

NEW MEXICO BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS



Board Newsletter

June 2021

PAUL BRASHER, PE

BOARD PROFILE



Paul Brasher earned his Bachelor of Science degree in Civil Engineering from the University of New Mexico in 1976. He followed this with graduate studies in the UNM School of Public Administration. While a student at UNM studying engineering on a violin scholarship, he passed the Engineer In Training examination, and was later licensed as a New Mexico Professional Engineer in 1980.

Mr. Brasher's career in engineering began with the City of Albuquerque, where he worked in the materials lab, the Survey Section, Traffic Engineering Division, and the Water Resources Department. In his final position with the City, he was responsible for the long-term planning of the City's water supply and wastewater management, involving the City's San Juan-Chama federal water contract, water rights, and dealings with Federal and State agencies and environmental groups. During this period, he was guest lecturer on environmental planning at the UNM School of Architecture. He also served as reviewer of technical papers for publication in the Journal of the American Water Works Association. Mr. Brasher authored papers on the removal of arsenic from drinking water, hydraulic network analysis, and nitrates in drinking water.

In 1986, Mr. Brasher took a position as a design engineer with Espey/Huston & Associates – a national environmental engineering firm based in Austin, Texas with an office in Albuquerque. At EH&A, he was a principal design engineer for public sector client infrastructure projects, and private sector land development projects of all sizes and complexities. In 1990, he was licensed as a Professional Engineer in the State of Arizona, enabling his design work on public and private projects in that state.

After a five-year period with EH&A, Mr. Brasher and Mr. Dennis Lorenz, PE, formed the consulting engineering and land surveying firm of Brasher & Lorenz, Inc. For the next 22 years, the firm served clients in both the private and public sectors in planning, design, surveying, permitting, and construction management, in all fields of civil works projects. During that period, Mr. Brasher obtained New Mexico construction contractor's licenses (GS16, GS8, GF4, GF9, GA1).

In 2013, Mr. Brasher started with the State of New Mexico Department of Transportation as the Assistant District Engineer for Construction for District Five. He is currently the NMDOT District Five Engineer. His current professional affiliation is membership in the Society of Automotive Engineers.

By appointment of the Governor in 2011, Mr. Brasher joined the NM State Board of Licensure for Professional Engineers and Professional Surveyors. He has been guest lecturer on ethics at the UNM Law School. As a Board Member, he has served as Chair of the Professional Engineering Committee and is currently the Board Chair.

BOARD MEMBERS

Paul Brasher PE, Board Chair

Cliff Spirock, PS, Vice Chair

Augusta Meyers, Public Member, Board Secretary, PSC Chair

David Cooper, PS, Member

Ronald Bohannon, PE, PEC Chair

Dr. Walter Gerstle, PE, Member

Karl Tonander, PE, Member

Julie Samora, PE, Member

Vacant, Public Member

Vacant PS, Member

BOARD STAFF

Perry Valdez, Executive Director

Annette Thompson-Martinez, Deputy Director

Miranda Gonzales, Licensing Manager

Stephanie Trujillo, Financial Assistant

Angelica Urioste, Licensing Administrator

Maria Ruiz, Licensing Administrator

Vacant, Compliance Officer

Vacant, Executive Assistant

Committee Meeting Dates

Full Board Meeting Dates

June 10, 2021

August 12, 2021

September 17, 2021

November 4, 2021

December 10, 2021

January 13, 2022

February 18, 2022

April 7, 2022

June 9, 2022

June 11, 2021

August 13, 2021

November 5, 2021

January 14, 2022

April 8, 2022

June 10, 2022

MEETING SCHEDULE

In This Issue

- Did you Know?
- Executive Director
- NCEES Award recipients
- Successful Examinees
- Legalization of recreational cannabis
- Retirees

DID YOU KNOW?? By Karl Tonander, PE

In early 2020 the Professional Engineering Committee (PEC) of the New Mexico Board of Licensure for Professional Engineers and Professional Surveyors delegated approval of certain PE registrants seeking comity/endorsement in New Mexico to the Executive Director. The prior procedures meant that all applicants for endorsement, including NCEES model law engineers and others that don't vary from the New Mexico requirements, had to wait until the following PEC meeting before receiving their license number. The change effectively removed an average of 6 weeks from the licensure process for those coming to New Mexico with an existing professional engineer license from a US jurisdiction.

