

**As Introduced**

**130th General Assembly  
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**S. B. No. 154**

**Senator Burke**

**Cosponsors: Senators Seitz, Brown, Uecker, Eklund**

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**A B I L L**

To amend sections 4703.30, 4733.01, 4733.09, 4733.11, 1  
4733.12, 4733.13, 4733.15, and 4733.151 of the 2  
Revised Code to make changes to the examination, 3  
reporting, and educational requirements of 4  
professional engineers and surveyors. 5

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

**Section 1.** That sections 4703.30, 4733.01, 4733.09, 4733.11, 6  
4733.12, 4733.13, 4733.15, and 4733.151 of the Revised Code be 7  
amended to read as follows: 8

**Sec. 4703.30.** As used in sections 4703.30 to 4703.49 of the 9  
Revised Code: 10

(A) "Landscape architect" means a person who has been 11  
registered as provided in sections 4703.30 to 4703.49 of the 12  
Revised Code. 13

(B) "Landscape architecture" or "the practice of landscape 14  
architecture" includes: 15

(1) The preparation of master, site, and comprehensive 16  
development plans, the preparation of feasibility and site 17  
selection studies, and the supervision of the execution of 18

projects thereon, in accordance with the accepted professional 19  
standards of public health, welfare, and safety, where the 20  
dominant purpose of such service involves: 21

(a) The preservation, conservation, enhancement, or 22  
determination of proper land and water uses, natural land 23  
features, ground cover and plantings, naturalistic and aesthetic 24  
values, natural systems, reforestation, restoration, and 25  
reclamation; 26

(b) The determination of settings, grounds, and approaches 27  
for buildings and structures or other improvements; the 28  
determination of environmental problems of land relating to 29  
erosion and sediment control, flooding, blight and other hazards; 30  
the shaping and contouring of land and water forms; the 31  
determination of grades; and the determination of surface and 32  
ground water drainage and providing for drainage systems where 33  
such systems do not require structural design of system components 34  
or a hydraulic analysis of the receiving storm water conveyance 35  
system; 36

(c) The development of roadways and parkways, equestrian, 37  
bicycle, and pedestrian circulation systems, sidewalks, parking, 38  
planting, pools, irrigation systems, and other ancillary elements, 39  
for public and private use and enjoyment. 40

(2) The preparation of construction documents, provided that 41  
these are limited to and are necessary for projects within the 42  
scope of the practice of landscape architecture as defined in 43  
divisions (B)(1)(a), (b), and (c) of this section; 44

(3) The following services as they relate to the practice of 45  
landscape architecture: 46

(a) Construction observation; 47

(b) Project coordination and review of technical submissions, 48  
plans, and construction documents; 49

(c) Collaboration with architects and professional engineers 50  
in the design of streets, highways, bridges, buildings, and 51  
structures with respect to the functional and aesthetic 52  
requirements of the area in which such facilities are to be 53  
placed. 54

(4) This practice shall include the location and arrangement 55  
of such tangible objects and features as are incidental and 56  
necessary to the purposes outlined in this section, but shall not 57  
include the design of structures or facilities with separate and 58  
self-contained purposes for habitation or industry, or the design 59  
of streets and highways, utilities, storm and sanitary sewers, and 60  
water and sewage treatment facilities, such as are exclusive to 61  
the practice of engineering or architecture. A landscape architect 62  
shall undertake to perform professional services only when the 63  
landscape architect is qualified by education, training, and 64  
experience in the specific technical areas involved. This division 65  
shall not be construed to prohibit a landscape architect from 66  
engaging individuals performing services outside the scope of the 67  
landscape architect's qualifications as consultants. 68

(5) The practice of landscape architecture does not include 69  
the practice of surveying as defined in ~~division (F)~~ of section 70  
4733.01 of the Revised Code. 71

(C) "Board" means the state board of landscape architect 72  
examiners. 73

**Sec. 4733.01.** As used in this chapter: 74

(A) "Professional engineer" means a person registered as a 75  
professional engineer under this chapter. 76

(B) "Engineer" means a graduate of an accredited engineering 77  
curriculum or a person registered as a professional engineer under 78  
this chapter, or both. 79

(C) "Accredited engineering curriculum" means an engineering curriculum accredited by the engineering accreditation commission of ABET, Inc.

