

NEW MEXICO BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS



Board Newsletter

July 2016



Ronald R. Bohannon earned his Bachelor of Science degree in Civil Engineering from the University of New Mexico in 1977. He worked for Bohannon-Huston, Inc through college and performed his Engineer in Training until he earned his Professional Engineering license in 1981. His career as an engineer has always been focused on land development; from running the Community Development Division at BHI to working for Westland Development Co Inc., a 55,000 acre land development company which is now Western Albuquerque Land Holdings, LLC.

In 1986 Ron, along with his wife Donna, started Tierra West, LLC. Tierra West, LLC is a land use planning, civil engineering, and development management company located in Albuquerque, New Mexico and has provided services throughout Albuquerque and the Southwest. Tierra West, LLC projects have included all types and sizes, from small in-fill developments to the planning and design of large new community subdivisions, planned unit development projects with regional impacts, as well as commercial and industrial sites.

Ron is currently registered in New Mexico, Texas, Illinois, Arizona, Colorado, Nevada, Tennessee, Washington and Oklahoma. He was appointed to the State BLPEPS Board on November 28, 2012. He has served as Vice Chair and Chair of the PE Board and is currently the Chair of the BLPEPS. He has served on various committees including the Joint Practice Committee, Rules and Regulations Committee, Executive Committee and the Registrant Renewals Committee. Outside of Tierra West and the Board he has served as the National Board member for NAIOP as well as having been past president for NAIOP and is a member of ASCE; served on the Advisory Board of the New Mexico State Land Office involving Commercial Real Estate Transactions under former State Land Commissioner, Ray Lyons. He has served on numerous Citizen's Advisory Committees from the original committee establishing traffic impact studies, walls, sector plans, impact fees and just recently the water quality committee evaluating the MS4 permit and drainage ordinance. He also serves as a member of the Executive Committee to the Development Process Manual or DPM which services the metro area and many communities within the region.

Ron and Donna were married in 1981 and have two sons, Derek (married to Becky and they have Liam, our two year old grandson) and Brandon. They both feel very fortunate their boys chose to return to Albuquerque after several years away for college and jobs. Both he and Donna enjoy traveling, camping, spending time with their family and sitting on their patio.

BOARD MEMBERS

Ronald Bohannon, PE, Board Chair
Augusta Meyers, Public Member, Vice-Chair
David Cooper, PS, Board Secretary
Karl Tonander, PE, PEC Chair
Cliff Spirock, PS, PSC Chair
Julie Samora, PE Member
Glen Thurrow, PS Member
Dr. Nadir Yilmaz, PE Member
Paul Brasher, PE Member
Joshua Skargard, Esq Public Member

In This Issue

- New Board Chair
- Professional Development
- Ethics/Regulation
- Renewal Reminders
- Rule Changes
- Successful Examinees

Ronald Bohannon is the elected Chairman of the Professional Engineers & Professional Surveyors Board.

Continued professional development is an important aspect of maintaining your licensure as a Professional Engineer (PE) in New Mexico. New Mexico requires continuing professional development, the requirements of which are detailed in our Administrative Code (16.39.Part 2). All licensed engineers in New Mexico should be familiar with the PDH requirements for our State.

I often get asked questions about PDH's. What qualifies as a PDH? How do I document a PDH? How many ethics hours do I need? Here are some basics on how I approach tracking of PDH's.

Some Basic Facts:

- ◆ New Mexico requires a total of 30 PDH units every two years and requires you to document and report that to the board when you renew your license. You are able to "carry over" up to 15 PDH units from the previous years. This is very helpful if you accumulate a lot of PDH units. Please note that the new on-line renewal system currently does not document these carry over hours so staff is tracking these separately – but the carry over hours are being counted!
- ◆ The Ethics requirement has been lowered to the requirement of two (2) PDH units – that is basically one hour per year.
- ◆ There are many ways to earn PDH units – REFER TO THE ADMINISTRATIVE CODE! – The Code offers many ways to obtain PDH units from self-study, publishing papers, association membership. The Board Office receives requests from PE's and PS's asking to "pre-approve" a course, **please note the Board office, not the Board, do not "pre-approve" any courses!** Again, review the code (16.39.2.7. D. and F.) and use good judgment.

