

OFFICE OF THE SECRETARY OF STATE

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ARCHIVES DIVISION

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**NOTICE OF PROPOSED RULEMAKING**  
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 820  
BOARD OF EXAMINERS FOR ENGINEERING AND LAND SURVEYING

**FILED**

02/18/2025 3:18 PM  
ARCHIVES DIVISION  
SECRETARY OF STATE

FILING CAPTION: Update the Board budget for 2025-2027 and clarify the renewal process for CPDs.

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/02/2025 4:30 PM

*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.*

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670 Hawthorne Avenue Southeast  
Salem, Or 97301

Filed By:  
Jenn Gilbert  
Rules Coordinator

HEARING(S)

*Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.*

DATE: 04/02/2025

TIME: 9:00 AM

OFFICER: Ashlee Graybeal

IN-PERSON HEARING DETAILS

ADDRESS: OSBEELS Conference Room, 670 Hawthorne Avenue SE, Suite 220, Salem, OR 97301

NEED FOR THE RULE(S)

To update the Board's expenditure limit for 2025-2027 and to clarify the renewal process related to submitting continuing education requirements.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE

A review of our existing OARs provided the information that was not inline with the actual process.

STATEMENT IDENTIFYING HOW ADOPTION OF RULE(S) WILL AFFECT RACIAL EQUITY IN THIS STATE

Proposed amendments have no negative impacts on racial equity.

FISCAL AND ECONOMIC IMPACT:

Proposed amendments should have no negative fiscal impacts.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

- 1) none.
- 2a) none.
- 2b) none.
- 2c) none.

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DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were not directly involved. However, members of the Board work for, have worked for, or owned small businesses. Small businesses also have the opportunity to comment on the proposed rules during the rulemaking hearing or through the close of the public comment period.

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WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? NO IF NOT, WHY NOT?

The Board's budget was considered by the Finance committee of the Board. The Finance Committee meets in public and makes the recommendation to the full Board for consideration before rulemaking. These discussions held in open meetings and Notices and Agendas are sent to interested parties, the Board's professional associations, and posted to the Board's website.

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RULES PROPOSED:

820-010-0635, 820-050-0001, 820-080-1000

AMEND: 820-010-0635

RULE SUMMARY: The proposed changes are housekeeping in nature and a result of the Board's online process for renewals.

CHANGES TO RULE:

820-010-0635

Continuing Professional Development ¶¶

The purpose of professional development requirements is to demonstrate a continuing level of competency of professional engineers, land surveyors, and photogrammetrists.¶¶

(1) Requirements:¶¶

(a) Every registrant is required to obtain 30 professional development hour (PDH) units during each biennial registration period and in order to renew for the next biennial registration period.¶¶

(b) Registrants who are licensed for part of a registration period of six months or greater shall obtain a prorated amount of required PDH.¶¶

(c) Registrants who are licensed for part of a registration period of less than six months, and not under registration discipline, are not required to obtain PDH for that registration period.¶¶

(d) Every registrant shall report PDH units on the Continuing Professional Development (CPD) Organizational form provided by the Board and submit it to the Board office with the renewal form application and fee. The CPD Organizational form renewal application must be completed in its entirety.¶¶

(e) Supporting documentation to verify the PDH units recorded on with the CPD Organizational form renewal application must be submitted to the Board office when requested to participate in an audit. Supporting documentation may include, but is not limited to:¶¶

(A) Completion certificate(s);¶¶

(B) Paid receipt(s);¶¶

(C) Attendance log(s);¶¶

(D) Other documents supporting evidence of attendance.¶¶

(f) The CPD Organizational form and supporting documentation must be submitted to the Board in English or translated to English.¶¶

(g) Records must be retained for five (5) years.¶¶

(2) PDH units must be obtained in qualifying activities related to the individual's registration. A qualifying activity is any course or activity with a clear purpose and objective which improves, or expands the skills and knowledge relevant to the registrant's field of practice or practices.¶¶

(3) Non-qualifying activities may include, but are not limited to:¶

- (a) Regular employment;¶
- (b) Real estate licensing courses;¶
- (c) Personal, estate, or financial planning;¶
- (d) Personal self improvement;¶
- (e) Service club meetings or activities;¶
- (f) Equipment demonstrations or trade show displays;¶
- (g) Topics not relevant to engineering, land surveying, or photogrammetry professions;¶
- (h) Enrollment without attendance at courses, seminars, etc.¶
- (i) Repetitive attendance at the same course;¶
- (j) Repetitive teaching of the same course;¶
- (k) Attending committee meetings or general business meetings of any organization;¶
- (l) Taking professional or required examinations.¶

