineering curriculum or related science curriculum of four years or more, approved by the Board as being of satisfactory standing, or a student who is graduating within two semesters, or the equivalent, of the semester in which the fundamentals of engineering examination is administered, shall be admitted to the fundamentals of engineering examination. The applicant shall be notified if the examination was passed or not passed and if passed he shall be certified as an engineering intern if the applicant is otherwise qualified.~~

~~b. Graduation, Experience, and Examination. – A graduate of an engineering or related science curriculum of four years or more, other than the ones approved by the Board as being of satisfactory standing, or with equivalent education and engineering experience satisfactory to the Board and with a specific record of four or more years of progressive experience on engineering projects of a grade and character satisfactory to the Board, shall be admitted to the fundamentals of engineering examination. The applicant shall be notified if the examination was passed or not passed and if passed, the applicant shall be certified as an engineering intern if the applicant is otherwise qualified.~~

(b) Land Surveyor Applicant. – ~~To be eligible for admission to examination for land surveyor intern or professional land surveyor, an applicant must be of good character and reputation and shall submit five references with the application for licensure as a land surveyor, two of which references shall be professional land surveyors having personal knowledge of the applicant's land surveying experience, or in the case of an application for certification as a land~~

~~surveyor intern by three references, one of which shall be a licensed land surveyor having personal knowledge of the applicant's land surveying experience.~~

The evaluation of a land surveyor applicant's qualifications shall involve a consideration of the applicant's education, ~~technical~~ technical, and land surveying experience, exhibits of land surveying projects with which the applicant has been associated, and recommendations by references. The land surveyor applicant's qualifications may be reviewed at an interview if the Board determines it necessary. Educational credit for institute courses, correspondence courses, or other courses shall be determined by the Board.

The following shall be considered ~~a~~ as minimum evidence satisfactory to the Board that the applicant is qualified for licensure as a professional land ~~surveyor or for certification as a land surveyor intern respectively:~~surveyor:

(1) ~~As a professional land surveyor (shall meet one):~~To be certified as a land surveyor intern, an applicant shall (i) pass the fundamentals of land surveying examination and make application to the Board, (ii) be of good character and reputation, (iii) submit three character references to the Board, one of whom is a professional land surveyor, (iv) comply with the requirements of this Chapter, and (v) satisfy one of the following requirements related to education and experience:

a. Be a graduate of a surveying curriculum of four years or more or other equivalent curriculum in surveying approved by the Board.

b. Have rightful possession of an associate degree in surveying technology approved by the Board, a record satisfactory to the Board of four years of progressive practical experience, two years of which shall have been under a practicing professional land surveyor, and have satisfactorily passed a written and oral examination as required by the Board.

c. Have graduated from high school or completed a high school equivalency certificate with a record satisfactory to the Board of 10 years of progressive, practical experience, six years of which shall have been under a practicing licensed land surveyor, and have satisfactorily passed any oral and written examinations required by the Board.

(1a) To be licensed as a professional land surveyor, an applicant shall (i) be of good character and reputation, (ii) submit five character references to the Board, three of whom are professional land surveyors or individuals acceptable to the Board, with personal knowledge of the applicant's land surveying experience, (iii) comply with the requirements of this Chapter, and (iv) meet one of the following requirements:

…

j. Any person performing activities described in G.S. 89C-3(7)a.2. and 7. with at least seven years of experience in performing mapping science surveys, two or more of which have been in responsible charge of mapping science projects that meet the requirements of 21 NCAC 56 .1608, shall, upon application, be licensed to practice surveying in their area of competence (mapping science) provided all of the following requirements are met:

1. The applicant submits certified proof of graduation from high school, high school equivalency, or higher degree.

2. The applicant submits proof of employment in responsible charge of mapping science projects within the State of North Carolina, including itemized reports detailing methods, procedures, amount of applicant's personal involvement, and the name, address, and telephone numbers of the client for five projects completed by the applicant within the State. The applicant shall also submit a final map, report, or digital product for one of the five projects.

3. Five references as to the applicant's character and quality of work, three of which shall be from professional land surveyors, are submitted to the Board.

4. The application is submitted to the Board by July 1, 2014. After July 1, 2014, no individual performing surveys described in 21 NCAC 56 .1608 shall be licensed without meeting the same requirements as to education, length of experience, and testing required of all land surveying applications.

~~(2) As a land surveyor intern (shall meet one):~~

~~a. Rightful possession of an associate degree in surveying technology approved by the Board, a record satisfactory to the Board of four years of progressive practical experience, two years of which shall have been under a practicing professional land surveyor, and satisfactorily passing a written and oral examination as required by the Board.~~

~~b. Repealed by Session Laws 2005-296, s. 1.~~

~~c. Graduation from high school or the completion of a high school equivalency certificate and a record satisfactory to the Board of 10 years of progressive, practical experience, six years of which shall have been under a practicing licensed land surveyor and satisfactorily passing any oral and written examinations required by the Board.~~

~~d. Graduation and examination. – A graduate of a surveying curriculum or other equivalent curriculum in surveying approved by the Board or a student who is graduating within two semesters, or the equivalent, of the semester in which the fundamentals of surveying examination is administered, in an accredited surveying program of four years or more shall be admitted to the fundamentals of surveying examination. The applicant shall be notified if the examination was passed or not passed, and if passed the applicant shall be certified as a surveying intern if the applicant is otherwise qualified.~~

The Board shall require an applicant to submit exhibits, drawings, plats, or other tangible evidence of land surveying work executed by the applicant under proper supervision and which the applicant has personally accomplished or supervised.

Land surveying encompasses a number of disciplines including geodetic surveying, hydrographic surveying, cadastral surveying, engineering surveying, route surveying, photogrammetric (aerial) surveying, and topographic surveying. A professional land surveyor shall practice only within the surveyor's area of expertise."

SECTION 3. G.S. 89C-15(b) reads as rewritten:

"(b) ~~Written examinations~~Examinations will be given ~~in sections and may be taken only after the applicant has met the other minimum requirements as given in G.S. 89C-13 and has been approved by the Board for admission to the examination~~as follows:

(1) ~~Engineering Fundamentals.~~Fundamentals of Engineering. – Consists of an ~~eight-hour~~ examination on the fundamentals of engineering. Passing this examination qualifies the applicant for an ~~engineering~~ engineer intern certificate, provided the applicant has met all other requirements for licensure required by this Chapter.

(2) Principles and Practice of Engineering. – Consists of an ~~eight-hour~~ examination on applied engineering. Passing this examination qualifies the applicant for licensure as a professional engineer, provided the applicant has met the other requirements for ~~registration~~ licensure required by this Chapter.

(3) ~~Surveying Fundamentals.~~Fundamentals of Land Surveying. – Consists of an ~~eight-hour~~ examination on the ~~elementary disciplines~~fundamentals of land surveying. Passing this examination qualifies the applicant for a land surveyor intern certificate provided the applicant has met all other requirements for certification required by this Chapter.

(4) Principles and ~~Practices~~ Practice of Land Surveying. – Consists of ~~a six-hour~~an examination on the ~~basic and~~applied disciplines of land surveying and ~~a two-hour~~an examination on requirements specific to the practice of land surveying in North Carolina. Passing each of these examinations qualifies the applicant for a professional land surveyor

certificate provided the applicant has met all other requirements for certification required by this Chapter."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 5th day of June, 2013.

s/ Daniel J. Forest
President of the Senate

s/ Thom Tillis
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 4:29 p.m. this 12th day of June, 2013