

Secretary of State
NOTICE OF PROPOSED RULEMAKING HEARING*
A Statement of Need and Fiscal Impact accompanies this form

<u>Board of Examiners for Engineering and Land Surveying</u>	820
Agency and Division	Administrative Rules Chapter Number
<u>Mari Lopez</u>	(503) 362-2666, ext. 26
Rules Coordinator	Telephone
<u>Board of Examiners for Engineering and Land Surveying, 670 Hawthorne Ave. SE, Suite 220, Salem, OR 97301</u>	
Address	

RULE CAPTION

Amend rules that clarify requirements related to registration or application for registration. Adopt 1 rule.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

Hearing Date	Time	Location	Hearings Officer
5-8-12	02:00 PM	670 Hawthorne Avenue, SE Suite 220 Salem, OR 97301	Dan Linscheid

Auxiliary aids for persons with disabilities are available upon request.

RULEMAKING ACTION

Secure approval of rule numbers with the Administrative Rules Unit prior to filing

- ADOPT:**
OAR 820-010-0730
- AMEND:**
OAR 820-010-0204, OAR 820-010-0206, OAR 820-010-0208, OAR 820-010-0209, OAR 820-010-0210, OAR 820-010-0212, OAR 820-010-0213, OAR 820-010-0214, OAR 820-010-0215, OAR 820-010-0260, OAR 820-010-0300, OAR 820-010-0305, OAR 820-010-0442, OAR 820-010-0465, OAR 820-010-0505, OAR 820-010-0520, OAR 820-010-0530, OAR 820-010-0621, and OAR 820-010-0622
- REPEAL:**
- RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.
- AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.
- Statutory Authority:**
ORS 672.255
- Other Authority:**
ORS 670.310
- Statutes Implemented:**
ORS 672.002 - 672.325

RULE SUMMARY

- OAR 820-010-0204 - Revises the time frame from 'two' to 'five' years remaining consistent with the statute.
- OAR 820-010-0206 - Revises the time frame from 'two' to 'five' years remaining consistent with the statute.
- OAR 820-010-0208 - Revises the time frame from 'two' to 'five' years remaining consistent with the statute.
- OAR 820-010-0209 - Housekeeping. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0210 - Housekeeping. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0212 - Housekeeping. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0213 - Housekeeping. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0214 - Housekeeping. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0215 - Clarifies that incomplete applications can not be forwarded.
- OAR 820-010-0260 - Housekeeping. Revises term from 'rejected' to 'denied' in relation to applications.
- OAR 820-010-0300 - Housekeeping. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0305 - Reduces the annual renewal fee for PE, PLS, and RPP from \$90.00 to \$75.00. Revises term 'reapplication' to 'application for readmission' consistent with the rule for readmission (housekeeping).
- OAR 820-010-0442 - Adds a separate deadline for applications for readmission to an examination and separate deadlines for applications by comity or 1st licensure.
- OAR 820-010-0465 - Adds requirements for additional information if two or more administrations passed since the last application was

OAR 820-010-0465 - Adds requirements for additional information if two or more administrations passed since the last application was submitted.

OAR 820-010-0505 - Reduces the biennial renewal fee for PE, PLS, and RPP from \$180.00 to \$150.00.

OAR 820-010-0520 - Housekeeping. Deletes language 'if applicable' since the requirements will apply to all circumstances.

OAR 820-010-0530 - Housekeeping. Deletes language 'if applicable' since the requirement will apply to the circumstance.

OAR 820-010-0621 - Housekeeping. Deletes unnecessary language.

OAR 820-010-0622 - Separates the circumstances in which a PE may modify designs or documents.

OAR 820-010-0730 - Adopts language for the use of engineering title if registered in another jurisdiction.

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

<u>05-08-2012 Close of Hearing</u>	<u>Mari Lopez</u>	<u>LopezM@osbeels.org</u>	<u>3-15-12 11:24a.m.</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed

*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.