(4) Units - The conversion of other units of credit to PDH units is as follows:¶

- (a) 1 College Semester hour equals 45 PDH;¶
- (b) 1 College Quarter hour equals 30 PDH;¶
- (c) 1 Continuing Education unit equals 10 PDH.¶

(5) Sources of PDH units - One (1) PDH unit may be obtained for each contact hour of instruction or presentation. Unless otherwise noted, there is no maximum amount of PDH units a registrant may earn per biennial registration period. Sources of PDH units include, but are not limited to the following:¶

- (a) Successful completion of college courses;¶
  - (b) Successful completion of short courses, tutorials, correspondence, web based courses, televised and videotaped courses;¶
  - (c) Active participation in seminars, in-house courses, workshops, and professional conventions;¶
  - (d) Teaching or instructing a course, seminar, or workshop one time only. (This does not apply to full-time faculty teaching college courses);¶
  - (e) Authoring or co-authoring published papers, articles or books. Maximum of 10 PDH units per biennial registration period;¶
  - (f) Active participation in professional or technical society, committee, or board. Maximum of 8 PDH units per biennial registration period;¶
  - (g) Self study. Maximum of 6 PDH units per biennial registration period;¶
  - (h) Mentoring of engineering, land surveying, or photogrammetry topics to a nonregistered individual not under your supervision. Maximum of 10 PDH units per biennial registration period;¶
  - (i) Non-technical educational activities related to the registrant's employment;¶
  - (j) Developing, writing, or scoring an engineering, land surveying, or photogrammetric mapping examination for licensure or certification. Maximum of 15 PDH units per biennial registration period.¶
  - (k) Participation in a student engineering, land surveying, or photogrammetric mapping competition. Maximum of 10 PDH units per biennial registration period.¶
- (6) Determination of Credit - The Board has final authority with respect to approval of courses, credit, PDH units for courses and other methods of earning credit.¶

- (a) The Board will approve without listing courses which are sponsored by nationally recognized technical societies and those technical societies listed in 820-001-0000(4)(b)(A) through (E) and (4)(c)(A) through (H).¶
- (b) Credit determination for activities is the responsibility of the registrant and is subject to review by the Board.¶

(7) If a registrant exceeds the requirement in any registration period, a maximum of 15 PDH units in courses/activities may be carried forward into the next registration period.¶

(8) In the event a registrant holds a license in another state that has a lesser PDH requirement than Oregon or no PDH requirement, the registrant will need to satisfy Oregon's 30 PDH requirement to renew the Oregon license.¶

(9) Multiple Registrants. The number of PDH units required shall remain a total of 30 PDH per registration period for persons who hold registration as an engineer, land surveyor, and/or photogrammetrist.

Statutory/Other Authority: ORS 670.310, 672.255

Statutes/Other Implemented: ORS 672.002 - 672.375

RULE SUMMARY: The proposed changes are housekeeping in nature and a result of the Board's online renewal process.

CHANGES TO RULE:

820-050-0001

Continuing Professional Development - Certified Water Right Examiner (CWRE) ¶¶

The purpose of professional development requirements is to demonstrate a continuing level of competency of certified water right examiners (CWRE).¶¶

(1) Requirements for a Registered Geologist or a Qualifying District Employee that hold certification as a CWRE:¶¶

(a) Obtain 10 professional development hour (PDH) units during each biennial certification period.¶¶

(b) If certification is for a period of six months or greater, but less than the full biennial certification period, the Registered Geologist or Qualifying District Employee shall obtain a prorated amount of required PDH.¶¶

(c) If certification is for a period of less than six months, the Registered Geologist or Qualifying District Employee is not required to obtain PDH for that certification period.¶¶

(d) Every CWRE shall report PDH units ~~on the Continuing Professional Development (CPD) Organizational form~~ and submit to the Board office with the renewal form application and fee. The ~~CPD Organizational form renewal application~~ must be completed in its entirety.¶¶

(e) Supporting documentation to verify the PDH units recorded ~~on~~with the ~~CPD Organizational form renewal application~~ must be submitted to the Board office when requested to participate in an audit. Supporting documentation may include, but is not limited to:¶¶

