

**As Reported by the Senate Insurance, Commerce and Labor
Committee**

124th General Assembly

Regular Session

2001-2002

Am. Sub. H. B. No. 337

**REPRESENTATIVES Lendrum, Hollister, Webster, Brinkman, Carmichael,
Manning, Damschroder, Redfern, Coates, Schmidt, Hartnett, DePiero,
Fessler, G. Smith, Flowers, Collier, Schneider, Widowfield, Grendell, Sferra,
Carano, Latell, Key, Barnes, Hagan, Olman, Latta, Woodard, Salerno**

A B I L L

To amend sections 4703.32, 4733.01, 4733.02, 4733.021,
4733.03, 4733.06, 4733.07, 4733.08, 4733.09,
4733.11, 4733.12, 4733.13, 4733.14, 4733.15,
4733.18, 4733.19, 4733.20, 4733.22, 4733.23, and
4733.27 and to repeal section 4733.24 of the
Revised Code to make changes to the engineer and
surveyor licensing law.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 4703.32, 4733.01, 4733.02, 4733.021,
4733.03, 4733.06, 4733.07, 4733.08, 4733.09, 4733.11, 4733.12,
4733.13, 4733.14, 4733.15, 4733.18, 4733.19, 4733.20, 4733.22,
4733.23, and 4733.27 of the Revised Code be amended to read as
follows:

Sec. 4703.32. (A) No person shall use the title of "landscape
architect" or any title, sign, card, or device indicating, or
tending to indicate, or represent in any manner that ~~he~~ the person
is a landscape architect, unless ~~he~~ the person is registered under

sections 4703.30 to 4703.49 of the Revised Code, or holds a permit
issued under section 4703.39 of the Revised Code.

(B) Sections 4703.30 to 4703.49 of the Revised Code, are not
intended to restrict or otherwise affect the right of any
individual to practice architecture under sections 4703.01 to
4703.19 of the Revised Code, or engineering under sections 4733.01
to ~~4733.24~~ 4733.27 of the Revised Code. This division does not
exclude a registered professional engineer or a registered
architect from such practice of landscape architecture as is
incidental to the practice of engineering or architecture.

(C) Sections 4703.30 to 4703.49 of the Revised Code, do not
affect the right of any individual to engage in the occupation of
growing or marketing nursery stock, or to use the title
"nurseryman," "landscape nurseryman," or "landscape contractor,"
provided that no individual shall use the title "landscape
architect" unless ~~he~~ the person has complied with sections 4703.30
to 4703.49 of the Revised Code.

(D) Each landscape architect, upon registration by the state
board of landscape architect examiners, may obtain a stamp of the
design authorized by the board, bearing the name of the
registrant, date of registration, number of certificate, and the
legend "registered landscape architect." All professional
documents, including maps, plans, designs, drawings,
specifications, estimates, and reports, issued by a registrant may
be stamped only while the registrant's certificate is in full
force and effect.

Sec. 4733.01. As used in this chapter:

(A) "Professional engineer" means a person registered as a
professional engineer under this chapter.

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(B) "Engineer" means a graduate of an accredited engineering curriculum ~~or a curriculum that becomes an accredited engineering curriculum~~ or a person registered as a professional engineer under this chapter, or both.

(C) "Accredited engineering curriculum" means an engineering curriculum accredited by the engineering accreditation commission of the accreditation board for engineering and technology.

(D) "The practice of engineering" includes any professional service, such as consultation, investigation, evaluation, planning, design, or inspection of construction or operation, for the purpose of assuring compliance with drawings or specifications in connection with any public or privately owned public utilities, structures, buildings, machines, equipment, processes, works, or projects in the proper rendering of which the qualifications of section 4733.11 of the Revised Code are required to protect the public welfare or to safeguard life, health, or property.

(E) "Professional surveyor" means a person ~~who engages in the practice of that branch of engineering commonly known as surveying~~ and who is registered as a professional surveyor under this chapter.

(F) "Practice of surveying" means ~~that branch of engineering which includes~~ any professional service ~~which~~ that requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for the adequate performance of the art of surveying, including, but not limited to, measuring the area or the contours of any portion of the earth's surface, the lengths and directions of the bounding lines, and the contour of the surface, for their correct determination and description and for conveyancing for recording, or for the establishment or re-establishment of land boundaries and the platting of lands and subdivisions; and like measurements and operations involved in the

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surveying of mines, commonly known as "mine surveying."

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Sec. 4733.02. Any person practicing or offering to practice the profession of engineering or of surveying shall be registered or exempted under this chapter. No person shall practice or offer to practice the profession of engineering or of surveying, or contract for such services, or use the initials P.E. or P.S. in connection with ~~his~~ the person's name, or use in connection with ~~his~~ the person's name or otherwise assume, use, or advertise any title or description tending to convey the impression that ~~he~~ the person is a professional engineer or a professional surveyor, unless such person has been registered or exempted under this chapter.

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Sec. 4733.021. (A) Except for an individual who, as part of ~~his employer's~~ the internal classification system of the individual's employer, uses the title "engineer" by itself or in conjunction with another term described in division (B) of this section and who does not represent ~~himself~~ the individual's self to the public or otherwise advertise ~~himself~~ the individual's self as an engineer, no individual shall, in connection with ~~his~~ the individual's name, assume, use, or advertise:

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(1) The title "engineer" by itself unless ~~he~~ the individual is an engineer;

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(2) The title "engineer" in conjunction with another term that modifies the title "engineer" in a manner ~~which~~ that conveys the impression that ~~he~~ the individual is a graduate of an accredited engineering curriculum unless ~~he~~ the individual is a graduate of an accredited engineering curriculum.

