

DRAFT

Meeting of the Professional Engineering
Committee of the Board of Licensure for
Professional Engineers & Professional
Surveyors held December 1, 2005 at Middle
Rio Grande Conservancy District Building,
Conference Room, 1931 Second Street, SW,
Albuquerque, NM

Members Present Patricio Guerrerortiz, PE, PEC chair
 Stevan J. Schoen, Public Member, PEC Vice Chair
 Dr. Rola Idriss, PE, Board Chair
 John Romero, Sr., PE
 Severiano Sisneros, PE
 Subhas Shah, PE

Others Present Elena Garcia, Executive Director
 Candis Bourassa, Licensing Manager
 Raymond Hensley, NMSPE

1. CONVENE/ROLL CALL/INTRODUCTION OF GUESTS

Mr. Guerrerortiz convened the meeting at approximately 9:25 a.m. Roll call was taken, and it was noted that a quorum of the Committee was present

2. APPROVAL OF THE AGENDA

It was moved by Mr. Romero, second by Mr. Shah and unanimously,

VOTED: To approve the agenda as presented.

3. APPROVAL OF THE MINUTES

3.1 **Approval of the November 3, 2005 Minutes** – It was noted that the minutes of the November 3, 2005 meeting indicated a quorum of the Board (PEC Committee) was not present when the agenda was approved since a couple of board members had arrived late. A vote for approval of the agenda was not recorded for that reason. Mr. Shah and Mr. Sisneros arrived soon after and the approval of the minutes during the November 3, 2005 meeting was an official action. It was moved by Mr. Romero, second by Mr. Shah and voted,

VOTE: To approve the minutes of the November 3, 2005 minutes as they reflect the fact a vote of a quorum approving the agenda was not taken at the 11/3/05 meeting. Voting yes: Dr. Idriss, Mr. Sisneros, Mr. Shah, Mr. Romero and Mr. Guerrerortiz. Mr. Schoen abstained since he was not at that meeting.

Board Counsel will be asked to confirm this action was correct.

4. NEW BUSINESS

4.1 Decision of Proposed Changes to the Board's Rules (16.39.1 through 16.39.8 NMAC). - A format was established to go through each page to review the changes proposed and any additional changes the board wanted to discuss. Mrs. Garcia provided a summary of the changes being contemplated, the rationale for the change and who had provided comment/suggestions. Mr. Sisneros explained how every six years the Sunset Act triggers a review of the Practice Act and then the Administrative Codes must be evaluated and updated. **All changes from the Board meeting are reflected in the attached document.**

4.2 Development of Proposed Language and Approval of Proposed Language for Public Rules Hearing – There was mutual agreement on proposed changes with minor changes on pages 1 through 5. Extensive discussion ensued on page 6, Title 16.39.2.8 Continuing Professional Development. Discussion began with the suggestion to require a specified minimum and maximum amount of PDH's in ethics or a possible ethics exam questionnaire. The importance of professional ethics as part of engineering curriculums and a requirement for ethics training was discussed. It was noted that other states have ethics requirements, and public image can be improved by the acknowledgement of ethics requirements for licensure. Mr. Hensley with NMSPE stated they have offered courses in ethics and no one would show up. Currently only 1 PDH is allowed every two years for an "ethics exam" in the rules. Mrs. Garcia suggested in Title 16.39.2.8 D – Requirements, the Committee could consider requiring four hours of ethics training and a certain amount of PDH's in their professional specialty. Others preferred non-mandatory courses with increased PDH's as incentives. Mr. Guerrerortiz moved, Dr. Idriss seconded and it was unanimously

VOTED: to propose a change to Title 16.39.2.8.E 12 changing "Ethics Exam" to "Ethics Training" with a maximum of 4 PDH.

It was moved by Mr. Guerrerortiz, seconded by Mr. Schoen and

VOTED: to propose a change under Title 16.39.2.8 D – Requirements "a minimum of 2 hours shall be in ethics training." Voting yes: Mr. Guerrerortiz, Mr. Schoen, Mr. Sisneros. Voting no: Dr. Idriss, Mr. Romero, and Mr. Shah. Motion does not pass.