The Board frequently gets asked what qualifies as a PDH? The truth is that it's impossible to provide a fully comprehensive answer because of the variability of the content and nature of various trainings. In practicality, the NM Board relies upon the honesty and integrity of each licensee to determine the suitability and value of the PDH. Ask yourself if, during an audit, would you feel comfortable defending the PDH as contributing to your growth as a professional Engineer or Surveyor, and would you have some reasonable documentation to support that opinion? If yes, you're probably good. If you're not comfortable with that, you may want to consider not listing the PDH and/or making certain you have sufficient PDHs that if something is disqualified you will still exceed the minimum requirements. Remember too that most licensing jurisdictions have PDH requirements, but not all are the same and the dates for compliance are throughout the year. Please be aware of what restrictions or criteria apply to each.

Engineer/Surveyor of Record- New Mexico does not have a formal certificate of authorization process like many neighboring states but it does require that any business offering either (or both) engineering or surveying services have on file with the Board an affidavit identifying a registered professional for either (or both) services. Put more formally, pursuant to 61-23-21. (D.) and 61-23-27.9 (D.) of the 2017 New Mexico Engineering and Surveying Practice Act, it is required to file a signed and notarized affidavit designating the authorized company officer and professional engineer/professional surveyor for all business entities offering professional engineering and professional surveying services operating in the State of New Mexico. The current forms can be found on the Board website in pdf format under Surveying> Surveying Resources or Engineering>Engineering Resources.

What is meant by "offering services to the public"? There is frequently confusion regarding what constitutes the public when offering (or providing) engineering and surveying services. In essence, any offer for services outside of the company employing the engineer or surveyor is considered public services, even if the recipient of those services is another company (even a private company). When offering services to the public at a project site within the jurisdictional limits of the state of New Mexico, professional licensure in New Mexico is required and failure to have a valid license is in violation of the New Mexico Engineering and Surveying Practice Act (NMSA 61-23).

The Missouri Board of Licensure for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects has a well written note regarding the preparation of SPCC (Spill Prevention, Control, and Countermeasure) Plans. While the legal references are specific to the Missouri Act & Rules, the approach and sentiment match that of New Mexico and most other jurisdictions:

The Missouri Board has concluded that preparation and self-certification of SPCC Plans are engineering responsibilities and therefore are required to be prepared by licensed PEs. A public body, such as the United States Environmental Protection Agency may have a more stringent requirement than Chapter 327, RSMo; however, nothing in Chapter 327 permits a body to substitute a requirement which nullifies the requirements of Chapter 327.

It is the opinion of the Missouri Board that all plans that are Tier I or II have to be sealed and that any plans created in Missouri, other than by federal employees on federal lands, need to be sealed by a Missouri PE. However, the federal government has often disagreed with that interpretation and may apply different standards to its employees than to others.

Professional Board Member Vacancy

GLEN THUROW, PS
Served on the Board from
2013-2021.

PS COMMITTEE

“Professional Surveying Committee” means a committee of the board entrusted to implement all business of the Engineering and Surveying Practice Act as it pertains to the practice of surveying, including the promulgation and adoption of rules of professional responsibility for professional surveyors exclusive to the practice of surveying

Public Board Member Vacancy

The PEC Committee
strives to expedite the
approval process for
licensure.

PE COMMITTEE

“Professional Engineering Committee” means a committee of the board entrusted to implement all business of the Engineering and Surveying Practice Act as it pertains to the practice of engineering, including the promulgation and adoption of rules of professional responsibility for professional engineers exclusive to the practice of engineering

Acting as a Subcontractor for Engineering Services is Still Offering Engineering Services to the Public

While NMSA 61-23-22.B. allows engineering practice solely within ones’ business, it does not extend to those that offer engineering services as a subcontractor to other private businesses. As a subcontractor (or contractor), if you offer engineering services to any other entity you are subject to the requirements of professional registration. NMSA 61-23-23.1 further provides the Board authority to investigate and enforce against unlicensed practice. The same holds true for surveyors, although the relevant sections of the Engineering and Surveying Practice Act are 61-23-27.10 and 61-23-27.15, respectively.

DIRECTOR DEETS

PERRY VALDEZ, BLPEPS EXECUTIVE DIRECTOR



Perry Valdez is the Executive Director for the New Mexico Board of Licensure for Professional Engineers and Professional Surveyors. He began his career in State Government with the Board in 2004 as a Licensing Clerk, was promoted to higher level positions, and eventually was appointed as the Executive Director of the Agency. Mr. Valdez has been the Executive Director of the Agency since October 2015. He has been with the Board office for 16 years. Mr. Valdez has a BS degree in Engineering Technology Electrical from New Mexico State University and a BA in Philosophy from the Pontifical Athenaeum Regina Apostolorum in Rome, Italy. He received an MBA from Arizona State University in December 2020 and actively participates in committees with the National Council of Examiners for Engineering and Surveying.

