

**Department of Legislative Services**  
Maryland General Assembly  
2013 Session

**FISCAL AND POLICY NOTE**

House Bill 353

(Chair, Economic Matters Committee)(By Request -  
Departmental - Labor, Licensing and Regulation)

Economic Matters

Education, Health, and Environmental Affairs

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**Professional Engineers and Professional Land Surveyors - Licensing -  
Examinations**

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This departmental bill allows for the computer-based delivery of uniform national licensing examinations to applicants for licensure with the State Board for Professional Land Surveyors. The bill also makes changes to examination results delivery and reexamination procedures for that board as well as the State Board for Professional Engineers. The bill also codifies the existing practice of the land surveyors board of offering separate State-specific examinations and requires additional years of relevant experience in one of the pathways to licensure for land surveyors.

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**Fiscal Summary**

**State Effect:** The Department of Labor, Licensing, and Regulation (DLLR) can implement the bill with existing budgeted resources.

**Local Effect:** None.

**Small Business Effect:** DLLR has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

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## **Analysis**

**Bill Summary/Current Law:** Applicants for licensure with the State Board for Professional Land Surveyors, in addition to meeting specified education and experience requirements, in most cases must pass the following examinations: (1) the fundamentals of surveying; and (2) the principles and practice of surveying. Under current law, the examinations for professional land surveyors must be written – the bill removes this requirement.

Under the bill, an applicant for licensure with the land surveyors board must, unless excused by the board, also pass State-specific examination modules specified and approved by the board that pertain to the practice of surveying in the State. This codifies current practice.

The bill also authorizes alternative means of delivering examination results for both boards – under current law, failure notifications must be mailed to the applicant. The bill makes a related change to the process through which an applicant may review a failed examination.

The bill also clarifies reexamination procedures for both boards in the event that an applicant for licensure fails an examination. The bill specifies that reexaminations must be held in accordance with the National Council of Examiners for Engineering and Surveying's (NCEES) reexamination policies unless the policies have otherwise been amended by the respective board. Each board may adopt regulations establishing reexamination requirements.

Current law allows four different pathways to licensure for land surveyors, involving different levels of experience, education, and examination. For individuals without a college degree but who pass specified examinations, the bill increases the required years of experience from four to eight.

**Background:** NCEES is a national, nonprofit organization dedicated to advancing professional licensure for engineers and surveyors. NCEES members are the engineering and surveying licensure boards from all 50 states, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands. Most state licensing boards in those fields require individuals to pass an examination given by NCEES and an examination prepared by the state licensing board. NCEES develops and administers the following examinations: (1) the fundamentals of engineering; (2) the principles and practice of engineering; (3) the fundamentals of surveying; and (4) the principles and practice of surveying. DLLR advises that NCEES recently voted to begin offering the fundamentals of engineer and fundamentals of surveying examinations exclusively via computer-based delivery, effective January 2014.

### *Professional Engineers*

The State Board for Professional Engineers issues new or original professional engineer licenses, renewal licenses, and engineering-in-training certificates. Professional engineering licenses in the State have a two-year term and are not discipline specific. There is only one designation: professional engineer. However, candidates are examined in the disciplines in which their education and/or experience were gained (*e.g.*, chemical, civil, environmental, or industrial engineering). To qualify for a professional engineer license, an applicant must be of good character and reputation and meet specific education, experience, and examination requirements. The general process for obtaining a professional engineer license in the State varies according to whether the individual is seeking an original, reciprocal, or renewal license. The board currently regulates nearly 23,000 individuals.

Chapter 210 of 2011 (SB 290) removed the reference to the “written” fundamentals of engineering and principles and practice of engineering examinations that individuals must pass in order to be licensed by the State Board for Professional Engineers. This allowed for computer-based delivery of those examinations.

### *Professional Land Surveyors*

The State Board for Professional Land Surveyors licenses and permits approximately 1,000 individuals, partnerships, and corporations to practice land surveying and property line surveying in the State. Applicants for licensure must meet varying education, experience, and examination requirements. Most individuals prepare for a career as a professional land surveyor by combining postsecondary school courses in surveying with extensive on-the-job training.

**Additional Comments:** DLLR advises that the NCEES examinations are virtually the last written examinations administered in the Division of Occupational and Professional Licensing, which began the transition to computer-based delivery of examinations in 1992 with the State’s real estate licensing examination.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

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

**Fiscal Note History:** First Reader - February 15, 2013  
mc/mcr

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Professional Engineers and Professional Land Surveyors -  
Examinations

BILL NUMBER: HB 353

PREPARED BY: Department of Labor, Licensing and Regulations

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL  
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.