



Oregon

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

670 Hawthorne Ave. SE, Suite 220

Salem, OR 97301

(503) 362-2666

Fax (503) 362-5454

E-mail: osbeels@osbeels.org

RULES & REGULATIONS COMMITTEE

Minutes of Meeting

December 12, 2007

Members present:

Grant Davis, Chair

Dan Linscheid

Amin Wahab

John Seward (excused absence)

Staff present:

Jenn Gilbert

Others present:

Sue Laszlo (observer)

Joanna Tucker-Davis, AAG

The meeting of the Rules and Regulations Committee was called to order at 1:05 p.m. in the conference room of the OSBEELS office at 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301. Chair Davis requested to add the following items to the agenda: Item D. Goals, Item E. Electronic Signatures, and Item F. Fees.

New Business:

Pre-Registration Questionnaire

It was brought to the attention of the Committee and discussed during the September Board Meeting, that there are no provisions for applicants applying for registration by examination requiring successful completion of a pre-registration examination covering questions on laws, procedures and practices in the State of Oregon. After discussion, draft rules OAR 820-010-0415, 820-010-0425 and 820-010-0427 will be presented during the January board meeting for approval to begin the rulemaking process.

OAR 820-010-0605 – Address Changes; Service of Notice

As mentioned during previous board and committee meetings, the Committee further discussed the absence of any requirement for a registrant to inform the Board of an email address. However, with the advancement of technology, the newsletter and other correspondence may be sent electronically. A draft rule will be presented during the January board meeting for approval to begin the rulemaking process.

Process for Apostille Requests

The Committee discussed requests received to provide notarized certificates to the Secretary of State Notary Public Section so an apostille can be received. Notary services are available in the OSBEELS office and the office of the Secretary of State Notary Public Section is able to provide an apostille. The Committee discussed the potential number of requests and the process to complete requests, including forwarding documentation to the Secretary of State Notary Public Section. The Committee will further discuss and review a draft rule during the February meeting.

Unfinished Business:

Information to be Furnished by Registered Professional Photogrammetrist Applicants

The Committee reviewed the draft rule included in packets related to the proposal of OAR 820-010-0236 – Information to be Furnished by Registered Professional Photogrammetrist Applicants. The proposed draft of this rule correlates to the rules for PE, PLS, and WRE applicants found in OAR 820-010-0230, 820-010-0231, and 820-010-0235 respectively. After discussion and a few modifications, the Committee approved the revised draft for presentation during the January board meeting for approval to begin the rulemaking process.

Review ORS 672.028 (RPP Seal)

The Committee discussed the AAG Memorandum answering the question if the Board has the authority to promulgate a rule that would require registered professional photogrammetrists to sign and seal their documents. The AAG Memorandum states that the Board does not have the authority to promulgate such a rule. The current law is presumed a deliberate choice by the legislature to omit a seal requirement for photogrammetrists since it includes language in parallel laws for engineers and land surveyors that require a seal. This matter will be reconsidered during future legislative action discussions.

Staff inquired if any legislative action was necessary regarding language in ORS 672.002(3). ORS 672.002(3) states “*Engineering intern* means a person enrolled by the board as having passed an examination in the fundamental engineering subjects.” After discussion, the Committee determined that EITs now residing in Oregon, who successfully passed the Fundamentals of Engineering examination in another jurisdiction, are not required to register with the board. These EITs are recognized by the board as passing the NCEES FE examination and certified by another member board. No further action is necessary.

Review OAR 820-010-0255 - References

A brief discussion was held regarding references required with applications for examination, applications for registration based upon examination in another jurisdiction, and applications for registration by comity. AAG Tucker-Davis will assist staff in revisions for further review and discussion at the February meeting.

Update on Photogrammetry Examination

Staff provided information on the availability of the photogrammetry examination. An exam is now available. No applications have been received for the April 2008 administration. The Committee would like to be informed if any applications are received.

Goals

Chair Davis brought to the attention of the members the previous goals and mission of the Rules and Regulations Committee. Language included initiating a statutory (3 year) rule review, to provide recommendations on rules for electronic sealing of documents, and to monitor trends regarding license exemptions. He requested to have this information available at the January board meeting for additional discussion with the full board.

Electronic Signatures

Chair Davis recommended that the members review the language contained in the Arizona regulations and the NCEES Model Law related to electronic signatures. He also directed staff to forward the information to members of the Committee and the Professional Practices Committee for additional discussion in February.

OAR 820-010-0325 – Budget and 820-010-0305 – Fees

The Committee reviewed the draft rule including revisions discussed during the December 11, 2007 meeting of the Finance Committee. After a brief discussion, it was the consensus of the Committee to present the draft rule during the January board meeting for approval to begin the rulemaking process.

Committee Meetings

The Committee discussed that future meeting would utilize a computer and projector to demonstrate potential rule modifications “on the spot.” This would allow members immediate viewing of revised language to be presented to the Board. The Committee also discussed a 2-hour length for future meetings to undertake the global committee goals.

The meeting adjourned at 2:06 p.m.