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The Board's Bulletin

A Quarterly Publication for Licensees of the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors

Message From The Chair by Jon Nelson, P.E.

DIGITAL SIGNATURES

The current statutes and rules governing the practice of engineering and surveying in Oklahoma do not permit the use of digital signatures when final engineering and surveying documents are certified by the professional in responsible charge. Digital seals can be used, but the applied signature and date must be handwritten (Title 59 O.S., Section 475.15.C.1 and O.A.C. 245:15-1-3). Contrary to these requirements, the use of wholly digital documents and records in practice continues to increase. We have definitely entered the “digital age” and many believe we are moving towards a “paperless society”. Whether or when we reach this new society is debatable, but the trend has and will continue to put pressure on the traditional method of certifying documents by individuals - the application of a handwritten signature.

In some respects this is not a new concept. I can remember getting pay checks with stamped signatures over 30 years ago. While a stamp is certainly not digital, the signature was not original and many times (probably most of the time) its application was neither performed by, nor specifically authorized by, the certifying individual. The use of stamps expedited a process that had to be completed in a timely manner, usually repetitiously, and whether the certifying individual was available or not. Perhaps it was necessary. I sure liked getting my pay checks on time - even when the boss was away, but I suspect many times the use of signature stamps turned into a convenience and the true intent of their application – the approval of payment by the person with the proper authority – was lost.

The application of a signature to a document is a time-honored, traditional method for signifying an individual’s approval, acceptance, or declaration. However, today the pace of the world and the methods of commerce seem to be rendering it archaic. It is just too slow and cumbersome, and it complicates the digital transmission of documents. A few years ago the NCEES established a committee to study the issue. The committee found that acceptable methods for using digital signatures were available and recommended that the NCEES guidance documents be revised to allow their use (with some conditions). The Model Rules were ultimately

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Disciplinary Activity of the Board (cont.)

In the Matter of Kochenour Associates and Richard C. Kochenour, Case No. 2006-46;

Through Consent: For sealing structural engineering drawings for a project in the state of Oklahoma with his architectural seal, Mr. Kochenour is found Guilty and assessed an administrative penalty in the amount of \$1,000.00. For Kochenour Associates offering and practicing engineering in the state of Oklahoma without a certificate of authorization to do so, it is found Guilty and assessed an administrative penalty of \$1,000.00. Respondents are ordered to Cease and Desist from the practice of engineering in the state of Oklahoma until such time as they have been authorized to do so.

In the Matter of Wesley B. Smith, PE 13715, and Warren Smith & Associates Consulting Engineers, P.C., Case No. 2006-48; Through Consent: For offering and performing engineering services with an expired certificate of authorization for numerous projects, Warren Smith & Associates Consulting Engineers, P.C. is found Guilty and assessed an administrative penalty of \$1,000.00. For aiding and assisting the firm in the unlicensed practice of engineering, Wesley B. Smith is found Guilty and assessed an administrative penalty in the amount of \$1,000.00.

In the Matter of Carl Wayne Willyard, PLS 227, and Carl Willyard Surveying, Case No. 2006-52; Through Consent: For performing a survey which failed to meet the Oklahoma Minimum Standards for the Practice of Surveying, Carl Willyard and Carl Willyard Surveying are found Guilty and assessed an administrative penalty of \$250.00 each.

In the Matter of John Hager Reid, PE 14699, and Reid, Riddick & Associates, Inc., CA 5016; Through Consent: For Reid, Riddick & Associates, Inc. offering and providing engineering services in the state of Oklahoma without a certificate of authorization to do so, it is found Guilty and assessed an administrative penalty of \$500.00. For John Hager Reid aiding and assisting the firm in the unlicensed practice of engineering, is found Guilty and assessed an administrative penalty of \$250.00.

November 2-3, 2006

In the Matter of Harold W. Connor, PE 11991, Case No. 2004-123. Harold W. Connor was ordered to show cause why his previous probation should not be continued. Following arguments, the Board found the probation of Mr. Connor shall continue for another year or until such time as he has complied with the Consent Order of September 8, 2005 and submitted three (3) structural engineering projects approved by the Reviewing Engineer, that demonstrate competence to the Board's satisfaction.

In the Matter of Parviz Khosrowyar, PE 14535, Case No. 2006-004; Summary of Findings of Facts and Conclusion of Law: Parviz Khosrowyar was requested to provide information to the investigation committee with respect to the allegations of a Federal Indictment accusing Mr. Khosrowyar of criminal activity including the providing of engineering and procurement services to the National Iranian Gas Company in violation of the United States Trade Embargo with Iran. Mr. Khosrowyar failed to respond to the request within the thirty (30) days as requested. Mr. Khosrowyar is found Guilty of failing to provide information requested by the Director of Enforcement as a result of a formal complaint, and his PE license 14535 is hereby Revoked.

