

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE
Revised

House Bill 1135

(Delegate Love, *et al.*)

Economic Matters

Education, Health, and Environmental Affairs

**State Board for Professional Engineers - Increase in Membership and Practice
Specialties**

This bill increases the membership of the State Board for Professional Engineers by one member, from seven to eight. The bill specifies that the additional member must be an engineer appointed without regard to specific professional practice who must represent all designations of professional engineering. The Maryland Society of Professional Engineers must submit a list of qualified individuals to fill the additional board member position.

The term of the new board member, as established by the bill, expires five years after the appointment. The terms of the other members of the board expire in accordance with the statutory provisions in effect October 1, 2011, regarding the staggering of board member terms.

Fiscal Summary

State Effect: Any expense reimbursements for the additional board member are assumed to be minimal and absorbable within existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: The State Board for Professional Engineers, which is housed within the Department of Labor, Licensing, and Regulation (DLLR), regulates the practice of engineering to safeguard life, health, and property. The main functions of the board

include determining whether applicants qualify for licenses and certificates, issuing licenses and certificates, administering examinations, investigating complaints about professional engineers, and enforcing the Maryland Professional Engineers Act.

The board comprises seven members: five engineers and two consumers. The five engineer members must represent four specified engineering subdisciplines; State law requires two engineers to be civil engineers, and the three remaining positions must be represented by a chemical engineer, an electrical engineer, and a mechanical engineer.

Professional engineers who serve as board members must have (1) at least 12 years experience practicing engineering; and (2) been in responsible charge of important engineering work for at least 5 years. Each engineer member must be licensed by the board at all times during the member's term.

Members serve five-year staggered terms that begin on July 1 of a given year. At the end of a term, a member continues to serve until a successor is appointed and qualifies. The Governor may remove a member for incompetence, misconduct, neglect of duties, or other sufficient cause.

Background: Engineering is the discipline, art, and profession of acquiring and applying technical, scientific, and mathematical knowledge to design and implement materials, structures, machines, devices, systems, and processes that safely realize a desired objective or invention. The broad discipline of engineering encompasses a range of more specialized subdisciplines, including:

- aerospace engineering;
- agricultural engineering;
- architectural engineering;
- biomedical engineering;
- computer/software engineering;
- environmental engineering;
- industrial engineering;
- nuclear engineering; and
- transportation engineering.

As of August 2010, there were 17,490 licensed professional engineers in the State.

DLLR advises that the board generally operates on a consensus basis. Thus, having an even number of members on the board should not impact the board's ability to function.

One other occupational licensing board within DLLR – the six-member State Board for Professional Land Surveyors – has an even number of board members.

Additional Information

Prior Introductions: None.

Cross File: SB 728 (Senator Simonaire) - Education, Health, and Environmental Affairs.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

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Analysis by: Michael T. Vorgetts

Direct Inquiries to:
(410) 946-5510
(301) 970-5510