

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT
A Notice of Proposed Rulemaking Hearing accompanies this form.

Board of Examiners for Engineering and Land Surveying
Agency and Division

820
Administrative Rules Chapter Number

Amend rules related to applications, digital signatures, and public record requests. Repeal one rule.

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

In the Matter of:

The amendment of OAR 820-001-0020, 820-010-0010, 820-010-0227, 820-010-0228, 820-010-0305, 820-010-0442, 820-010-0620, 820-010-0621, and the repeal of OAR 820-010-0260.

Statutory Authority:

ORS 672.255

Other Authority:

ORS 670.310

Statutes Implemented:

ORS 672.002 - 672.325

Need for the Rule(s):

OAR 820-001-0020 - To update the methods and process in which the public may request records. Language is more consistent with the Oregon Public Records Law (SB554, 2007 Legislation).

OAR 820-010-0010 - To add language to define "Certificate Authority" and "Digital Certificate" used in OAR 820-010-620.

OAR 820-010-0227 - To decrease the fee for an initial FE examination application to \$0.00.

OAR 820-010-0228 - To decrease the fee for an initial FLS examination application to \$0.00.

OAR 820-010-0305 - To decrease the fees for an initial application and an application for reexamination to the FE and FLS examinations to \$0.00.

OAR 820-010-0442 - Housekeeping. To remove language regarding a process that is not statutorily required. However, the process does currently allow applicants one additional opportunity to submit any lacking documentation by a secondary deadline. If documents are not received, the application package will be incomplete and the application will be considered withdrawn.

OAR 820-010-0620 - To clarify the requirements of a digital signature.

OAR 820-010-0621 - To change the "will" to a "must"; the original intent of the Board.

OAR 820-010-0260 - Repeal. The Board follows the requirements contained in ORS 183 and the Administrative Procedures Act (APA) with regard to providing notice and hearing rights.

Documents Relied Upon, and where they are available:

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

Fiscal and Economic Impact:

OAR 820-001-0020 - Minimal. Few requests are received for public records and it is hard to determine what an individual may request. The Board still allows for public inspection without cost.

OAR 820-010-0227, 820-010-0228, 820-010-0305 - Positive and minimal. Although hard to determine the number of applications that will be received, the decrease in the FE and FLS application fee to \$0.00 is positive. The majority of applicants are new graduates from college/universities. This will also help in offsetting the increase in costs by the outside testing company and related to the move to computer-based testing.

Other rules proposed for amendment and one for repeal - No fiscal or economic impact.

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:

None.

c. Equipment, supplies, labor and increased administration required for compliance:

None.

How were small businesses involved in the development of this rule?

One professional member of the Board is a small business owner, along with a public member of the Board served on the Committees, and voted with the full Board regarding these decisions.

Administrative Rule Advisory Committee consulted?: No

If not, why?:

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

<u>09-10-2013 Close of Hearing</u>	<u>Mari Lopez</u>	<u>LopezM@osbeels.org</u>
Last Day (m/d/yyyy) and Time for public comment	Printed Name	Email Address

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