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(B) Terms used in conjunction with the title "engineer" under division (A)(2) of this section that imply a person is a graduate of an accredited engineering curriculum include the following:

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"aerospace," "agricultural," "civil," "chemical," "computer," 109
 "electrical," "industrial," "mechanics," "mechanical," 110
 "metallurgical," "mining," "naval architectural and marine," 111
 "nuclear," and any other term commonly used by an institution of 112
 higher learning to apply to graduates of an accredited engineering 113
 curriculum. 114

(C) Nothing in this section shall be interpreted as 115
 prohibiting the use, assumption, or advertisement of the title 116
 "steam engineer" or "stationary engineer," by or on behalf of a 117
 person licensed under Chapter 4739. of the Revised Code, or the 118
 term "railroad engineer" or "locomotive engineer," by or on behalf 119
 of a person authorized to operate a railroad locomotive, or the 120
 term "operating engineer," by or on behalf of a person who 121
 operates, maintains, repairs, or manufactures light or heavy 122
 construction equipment. 123

Sec. 4733.03. A state board of registration for professional 124
 engineers and surveyors is hereby created to administer ~~sections~~ 125
~~4733.01 to 4733.23 of the Revised Code~~ this chapter. The board 126
 shall consist of four professional engineers, at least one of whom 127
also is a professional surveyor, and one professional surveyor. 128
 Members shall be appointed by the governor, with the advice and 129
 consent of the senate. Terms of office shall be for five years, 130
 commencing on the twenty-fifth day of September and ending on the 131
 twenty-fourth day of September. Each member shall hold office from 132
 the date of ~~his~~ appointment until the end of the term for which ~~he~~ 133
~~was~~ appointed. Any member appointed to fill a vacancy occurring 134
 prior to the expiration of the term for which ~~his~~ the member's 135
 predecessor was appointed shall hold office for the remainder of 136
~~such that~~ term. Any member shall continue in office subsequent to 137
 the expiration date of ~~his~~ the member's term until ~~his~~ the 138
member's successor takes office, ~~or until a period of sixty days~~ 139
~~has elapsed, whichever occurs first~~. Appointments to the board 140

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shall be so limited that no more than one member shall have served 141
more than two consecutive terms. Every member of the board shall 142
receive a certificate of ~~his~~ appointment from the governor and 143
before beginning ~~his~~ the member's term of office shall file with 144
the secretary of state ~~his~~ the member's written oath or 145
affirmation for the faithful discharge of ~~his~~ official ~~duty~~ 146
duties. The governor may remove any member for misconduct, 147
incompetency, neglect of duty, or for other sufficient cause. 148

Sec. 4733.06. The state board of registration for 149
professional engineers and surveyors shall hold at least two 150
regular meetings each year. Special meetings shall be held at ~~such~~ 151
the time as provided in the bylaws of the board ~~may provide~~. 152
Notice of all meetings shall be given in ~~such~~ the manner ~~as~~ 153
provided for in the bylaws ~~may provide~~. The board shall elect or 154
appoint annually from its members, the following officers: a 155
~~chairman~~ chairperson, a ~~vice-chairman~~ vice-chairperson, and a 156
secretary. The board annually shall appoint an executive director. 157
A quorum of the board shall consist of not less than three 158
members, and no action at any meeting shall be taken without at 159
least three votes being in accord. 160

The ~~secretary~~ executive director shall keep a true and 161
complete record of all proceedings of the board, and may employ 162
~~such~~ clerical ~~assistance~~ assistants as the board may deem 163
necessary. 164

Sec. 4733.07. The state board of registration for 165
professional engineers and surveyors shall adopt all necessary 166
rules, ~~regulations~~, and bylaws, in accordance with Chapter 119. of 167
the Revised Code, and not inconsistent with ~~sections 4733.01 to~~ 168
~~4733.23 of the Revised Code~~ this chapter, and the constitutions 169
and laws of this state or of the United States, to govern its 170

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times and places of meetings for organization and reorganization, 171
for the holding of examinations, ~~for fixing the length of terms of~~ 172
~~its officers,~~ and for governing all other matters requisite to the 173
exercise of its powers, the performance of its duties, and the 174
transaction of its business. The board shall adopt and have an 175
official seal. The board ~~shall~~ may include among the rules adopted 176
governing the standards of practice of engineering, requirements 177
regarding financial responsibility and professional liability 178
insurance. 179

In carrying this chapter into effect ~~sections 4733.01 to~~ 180
~~4733.23 of the Revised Code,~~ the board may hold hearings in 181
accordance with sections 119.01 to 119.13 of the Revised Code. 182

Sec. 4733.08. All receipts of the state board of registration 183
for professional engineers and surveyors shall be deposited in the 184
state treasury to the credit of the occupational licensing and 185
regulatory fund. All vouchers of the board shall be approved by 186
the board chairperson or executive ~~secretary~~ director, or both, as 187
authorized by the board. The executive ~~secretary~~ director and any 188
clerical or other assistant of the board whom it may designate 189
shall give a surety bond to this state in such sum as the board 190
determines. The premiums on the bonds shall be regarded as a 191
proper and necessary expense of the board, and shall be paid in 192
the same manner as other expenditures of the board. The executive 193
~~secretary~~ director shall receive an amount fixed pursuant to 194
section 124.152 of the Revised Code in addition to the expenses 195
provided for in section 4733.05 of the Revised Code. The board may 196
employ such clerical or other assistants as are necessary for the 197
proper performance of its work and may make expenditures for any 198
purpose which in the opinion of the board is reasonably necessary 199
for the proper performance of its duties. 200

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Sec. 4733.09. The state board of registration for 201
professional engineers and surveyors shall keep a record of its 202
proceedings and a record of all applications for registration. 203

~~The registration record shall show:~~ 204

~~(A) The name, age, and residence of each applicant;~~ 205

~~(B) The date of the application;~~ 206

~~(C) The place of business of such applicant;~~ 207

~~(D) His educational and other qualifications;~~ 208

~~(E) Whether or not an examination was required;~~ 209

~~(F) Whether the applicant was rejected;~~ 210

~~(G) Whether a certificate of registration was granted;~~ 211

~~(H) The date of the action of the board;~~ 212

~~(I) Such other information as may be deemed necessary by the~~ 213
~~board~~ On an application provided by the board, applicants shall 214
provide information under oath, including the applicant's 215
education and experience sufficient for the board to evaluate the 216
credentials of the applicant pursuant to section 4733.11 of the 217
Revised Code. 218

The records of the board shall be prima-facie evidence of its 219
proceedings and a transcript thereof, duly certified by the 220
~~secretary~~ executive director under seal, shall be admissible in 221
evidence as if the original were produced. 222