(A) Completion certificate(s);¶¶

(B) Paid receipt(s);¶¶

(C) Attendance log;¶¶

(D) Other documents supporting evidence of attendance.¶¶

(f) ~~The CPD Organizational form and s~~Supporting documentation must be submitted to the Board in English or translated to English.¶¶

(g) Records must be retained for five (5) years.¶¶

(2) PDH units must be obtained in qualifying activities related to the individual's certification. A qualifying activity is any course or activity with a clear purpose and objective which improves, or expands the skills and knowledge relevant to the professional activities of a certified water right examiner as defined in ORS Chapter 537 and OAR Chapter 690.¶¶

(3) Non-qualifying activities may include, but are not limited to:¶¶

(a) Regular employment;¶¶

(b) Personal self improvement;¶¶

(c) Equipment demonstrations or trade show displays;¶¶

(d) Enrollment without attendance at courses, seminars, etc.¶¶

(e) Repetitive attendance at the same course;¶¶

(f) Repetitive teaching of the same course;¶¶

(g) Attending committee meetings or general business meetings of any organization;¶¶

(h) Taking professional or required examinations.¶¶

(4) Units - The conversion of other units of credit to PDH units is as follows:¶¶

(a) 1 College Semester hour equals 45 PDH;¶¶

(b) 1 College Quarter hour equals 30 PDH;¶¶

(c) 1 Continuing Education unit equals 10 PDH.¶¶

(5) Sources of PDH units - One (1) PDH unit may be obtained for each contact hour of instruction or presentation. Unless otherwise noted, there is no maximum amount of PDH units a CWRE may earn per biennial certification period. Sources of PDH units include, but are not limited to the following:¶¶

(a) Successful completion of college courses;¶¶

(b) Successful completion of short courses, tutorials, correspondence, web based courses, televised and videotaped courses;¶¶

(c) Active participation in seminars, in-house courses, workshops, and professional conventions;¶¶

(d) Teaching or instructing a course, seminar, or workshop one time only. (This does not apply to full-time faculty teaching college courses);¶¶

(e) Authoring or co-authoring published papers, articles or books. Maximum of 3 PDH units per biennial certification period;¶¶

(f) Active participation in professional or technical society, committee, or board. Maximum of 2 PDH units per biennial certification period;¶¶

- (g) Self study. Maximum of 2 PDH units per biennial certification period.¶
  - (h) Non-technical educational activities related to employment.¶
  - (6) Determination of Credit - Credit determination for activities is the responsibility of the CWRE and is subject to review by the Board. The Board has final authority with respect to approval of courses, credit, PDH units for courses and other methods of earning credit.¶
  - (7) If a CWRE exceeds the requirement in any certification period, a maximum of 5 PDH units in courses/activities may be carried forward into the next certification period.¶
  - (8) Delinquent, retired or inactive certificate holders must provide evidence of holding active registration as a professional engineer, professional land surveyor, or registered geologist, in addition to completing the PDH requirements as outlined in OAR 820-010-0520 in order to attain active status. If certification as a CWRE was obtained as a Qualifying District Employee, active Qualifying District Employee status must be maintained.
- Statutory/Other Authority: ORS 670.310, 672.255  
Statutes/Other Implemented: ORS 672.002 - 672.375

AMEND: 820-080-1000

RULE SUMMARY: Sets the limit for expenditures to \$5,234,062 for the 2025-2027 biennium.

CHANGES TO RULE:

820-080-1000

Budget ¶¶

(1) Budget Contents. The Board's budget is a financial plan containing estimates of expenditures and revenues for a biennium.¶¶

(2) Budget Hearing.¶¶

(a) On or before April 30 of every odd-numbered year, before adoption of its biennial budget, the Board will hold an open hearing on its approved budget.¶¶

(b) All registrants of the Board shall be provided notice of the budget hearing no less than 30 days prior to the date of the scheduled hearing.¶¶

(c) Conduct at the hearing shall be prescribed by the Budget Hearing Officer, and shall be announced at the hearing, prior to the opening of public testimony.¶¶

(d) Testimony at the hearing shall be recorded and the Budget Hearing Officer may prepare a report on the hearing for the Board.¶¶

(3) Spending Limit. The amount of \$~~4,750,000~~5,234,062 is established for the biennium beginning July 1, 20235, as the intended limit for payment of expenses from fees, moneys or other revenue, including miscellaneous receipts, collected or received by the Board.

Statutory/Other Authority: ORS 182.462, 670.310, 672.155, 672.255

Statutes/Other Implemented: ORS 672.002 - 672.325