(continued on page 11)

*In Celebration of the Lives &
Contributions of the Following
Professionals:*

William H. Hoggatt, Jr. PE 7210
Wichita, KS 6/15/06

Robert P. Todd PE 8100
Oklahoma City, OK 6/2006

Stewart N. Metz PE 4147
Broken Arrow, OK 9/26/05

Willard D. Williamson PE 2428
Richardson, TX 6/28/06

Dallas L. Dickens LS 818
Sapulpa, OK 7/24/06

Donald E. Menzie PE 2842
Norman, OK 8/09/05

Jacob Raymond Kurle PE 13321
Bixby, OK 9/11/06

J. Wayne Byrd PE 11183
Moore, OK 9/22/06

B.J. Caruthers LS 47
Tupelo, OK 8/2006

Thomas Connelly Mach PE 8575
Tulsa, OK 3/03/06

Donald Eugene Rhoads PE 2137
Tulsa, OK 12/27/05

Donald H. Charles PE 19879
Santa Rosa, CA 7/25/06

Wayne Bowen Mitchell LS 86
Oklahoma City, OK 8/12/06

Man-Kuen Tony Lai PE 18428
Sugar Land, TX 8/2006

R.C. Smith PE 5099
Oklahoma City, OK 10/2006

Eldon W. Morain PE 9673
Broken Arrow, OK 10/4/06



(pictured above from left to right: Board Members Ted Sack, PLS, George Gibson, PE, Roy Entz, PE, PLS, Bill McVey, PE, Jon Nelson, PE, Bob Zahl, PE. Pictured Center, Kathy Hart, Executive Director - not pictured but in attendance, Mark Fuller, Public Member)

Kathy S. Hart, Executive Director, Receives NCEES Meritorious Service Award

At its 2006 Annual Business Meeting, the National Council of Examiners for Engineering and Surveying (NCEES) presented Kathy S. Hart the Meritorious Service Award for her dedicated service to the engineering and surveying professions.

Kathy has worked for the Oklahoma Board for nearly 17 years. She served as Executive Secretary for four years before becoming the Executive Director in 1994. In addition to daily administrative duties, Kathy has represented the Board before the legislature on matters concerning licensure law amendments, enforcement issues, and sunset reviews.

Kathy has supported the Board's goal of promoting licensure by meeting with deans and students in Oklahoma universities. Since 1999, she has organized annual student and faculty outreach meetings to encourage students to take the Fundamentals of Engineering exam and to promote the use of the exam as an outcomes assessment tool. She has also promoted engineering to junior high and high school students at the Oklahoma City Engineering Fair and has discussed continuing education, methods of promoting the surveying profession, and the board's disciplinary procedures with professional societies.

Her NCEES committee service includes membership on the Committee on Communications and the Exam Administration Task Force. She has been an active member of the Member Board Administrator Networking Group, coordinating the 2005 Member Board Survey and often acting as spokesperson for the group. In 1999, she received the Southern Zone Distinguished Service Award.



License Expirations June 1, 2006 to August 31, 2006

EXPIRATION/REVOCAION - Licenses may be revoked by the Board for non-payment of renewal fees. Licensees will be notified of revocation by certified mail. Typically this notification is mailed 10 days following expiration.

RENEWALS - Each license issued by the Board expires on the last day of the month in which renewal fees are due, and becomes invalid on that date unless paid. One notice of the renewal is sent by first class mail to the address of record in the board files. This in effect provides notice two months prior to revocation.

REINSTATEMENT - Former licensees whose certificates have expired and were revoked for failure to pay renewal fees and desire to reinstate shall make application for reinstatement within 180 days after expiration and pay the prescribed renewal fee and penalty. After 180 days, a new application will be required, which shall be considered specifically by the Board, both from the standpoint of competency and of character.

Professional Engineers:

