

1 BEFORE THE OREGON STATE BOARD OF EXAMINERS
2 FOR ENGINEERING AND LAND SURVEYING

3 In the Matter of:

4 DARYL WAYNE DAVIDSON

Case No. 2024-2

FINAL ORDER BY DEFAULT

5
6 On or about February 15, 2024, the Oregon State Board of Examiners for Engineering
7 and Land Surveying (Board) properly served a Notice of Intent to Assess a Civil Penalty
8 (Notice) on Daryl Wayne Davidson (Davidson). The Notice assessed a civil penalty in the
9 amount of \$500, and it designated the Board file on this matter as the record for purposes of
10 establishing a *prima facie* case upon default. Davidson returned the response options form, the
11 full payment of the civil penalty, indicated he did not wish to contest the findings and did not
12 request a hearing. Therefore, upon consideration of the facts and law, the Board enters the
13 following Order:

14 **FINDINGS OF FACT AND ULTIMATE FACTS**

- 15 1. At all relevant times, Davidson was an Oregon Professional Engineer (PE), registration
16 number 17649PE.
- 17 2. On or about December 19, 2023, Davidson submitted an application for renewal of his
18 PE license to the Oregon Board of Examiners for Engineering and Land Surveying.
- 19 3. On the renewal application, Davidson indicated that he had received professional license
20 discipline in another jurisdiction and received a consent order from the Michigan
21 Department of Licensing (Michigan Board) on October 17, 2022, surrendering his
22 Professional Engineering License.

1 4. Davidson did not report the Michigan Board discipline to OSBEELS until December 19,
2 2023, 428 days after he was disciplined by the Michigan Board.

3 **APPLICABLE LAW**

- 4 1. Under ORS 672.325(1), the Board may impose a civil penalty of up to \$1,000 per
5 violation without amending its notice.
- 6 2. Under OAR 820-020-0045(4) An applicant or registrant must give written notification to
7 the Board of any disciplinary action or sanction related to the practice of engineering,
8 land surveying, or photogrammetric mapping imposed by any licensing agency within
9 45-days of the final order being issued.

10 **CONCLUSIONS OF LAW**

- 11 1. Because Davidson did not report his discipline to the Board until December 19, 2023,
12 even though the consent order was entered into on October 17, 2022, Davidson failed to
13 report the Michigan Board action taken against him to the Oregon Board within 45 days,
14 thus violating OAR 820-020-0045(4).
- 15 2. The conduct described above is the basis for discipline under ORS 672.325. Pursuant to
16 672.325(1), the Board may impose a maximum civil penalty of \$1,000 per violation. ///

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ORDER

For his violations of OAR 820-020-0045(4) as detailed above, the Board HEREBY assesses a \$500 civil penalty against Davidson, which has been paid in full.

DATED this 14th day of May, 2024.



Tim Fassbender, PLS, CWRE, President
Oregon State Board of Examiners
for Engineering and Land Surveying

NOTICE

Civil penalties, if unpaid, may be recorded and filed with the county clerks as liens against property 10 days after the expiration of the statutory appeals period (70 days after issuance of this order). Make checks payable to the Oregon State Board of Examiners for Engineering and Land Surveying.

APPEAL RIGHTS

You are entitled to judicial review of this order in accordance with ORS Chapter 183.482. You may request judicial review by filing a petition with the Court of Appeals in Salem, Oregon within 60 days from the date of service of this order.