

HISTORICAL NOTE: Promulgated by the Department of Public Safety and Corrections, Office of State Police, LR 14:31 (January 1988), amended LR 17:1115 (November 1991), LR 19:351 (March 1993), LR 20:58 (January 1994), LR 24:956 (May 1998), LR 24:2321 (December 1998), LR 29:711 (May 2003), LR 30:447 (March 2004), LR 32:641 (April 2006), LR 34:882 (May 2008), amended by the Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, LR 37:1613 (June 2011), LR 38:1417 (June 2012), amended by the Department of Public Safety and Corrections, Office of State Police, LR 40:371 (February 2014), LR 42:280 (February 2016), amended by the Department of Public Safety and Corrections, Office of State Police, Transportation and Environmental Safety Section, LR 43:537 (March 2017), amended by the Department of Public Safety and Corrections, Office of State Police, LR 44:921 (May 2018), LR 47:489 (April 2021).

Lt. Colonel Jason Starnes  
Chief Administrative Officer

2104#007

## **RULE**

### **Department of Transportation and Development Offshore Terminal Authority**

#### **Superport Environmental Protection Plan**

Under the authority of R.S. 34:3101 et seq., the Department of Transportation and Development, Offshore Terminal Authority has amended Section 7 of Chapter 5 of the Authority's Superport Environmental Protection Plan in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and pursuant to the power delegated under the laws of the state of Louisiana.

The amendments will add additional provisions:

- requiring the Authority, in considering the air quality effects of a project or activity, to examine whether the project or activity has a significant effect on onshore air quality by considering compliance with applicable National Ambient Air Quality Standards (NAAQS) through air quality monitoring; and
- assuring continuing compliance with the NAAQS by requiring the owner or operator to maintain records of operating data necessary to estimate actual annual emissions in each calendar year and to submit a report to the Authority by March 31 of the following calendar year on those emissions and a comparison to modeled potential emissions, which have been demonstrated to comply with the NAAQS. This Rule is hereby adopted on the day of promulgation.

#### **Environmental Protection Plan of the Offshore Terminal Authority State of Louisiana**

### **Chapter 5. Operation and Enforcement Procedures Section 7. Approval of Projects and Activities**

- a. - j.(2).(a). ...
- j.(2).(b).(1). In considering the effect on air quality of a project or activity, the Authority shall examine whether the project or activity has a significant effect on onshore air quality in the State of Louisiana through consideration of compliance with applicable National Ambient Air Quality Standards (NAAQS) through air quality modeling based on

the project or activity's location, projected operations, and potential emission rates.

k. - l. ...

m. Each owner or operator shall establish and maintain such records, make such reports and provide such information as the Authority shall reasonably require or request to assure compliance with this Protection Plan. Each such owner or operator shall submit such reports and make available such records and information to the Authority as required under this Protection Plan or under other rules, regulations, or orders of the Authority.

(1). The Authority shall require the owner or operator to establish and maintain records of operating parameters necessary to estimate actual air emissions in each calendar year and to submit a report to the Authority by March 31 of the following calendar year on those emissions and a comparison to modeled potential emissions, which have been demonstrated to comply with the NAAQS.

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AUTHORITY NOTE: Promulgated in accordance with R.S. 34:3113.

HISTORICAL NOTE: Promulgated by the Offshore Terminal Authority (January 1974), amended (October 1975), amended (August 1976), LR 47:490 (April 2021).

Julie Silva  
Designee

2104#021

## **RULE**

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

Accredited Land Surveying Curriculum, Military Members/Spouses/Dependents and Continuing Professional Development (LAC 46:LXI.105, 903, 905, 909, 911, 1101, 3105, 3109, 3113, 3115, 3119 and 3121)

Under the authority of the Louisiana professional engineering and land surveying licensure law, 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.105, 903, 905, 909, 911, 1101, 3105, 3109, 3113, 3115, 3119 and 3121.

This is a technical revision of existing rules under which LAPELS operates. The revision (a) updates the definition of accredited land surveying curriculum, (b) incorporates the recent changes made to the state statute dealing with the licensure of military members, spouses and dependents and (c) removes certain expired provisions relating to continuing professional development. This Rule is hereby adopted on the day of promulgation.

#### **Title 46 PROFESSIONAL AND OCCUPATIONAL STANDARDS**

### **Part LXI. Professional Engineers and Land Surveyors Chapter 1. General Provisions**

#### **§105. Definitions**

A. The words and phrases defined in R.S. 37:682 shall apply to these rules. In addition, the following words and

phrases shall have the following meanings, unless the content of the rules clearly states otherwise.

