

**TITLE 245. STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
CHAPTER 2. ADMINISTRATIVE OPERATIONS**

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

- 245:2-1-10. Official records [AMENDED]
- 245:2-1-18. Fees and penalties [AMENDED]
- 245:2-1-22. Powers and authority of Board [NEW]

AUTHORITY:

Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors; 59 O.S. Sections 475.1 et seq.; 65 O.S., 1991 Sections 3-116 et seq.; 75 O.S. Sections 301 et seq.

SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET

SECRETARY: November 26, 2019

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APPROVED BY GOVERNOR'S DECLARATION:

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FINAL ADOPTION:

June 25, 2020

EFFECTIVE:

November 1, 2020

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATED BY REFERENCE:

n/a

AVAILABILITY:

8:00 a.m. to 4:30 p.m., Monday through Friday at the Engineering and Design Professionals Center, 220 N.E. 28th St., Suite 120, Oklahoma City, OK 73151, 405-521-2874 or https://www.ok.gov/pels/Publications/Administrative_Rules/index.html

GIST/ANALYSIS:

The revisions shall update administrative fees and penalties to reflect fee waivers for military and military spouses, and make downward adjustments to the reinstatement fees. Removes fee waiver for persons 70 years of age or older. Creates the "Building Maintenance, Improving and Operating Fund".

CONTACT PERSON:

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES
ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTIONS
250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF NOVEMBER 1, 2020:
TITLE 245. STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
CHAPTER 2. ADMINISTRATIVE OPERATIONS**

245:2-1-10. Official records

Among other official records required by law, or by rules of other agencies in support of law, the Board shall maintain accurate and current records including, but not limited to:

- (1) A record of minutes, in proper order, containing a summary of actions of all meetings of the Board.
- (2) Records of Licensees, containing the name and license number of all persons to whom Certificates of Licensure are issued, date of original license, the last known physical and e-mail addresses of all current licensees and renewals affected through biennial licensure, and the discipline(s) of engineering in which the applicant is claiming competency.
- (3) Licensee files for each current licensee containing the original application, relevant verification and evaluation data, record of examination results, and when applicable, records of alleged violations, suspensions, revocations, refusal to renew, orders issued, hearing transcriptions and penalties levied.
- (4) Certificate of Authorization files containing the name of each current firm holding a current certificate, the engineer(s) or land surveyor(s) of record, a record of all partners, officers and directors of the entity, managing agent(s) and their license number numbers and state states which they are licensed, if applicable, and the last known address.
- (5) A system of finance records indicating funds received, budgeted, committed, spent, remaining and projections of appropriate request for consideration in budget development.

245:2-1-18. Fees and penalties

(a) Schedule of fees and penalties, ~~effective July 1, 2013~~ November 1, 2020, are as follows:

- (1) Application:
 - (A) Original (Initial)
 - (i) ~~Engineer/Surveyor~~ - \$150.00
 - (ii) Intern - \$50.00 no charge
 - (iii) Firm - \$200.00
 - (B) Comity
 - (i) ~~Engineer/Surveyor~~ - \$250.00
 - (ii) Intern ~~-\$50.00~~ no charge
 - (iii) Firm - ~~\$250.00~~ \$200.00
 - (C) Re-license
 - (i) ~~Engineer/Surveyor~~ - \$250.00
 - (ii) Intern ~~-\$50.00~~ no charge
 - ~~(iii) Firm - \$250.00~~ \$200.00
 - (D) ~~Requalifications~~
 - ~~(i) Engineer/Surveyor - \$150.00~~
 - (ii) Intern - \$25.00
- (2) Biennial renewals:

(A) ~~Individuals~~ Individual: ~~(Renewal fees are waived for Oklahoma licensed engineers and surveyors at 70 years old. Individuals must be 70 years old prior to their biennial renewal date and comply with the administrative renewal requirements of the Board to qualify.)~~ However, beginning January 1, 2021, no renewal fees shall be waived and all licensees shall be required to pay the required renewal fee as long as the licensee chooses to maintain an active license. An individual may choose to retire their license at no cost and maintain a retired professional engineer or retired professional land surveyor status pursuant to the provisions of OAC 245:15-1-3. However, no privilege to offer or practice engineering or surveying shall exist without an active license.

- (i) Engineer/Surveyor - \$150.00
- (ii) Intern ~~B~~ = WAIVED no charge

(B) Firm - \$200.00

(3) Reinstatement penalty (in addition to the renewal fee): The following reinstatement penalty schedule refers to payments received by the Board within the prescribed number of days following the expiration date of the renewal:

(A) ~~1 B- 60~~ 30 days:

- (i) Engineer/Surveyor - ~~\$100.00~~ \$50.00
- (ii) Firm - ~~\$100.00~~ \$50.00

(B) ~~61 B 31 - 90~~ 120 days:

- (i) Engineer/Surveyor - ~~\$150.00~~ \$100.00
- (ii) Firm - ~~\$150.00~~ \$100.00

(C) ~~121 B 91 - 180~~ days:

- (i) Engineer/Surveyor - ~~\$250.00~~ \$200.00
- (ii) Firm - ~~\$250.00~~ \$200.00

(D) Reinstatement penalties for professional engineers and land surveyors may be waived if the licensee was unable to renew because they were in non-compliance with the Oklahoma Tax Commission or if other documented hardships occur. Application for waiver of reinstatement penalties must be submitted to the board office in writing with appropriate documentation for board review prior to license renewal or payment of the reinstatement penalty.

(4) Re-examination application:

- (A) ~~Engineer/Surveyor~~ - \$50.00 (Oklahoma Law and Surveying Examination)
- ~~(B) Intern - \$10.00~~

(5) Temporary ~~Permit~~ License (Engineering): ~~\$750.00~~ \$500.00

(6) Administrative fee for returned checks: \$25.00

(7) Duplicate certificate: \$25.00

(8) Application fee to revise license or authorization

- (A) Engineer/Surveyor - \$50.00
- (B) Intern ~~B~~ = no charge
- (C) Firm - \$100.00

(9) Transcript of hearing – Actual cost

(10) Copy of public records (per page): \$.25

(b) The Board shall make no refunds of any fees or penalties to any applicant or licensee.

(c) These fees and penalties apply to the Rules in this Chapter and Chapter 15 of this Title.

(1) The administrative fee for returned checks shall be applied to any check returned to the Board for insufficient funds.

(2) Any such check returned to the Board shall be replaced with a cashier's check or money order within ten (10) days following notification from the Board of the returned check.

(d) Any member of the Armed Forces of the United States who is deployed on active duty who at the time of deployment was duly licensed in good standing as a professional engineer or land surveyor in Oklahoma may renew their license without the payment of renewal or reinstatement fees. The license or certificate issued pursuant to the provisions of this section may be continued as long as the licensee or certificate holder is a member of the Armed Forces of the United States on active duty and for a period of at least one (1) year after discharge from active duty.

(e) Pursuant to O.S., Title 59, Section 4100(2)(D), active duty military personnel and their spouse who are a licensed professional engineer or land surveyor in another state, upon receiving notice or orders for military transfer or honorable discharge to this state, may in advance of actual transfer or discharge apply for an expedited temporary or comity license per this act and Board Policy, and shall not be required to pay an application fee or pro-rated license fee for the issuance of an expedited temporary or comity license.

245:2-1-22. Powers and authority of Board

The Board is authorized to create and maintain a fund, which may accrue interest, for the purpose of maintaining, improving, and operating property and all other provisions as described and authorized by O.S. Title 59, 475.8(C).