Annually, as of the first day of July, the board shall submit 223
to the governor a report of its transactions of the preceding 224
year, and shall also transmit to ~~him~~ the governor a complete 225
statement of the receipts and expenditures of the board, attested 226
by affidavits of its ~~chairman~~ chairperson and its ~~secretary~~ 227
executive director. 228

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Sec. 4733.11. ~~Except as provided in divisions (A)(2), (B)(3),~~ 229
~~and (4) of this section, the following shall be considered as~~ 230
~~minimum evidence satisfactory to the (A) The state board of~~ 231
~~registration for professional engineers and surveyors that the~~ 232
~~shall consider an applicant is to be~~ qualified for registration as 233
~~a professional engineer, or professional surveyor, respectively if~~ 234
~~an applicant satisfies all of the requirements listed in either~~ 235
~~division (A)(1) or (2) of this section as follows:~~ 236

~~(A) As a professional engineer, either by:~~ 237

(1)(a) Graduation from an approved accredited engineering 238
~~curriculum in engineering~~ of four years or more ~~in a recognized~~ 239
~~school or college of engineering and a~~ 240

(b) A specific record of an additional four years or more of 241
practical experience in engineering work completed in addition to, 242
and not overlapping in time, any school work completed under 243
division (A)(1)(a) of this section that is acceptable to the 244
board, not more than two years of which may be before graduation 245
but after the completion of the second year of college, indicating 246
that the applicant is competent to be placed in responsible charge 247
of such work ~~and passing;~~ 248

(c) Passing the prescribed written, or written and oral 249
~~examination; examinations under divisions (A) and (B) of section~~ 250
4733.13 of the Revised Code. 251

(2) ~~A record of eight years or more of practical engineering~~ 252
~~experience of a character and grade acceptable to the board, at~~ 253
~~least four years of said experience to be of a quality equivalent~~ 254
~~to the education required in division (A)(1) of this section, and~~ 255
~~an additional four years of practical experience in engineering~~ 256
~~work of a nature indicating that the applicant is competent to be~~ 257
~~placed in responsible charge of such work and passing the~~ 258
~~prescribed written, or written and oral examination in~~ 259

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engineering. Applications filed after December 31, 1975, under 260
this subdivision shall not be considered as meeting the minimum 261
requirements for registration as a professional engineer. The 262
provisions of this paragraph do not affect professional surveyors 263
or persons seeking registration as professional surveyors in any 264
way either before or after December 31, 1975. Neither do these 265
provisions affect persons who are already registered, or persons 266
who have their application on file to become registered by 267
December 31, 1975 as professional engineers. 268

(3) The board may issue a certificate of registration as a 269
professional engineer to a person who is possessed of eminent and 270
recognized standing in the engineering field, provided the person 271
passes a special written, or written and oral examination, in lieu 272
of the examination prescribed in section 4733.13 of the Revised 273
Code, which special examination shall be designed to test the 274
applicant's knowledge, skill, and experience in his field of 275
engineering practice and provided the person has graduated from an 276
approved curriculum in engineering of four years or more in a 277
recognized school or college of engineering or has graduated from 278
an approved curriculum of four years or more in the physical or 279
engineering sciences, is not less than forty-five years of age, 280
and has a record of not less than twenty years lawful practice of 281
engineering, of which at least ten years has been in responsible 282
charge of outstanding engineering work, of a character acceptable 283
to the board. 284

(4) An applicant, having satisfactorily completed four 285
academic years or more (a) Graduation from a college curriculum in 286
engineering that is not approved by the engineering accreditation 287
commission of the accreditation board for engineering and 288
technology, or graduation from a college curriculum in engineering 289
technology, or in a related science approved by the board and 290
eight that is accredited by the technical accreditation commission 291

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of the accreditation board for engineering and technology; 292

(b) Eight years or more of ~~progressive~~ practical experience 293
in engineering work ~~completed in addition to, and not overlapping~~ 294
in time, any school work completed under division (A)(2)(a) of 295
this section that is acceptable to the state board of registration 296
for professional engineers and surveyors, not more than two years 297
of which may be before college graduation but after completion of 298
the second year of college, indicating that the applicant is 299
competent to be placed in responsible charge of such work ~~and~~ 300
passing; 301

(c) ~~Passing~~ the prescribed written~~7~~ or written and oral~~7~~ 302
examination ~~examinations~~ under divisions (A) and (B) of section 303
4733.13 of the Revised Code. 304

(B) ~~As~~ The state board of registration for professional 305
engineers and surveyors shall consider an applicant to be 306
qualified for registration as a professional surveyor~~, either by~~ 307
if the applicant satisfies all of the requirements listed in 308
either division (B)(1) or (2) of this section as follows: 309

(1)(a) Graduation from an approved curriculum in surveying of 310
four years or more ~~in a recognized school or college, and a;~~ 311

(b) A specific record of ~~an additional~~ four years or more of 312
surveying office and field experience ~~completed in addition to,~~ 313
and not overlapping in time, any school work completed under 314
division (B)(1)(a) of this section that is of a character 315
acceptable to the board, ~~at least two years of which shall be~~ 316
after college graduation, with at least two of ~~these~~ the four 317
years ~~in responsible charge of this work in the surveying of land~~ 318
~~boundaries~~ under the direct supervision of a professional 319
surveyor, ~~and passing~~ who may indicate in writing that the 320
applicant is competent to be placed in responsible charge of the 321
work; 322

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(c) ~~Passing~~ the prescribed written, or written and oral, ~~examination;~~ examinations under divisions (A) and (C) of section 4733.13 of the Revised Code. 323 324 325

(2)(a) Graduation from an ~~approved~~ accredited curriculum in civil engineering of four years or more in a recognized school or college, ~~successful;~~ 326 327 328

(b) Successful completion of at least twenty-four quarter hours, or equivalent semester or trimester hours, of approved surveying courses in surveying ~~directly~~ and mapping arts and sciences, except that courses successfully completed as prior studies may be credited by the board toward this requirement, of which at least eight quarter hours, or equivalent semester or trimester hours, are in ~~property~~ surveying, ~~and a~~ of land boundaries; 329 330 331 332 333 334 335 336

