

APA-1
6/93

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control 330 Department or Agency Board of Licensure for Professional Engineers & Land Surveyors
Rule No. 330-X-15-01
Rule Title: Requirements
_____ New; XX Amend: _____ Repeal; _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, safety, or welfare? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed rule have any economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

.....
Certification of Authorized Official

I certify that the attached rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975 and that it conforms to all applicable filing requirements of the Administrative Procedures Division of the Legislative Reference Service.

Signature of certifying officer: Regina A. Ding
Date 4/17/12

APA-2

ALABAMA STATE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 330-X-15-.01 Requirements - amended
330-X-15-.03 Reconsideration of Denied Applications - New
330-X-15-.04 Renewal Procedures - amended

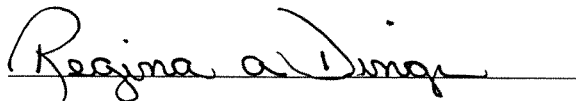
INTENDED ACTION: Amend and New

SUBSTANCE OF AMENDMENT: The Board proposes to amend existing Rule 330-X-15-.01 to clarify the requirement to have a licensee at each branch office that offers engineering and surveying. Rule 330-X-15-.03 is new and outlines the process for reconsideration of denied applications. Old Rule 330-X-15.03 is renumbered to 330-X-15.04.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held only if requested by an interested party. A written request should be submitted to the agency contact person listed below. Interested persons may present their views in writing to the Alabama Board of Licensure for Professional Engineers and Land Surveyors, 100 N. Union Street, Suite 382, Post Office Box 304451, Montgomery, Alabama 36130-4451.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written comments concerning these changes must be received by the Alabama Board of Licensure for Professional Engineers and Land Surveyors no later than June 6, 2012.

CONTACT PERSON AT AGENCY: Regina A. Dinger, Executive Director; Alabama Board of Licensure for Professional Engineers and Land Surveyors; P.O. Box 304451, Montgomery, AL 36130-4451; (334) 242-5568.



Regina A. Dinger, Executive Director
Alabama State Board of Licensure for
Professional Engineers and Land Surveyors

**BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

**CHAPTER 330-X-15
CERTIFICATES OF AUTHORIZATION**

330-X-15-.01 Requirements

330-X-15-.03 Reconsideration of Denied Applications

330-X-15-.0304 Renewal Procedures

330-X-15-.01 Requirements.

(1) Section 34-11-9, Code of Alabama 1975 provides that a firm, company, partnership, or corporation may engage or offer to engage in the practice of professional engineering or professional land surveying; provided, one or more of the principal officers of the corporation or firm or partners of the partnership and all personnel of the corporation, partnership, or firm who act in its behalf as professional engineers or professional land surveyors in this state are licensed as provided by Title 34, Chapter 11 of the Code of Alabama 1975, and further provided, that the corporation, partnership, or firm has been issued a certificate of authorization by the Board.

(2) In order to be considered eligible for a certificate of authorization (CA), every firm, partnership, or corporation or other entity which performs engineering or land surveying services in the State of Alabama, shall have a resident licensed professional engineer or licensed professional land surveyor as the case may be, who exercises direct control and personal supervision of the engineering or land surveying work for each separate office or branch office in which engineering or land surveying services are performed or offered to be performed. The resident engineer or land surveyor shall be an employee of the firm, corporation, partnership, or association or other entity, engaged in the practice of engineering or land surveying, designated in the CA for the branch office. ~~The designated engineer PE or land surveyor PLS can be the resident licensee at-~~ shall only be for one place of business at one during the same time.

(3) An engineer or land surveyor who renders occasional, ~~or part-time, or consulting~~ engineering or surveying services to or for a firm may not be designated as being ~~in responsible charge~~ the principal of the professional activities of the firm or as being the engineer or land surveyor designated in the CA for the branch office.

(4) The principal engineer or surveyor is responsible for notifying the Board within 30 days of any change in the firm name, in any of the partners or principal officers, or change of address during the year.

(5) In the event of a change in the principal engineer or land surveyor, the firm cannot ~~offer or~~ perform engineering or land surveying services until such time as a new principal is identified to the Board.

(6) Failure by the firm or principal to provide notification within 30 days may result in a temporary suspension of the certificate and the certificate will remain suspended until such time as the requirements are met.

Author: Board