Some Practical Aspects

- ◆ If you are an active Engineer in our community, get involved with any associations, and look for ways to continually educate yourself in your profession, this requirement for continuing education hours should be fairly easy to meet – Just keep track and you may be surprised how fast you accumulate hours!
- ◆ PDH Folder – Try to keep a "PDH" folder handy and drop in any agendas, calendar dates, programs, and such in the folder. If you attend a conference, include the entire agenda for that conference and note on the agenda the hours and sessions you attended. If you get a "certificate" for a conference or training, that's great, include that in your folder.
- ◆ PDH Log – Maintain a log of the hours you are accumulating. Use a simple word table or excel file so you can add up the hours. Look for additional tracking support through NCEES in the near future!
- ◆ If you keep up an "Outlook" calendar, this comes in really handy and can provide documentation and reminders of the classes/training you have taken. I always surprise myself with all the PDH units I can count in a 2 year period.
- ◆ The Board staff has been doing a few "audits" so do keep these records!

In closing, stay connected and continue to educate yourself in your profession! Use reason and be practical – Don't sweat it! And keep good up to date records.

RENEWAL INFORMATION

- * **December 31, 2016**
- * **Even numbered licenses will expire this renewal period.**
- * **If audited documentation of PDH's will be required.**
- * **30 hours in Professional Development is required biannually along with 2 hours in Ethics.**



Remember to keep documentation for a period of 3 years!

By Karl Tonander, PE

Late last year the Board hosted two-hour ethics sessions at no charge in Albuquerque, Farmington, Las Cruces, Roswell and Santa Fe. Overall, there were more than 300 participants from the public and private sector, including several from neighboring states. Topics included nuances in the New Mexico Engineering and Surveying Practice Act and the Administrative Code, as well as several roundtable discussion topics from the National Council of Examiners for Engineering and Surveying (NCEES) and other sources. Beyond the immediate goal of making available a free resource for obtaining the required ethics training credits to complete license renewal, the sessions were also intended to provide a forum to answer questions from licensees and for discourse on problems within the practices.

One of the frequent questions posed is why there is a requirement for ethics training at all. The primary answer is that everyone faces situations where their ethics are challenged. Being able to identify those situations and react appropriately is a matter of awareness; even someone with the best of intents may not be able to appropriately identify the particular hazards of a situation. Much like a regular OSHA refresher increases awareness of potential hazards in the workplace, an ethics refresher can bring some focus back to questionable business practices that would otherwise go unrealized. And these hazards exist regardless of whether you are self-employed, employed with a large firm or work in the public sector.

Based on the success, attendance and favorable comments from last year's sessions, the Board intends to complete a similar round of sessions again this fall. These will take place at various locales throughout the state to ease the travel burden to our licensees. Please refer to the NMBLPEPS website for further updates as to the days, times and locations.

Regulation and Licensing: Protecting the public or unnecessary burden on free enterprise?

By Glen Thurow, PS NM BOL PE&PS

Much has been written over the past year about the proper role for professional licensing and whether licensing requirements are used to restrict competition in the marketplace. Simply put, licensing is obtaining government permission to practice in certain professional fields. To obtain this permission, various hurdles must be cleared. These hurdles vary widely from state to state but in a professional sense they are comprised of education, examination, and experience. Some argue that these requirements are fostered as a restraint of trade with licensing boards pushing the envelope to restrict competition. A recent Supreme Court decision highlights the central arguments to this question. The North Carolina Board of Dental Examiners vs. Federal Trade Commission case became a proxy battle between two long debated positions on professional licensing. Some argue that boards of licensure, since they are mostly comprised of market participants, are little more than overseers of licensing cartels. Others maintain that licensing requirements are primarily designed to protect the public and failure to do so places them at risk.

More than one-quarter of U.S. workers now require a license to do their jobs, with most of these workers licensed by the States. The share of workers licensed at the State level has risen five-fold since the 1950s.

I have never been very fond of government regulation of the market place but recognize that it plays an important role in protecting the public. I agree with Thoreau that government that governs best is that which governs least and that we should be men first and subjects afterward. But I have also experienced problems created when the incompetent or the unscrupulous are let loose on the public. No one wants an unlicensed structural engineer to design bridges and buildings. The authoritative location or establishment of land boundaries are essential to the land tenure system and must be established and maintained by the licensed surveyor. Few would maintain that the regulation and licensing of these activities are unnecessary.