(c) A specific record of an additional four years or more of surveying office and field experience completed in addition to, and not overlapping in time, any school work completed under division (B)(2)(a) of this section that is of a character acceptable to the board, at least two years of which shall be after college graduation, with at least two of these the four years in responsible charge of this work in surveying of land boundaries under the direct supervision of a professional surveyor, and passing who may indicate in writing that the applicant is competent to be placed in responsible charge of the work; 337 338 339 340 341 342 343 344 345 346 347

(d) ~~Passing~~ the prescribed written, or written and oral, ~~examination;~~ examinations under divisions (A) and (C) of section 4733.13 of the Revised Code. 348 349 350

~~(3) Graduation from an approved curriculum in engineering and surveying of four years or more in a recognized school or college of engineering and a specific record of an additional four years~~ 351 352 353

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~~or more of practical experience in engineering and surveying work,
indicating that the applicant is competent to be placed in
responsible charge of such work and passing the prescribed
written, or written and oral, examination;~~

~~(4) A record of eight years or more of practical engineering
and surveying experience of a character and grade acceptable to
the board, at least four years of that experience to be of a
quality equivalent to the education required in division (B)(3) of
this section, and an additional four years of practical experience
in engineering and surveying work of a nature indicating that the
applicant is competent to be placed in responsible charge of such
work, and passing the prescribed written, or written and oral,
examination in surveying. Applications filed after December 31,
1992, under divisions (B)(3) and (4) of this section shall not be
considered as meeting the minimum requirements for registration as
a professional surveyor. This division does not affect persons who
are already registered, or persons who have their applications on
file to become registered by December 31, 1992, as professional
surveyors.~~

~~(5) The board may issue a certificate of registration as a
professional surveyor to a person who is possessed of eminent and
recognized standing in the surveying field, provided the person
passes a special written, or written and oral, examination, in
lieu of the prescribed examination, which special examination
shall be designed to test the applicant's knowledge, skill, and
experience in his field of surveying practice and provided the
person has graduated from an approved curriculum in surveying and
engineering of four years or more in a recognized school or
college, or has graduated from an approved curriculum of four
years or more in surveying and the physical or engineering
sciences, is not less than forty-five years of age, and has a
record of not less than twenty years' lawful practice of~~

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~~surveying, of which at least ten years has been in responsible
charge of important and outstanding surveying work of a character
acceptable to the board.~~

(C) Engineering experience, for a professional engineer's
practical experience requirement, or surveying experience, for a
professional surveyor's practical experience requirement, in any
of the armed forces of the United States or civilian war services
~~shall~~ may be credited for registration, if the experience is
acceptable to the board.

(D) ~~As used in this section "an approved curriculum in
engineering" is one which has been accredited by the engineering
accreditation commission of the accreditation board for
engineering and technology or one which has been approved by the
state board of registration for professional engineers and
surveyors as having satisfactory standing, and a "recognized
school or college of engineering" means any college or university
offering an approved curriculum in engineering. As used in this
section, "an approved curriculum in surveying" is one which has
been accredited by the related accreditation committee of the
accreditation board for engineering and technology or one which
has been approved by the state board of registration for
professional engineers and surveyors.~~

(E) No person is eligible for registration as a professional
engineer, or professional surveyor, who is not of good character
and reputation.

(F) In considering the qualifications of applicants,
responsible charge of engineering or surveying teaching may be
construed as responsible charge of engineering or surveying work,
respectively. ~~The satisfactory completion of each year of an
approved curriculum in engineering and surveying in a school or
college approved by the board as having satisfactory standing,
without graduation, shall be considered as equivalent to a year of~~

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~~experience for surveying applicants only. No applicant shall~~ 418
~~receive credit for more than six years of engineering or surveying~~ 419
~~experience because of educational qualifications. The mere~~ 420
~~execution, as a contractor, of work designed by a professional~~ 421
~~engineer or professional surveyor, or the supervision of the~~ 422
~~construction of such work as a foreman or superintendent is not~~ 423
~~deemed to be practical experience in engineering or surveying~~ 424
~~work; unless such work involves engineering or surveying~~ 425
~~practices, or the applicant presents evidence of additional~~ 426
~~engineering or surveying experience, indicating that the applicant~~ 427
~~is competent to be placed in responsible charge of engineering~~ 428
~~work.~~ 429

~~Applications filed after December 31, 1992, under division~~ 430
~~(F) of this section shall not be considered as meeting the minimum~~ 431
~~requirements for registration as a professional surveyor. This~~ 432
~~paragraph does not affect persons who are already registered, or~~ 433
~~persons who have their applications on file to become registered~~ 434
~~by December 31, 1992, as professional surveyors.~~ 435

~~(G) Except as provided in section 4733.19 of the Revised Code~~ 436
~~and divisions (A)(3) and (B)(5) of this section, every~~ 437
~~person applying for a certificate of registration as a~~ 438
~~professional engineer or professional surveyor shall be required~~ 439
~~to pass a written, or written and oral, the fundamentals~~ 440
~~examination and the principles and practice examination as~~ 441
~~provided in section 4733.13 of the Revised Code. In addition to~~ 442
~~passing the each requisite examination he, each applicant must~~ 443
~~submit evidence, satisfactory to the board, that he the applicant~~ 444
~~has completed the eight years of training and practical experience~~ 445
~~or eight years of practical experience required in division~~ 446
~~(A)(1), (2), (B)(1), (2), (3), or (4) of this section.~~ 447

~~(H) The board may permit shall require the applicant for a~~ 448
~~certificate of registration as a professional engineer or~~ 449

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professional surveyor to take ~~the prescribed examination in two~~ 450
~~stages examinations.~~ The first ~~stage of the~~ examination, known as 451
the fundamentals examination, may be taken by the applicant at any 452
time after ~~he~~ the applicant has completed ~~four years of the~~ 453
required education ~~and practical experience under division (A) or~~ 454
~~(B) of this section,~~ or, at the discretion of the board, an 455
applicant may be permitted to take the first ~~stage of the~~ 456
examination during the applicant's concluding term of an approved 457
curriculum in engineering or surveying of four years or more ~~in a~~ 458
~~recognized school or college of engineering.~~ 459

(I) ~~The first stage of the examination shall conform to~~ 460
~~section 4733.13 of the Revised Code.~~ 461

