



# ARKANSAS

## State Board of Registration for Professional Engineers and Land Surveyors

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October 1997

NEWSLETTER

Fourteenth Edition

## BOARD NEWS

The Arkansas Board of Registration for Professional Engineers and Land Surveyors, at its meeting on Tuesday, July 8, 1997, passed a rule change. This is Article 20 which requires continuing education as a condition for renewal of license for professional engineers and professional land surveyors. We have printed a complete copy of Article 20 in this issue. I am listing below some typical questions we have received at the Board office.

Q - Does mandatory continuing education apply to both engineers and land surveyors?

A - Yes, the requirement for professional land surveyors has been in place several years. This rule makes the rule applicable to professional engineers effective January 1, 1998. The rule does not apply to engineer-interns or land surveyors-in-training.

Q - When can a professional engineer start obtaining credits?

A - January 1, 1997

Q - I am 68 years old and been in the engineering and land surveying business in Arkansas for 30 years. Am I exempt?

A - No. There are provisions in the rule for an individual to request an exemption. However, this must be done annually and separately for each professional. The exemption must be approved by the Board for each request.

Q - Does the Board approve individual seminars?

A - No. The Board will not pre-approve any courses. There is a provision in the rules for a sponsor to get Board approval.

Q - What happens if I do not meet the requirements?

A - You will be placed on probation and have six (6) months to obtain the necessary credits. If you do not then your license will lapse.

Q - I am not practicing engineering or land surveying at this time. Can I keep my license without continuing education?

A - Yes. There are provisions in the rule for an individual to go "inactive" if he is not practicing. The rule also has provisions for you to convert back to "Active."

Q - Will Arkansas accept continuing education from other states?

A - Yes. We intend to make it as convenient as possible for individuals with multi-state license to comply with the rule.

# BOARD MEMBERS

William J. (Bill) Driggers retired from the Board June 30, 1997. Bill has been a member of the Board for 10 years. He will be missed by all members of the Board and staff.

David R. Knowles, PE, PLS was appointed to the Board effective July 1, 1997 for a 4 year term. David is a Professor in civil engineering at the University of Arkansas at Fayetteville. David and his wife, Nan, live at 2448 Elaine, Fayetteville, Arkansas. We welcome David as a member of the Board and feel sure his expertise in engineering and land surveying will be a big help to the Board.

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## DISCIPLINARY ACTIONS

The Board has taken the following disciplinary actions:

1. March 12, 1996 - The Board entered into a consent decree with David Carpenter, PLS #846 for a civil penalty of \$2000.00 with \$1000.00 suspended plus a 1000 word essay on how he may have violated the rules of the Board by practicing on a lapsed license.

2. May 14, 1996 - The Board entered into a consent decree with R.O.Covington, for a civil penalty of \$1000.00 for practicing engineering without a license.

3. May 14, 1996 - The Board entered into a consent decree with Duane Boice, PE #8545 for a civil penalty of \$1000.00 plus completing the engineering ethics course for practicing engineering without a license.

4. July 9, 1996 - The Board entered into a consent decree with Gary Whitfield, PLS #882 for a civil penalty of \$1000.00, plus 12 months probation and a 1000 word essay on the minimum standards for not complying with the minimum standards.

5. July 9, 1996 - The Board entered into a consent decree with Dennis Olsovsky, for a civil penalty of \$1000.00 for practicing engineering without a license.

6. November 12, 1996 - The Board entered into a consent decree with Kevin J. McClintick, PE #9034 for a civil penalty of \$1000.00 for practicing engineering without a license.

7. January 14, 1997 - The Board entered into a consent decree with B.T. Armstrong, PE #1402 for a civil penalty of \$2500.00 plus a reprimand for failure to properly supervise his employees or agents.

8. January 14, 1997 - The Board asked their attorney to seek an injunction against Bill Burroughs non-licensed surveyor to prevent his practice of land surveying.