NCEES NEWS

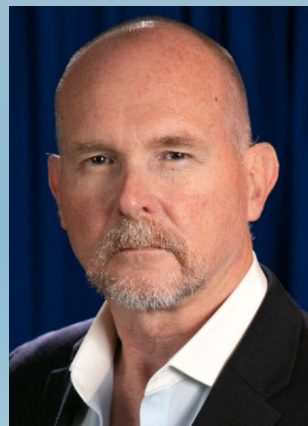
GLEN THUROW, PS & KARL TONANDER, PE
*WERE SELECTED TO RECEIVE THE NCEES
WESTERN ZONE
DISTINGUISHED SERVICE AWARD*



www.CreativeCertificates.com

Karl Tonander

***Elected as the
NCEES Western
Zone Treasurer***



Practice of Surveying (PS) and (FS) Examinees

The New Mexico Board of Licensure for Professional Engineers and Professional Surveyors would like to congratulate the following recent examinees who received passing scores on the Principles and Practice of Surveying exam. Their dedication to completing the path to professional licensure in New Mexico provides leadership for the future of surveying in our State.

Jeremy Baker	Antonio Martinez
Joseph Colson	Justin Martinez
Jesus Favela	Phillip Miller
Luis Landaverde	Louis Thatcher

The New Mexico Board of Licensure for Professional Engineers and Professional Surveyors would like to congratulate the following recent examinees who received passing scores on the Fundamentals of Surveying exam. The FS represents the first step in the examination leg of the path to professional licensure.

Mikaela Hicks
Billy Lewellen
Alejandro Pinedo
Jefferson Powers
Tyler Seely

Fundamentals of Engineering (FE) Examinees

The New Mexico Board of Licensure for Professional Engineers and Professional Surveyors would like to congratulate the following recent examinees who received passing scores on the Fundamentals of Engineering exam. The FE represents the first step in the examination leg of the path to professional licensure.

July 2, 2019—May 1, 2021 Passing Examinees

Carl Abadam
Nabahe Abeita
Roman Acosta
Celina Adame
Esperanza Aguilar
Indira Aguirre
Morgan Aguirre
Seyedali Aleali
Alan Ambrose
Trevor Amestoy
Casey Aumack
Evan Babcock
Henry Baer
Amir Hossein Bagherieh
Nicholas Baker
Elsa Baldonado
Jacob Barker
Joshua Barrera
Abby Bassie
Katherine Benavidez
Felicia Bennett
Edwin Bergeron
Robert Berrens
Kelsey Bicknell
Lucas Bierig
Christopher Bond
Andrew Borrego
Augustus Brinckmeyer
Brandon Brown
Dalton Bruce
Joshua Budish
Cesar Bueno Ortiz
Samuel Bynum
Pascual Camacho-Legarreta
Garrett Chavez

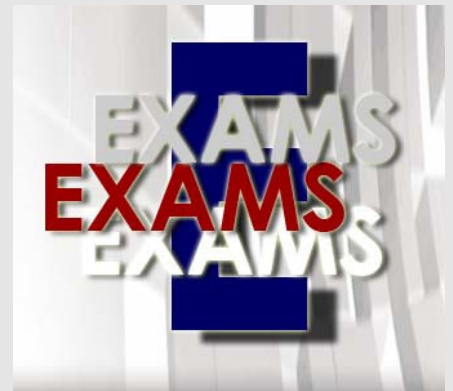
Soamiya Chavez
Angel Chavira
Rahulreddy Chennareddy
Zachary Chesnut
Kyle Christy
Cevin Clarke
Victoria Coronado
Angel Cortina
Alyssa Covarrubia
Nicholas Cross
Brandon Cruz
Anand Dandavate
John Davies
Karl Deissinger
Dominic DePauli
Juan Dominguez
Brandon Dukes
Noah Edwards
Nicholas Espinoza
Jason Falls
Matthew Ferguson
Carter Fietek
Isaac Flores
Elsy Flores Garcia
Kyle Flowers
Benjamin Gallegos
Sathya Geetha Ganesan
Emily Ganley
John Garcia
Luis Garcia
Yazan Gharbia
Thomas Goller
Gregory Gonzales

Marcos Gonzales
Matthew Gonzales
Seth Gordon
Jesus Guillen
Sabina Gulick
Tyler Hagengruber
Erfan Hakimian
Jacob Halstead
Haley Hanson
Mason Hardy
Md Amanul Hasan
Mark Hathcock
Donald Haynes
Westley Henderson
Alyssa Hendren
Patrick Hendrickson
Edgar Hernandez
Jacob Hernandez Lilley
Tadeo Herrera
Douglas Hood
Robert Howard
Jason Hughes
Joash Inoferio
James Jackson
Dacia Jacquez
Anthony Johnson
Joseph Kaberlein
Ishan Kafle
Jaimy Karacaoglu
Taviana Keeney
Weston Koerper
Nikhil Kumar
Kyra Lamar
Amrit Lamsal
Garrett Laney

