

## RULE

### Department of Transportation and Development Professional Engineering and Land Surveying Board

#### General Provisions

(LAC 46:LXI.Chapters 7, 9,13, 15 17, 29, and 31)

Under the authority of the Louisiana Professional Engineering and Land Surveying Licensure Law, La. R.S. 37:681, et seq., and in accordance with the Louisiana Administrative Procedure Act, R.S. 49:950 et seq., the Louisiana Professional Engineering and Land Surveying Board has amended its Rules contained in LAC 46:LXI.Chapters 1 through 33.

These are primarily technical revisions of existing rules under which LAPELS operates. One set of revisions to a number of Sections change the titles of LAPELS' executive secretary and deputy executive secretary to be consistent with recent changes to the licensure law. The revisions to Section 707 change (i) the composition and duties of complaint review committees to be consistent with recent changes to the licensure law and (ii) the date for election of board officers. The revisions to this Section also add to the list of LAPELS standing committees the firm licensure committee. The adoption of Section 727 is to memorialize the procedure for the issuance of declaratory orders and rulings. The revisions to Section 909 change the terminology used in describing the requisite experience for professional land surveyor licensure to be consistent with recent changes to the licensure law. The revisions to Section 1301 change the application deadlines for licensure. The revisions to Sections 1509 make it clear that applicants for licensure only need to gain the requisite experience by the time of licensure rather than by the time of application. The revisions to Section 2301 simply change terminology. The revisions to Sections 2901 through 2913 clarify and update the standards of practice for boundary surveys. The revisions to Section 3105 correct the reference to the standards of practice for boundary surveys. The revisions to Sections 3111 and 3113 make it clear that the authoring and publishing of books related to engineering or land surveying will qualify for continuing education credit.

#### Title 46

### PROFESSIONAL AND OCCUPATIONAL STANDARDS

#### Part LXI. Professional Engineers and Land Surveyors

#### Chapter 7. Bylaws

#### §701. Board Nominations

A. ...

B. The division of engineering practice classification of each board member shall remain unchanged during each administrative year.

1. - 2. ...

3. If a board member is not a member of the Louisiana Engineering Society or the Louisiana Society of Professional Surveyors, it shall be his duty to notify the executive director of any significant change in his regular employment; the executive director shall so advise the Louisiana Engineering Society or the Louisiana Society of Professional Surveyors for its action.

C. ...

D. In the event of death or resignation of a board member, the executive director shall immediately notify the appropriate nominating organization.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 4:298 (August 1978), amended LR 5:120 (May 1979), LR 11:1179 (December 1985), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1023 (July 2001), LR 30:1706 (August 2004), LR 37:2411 (August 2011).

#### §707. Board Organization

A. - B. ...

C. Date of Elections. The election of board officers shall take place not later than at the board's January meeting. In the event that an officer cannot complete his/her term, an election in order to fill the unexpired term shall be scheduled at the earliest practical regular or special meeting.

D. Duties

1. - 2. ...

3. Secretary. The secretary shall:

a. - b. ...

c. assume all responsibilities of the executive director, in the event of the absence or incapacity of the executive director;

3.d. - 4. ...

E. Committees. The board may establish standing committees, including but not limited to the following: Executive Committee, Civil Engineering Committee, Other Disciplines Engineering Committee, Land Surveying Committee, Engineer Intern Committee, Liaison and Law Review Committee, Education/Accreditation Committee, Finance Committee, Nominations and Awards Committee, Complaint Review Committees, Continuing Professional Development Committee, Architect-Engineer Liaison Committee, and Firm Licensure Committee. The board may also establish ad hoc committees from time to time as necessary.

1. ...

2. Executive Committee. The chairman, vice chairman, secretary, and treasurer shall constitute the Executive Committee. The chairman of the board shall serve as chairman of the Executive Committee. The Executive Committee shall oversee the operations of the office of the board and shall advise the executive director as to the conduct of the business of the board between meetings. The Executive Committee shall make recommendations to the board with respect to personnel, policies and procedures.

3. - 9. ...

10. Complaint Review Committees. Complaint review committees shall be composed of one standing member (the executive director or deputy executive director) and at least three board members appointed on a case-by-case basis. It shall be the responsibility of each committee to review the results of investigations against licensees, certificate holders and unlicensed persons, to prefer charges and/or to recommend appropriate action to the board. Any decision, including the preferral of charges, shall be made by a minimum two-thirds vote of the board members serving on a committee.

11. - 12. ...