Mr. Sisneros suggested that attendance at a Board meeting might be considered professional development credit. Mr. Guerrerortiz recommend attendance at extra professional meetings, such as NCEES meetings, can be counted as credit while Board meetings would fall under the civic or community activities listed in Title 16.39.2.8 D 11. An extensive discussion continued. Mrs. Garcia noted that the proposal of obtaining PDH's in a licensee's own professional specialty will be

considered in the upcoming joint meeting. To expedite the meeting Mrs. Garcia will summarize the PEC's views on PDHs. Mr. Sisneros stated he regards the prominent issues of today's meeting in the review of the document before the PEC to be computer engineering, professional development requirements, and early PE testing. He sees two main viewpoints. First, trusting the honor and basic ethics of licensees to follow the rules versus making strong mandatory requirements. Agreement on changes continues through page 8 of the proposal.

It was noted that the proposal for changes in the engineering disciplines in Title 16.39.3.8 page 9 were approved during the 11/3/05 PEC meeting. Mr. Sisneros asked if the electrical and computer discipline also covers network and software engineers. Mrs. Garcia explained NCEES only offers an electrical & computer engineering test. The disciplines of geological and construction also have no specific test, but candidates take the civil engineering exam. Mr. Sisneros proposed offering a network engineering discipline. It was decided to add a discipline called "*Network Engineer*." Mr. Guerrerortiz believes there will always be branches of specific engineering which could be separate disciplines for easy public identification or as sub disciplines as in water systems. It was moved by Mr. Sisneros, seconded by Mr. Romero and unanimously, second by Mr. Romero and unanimously,

VOTED: to accept the proposal for rule changes in the discipline sections, including the adding of "Network Engineer" and the language presented by the Fire Protection Committee.

Changes on Page 11, Title 16.39.3.9 E would allow candidates with a four-year degree in engineering to sit for the PE examination after completing two years of engineering experience and for candidates with four-year engineering technology degrees to sit for the exam upon completion of 4 years of engineering experience. There was some discussion on the procedure. There is still much debate on whether engineering technology degree should qualify an individual for licensure even after 6 years experience. Dr. Idriss commented that her observations of the technology students indicate that through experience and testing, they can prove to be equal to engineering-degreed applicants. Mrs. Garcia added that states across the country differ so much in their laws that it is confusing to the technology graduate as to why he/she may not qualify for licensure in some states. It was agreed that the engineering degreed should be able to sit for the PE test at 2 years experience and license at 4 years, and that technology degrees should be able to test at 4 years experience and license at 6 years. It was noted that the experience by statute must be after graduation. Examination applications may be accepted at 2 years of post-baccalaureate experience and will require references to prove those two years, and a total of five would be required before licensure.

Title 16.39.3.10 page 12, Mrs. Garcia will draft language regarding references admitted in the examination room to comply with new NCEES requirements. In discussion of Title 16.39.11, Mrs. Garcia explained engineers can advertise only

in disciplines listed in the roster, although they may practice in others if competent. It was noted that the word “approved” should replace “listed”. On page 14, Title 16.39.3.13, wording for licensees of another state is expanded to match wording of the Act where District of Columbia, territories or possessions are included. Minor changes for pages 15 through 23 were accepted. It was moved by Mr. Sisneros, seconded by Dr. Idriss and unanimously,

VOTED: to accept the changes made today to the proposed rules that will be considered by the full board and that will subsequently go to public hearing in order to adopt new rules.

4.3 **Set Date for Public Rules hearing to Obtain Public Input** - It was decided the date would be set by the full board on December 13, 2005 meeting. Mrs. Garcia provided the proposed changes to the standards for surveyors, Title 12, Part 2 and explained that incidental surveying by engineers must comply with survey standards and the committee should consider them.

9. **ADJOURNMENT** – Having no further business, it was moved by Mr. Sisneros, second by Mr. Romero and unanimously,

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VOTED: To adjourn the meeting

Submitted by:

Approved by:

Elena Garcia, Executive Director

Patricio Guerrerortiz, PE, Board Chair

_____ Approval Date