| | | | |
|--------------------------|-------|----------------------------|-------|
| Antes, Ronald E. | 21605 | Magbitang, Angelito E. | 19656 |
| El Hefnawy, Mohamed | 16989 | Maggard, Marshal G. Jr. | 15535 |
| Farmer, Brian Keith | 14821 | Magness, Gregory W. | 19343 |
| Finch, Walter R. | 17028 | Magnino, John J. | 6181 |
| Horinek, Dean A. | 8058 | Maguire, James Q. Jr. | 6345 |
| Johnson, John W. | 11467 | Manarin, F. | 21010 |
| Jones, Stanley E. | 8379 | Manyando, George M.S. | 21208 |
| Kozlowski, Scott E. | 22275 | Manz, Richard Ronald | 5810 |
| Krumel, Robert J. | 18997 | Maron, Lawrence J. | 17500 |
| Lacaniilo, Jesus Mitu | 21824 | Marshall, C. Tony | 21155 |
| Ladson, C. Thomas | 19026 | Martin, Charles D. | 10129 |
| Langley, Russell M. | 16246 | Martin, R. Bradley | 20135 |
| Langston, Ronald E. | 13946 | Masek, John A. | 19700 |
| Larson, Wayne E. | 16282 | Massihzadeh, Susan Lau | 18991 |
| Laughlin, Richard D. | 18753 | Masters, Richard Alan | 19861 |
| Lawrence, Melissa M | 17184 | Masterson, Eric | 16077 |
| Lawrence, Patrick E. | 13338 | Mayes, Ronald Paul | 10822 |
| Lawrence, Rolland R. | 12677 | McAdoo, David L. | 10534 |
| Lea, Robert William | 19653 | McCabe, Steven Lee | 11976 |
| LeBlanc, Daniel K. | 21269 | McClure, John Clifford Jr. | 8392 |
| Leckie, Michael R. | 14872 | McCoy, Robert Wayne | 10004 |
| Ledbetter, Albert Wayne | 21168 | McCumber, Irwin H. | 20518 |
| Legatos, Nicholas A. | 9991 | McDonough, Dan | 21299 |
| Lewis, David M. | 9280 | McGlenn, John C. | 18944 |
| Lewis, Jay Brock | 18589 | McGovern, J. Michael | 15207 |
| Lieu, Suen Wai | 21384 | McGuire, Marlin R. | 16335 |
| Lightfoot, Thomas E. | 18042 | McJunkin, Adrian | 19838 |
| Ligon, Jerry L. | 18311 | McKay, Dwight L. | 3592 |
| Lindamood, Brian A. | 21410 | McKay, Michael G. | 20932 |
| Lingo, Stanley L. | 16882 | McKenzie, Lealon Ray | 13819 |
| Linthicum, James Richard | 17476 | McNeil, Bruce D. | 17407 |
| Lloyd, John P. | 8883 | McVey, Sidney Arthur | 10425 |
| Lockamy, Brenton S. | 21458 | Rahe, Edward C. | 8867 |
| Locke, Carl E. | 6292 | Rocke, Gerald E. | 15123 |
| Lofgren, William D. | 15896 | Thompson, Robert W. | 12021 |
| Long, Daniel N. | 19801 | Whitaker, Lincoln E. | 10134 |
| Love, Kyle L. | 20060 | Wynn, Clois Meadows Jr. | 12604 |
| Lovejoy, Bruce Neal | 16635 | Ylitalo, Rodney W. | 8578 |
| Lovorn, Kenneth L. | 9975 | | |
| Luppens, Albert F. | 21050 | | |
| Maass, Stanley | 20264 | | |
| Mabry, Mike S. | 20335 | | |
| Magahey, Michael R. | 20299 | | |

Professional Land Surveyors:

| | |
|-------------------------|------|
| Lambillotte, Russell D. | 1555 |
| Levins, A. L. | 215 |
| McNally, Dustin M. | 1636 |

Certificates of Authorization:

| | |
|---------------------------------------|--------------|
| Abair Engineering, Inc. | 820 (PE) |
| ABB Lummus Global Inc. | 328 (PE) |
| ABBTEK Engineering, PLC | 4608 (PE) |
| Advanced Consltg. Engrs., Inc. | 1557 (PE) |
| Advanced Teknika Group, L.L.C. | 4524 (PE) |
| Advantage Buildings & Exteriors, Inc. | 4747 (PE) |
| AHJ Engineers, P.C. | 4374 (PE) |
| AI Services, Inc. | 3076 (PE) |
| Alliant Engrg. Inc. | 3516 (PE) |
| American Buildings Company | 2438 (PE) |
| American Energy Assets LLC | 4390 (PE) |
| American Water Services, Inc. | 4548 (PE) |
| Anderson & Associates | 3766 (PE) |
| Anderson-Urlacher, P.A. | 3470 (PE) |
| Anston-Greenlees, Inc. | 3421 (PE) |
| Apex Engineering, Inc. | 3805 (PE) |
| Applied Engrg. & Sci., Inc. | 2648 (PE) |
| Architectural Services Group, Inc. | 3370 (PE) |
| Architectural Skylight Co., Inc. | 2117 (PE) |
| Arjay Engineering Company | 2071 (PE) |
| Ashton, Vance and Associates, Inc. | 3972 (PE) |
| Associated Consulting Engrs., Inc. | 1380 (PE) |
| Associated Surveyors, L.L.C. | 1130 (LS) |
| ATTEBERRY ENGINEERING, INC. | 1688 (PE) |
| Auth Consulting & Associates, Inc. | 4220 (PE) |
| B & W Engineering Serv. Inc. | 3896 (PE) |
| Badeaux Engineers Incorporated | 4182 (PE) |
| Baker Engineering & Surveying Inc. | 4004 (PE/LS) |
| Baskervill & Son, P.C. | 4060 (PE) |
| BEACH OPERATING CO. | 2447 (PE) |
| BEF ENGINEERING COMPANY | 2379 (PE) |
| Benchmark Services, Inc. | 4574 (PE) |
| Bendapudi Consulting | 4506 (PE) |
| Bernard Engineering Co. | 4678 (PE) |
| Berryman Enterprises, Inc. | 4212 (PE) |
| BETCO, Inc. | 4234 (PE) |
| Big Sky Land Survey, LTD | 4243 (LS) |
| Biggs & Mathews Engineering, Inc. | 3904 (PE) |
| BILL MILLER ASSOCIATES | 3106 (PE) |
| Boulder Engineering, LLC | 3375 (PE) |
| Bowshot, Cooper & O'Donnell | 3073 (PE) |
| Boynton Williams & Associates A PC | 4071 (PE) |
| Branch Engineering, Inc. | 4501 (PE) |
| Brewer Engineering Consultants PLC | 3699 (PE) |