Increasingly however, many lower skill occupations are also being drawn into the regulatory framework, many unnecessarily. In a May 2012 report entitled "Licensed to Work - A National Study of Burdens from Occupational Licensing" the Institute of Justice studied the licensing requirement of 102 lower to middle income occupations in the US.

The report identified New Mexico as the ninth most broadly and onerously licensed state with the 12th most burdensome licensing laws. New Mexico has higher barriers for more occupations than most states. Fifty-two of the 102 low- to moderate-income occupations studied are licensed in New Mexico.

Continued on page 4

Regulation and Licensing- Protecting the public or unnecessary burden on free enterprise?

In A July, 2015 government report released by the White House, several positive aspects of licensing are noted as well as important admonitions: ³

- * In some cases, licensing helps to ensure high-quality services, safeguard against serious harms, and offer workers clear guidelines around professional development and training.
- * However, to realize these benefits licensing requirements must closely match the qualifications needed to perform the job, a goal that is not always achieved or may not be maintained when licensing expands and jobs change.
- * Licensing may also help practitioners to professionalize, encouraging individuals to invest in occupational skills and creating career paths for licensed workers. For example, accountants in states requiring more experience (three or more years) are 26 to 36 percent more likely to have acquired training since starting their current job.

But by making it harder to enter a profession, licensing can also reduce employment opportunities and lower wages for excluded workers, and increase costs for consumers.

- * Research shows that by imposing additional requirements on people seeking to enter licensed professions, licensing can reduce total employment in the licensed professions.
- * Estimates find that unlicensed workers earn 10 to 15 percent lower wages than licensed workers with similar levels of education, training, and experience.
- * Licensing laws also lead to higher prices for goods and services, with research showing effects on prices of between 3 and 16 percent. Moreover, in a number of other studies, licensing did not increase the quality of goods and services, suggesting that consumers are sometimes paying higher prices without getting improved goods or services.

Federal antitrust laws require compelling justification for any board action that in any way limit competition in the marketplace. The New Mexico Board of Licensure for Professional Engineers and Professional Surveyors strive to be balanced in their approach to regulation. We are very cognizant of the consequences of our policies on how our professions function in the marketplace. It is incumbent upon us to act only so far as the law allows in protection of the public.

To that end we continually review our decisions keeping the welfare and protection of the public as the most important factor in our deliberations but also striving to advance the professions of engineering and surveying.

¹ North Carolina State Board of Dental Examiners v. Federal Trade Commission, 191 L.Ed.2d 35 (2015).

² The Institute of Justice, May 2012, Dick M. Carpenter II, Ph.D., Lisa Knepper, Angela C. Erickson and John K. Ross

³ Occupational Licensing: A Framework for Policymakers, July 2012, The White House, prepared by the Department of the Treasury Office of Economic Policy, the Council of Economic Advisers, and the Department of Labor.

Exam Changes—October 2016 NCEES Exams

PE Mining and Mineral Processing —

The PE Mining and Mineral Processing exam has new specifications starting in October 2016. The specifications are posted on the [NCEES website](#).

Principles and Practice of Surveying (PS) —

The PS exam will be administered in computer-based testing (CBT) format with the first appointments available on Monday, October 3, 2016. CBT registration for the PS exam will begin in mid-June 2016.

Professional Surveyors Page

David Montoya—Licensing Manager NMBLPEPS

Congratulations New PS Examinees & Licensees



The New Mexico State Board of Professional Engineers and Professional Surveyors would like to thank you and welcome the new Surveyors from the State of New Mexico and from all over the country. We are looking forward to working with you in the future and welcome your services to our beautiful State.