(FE) Passing Examinees....continued

Rose Yesl Lee
Michael Lin
Kameron Lozano
Melissa Lucero
Nicholas Lujan
James Marchand
Uriel Marquez
Velia Marquez Soto
Roberto Martinez
Joseph Martinez-Ponce
Caleb Matheson
Jed Maxey
Steven McCrory
Samuel McGregor
Justin McLain
Jordan Miller
John Miyagishima
Tyler Mobraten
Travis Moe
Gibson Morgan
Thomas Moseley
John Mumm
Elliot Nash
Joshua Neal
Zachary Nevitt
Alicia Nieto
Angel Ortiz
Chris Ortiz
Angel Padilla
Frank Paternoster
Jacob Pelster
Alissa Perea
Lukas Peterson
Jonathan Pham
Nathaniel Pittman
Dyllian Powell
Zachary Prostando
Dan Puckett
Justin Quarry
Patience Raby
Jack Rains
Hayden Randall
Magdelyn Rich

Lucas Rivera
Lucas Robillard
Jacob Romero
Austin Rowan
Zachary Rubin
Cesar Ruiz
Mateo Sanchez
Mileena Sanchez
Miguel Angel Santillanes Lopez
Matheen Basha Shaik
Adam Shannon
Steve Sharifi
Dean Sieck
Joseph Sinclair
Joseph Sing
Ameer Slim
Mariah Smith
Luke Soens
John Stapleton
Samuel Tafoya
Sugam Tandukar
Amy Tattershall
Jonathan Taylor
Jarred Thomas
Brady Thompson
Fernando Tirado Olea
Andres Torres Jr
Aaron Trujillo
Courtney Unale
Mathew Vallejos
Isaac Varela
Justin Varner
Jacob Vasquez
Ethan Washburn
Noah White
Marco Wiesse
Blake Williams
Brad Williams
Eric Williams
Dalton Wright
Alfredo Nahum Zendejas Rodriguez
Cameron Zielinski



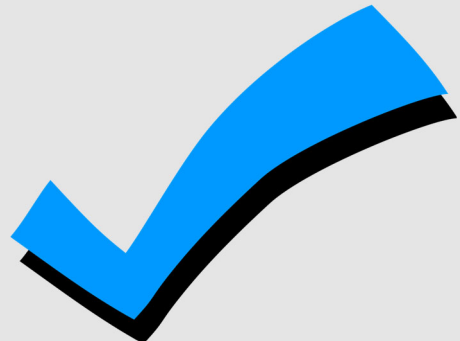
Practice of Engineering (PE) Examinees

The New Mexico Board of Licensure for Professional Engineers and Professional Surveyors would like to congratulate the following recent examinees who received passing scores on the Principles and Practice of Engineering exam. Their dedication to completing the path to professional licensure sets an example for the next generation of engineers.

July 2, 2019—May 1, 2021 Passing Examinees



**One step closer to
obtaining licensure as a
Professional Engineer!!!**





Recent changes coming to New Mexico have already resulted in an interesting question posed to the Board. During the 2021 legislative sessions New Mexico passed several pieces of legislation, but two have an odd nexus. The first involves the legalization of recreational cannabis, and the second was the removal of the general ‘moral turpitude’ clause from all professional registrations. In the past, many (and perhaps most) illegal activities were reviewed relative to the fairly loose term of moral turpitude. In common application, the Board would consider the specific crime and how that would impact the registrant’s ability to effectively provide professional practice. If a crime was found indicative of a violation of moral turpitude the registrant faced some level of action, up to and including license revocation. The removal of these words by the legislature is intended to require the various Boards and Commissions to be more precise in what criminal activity impacts professional judgement and hence licensure, ideally removing any arbitrary or inconsistent application of the clause. This process of specifying the various criminal acts is to be completed by late 2021.