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|-------------------------------------|--------------|--|--------------|
| Bruce Stiver Mech. Consltg. Inc. | 4413 (PE) | Dressler Consltg. Engrs., Inc. | 2811 (PE) |
| Burt Hill Inc. | 3540 (PE) | Dudley Engr Co. | 5020 (PE) |
| C. Faulkner Engineering, LP | 4534 (PE) | Dudley, Helt & Associates, P.C. | 1722 (PE) |
| Cache Engineering, Inc. | 3323 (PE) | Dyess-Peterson Testing Lab., Inc. | 4563 (PE) |
| CEMISCO, INC. | 1683 (PE) | E. D. Hill Surveying & Eng., L.L.C. | 2688 (PE/LS) |
| CenterPoint Engy Pipeline Svc, Inc. | 3832 (PE) | E.V. COX CONSTRUCTION CO. | 3956 (PE) |
| CFI Engineering, Inc. | 3632 (PE) | EAG Company, Inc. | 3538 (PE) |
| Charles D. Fowler, P. E., Inc. | 1476 (PE) | EcoSystems Env. Svcs, Inc. | 4927 (PE) |
| Charles R. Settles, Co., Inc. | 2921 (PE/LS) | ECS, Ltd. of Virginia | 4486 (PE) |
| Chipper s Construction Co. | 2119 (PE) | Edinger Incorporated | 192 (PE) |
| Civil Design Services | 3570 (PE/LS) | EDT Engineering Company, Inc. | 4487 (PE) |
| Clark Engineers, Inc. | 1916 (PE) | Egan Surveying | 2244 (LS) |
| ClearLinx Design, Inc. | 4550 (PE) | Encon Consultants, Inc. | 401 (PE) |
| Clowers Engineering Company | 915 (PE) | EngATech Engineering LLC | 4629 (PE) |
| Comanche Engrg. Solutions, PLLC | 4600 (PE) | EngATech Inc. | 4628 (PE) |
| Communication Services, Inc. | 4304 (PE) | engineering-environmental Mgmt. Inc | 3296 (PE) |
| Construction Materials Testing, LLC | 4879 (PE) | Entergy Operations Services, Inc. | 4135 (PE) |
| Continuum Engineering, LLC | 3835 (PE) | ERW Industries, Inc. | 686 (PE) |
| Cornerstone Testing & Engineering | 2620 (PE) | EYP Mission Critical Facilities, Inc. | 4761 (PE) |
| Crane Equipment & Service, Inc. | 3854 (PE) | FABRICO INC. | 3557 (PE) |
| Creative Ink Architects, LLC | 4411 (PE) | Fisher & Fisher Consulting Engrs.Inc. | 4187 (PE) |
| Crown Metal Buildings, Inc. | 2784 (PE) | ForcePro, L.L.C. | 4445 (PE) |
| Crown Tech, Inc. | 1304 (PE) | FORT ENGINEERING CO. | 3395 (PE) |
| Cypress Engineering Services, Inc. | 3179 (PE) | FPM Group, Ltd. | 4340 (PE) |
| D F & D Consulting, Inc. | 162 (PE) | Freeland-Kauffman and Fredeen, Inc. | 2950 (PE/LS) |
| D. Gene Daniel, Inc. | 3017 (PE) | Fruland And Cox, Inc. | 1891 (PE) |
| D. L. Goins and Associates, Inc. | 1412 (PE) | FX Engineering Services, Inc. | 4651 (PE) |
| D.W. Ryckman & Assoc., Inc. | 2204 (PE) | G & A Engineering Consultants, LLC | 4084 (PE) |
| Dant Clayton Corporation | 4414 (PE) | G.M. Selby & Associates, Inc. | 3256 (PE) |
| dba Brown Consltg. Svs., Ltd. | 4405 (PE) | Gala & Associates, Inc. | 4195 (PE) |
| dba CBG Consulting Engineers | 3342 (PE) | Garner Engineering Co. | 1086 (PE) |
| dba D&C Inc. | 3696 (LS) | Garrett-Ihnen Civil Engineers, Inc. | 4306 (PE) |
| dba Earl Walls Associates | 1921 (PE) | Gaskin Hill Norcross of Missouri, Inc. | 4339 (PE) |
| dba EFI | 2744 (PE) | Gateway Services West, LLC | 4605 (LS) |
| dba EMTEC | 515 (PE) | GE EDG, Inc. | 3786 (PE) |
| dba Industrial Engineering, Inc. | 1141 (PE) | GeoSpec, L.L.C. | 3986 (PE) |
| dba Kentube Engineered Products | 2010 (PE) | Glassman Corporation, Inc. | 4318 (PE) |
| dba Kirkpatrick Engineering Co. | 1980 (PE) | Gordon, Gumeson and Assoc. Inc. | 3539 (PE) |
| dba Laser Engineering | 4919 (PE) | GRIFFIN & AFFILIATES, INC. | 1963 (PE) |
| dba Laser Engineering & Fabrication | 4920 (PE) | GRW Willis, Inc. | 3254 (PE) |
| dba NRS Consulting Engineers | 2671 (PE) | G-T Engineering, Inc. | 3808 (PE) |
| dba S.B.I. | 4434 (PE) | Gulf States Manufacturers, INC. | 2126 (PE) |
| dba Simmons & Associates | 2225 (PE) | Gunnin Consulting Engineers, Inc. | 2182 (PE) |
| dba TERA of Texas, Inc. | 1565 (PE) | Hinton & Associates | 2617 (PE) |
| Dean Oliver International, Inc. | 4354 (PE) | Johnson Consulting Engineers, Inc. | 2929 (PE) |
| Delta Engr. & Materials Co. | 1574 (PE) | King Surveying, P.C. | 4975 (LS) |
| Demopulos & Ferguson Assoc., Inc. | 1204 (PE) | KL&A, Inc. | 4698 (PE) |
| Dennis W. Manasco, Inc. | 125 (PE) | Leigh Enterprise, Inc. | 1116 (PE) |
| Design Communication Eng., Inc. | 1931 (PE) | LHE, P.A. | 4398 (LS) |
| DEWBERRY DESIGN GROUP INC. | 12 (PE) | M&M Engineered Products LLC | 4743 (PE) |
| Dillon Eng. Corp | 1392 (PE) | Noor Electric Company | 4996 (PE) |
| Dole Engineering, Inc. | 3504 (PE) | O'Donnell, Naccarato, Mignogna & Jackson, Inc. | 4631(PE) |
| Don Baskin Surveying | 2152 (LS) | Pathway Engineering, Inc. | 3812 (PE) |
| Don Fleury & Associates, Inc. | 2931 (LS) | PolyPhase Engineering, LLC | 4820 (PE) |
| Donald Dragutsky, Consltg Engr. | 4016 (PE) | Richard Hudson & Associates, Inc. | 3977 (PE) |
| DOSHI ASSOCIATES, INC. | 3541 (PE) | Richard G. Murray & Assoc. | 2083 (PE) |
| Drash Consulting Engineers, Inc. | 3194 (PE) | Ronald J. LaSpisa, P.E. P.C. | 1625 (PE) |
| DreamLand Consulting | 4539 (PE) | Sooner Surveying Service | 2114 (LS) |
| | | Stanley Jones Corporation | 4165 (PE) |

