

Frank Gaddy, P.E.
Huntington
Dr. Kenneth H. Means, P.E.
Morgantown
President
Robert B. Scott, P.E.
Elkins
Stafford E. Thornton, P.E.
Montgomery
Secretary
Monroe A. Zicherman, P.E.
Vienna

STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS




Ann Hicks
Charleston
Executive Director

608 Union Building
Charleston, WV 25301
TELEPHONE 348-3554

NOTICE OF FINAL FILING - LEGISLATIVE RULE

LEGISLATIVE RULE: Regulations Governing the Board of Registration
for Professional Engineers

The attached legislative rule is hereby final filed with the Secretary
of State by State Board of Registration for Professional Engineers
as authorized by S. B. 434 Section 64-2-30(13)(5).


Stafford E. Thornton, Secretary

FILED
1988 MAY -5 PM 4: 03
OFFICE OF THE SECRETARY OF STATE
STATE OF WEST VIRGINIA

WEST VIRGINIA LEGISLATIVE RULE
WEST VIRGINIA STATE BOARD
OF REGISTRATION FOR
PROFESSIONAL ENGINEERS
CHAPTER 30-13
SERIES I

FILED
1985 MAY -5 PM 4:03
OFFICE OF THE REGISTER
SECRETARY OF STATE

PROMULGATION HISTORY ABSTRACT

Proposed rule amendments filed	October 16, 1985
Fiscal Note filed	October 16, 1985
Notice of Public Comment Period filed	October 16, 1985
Public Comment period end	November 15, 1985
Agency approved rule file	November 29, 1985
Agency approved rule submitted to Legislative Rule Making Review Committee	December 2, 1985
Hearing before Legislative Rule Making Review Committee	January 5, 1986
Rule considered by House Government Organizations Committee	February 12, 1986
Notice of Rule Modification filed	March 6, 1986
Rule authorized by Legislature	March 8, 1986
Final filing of rule	May 5, 1986
Effective date	May 5, 1986

WEST VIRGINIA LEGISLATIVE RULE
WEST VIRGINIA STATE BOARD
OF REGISTRATION FOR
PROFESSIONAL ENGINEERS
CHAPTER 30-13
SERIES I

Section 1.	General.....	Page 1
Section 2.	Definitions.....	Page 1
Section 3.	Applications.....	Page 2
Section 4.	Examination.....	Page 2
Section 5.	Other Requirements for Registration.....	Page 5
Section 6.	Seal.....	Page 6
Section 7.	Fees.....	Page 7
Section 8.	Disciplinary Proceedings.....	Page 7

Title 7

~~WEST VIRGINIA LEGISLATIVE RULE~~
WEST VIRGINIA STATE BOARD
OF REGISTRATION FOR
PROFESSIONAL ENGINEERS
~~CHAPTER 30-13~~
SERIES *1.0K*

FILED
1986 MAY -5 PM 4:03
OFFICE OF THE CLERK
SECRETARY OF STATE

Title: Regulations Governing the West Virginia Board
of Registration for Professional Engineers

Section 1. GENERAL

1.01 Scope - These legislative rules govern the
licensing of professional engineers and the operation of the
West Virginia Board of Registration

1.02 Authority - W. Va. Code § 30-¹³~~1-13~~ et seq.

1.03 Filing Date - May 5, 1986

1.04 Effective - May 5, 1986

Section 2. DEFINITIONS

2.01 "Code" means the official code of West Virginia,
as amended.

2.02 "EI" means Engineer Intern

2.03 "NCEE" means National Council of Engineering
Examiners.

2.04 "PE" means Professional Engineer

2.05 "ABET" means the Accreditation Board for
Engineering and Technology.

Section 3. APPLICATIONS

3.01 Registration as a Professional Engineer.
Applicants for admission to the examination in the
Principles and Practice of Engineering and applicants for
registration by comity must use the standard application
form for registration as a Professional Engineer. Holders

of a current Council Record of the National Council of Engineering Examiners, who will have the Council Record forwarded directly from National Council, need fill in only items 1, 2, 7, 8, and 9 of the application form.