~~(J)~~ When the applicant has passed the ~~first stage of the~~ 462
fundamentals examination ~~he,~~ the applicant shall be given an 463
appropriate certificate by the board showing ~~his~~ the applicant's 464
status as an engineer intern or surveyor ~~in training intern.~~ 465

~~(K)~~ ~~The second stage of the examination shall conform to~~ 466
~~division (B) of section 4733.13 of the Revised Code.~~ 467

~~(L)~~(J) The applicant is not eligible to take the second ~~stage~~ 468
~~of the~~ examination, known as the principles and practice 469
examination, until ~~he~~ the applicant has ~~satisfactorily completed~~ 470
~~the requirements in division (A)(1), (2), (B)(1), (2), (3), or (4)~~ 471
~~of this section and has passed the first stage of the~~ fundamentals 472
examination. ~~An applicant must take and pass the first stage of~~ 473
~~the examination before being eligible to take the second stage of~~ 474
~~the examination.~~ 475

~~(M)~~(K) Any person having the necessary qualifications to 476
entitle him ~~the person~~ to registration is eligible for ~~such~~ 477
registration though ~~he~~ the person may not be practicing ~~his~~ the 478
person's profession at the time of making ~~his~~ application. 479

Sec. 4733.12. (A) Applications for registration as a 480

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professional engineer or professional surveyor shall be on forms 481
prescribed and furnished by the state board of registration for 482
professional engineers and surveyors, shall contain statements 483
made under oath setting forth the applicant's education, ~~and a~~ 484
detailed summary of ~~his technical work, and the branch in which he~~ 485
~~specializes~~ the applicant's engineering or surveying experience as 486
appropriate, and shall contain not less than five references, of 487
whom three or more shall be professional engineers or professional 488
surveyors having personal knowledge of ~~his~~ the applicant's 489
engineering or surveying experience. The application shall be 490
accompanied by ~~an~~ a nonrefundable application fee, which shall be 491
established by the board at an amount adequate to cover the costs 492
of processing the application. 493

The A nonrefundable examination fee for professional 494
engineers or professional surveyors, which shall accompany the 495
"notice of intention" for each scheduled ~~first stage fundamentals~~ 496
or principles and ~~second stage practice~~ examination, shall be 497
established by the board at an amount adequate to cover the 498
expense of procuring, administering, and grading the ~~examination~~ 499
examinations. The A nonrefundable registration fee, which shall be 500
paid after the applicant has passed both examinations, shall be 501
established by the board at an amount adequate to cover the 502
expense of ~~issuing a certificate of~~ registration. 503

~~The examination fee for professional surveyors, which shall~~ 504
~~accompany the "notice of intention" for each scheduled first stage~~ 505
~~and second stage examination, shall be established by the board at~~ 506
~~an amount adequate to cover the expense of procuring,~~ 507
~~administering, and grading the examination. The registration fee,~~ 508
~~which shall be paid after the applicant has passed both~~ 509
~~examinations, shall be established by the board at an amount~~ 510
~~adequate to cover the expense of issuing a certificate of~~ 511
~~registration.~~ 512

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(B) The board shall establish ~~the~~ a fee for a certificate of authorization issued under ~~division (F)~~ of section 4733.16 of the Revised Code in an amount not to exceed fifty dollars and ~~the~~ a fee for annual renewal of a certificate of authorization, not to exceed twenty-five dollars. The fee for a duplicate certificate of authorization is five dollars.

Sec. 4733.13. (A) When written or written and oral examinations are required as provided by section 4733.11 of the Revised Code, they shall be held at ~~such~~ a time and place ~~as specified by the state board of registration for professional engineers and surveyors specifies in rules adopted pursuant to section 4733.03 of the Revised Code.~~ The examination for ~~engineering and the methods of procedure~~ examinations shall test the ~~engineering~~ applicant's knowledge to perform ~~engineering professional engineering or surveying services and to design and supervise engineering works,~~ which shall insure the safety of life, health, and property, ~~except as otherwise provided in division (A)(3) of section 4733.11 of the Revised Code.~~ The first stage. An examination referred to as the fundamentals of engineering or as the fundamentals of surveying examination shall test the applicant's knowledge of the fundamentals of engineering. ~~The board may examine the applicant's knowledge of subjects as the board selects from the published curricula of the engineering colleges in Ohio which have been approved by the board or surveying as appropriate.~~

(B) ~~For the second stage~~ An examination referred to as the principles and practice of engineering examination in engineering the applicant shall be examined in test the applicant's knowledge of the major branch or branches of engineering in which he the applicant specializes. For the purpose of this section, the ~~major~~ branches of engineering are all those branches in which engineering degrees are conferred by any of the approved

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~~engineering colleges of this state. Applicants who specialize in a~~ 545
~~subbranch of engineering shall be examined in that major branch of~~ 546
~~engineering of which such subbranch forms a part examinations are~~ 547
~~offered by the board or the national council of examiners for~~ 548
~~engineering and surveying.~~ 549

~~(C) The examinations for surveying shall test the applicant's~~ 550
~~knowledge and ability to perform surveying services which affect~~ 551
~~the safety of life, health, and property, except as otherwise~~ 552
~~provided in division (B)(3) of section 4733.11 of the Revised~~ 553
~~Code. The first stage examination shall test the applicant's~~ 554
~~knowledge of the fundamentals of surveying.~~ 555

~~(D) For the second stage A principles and practice of~~ 556
~~surveying examination in surveying, the applicant shall be~~ 557
~~examined in test the applicant's knowledge of surveying and the~~ 558
~~laws and practices applicable to the state of Ohio.~~ 559

~~(E)(D) An applicant failing an examination may apply for~~ 560
~~re-examination. One re-examination only will be granted an~~ 561
~~applicant in any calendar year. The fee for each re-examination~~ 562
~~shall be the same as the regular examination fee.~~ 563

Sec. 4733.14. The state board of registration for 564
professional engineers and surveyors shall ~~issue a certificate of~~ 565
~~registration,~~ upon payment of the registration fee to ~~any,~~ 566
~~register and issue a certificate showing initial registration of~~ 567
~~an~~ applicant who, in the opinion of the board, has satisfactorily 568
met all the requirements of ~~sections 4733.01 to 4733.23 of the~~ 569
~~Revised Code~~ this chapter. In the case of a registered 570
professional engineer, the certificate shall authorize the 571
practice of "professional engineering," and in the case of a 572
registered professional surveyor, the certificate shall authorize 573
the practice of "professional surveying." ~~Each registrant of this~~ 574
~~state who holds an unrevoked or unexpired certificate of~~ 575