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*Accredited Land Surveying Curriculum*—a curriculum approved by ANSAC/ABET, EAC/ABET or ETAC/ABET as a land surveying or geomatics academic program that satisfies the academic requirements for the practice of land surveying at the professional level.

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*ETAC/ABET*—the Engineering Technology Accreditation Commission of ABET.

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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 Surveyors, LR 4:298 (August 1978), amended LR 5:110 (May 1979), LR 7:643 (December 1981), LR 14:449 (July 1988), LR 16:772 (September 1990), LR 17:804 (August 1991), LR 20:901 (August 1994), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1020 (July 2001), LR 30:1704 (August 2004), LR 32:1618 (September 2006), LR 35:1908 (September 2009), LR 38:835 (March 2012), repromulgated LR 38:1030 (April 2012), amended LR 44:612 (March 2018), LR 45:75 (January 2019), LR 47:490 (April 2021).

## **Chapter 9. Requirements for Certification and Licensure of Individuals and Temporary Permit to Practice Engineering or Land Surveying**

### **§903. Professional Engineer Licensure**

A. - A.2. ...

B. The requirements for licensure as a professional engineer under the alternatives provided in R.S. 37:3651(A) are as follows:

1. the applicant for licensure as a professional engineer shall be a member of the military, or a United States Department of Defense civilian employee assigned to duty in this state, who holds a current and valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has held such license for at least one year, who has passed any examinations and met any education, training, or experience standards as required by such other jurisdiction, who is held in good standing by such other jurisdiction, who has received education and experience as a member of the military at a level that is comparable to the requirements for licensure under R.S. 37:693(B)(2)(a) and Paragraph 1 of Subsection A herein, who does not have a disqualifying criminal record as determined by the board under the laws of this state, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has

submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board; or

2. the applicant for licensure as a professional engineer shall be a spouse or dependent of a member of the military or a United States Department of Defense civilian employee, if the member or civilian employee has received military orders for a change of station to a military installation or assignment located in this state or has established this state as their state of legal residence as reflected in their military record, who holds a current and valid license to engage in the practice of engineering issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has held such license for at least one year, who has passed any examinations and met any education, training, or experience standards as required by such other jurisdiction, who is held in good standing by such other jurisdiction, who does not have a disqualifying criminal record as determined by the board under the laws of this state, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board.

C. The requirements for licensure as a professional engineer under the alternatives provided in R.S. 37:3651(B) are as follows:

1. the applicant for licensure as a professional engineer shall be a member of the military who has lawfully engaged in the practice of engineering for at least three years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of engineering, who has received education and experience as a member of the military at a level that is comparable to the requirements for licensure under R.S. 37:693(B)(2)(a) and Paragraph 1 of Subsection A herein, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has

submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board; or

2. the applicant for licensure as a professional engineer shall be a spouse or dependent of a member of the military or United States Department of Defense civilian employee assigned duty in this state, who has lawfully engaged in the practice of engineering for at least three years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of engineering, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board.

D. The requirements for licensure as a professional engineer under the alternatives provided in R.S. 37:3651(C) are as follows:

1. the applicant for licensure as a professional engineer shall be a member of the military, or a United States Department of Defense civilian employee assigned duty in this state, who has lawfully engaged in the practice of engineering for at least two years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of engineering, who holds a current and valid private certification to engage in the practice of engineering, who is held in good standing by the organization that issued such private certification, who has received education and experience as a member of the military at a level that is comparable to the requirements for licensure under R.S. 37:693(B)(2)(a) and Paragraph 1 of Subsection A herein, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has submitted an application for licensure in accordance with the

requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board; or

2. the applicant for licensure as a professional engineer shall be a spouse or dependent of a member of the military or United States Department of Defense civilian employee, who has lawfully engaged in the practice of engineering for at least two years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of engineering, who holds a current and valid private certification to engage in the practice of engineering, who is held in good standing by the organization that issued such private certification, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional engineer by the board.

E. The provisions of Subsections B, C and D shall not apply to any applicant who received a dishonorable discharge or to a military spouse whose spouse received a dishonorable discharge.

F. In Subsections B, C and D, the term *military* shall mean the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

G. In Subsections B, C and D, the term *dependent* shall mean a resident spouse or resident unmarried child under 21 years of age, a child who is a student under 24 years of age and who is financially dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.