3.02 Certification as an Engineer Intern. Applicants for admission to the examination in only the Fundamentals of Engineering should use the abbreviated application form for certification as an Engineer Intern.

3.03 Residence Requirements. The Board will accept applications for PE registration from any person who has previously been certified by this Board as an EI and grant registration upon satisfactory completion of the required examination, regardless of his then place of domicile, provided that not more than 12 years have elapsed since the date of original issuance of the EI certificate.

The Board will not otherwise accept applications from any nonresident person who has not been previously registered in the state of his residence or state of principal practice except as otherwise stated in Rule 5.04.

Section 4. EXAMINATION

4.01 Applications for registration are required to pass written examinations in conformance with the statutory provisions of the Code and the rules and regulations promulgated by the Board, except as otherwise stated herein.

4.02 Application Dates. Applications shall be in the Board office eight weeks prior to the examination date.

4.03 Examination Schedule. EI and PE examinations will be given in the spring and fall in the location designated by the Board.

4.04 Examination Content. The EI examination will be the Fundamentals of Engineering and the PE examination will be the Principles and Practice of Engineering as prepared and furnished by the NCEE.

* ~~1~~ These graduates
may be admitted to the
examination in the principles
and practice of engineering

4.05 Branch of Engineering. Examinations will be given in those branches in which examinations are prepared by the National Council of Engineering Examiners.

Successful applicants will be registered as a professional engineer without reference to branch in either their certificate or seal.

4.06 Readmission to Examination. An applicant who fails the examination may be readmitted as provided in Section 7:03; Provided, That after four failures the applicant must wait two years and present satisfactory evidence of additional study before being permitted to reapply.

4.07 Graduates of Board Approved Curricula. (Those engineering curricula that hold ABET accreditation are Board approved engineering programs.) Students of Board approved engineering curricula will be admitted to the Fundamentals of Engineering examination immediately preceding their graduation or at any time thereafter and may be certified as an EI upon successful completion of the examination. (after four years of Board approved engineering experience following their graduation.)

The EI examination must be taken and passed prior to taking the PE examination.

A graduate of an engineering or related science curriculum of four years or more, with a specific record of twenty years or more of progressive experience on engineering projects of which at least ten years have been in responsible charge of important engineering projects and of a grade and character which indicates to the Board that the applicant may be competent to practice engineering shall be admitted to an eight-hour written examination in the principles and practice of engineering. Registration under this provision may not be recognized by other Boards.

Under unusual circumstances, applicants over 50 years of age with 25 years of engineering experience and 15 years

in responsible charge, may be registered after passing an oral and/or short written examination. Registration under this provision may not be recognized by other Boards.

4.08 Graduates of Board Approved Allied Science Curricula. Graduates of Board approved allied science curricula may be admitted to the Fundamentals of Engineering examination upon presentation of evidence of two years of engineering experience under the direct supervision of a Professional Engineer and may be certified as an EI upon successful completion of the examination.

These graduates will be admitted to the examination in the Principles and Practice of Engineering after they have completed an additional four years of engineering practice under the supervision of registered Professional Engineers who can attest to the engineering nature of the work.

Four year curricula in Engineering Technology that are accredited by ABET will be treated as Board approved allied science degree.

4.09 Applicants Without a Four Year Engineering or Allied Science Degree. Applicants without a four year college degree in engineering or an allied science will be required to present satisfactory evidence of ten years of education and experience in engineering under the supervision of registered Professional Engineers who can attest to the engineering nature of the work before admission to the examination in the Fundamentals of Engineering. The Board may request that the supervising registered Professional Engineers furnish affidavits testifying to the nature and extent of the engineering experience of the applicant. The Board may require a personal interview with the applicant before admission to the examination in the Fundamentals of Engineering.

These applicants may be admitted to the examination in the Principles and Practice of Engineering after they have been certified as an EI.

Section 5. OTHER REQUIREMENTS FOR REGISTRATION

5.01 References. Applicants applying for admission to the examination in the Principles and Practice of Engineering will be required to submit the names of three professional and two character references.