9. July 8, 1997 - The Board entered into a consent decree with Thomas E. Walstrom, PE #9261 for a civil penalty of \$1000.00 for practicing engineering without a license.

10. July 8, 1997 - After a hearing the Board found Mark J. Breen, PLS #1148 guilty of a violation of the "Code of Professional Conduct" and assessed a penalty of a reprimand and the completion of the land surveyors ethics course.

11. July 8, 1997 - The Board entered into a consent decree with Russell Podgorny, PLS #1282 with a reprimand for advertising engineering services without an engineer on staff.

12. September 9, 1997 - The Board entered into a consent decree with Richard Watson, PLS #653 for a civil penalty of \$1500.00 for failure to comply with the minimum standards.

During the same time frame, the Board has investigated and dropped 17 complaints against professional land surveyors and 10 complaints against professional engineers.

## ARTICLE 20. Continuing Professional Competency (CPC).

**A. Introduction.** - In order to safeguard life, health, property and to promote public welfare, it has been determined that the practice of engineering and land surveying will require continuing education in order to renew licenses.

**B. Definitions.** - Terms used in this article are defined as follows:

1. **Professional Development Hour (PDH)** - A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit.
2. **Continuing Education Unit (CEU)** - Unit of credit customarily used for continuing education courses. One continuing education unit equals ten (10) hours of class in an approved continuing education course.
3. **College/Unit Semester/Quarter Hour** - Credit for ABET approved course or other related college course approved in accordance with "Section E" of this article.
4. **Course/Activity** - Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice.
5. **Dual Registrant** - A person who is registered as both a professional engineer and a professional land surveyor.
6. **Sponsor** - Organization or individual that has supplied information on a form prescribed and furnished by the Board with respect to the organization or individual's ability to provide instruction in "for credit" courses. Course offered by those designated as "Sponsor" must contain a clear purpose and objective, and result in the maintenance, improvement, or expansion of skills and knowledge relevant to a registrant's field of practice. Courses offered by "Sponsors" are deemed acceptable for PDH credit without scrutiny of individual course content.

**C. Requirements.** - Every registrant is required to obtain fifteen (15) PDH units during the annual renewal period. If a registrant exceeds the annual requirement in any renewal period, a maximum of fifteen (15) PDH units may be carried forward into the subsequent renewal period. Professional Land Surveyors must have a minimum of four (4) PDH units in the Minimum Standards for Property Surveys in Arkansas every three (3) years. PDH units may be earned as follows:

1. Successful completion of college courses.
2. Successful completion of continuing education courses.
3. Successful completion of correspondence, televised, videotaped, audiotape, and other short courses/tutorials.
4. Presenting or attending qualifying seminars, in-house courses, workshops, or professional, technical, or managerial presentations made at meetings, conventions, or conferences.
5. Teaching or instructing in (1) through (4) above.
6. Authoring published papers, articles, or books.
7. Active participation in professional or technical societies.
8. Patents granted.

**D. Units.** - The conversion of other units of credit to PDH units are as follows:

1. 1 College or unit semester hour-----45 PDH
2. 1 College or unit quarter hour-----30 PDH
3. 1 Continuing Education Unit-----10 PDH
4. 1 Hour of professional development in course work, seminars, or professional, or management, conventions, or conferences-----1 PDH
5. For teaching apply a multiple of 2 (teaching credit is valid for teaching a course or seminar for the first time only).
6. Each published paper, article, or book----10 PDH Max.
7. Active participation in professional and technical society (each organization)-----2 PDH
8. Each patent granted-----10 PDH Max.

**E. Determination of Credit.** - The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

1. Credit for college or community college approved courses will be based upon credit established by the college.
2. Credit for qualifying seminars and workshops, will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDH units for the actual time of each program.
3. Credit determination for activities D6 and D8 is the responsibility of the registrant (subject to review as required by the board).
4. Credit for activity D7, active participation in professional and technical societies (limited to 2 PDH per organization), requires that a registrant serve as an officer and/or actively participate in a committee or the organization. PDH credits are not earned until the end of each year of service is completed.