SURVEYING NEWS UPDATE

On August 24, 2006, the Board adopted the proposed Oklahoma Law and Surveying (OLS) examination blueprint that was based on a recent PAK study in which all land surveyors in the state of Oklahoma were asked for input. This blueprint will be used beginning with the April 2007 OLS examination. Also, a new Oklahoma Law and Surveying Study Guide and Reference Manual has been prepared to assist all examinees in preparing for the examination.

The following is the OLS examination blueprint:

OKLAHOMA LAND SURVEYORS EXAMINATION BLUEPRINT

50 Multiple Choice Questions

Category I 50% of the questions on the examination

- A. United States Public Land Survey System
 - 1. Subdivision of Sections
 - 2. Restoration of Lost Corners
 - 3. Evaluation of Evidence
 - 4. History of Surveying in Oklahoma
- B. Riparian Surveys in Oklahoma

Category II 30 %of the questions on the examination

- A. Corner Perpetuation and Filing Act-Title 65 O.S. Sections 3.116-3.123
- B. Oklahoma Minimum Standards for the Practice of Land Surveying-OAC Title 245:15-13 (revised effective May 11, 2006)
- C. Licensing Act-Title 59 O.S. Sections 475.1, 2, 15 C, 18 A &21 (revised effective November 1, 2005)
- D. Board Rules of Procedure-OAC Title 245 (revised effective May 11, 2006)

Category III 15% of the questions on the examination

- A. Platting and Zoning, Title 11 O.S. Sections 41.101-115, 42. 101-106
- B. Civil Procedure, Title 12 O.S. Section 93
- C. County Offices, Title 19 O.S. Section 591.1
- D. Crimes and Punishments, Title 21 O.S. Sections 1768, 1770-1774, 1786, 1835 & 1838
- E. Property, Title 60 O.S. Sections 1, 21, 331-341, 6, 60, 64, 66-68 & 70
- F. Railroads, Title 66 O.S. Sections 7.1, 53, 55 & 165
- G. Roads and Right-of-Ways, Title 69 O.S. Sections 317, 501, 628, 629, 646, 647, 651, 653, 702-707, 1201, 1202, 1229-1233 & 1306