Intermingled with this effort, however, is the legalization of recreational cannabis by the state of New Mexico, which is anticipated to take effect in 2022. This legalization creates two odd questions for the Board. First, is working on a cannabis

project after legalization in New Mexico takes effect a question of moral turpitude? What about working on a cannabis project prior to legalization in New Mexico? Further complicating the issue, 16.39.8.9.A.(5) of the New Mexico Administrative Code (NMAC), the Rules of Professional Conduct, state that a registrant must “[r]efuse to associate in a business venture with any person or firm whom they may have reason to believe is engaging in fraudulent or dishonest business or professional practices as an engineer or surveyor and refuse to use or permit the use of their name or firm in connection with any such business venture.” One legal definition of “fraudulent and dishonest” is that they encompass such matters as larceny, theft, embezzlement, forgery, misappropriation, wrongful abstraction, wrongful conversion, willful misapplication or any other fraudulent or dishonest acts resulting in financial loss.

All of these factors will need to be reviewed in consideration of the legislative changes, but for now the boundaries remain undefined. Registrants are advised to carefully consider their engagements with respect to these and the other elements of the Code of Conduct and the Engineering and Surveying Practice Act.

**The New Mexico Board of Licensure for Professional Engineers and Professional Surveyors
would like to thank the following retirees**

Professional Engineer Retirees

Michael Abeyta	John Goetten	Lawrence Read
Nathaniel Addleman	Paul Gorder	David Redding
Motilal Aggarwal	Kapil Goyal	Dan Reddy
William Barringer	Tucker Green	Timothy Repetz
Steven Becker	Donald Groves, Jr.	Michael Robinson
Bruce Beenken	Daniel Hagan	Lloyd Rogers
Miles Blackman	Bryan Hardesty	Santiago Romero
Alan Blair	James Harris	Richard Rose
John Blasingame	Lawrence Hartnett	Ricardo Roybal
Phillip Boawn	Deborah Hathaway	George Sahyouni
Steven Boberg	George Havlik	Leroy Salazar
Brian Boman	Robert Hazelton, Jr.	Melody Schedlbauer
Steven Bruning	Stephen Hazlip	Samuel Senn
Deborah Brunt	Stanley Henderson	James Shiner
Richard Burr	C. Herrera	Bahadur Sidhu
Carter Campbell	Walter Hines	James Sirko
Roger Cardon	Lewis Israel	Samuel Small
Christopher Carnahan	John Kolessar, III	Peter Stauch
Sanford Case	Rogers Lloyd	Gary Steigman
Arthur Charrow	James Loonan	George Stevenson
Salvatore Conti	Bruce MacIlroy	John Sullivan
Douglas Copeland	Verne Markwick	Christopher Timm
Andrew Cover	Thomas Martin	Vincent Tonc
James Covey	Lynn Mazur	Thomas Turney
Douglas Dailey	Daniel McLaughlin	Joseph Tyburski
Michael Du Mond	Louis Medrano	James Urban
Dwight Dupy	Richard Miller	Paul Van Gulick
John Dzwonczyk	Sergio Miranda	Gordon Walhood, Jr.
David Eberhart	Ralph Morris	William Warmack
Darrell Eidson	Walid Nannis	Leon Warriner
Michael Fahy	Gregory Olson	Robert Weimer
Stuart Faith	Lucia Ortiz	James Wermes
Rhonda Faught	David Owsley	Richard Williamson
Richard Field	Paul Parks	John Wilson
Jimmy Fletcher	Gary Pettit	Nicholas Winowich
Blake Forbes	David Pfeiffer	Clinton Woodward, Jr.
Blake Forbes	John Pflugh	Michael Yost
Rhonda Fraught	Isaac Pino	Risana Zaxus
Ernest Garcia	Mark Ralph	John Zellmer
Mathew Gerhardt	Michael Ratliff	

**Professional
Surveyor
Retirees**

Ronald Forstbauer
Kenneth Hagar
Kenneth Perry
John Sullivan

EMAIL/ADDRESS

NOTIFY THE BOARD OFFICE IF YOUR EMAIL OR MAILING ADDRESS HAS CHANGED!

PLEASE NOTE : RENEWAL NOTICES WILL BE SENT BY E-MAIL TO THE ADDRESS ON FILE.

*Board staff is currently working from home .
Please contact us by email or leave a phone
message and we will respond to your inquiries as
quickly as possible.*

Contact Us

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Santa Fe, NM 87505

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

sbldpes.state.nm.us



Check out our
LinkedIn page



<https://www.linkedin.com/company/new-mexico-board-of-licensure-for-professional-engineers-and-professional-surveyors>

Walter D. Buchly, PE James E. Corbin, PE Garry Hugg, PS

Richard Burton, PE John P. Haynes, PEPS Charles R. Loeber, PE Ralph Shubert, PEPS

Richard S. Clark, PE Walter Hines, PE Robert R. Sharp, Jr., PE

Celia R. Tomlinson, PE– Former Board Member, 1st Woman Board Member

IN MEMORIAM