~~registration as a professional engineer or professional surveyor~~ 576
~~in any branch of engineering or surveying on November 1, 1953, is~~ 577
~~entitled to all the rights and privileges of a registered~~ 578
~~professional engineer or professional surveyor while the said~~ 579
~~certificate remains unrevoked or unexpired.~~ Certificates of 580
registration shall show the full name of the registrant, shall 581
have a serial number, and shall be signed by the ~~chairman~~ 582
chairperson and the secretary of the board under seal of the 583
board. 584

~~The issuance of a certificate of registration~~ Registration by 585
the board shall be evidence that the person named therein is 586
entitled to all the rights and privileges of a registered 587
professional engineer, or of a registered professional surveyor, 588
while the ~~said certificate~~ registration remains unrevoked or 589
unexpired. 590

Each registrant may, upon completing registration, obtain a 591
seal of the design authorized by the board, bearing the 592
registrant's name and the legend, "registered professional 593
engineer," or "registered professional surveyor," provided, 594
however, that any registered surveyor's seal obtained prior to the 595
amendment of this section effective April 4, 1985, 140 Ohio Laws 596
4092, shall remain as a legal seal for any registrant who was 597
registered as a "registered surveyor." Plans, specifications, 598
plats, ~~and~~ reports, and all other engineering or surveying work 599
products issued by a registrant shall be stamped with the seal 600
~~during the life of the registrant's certificate or bear a~~ 601
computer-generated seal in accordance with this section, and be 602
signed and dated by the registrant, but no person shall stamp ~~or,~~ 603
seal, or sign any documents ~~with said seal~~ after the ~~certificate~~ 604
registration of the registrant named thereon has expired or the 605
registration has been revoked or suspended, unless ~~said~~ 606
~~certificate~~ the registration has been renewed or reissued. 607

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Except when documents are transmitted electronically to 608
clients or to governmental agencies, computer-generated seals may 609
be used on final original drawings on the condition that a 610
handwritten signature and date is placed adjacent to or across the 611
seal. Plans, specifications, plats, reports, and all other 612
engineering or surveying work products that are transmitted 613
electronically to a client or a governmental agency shall have the 614
computer-generated seal removed from the electronic file before 615
transmittal. An electronic transmission with no computer-generated 616
seal shall have the following inserted in place of the signature 617
and date: "This document was originally issued by 618
..... (name of registrant) on (date). 619
This document is not considered a sealed document." 620

Sec. 4733.15. (A) ~~Certificates of registration expire~~ 621
~~Registration expires annually~~ on the last day of December 622
~~following their issuance~~ initial registration or renewal of 623
registration and ~~become~~ becomes invalid on that date unless 624
renewed pursuant to this section and the standard renewal 625
procedure of sections 4745.01 to 4745.03 of the Revised Code. 626
Renewal may be effected at any time prior to the date of 627
expiration for a period of one year by the applicant's paying to 628
the treasurer of state a fee of sixteen dollars for a renewal of a 629
~~certificate of~~ registration as either a professional engineer or 630
professional surveyor, ~~and twenty-one dollars for the renewal of~~ 631
~~the certificates of an individual who is registered as both a~~ 632
~~professional engineer and professional surveyor. The failure on~~ 633
~~the part of any registrant to renew a certificate prior to~~ 634
~~expiration when~~ When notified as required in this section, a 635
registrant's failure to renew registration shall not deprive ~~such~~ 636
~~person~~ the registrant of the right of renewal within the following 637
twelve months, but the fee to ~~be paid for the renewal of~~ renew a 638
~~certificate~~ registration within twelve months after expiration 639

shall be increased fifty per cent. The state board of registration
for professional engineers and surveyors may, upon request, waive
the payment of the renewal fees of a registrant during the period
when the registrant is on active duty in connection with any
branch of the armed forces of the United States.

(B) Each certificate of authorization issued pursuant to
section 4733.16 of the Revised Code shall authorize the holder to
provide professional engineering ~~and or~~ professional surveying
services, through the registered professional engineer or
professional surveyor designated as being in responsible charge of
the professional engineering ~~and or~~ professional surveying
practice, from the date of issuance until the last day of June
next succeeding the date upon which the certificate was issued,
unless the certificate has been revoked or suspended for cause as
provided in section 4733.20 of the Revised Code or has been
suspended pursuant to section 3123.47 of the Revised Code.

(C) ~~If a certificate is not renewed a registrant fails to~~
renew registration within one year from the date of expiration,
its renewal may be effected under rules promulgated by the board
regarding requirements for reexamination or reapplication, and
reinstatement penalty fees.

Sec. 4733.18. (A) The state board of registration for
professional engineers and surveyors may ~~issue~~ authorize a
temporary ~~certification to individuals under the following~~
~~conditions and qualifications:~~

~~(1) A person not a resident of and having no established~~
~~place of business in this state, practicing or offering to~~
~~practice the profession of engineering or surveying in Ohio, when~~
~~such practice does not exceed sixty continuous calendar days in~~
~~any calendar year; provided such person is legally qualified by~~

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~~registration to practice the said profession in the person's own state in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this chapter. The board shall establish the fee for a temporary certificate of registration issued under division (A)(1) of this section.~~

~~(2) A person not a resident of and having no established place of business in this state, or who has recently become a resident thereof, practicing or offering to practice herein for more than sixty days in any calendar year the profession of engineering or surveying, if the person registration in the case of an individual who has filed with the state board of registration for professional engineers and surveyors an application for a certificate of temporary registration and has paid the required fee, such. The temporary certificate of registration to continue continues only for such the time as the board requires for the consideration of the application for registration; provided such a person is legally qualified to practice that profession in the person's own state in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in sections 4733.01 to 4733.23 of the Revised Code; this chapter.~~

~~(B)(1) The following persons are exempt from sections 4733.01 to 4733.21 of the Revised Code this chapter:~~

~~(1)(a) An employee or a subordinate of a person holding a certificate of registration registered under this chapter or an employee of a person holding temporary certification registration under division (A)(1) of this section or exempted from registration by division (A)(2) of this section; provided the employee's or subordinate's duties do not include responsible charge of engineering or surveying work;~~

