

[First Reprint]

ASSEMBLY, No. 3835

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED MARCH 9, 2009

Sponsored by:

Assemblywoman BONNIE WATSON COLEMAN
District 15 (Mercer)

Co-Sponsored by:

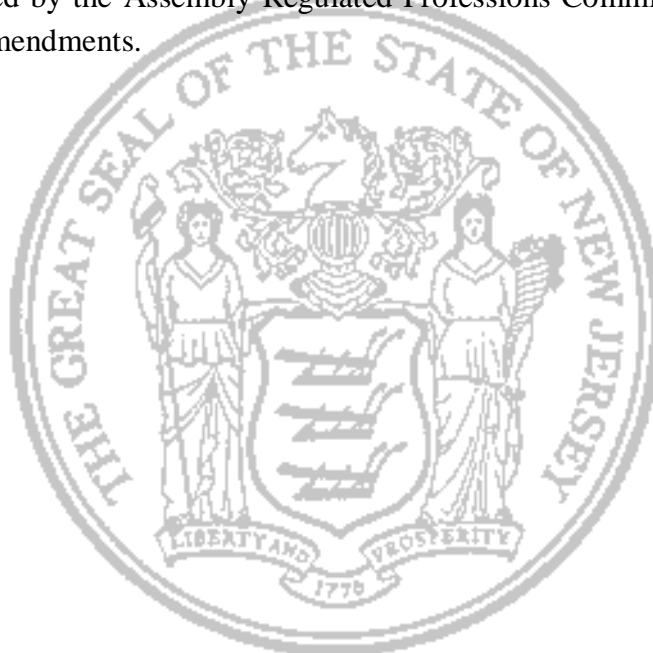
Senator Lesniak

SYNOPSIS

Mandates professional engineers to complete continuing professional competency requirements during each biennial licensure period.

CURRENT VERSION OF TEXT

As reported by the Assembly Regulated Professions Committee on May 7, 2009, with amendments.



(Sponsorship Updated As Of: 1/8/2010)

1 AN ACT concerning continuing professional competency
2 requirements for professional engineers¹, amending P.L.1983,
3 c.337¹ and supplementing P.L.1938, c.342 (C.45:8-27 et seq.).
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. (New section) The State Board of Professional Engineers
9 and Land Surveyors shall require each person licensed as a
10 professional engineer, as a condition for biennial licensure pursuant
11 to P.L.1938, c.342 (C.45:8-27 et seq.) and P.L.1972, c.108 (C.45:1-
12 7), to complete not more than 24 credits of continuing professional
13 competency relating to the practice of professional engineering, as
14 provided in section 2 of this act, during each biennial registration
15 period.
16

17 2. (New section) a. The board shall:

18 (1) Establish standards for continuing professional competency
19 in professional engineering, including the subject matter and
20 content of courses of study, which shall be in conformity with a
21 national model, such as that of the National Council of Examiners
22 for Engineering and Surveying;

23 (2) Approve educational programs offering credit towards the
24 continuing professional competency in engineering requirements;
25 and

26 (3) Approve other equivalent educational programs, including,
27 but not limited to, meetings of constituents and components of
28 professional engineering associations and other appropriate
29 professional and technical associations when an engineering ¹[or]
30 topic¹ is presented as a principal part of the program, examinations,
31 papers, publications, technical presentations, teaching and research
32 appointments, technical exhibits, management, leadership or ethics
33 courses, and correspondence courses on engineering topics where a
34 final examination is required and shall establish procedures for the
35 issuance of credit upon satisfactory proof of the completion of these
36 programs.

37 b. In the case of education courses and programs, each hour of
38 instruction shall be equivalent to one credit.

39 ¹c. Two of the 24 credits of continuing professional competency
40 required pursuant to section 1 of this act shall be in professional
41 practice ethics.¹
42

43 3. (New section) The board shall:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ARP committee amendments adopted May 7, 2009.