5.02 Transcript of Grades. The applicant shall have transcripts of grades mailed direct from the school or college to the Board with the signature of the proper school officer and the embossed seal of the school

5.03 Registration by Comity. The Board evaluates the requirements which led to the granting of prior registration in, and if they are equivalent to that required by West Virginia at that time, registration by comity may be granted.

All applicants for registration by comity have been required have passed sixteen hours of written examination unless specifically exempt under Section 4.07.

5.04 Federal Government Personnel. Applicants for registration who are members or employees of governmental agencies of this nation, subject to frequent transfers in the line of duty, and who may not have permanent home addresses, will be treated as West Virginia residents if their assignments at that time of application include duties in this state.

5.05. Experience Credit for Graduate Work. A maximum of one year experience credit will be given for the completion of a Board approved engineering graduate program. However, four years experience may not be attained in less than forty-eight months after receiving an approved four year engineering degree.

Section 6. SEAL

6.01 Each registrant, upon notification of registration, is authorized to obtain an official seal of the size and design prescribed by the Board. The seal shall include the following information.

State of Registration
Registrant's Name
Registrant's Registration Number
Contain the words "Registered Professional Engineer"

The seal may be embossed or a rubber stamp.

6.02 The official seal shall be affixed immediately above the signature of the person preparing or responsible therefor in the following cases:

A. Plans or documents filed or offered for filing with any public body or agency.

B. Plans, specifications, designs, sketches, drawings, surveys, reports, etc., that may be or may become a part of legal archives.

C. Plans and documents formally submitted to contractors and clients.

D. The first sheet of any bound documents, however, said first sheet must bear a statement as to the number of bound sheets.

E. Revisions to documents must be numbered, dated and initialed by the person whose seal appears on the drawings.

F. In the case of multiple sealings, the first or title page shall be sealed and signed by all involved.

G. In the case of a temporary permit issued to a registrant of another state, the registrant shall use his state of registration seal and shall affix his signature and temporary permit to all his work.

6.03 Rubber stamp seal facsimiles may be used when properly dated and initialed where necessary for document duplication.

6.04 Each registrant shall be held responsible for the proper use of his seal.

Section 7. FEES

7.01 The annual renewal fee will be set by the Board.

7.02 The penalty for late renewal will be 10% of the renewal fee for each month the certificate has lapsed up to six months, after which the renewal fee will be \$50, up to twenty-four months.

7.03 The fee for retaking a failed examination will be set by the Board to cover the cost of the graded examination from the NCEE.

7.04 The fee for the replacement of a valid certificate of registration shall be ten dollars.

7.05 The cost of the biannual roster will be set by the Board.

Section 8. DISCIPLINARY PROCEEDINGS

8.01 Complaints. The Board may receive and investigate complaints pertaining to professional engineers and the practice of engineering and make findings thereon.

8.02 Revocation or Suspension. The Board may suspend or revoke the certificate or registration of any professional engineer registered hereunder who fails to conform to rules of professional conduct as set forth below.

8.03 Professional Conduct. In order to safeguard the life, health, property and welfare of the public, and to establish and maintain a high standard of integrity, skills, and practice in the profession of engineering, the following Rules of Professional Conduct shall be binding upon every person holding a certificate of registration as a professional engineer and on all partnerships or corporations or other legal entities authorized to offer or perform engineering services in this state.

Board of Registration
for Professional Engineers
Leg. Rule, 30-13
Series 1., Section 8

All persons registered in the State of West Virginia are charged with having knowledge of the existence of these Rules of Professional Conduct, and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering is a privilege, as opposed to a right, and the registrant shall be forthright and candid in his statements or written response to the Board or its representatives on matters pertaining to professional conduct.

THE PROFESSIONAL ENGINEER SHALL:

A. CONDUCT HIS PRACTICE IN ORDER TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE.

He shall at all times recognize his primary obligation to protect the safety, health, and welfare of the public in the performance of his professional duties. If his engineering judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered, he shall inform his employer of the possible consequences and notify such other proper authority of the situation, as may be appropriate.

