

45: 8-35

LEGISLATIVE HISTORY CHECKLIST
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(Engineers--provisions)

NJSA: 45:8-35

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SPONSOR(S): Gibson

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY: Commerce
SENATE: Commerce

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First reprint enacted denoted by superscript numbers

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SENATE: November 10, 1994

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FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: Yes
SENATE: Yes

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MESSAGE ON SIGNING: No

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

KBG:pp

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[FIRST REPRINT]
ASSEMBLY, No. 885

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblyman GIBSON

1 AN ACT concerning comity for certain applicants for license as
2 professional engineers or land surveyors and amending
3 P.L.1938, c.342.

4
5 BE IT ENACTED *by the Senate and General Assembly of the*
6 *State of New Jersey:*

7 1. Section 9 of P.L.1938, c.342 (C.45:8-35) is amended to read
8 as follows:

9 9. Applications for license as professional engineers shall be on
10 forms prescribed and furnished by the board, shall contain
11 statements under oath, showing the applicant's education and
12 detailed statement of his engineering experience, and shall
13 contain not less than five references, of whom three or more
14 shall be licensed professional engineers having personal
15 knowledge of the applicant's engineering experience.

16 The application fee for professional engineers shall be set by
17 the board and shall accompany the application.

18 Applications for license as land surveyors shall be on forms
19 prescribed and furnished by the board, shall contain statements
20 under oath, showing the applicant's education and detailed
21 statement of his land surveying experience, and shall contain not
22 less than five references, of whom three or more shall be licensed
23 land surveyors having personal knowledge of the applicant's land
24 surveying experience.

25 The application fee for land surveyors shall be set by the board
26 and shall accompany the application.

27 Applications for a certificate of registration as
28 "engineer-in-training" shall be on forms prescribed and furnished
29 by the board, shall be accompanied by a fee set by the board and
30 shall contain the names of three references of whom at least one
31 shall be a professional engineer having personal knowledge of the
32 applicant's engineering education, experience or training.

33 Applications for a certificate of registration as
34 "surveyor-in-training" shall be on forms prescribed and furnished
35 by the board, shall be accompanied by a fee set by the board and
36 shall contain the names of three references of whom at least one
37 shall be a licensed land surveyor having personal knowledge of the
38 applicant's surveying education, experience or training.

39 All application fees shall be retained by the board.

40 The following shall be considered as minimum evidence
41 satisfactory to the board that the applicant is qualified for a
42 license as a professional engineer, or as a land surveyor, or for

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:
1 Assembly ACP committee amendments adopted March 7, 1994.

1 certificate of registration as an engineer-in-training or a
2 surveyor-in-training, to wit:

3 (1) As a professional engineer:

4 a. Graduation from a board approved curriculum in engineering
5 of four years or more; a specific record of an additional four
6 years or more of experience in engineering work of a character
7 satisfactory to the board, and indicating that the applicant is
8 competent to be placed in responsible charge of such work; and
9 successfully passing all parts of the written examination; or

10 b. Graduation from a board approved curriculum in engineering
11 technology of four years or more; a specific record of an
12 additional six years or more of experience in engineering work of
13 a character satisfactory to the board, and indicating that the
14 applicant is competent to be placed in responsible charge of such
15 work; and successfully passing all parts of the written
16 examination; or

17 c. Graduation from a board approved curriculum in engineering
18 or engineering technology of four years or more; a specific record
19 of an additional 15 years or more of experience in engineering
20 work of a character satisfactory to the board and indicating that
21 the applicant is competent to be placed in responsible charge of
22 such work; and successfully passing the specialized portion of the
23 written examination which is designated as Part P; or

24 d. (Deleted by amendment, P.L.1989, c.276.)

25 e. A certificate of registration, issued by any state or
26 territory or possession of the United States, or of any country,
27 may, in the discretion of the board, be accepted as minimum
28 evidence satisfactory to the board that the applicant is qualified
29 for registration as a professional engineer; provided that the
30 minimum requirements for examination and license by the issuing
31 agency in effect at the time of application to the issuing agency,
32 which the applicant satisfied in order to qualify for examination
33 by that ¹[licensing] issuing¹ agency, are at least comparable to
34 [the] those same minimum requirements of the board which were
35 in effect in this State at [the] that time [of application] ¹; and
36 provided that the applicant has not failed any portion of a
37 nationally administered, two-day examination, required by the
38 board, that was taken in order to receive licensure by the issuing
39 agency¹.