(D) "ABET, Inc." means the accreditation board for engineering and technology.

~~(D)~~(E) "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)~~(F) "Professional surveyor" means a person who is registered as a professional surveyor under this chapter.

~~(F)~~(G) "Practice of surveying" means any professional service 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 surveying of mines, commonly known as "mine surveying."

**Sec. 4733.09.** The state board of registration for

professional engineers and surveyors shall keep a record of its 111  
proceedings and a record of all applications for registration. 112

On an application provided by the board, applicants shall 113  
provide information under oath, including the applicant's 114  
education and experience sufficient for the board to evaluate the 115  
credentials of the applicant pursuant to section 4733.11 of the 116  
Revised Code. 117

The records of the board shall be prima-facie evidence of its 118  
proceedings and a transcript thereof, duly certified by the 119  
executive director under seal, shall be admissible in evidence as 120  
if the original were produced. 121

Annually, ~~as of the first day of July~~ following the end of 122  
the fiscal year, the board shall submit to the governor a report 123  
of its ~~transactions~~ activities of the preceding year, and shall 124  
~~also transmit to the governor~~ include a complete statement of the 125  
receipts and expenditures of the board, attested by affidavits of 126  
its chairperson and its executive director. 127

**Sec. 4733.11.** (A) The state board of registration for 128  
professional engineers and surveyors shall consider an applicant 129  
to be qualified for registration as a professional engineer if an 130  
applicant satisfies all of the requirements listed in either 131  
division (A)(1) or (2) of this section as follows: 132

(1)(a) Graduation from an accredited engineering curriculum 133  
of four years or more; 134

(b) A specific record of four years or more of practical 135  
experience in engineering work completed in addition to, and not 136  
overlapping in time, any school work completed under division 137  
(A)(1)(a) of this section that is acceptable to the board, not 138  
more than two years of which may be before graduation but after 139  
the completion of the second year of college, indicating that the 140

applicant is competent to be placed in responsible charge of such work; 141  
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(c) Passing the prescribed ~~written or written and oral~~ examinations under divisions (A) and (B) of section 4733.13 of the Revised Code. 143  
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(2)(a) Graduation from a college curriculum in engineering of four years or more that is not ~~approved by the engineering accreditation commission of the accreditation board for engineering and technology~~ accredited, whose curricula is evaluated by the board and found to be of a high quality essentially equal to the curricula that are accredited by ABET, Inc., or graduation from a college curriculum in engineering technology of four years or more that is accredited by the engineering technical accreditation commission of the accreditation board for engineering and technology ABET, Inc.; 146  
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(b) Eight years or more of practical experience in engineering work completed in addition to, and not overlapping in time, any school work completed under division (A)(2)(a) of this section that is acceptable to the state board of registration for professional engineers and surveyors, not more than two years of which may be before college graduation but after completion of the second year of college, indicating that the applicant is competent to be placed in responsible charge of such work; 156  
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(c) Passing the prescribed ~~written or written and oral~~ examinations under divisions (A) and (B) of section 4733.13 of the Revised Code. 164  
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(B) The state board of registration for professional engineers and surveyors shall consider an applicant to be qualified for registration as a professional surveyor if the applicant satisfies all of the requirements listed in either division (B)(1) or (2) of this section as follows: 167  
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(1)(a) Graduation from an approved curriculum in surveying of four years or more;	172 173
(b) A specific record of 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)(1)(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 the four years of work in the surveying of land boundaries under the direct supervision of a professional surveyor, who may indicate in writing that the applicant is competent to be placed in responsible charge of the work;	174 175 176 177 178 179 180 181 182 183
(c) Passing the prescribed <del>written or written and oral</del> examinations under divisions (A) and (C) of section 4733.13 of the Revised Code.	184 185 186
(2)(a) Graduation from an accredited curriculum in civil engineering of four years or more in a recognized school or college;	187 188 189
(b) Successful completion of at least <del>twenty-four quarter</del> <u>sixteen semester</u> hours, or equivalent <del>semester</del> <u>quarter</u> or trimester hours, of approved surveying courses in surveying 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 <del>eight-quarter</del> <u>six semester</u> hours, or equivalent <del>semester</del> <u>quarter</u> or trimester hours, are in surveying of land boundaries;	190 191 192 193 194 195 196 197
(c) A specific record of 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	198 199 200 201 202

graduation, with at least two of the four years of work in 203  
surveying of land boundaries under the direct supervision of a 204  
professional surveyor, who may indicate in writing that the 205  
applicant is competent to be placed in responsible charge of the 206  
work; 207