B. PERFORM HIS SERVICES ONLY IN AREAS OF HIS COMPETENCE.

(1) He shall undertake to perform engineering assignments only when qualified by education or experience in the specific technical field of professional engineering involved.

(2) He may accept an assignment requiring education or experience outside of his own field of competence, but only to the extent that his services are restricted to those phases of the project in which he is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.

Board of Registration
for Professional Engineers
Leg. Rule, 30-13
Series 1., Section 8

(3) He shall not affix his signature and/or seal to any engineering plan or document dealing with subject matter to which he lacks competence by virtue of education or experience, nor to any such plan or document not prepared under his direct supervisory control.

(4) In the event a question arises as to the competence of a professional engineer to perform an engineering assignment in a specific technical field of engineering which cannot be otherwise resolved to the Board's satisfaction, the Board, either upon request of the professional engineer or by its own volition, may require him to submit to an appropriate examination as determined by the Board.

C. ISSUE STATEMENTS ONLY IN AN OBJECTIVE AND
TRUTHFUL MANNER.

(1) He shall be completely objective and truthful in all professional reports, statements, or testimony. He shall include all relevant and pertinent information in such reports, statements, or testimony.

(2) He shall, when serving as an expert or technical witness before any court, commission, or other tribunal, express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his testimony.

(3) He shall issue no statements, criticisms, or arguments on engineering matters connected with public policy which are inspired or paid for by an interested party, or parties, unless he has prefaced his comment by explicitly identifying himself, by disclosing the identities of the party or parties on whose behalf he is speaking, and by revealing the existence of any pecuniary interest he may have in the instant matters.

D. SHALL AVOID CONFLICT OF INTEREST.

(1) He shall conscientiously avoid conflict of interest with his employer or client, but, when unavoidable, he shall forthwith disclose the circumstances to his employer or client.

(2) He shall avoid all known conflict of interest with his employer or client and shall promptly inform his employer or client of any business association, interests, or circumstances which could influence his judgment or the quality of his services.

(3) He shall not accept compensation, financial or otherwise, for more than one party for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to by all interested parties.

(4) He shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.

(5) He shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with his client or employer in connection with work for which he is responsible.

(6) When in public service as a member, advisor, or employee of a governmental body or department, he shall not participate in considerations or actions with respect to services provided by him or his organization in private engineering practices.

(7) He shall not solicit or accept an engineering contract from a governmental body on which a principal officer of his organization serves as a member.

E. SOLICIT OR ACCEPT WORK ONLY ON THE BASIS
OF HIS QUALIFICATIONS.

(1) He shall not offer to pay, either directly or indirectly, any commission, political contribution, or a gift, or other consideration, in order to secure work,

Board of Registration
for Professional Engineers
Leg. Rule, 30-13
Series 1., Section 8

exclusive of securing salaried positions through employment agencies.

(2) He shall seek professional employment on the basis of qualifications and competence for proper accomplishment of the work.

(3) He shall not falsify or permit misrepresentation of his, or his associates', academic or professional qualifications. He shall not misrepresent or exaggerate his degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers, or his or their past accomplishments with the intent and purpose of enhancing his qualifications and his work.

F. ASSOCIATE ONLY WITH REPUTABLE PERSONS
OR ORGANIZATIONS.

(1) He shall not knowingly associate with, or permit the use of his name or firm in a business venture by, any person or firm which he knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(2) If he has knowledge or reason to believe that another person or firm may be in violation of any of the provisions or of Chapter 30, Article 13, of the West Virginia Code of 1931, as amended, he shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

Conviction of a felony without restoration of civil rights or the revocation or suspension of a professional engineer's license by another jurisdiction, if for a cause which in the State of West Virginia would constitute a violation of Chapter 30, Article 13, of the West Virginia

Board of Registration
for Professional Engineers
Leg. Rule, 30-13
Series 1., Section 8

Code of 1931, as amended, or of these rules and regulations, shall be grounds for a charge of violation of these rules.

