

ALABAMA STATE BOARD OF REGISTRATION FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
ADMINISTRATIVE CODE

CHAPTER 330-X-3
APPLICATIONS FOR CERTIFICATION AND LICENSURE

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330-X-3-.01	<u>Form Of Application For Certification And Licensure.</u>
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(1) All applications for licensure shall be made in the format provided by the Board and no applications made otherwise will be accepted. All questions must be accurately and thoroughly answered. An application not properly completed, containing all of the information required, or accompanied by the required fee will not be accepted. As per Code of Ala. 1975, Section 34-11-5(e), application fees will not be refunded.

(2) Applications for licensure as a professional engineer or as a professional land surveyor or for certification as an engineer intern or a land surveyor intern shall contain a declaration made under penalty of perjury.

(3) The signature of the applicant on the application form certifies that all information on the application is true and correct; and the subscription to and the conformance with this Administrative Code of the Board including the Rules of Professional Conduct. Applicants found in violation of the Law, Administrative Code or Rules of Professional conduct will be subject to disciplinary action.

(4) All applications, application fees, and supporting documents must be received by the below listed deadlines. Applications and any information pertaining to the application received after the deadline will be deferred for review for the next regularly scheduled Board meeting. It is the responsibility of the applicant to assure that all submissions are on file in the Board office prior to the deadlines that follow:

(a) Engineer intern - Board meeting agenda deadline -
application, application fee, educational transcripts, and

experience verification forms (if necessary) and verification of exam.

(b) Land surveyor intern - Board meeting agenda deadline - application, application fee, educational transcripts, and experience verification forms (if necessary) and verification of exam.

(c) Professional engineer - Board meeting agenda deadline - application, reference forms, experience verification forms, educational transcripts, verifications of examinations, application, and licensure fee.

(d) Professional land surveyor - Board meeting agenda deadline - application, reference forms, experience verification forms, educational transcripts, verifications of examinations, and application fee.

(5) Withholding information, providing statements which are untrue or misrepresenting the facts may be cause for denial of an application or revocation of license. If the infraction is identified after the board has approved the applicant for examination, the board may temporarily suspend its previous approval and examination results will not be released until such time as a hearing can be conducted.

(6) Licensure as a professional engineer or professional land surveyor by comity is granted provided the applicant's qualifications meet the requirements of Code of Ala. 1975, Chapter 11, Title 34, as amended, effective at the time of initial licensure and the applicant is currently licensed as a professional engineer or professional land surveyor, respectively, and in good standing within another jurisdiction.

(7) Licensure as a professional engineer or professional land surveyor is granted in accordance with the Military Family Jobs Act #2022-92 as codified at Code of Ala. 1975, §31-1-6, provided the "eligible individual" possesses a valid license or certificate in good standing in another, state, district, or territory of the United States, or in any branch of the United States Armed Forces, including the National Guard, that is substantially similar to the license issued by the board.

An "eligible individual" is the spouse of any of the following:

(a) An active duty, reserve, or transitioning member of the United States Armed Forces, including the National Guard, who is on active-duty status or on separation leave within 24 months of retirement,

(b) a surviving spouse of a service member who at the time of his or her death, was serving on active duty who is relocated

to and stationed in the State of Alabama under official military orders,

(c) an individual currently employed by the United States Department of Justice or any of its encompassed Offices, agencies, institutes, and bureaus, including, but not limited to, the Federal Bureau of Investigations (FBI), the U.S. Attorney's Office, the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), the Drug Enforcement Administration (DEA), and the United States Marshall Service (USMS), who is relocated to Alabama by order of their employer,

(d) or an individual currently employed at the National Aeronautics and Space Administration who is relocated to Alabama by order of their employer.

(8) A Temporary Permit as a professional engineer or professional land surveyor is granted in accordance with the Military Family Jobs Act #2022-92 as codified at Code of Ala. 1975, 31-1-6, to an "eligible individual" effective for at least 360 days, while the Board deliberates the application to obtain a license or certificate in this state.

(9) If a current, complete, properly executed NCEES Record is provided the professional engineer or professional land surveyor applicant will be required to complete only certain sections of the Alabama application form.

(10) For all applicants other than those holding an NCEES Record, when there is a degree required, the Board requires an official transcript to be sent directly from each school where the applicant received an engineering, engineering technology, land surveying, land surveying technology or related science degree. The transcript(s) must show degree(s) issued and date of issuance. It is the responsibility of the applicant to see that the transcript is sent directly from the institution to the Board office, or to NCEES and no action will be taken by the Board until such information is received. In the event it is impossible to have a transcript sent directly from the institution to the Board, the Board reserves the authority to evaluate and accept a transcript received from a different source.

(11) If an applicant for examination or comity has been convicted of a felony and has had his or her civil rights revoked, the application cannot be approved for examination, licensure, or certification until the civil rights of the person have been restored and approval of the board has been granted.

(12) A graduate of a foreign institution will be required to have his or her transcript evaluated by an agency specified by the Board and shall be done at the expense of the applicant.

(13) A graduate of a related science degree will be required to have his or her transcript evaluated by an agency specified by the Board and shall be done at the expense of the applicant.

Author: William R. Huett, Executive Director; Bonnie Kelly

Statutory Authority: Code of Ala. 1975, §§34-11-5, 34-11-35.