~~(2)(b) Officers and employees of the government of the United~~

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States while engaged within this state in the practice of 703
engineering or surveying, for that government; 704

~~(3)~~(c) An engineer engaged solely as an officer of a 705
privately owned public utility. 706

~~(4)~~(2) This chapter does not require registration for the 707
purpose of practicing professional engineering, or professional 708
surveying by an individual, firm, or corporation on property owned 709
or leased by that individual, firm, or corporation unless the same 710
involves the public welfare or the safeguarding of life, health, 711
or property, or for the performance of engineering or surveying 712
which relates solely to the design or fabrication of manufactured 713
products. 714

(C) Nothing in this chapter prevents persons other than 715
engineers from preparing plans, drawings, specifications, or data, 716
from filing applications for building permits, or from obtaining 717
those permits for buildings or structures that are exempted from 718
the requirements of sections 3781.06 to 3781.18 and 3791.04 of the 719
Revised Code, that are subject to the requirements of section 720
3781.181 of the Revised Code, that are erected as one-, two-, or 721
three-family units or structures within the meaning of the term 722
"industrialized unit" as provided in section 3781.06 of the 723
Revised Code. 724

(D) Nothing in this chapter prevents persons other than 725
engineers from preparing drawings or data, from filing 726
applications for building permits, or from obtaining those permits 727
for the installation of replacement equipment or systems that are 728
similar in type or capacity to the equipment or systems being 729
replaced, and for any improvement, alteration, repair, painting, 730
decorating, or other modification of any buildings or structures 731
subject to sections 3781.06 to 3781.18 and 3791.04 of the Revised 732
Code where the building official determines that no plans or 733
specifications are required for approval. 734

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Sec. 4733.19. ~~(A) Except as provided in division (B) of this section:~~ 735 736

~~(1) A person holding a certificate of registration registered or licensed to engage in the practice of engineering or surveying issued to him by a proper authority of a state, territory, or possession of the United States, or the District of Columbia, who, in the opinion of the state board of registration for professional engineers and surveyors, meets the requirements of sections 4733.01 to 4733.23 of the Revised Code this chapter, based on verified evidence, may, upon application and payment of the established fee, be registered without further examination.~~ 737 738 739 740 741 742 743 744 745

~~(2) A person holding a certificate of qualification issued by the national council of engineering examiners committee on national engineering certification, whose qualifications, in the opinion of the board, meet the requirements of sections 4733.01 to 4733.23 of the Revised Code, may upon application and payment of the established fee, be registered without further examination.~~ 746 747 748 749 750 751

~~(B) Any person who seeks registration as a professional surveyor under division (A) of this section must pass a four-hour two-hour professional practice examination, devoted to the laws and practices of this state prior to receiving such registration.~~ 752 753 754 755

Sec. 4733.20. (A) ~~The Pursuant to this section, the state board of registration for professional engineers and surveyors may fine, revoke, suspend, refuse to renew, or limit the certificate of registration of any registrant or the certificate of authorization of any holder of such certificate, or reprimand or, place on probation the holder of a certificate of registration or the holder of a, deny an applicant the opportunity to sit for an examination or to have an examination scored, or impose any combination of these disciplinary measures on any applicant or~~ 756 757 758 759 760 761 762 763 764

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~~registrant, or revoke the certificate of authorization who is of~~ 765
~~any holder found guilty of to be or to have been engaged in any~~ 766
one or more of the following acts or practices: 767

(1) ~~The practice of any~~ Any fraud or deceit in obtaining a 768
~~certificate of~~ registration or a certificate of authorization; 769

(2) Any gross negligence, incompetency, or misconduct in the 770
practice of professional engineering or professional surveying as 771
a registered professional engineer or registered professional 772
surveyor; 773

(3) Aiding or abetting any person to practice professional 774
engineering or professional surveying illegally in the state; 775

(4) ~~Any~~ Conviction of or plea of guilty to any felony or 776
crime involving moral turpitude; 777

(5) Violation of ~~the code of ethics~~ this chapter or any rule 778
adopted by the ~~state board of registration for professional~~ 779
~~engineers and professional surveyors~~; 780

(6) Violation of any condition of limitation placed by the 781
board upon ~~a certificate of the~~ registration or ~~a certificate of~~ 782
~~authorization of any professional engineer or professional~~ 783
surveyor; 784

(7) Failure to abide by or comply with examination 785
instructions. 786

(B) The board shall cause to have prepared and shall adopt a 787
code of ethics, which it shall ~~be made~~ make known to every 788
registrant. The board may revise and amend this code of ethics 789
from time to time ~~and shall notify each registrant, in writing, of~~ 790
~~such revisions or amendments in accordance with Chapter 119. of~~ 791
the Revised Code. 792

(C) Any person may ~~prefer charges of~~ file with the board a 793
complaint alleging fraud, deceit, gross negligence, incompetency, 794

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misconduct, or violation of the code of ethics against any 795
registrant holding a certificate of registration or against any 796
corporation, firm, partnership, or association holding a 797
certificate of authorization. Such charges this chapter or any 798
rule adopted by the board pursuant to section 4733.07 of the 799
Revised Code. Complaints shall be in writing, and shall be sworn 800
to by the person, or persons, making them and shall be filed with 801
the secretary of the board. 802

(D) All charges shall be investigated and reviewed by the 803
board within three months after the date on which they have been 804
preferred, after which all charges, unless dismissed by the board 805
as unfounded or trivial, shall be heard by the board at a hearing 806
which shall be in accordance with Chapter 119. of the Revised Code 807
The board may investigate any registrant or holder of a 808
certificate of authorization to determine whether the registrant 809
or certificate holder is or has been engaged in any one or more of 810
the acts or practices listed in division (A) of this section. The 811
board, by subpoena, may compel witnesses to appear and testify in 812
relation to any investigation under this chapter and may require, 813
by subpoena duces tecum, the production and copying of any book, 814
paper, or document pertaining to an investigation. If a person 815
fails to comply with the subpoena or subpoena duces tecum, the 816
board may apply to the Franklin county court of common pleas for 817
an order compelling the person to comply or, for the failure to do 818
so, to be held in contempt of court. 819