H. The authority for the executive director to issue a license can only be granted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:352 (November 1976), amended LR 5:114 (May 1979), LR 5:365 (November 1979), LR 6:735 (December 1980), LR 7:644 (December 1981), LR 10:804 (October 1984), LR 11:362 (April 1985), LR 19:56 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 32:1619 (September 2006), LR 37:2412 (August 2011), LR 38:2564 (October 2012), LR 39:1060 (April 2013), LR 39:2801 (October 2013), LR 43:538 (March 2017), LR 43:1419 (July 2017), LR 44:616 (March 2018), LR 47:491 (April 2021).

## **§905. Temporary Permit to Practice Engineering**

A. ...

B. An individual who has applied to the board for licensure pursuant to §903.B, §903.C, or §903.D shall be granted a temporary permit to practice or offer to practice engineering in Louisiana for the period from the time the individual has applied to the board for licensure until either the license has been granted or notice of denial of licensure has been issued, provided that before beginning such temporary practice in Louisiana, the individual shall have applied to the board for a temporary permit, paid the prescribed fee, and received a temporary permit.

C. The provisions of Subsection B shall not apply to any applicant who received a dishonorable discharge or to a military spouse whose spouse received a dishonorable discharge.

D. In Subsection C, the term *military* shall mean the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

E. - F. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 8:192 (April 1982), amended LR 16:773 (September 1990), LR 19:56 (January 1993), LR 22:286 (April 1996), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1028 (July 2001), LR 30:1712 (August 2004), LR 37:2412 (August 2011), LR 39:2802 (October 2013), LR 44:616 (March 2018), LR 47:493 (April 2021).

## **§909. Professional Land Surveyor Licensure**

A. - A.2. ...

B. The requirements for licensure as a professional land surveyor under the alternatives provided in R.S. 37:3651(A) are as follows:

1. the applicant for licensure as a professional land surveyor shall be a member of the military, or a United States Department of Defense civilian employee assigned to duty in this state, who holds a current and valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has held such license for at least one year, who has passed any examinations and met any education, training, or experience standards as required by such other jurisdiction, who is held in good standing by such other jurisdiction, who has received education and experience as a member of the military at a level that is comparable to the requirements for licensure under R.S. 37:693(B)(4)(a) and Paragraph 1 of Subsection A herein, who does not have a disqualifying criminal record as determined by the board under the laws of this state, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or

possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

2. the applicant for licensure as a professional land surveyor shall be a spouse or dependent of a member of the military or a United States Department of Defense civilian employee, if the member or civilian employee has received military orders for a change of station to a military installation or assignment located in this state or has established this state as their state of legal residence as reflected in their military record, who holds a current and valid license to engage in the practice of land surveying issued to him/her by proper authority of a state, territory, or possession of the United States, or the District of Columbia, who has held such license for at least one year, who has passed any examinations and met any education, training, or experience standards as required by such other jurisdiction, who is held in good standing by such other jurisdiction, who does not have a disqualifying criminal record as determined by the board under the laws of this state, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board.

C. The requirements for licensure as a professional land surveyor under the alternatives provided in R.S. 37:3651(B) are as follows:

1. the applicant for licensure as a professional land surveyor shall be a member of the military who has lawfully engaged in the practice of land surveying for at least three years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of land surveying, who has received education and experience as a member of the military at a level that is comparable to the requirements for licensure under R.S. 37:693(B)(4)(a) and Paragraph 1 of Subsection A herein, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in

the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

2. the applicant for licensure as a professional land surveyor shall be a spouse or dependent of a member of the military or United States Department of Defense civilian employee assigned duty in this state, who has lawfully engaged in the practice of land surveying for at least three years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of land surveying, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board.

D. The requirements for licensure as a professional land surveyor under the alternatives provided in R.S. 37:3651(C) are as follows:

