



Dora

Department of Regulatory Agencies

Division of Registrations

COMPLYING WITH COLORADO RULES AND REGULATIONS

- **Charlie Adams, Program Director**
*State Board of Licensure for Architects,
Professional Engineers and Professional
Land Surveyors*



Consumer Protection

**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

DEFINING THE PRACTICE OF PROFESSIONAL ENGINEERING

- 12-25-102 (4): “Engineering” means analysis or design work requiring intensive preparation and experience in the use of mathematics, chemistry, and physics and the engineering sciences.



Consumer Protection

*Consumer protection
is our mission*



Dora

Department of Regulatory Agencies

Division of Registrations

DEFINING THE PRACTICE OF PROFESSIONAL ENGINEERING

- 12-25-102 (10)(a): “Practice of engineering” means the performance for others of any professional service or creative work requiring engineering education, training, and experience and the application of special knowledge of the mathematical and engineering sciences to such professional services or creative work, including consultation, investigation, evaluation, planning, design, and the observation of construction to evaluate compliance with plans and specifications in connection with the utilization of the forces, energies, and materials of nature in the development, production, and functioning of engineering processes, apparatus, machines, equipment, facilities, structures, buildings, works, or utilities, or any combination or aggregations thereof, employed in or devoted to public or private enterprise or uses.



Consumer Protection

**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

DEFINING THE PRACTICE OF PROFESSIONAL ENGINEERING

- (10)(b): An individual shall be construed as practicing or offering to practice “professional engineering” within the meaning and intent of this section if the individual, by verbal claim, sign, advertisement, letterhead, card, or in any other way, represents himself or herself to be a professional engineer; through the use of any other means implies that the individual is licensed under this part 1; or performs engineering services.



Consumer Protection

*Consumer protection
is our mission*



Dora

Department of Regulatory Agencies

Division of Registrations

DEFINING THE PRACTICE OF PROFESSIONAL ENGINEERING

(5) “Engineering experience”, in addition to the practice of engineering as defined in subsection (10) of this section, may include:

(a) Up to four years of undergraduate engineering study, as approved by the board, in mathematics, basic science, engineering science, engineering design, and engineering practice;

(b) Up to two years of graduate engineering study as approved by the board if the study results in the award of an advanced degree;



**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

DEFINING THE PRACTICE OF PROFESSIONAL ENGINEERING

5(c) Teaching at the instructor level, or at a higher level, of courses in engineering science, design, or engineering practice at a college or university offering an engineering curriculum of four or more years which is approved by the board or at a college offering courses transferable to a board-approved college. This experience must result from a full-time position in teaching or teaching and research.

(d) Engineering research, including that performed by a teacher at the instructor level or at a higher level. The research done by the teacher must be part of his assigned duties in a full-time position in teaching and research.



**Consumer protection
is our mission**



DEFINING THE PRACTICE OF PROFESSIONAL ENGINEERING

(6) “”Engineer-intern” means a person who has complied with the requirements of sections 12-25-111 and 12-25-112 and is duly enrolled as an “engineer-intern”.

(8) “License” means the formal legal permission to practice engineering granted by the board.

(11) “Professional engineer” means an engineer duly licensed pursuant to this part 1.

(14) “Responsible charge” means personal responsibility for the control and direction of engineering work within a professional engineer’s scope of competence. Experience may only be classified as “responsible charge” if the engineer is licensed pursuant to this part 1, unless the work involves an activity exempted pursuant to section 12-25-103.



Powers and Duties of the State Board

- Adopt and promulgate rules and regulations.
- Adopt and promulgate rules of professional conduct.
- Keep records of proceedings and applications.
- Provide info to the public regarding requirements.
- Provide for written examinations in the “PE” and “EI”.
Set minimum level of competency.
- Hold at least six meetings a year.
- Participate in the affairs of the National Council of Examiners for Engineering and Surveying (NCEES).



MISSION:

- Department of Regulatory Agencies (DORA): Consumer protection.
- DORA Division of Registrations (DOR): Public protection through effective licensure and enforcement.
- Board: To safeguard life, health, and property, and to promote the public welfare by administering the provisions of the Architecture, Engineering and Land Surveying Practice Acts.



