

SENATE, No. 2853

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED MAY 21, 2009

Sponsored by:
Senator RAYMOND J. LESNIAK
District 20 (Union)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning continuing professional competency
2 requirements for professional engineers, amending P.L.1983,
3 c.337 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 topic is
30 presented as a principal part of the program, examinations, papers,
31 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 c. 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.
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.

- 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 may accept as proof of completion
29 of continuing professional competency program credits:
- 30 a. documentation submitted by a person licensed as a
31 professional engineer or by any entity offering a continuing
32 professional competency program approved by the board pursuant
33 to section 2 of this act; or
- 34 b. any other proof acceptable to the board.
35
- 36 8. (New section) Notwithstanding the provisions of section 1
37 of P.L.1993, c.39 (C.45:8-35.2) and section 1 of this act, the board
38 shall require each person licensed as both a professional engineer
39 and a land surveyor, as a condition for biennial certification, to
40 complete not less than 36 credits of continuing professional
41 competency relating to the practice of professional engineering and
42 land surveying, with not less than 12 credits to be completed in
43 professional engineering and not less than 12 credits to be
44 completed in land surveying.
45
- 46 9. (New section) The board shall allow a professional engineer
47 to carry over a maximum of 12 continuing professional competency
48 credits to the next biennial licensure period.

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

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

13 b. Two years from the effective date of P.L.2008, c.77
14 (C.45:3A-16 et al.) and every two years thereafter, each architect
15 who is licensed to practice landscape architecture pursuant to
16 subsection d. of section 11 of P.L.1983, c.337 (C.45:3A-8), shall
17 certify to the board, upon a form issued and distributed by the
18 board, that the person has attended or participated in not less than
19 12 hours of continuing education in landscape architecture as
20 follows: college postgraduate courses, lectures, seminars, or
21 workshops, as approved by the board or any other evidence of
22 continuing education which the board may approve.

23 c. Two years from the effective date of P.L.2008, c.77
24 (C.45:3A-16 et al.) and every two years thereafter, each
25 professional engineer who is licensed to practice landscape
26 architecture pursuant to subsection d. of section 11 of P.L.1983,
27 c.337 (C.45:3A-8), shall certify to the board, upon a form issued
28 and distributed by the board, that the person has attended or
29 participated in not less than **[24]** 12 hours of continuing education
30 in landscape architecture as follows: college postgraduate courses,
31 lectures, seminars, or workshops, as approved by the board or any
32 other evidence of continuing education which the board may
33 approve.

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

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36 11. This act shall take effect on the 360th day following
37 enactment, but the board may take such anticipatory administrative
38 action in advance as shall be necessary to effectuate the purposes of
39 this act.

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STATEMENT

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44 This bill requires professional engineers to complete not more
45 than 24 credits of continuing professional competency relating to
46 the practice of professional engineering, two of which credits shall
47 be in professional practice ethics, during each biennial licensure
48 period to be eligible for renewal of their licenses. In the case of

1 education courses or programs, each credit shall be equivalent to
2 one hour of instruction. The State Board of Professional Engineers
3 and Land Surveyors shall establish standards for continuing
4 professional competency in professional engineering and these
5 standards shall be in conformity with a national model, such as that
6 of the National Council of Examiners for Engineering and
7 Surveying.

8 Waivers of the required continuing professional competency may
9 be granted by the board on an individual basis due to hardship or
10 other good cause. Those professional engineers whose first renewal
11 date occurs within 12 months after the enactment of the bill would
12 not have to complete the required professional engineering
13 continuing professional competency credits to renew their license.
14 Those whose first renewal falls more than 12 but less than 24
15 months after the enactment of the bill would be required to
16 complete the required professional engineering continuing
17 professional competency credits on a pro rata basis.

18 Notwithstanding the 24 credit continuing professional
19 competency requirement for professional engineers and land
20 surveyors, each person licensed as both a professional engineer and
21 a land surveyor, as a condition for biennial certification, must
22 complete not less than 36 credits of continuing professional
23 competency relating to the practice of professional engineering and
24 land surveying, with not less than 12 credits to be completed in
25 professional engineering and not less than 12 credits to be
26 completed in land surveying.

27 The bill also provides that each professional engineer who is
28 licensed to practice landscape architecture, as a condition for
29 biennial certification, must complete not less than 12 hours of
30 continuing education in landscape architecture.

31 The board shall allow a professional engineer to carry over a
32 maximum of 12 continuing professional competency credits to the
33 next biennial licensure period.