1. the applicant for licensure as a professional land surveyor shall be a member of the military, or a United States Department of Defense civilian employee assigned duty in this state, who has lawfully engaged in the practice of land surveying for at least two years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of land surveying, who holds a current and valid private certification to engage in the practice of land surveying, who is held in good standing by the organization that issued such private certification, who has received education and experience as a member of the military at a level that is comparable to the requirements for licensure under R.S. 37:693(B)(4)(a) and Paragraph 1 of Subsection A herein, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional

misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board; or

2. the applicant for licensure as a professional land surveyor shall be a spouse or dependent of a member of the military or United States Department of Defense civilian employee, who has lawfully engaged in the practice of land surveying for at least two years in a state, territory, or possession of the United States, or the District of Columbia, that does not use a professional or occupational license or government certification to regulate the practice of land surveying, who holds a current and valid private certification to engage in the practice of land surveying, who is held in good standing by the organization that issued such private certification, who has not had a professional or occupational license revoked by another state, territory, or possession of the United States, or the District of Columbia, because of negligence or intentional misconduct related to their work in the profession or occupation, who has not surrendered a professional or occupational license because of negligence or intentional misconduct related to their work in the profession or occupation in another state, territory, or possession of the United States, or the District of Columbia, who does not have a complaint, allegation, or investigation pending in another state, territory, or possession of the United States, or the District of Columbia, which relates to unprofessional conduct or an alleged crime, who has passed the examination required by the board in the Louisiana laws of land surveying, who has submitted an application for licensure in accordance with the requirements of R.S. 37:694, and who was duly licensed as a professional land surveyor by the board.

E. The provisions of Subsections B, C and D shall not apply to any applicant who received a dishonorable discharge or to a military spouse whose spouse received a dishonorable discharge.

F. In Subsections B, C and D, the term *military* shall mean the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

G. In Subsections B, C and D, the term *dependent* shall mean a resident spouse or resident unmarried child under 21 years of age, a child who is a student under 24 years of age and who is financially dependent upon the parent, or a child of any age who is disabled and dependent upon the parent.

H. The authority for the executive director to issue a license can only be granted by the board.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688 and 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 2:244 (August 1976), amended LR 2:352 (November 1976), LR 5:114 (May 1979), LR 6:735 (December 1980), LR 7:645 (December 1981), LR 11:362 (April 1985), LR 16:773 (September 1990), LR 19:56 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 32:1619 (September 2006), LR 35:1909 (September 2009), LR 37:2413 (August 2011), LR 38:2564 (October 2012), LR 39:2802 (October 2013), LR 43:539 (March 2017), LR 44:617 (March 2018), LR 47:493 (April 2021).

#### **§911. Temporary Permit to Practice Land Surveying**

A. An individual who has applied to the board for licensure pursuant to §909.B, §909.C, or §909.D shall be granted a temporary permit to practice or offer to practice land surveying in Louisiana for the period from the time the individual has applied to the board for licensure until either the license has been granted or notice of denial of licensure has been issued, provided that before beginning such temporary practice in Louisiana, the individual shall have applied to the board for a temporary permit, paid the prescribed fee, passed the examination required by the board in the Louisiana laws of land surveying, and received a temporary permit.

B. The provisions of Subsection A shall not apply to any applicant who received a dishonorable discharge or to a military spouse whose spouse received a dishonorable discharge.

C. In Subsection B, the term *military* shall mean the armed forces or reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

D. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:3651.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 39:2803 (October 2013), amended LR 44:618 (March 2018), LR 47:495 (April 2021).

### **Chapter 11. Curricula**

#### **§1101. Approved Curricula**

A. - E. ...

F. Based on an investigation by a committee of the board, the board may, by a majority vote at a regular meeting, recognize as an approved curriculum a non-accredited land surveying curriculum of four years or more from a school of satisfactory standing that does not meet the specifications of §1101.E. The board shall keep a record of the land surveying curricula thus approved.

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 5:113 (May 1979), amended LR 5:365 (November 1979), LR 7:646 (December 1981), LR 10:805 (October 1984), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1029 (July 2001), LR 30:1713 (August 2004), LR 44:618 (March 2018), LR 45:77 (January 2019), LR 47:495 (April 2021).

### **Chapter 31. Continuing Professional Development (CPD)**

#### **§3105. Requirements**

A. Every professional engineer, including those listed in two or more disciplines, is required to earn 15 PDHs per calendar year in engineering-related acceptable activities. Professional engineers may not earn more than 8 PDHs within a single calendar day.

1. At least one of the PDHs per calendar year shall be earned in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional engineer.

2. At least four of the PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems in Louisiana during such calendar year.

B. Every professional land surveyor is required to earn 8 PDHs per calendar year in land surveying-related acceptable activities.

1. At least one of the PDHs per calendar year shall be earned in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional land surveyor.

2. At least one of the PDHs per calendar year shall be earned in the standards of practice for boundary surveys in Louisiana.