BOARD: Focus on Public Protection and Impartiality

- Primary obligation is to protect the public
- Must act fairly, non-partisan, and unbiased
- Must put aside professional/industry interests & status when acting in Board member capacity



REQUIREMENTS FOR LICENSING AND RENEWAL

- Endorsement Licensure w/o Further Examination:

12-25-114(1)(a) An applicant may qualify for licensing as a professional engineer by endorsement if such applicant is licensed in good standing in another jurisdiction requiring qualifications substantially equivalent to those currently required of applicants under this part 1 or if, at the time of initial licensure in such jurisdiction, such applicant met the requirements for licensure then in existence under Colorado law.

(b) Upon completion of the application and approval by the board, the applicant shall be licensed as a professional engineer if the applicant is otherwise qualified pursuant to section 12-25-113.

REQUIREMENTS FOR LICENSING AND RENEWAL

- Licensure by Examination

(2)(a) An applicant may qualify for licensing as a professional engineer by graduation, experience, and examination if such applicant passes the principles and practices of engineering examination.

(b) In order to be admitted to the examination pursuant to paragraph (a) of this subsection (2), the applicant must:





Dora

Department of Regulatory Agencies

Division of Registrations

REQUIREMENTS FOR LICENSING AND RENEWAL

- (I)(A) Have graduated from a board-approved engineering curriculum of four or more years; and
- (B) Have eight years of progressive engineering experience, of which educational study may be a part; and
- (C) Have been enrolled as an engineer-intern in this state; or



**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

REQUIREMENTS FOR LICENSING AND RENEWAL

- (II)(A) Have graduated from a board-approved engineering technology curriculum of four or more years; and
- (B) Have ten years of progressive engineering experience, of which educational study may be a part; and
- (C) Have been enrolled as an engineer-intern in this state; or



Consumer Protection

**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

REQUIREMENTS FOR LICENSING AND RENEWAL

- (III)(A) Have graduated from an engineering curriculum of four or more years not approved by the board or from a related science curriculum of four or more years; and
- (B) Have ten years of progressive engineering experience, of which educational study may be a part; and
- (C) Have been enrolled as an engineer-intern in this state; or



Consumer Protection

**Consumer protection
is our mission**

REQUIREMENTS FOR LICENSING AND RENEWAL

- (IV)(A) Have graduated from an engineering curriculum of four or more years or from a related science curriculum of four or more years; and
- (B) Have twenty years of progressive engineering experience, of which educational study may be a part.
- (2)(c) Upon passing the examination and the submission of evidence of experience satisfactory to the board, the applicant shall be licensed as a professional engineer if the applicant is otherwise qualified pursuant to section 12-25-113.





Dora

Department of Regulatory Agencies

Division of Registrations

REQUIREMENTS FOR LICENSING AND RENEWAL

(3)(a) An applicant may qualify for licensing as a professional engineer by experience and examination if such applicant passes the principles and practice of engineering examination.



Consumer Protection

*Consumer protection
is our mission*

REQUIREMENTS FOR LICENSING AND RENEWAL

- (3)(b) In order to be admitted to the examination pursuant to paragraph (a) of this subsection (3), the applicant must:
- (I) Have twelve years of progressive engineering experience, of which educational study may be a part; and
 - (II) Have been enrolled as an engineer-intern in this state.
- (c) Upon passing the examination and the submission of evidence of experience satisfactory to the board, the applicant shall be licensed as a professional engineer if the applicant is otherwise qualified pursuant to section 12-25-113.

REQUIREMENTS FOR LICENSING AND RENEWAL

(4)(a) A professional engineer who has been duly licensed to practice engineering in this state and who is over sixty-five years of age, upon application, may be classified as a retired professional engineer. Individuals who are so classified shall lose their licensure and shall not practice engineering and shall pay a fee to retain their retired professional engineer status.



Dora

Department of Regulatory Agencies

Division of Registrations

REQUIREMENTS FOR LICENSING AND RENEWAL

(4)(b)(I) A retired professional engineer shall be reinstated to the status of a professional engineer upon payment of the renewal fee. No other fee shall be assessed against such retired professional engineer as a penalty.

