

TITLE 59, SECTIONS 475.1 – 475.22A
Oklahoma Statutes Regulating Professional Engineering and Land Surveying
Effective November 1, 2017

Section 475.8. Powers and authority of Board

A. The State Board of Licensure for Professional Engineers and Land Surveyors shall have the power to adopt and amend all bylaws and rules of procedure, not inconsistent with the Constitution and laws of this state and Section 475.1 et seq. of this title, including the adoption and promulgation of Rules of Professional Conduct for Professional Engineers and Land Surveyors, which may be reasonably necessary for the proper performance of its duties and the regulation of its proceedings, meetings, records, examinations and the conduct thereof. These actions by the Board shall be binding upon persons licensed under Section 475.1 et seq. of this title, and shall be applicable to firms holding a certificate of authorization. The Board shall adopt and have an official seal, which shall be affixed to each certificate issued. The Board shall have the further power and authority to:

1. Establish and amend minimum standards for the practice of engineering and land surveying;
2. Establish continuing education requirements for renewal of professional engineering and professional land surveying licenses;
3. Promulgate rules concerning the ethical marketing of professional engineering and professional land surveying services; and
4. Upon good cause shown, as hereinafter provided, deny the issuance, restoration or renewal of, or place on probation for a period of time and subject to such conditions as the Board may specify, a certificate of licensure or certificate of authorization. In addition, the Board may suspend, revoke or refuse to renew certificates of licensure or certificates of authorization previously issued, and upon proper showing to review, affirm, reverse, vacate or modify its orders with respect to such denial, suspension, revocation or refusal to renew.

B. The Board is hereby authorized to levy administrative penalties against any person or entity who or which violates any of the provisions of Section 475.1 et seq. of this title or any rule or regulation promulgated pursuant thereto. The Board is hereby authorized to initiate disciplinary, prosecutorial and injunctive proceedings against any person or entity who or which has violated any of the provisions of Section 475.1 et seq. of this title or any rule or regulation of the Board promulgated pursuant thereto. The Board shall investigate alleged violations of the provisions of Section 475.1 et seq. of this title or of the rules or regulations, orders or final decisions of the Board.

C. The Board is hereby authorized to acquire by purchase, lease, gift, solicitation of gift or by any other lawful means, and maintain, use and operate real property and improvements; contract for the maintenance, use, and operation of or lease of any and all real property and improvements; lease or sublease any part of real property and improvements acquired pursuant to this section to public entities, private entities, or private persons, on any terms and for any consideration deemed appropriate by the Board, subject to restrictions in purchase or lease documents relating to property acquired; provided, all contracts for real property and improvements shall be subject to the provisions of Section 63 of Title 74 of the Oklahoma Statutes.

D. In carrying into effect the provisions of Section 475.1 et seq. of this title, the Board, under the hand of its Chair, Vice Chair, or Executive Director and the seal of the Board, may subpoena witnesses and compel their attendance, and may also require the submission of books, papers, documents or other pertinent data, in any disciplinary matters, or in any case wherever a violation of Section 475.1 et seq. of this title is alleged. Upon failure or refusal to comply with any such order of the Board, or upon failure to honor its subpoena, as herein provided, the Board may apply to a court of proper jurisdiction for an order to enforce compliance with same.

E. The Board is hereby authorized in the name of the state to apply for relief by injunction in the

established manner provided in cases of civil procedure, without bond, to enforce the provisions of Section 475.1 et seq. of this title, or to restrain any violation thereof. In such proceedings, it shall not be necessary to allege or prove either that an adequate remedy of law does not exist or that substantial or irreparable damage would result from the continued violation thereof. The members of the Board shall not be personally liable under this proceeding.

F. The Board may subject an applicant for licensure or a licensee to such examinations as it deems necessary to determine the applicant's or licensee's qualifications. The Board may dispose of a formal complaint against a licensee for a violation of Section 475.1 et seq. of this title by an order that a licensee shall complete the examinations as the Board deems necessary to determine the qualifications of the licensee, and upon the initial failure or refusal to successfully complete the examination, within the time ordered, place conditions on the license of the licensee to practice and order other remedies until competence is demonstrated.

G. No action or other legal proceedings for damages shall be instituted against the Board or against any Board member or employee of the Board for any act done in good faith and in the intended performance of any power granted under Section 475.1 et seq. of this title or for any neglect or default in the performance or exercise in good faith of any such duty or power.

H. The Board may give scholarships, as determined by the Board, to an individual or individuals advancing toward obtaining an Engineering Accreditation Commission (EAC), Technology Accreditation Commission, Accreditation Board for Engineering and Technology (TAC/ABET) or Board-approved accredited degree in engineering or land surveying at an Oklahoma higher education institution, and take such other action as may be reasonably necessary or appropriate to effectuate the rules of the State Board of Licensure for Professional Engineers and Land Surveyor's. The Board may, at its discretion, contract with other state agencies and nonprofit corporations for the endowment, management and administration of scholarships. The requirements of such scholarships shall be determined by the Board. However, nothing contained herein shall be construed as requiring the Board to endow or award any scholarship.

I. The Board may use its funds to establish and conduct instructional programs for persons who are currently licensed to practice engineering or land surveying, as well as refresher courses for persons interested in obtaining adequate instruction or programs of study to qualify them for licensure to practice engineering or land surveying. The Board may expend its funds for these purposes and may conduct, sponsor, and arrange for instructional programs and also may carry out instructional programs through extension courses or other media. The Board may enter into plans or agreements with community colleges, public or private institutions of higher learning, the State Board of Education, or with Oklahoma Department of Career and Technology Education for the purpose of planning, scheduling or arranging courses, instruction, extension courses or in assisting in obtaining courses of study or programs in the fields of engineering and land surveying. The Board shall encourage the educational institutions in Oklahoma to offer courses necessary to complete the educational requirements of Section 475.1 et seq. of this title. For the purpose of carrying out these objectives, the Board may adopt rules as may be necessary for the educational programs, instruction, extension services or for entering into plans or contracts with persons or educational institutions and the Oklahoma Department of Career and Technology Education.