Category IV 5% of the questions on the examination

- A. Aerial Ground Control
- B. Property. Title 60 O.S. Sections 1001-1009

BOARD PROPOSES RULE REVISIONS PUBLIC HEARING SCHEDULED

On January 19, 2007, at 9:00 a.m. the Board will hold a public hearing at the Oklahoma Engineering Center regarding proposed rule changes. A draft of the proposed rules will be posted on the front page of the Board's website at www.pels.state.ok.us or you may contact the Board Office for a copy to be sent to you. Written comments will be accepted until January 12, 2007. You may mail your comments to:

Oklahoma Engineering Center
Oklahoma State Board of PE & LS
201 NE 27th St., Room 120
Oklahoma City, OK 73105

The proposed revisions will affect the following rules:

- OAC 245:2-1-18. Fees and Penalties
- OAC 245:15-13-2. Minimum Standards for Land Surveying
- OAC 245:15-17-2. Use of seal



MESSAGE FROM THE CHAIR - DIGITAL SIGNATURES

(cont. from page 1)

revised, and to this day, provide for “authenticated” digital signatures. However, the language in the Model Rules has not been widely adopted by the jurisdictions across the country. In fact a significant majority of the 70 boards that make up the NCEES have not adopted such language. Either the issue is just not a high priority or most state boards are just not comfortable with the digital systems available at this time. I suspect the latter.

Recently, the Oklahoma Board was asked to consider supporting an amendment to the Oklahoma rules to allow digital certification of documents. After some lengthy discussion, the Board decided not to proceed – at least at this time. The Board was concerned that the proposed procedure did not properly restrict the application of the “signature” by only the certifying individual and did not provide for an original copy of the document, with the unique signature (and date), to be retained for record. The Board did agree that scanning a document into a PDF file, after it has been signed, sealed and dated, does qualify as a “reproduction” and thereby meets the requirements of the Rules, but that approach begins with an original hand-signed document.

The Board realizes that ultimately, digital signatures will likely be allowed in Oklahoma and all jurisdictions. The “digital age” is not going away, and the “paperless society” will probably come to pass; however, at this point in time the Board is not comfortable with the methods that are currently available. They believe that every approach should include a hand-signed original, and perhaps most importantly, they are mindful that the act of placing one’s seal, signature and date is an important last step before engineering and surveying documents are declared complete. In fact, they believe the act of affixing one’s signature may be just as important as the record it produces, because it provides one final opportunity for the licensee to pause and consider again their responsibility to hold paramount the public health, safety and welfare before their work is issued for use. At least for now, the Board believes it is better to retain the traditional approach rather than risk turning the important act of certification into something that is more convenient.



ALONG THE PATH TO COMPLIANCE

By Bruce Pitts, P.L.S., Director of Enforcement

As we approach the end of the year and look back at the enforcement issues the Board has addressed this year, there are two distinct areas of concern that deserve special attention by all licensees. The first area generally falls in the category of the practice of engineering by unlicensed individuals and firms and the second is the failure of land surveyors to comply with the Corner Perpetuation and Filing Act.

The enforcement cases involving the unlicensed practice of engineering also fall into two categories. The first is the practice of engineering by architects, contractors, or others who prepare plans that include the practice of engineering, but the engineering work is not done by or under the supervision of an Oklahoma licensed engineer. The second category generally involves out-of-state engineers and firms who have Oklahoma engineering projects, but fail to obtain a license prior to offering and even practicing engineering in this state. Both categories of these violations indicate either disregard or ignorance of the laws and rules governing the practice of engineering. Disregarding the law often leads to failure to protect the public. Ignorance of the law is no excuse, but can be easily overcome with a call to the Board office for a clarification. To combat ignorance of the laws and rules, this Board aggressively pursues education of its licensees, governmental agencies and other professions. For example, the Board is currently reviewing the administrative rules regarding the roll of successor engineers in the case of prototypical plans. A public meeting will be held in January to discuss this matter with professional engineers and other interested parties, and a copy of the proposed revised rule may be found on the front page of the Board's website.

The land surveyor issue that continues to consume our time and resources is the enforcement of the Corner Perpetuation and Filing Act. The Board has taken disciplinary action against land surveyors who failed to file public land survey corner records at almost every board meeting this year, issuing significant penalties to the violators. This is surprising and disappointing since the law has been on the books since 1978, and knowledge of the law is a large part of the Oklahoma Law and Surveying Examination that is required for licensure. This law is also a frequent topic at meetings of the Oklahoma Society of Land Surveyors (OSLS).