C. Each dual licensee is required to earn 15 PDHs per calendar year; however, at least one-third of the PDHs for each calendar year shall be earned separately for each profession.

1. At least one of the PDHs per calendar year shall be earned in professional ethics. Professional ethics concerns the standard of professional conduct and responsibility required of a professional engineer and/or professional land surveyor.

2. At least one of the PDHs per calendar year shall be earned in the standards of practice for boundary surveys in Louisiana.

3. At least four of the PDHs per calendar year shall be earned in *Life Safety Code*, building codes and/or Americans with Disabilities Act Accessibility Guidelines by every professional engineer who designs buildings and/or building systems in Louisiana during such calendar year.

#### **D. Excess PDHs**

1. If a licensee exceeds his/her annual requirement of PDHs, up to a maximum of 7 PDHs may be carried forward into the subsequent calendar year.

D.2. - E. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2152 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1047 (July 2001), LR 30:1730 (August 2004), LR 37:2420 (August 2011), LR 42:1104 (July 2016), LR 44:629 (March 2018), LR 47:495 (April 2021).

#### **§3109. Exemptions**

A. A licensee may be exempt from the CPD requirements in this Chapter for any one or more of the following reasons.

1. New licensees shall be exempt from the CPD requirements during the calendar year in which they are licensed.

2. Licensees serving on active duty in the United States military for a period of time exceeding 180 consecutive days in a calendar year shall be exempt from the CPD requirements during that calendar year.

3. Licensees experiencing disability, serious illness, or serious injury of a nature and duration which prevent them from satisfying the CPD requirements during a calendar year may be granted an exemption from such requirements for said year. Supporting documentation, such as a signed letter from a physician who has treated the disability, illness or injury, is required. This documentation shall be on the letterhead of the physician, shall set forth the nature of the disability, illness or injury and the period of time under treatment by the physician, and shall contain a statement by the physician as to any limitations placed upon the licensee which impaired his/her ability to satisfy the CPD requirements. This exemption may only be granted for one calendar year at a time.

4. Licensees working outside of the United States for more than 90 days in a calendar year where compliance with the CPD requirements is impractical due to location, working hours, mail restrictions, etc., may be granted an exemption from such requirements for said calendar year. Supporting documentation, such as a signed letter from the licensee's employer, is required. This documentation shall be on the letterhead of the employer, shall set forth both the location and the period of time in which the licensee has been working outside of the United States, and shall contain a statement by the employer as to why it was impractical for the licensee to satisfy the CPD requirements.

A.5. - A.6. ...

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2153 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1731 (August 2004), LR 42:1105 (July 2016), LR 44:630 (March 2018), LR 47:495 (April 2021).

### **§3113. Units**

A. - A.3. ...

B. PDH credit will be awarded as follows:

1. fifty contact minutes of verified attendance at an activity in accordance with §3111.A.1-2, or problem preparation for a NCEES or state professional engineering or land surveying exam in accordance with §3111.A.7 = one PDH. A maximum of five PDHs will be allowed per calendar year for problem preparation;

2. membership in an engineering or land surveying professional association or technical society in accordance with §3111.A.4 = one PDH per calendar year for each association or society. A maximum of two PDHs will be allowed per calendar year for all such memberships;

3. teaching/instructing or presenting an activity in accordance with §3111.A.1-3 = twice the PDHs allowed for attending the activity. A maximum of 15 PDHs will be allowed per calendar year for teaching, instructing and presenting;

4. authoring and publishing a peer reviewed (refereed) article/paper in an engineering or land surveying journal, or authoring and publishing a peer reviewed (refereed) book related to engineering or land surveying, in accordance with §3111.A.5 = 5 PDHs per calendar year for all such articles/papers or books;

5. authoring and publishing a non-peer reviewed (non-refereed) article/paper in an engineering or land surveying journal in accordance with §3111.A.5 = 3 PDHs per calendar year for all such articles/papers;

6. obtaining a patent in accordance with §3111.A.6 = 10 PDHs for each patent;

7. serving as a thesis director for a student pursuing a masters or doctoral degree in engineering in accordance with §3111.A.8 = 1 PDH per hour of thesis credit. A maximum of 5 PDHs will be allowed per calendar year for all such students;

8. serving on a technical committee that is assisting federal, state or local governmental agencies in developing standards related to engineering or land surveying in accordance with §3111.A.9 = 1 PDH per 50 contact minutes of attendance at a committee meeting. A maximum of 5 PDHs will be allowed per calendar year for service on all of such committees.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1048 (July 2001), LR 30:1732 (August 2004), LR 37:2421 (August 2011), LR 39:1481 (June 2013), LR 42:1106 (July 2016), LR 44:631 (March 2018), LR 47:496 (April 2021).