A certified record in such cases shall be conclusive evidence thereof.

8.04 The Board shall automatically revoke the certificate, license or registration of any person who while under suspension continues to practice in violation of such suspension.

8.05 Invalidation of one or more of the provisions of these rules and regulations by a court of competent jurisdiction shall not operate to invalidate the remainder of these rules and regulations.

ANALYSIS OF PROPOSED LEGISLATIVE RULES

Agency: W. Va. Board of Registration for Professional Engineers

Subject: Proposed rules and regulations governing the W. Va.
Board of Registration for Professional Engineers

PERTINENT DATES

Filed for public comment: October 16, 1985

Public comment period ended: November 15, 1985

Filed following public comment period: November 29, 1985

Filed LRMRC: December 3, 1985

FN: \$0.00

ABSTRACT

The proposed rule would amend the Board's current rules.

Section 2.05, relating to the examination schedule, has been amended to delete the requirement that the EI and PE examinations be in two eight-hour sessions.

Section 4.05, relating to examination content, has been amended to delete reference to the two eight-hour sessions and requires that the PE examination will be the Principles and Practice of Engineering as prepared and furnished by the NCEE. Currently, the PE examination is to cover the Principles and Practice of Engineering in the branch of engineering requested by the applicant or decreed by the Board.

Section 4.07 has been amended to allow students, rather than graduates, of Board approved engineering curricula to be admitted to the Fundamentals of Engineering examination. It also requires that the EI examination must be taken and passed prior to taking the PE examination. Prior language would have allowed the two examinations to be taken during the same session.

This section would also allow a graduate of a four-year curriculum in engineering or a related science, with a specific record of twenty or more years experience on engineering projects of which at least ten years have been in responsible charge of important engineering projects to be admitted to an eight-hour written examination in the principles and practice of engineering. Applicants over fifty years of age with twenty-five years of engineering experience and fifteen years

in responsible charge may be registered after passing an oral and/or short written examination.

In addition, this section specifies that those engineering curricula that hold ABET accreditation are Board approved engineering programs.

Section 4.08 has been amended to require that four-year curricula in Engineering Technology accredited by ABET be treated as Board approved allied science degree.

Section 5.03 has been amended to remove the requirement that an applicant for registration by comity have passed sixteen hours of written examination since January 1, 1953, and now simply requires passage of the examination at any time.

Section 5.05 allows the granting of a maximum of one year experience credit for the completion of a Board approved graduate engineering program. It also specifies that four years' experience may not be obtained any earlier than forty-eight months after receiving an approved four-year engineering degree. The prior language allowed an unspecified amount of additional experience credit for post graduate education, if the Board determined that substantial research or teaching experience was involved.

Section 7.05 provided that the cost of the biannual roster will be set by the Board.

AUTHORITY

Statutory authority: W. Va. Code, §30-13-5 which provides, in part, as follows:

(a) The board shall:

- (1) Examine applicants and determine their eligibility to be registered as a professional engineer;
- (2) Prepare or approve, administer, and grade appropriate written or written and oral examinations for applicants to ascertain whether an applicant is qualified as to the theory and practice of professional engineering;
- (3) Determine the time and place for any examination and the passing score of such examination;
- (4) Promulgate reasonable rules and regulations implementing the provisions of this article and the powers and duties conferred upon the board hereby, all of which reasonable rules and regulations shall be promulgated in accordance with the provisions of article three, chapter twenty-nine-A of this Code;

(5) Establish and promulgate, as a part of the rules and regulations, reasonable standards of conduct and ethics for professional engineers in keeping with the purposes and intent of this article; ...

ANALYSIS

I. HAS THE AGENCY EXCEEDED THE SCOPE OF ITS STATUTORY AUTHORITY IN APPROVING THE PROPOSED LEGISLATIVE RULE?

No. Under the above-cited code provisions, the Board has the authority to promulgate the rules and regulations of the type proposed.

II. IS THE PROPOSED LEGISLATIVE RULE IN CONFORMITY WITH THE INTENT OF THE STATUTE WHICH THE RULE IS INTENDED TO IMPLEMENT, EXTEND, APPLY, INTERPRET OR MAKE SPECIFIC?