(II) For any professional engineer who has been retired for two or more years, the board may require reexamination or recertification, unless the board is satisfied of such retired professional engineer's continued competence.



**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

Grounds for Disciplinary Actions

- 12-25-108 (1) (a-n)
Some common ones:
 - misrepresentation in an attempt to obtain a license
 - failing to meet the generally accepted standards of practice
 - a felony that is related to the ability to practice
 - performing services beyond one's competency, training, or education
 - violating any law or regulation governing the practice in another state or jurisdiction
 - practicing while license is lapsed



Consumer Protection

**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

Investigating Substandard & Unlicensed Practice

- **Informal Investigation**
 - Complaint: “30 day letter” to Respondent
 - Complaint & Response to Board
- **Formal Investigation**
 - Refer to Office of Investigations
 - Assigned to Investigator
 - Interviews & Possible Analysis by Expert
 - Report of Investigation to Board



Consumer Protection

*Consumer protection
is our mission*



Dora

Department of Regulatory Agencies

Division of Registrations

Enforcement Through Disciplinary Action

- LOA (Letter of Admonition)
 - For minor violations without going to hearing
- ESP Referral (Expedited Settlement Program)
 - Attempt settlement in cases with straightforward facts
 - Can include range of disciplinary tools: LOAs with Fines, Probation with terms, Suspension, Relinquishment
 - If unsuccessful, case goes to AGO
- AGO Referral (Attorney General's Office)
 - Attempt settlement within Board's parameters: Probation with terms, Suspension, Relinquishment
 - If unsuccessful, case goes to hearing in front of Administrative Law Judge (ALJ)
- Board is the Final Judge



Consumer Protection

Consumer protection
is our mission



Dora

Department of Regulatory Agencies

Division of Registrations

Enforcement Tools

- LOC – Confidential Letter of Concern, goes with dismissal of complaint
- LOA – Letter of Admonition
- Fine
- Probation
- Suspension
- Revocation
- Cease and Desist Orders



Consumer Protection

**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

Recent Changes to Statutes and Rules

- The Board has finalized its new rules on Architects Continuing Education/Continuing Competency (CE/CC). These rules are available online at www.dora.state.co.us/aes/AESRulesPoliciesEffective123108.pdf.
- The new CE/CC rules shall require the architect to participate in a process or procedure that demonstrates whether the architect retained the material presented in the continuing education program or course.



Consumer Protection

**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

Other Board News

- State Board of Licensure Updates in *Side Shots*
- NCEES – recent participation:
 - 2008 Annual Meeting (August)
 - MBA Meeting in Clemson, SC (October 2008)
 - Board President's Assembly (February 2009)
- State Board Newsletter by March 2009 – online!
- Watch for updates on Architects CE/CC progress on State Board Website, www.dora.state.co.us/aes.



Consumer Protection

**Consumer protection
is our mission**

Current Licensing Statistics:

- Complaints:

2008, Received = 75 (61 PE, 5 EI, 9 unlicensed practice)

2008, Dismissed = 22 (17 PE, 0 EI, 5 unlicensed practice)

2009, Received to date = 10 (4 PE, 6 EI, 0 unlicensed practice)

- Licensee Numbers:

Total PE = 20,604

 In state = 11,078

 Out of state = 9,479

Total EI = 11,268





Dora

Department of Regulatory Agencies

Division of Registrations

BOARD STAFF

- Charlie Adams – Program Director
- Carmena Minor – Enforcement Analyst
- Nancy Martinez – Applications, Office of Licensing
- Lynn Ramirez – Applications, Program Area
- Marshall Irons – General Board Administrative

1560 Broadway, Suite 1350
Denver, CO 80202

303-894-7800

State Board Website: <http://www.dora.state.co.us/aes>



**Consumer protection
is our mission**



Dora

Department of Regulatory Agencies

Division of Registrations

QUESTIONS?

- BOARD OFFICE CONTACT INFO:

1560 Broadway, Suite 1350
Denver, CO 80202

303-894-7800

State Board Website:
<http://www.dora.state.co.us/aes>



**Consumer protection
is our mission**