(d) Passing the prescribed ~~written or written and oral~~ 208  
examinations under divisions (A) and (C) of section 4733.13 of the 209  
Revised Code. 210

(C) Engineering experience, for a professional engineer's 211  
practical experience requirement, or surveying experience, for a 212  
professional surveyor's practical experience requirement, in any 213  
of the armed forces of the United States or civilian war services 214  
may be credited for registration, if the experience is acceptable 215  
to the board. 216

(D) As used in this section, "an approved curriculum in 217  
surveying" is one which has been accredited by the related 218  
accreditation committee of ~~the accreditation board for engineering~~ 219  
~~and technology~~ ABET, Inc., or one which has been approved by the 220  
state board of registration for professional engineers and 221  
surveyors. 222

(E) No person is eligible for registration as a professional 223  
engineer, or professional surveyor, who is not of good character 224  
and reputation. 225

(F) In considering the qualifications of applicants, 226  
responsible charge of engineering or surveying teaching may be 227  
construed as responsible charge of engineering or surveying work, 228  
respectively. No applicant shall receive credit for more than six 229  
years of engineering or surveying experience because of 230  
educational qualifications. The mere execution, as a contractor, 231  
of work designed by a professional engineer or professional 232  
surveyor, or the supervision of the construction of such work as a 233



superintendent is not deemed to be practical experience in 234  
engineering or surveying work. 235

(G) Every person applying for registration as a professional 236  
engineer or professional surveyor shall be required to pass the 237  
fundamentals examination and the principles and practice 238  
examination as provided in section 4733.13 of the Revised Code. In 239  
addition to passing each requisite examination, each applicant 240  
must submit evidence, satisfactory to the board, that the 241  
applicant has completed the practical experience required in this 242  
section. 243

(H) The board shall require the applicant for registration as 244  
a professional engineer or professional surveyor to take two 245  
examinations. The first examination, known as the fundamentals 246  
examination, may be taken by the applicant at any time after the 247  
applicant has completed the required education under division (A) 248  
or (B) of this section, or, at the discretion of the board, an 249  
applicant may be permitted to take the first examination during 250  
the applicant's concluding term of an approved curriculum in 251  
engineering or surveying of four years or more. 252

(I) ~~When the applicant has passed the fundamentals~~ 253  
~~examination, the~~ The board shall give an applicant ~~shall be given~~ 254  
an appropriate certificate ~~by the board~~ showing the applicant's 255  
status as an engineer intern or surveyor intern upon the 256  
occurrence of all of the following: 257

(1) The applicant provides proof to the board that the 258  
applicant has passed the fundamentals examination as described in 259  
division (A) of section 4733.13 of the Revised Code. 260

(2) The board believes the applicant meets the requirements 261  
of this chapter based on verified evidence. 262

(3) The applicant applies for registration in accordance with 263  
the requirements of this chapter. 264

(4) The applicant pays the fee required pursuant to section 4733.12 of the Revised Code. 265  
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Each applicant applying for registration as a professional engineer or professional surveyor shall first be certified as an engineer intern or surveyor intern in this state. 267  
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(J) The applicant is not eligible to take the second examination, known as the principles and practice examination, until the applicant has passed the fundamentals examination. 270  
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(K) Any person having the necessary qualifications to entitle the person to registration is eligible for registration though the person may not be practicing the person's profession at the time of making application. 273  
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**Sec. 4733.12.** (A) Applications for registration as a professional engineer or professional surveyor shall be on forms prescribed and furnished by the state board of registration for professional engineers and surveyors, shall contain statements made under oath setting forth the applicant's education and a detailed summary of the applicant's engineering or surveying experience as appropriate, and shall contain not less than five references, of whom three or more shall be professional engineers or professional surveyors having personal knowledge of the applicant's engineering or surveying experience. The application shall be accompanied by a nonrefundable application fee, which shall be established by the board at an amount adequate to cover the costs of processing the application. 277  
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~~A nonrefundable examination fee for professional engineers or professional surveyors, which shall accompany the "notice of intention" for each scheduled fundamentals or principles and practice examination, shall be established by the board at an amount adequate to cover the expense of procuring, administering, and grading the examinations. A nonrefundable registration fee,~~ 290  
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which shall be paid after the applicant has passed both 296  
examinations, shall be established by the board at an amount 297  
adequate to cover the expense of registration. 298

