



# Oregon

**State Board of Examiners for  
Engineering & Land Surveying**

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**RULES & REGULATIONS COMMITTEE**

October 3, 2007

**Members present:**

Grant Davis, Chair

Dan Linscheid

John Seward

Amin Wahab

**Staff present:**

Mari Lopez, Executive Secretary

Jenn Gilbert

**Others present:**

Bob Neathamer (observer)

Mari Kramer (observer)

Joanna Tucker-Davis, AAG

The meeting of the Rules and Regulations Committee was called to order at 9:00 a.m. in the conference room of the OSBEELS office at 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301.

**New Business:**

**Information to be Furnished by Registered Professional Photogrammetrist Applicants**

It was brought to the attention of the Committee that there is no rule contained in OAR 820, Division 10, related to information required for applicants wishing to obtain licensure as a Registered Professional Photogrammetrist. There was discussion and consideration regarding the path an applicant takes to obtain this license and the education an applicant may undergo. A draft rule will be prepared for additional review at the December meeting. Staff was directed to confirm the date of availability for the exam through NCEES.

**Amend OAR 820-010-0450 – Branches Examined by Board**

The Examinations and Qualifications recommended an amendment to OAR 820-010-0450 – Branches Examined by Board; inclusion of the geotechnical branch. The Committee reviewed and approved the draft rule for presentation at the November board meeting.

**Review ORS 672.028 (RPP Seal)**

It was brought to the attention of the Committee that ORS 672.028 does not contain language requiring a Registered Professional Photogrammetrist to obtain a seal or require the RPP to seal and sign final documents. Mr. Linscheid briefly summarized the history of the professional

practice group and the legislative process endured during the 2003 session. Discussion was held regarding a feasibility of a rule, with a sunset date, to be implemented until the current law is revised. AAG Tucker-Davis was requested to research this option further.

#### Consider Refunds of Appeal Fees

Discussion was held regarding fees paid related to the request of an exam appeal. Prior language of OAR 820-010-0470(7) required the board to refund rescore fees to the examinee if the rescore resulted in a passing grade. However, due to the changes in exam administration and the process of appeals, the amended language adopted on September 17, 2007, deleted this requirement in OAR 820-010-0470. The Committee approved the draft rule to include clarifying language in OAR 820-010-0300 – Refunds and Charges. The draft rule will be presented at the November board meeting.

#### Review OAR 820-010-0255 – References

Several matters related to OAR 820-010-0255 – References were brought to the attention of the Committee for consideration. The first matter related to the registration of the reference. Currently, the rule does not specify if the registered reference must be registered with a jurisdiction recognized by the board. After discussion, the Committee drafted language to clarify that the registered reference must hold a registration in an NCEES jurisdiction.

The second matter brought to the attention of the Committee related to the time period of knowledge the reference has of the applicant's work. After discussion, the Committee deleted the language requiring the period of time to be at least one year.

The third matter brought to the attention of the Committee related to subsection 2, comity applicants. However, first applicants are also included within this subsection. Applicants for registration by comity are already registered professionals in another jurisdiction and may not have a supervising reference. The Committee discussed the possibility of language to include reference that review work, such as permitting agencies. It was determined that further discussion will be held at the December meeting.

The final matter brought to the attention of the Committee resulted from the September board meeting. OAR 820-010-0255 does not specify that references submitted must be positive references. Since the rule allows the board to request more than the minimum of 5 reference, the Committee will refer this matter back to the Examinations and Qualifications Committee to develop procedures when a reference submitted is not entirely positive.

#### Pre-Registration Questionnaire

Due to time constraints, the Committee determined to defer this matter to the December meeting.

The meeting adjourned at 10:24 a.m.