Violations of the Corner Perpetuation and Filing Act are usually a blatant disregard of the law. Occasionally, however, corners are not filed because the licensee misunderstands what the law actually requires. This law clearly states that a public land survey corner record must be filed for every corner that is "established, reestablished, monumented, remonumented, restored, rehabilitated, perpetuated or used as control in any survey". The key phrase that can sometimes be subject to interpretation is "**used as control in any survey.**" "Used as control" can mean corner positions that have actually been occupied and corner positions that have been located, measured and used as a part of the control of your boundary analysis. Perpetuating the public land corners is one of the most important ways surveyors protect property rights and is necessary to keep the boundaries of our urban and rural neighborhoods in permanent positions.

The Board will continue its education outreach to its licensees and others and will be available to meet with groups desiring to learn more about the law and about enforcement. Your assistance and input will help us fulfill the mission of protecting the public.



Disciplinary Activity of the Board

August 24-25, 2006

In the Matter of Allen Patrick Locke, PE 11221 and Locke Engineering Co., CA 2845, Case No. 2002-48. Allen Patrick Locke was ordered to show cause why his previous probation should not be continued. Following arguments, the Board found the probation should be continued until such time as the Respondents have complied with the Consent Order of July 10, 2003, and submitted three (3) structural engineering projects approved by the Reviewing Engineer.

In the Matter of Micheal Jerome Huddleston, PLS 1103, and Huddleston Land Surveying, Inc., CA 1613, Case No. 2006-27; Through Consent: For failing to file corners in connection with a survey and for failing to achieve the Oklahoma Minimum Standards for the Practice of Surveying, which constitutes Misconduct on the part of Mr. Huddleston and Huddleston Land Surveying, Inc., the Board finds each Respondent Guilty of the charges. Mr. Huddleston is assessed an administrative penalty in the amount of \$1,750.00 and Huddleston Land Surveying, Inc. is assessed an administrative penalty in the amount of \$250.00. Mr. Huddleston and Huddleston Land Surveying, Inc. shall file all corners regarding this survey by January 2, 2007.

In the Matter of Nabih Youssef, PE 22263, and Nabih Youssef & Associates, CA 4979, Case No. 2006-29; Through Consent: For offering and providing structural engineering services in the state of Oklahoma prior to obtaining a certificate of licensure and certificate of authorization, Respondents are found Guilty and assessed a total administrative penalty of \$1000.00.

In the Matter of Kenneth Johnson, PLS 1500, and Aeropoint Land Surveyors, LLC, CA 4918, Case No. 2006-34; Through Consent: For performing a survey that did not meet the Oklahoma Minimum Standards for the Practice of Surveying, and further, for certifying that a survey met the ALTA Standards when it in fact did not, Mr. Johnson is found Guilty and is assessed an administrative penalty of \$500.00. Aeropoint Land Surveyors, LLC is also found Guilty and is assessed an administrative penalty of \$250.00. Mr. Johnson is further required to attend a continuing education seminar on the Oklahoma Minimum Standards for the Practice of Land Surveying.

In the Matter of Robert J. Acciarri and ADA Architects, Inc., Case No. 2006-36; Through Consent: For issuing signed, sealed and dated construction and design drawings with an architect's seal, which included electrical engineering drawings, without a certificate of authorization to do so, ADA Architects, Inc. is found Guilty and is assessed an administrative penalty in the amount of \$500.00. For signing and sealing electrical engineering plans without a certificate of licensure to do so, Mr. Acciarri is found Guilty and is assessed an administrative penalty of \$500.00. Respondents are ordered to Cease and Desist from the practice of engineering in the state of Oklahoma until such time as they have been authorized to do so.

In the Matter of JRH Surveying Solutions, Case No. 2006-38: Through Consent: For issuing a signed, sealed and dated boundary and topographical survey for a project located in the state of Oklahoma without a certificate of authorization to do so, JRH Surveying Solutions is found Guilty and assessed an administrative penalty in the amount of \$500.00. Further, it is ordered to Cease and Desist from the practice of surveying in the state of Oklahoma until such time as it has been authorized to do so.

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Disciplinary Activity of the Board (cont.)

In the Matter of Kochenour Associates and Richard C. Kochenour, Case No. 2006-46;

Through Consent: For sealing structural engineering drawings for a project in the state of Oklahoma with his architectural seal, Mr. Kochenour is found Guilty and assessed an administrative penalty in the amount of \$1,000.00. For Kochenour Associates offering and practicing engineering in the state of Oklahoma without a certificate of authorization to do so, it is found Guilty and assessed an administrative penalty of \$1,000.00. Respondents are ordered to Cease and Desist from the practice of engineering in the state of Oklahoma until such time as they have been authorized to do so.

In the Matter of Wesley B. Smith, PE 13715, and Warren Smith & Associates Consulting Engineers, P.C., Case No. 2006-48; Through Consent: For offering and performing engineering services with an expired certificate of authorization for numerous projects, Warren Smith & Associates Consulting Engineers, P.C. is found Guilty and assessed an administrative penalty of \$1,000.00. For aiding and assisting the firm in the unlicensed practice of engineering, Wesley B. Smith is found Guilty and assessed an administrative penalty in the amount of \$1,000.00.