(B) The board shall establish a fee for a certificate of 299  
authorization issued under section 4733.16 of the Revised Code in 300  
an amount not to exceed fifty dollars and a fee for annual renewal 301  
of a certificate of authorization, not to exceed twenty-five 302  
dollars. The fee for a duplicate certificate of authorization is 303  
five dollars. 304

**Sec. 4733.13.** (A) When ~~written or written and oral~~ 305  
examinations are required as provided by section 4733.11 of the 306  
Revised Code, they shall be held at a time and place specified by 307  
the state board of registration for professional engineers and 308  
surveyors. The examinations shall test the applicant's knowledge 309  
to perform professional engineering or surveying services which 310  
shall insure the safety of life, health, and property. An 311  
examination referred to as the fundamentals of engineering or as 312  
the fundamentals of surveying examination shall test the 313  
applicant's knowledge of the fundamentals of engineering or 314  
surveying as appropriate. 315

(B) An examination referred to as the principles and practice 316  
of engineering examination shall test the applicant's knowledge of 317  
the branch of engineering in which the applicant specializes. For 318  
the purpose of this section, the branches of engineering are all 319  
those branches in which engineering examinations are offered by 320  
the board or the national council of examiners for engineering and 321  
surveying. 322

(C) A principles and practice of surveying examination shall 323  
test the applicant's knowledge of surveying and the laws and 324  
practices applicable to the state of Ohio. 325

(D) An applicant failing an examination may apply for 326

~~re-examination. The fee for each re examination shall be the same 327~~  
~~as the regular examination fee. 328~~

**Sec. 4733.15.** (A) Registration expires on the last day of 329  
December 2011, and becomes invalid on that date unless renewed. 330  
For renewals after that date, registration expires biennially on 331  
the last day of December following initial registration or renewal 332  
of registration and becomes invalid on that date unless renewed. 333  
Renewal may be effected by the applicant's payment to the 334  
treasurer of state of a fee of forty dollars for a renewal of 335  
registration as either a professional engineer or professional 336  
surveyor and demonstration of completion of the continuing 337  
professional development requirements of section 4733.151 of the 338  
Revised Code. When notified as required in this section, a 339  
registrant's failure to renew registration shall not deprive the 340  
registrant of the right of renewal within the following twelve 341  
months, but the fee to renew a registration within twelve months 342  
after expiration shall be increased fifty per cent, and the 343  
registrant shall certify completion of continuing professional 344  
development hours as required in section 4733.151 of the Revised 345  
Code. 346

The state board of registration for professional engineers 347  
and surveyors may, upon request, waive the payment of renewal fees 348  
or the completion of continuing professional development 349  
requirements for a registrant during the period when the 350  
registrant is on active duty in connection with any branch of the 351  
armed forces of the United States. 352

(B) Each certificate of authorization issued pursuant to 353  
section 4733.16 of the Revised Code shall authorize the holder to 354  
provide professional engineering or professional surveying 355  
services, through the registered professional engineer or 356  
professional surveyor designated as being in responsible charge of 357

the professional engineering or professional surveying practice, 358  
from the date of issuance until the ~~last~~ second immediately 359  
succeeding thirtieth day of June ~~next succeeding the date upon~~ 360  
~~which the certificate was issued~~, unless the certificate has been 361  
revoked or suspended for cause as provided in section 4733.20 of 362  
the Revised Code or has been suspended pursuant to section 3123.47 363  
of the Revised Code. Thereafter, the certificate shall expire 364  
biennially on the thirtieth day of June. 365

(C) If a registrant fails to renew registration as provided 366  
under division (A) of this section, renewal and reinstatement may 367  
be effected under rules the board adopts regarding requirements 368  
for reexamination or reapplication, and reinstatement penalty 369  
fees. The board may require a registrant who fails to renew 370  
registration to complete the required hours of continuing 371  
professional development as a condition of renewal and 372  
reinstatement if the registrant seeks renewal and reinstatement 373  
under this division. 374

