

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 330
Department or Agency: Alabama State Board of Registration for Professional Engineers and Land Surveyors
Rule No.: 330-X-3-.03
Rule Title: Disposal Of Applications
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? 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? Yes

To what degree?: Clarifies that a new licensure application and fee is required if first application is not completed by applicant within one year.

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

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

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an 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 proposed 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 Procedure Division of the Legislative Services Agency.

Signature of certifying officer: William R. Huett, Rick Huett

Date: Tuesday, October 15, 2024

REC'D & FILED OCT 15, 2024 LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF REGISTRATION FOR  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Registration for Professional  
Engineers and Land Surveyors

RULE NO. & TITLE: 330-X-3-.03 Disposal Of Applications

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Update term used to describe closed applications, and clarify the need for new application and fee

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

11:00 A.M., 100 N. Union Street, Ste 382, Montgomery, AL 36104, or email, or virtual attendance.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, December 5, 2024

CONTACT PERSON AT AGENCY:

Rick Huett,  
rick.huett@bels.alabama.gov

*William R. Huett*

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Rick Huett

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**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~~Inactive Applications - If~~ 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 ; effective** .