2 Hour PS State Specific Exams 2015-2016

Robert P. Allen III	Andrew W. Clark	Patricia Gajda	George Meinecke
Connor Brown	Gerald Baker	James D. Combs	Albert DeHoyos
Jonathan R. Gustafson	Jason Levanen	Michael G. Spores	Matthew Tomerlin
Gerardo M. Torres	J. Walter Ballard	Lawrence J. Barela	Christopher Kneram
Jeffrey Whitson	Michael Hart	Mark Harp	

Congratulation PS Examinees October 2015-April 2016

Connor Brown	Albert De Hoyos	Kevin Lane	Matthew Tomerlin
Lind say Gyax	Gerardo M. Torres	Michael Spores	Michael Tripp
Robert Allen			

Professional Engineers Page

David Montoya — Licensing Manager NMBLPEPS

Congratulations PE Examinees October 2015

<i>Justin Atterberry</i>	<i>Marco Barrera Cruz</i>	<i>Royce Beaudry</i>	<i>Vamsi Vasireddy</i>
<i>Trevor Betz</i>	<i>Michael Brown</i>	<i>Austin Buschman</i>	<i>Erica Velarde</i>
<i>Brandi Butts</i>	<i>Michael Cannady</i>	<i>Eunice Cazares</i>	<i>Austin Vreugdenhil</i>
<i>Skylar DeWeese</i>	<i>Brady Eakin</i>	<i>Joshua Edwards</i>	<i>David Walker</i>
<i>Jeffery Freeland</i>	<i>Estevan Gonzales</i>	<i>Jesse Greenfield</i>	<i>Kent Winter</i>
<i>Yechen Huo</i>	<i>Marco Isola</i>	<i>Anil KC</i>	<i>Steven Wright</i>
<i>Brice Letcher</i>	<i>Mary Lovato</i>	<i>Stephen Marez</i>	<i>Ernesto Santillano</i>
<i>Scout Mendenhall</i>	<i>Luke Miller</i>	<i>Leonard Moore</i>	<i>Ryan Smeltzer</i>
<i>J. Kyle Olson</i>	<i>Wyatt Padgett</i>	<i>Jolena Palau</i>	<i>Bhanu Tuniki</i>
<i>Alex Pfefferkorn</i>	<i>Jesse Piotrowicz</i>	<i>Jesse Roach</i>	

Congratulations PE Examinees April 2016

<i>Jay Ashbacher</i>	<i>Jessica Atkins</i>	<i>Raquel Barrera-Chavez</i>	<i>Jeffrey Samson</i>
<i>Vincent Bartholdi</i>	<i>Shannon Bellinghausen</i>	<i>Jessica Bennett</i>	<i>Nicholas Sandlin</i>
<i>Kyle Best</i>	<i>Olin Brown</i>	<i>Phillip Carrillo</i>	<i>Matthew Schaffer</i>
<i>John Carstensen</i>	<i>James Clayshulte</i>	<i>Ryan Costanza</i>	<i>Chowdhury Siddiqui</i>
<i>Carlos Duran</i>	<i>Eric Gartner</i>	<i>Susan Gregory</i>	<i>Zilthai Soto</i>
<i>Jesse Hawkins</i>	<i>Amanda Herrera</i>	<i>Kimberly Labree</i>	<i>Jon Stein</i>
<i>Christopher Larson</i>	<i>Peter Linscheid</i>	<i>Michelle Madrid</i>	<i>Aaron Valley</i>
<i>Reene Miranda</i>	<i>Elliot Montgomery</i>	<i>Michael Nevarez</i>	<i>Jonathan Vigil</i>
<i>Chisom Obegolu</i>	<i>Adrian Ontiveros</i>	<i>Ramses Ortega</i>	<i>Clinton Williams</i>
<i>Logan Patz</i>	<i>Rusty Payne</i>	<i>Hunter Riek</i>	<i>Ramsey Yazzie</i>
<i>Eric Rivera</i>	<i>David Roybal</i>	<i>Jonah Ruybalid</i>	

