

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-6-.01

Rule Title: Qualifying Experience

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? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

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 OCT 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-6-.01 Qualifying Experience

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:
Include direct supervision in qualifying experience

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

Rick Huett

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

330-X-6-.01 Qualifying Experience.

In evaluating experience offered as qualifying experience under Code of Ala. 1975, §34-11-4(1), (2), (3), the Board will take into consideration the following:

(a) Experience must be progressive and of an increasing standard of quality and responsibility and usually follows graduation.

(b) Professional land surveyor applicants will usually gain experience by working under the direct supervision of a licensed professional land surveyor, or by working with a licensed professional land surveyor who closely observed the applicant's work as an associate within the same company and the same location. Verification of experience must be by the licensed professional land surveyor supervisor, the licensed professional land surveyor associate, or in some other relationship that assures the Board that the experience received is substantially equivalent to supervision under a licensed professional land surveyor. It is the responsibility of the applicant to have the verification forms provided in the application completed. See Rule 330-X-3-.01(4).

(c) Professional engineer applicants will usually gain experience by working under the direct supervision of a licensed professional engineer. ~~Experience may also be gained,~~ or by working with a licensed professional engineer who closely observed the applicant's work as an associate within the same company and the same location. Verification of experience must be by the licensed professional engineer supervisor, the licensed professional engineer associate, or in some other relationship that assures the Board that the experience received is substantially equivalent to supervision under a licensed professional engineer. It is the responsibility of the applicant to have the verification forms provided in the application completed. See Rule 330-X-3-.01(4).

(d) Concurrent time, that is time spent in engineering work, while attending school, can only be credited as education experience or work experience but not as both.

(e) Experience credited on the engineer intern or professional engineer application as engineering experience cannot be claimed as land surveying experience on the land surveyor intern or professional land surveyor application. Experience credited on the land surveyor intern or professional land surveyor application as land surveying experience cannot be claimed as engineering experience on the engineer intern or professional engineer application.

(f) Military experience, to be creditable, must have been spent in engineering work or land surveying work and be of a character equivalent to that required in the civilian sector

in like work. Normally, it would be expected that the applicant while in the armed services, served in an engineering, engineering-related, or surveying group.

(g) For sales experience to be creditable, it must be demonstrated conclusively that engineering principles and engineering knowledge were actually employed. The mere selection of data or equipment from a company catalog or a similar publication will not be considered engineering experience.

(h) Successful completion of graduate study in an engineering curriculum leading to a master's degree in engineering in a program whose undergraduate or graduate degree is accredited by EAC/ABET may be credited as one year of engineering experience. Successful completion of a Ph.D. in engineering after completion of a master's degree may be credited for an additional year of experience. Successful completion of graduate study in a land surveying curriculum leading to a master's degree in land surveying in a program whose undergraduate or graduate degree is accredited by ABET may be credited as one year of surveying experience. Successful completion of a Ph.D. in land surveying after completion of a master's degree may be credited for an additional year of experience. If the Ph.D. in engineering or land surveying is obtained without the master's degree, the credit for experience will be two years. If the awarding of the master's or higher degree has been used to change the category of curricula for which the applicant is accepted as identified in Section 330-X-5-.01, it cannot be used for experience credit.

(i) For teaching experience to be creditable, the engineer applicant must have taught engineering or engineering-related courses at an advanced level in a four-year engineering or engineering technology curriculum accredited by ABET and must have been under the supervision of a licensed professional engineer. For teaching experience to be creditable as land surveying experience, the land surveyor applicant must have taught surveying or surveying-related courses at an advanced level in a land surveying or land surveying technology curriculum accredited by ABET and must have been under the supervision of a licensed professional land surveyor.

(j) Engineering experience leading to licensure as a licensed professional engineer should be directed toward the identification and solution of practical problems in the applicant's area of engineering specialization. This experience should include engineering analysis of existing systems or structures or the design of new systems or structures and be under the supervision of a licensed professional engineer.

(k) Experience in construction supervision in order to be qualifying must include use of engineering skills in assuring compliance with specifications and design as approved by the Board.

(l) Experience must not be anticipated. The experience must have been gained before the time the application is submitted.

(m) Land surveying experience must be progressive and must include experience in property conveyance/boundary line determination, field work, office work, and legal/courthouse research. A substantial portion of the experience must be spent in charge of work related to property conveyance and/or boundary line determination.

(n) Surveying experience prior to graduation is evaluated by the Board on a case-by-case basis. Engineering experience prior to graduation is evaluated by the Board on a case-by-case basis and is limited to a 2-year maximum.

(o) Experience gained in engineering research and design projects by members of an engineering faculty where the program is approved by the board is creditable.

(p) Part time experience is evaluated by the Board on a case-by-case basis. ~~In considering part time experience, the months of experience granted by the Board will generally be based on no more than a ratio of part time vs. full time and must meet the requirements of Rule 330-X-6.01(a)~~

(q) When considering experience at no time will the Board grant experience in excess of ~~a 1:1 calendar ratio~~ forty hours per calendar week.

(r) The Board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum board requirements established in Sections (a) through (q) above.

Author: William R. Huett (Executive Director), Bonnie Kelly
Statutory Authority: Code of Ala. 1975, §§34-11-4, 34-11-35.

History: Filed September 22, 1982. **Amended:** Filed November 14, 1984; September 15, 1987; March 5, 1990. **Amended:** Filed September 13, 1994; effective October 18, 1994. **Amended:** Filed May 13, 1996; effective June 17, 1996. **Amended:** Filed September 23, 1998; effective October 28, 1998. **Amended:** Filed April 29, 2003; effective June 3, 2003. **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 30, 2021; effective January 14, 2022. **Amended:** Published November 30, 2022; effective January 14, 2023. **Amended:** January 19,

2023; effective June 12, 2023. Amended: Published ;
effective .