

The proposed rules may result in additional marginal expenditures in FY 21 and subsequent FYs by an indeterminable amount associated with the regulation of alcohol delivery, such as permit review and recordkeeping, for the LA Dept. of Revenue, Office of Alcohol and Tobacco Control (ATC) that will be offset in part or in whole by revenues derived from regulation activities (see Part II below). The proposed rules outline the types of permits for alcohol delivery, as well as the requirements of permittees delivering alcohol.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

The proposed rules will increase SGR collections in FY 21 and subsequent FYs by an indeterminable amount. Included in the proposed rules are fees for Package Store Retail Alcohol Delivery Permits (\$250 annually), Restaurant Retail Alcohol Delivery Permits (\$250 annually), and Third-Party Alcohol Delivery Service Permits (\$1,500 annually). Because permitting of such firms is a new activity, this represents new revenue for ATC. Because it is unknown how many firms will engage in alcohol delivery, as well as the types of permits they will obtain, the revenue increase is indeterminable.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rules will require firms to pay permit fees that are indeterminable in the aggregate, as it is unknown how many firms engage in alcohol delivery and which permits they will acquire. Any fees paid by firms will be equivalent to those outlined in Part II above. Furthermore, the proposed rules outline requirements for firms delivering alcohol, such as recordkeeping, age verification, maintenance of insurance, and limitations on the types of alcohol eligible for delivery. To the extent firms do not already comply with the rules being promulgated, they may incur expenses associated with achieving compliance. The extent of the expenditures firms may incur with achieving compliance is indeterminable and dependent upon the number of firms who are non-compliant, as well as the respective cost of remediating their non-compliance.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rules will not affect competition or employment.

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NOTICE OF INTENT

**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., notice is hereby given that the Louisiana Professional Engineering and Land Surveying Board has initiated procedures to amend 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.

**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.

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.

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

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:

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:

§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:

§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, 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.

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:

§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).

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:

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:

§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:

§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:

§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:

§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:

§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:

Family Impact Statement

In accordance with R.S. 49:953(A)(1)(a)(viii) and 972, the following Family Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on family formation, stability or autonomy.

Poverty Impact Statement

In accordance with R.S. 49:953(A)(1)(a)(ix) and 973, the following Poverty Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known impact on child, individual or family poverty in relation to individual or community asset development.

Small Business Analysis

In accordance with R.S. 49:953(A)(1)(a)(x) and 978.5, the following Small Business Regulatory Flexibility Analysis is submitted with the Notice of Intent for publication in the *Louisiana Register*: The impact of the proposed Rule on small businesses has been considered. LAPELS has, consistent with health, safety, environmental and economic welfare, considered utilizing regulatory methods that will accomplish the objectives of applicable statutes while

minimizing adverse impact on small businesses. The proposed Rule is not anticipated to have an adverse impact on small businesses.

Provider Impact Statement

In accordance with HCR No. 170 of the 2014 Regular Session, the following Provider Impact Statement is submitted with the Notice of Intent for publication in the *Louisiana Register*: The proposed Rule has no known effect on the staffing level requirements or qualifications required to provide the same level of service, the cost to the provider to provide the same level of service or the ability of the provider to provide the same level of service.

Public Comments

Interested parties are invited to submit written comments on the proposed Rule through January 10, 2021 at 4:30 p.m., to Donna D. Sentell, Executive Director, Louisiana Professional Engineering and Land Surveying Board, 9643 Brookline Avenue, Suite 121, Baton Rouge, LA 70809-1433.

Donna D. Sentell
Executive Director

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES

RULE TITLE: Accredited Land Surveying Curriculum, Military Members/Spouses/Dependents and Continuing Professional Development

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENT UNITS (Summary)

There are no estimated implementation costs or savings to state or local governmental units resulting from this proposed rule change. The proposed rule change revises existing rules under which LAPELS operates to (a) update the definition of accredited land surveying curriculum, (b) incorporate the 2020 changes to La. R.S. 37:3651, which relate to alternatives for licensure of military members, spouses and dependents, and (c) remove certain expired provisions relating to continuing professional development.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no estimated effect on revenue collections of state or local governmental units as a result of this proposed rule change.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

The proposed rule change may expedite employment opportunities, ability to compete, income, prestige, credentials, marketability, etc. for those individuals who may now be able to become licensed as professional engineers or professional land surveyors based on possession of a current and valid occupational license in another state. The scope of any such benefit is indeterminable, as the number of qualifying individuals is speculative and unknown.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

The proposed rule change may expedite employment opportunities for those individuals who may now be able to become licensed as professional engineers or professional land surveyors. The scope of any such benefit is indeterminable, as the number of qualifying individuals is speculative and unknown.

Donna D. Sentell
Executive Director
2012#042

Christopher A. Keaton
Legislative Fiscal Officer
Legislative Fiscal Office

NOTICE OF INTENT

Department of Treasury Board of Trustees of the Louisiana State Employees' Retirement System

Mandatory Submission of Monthly Salaries and
Contributions Reports, Contributions Corrections,
Prior Years Certifications/Corrections of Member Data and
(RET) Annual Salary Files
(LAC 58:III.101)

Notice is hereby given in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., and through the authority granted in R.S. 11:826 that the Board of Trustees of the Teachers' Retirement System of Louisiana (TRSL) proposes to amend LAC 58:III.101, relative to contributions reported to TRSL by participating employers, in order to remove obsolete language, to clarify the reporting method to be used based on employer size and type of information reported, and to provide for submission of records for audit purposes. A preamble to this proposed action has not been prepared.

Title 58

RETIREMENT

Part III. Teachers' Retirement System of Louisiana Chapter 1. General Provisions

§101. Mandatory Submission of Monthly Salaries and Contributions Reports, Contributions Corrections, Prior Years Certification/Corrections of Member Data and (RET) Annual Salary Files

A. Monthly Salaries and Contributions Reports. Each month all employers shall certify to the Teachers' Retirement System of Louisiana (TRSL) Board of Trustees, by means of file transfer protocol or by secure on-line web based reporting, the amounts of each employee's actual salary, full-time salary, and the amounts of contribution deductions from the employee's actual salary to be paid to the annuity savings fund and then credited to the individual accounts of the employee from whose compensation the deductions were made. All file transfer protocol and web-based reporting formats must be in compliance with criteria established by TRSL and transferred in the manner as required by TRSL. All certified monthly salaries and contributions reports must be submitted by the fifteenth day of the month following the month covered by the report.

1. All employers reporting 100 or fewer employees must submit monthly salaries and contributions reports by file transfer protocol, by direct file upload submission via the internet or manually through TRSL's secure on-line web-based inquiry system.

2. All other employers must submit monthly salaries and contributions reports by file transfer protocol or by direct file upload submission via the internet through TRSL's secure on-line web-based inquiry system.

B. On-line Contributions Corrections of Current/Open Year Reported Member Data

1. All employers must submit On-line Contributions Corrections for the current/open fiscal year for any member data updates/corrections to the reported information on the Monthly Salaries and Contributions Reports or previous