ARC 923-2003

Secretary of State

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Board of Examiners for Engineering and Land Surveying

820

Agency and Division

Administrative Rules Chapter Number

Amend rules that clarify requirements related to registration or application for registration. Adopt 1 rule.

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Adopting OAR 820-010-0730 and amending OAR 820-010-0204, OAR 820-010-0206, OAR 820-010-0208, OAR 820-010-0209, OAR 820-010-0210, OAR 820-010-0212, OAR 820-010-0213, OAR 820-010-0214, OAR 820-010-0215, OAR 820-010-0260, OAR 820-010-0300, OAR 820-010-0305, OAR 820-010-0442, OAR 820-010-0465, OAR 820-010-0520, OAR 820-010-0530, OAR 820-010-0621, and OAR 820-010-0622

Statutory Authority:

ORS 672.255

Other Authority:

ORS 670.310

Stats. Implemented:

ORS 672.002 - 672.325

Need for the Rule(s):

- OAR 820-010-0204 – To revise the time frame from 'two' to 'five' years remaining consistent with the statute.
- OAR 820-010-0206 - To revise the time frame from 'two' to 'five' years remaining consistent with the statute.
- OAR 820-010-0208 - To revise the time frame from 'two' to 'five' years remaining consistent with the statute.
- OAR 820-010-0209 - Housekeeping. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0210 - Housekeeping. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0212 - Housekeeping. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0213 - Housekeeping. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0214 -Housekeeping. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0215 – To clarify that incomplete applications cannot be forwarded.
- OAR 820-010-0260 - Housekeeping. To revise the term from 'rejected' to 'denied' in relation to applications.
- OAR 820-010-0300 - Housekeeping. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission.
- OAR 820-010-0305 – To reduce the annual renewal fee for PE, PLS, and RPP from \$90.00 to \$75.00. To revise the term 'reapplication' to 'application for readmission' consistent with the rule for readmission (housekeeping).
- OAR 820-010-0442 – To add a separate deadline for applications for readmission to an examination and separate deadlines for applications by comity or 1st licensure.
- OAR 820-010-0465 – To add requirements for additional information if two or more administrations passed since the last application was submitted.
- OAR 820-010-0505 - To reduce the biennial renewal fee for PE, PLS, and RPP from \$180.00 to \$150.00.
- OAR 820-010-0520 - Housekeeping. To delete language 'if applicable' since the requirements will apply to all circumstances.
- OAR 820-010-0530 - Housekeeping. To delete language 'if applicable' since the requirement will apply to the circumstance.
- OAR 820-010-0621 - Housekeeping. To delete unnecessary language.
- OAR 820-010-0622 – To separate the circumstances in which a PE may modify designs or documents.
- OAR 820-010-0730 – To adopt language for the use of engineering title if registered in another jurisdiction.

Documents Relied Upon, and where they are available:

Minutes of the committee and Board meetings; available upon request or by visiting the Board Web site at www.oregon.gov/osbeels.

Fiscal and Economic Impact:

Two rule amendments, OAR 820-010-305-Fees and OAR 820-010-0505-Biennial Renewal of Registration or Certification, should have a positive impact for registrants since the biennial renewal fee is decreased from \$180.00 to \$150.00.

Statement of Cost of Compliance:

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1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Hard to determine since renewal of a registration or certification is dependant on the holder of such registration or certification.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

Hard to determine since the Board is unaware of which businesses or industries that cover the cost of registration or certification renewal fees.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

None.

c. Equipment, supplies, labor and increased administration required for compliance:

None.

How were small businesses involved in the development of this rule?

If not, why?:

A few members of the Board are small business owners and participated in the review of draft language and the approval of moving to the Rulemaking Hearing process.

Administrative Rule Advisory Committee consulted?: No

Meetings of the Rules and Regulations Committee, along with other committees of the Board and Board meetings are open to the public, noticed to interested parties, and the Public Notices are posted to the Board Web site.

<u>05-08-2012 Close of Hearing</u>	<u>Mari Lopez</u>	<u>LopezM@osbeels.org</u>	<u>3-15-12 11:24 AM</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address	Date Filed

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

ARC 925-2007