(E) The time and place for such hearing shall be fixed by the 820
board and a copy of the charges, together with a notice of the 821
time and place of the hearing, shall be personally served upon the 822
individual registrant or the agent as provided for in section 823
1701.07 of the Revised Code of a corporation holding a certificate 824
of authorization, or mailed to the last known address of such 825
individual registrant or any firm, partnership, or association 826

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~~holding a certificate of authorization. At any hearing the accused~~ 827
~~registrant or holder of a certificate of authorization shall have~~ 828
~~the right to appear in person or by counsel, or both, to~~ 829
~~cross-examine witnesses in his or its defense, and to produce~~ 830
~~evidence and witnesses in his or its own defense~~ 831
If the board 831
determines there is cause to believe that an applicant, 832
registrant, or a holder of a certificate of authorization is or 833
has been engaged in any act or practice listed in division (A) of 834
this section, the board shall issue a written charge and notify 835
the applicant, registrant, or certificate holder of the right to 836
an adjudication hearing, in accordance with Chapter 119. of the 837
Revised Code. 838
If the accused applicant, registrant, or holder of a 838
certificate of authorization fails or refuses to appear, or does 839
not request a hearing within the time period specified in Chapter 840
119. of the Revised Code, the board may ~~proceed to hear and~~ 841
determine the validity of the ~~charges~~ charge and issue an 842
adjudication order in accordance with Chapter 119. of the Revised 843
Code. 844

(F) ~~If, after such hearing,~~ a majority of the board votes in 845
favor of sustaining the ~~charges~~ charge, the board shall ~~reprimand~~ 846
impose one or any combination of the following disciplinary 847
measures: 848

(1) Reprimanding the individual or suspend, refuse; 849

(2) Imposing a fine on the individual of not more than one 850
thousand dollars for each offense committed by the individual; 851

(3) Refusing to renew, suspending, or revoke his certificate 852
of revoking the individual's registration, or revoking the 853
holder's certificate of authorization; 854

(4) Refusing to allow an applicant to take an examination; 855

(5) Refusing to score an applicant's examination. 856

The board, for ~~reasons it considers sufficient~~ good cause 857

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~~shown~~, may ~~reissue a certificate of registration to reregister~~ any 858
person or ~~reissue~~ a certificate of authorization to any 859
corporation, firm, partnership, ~~or association, or limited~~ 860
~~liability company~~ whose ~~registration or~~ certificate has been 861
revoked ~~or suspended~~. 862

(G) Any ~~individual registrant having a certificate of~~ 863
~~registration, or a corporation, firm, partnership, or association~~ 864
~~having a certificate of authorization, applicant, registrant, or~~ 865
~~certificate holder~~ aggrieved by any action of the board in ~~fining~~ 866
~~the registrant or~~ denying, suspending, refusing to renew, or 867
revoking ~~his certificate of the registrant's~~ registration or ~~its a~~ 868
certificate of authorization, ~~or denying an applicant the~~ 869
~~opportunity to take an examination or to have an examination~~ 870
~~scored~~ may appeal such action to the proper court under section 871
119.12 of the Revised Code. 872

(H) A new ~~certificate of registration, or~~ certificate of 873
authorization to replace any certificate revoked, lost, destroyed, 874
or mutilated, may be issued, subject to the rules of the board, 875
~~and upon payment of~~ a fee established by the board at an amount 876
adequate to cover the expense of issuing a duplicate certificate 877
of ~~registration~~ authorization. 878

Sec. 4733.22. No person shall practice, or offer to practice, 879
the profession of engineering or the profession of surveying 880
without being registered or exempted in accordance with ~~sections~~ 881
~~4733.01 to 4733.23 of the Revised Code~~ this chapter, or present or 882
attempt to use as ~~his~~ the person's own the ~~certificate of~~ 883
registration, the certificate of authorization, or the seal of 884
another, or give any false or forged evidence of any kind to the 885
state board of registration for professional engineers and 886
surveyors or to any member thereof in obtaining ~~a certificate of~~ 887
registration or a certificate of authorization, or falsely 888
impersonate any other registrant or holder of a certificate of 889

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authorization of like or different name, or attempt to use an 890
expired, suspended, or revoked ~~certificate of~~ registration or 891
certificate of authorization, or otherwise violate ~~such sections~~ 892
this chapter. 893

Sec. 4733.23. ~~All officers of the law of this state, or of~~ 894
~~any political subdivision thereof~~ Except as otherwise provided in 895
divisions (B), (C), and (D) of section 4733.18 of the Revised 896
Code, no public authority, as defined in division (A) of section 897
153.65 of the Revised Code, shall enforce sections 4733.01 to 898
4733.22, inclusive, of the Revised Code, and prosecute accept or 899
use any engineering or surveying plan prepared by any persons 900
violating same person not registered as a professional engineer or 901
professional surveyor under this chapter. The state board of 902
registration for professional engineers and surveyors is hereby 903
authorized to apply for relief by injunction or restraining order 904
to enjoin or restrain a person from the commission of any act 905
which is prohibited by ~~sections 4733.01 to 4733.22, inclusive, of~~ 906
~~the Revised Code~~ this chapter. The remedy provided by this section 907
shall be in addition to any other remedy provided by law. The 908
attorney general or ~~his~~ the attorney general's designated 909
assistant shall act as legal adviser of the board and render such 910
legal assistance as may be necessary. 911

Sec. 4733.27. On receipt of a notice pursuant to section 912
3123.43 of the Revised Code, the state board of registration for 913
engineers and surveyors shall comply with sections 3123.41 to 914
3123.50 of the Revised Code and any applicable rules adopted under 915
section 3123.63 of the Revised Code with respect to ~~a certificate~~ 916
registration and certificates of authorization issued pursuant to 917
this chapter. 918

Section 2. That existing sections 4703.32, 4733.01, 4733.02, 919

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4733.021, 4733.03, 4733.06, 4733.07, 4733.08, 4733.09, 4733.11,	920
4733.12, 4733.13, 4733.14, 4733.15, 4733.18, 4733.19, 4733.20,	921
4733.22, 4733.23, and 4733.27 and section 4733.24 of the Revised	922
Code are hereby repealed.	923