- 1 a. Establish procedures for monitoring compliance with the
2 professional engineering continuing professional competency
3 requirements; and
- 4 b. Establish procedures to evaluate and grant approval to
5 providers of continuing professional competency in professional
6 engineering.
7
- 8 4. (New section) The board may, in its discretion, waive
9 requirements for continuing professional competency in
10 professional engineering on an individual basis for reasons of
11 hardship such as illness or disability, service in the armed forces of
12 the United States of America, retirement of the license, or other
13 good cause.
14
- 15 5. (New section) The board shall not require completion of
16 professional engineering continuing professional competency
17 credits for initial registration.
18
- 19 6. (New section) a. The board shall not require completion of
20 professional engineering continuing professional competency
21 credits for any licensure periods commencing within 12 months of
22 the effective date of this act.
- 23 b. The board shall require completion of professional
24 engineering continuing professional competency credits on a pro
25 rata basis for any licensure periods commencing more than 12 but
26 less than 24 months following the effective date of this act.
27
- 28 7. (New section) The board ¹~~shall~~ may¹ accept as proof of
29 completion of continuing professional competency program
30 credits¹:
- 31 a.¹ documentation submitted by a person licensed as a
32 professional engineer or by any entity offering a continuing
33 professional competency program approved by the board pursuant
34 to section 2 of this act¹; or
- 35 b. any other proof acceptable to the board¹.
36
- 37 ¹~~8.~~ Any person who fails to complete the continuing
38 professional competency requirements established pursuant to
39 section 1 of this act shall be liable to a civil penalty of not more
40 than \$500, or additional hours of continuing professional
41 competency in professional engineering, or both, as imposed by the
42 board, for a first offense. A second or subsequent offense by a
43 licensee shall be considered professional misconduct pursuant to the
44 provisions of P.L.1938, c.342 (C.45:8-27 et seq.) and P.L.1978,
45 c.73 (C.45:1-14 et seq.).¹

1 ¹8. (New section) Notwithstanding the provisions of section 1 of
2 P.L.1993, c.39 (C.45:8-35.2) and section 1 of this act, the board
3 shall require each person licensed as both a professional engineer
4 and a land surveyor, as a condition for biennial certification, to
5 complete not less than 36 credits of continuing professional
6 competency relating to the practice of professional engineering and
7 land surveying, with not less than 12 credits to be completed in
8 professional engineering and not less than 12 credits to be
9 completed in land surveying.¹

10
11 9. (New section) The board shall allow a professional engineer
12 to carry over a maximum of 12 continuing professional competency
13 credits to the next biennial licensure period.

14
15 ¹10. Section 18 of P.L.1983, c.337 (C.45:3A-15) is amended to
16 read as follows:

17 18. a. Except as provided in subsections b. and c. of this section,
18 two years from the effective date of P.L.2008, c.77 (C.45:3A-16 et
19 al.) and every two years thereafter, each person licensed to practice
20 landscape architecture in this State shall certify to the board, upon a
21 form issued and distributed by the board, that the person has
22 attended, or participated in not less than 24 hours of continuing
23 education in landscape architecture as follows: college postgraduate
24 courses, lectures, seminars, or workshops, as approved by the board
25 or any other evidence of continuing education which the board may
26 approve.

27 b. Two years from the effective date of P.L.2008, c.77
28 (C.45:3A-16 et al.) and every two years thereafter, each architect
29 who is licensed to practice landscape architecture pursuant to
30 subsection d. of section 11 of P.L.1983, c.337 (C.45:3A-8), shall
31 certify to the board, upon a form issued and distributed by the
32 board, that the person has attended or participated in not less than
33 12 hours of continuing education in landscape architecture as
34 follows: college postgraduate courses, lectures, seminars, or
35 workshops, as approved by the board or any other evidence of
36 continuing education which the board may approve.

37 c. Two years from the effective date of P.L.2008, c.77
38 (C.45:3A-16 et al.) and every two years thereafter, each
39 professional engineer who is licensed to practice landscape
40 architecture pursuant to subsection d. of section 11 of P.L.1983,
41 c.337 (C.45:3A-8), shall certify to the board, upon a form issued
42 and distributed by the board, that the person has attended or
43 participated in not less than **[24]** 12 hours of continuing education
44 in landscape architecture as follows: college postgraduate courses,
45 lectures, seminars, or workshops, as approved by the board or any

A3835 [1R] WATSON COLEMAN

5

1 other evidence of continuing education which the board may
2 approve.¹

3 (cf: P.L.2008, c.77, s.15)

4

5 ¹~~10.~~ 11.¹ This act shall take effect on the 360th day following
6 enactment, but the board may take such anticipatory administrative
7 action in advance as shall be necessary to effectuate the purposes of
8 this act.