History: Filed September 2, 1982. **Amended:** Filed November 14, 1984; May 26, 1986; September 15, 1987; March 5, 1990; July 3, 1992. **Amended:** Filed September 13, 1994; effective October 18, 1994. **Amended:** Filed May 13, 1996; effective June 17, 1996.

Amended: Filed September 23, 1998; October 28, 1998. **Amended:** Filed April 29, 2003; effective June 3, 2003. **Amended:** Filed December 15, 2005; effective January 19, 2005. **Amended:** Filed August 29, 2005; effective October 3, 2005. **Amended:** Filed October 30, 2006; effective December 4, 2006. **Amended:** Filed December 26, 2007; effective January 30, 2008. **Amended:** Filed June 22, 2012; effective July 27, 2012. **Amended:** Filed July 30, 2014; effective September 3, 2014. **Amended:** Filed August 5, 2015; effective September 9, 2015. **Amended:** Filed November 16, 2018; effective December 31, 2018. **Amended:** Published November 29, 2019; effective January 13, 2020. **Amended:** Published November 30, 2021; effective January 14, 2022. **Amended:** Published November 30, 2022; effective January 14, 2023.

Ed. Note: Rule 330-X-3-.02 was renumbered 330-X-3-.01 and the original 330-3-.01, Grouping of Applications, was repealed as per the certification filed September 23, 1998; effective October 28, 1998.

330-X-3-.02 Reconsideration Of Denied Application.

(1) A denied application may be considered by the Board, if written notice of appeal is received by the executive director within thirty days after the applicant has been notified of the ruling of the Board.

(2) A hearing shall be held within a reasonable time after receipt of the notice of appeal, or at such time agreed upon by stipulation between the applicant and the executive director.

(3) At least a quorum of the Board must be present to hold a hearing.

(4) Evidence, including oral testimony, shall be freely admitted. The applicant shall be allowed to have counsel present if desired.

(5) The Board shall issue a final decision within thirty days of the date of the hearing, which shall include findings of fact and official action taken. The applicant shall be delivered a copy of the decision by first class mail.

(6) The decision of the Board may be appealed to the Circuit Court of Montgomery County, as provided in Code of Ala. 1975, Section 34-11-13, within thirty days of the decision of the Board.

(7) The record on appeal shall be certified by the executive director of the Board, and shall include the entire record including a transcript of the hearing, if a transcript is made.

Author: Alabama State Board of Registration for Professional Engineers and Land Surveyors.

Statutory Authority: Code of Ala. 1975, §34-11-35.

History: Filed September 22, 1982. **Amended:** Filed July 13, 1992. **Amended:** Filed September 23, 1998; effective October 28, 1998.

Ed. Note: Rule 330-X-3-.04 was renumbered 330-X-3-.02 as per the certification filed September 23, 1998; effective October 28, 1998.

330-X-3-.03 Disposal Of Applications.

(1) Approved Applications - When the Board, after due consideration of an application and of information pertaining thereto, is satisfied that the applicant is eligible for certification as an engineer intern or land surveyor intern, or licensure as a professional engineer or professional land surveyor, under any section of the law, the applicant will be granted a certification or license, and the applicant will be notified by the executive director. The application and all pertinent information will be made a portion of the individual's permanent file kept by the board office in accordance with its retention of records procedures.

(2) Deferred Applications - When the Board, after due consideration of an application and of information pertaining thereto finds that the applicant is not currently eligible for certification or licensure, but the Board believes the minimum legal requirements may be met within one year, the application may be deferred by the Board. The applicant will be notified of the action of the Board by the Executive Director, and for further consideration the applicant may submit the required information, without fee, provided the resubmittal is within one year or date specified by the Board. The application will close one year from the date of the Board's consideration and the applicant must submit a new application unless otherwise specified by the Board.

(3) Denied Applications - When the Board, after due consideration of an application and of information pertaining thereto finds that the applicant is not currently eligible for certification or licensure under any section of the law, the applicant will be denied certification or licensure. The applicant will be notified of the action of the Board by the executive director, and for

further consideration the applicant may submit a new application, without fee, after securing the necessary eligibility, provided the resubmittal is within one year from the date of the Board's consideration. An applicant who is denied licensure, denied the opportunity to take an examination, has the opportunity to meet with the Board and/or to appeal the Board's decision as provided by Code of Ala. 1975, Sections 34-11-13, 41-22-12 through 41-22-21.

(4) Incomplete or Not Approved Applications - If an application is not approved, or all necessary information required for Board review is not received within one year from the date an application was initiated, the applicant must submit a new application and application fee.

(5) Deferred, denied, and inactive applications will be maintained in accordance with the Records and Retention Schedule prepared by the Department of Archives and History.

Author: William R. Huett (Executive Director), Bonnie Kelly

Statutory Authority: Code of Ala. 1975, §34-11-35.

History: Filed September 22, 1982. **Amended:** Filed March 5, 1990; July 13, 1992. **Amended:** Filed September 23, 1998; effective October 28, 1998. **Amended:** Filed June 22, 2012; effective July 27, 2012. **Amended:** Filed August 5, 2015; effective September 9, 2015. **Amended:** Filed November 16, 2018; effective December 31, 2018. **Amended:** Published November 30, 2022; effective January 14, 2023. **Amended:** Published December 31, 2024; effective February 14, 2025.

Ed. Note: Rule 330-X-3-.05 was renumbered 330-X-3-.03 and the original 330-3-.03, Applications from Nonresidents, was repealed as per the certification filed September 23, 1998; effective October 28, 1998.