Yes. It is clearly the intent of the Legislature that the Board promulgate rules and regulations concerning the examination of applicants and the determination of their ability to be registered as a professional engineer. The proposed rule would amend sections of the current rule regarding examinations and registration of professional engineers.

III. DOES THE PROPOSED LEGISLATIVE RULE CONFLICT WITH OTHER CODE PROVISIONS OR WITH ANY OTHER RULE ADOPTED BY THE SAME OR A DIFFERENT AGENCY?

No.

IV. IS THE PROPOSED LEGISLATIVE RULE NECESSARY TO FULLY ACCOMPLISH THE OBJECTIVES OF THE STATUTE UNDER WHICH THE PROPOSED RULE WAS PROMULGATED?

Yes.

V. IS THE PROPOSED LEGISLATIVE RULE REASONABLE, ESPECIALLY AS IT AFFECTS THE CONVENIENCE OF THE GENERAL PUBLIC OR OF PERSONS AFFECTED BY IT?

Yes.

VI. CAN THE PROPOSED LEGISLATIVE RULE BE MADE LESS COMPLEX OR MORE READILY UNDERSTANDABLE BY THE GENERAL PUBLIC?

Yes. It is extremely difficult when reviewing proposed rules submitted by an agency which amend sections of a current rule when the agency does not submit a copy of the entire rule. Therefore, some of the comments about to be made may be unnecessary after counsel reviews the rule with the agency.

a. If EI and PE examinations are not defined elsewhere in the current rule, they should be. Additionally, in section 4.07 there is reference to an eight-hour written examination in the Principles in the Practice of Engineering. Is this eight-hour written examination the PE examination and why is there reference to an eight-hour exam when that type of reference was deleted in 4.03.

b. The statement regarding ABET accreditation of engineering curricula under section 4.07 seems to be out of sequence.

c. In section 4.08 it should be made clear that satisfactory completion of a four-year curricula will be treated as a board approved allied science degree.

d. Reference is made in Section 5.03 to "prior registration" when the correct reference should be prior registration in another state.

e. In Section 5.03 reference is made to sixteen hours of written examination. Is this reference to EI and the PE exam? Also, it is unclear as to whether the examination referred to is one taken in this State or in the state where prior registration was received.

VII. WAS THE PROPOSED LEGISLATIVE RULE PROMULGATED IN COMPLIANCE WITH THE REQUIREMENTS OF CHAPTER 29A, ARTICLE 3 AND WITH ANY REQUIREMENTS IMPOSED BY ANY OTHER PROVISION OF THE CODE?

No. The Board did not comply with W. Va. Code, §29A-3-11(a) (2) and (3), which requires the agency to file "a brief summary and content of the legislative rule and description of any rule which the agency proposes to amend or repeal and the statement of the circumstances which require the rule.

1 Bill 11

2 H. B. 1756

3 (By Delegate Casey)

4 (Introduced February 5, 1986; referred to the
5 Committee on Government Organization with the direc-
6 tion that it later be referred to the Committee
7 on the Judiciary.]

8
9
10 A BILL to amend article two, chapter sixty-four of the code of
11 West Virginia, one thousand nine hundred thirty-one, as
12 amended, by adding thereto a new section designated section
13 thirty(thirteen)(five) relating to authorizing the West
14 Virginia state board of registration for professional
15 engineers to promulgate legislative rules governing the West
16 Virginia state board of registration for professional
17 engineers.

18 Be it enacted by the Legislature of West Virginia:

19 That article two, chapter sixty-four of the code of West
20 Virginia, one thousand nine hundred thirty-one, as amended, be
21 amended by adding thereto a new section, designated section
22 thirty(thirteen)(five), to read as follows:

23 ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE
24 LEGISLATIVE RULES.

25 §64-2-30(13)(5). State board of registration for professional
26 engineers.

