

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

Board of Examiners for Engineering and Land Surveying

820

Agency and Division

Administrative Rules Chapter Number

Mari Lopez

(503) 362-2666, ext. 26

Rules Coordinator

Telephone

Board of Examiners for Engineering and Land Surveying, 670 Hawthorne Ave. SE, Suite 220, Salem, OR 97301

Address

RULE CAPTION

Amend rules related to registration and application for registration. Amend rule related to Hearing Requirements

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

| Hearing Date | Time | Location | Hearings Officer |
|--------------|----------|---|------------------|
| 9-11-12 | 01:30 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:

AMEND:

OAR 820-001-0015, OAR 820-010-0215, OAR 820-010-0225, OAR 820-010-0226, OAR 820-010-0415, OAR 820-010-0440, OAR 820-010-0444, OAR 820-010-0463, OAR 820-010-0470, and OAR 820-020-0040.

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 to ORS 672.325

RULE SUMMARY

OAR 820-001-0015 – Revises requirements related to a hearing request as a result of recent changes made to the Model Rules as they relate to the Administrative Procedures Act (APA).
OAR 820-010-0215 – Revises language to include that any evidence of further preparation for readmission to a subsequent examination as required by OAR 820-010-0465 must be included in the single application package.
OAR 820-010-0225 – Revises language to clarify that examination scores will only be released if the official transcripts(s) that documents the degree and date awarded is received with 6 months of taking the examination.
OAR 820-010-0226 – Revises language to clarify that examination scores will only be released if the official transcripts(s) that documents the degree and date awarded is received with 6 months of taking the examination. Also includes language to accept education obtained from programs related to engineering or land surveying for entrance to the FLS examination; sets the criteria.
OAR 820-010-0415 – Housekeeping; Removes language that refers to the Washington State Board of Registration for Professional Engineers and Land Surveyors and the obsolete Memorandum of Understanding (MOU).
OAR 820-010-0440 – Changes the available administration for the Industrial discipline from Fall to Spring; minor housekeeping.
OAR 820-010-0444 – Housekeeping; Deletes the Washington Structural III examination from the examinations proctored by the Board.
OAR 820-010-0463 – Housekeeping; Deletes reference to the cutoff score and MOU related to the Washington Structural III examination.
OAR 820-010-0470 – Housekeeping; Deletes the Washington Structural III examination.
OAR 820-020-0040 – Includes additional reasons that may invalidate the examination results of an examinee who engages in examination subversion.

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.

| | | | |
|---|----------------------------|-------------------------------------|--------------------------------|
| 09-11-2012 Close of Hearing Last Day (m/d/yyyy) and Time for public comment | Mari Lopez Printed Name | LopezM@osbeels.org Email Address | 7-13-12 1:56p.m. 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

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 related to registration and application for registration. Amend rule related to Hearing Requirements

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

In the Matter of:

Amending OAR 820-001-0015, OAR 820-010-0215, OAR 820-010-0225, OAR 820-010-0226, OAR 820-010-0415, OAR 820-010-0440, OAR 820-010-0444, OAR 820-010-0463, OAR 820-010-0470, and OAR 820-020-0040.

Statutory Authority:

ORS 672.255

Other Authority:

ORS 670.310

Stats. Implemented:

ORS 672.002 to ORS 672.325

Need for the Rule(s):

OAR 820-001-0015 – To revise the requirements related to a hearing request as a result of recent changes made to the Model Rules as they relate to the Administrative Procedures Act (APA).

OAR 820-010-0215 – To revise language to include that any evidence of further preparation for readmission to a subsequent examination as required by OAR 820-010-0465 must be included in the single application package.

OAR 820-010-0225 – To revise language to clarify that examination scores will only be released if the official transcripts(s) that documents the degree and date awarded is received with 6 months of taking the examination.

OAR 820-010-0226 – To revise language to clarify that examination scores will only be released if the official transcripts(s) that documents the degree and date awarded is received with 6 months of taking the examination. Also includes language to accept education obtained from programs related to engineering or land surveying for entrance to the FLS examination; sets the criteria.

OAR 820-010-0415 – Housekeeping; To remove language that refers to the Washington State Board of Registration for Professional Engineers and Land Surveyors and the obsolete Memorandum of Understanding (MOU).

OAR 820-010-0440 – To change the available administration for the Industrial discipline from Fall to Spring; minor housekeeping.

OAR 820-010-0444 – Housekeeping; to delete the Washington Structural III examination from the examinations proctored by the Board.

OAR 820-010-0463 – Housekeeping; to delete reference to the cutoff score and MOU related to the Washington Structural III examination.

OAR 820-010-0470 – Housekeeping; to delete the Washington Structural III examination.

OAR 820-020-0040 – To include additional reasons that may invalidate the examination results of an examinee who engages in examination subversion.

Documents Relied Upon, and where they are available:

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

Fiscal and Economic Impact:

None.

Statement of Cost of Compliance:

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

None.

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:

None.

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

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 were involved in the drafting of the rule amendments.

Administrative Rule Advisory Committee consulted?: No

Meetings of the committees and the Board are open to the public, noticed to interested parties, and the Public Notices are posted to the Board Web site and the state's Transparency Web site.

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|--|--------------|--------------------|-----------------|
| 09-11-2012 Close of Hearing | Mari Lopez | LopezM@osbeels.org | 7-13-12 1:56 PM |
| 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