Professional Engineers Page

David Montoya — Licensing Manager NMBLPEPS

Congratulations FE Examinees January — June 2016

<i>Steven Alarid</i>	<i>Gabriel Arechederra</i>	<i>Brian Arko</i>	<i>Michael Romero</i>
<i>Jessica Avila</i>	<i>Ryan Barnes</i>	<i>Rajkumar Bhakta</i>	<i>Matthew Scarborough</i>
<i>Krishan Bhakta</i>	<i>Michael Bogren</i>	<i>Douglas Brown</i>	<i>Benjamin Schilling</i>
<i>Douglas Brunson</i>	<i>Tobias Burger</i>	<i>Fabian Carbajal</i>	<i>Melissa Segay</i>
<i>Nicolas Castano</i>	<i>Mathew Chavez</i>	<i>Arno Cheng</i>	<i>Jeremy Shell</i>
<i>Kevin Childres</i>	<i>Jay Classen</i>	<i>Richard Cottrell</i>	<i>Rebecca Smith</i>
<i>Peter Creighton</i>	<i>Kelsea Cronin</i>	<i>Matteo D'Andrea</i>	<i>Peter Smith</i>
<i>Isaiah De La Cerda</i>	<i>Abram Diaz-Strandberg</i>	<i>Marcus Dolce</i>	<i>Kenneth Smith</i>
<i>Anna Fallstrom</i>	<i>James Fluke</i>	<i>Lucas Gabert</i>	<i>Anahi Soto</i>
<i>Antonio Garcia</i>	<i>Connor Gill</i>	<i>Samuel Greenblatt</i>	<i>John Stoer</i>
<i>Gabriella Gutierrez</i>	<i>Holly Higgins</i>	<i>Schylar Hill</i>	<i>Daven Tagaban</i>
<i>Jensen Hoke</i>	<i>Devin Hughes</i>	<i>Andrew Hunt</i>	<i>Nancy Tarin</i>
<i>Masoume Jaberl</i>	<i>Austin Jacobson</i>	<i>Ryan Johns</i>	<i>Hisham Tariq</i>
<i>John Jones</i>	<i>Matti Joyner</i>	<i>Christopher Kaczorowski</i>	<i>Joshua Thackrah</i>
<i>Zachary Kane</i>	<i>Robert Kaniecki</i>	<i>Paul Lamb</i>	<i>Katey Thomas</i>
<i>Lucas Lantz</i>	<i>Alexander Lawrence</i>	<i>Peijie Li</i>	<i>Kevin Vedera</i>
<i>Meifeng Lin</i>	<i>Cameron Livermore</i>	<i>Lauren Long</i>	<i>Elliot Wandel</i>
<i>Andrew Long</i>	<i>Alicia Lopez</i>	<i>Jesus Lopez Ainza</i>	<i>Genevieve Watt</i>
<i>Ian Lopez-Pulliam</i>	<i>Josh Lutz</i>	<i>Yugi Ma</i>	<i>Andrew Wilcox</i>
<i>Collin Manchester</i>	<i>Nicolas Mathews</i>	<i>John Matteson</i>	<i>Jacob Wilkins</i>
<i>Daniel McFadden</i>	<i>Jason Midyette</i>	<i>Frank Mier</i>	<i>Darien Williams</i>
<i>Bryce Nesbit</i>	<i>Oluwatobi Oke</i>	<i>Jose Ortiz</i>	<i>Daniel Wimberly</i>
<i>Ivan Perez-Gonzalez</i>	<i>Jarrett Petrin</i>	<i>Johanna Phillips</i>	<i>Luzheng Zhang</i>
<i>Marika Plugge</i>	<i>Nicholas Pohl</i>	<i>Santana Rael</i>	<i>Juan Reyna</i>
<i>Scott Raymond</i>	<i>Kevin Reed</i>		

Professional Engineers and Professional Surveyors Page

David Montoya-Licensing Manager NMBPEPS

The New Mexico Professional Engineer and Professional Surveyor Board would like to congratulate our newest Retirees and thank them for all of their service over the years. Without your service we would not have been able to keep our State growing it's infrastructures, developing lands and so much more...

Professional Engineer Retirees

<i>David P. Evangelista</i>	<i>Christopher A. Gorbach</i>	<i>William Glassmeyer</i>	<i>Douglas W. Bailey</i>
<i>Richard Laman</i>	<i>William H. Judd</i>	<i>Ronald Gaines</i>	<i>Stanley Patchet</i>
<i>Stanley Harrison</i>	<i>Mark H. Scheibe</i>	<i>Edward Thomas</i>	<i>Marshall Ferrell</i>
<i>Robert Bryant Sr.</i>	<i>Emmett Irby</i>	<i>Said Larbi-Cherif</i>	<i>Roger Sorensen</i>
<i>John E. Vest III</i>	<i>Joe Allen Schaffer</i>	<i>Kent Johnson</i>	<i>William Phillips Jr.</i>
<i>John C. Doeden</i>	<i>H. Hampton Williams</i>	<i>Gordon Pritchard Jr.</i>	<i>Timothy L. Hall</i>
<i>George Abernathy</i>	<i>Timothy W. Turner</i>	<i>Phillis C. Stevens</i>	<i>Kevin M. Hargis</i>
<i>Javier E. Correa</i>	<i>Patrick N. Burns</i>	<i>Michael D. Griffin</i>	<i>Richard Lovato</i>
<i>Gerald R. Chartrand</i>	<i>John B. Case</i>	<i>Thornton Schwenk</i>	<i>Stephen P. Mann</i>
<i>Mark Ludwig</i>	<i>Chrys Uhlig</i>	<i>Gerald Spencer</i>	<i>Maynard Plamondon</i>
<i>John Browning</i>	<i>Ralph Williams</i>	<i>David Kauffman</i>	<i>Glenn M. Ford</i>
<i>Gregory Robertson</i>	<i>Charles N. Hatche</i>		