### **§3115. Record Keeping**

A. ...

B. All licensees are required to maintain a board-approved professional development activity log outlining all PDHs claimed during a calendar year. Licensees must complete all sections of the log and be prepared to submit the completed log and any corresponding documentation to the board upon request. Blank log forms can be obtained from the board's website.

C. Maintaining records to be used to support PDHs claimed is the responsibility of the licensee. These records must be maintained for at least six consecutive calendar years and copies may be requested by the board at any time.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying

Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:632 (March 2018), LR 47:496 (April 2021).

#### **§3119. Failure to Comply**

A. ...

B. PDHs earned and used to satisfy a not-in-compliance situation may not also be used to satisfy the CPD requirements for the current calendar year.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:632 (March 2018), LR 47:497 (April 2021).

#### **§3121. CPD Reinstatement**

A. To become reinstated to an active status, a licensee in an expired, inactive, or retired status must have earned all PDHs which he/she would have been required to earn if he/she had been in an active status during the previous two calendar years as provided in §3105.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:697.1.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2154 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1049 (July 2001), LR 30:1732 (August 2004), LR 42:1107 (July 2016), LR 44:633 (March 2018), LR 47:497 (April 2021).

Donna D. Sentell  
Executive Director

2104#020

### **RULE**

#### **Department of Wildlife and Fisheries Wildlife and Fisheries Commission**

##### **Yo-Yo and Trotline Regulations (LAC 76:VII.134)**

The Wildlife and Fisheries has modified the yo-yo and trotline regulations to include Lake Bruin in Tensas Parish, Louisiana. The Rule change limits the number of yo-yo or trigger devices to 50 devices per fisher and requires that the devices (other than those attached to private land-based structures) must be checked and re-baited once every 24 hours. Also, the Rule limits the number of trotlines to three per person, limits the number of hooks per line to a maximum of 50 hooks each, and requires that the trotlines must be checked every 24 hours when in use. This Rule is hereby adopted on the day of promulgation.

## **Title 76**

### **WILDLIFE AND FISHERIES**

#### **Part VII. Fish and Other Aquatic Life**

##### **Chapter 1. Freshwater Sport and Commercial Fishing**

##### **§134. Black Lake, Clear Lake, Prairie Lake, Caddo Lake, Chicot Lake, D'Arbonne Lake, Lake St. Joseph, and Lake Bruin**

A. The following regulations are applicable to the use of yo-yo and trigger devices when used in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana.

1. No more than 50 yo-yos or trigger devices shall be allowed per person.

2. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo or trigger device shall be clearly tagged with the name, address, and telephone number of the owner or user.

3. When in use, each yo-yo or trigger device shall be checked at least once every 24 hours, and all fish and any other animal caught or hooked, shall be immediately removed from the device.

4. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, each yo-yo or trigger device must be re-baited at least once every 24 hours.

5. Except for those metal objects located above the water that are affixed to a private pier, dock, houseboat, or other manmade structure which is designed for fishing, no yo-yo or trigger device shall be attached to any metal object.

6. Except for an object used strictly in the construction of a pier, boathouse, seawall, or dock, no object which is driven into the lake bottom, a stump, tree, or the shoreline shall be used to anchor a yo-yo or trigger device.

*Object*—rebar or other metal material, cane, PVC tubing, construction material, or any other type of material.

7. Except for those devices that are attached to a privately owned pier, boathouse, seawall, or dock, when not being used in accordance with the provisions of this Section, each yo-yo or trigger device shall be removed from the waterbody immediately.

B. The following regulations are applicable to the use of trotlines when used in Black Lake, Clear Lake and Prairie Lake (Natchitoches Parish), Caddo Lake (Caddo Parish), Chicot Lake (Evangeline Parish), D'Arbonne Lake (Union Parish), Lake St. Joseph (Tensas Parish), and Lake Bruin, including the portion known as Brushy Lake (Tensas Parish), Louisiana.

1. All trotlines shall be clearly tagged with the name, address, and phone number of the owner or user and the date of placement. The trotline shall be marked on each end with a floating object that is readily visible.

2. At any given time, no person shall set more than three trotlines with a maximum of 50 hooks each.