**F. Records.** - The responsibility of maintaining records to be used to support credits claimed is the responsibility of the registrant. Records required include, but are not limited to:

1. A log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned;
2. Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance; or
3. Records as maintained by the Professional Development Registry for Engineers and Surveyors (PDRES) or other similar repositories.

These records must be maintained for a period of three (3) years, and copies may be requested by the board for audit verification purposes.

**G. Exemptions.** A registrant may be exempt from the professional development education requirements for one of the following reasons:

1. New registrants by way of examination or reciprocity shall be exempt for their first renewal period.
2. A registrant serving on temporary active duty in the Armed Forces of the United States for a period of time exceeding one hundred twenty (120) consecutive days in a year shall be exempt from obtaining professional development hours required during that year.
3. Registrants experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board may be exempt. Supporting documentation must be furnished to the Board.
4. Registrants who list their occupation as "inactive" on the Board approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or professional land surveying services shall be exempt from the professional development hours required.
5. Professional Land Surveyor registrants may be exempt if they are sixty (60) years of age or have twenty (20) years of acceptable professional experience in Arkansas. This request must be submitted annually on forms supplied by the Board and the request must be approved by Board.

Professional Engineer registrants may be exempt if they are sixty-five (65) years of age and have twenty-five (25) years of acceptable professional experience. This request must be submitted annually on forms supplied by the Board and the request must be approved by the Board.

**H. Reinstatement.** - A registrant who wishes to reinstate an "inactive" registration of one year or more must submit a written request to the Board accompanied with a fee of one hundred dollars (\$100) and must satisfy the annual PDH requirement multiplied by the number of years of inactive status up to a maximum of thirty (30) PDH's.

**I. Comity/Out-of-Jurisdiction Resident.** - The CPC requirements for Arkansas will be deemed as satisfied when a non-resident registrant certifies to being licensed in and having met the mandatory CPC requirements of any jurisdiction approved and listed by Arkansas.

**J. Dual Registrants.** - The number of PDH units required shall be Twenty (20) PDH's per year at least five (5) PDH's shall be earned in each profession. The remaining ten

(10) PDH's may be obtained in any subject that would be applicable to each of the professions.

**K. Forms.** - All renewal applications will require the completion of a continuing education form specified by the Board outlining PDH credit claimed. The registrant must supply sufficient detail on the form to permit audit verification, must certify and sign the continuing education form, and submit with the renewal application and fee.

**L. Audit.** - The Board may conduct random audits each year of the files and the annual renewals. Should deficiencies be discovered, registrants will be notified and have six (6) months from the date of notification to show that these deficiencies have been satisfied.

**M. Effective Date.** -

1. This article and its provisions shall be effective immediately upon approval for all Professional Land Surveyor registrants.
2. This article and its provision shall be effective and all Professional Engineering registrants shall show evidence of compliance on the renewal for December 31, 1998.

**N. Noncompliance.** - A registrant who does not satisfy the continuing education requirements at renewal time will be placed on probationary status and notified of that status. The registrant will have six (6) months from the renewal date to satisfy that condition or his license will be revoked.

**IMPORTANT BOARD DATES**

- Oct. 31, 1997 - Principles & Practice of Engineering and Land Surveying exams
- Nov. 1, 1997 - Fundamentals of Engineering and Land Surveying exams
- Nov. 11-12, 1997 Board Meeting
- Dec. 31, 1997 - Renewal Professional Engineers License
- Jan. 13, 1998 - Board Meeting
- Feb. 1, 1998 - Deadline for April exams
- March 10, 1998 Board Meeting
- April 2-4, 1998 - Southern Zone NCEES meeting Orlando, Florida
- April 24, 1998 - Principles & Practice of Engineering and Land Surveying exams
- April 25, 1998 - Fundamentals of Engineering and Land Surveying exam

**ARKANSAS STATE BOARD OF  
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