**Sec. 4733.151.** (A) For registrations expiring on the last day 375  
of December 2011, each registrant for renewal shall have 376  
completed, in calendar year 2011, at least fifteen hours of 377  
continuing professional development for professional engineers and 378  
surveyors. Thereafter, each registrant shall complete at least 379  
thirty hours of continuing professional development during the 380  
two-year period immediately preceding the biennial renewal 381  
expiration date. 382

(B) The continuing professional development requirement may 383  
be satisfied by coursework or activities dealing with technical, 384  
ethical, or managerial topics relevant to the practice of 385  
engineering or surveying. A registrant may earn continuing 386  
professional development hours by completing or teaching 387  
university or college level coursework, attending seminars, 388

workshops, or conferences, authoring relevant published papers, 389  
articles, or books, receiving patent awards, or actively 390  
participating in professional or technical societies serving the 391  
engineering or surveying professions. 392

~~In the case of the board disputing the content of any credit 393  
hours or coursework, then the board shall presume as a matter of 394  
law that any credit hours submitted by a registrant, or any 395  
coursework or activity submitted for approval, complies with this 396  
section if submitted and if a statement signed by a current 397  
registrant not otherwise participating in the event affirms that 398  
the material is relevant to the registrant's practice and will 399  
assist the registrant's development in the profession. 400~~

Credit for university or college level coursework shall be 401  
based on the credit established by the university or college. One 402  
semester hour as established by the university or college shall be 403  
the equivalent of forty-five hours of continuing professional 404  
development, and one quarter hour as established by the university 405  
or college shall be the equivalent of thirty hours of continuing 406  
professional development. 407

Credit for seminars, workshops, or conferences offering 408  
continuing education units shall be based on the units awarded by 409  
the organization presenting the seminar, workshop, or conference. 410  
A registrant may earn ten continuing professional development 411  
hours for each continuing education unit awarded. Each hour of 412  
attendance at a seminar, workshop, or conference for which no 413  
continuing education units are offered shall be the equivalent of 414  
one continuing professional development hour. 415

A registrant may earn two continuing professional development 416  
hours for each year of service as an officer or active committee 417  
member of a professional or technical society or association that 418  
represents registrants or entities composed of registrants. A 419  
registrant may earn ten continuing professional development hours 420

for authoring relevant published papers, articles, or books. A 421  
registrant may earn ten continuing professional development hours 422  
for each such published paper, article, or book. A registrant may 423  
earn ten continuing professional development hours for each patent 424  
award. 425

(C) A person registered as both a professional engineer and 426  
professional surveyor shall complete at least ten of the thirty 427  
hours required under division (A) of this section in 428  
engineering-related coursework or activities and at least ten of 429  
those thirty hours in surveying-related coursework or activities. 430

(D) A registrant is exempt from the continuing professional 431  
development requirements of this section during the first calendar 432  
year of registration. 433

(E) A registrant who completes more than thirty hours of 434  
approved coursework or activities in a biennial renewal period may 435  
carry forward to the next biennial renewal period a maximum of 436  
fifteen of the excess hours. 437

(F) A registrant shall maintain records to demonstrate 438  
completion of the continuing professional development requirements 439  
specified in this section for a period of four calendar years 440  
beyond the year in which certification of the completion of the 441  
requirements is obtained by the registrant. The records shall 442  
include all of the following: 443

(1) A log specifying the type of coursework or activity, its 444  
location and duration along with the instructor's name, and the 445  
number of continuing professional development hours earned; 446

(2) Certificates of completion or other evidence verifying 447  
attendance. 448

(G) The records specified in division (F) of this section may 449  
be audited at any time by the state board of registration for 450  
professional engineers and surveyors. If the board discovers that 451

a registrant has failed to complete coursework or activities, it 452  
shall notify the registrant of the deficiencies and allow the 453  
registrant six months from the date of the notice to rectify the 454  
deficiencies and to provide the board with evidence of 455  
satisfactory completion of the continuing professional development 456  
requirements. If the registrant fails to provide such evidence 457  
within that six-month period, the board may revoke or suspend the 458  
registration after offering an adjudication hearing in accordance 459  
with Chapter 119. of the Revised Code. 460

**Section 2.** That existing sections 4703.30, 4733.01, 4733.09, 461  
4733.11, 4733.12, 4733.13, 4733.15, and 4733.151 of the Revised 462  
Code are hereby repealed. 463