



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

June 15, 2012

Members present:

Carl Tappert, Temporary Chair

Ken Hoffine

Amin Wahab

Jim Doane

Staff present:

Mari Lopez

Jenn Gilbert (excused absence)

Others present:

Katharine Lozano, Assistant Attorney General

Peter Crawford

Michael Hardy

Kristi Nelson (Digital Signature Discussion)

Sue Newstetter (Digital Signature Discussion)

Steven Burger (Digital Signature Discussion)

With the resignation of Chair Seward, Mr. Tappert acted as the temporary Chair. As a result, Chair Tappert called the meeting of the Rules and Regulations Committee to order at 8:07 a.m. in the conference room of the Oregon State Board of Examiners for Engineering and Land Surveying (OSBEELS) office at 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301.

New Business –

[OAR 820-010-0215 – Forms of Applications](#)

The Committee reviewed draft language proposed to revise Oregon Administrative Rule (OAR) 820-010-0215 – Forms of Applications. The revised language includes that any evidence of further preparation for readmission to a subsequent examination as required by OAR 820-010-0465 must be submitted to the Board in a single package by the application deadline contained in OAR 820-010-0442. After a brief discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

[OAR 820-010-0225 – Educational Qualifications to Take the Fundamentals of Engineering \(FE\) Examination for Enrollment as an Engineering Intern \(EI\)](#)

The Committee reviewed draft language proposed to revise OAR 820-010-0225 – Educational Qualifications to Take the Fundamentals of Engineering (FE) Examination for Enrollment as an Engineering Intern (EI). The revised language clarifies that to release examination scores, an official transcript that documents the degree and date awarded, verifying completion must be received within 6 months of taking the examination. After discussion, **the Committee**

approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.

[OAR 820-010-0226 – Educational Qualifications to Take the Fundamentals of Land Surveying \(FLS\) Examination for Enrollment as an Land Surveyor Intern \(LSI\)](#)

The Committee reviewed draft language proposed to revise OAR 820-010-0226 – Educational Qualifications to Take the Fundamentals of Land Surveying (FLS) Examination for Enrollment as an Land Surveyor Intern (LSI). The revised language clarifies that to release examination scores, an official transcript that documents the degree and date awarded, verifying completion must be received within 6 months of taking the examination. Consistent with OAR 820-010-0225, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

[OAR 820-010-0440 – Schedule of Examinations](#)

The Committee reviewed draft language proposed to revise OAR 820-010-0440 – Schedule of Examinations. The revised language removes the Industrial discipline from the examinations offered during the Fall administration and adds it to the Spring administration. The revised language also changes the name of the Structural examination to be consistent with the name of the National Council of Examiners of Engineering and Surveying (NCEES), Structural 16-hour and deletes the Washington Structural III. After discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

[OAR 820-010-0444 – Proctoring of Examinations](#)

The Committee reviewed draft language proposed to revise OAR 820-010-0444 – Proctoring of Examinations. The revised language deletes the Washington Structural III examination from the examinations proctored by the Board. After a brief discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

[OAR 820-010-0463 – Cutoff Scores for Examinations](#)

The Committee reviewed draft language proposed to revise OAR 820-010-0463 – Cutoff Scores for Examinations. The revised language deletes reference to the cutoff score and Memorandum of Understanding (MOU) related to the Washington Structural III examination. After a brief discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

[OAR 820-010-0470 – Review of Examinations Administered by the Board](#)

The Committee reviewed draft language proposed to revise OAR 820-010-0470 – Review of Examinations Administered by the Board. The revised language deletes reference to the Washington Structural III examination. After a brief discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

Unfinished Business –

[OAR 820-020-0040 – Examination Subversion](#)

The Committee reviewed information and suggestions compiled by AAG Tucker-Davis and AAG Lozano regarding the Board's current rule regarding examination subversion. The Committee agreed with the suggestions and discussed the timing of implementation prior to the October administration. A temporary rule may be required. After discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

SB126 Rulemaking Implementation

AAG Lozano discussed with the Committee reasons to develop a division specifically related to the practice of a certified water right examiner. When a board is regulating multiple professions, she commented that a separate division for the rules of professional conduct related to certified water right examiners be developed as it tends to be uncomplicated: easier to find and understand for registrants and staff. As a result, staff will draft the comments provided by Mr. Tappert into rule format for review during the August meeting.

[OAR 820-010-0226 – Educational Requirements to Take the Fundamentals of Land Surveying \(FLS\) Examination for Enrollment as a Land Surveyor Intern \(LSI\) = FOM Request](#)

Staff informed the Committee that the draft language to revise OAR 820-010-0226 was distributed to the University of Portland (UP), Oregon Institute of Technology (OIT), George Fox University (GFU), Portland State University (PSU), and Umpqua Community College (UCC) institutions for comment. As a result, UCC provided written response supportive of the revisions requested by the Oregon State University (OSU). However, UCC would like the Committee to reconsider the requirement of two or more years of active practice in land surveying for graduates of a two-year Associate of Applied Science program for entrance to the FLS examination. After discussion, **the Committee determined to approve the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.** However, an invitation will be extended to UCC to attend the August meeting to further discuss their specific request.

[OAR 820-001-0015 – Hearing Request and Answers: Consequences of Failure to Answer](#)

The Committee reviewed a draft of OAR 820-001-0015 – Hearing Request and Answers: Consequences of Failure to Answer. AAG Lozano briefly summarized the history related to the proposed revisions. After a brief discussion, **the Committee approved the proposed draft rule for presentation to the July Board meeting to begin the rulemaking process.**

Digital Signature Discussion

(9:07 a.m.)

Kristi Nelson briefly summarized her intent on attending the discussion about digital signatures. She further informed the Committee that she has reviewed the Digital Signatures for Engineering Documents, written by Ron Singh and posted to the OSBEELS Web site. Ms. Nelson noted that through her research, Adobe Acrobat now uses a third party certification process through CoSign. She believes that the "third party certification" is not the only way to adhere to OAR 820-010-0010 and is not specifically mentioned in the OAR. Additionally, Ms. Nelson informed

the Committee that ORS 192.825 to 192.855 was eliminated by the 2005 legislature and its rules were repealed. As a result, the Committee determined not to revise the rules at this time, but invited Ms. Nelson to attend the July Board meeting to share her research and experience with the full Board. There was no further discussion.

The meeting adjourned at 9:50 a.m.