1756

1 The legislative rules filed in the state register on the
2 twenty-ninth day of November, one thousand nine hundred eighty-
3 five, modified by the state board of registration for
4 professional engineers to meet the objections of the legislative
5 rule-making review committee and refiled in the state register on
6 the twenty-eighth day of January, one thousand nine hundred
7 eighty-six, relating to the West Virginia board of registration
8 of professional engineers (legislative rules governing the West
9 Virginia state board of registration for professional
10 engineers) are authorized.

11
12
13 NOTE: The purpose of this bill is to authorize the state
14 board of registration for professional engineers to promulgate
15 legislative rules relating to governing the West Virginia state
16 board of registration for professional engineers.

17
18 This section is new; therefore, strike-throughs and
19 underscoring have been omitted.
20
21

SENATE BILL NO. 439

(By Senator R. Williams)

[Introduced February 3, 1986

referred to the Committee on Government Organization;

then to the Committee on the Judiciary

A BILL to amend article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section designated section thirty(thirteen)(five) relating to authorizing the West Virginia state board of registration for professional engineers to promulgate legislative rules governing the West Virginia state board of registration for professional engineers.

Be it enacted by the Legislature of West Virginia:

That article two, chapter sixty-four of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirty(thirteen)(five), to read as follows:

ARTICLE 2. EXECUTIVE AGENCY AUTHORIZATION TO PROMULGATE LEGISLATIVE RULES.

§64-2-30(13)(5). State board of registration for professional engineers.

WE
130

1 The legislative rules filed in the state register on the
2 twenty-ninth day of November, one thousand nine hundred eighty-
3 five, modified by the state board of registration for
4 professional engineers to meet the objections of the legislative
5 rule-making review committee and refiled in the state register on
6 the twenty-eighth day of January, one thousand nine hundred
7 eighty-six, relating to the West Virginia board of registration
8 of professional engineers (legislative rules governing the West
9 Virginia state board of registration for professional
10 engineers) are authorized.

11
12
13
14 NOTE: The purpose of this bill is to authorize the state
15 board of registration for professional engineers to promulgate
16 legislative rules relating to governing the West Virginia state
17 board of registration for professional engineers.

18
19 This section is new; therefore, strike-throughs and
20 underscoring have been omitted.
21



KEN HECHLER
Secretary of State

MARY P. RATLIFF
Deputy Secretary of State

BARBARA STARCHER
Deputy Secretary of State

RICHARD S. STEPHENSON
Deputy Secretary of State

Telephone: (304) 345-4000
Corporations: 342-8000

WILLIAM H. HARRINGTON
Chief of Staff

RICH O. HARTMAN
Director, Administrative Law

DONALD R. WILKES
Director, Corporations

VIRGINIA SKEEN
Special Assistant

(Plus all the volunteer
help we can get)

STATE OF WEST VIRGINIA
SECRETARY OF STATE

Charleston 25305

March 11, 1986

IMPORTANT NOTICE

TO: Ann Hicks, Bd of Professional Engineers
FROM: RICH O. HARTMAN, DIRECTOR
RE: LEGISLATIVE RULE Rules Governing the Board of Engineers

THE 1986 LEGISLATURE HAS AUTHORIZED YOUR AGENCY TO FINAL FILE AND ADOPT THE ABOVE LEGISLATIVE RULE. THIS AUTHORIZATION IS IN S.B. 434 SECTION 64-2-30(13)(5) PASSED ON March 8, 1986, EFFECTIVE FROM PASSAGE. YOU HAVE 60 DAYS FROM THAT DATE TO FINAL FILE THE ABOVE RULE WITH THIS OFFICE. NO RULE WILL BE ACCEPTED AFTER THAT DATE. YOU MAY ESTABLISH ANY EFFECTIVE DATE FOR YOUR RULE RANGING FROM THE SAME DATE YOU FINAL FILE TO 90 DAYS FROM THE DATE YOU FINAL FILE. REMEMBER TO RE-TYPE YOUR RULE IN ITS ENTIRETY FOLLOWING THE PROPER FORMAT. PLEASE CALL IF YOU HAVE ANY QUESTIONS.