Professional Surveyor Retirees

Chrys Uhlig Greg Thompkins Scott Andrae Richard Lovato

IN MEMORIAM

PE	Dr. C. Quentin Ford	May 1, 2016 (Board Member 1978-1988/NCEES 1974-1990)
PE	Franklin M. Gauer Jr.	January 2, 2015
PE	Jeffrey Mortensen	July 21, 2016
PS	Mitchell Reynolds	Jan 23, 2008
PEPS	John W. Shaw	September 24, 2014

Changes to the Minimum Standards for Surveying in New Mexico

On March 22, 2016 the Professional Surveying Committee of the Board held a rule hearing to discuss proposed changes to the Minimum Standards for Surveying in New Mexico. The Committee thoroughly reviewed the standards and solicited input. It was their intent to ensure language was cleaned up, that the standards are clear and understandable, and bring them up-to-date with the profession.

The adopted changes will be **effective on July 24, 2016**. Below is a summary of these changes:

12.8.2.1 NMAC – Issuing Agency

Agency address change.

12.8.2.6. NMAC – Objective

Outlining the responsibility of the licensees to meet or exceed the standards.
Language clean-up.

12.8.2.7 NMAC – Definitions

Definitions updated.

12.8.2.9 NMAC – Boundary Surveying

Section J - Added new language regarding description of monuments, basis of bearings, description of pertinent documents, and relationship of the boundaries of the surveyed property.

12.8.2.11 NMAC – Topographic surveying

Additional compliance with 12.8.2.14 and 12.8.2.16

12.8.2.12 NMAC – Easement Surveying

Additional language regarding lot corners.

12.8.2.13 NMAC – Right of Way Surveying

Added new language regarding copy of recorded plats.
Additional language regarding lot corners, basis of bearing, and evidence of a boundary line. Removal of language regarding tags.

12.8.2.14 NMAC – Control Surveying Reporting

Added new language regarding control surveying reporting.

12.8.2.16 NMAC – Accuracy

Added new language and removed language regarding topographic map accuracy standards.
Increased urban positional accuracy.
Removal of geospatial positional accuracy standards language.

12.8.2.17 NMAC – Monuments

Added new language regarding monuments set by the surveyor and monuments which pertain to the survey.

Perry Valdez
Executive Director

ARTICLE REQUESTS

Did you know that you can earn up to 10 PDHS for submitting an article to our newsletter that contributes to the technical or professional education or the competency of your field of practice. If you would like to submit an article , please e-mail it to: samantham.romero2@state.nm.us . You will receive a response with the date of release for the newsletter in which your article will be posted. If you have any questions or concerns regarding content please contact us at 505.476.4565

NMAC 16.39.2.8 Subsection (D) (10), (E) (6)

Submission requirements :

- Your article submission should be between 250 to 600 words.
- The content of your article should be directly related to the engineering or surveying profession, exceptions are news updates that could effect licensees, the board, or national requirements.
- The board and board staff reserve the right to refuse to publish and or credit

NM BLPEPS
PO Box 25101
Santa Fe, NM 87504

Contact Us

Mailing Address:

NM BLPEPS
PO Box 25101
Santa Fe, NM 87504

Physical Address:

Toney Anaya Building
2550 Cerrillos Rd., 2nd
Floor
Santa Fe, NM 87505

Main number: 505-476-4565
Fax number: 505-476-4802

PLACE
STAMP
HERE