In the Matter of Carl Wayne Willyard, PLS 227, and Carl Willyard Surveying, Case No. 2006-52; Through Consent: For performing a survey which failed to meet the Oklahoma Minimum Standards for the Practice of Surveying, Carl Willyard and Carl Willyard Surveying are found Guilty and assessed an administrative penalty of \$250.00 each.

In the Matter of John Hager Reid, PE 14699, and Reid, Riddick & Associates, Inc., CA 5016; Through Consent: For Reid, Riddick & Associates, Inc. offering and providing engineering services in the state of Oklahoma without a certificate of authorization to do so, it is found Guilty and assessed an administrative penalty of \$500.00. For John Hager Reid aiding and assisting the firm in the unlicensed practice of engineering, is found Guilty and assessed an administrative penalty of \$250.00.

November 2-3, 2006

In the Matter of Harold W. Connor, PE 11991, Case No. 2004-123. Harold W. Connor was ordered to show cause why his previous probation should not be continued. Following arguments, the Board found the probation of Mr. Connor shall continue for another year or until such time as he has complied with the Consent Order of September 8, 2005 and submitted three (3) structural engineering projects approved by the Reviewing Engineer, that demonstrate competence to the Board's satisfaction.

In the Matter of Parviz Khosrowyar, PE 14535, Case No. 2006-004; Summary of Findings of Facts and Conclusion of Law: Parviz Khosrowyar was requested to provide information to the investigation committee with respect to the allegations of a Federal Indictment accusing Mr. Khosrowyar of criminal activity including the providing of engineering and procurement services to the National Iranian Gas Company in violation of the United States Trade Embargo with Iran. Mr. Khosrowyar failed to respond to the request within the thirty (30) days as requested. Mr. Khosrowyar is found Guilty of failing to provide information requested by the Director of Enforcement as a result of a formal complaint, and his PE license 14535 is hereby Revoked.

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Disciplinary Activity of the Board (cont.)

In the Matter of Randall Campo, PLS 1462, Case No. 2006-026; Through Consent:

For preparing a survey and failing to file corners, and for failing to meet the Oklahoma Minimum Standards for the Practice of Land Surveying, Mr. Campo is found Guilty and assessed an administrative penalty of \$2,500.00. Mr. Campo will file all corners as required within 90 days. The authorization to offer, perform or provide boundary survey services of any type or nature is placed on Probation for a period of one year. During the one year probation, all boundary work or surveys created by Mr. Campo will be reviewed by a Reviewing Surveyor. Mr. Campo will bear all expenses of the review by a Reviewing Surveyor. Randall Campo is Reprimanded by the Board.

In the Matter of Geoscience Engineering and Testing, Inc, Syed S. Afsar, and Jatin Ambalal Desai, PE 11813; Case No. 2006-053; Summary of Findings of Facts and Conclusion of Law: Geoscience Engineering and Testing, Inc., for offering and providing engineering services in the state of Oklahoma without a certificate of authorization to do so, is found Guilty and assessed an administrative penalty of \$1,000.00. Syed S. Afsar, for offering and providing engineering services in the state of Oklahoma without a certificate of licensure to do so, is found Guilty and assessed an administrative penalty of \$1,000.00. Jatin Ambalal Desai, for aiding and assisting Geoscience Engineering and Testing, Inc. in the unlicensed practice of engineering, is found Guilty and issued a letter of Reprimand. Geoscience Engineering and Testing, Inc. and Syed S. Afsar are ordered to Cease and Desist from the practice of engineering in the state of Oklahoma until such time as they have been authorized to do so.

In the Matter of Data Testing, Inc., and Randell Clinton Coleman, PE 14667; Case No. 2006-058; Through Consent: Data Testing, Inc., for offering and providing engineering services in the state of Oklahoma without a certificate of authorization to do so, is found guilty and assessed an administrative penalty of \$500.00. Randell Clinton Coleman, for aiding and assisting the firm in the unlicensed practice of engineering, is found Guilty and assessed an administrative penalty of \$500.00. Data Testing, Inc. is ordered to Cease and Desist from the practice of engineering in the state of Oklahoma until such time as it has been authorized to do so.

In the Matter of Gale E. Plummer, PE 7418; Case No. 2006-064; Through Agreement: Gale E. Plummer surrendered his PE License #7418 to the Board in lieu of an administrative action. He is be permanently barred from reissuance of licensure as a professional engineer in Oklahoma.

In the Matter of Thomas G. Smith, TP 679; Case No. 2006-78: Through Consent: For failing to file an application for permanent licensure in the state of Oklahoma within 30 days of filing an application for a temporary permit, Mr. Smith is assessed an administrative penalty in the amount of \$500.00, and is hereby Reprimanded.

In the Matter of Gennaro G. Marino, PE 22434 and Marino Engineering Associates, Inc., CA 5068; Through Consent: For offering and providing engineering services on two projects in the state of Oklahoma, without a certificate of authorization or certificate of licensure to do so, Respondents are found Guilty and assessed an administrative penalty of



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