40 (2) As a land surveyor:

41 a. (i) Until December 31, 1990, successful completion of a
42 board approved program in surveying in a school or college
43 approved by the board as of satisfactory standing; an additional
44 four years or more of experience in land surveying work of a
45 character satisfactory to the board and indicating that the
46 applicant is competent to be placed in responsible charge of such
47 work; and successfully passing a written examination; or

48 (ii) Effective January 1, 1991, graduation from a board
49 approved curriculum in surveying of four years or more; an
50 additional three years or more of experience in land surveying
51 work of a character satisfactory to the board and indicating that
52 the applicant is competent to be placed in responsible charge of
53 that work; and successfully passing all parts of the written
54 examination; or

1 b. Until December 31, 1990, successfully passing a written
2 examination in surveying prescribed by the board; and a specific
3 record of six years or more of experience in land surveying work
4 of a character satisfactory to the board and indicating that the
5 applicant is competent to be placed in responsible charge of such
6 work; or

7 c. (Deleted by amendment, P.L.1977, c.340.)

8 d. A certificate of registration, issued by any state or
9 territory or possession of the United States, or of any country,
10 may, in the discretion of the board, be accepted as minimum
11 evidence satisfactory to the board that the applicant is qualified
12 for registration as a land surveyor; provided that the minimum
13 requirements for examination and license by the issuing agency in
14 effect at the time of application to the issuing agency, which the
15 applicant satisfied in order to qualify for examination by that
16 ¹[licensing] issuing¹ agency, are at least comparable to [the]
17 those same minimum requirements of the board which were in
18 effect in this State at [the] that time [of application] ¹; and
19 provided that the issuing agency attests to the licensing criteria
20 at the time of the applicant's original licensure in that
21 jurisdiction, and the applicant receives a passing grade on the
22 New Jersey specific portion of the current land surveying
23 examination and any portions of a nationally administered
24 two-day examination required by the board not already passed by
25 the applicant¹.

26 (3) As an engineer-in-training:

27 a. Graduation from a board approved curriculum in engineering
28 or engineering technology of four years or more; and successfully
29 passing the fundamentals portion of the written examination
30 which is designated as Part F.

31 b. (Deleted by amendment, P.L.1989, c.276.)

32 (4) As a surveyor-in-training: Graduation from a board
33 approved curriculum in land surveying of four years or more; and
34 successfully passing the fundamentals portion of a board approved
35 written examination.

36 Qualifications for professional engineers.

37 An applicant for license as a professional engineer shall be able
38 to speak and write the English language. All applicants shall be
39 of good character and reputation.

40 Completion of a master's degree in engineering shall be
41 considered as equivalent to one year of engineering experience
42 and completion of a doctor's degree in engineering shall be
43 considered as equivalent to one additional year of engineering
44 experience.

45 In considering the qualifications of applicants, engineering
46 teaching experience may be considered as engineering experience
47 for a credit not to exceed two years.

48 The mere execution, as a contractor, of work designed by a
49 professional engineer, or the supervision of construction of such
50 work as a foreman or superintendent, or the observation of
51 construction as an inspector or witness shall not be deemed to be
52 experience in engineering work.

53 Any person having the necessary qualifications prescribed in
54 this chapter to entitle him to a license shall be eligible for such

1 license, although he may not be practicing his profession at the
2 time of making the application.

3 A quorum of the examining board shall not be required for the
4 purpose of passing upon the issuance of a license to any applicant;
5 provided that no action on any application shall be taken without
6 at least three votes in accord.

7 Engineering experience of a character satisfactory to the board
8 shall be determined by the board's evaluation of the applicant's
9 experience relative to the ability to design and supervise
10 engineering projects and works so as to insure the safety of life,
11 health and property.

12 The scope of the examination for professional engineering and
13 methods of procedure shall be prescribed by the board with
14 special reference to the applicant's ability to design and
15 supervise engineering projects and works so as to insure the
16 safety of life, health and property. An examination shall be given
17 for the purpose of determining the qualifications of applicants for
18 license in professional engineering. A candidate failing an
19 examination may apply for reexamination to the extent permitted
20 by regulations of the board. Subsequent examinations will require
21 the payment of fees set by the board. The board shall schedule at
22 least two examinations per year, with dates and places to be
23 determined by the board.

24 Examinations of applicants for license as professional engineers
25 will be divided into two parts, as follows:

26 Part F--Fundamentals of Engineering--This examination is
27 intended to assess the applicant's competency in the fundamental
28 engineering subjects and basic engineering sciences, such as
29 mathematics, chemistry, physics, statistics, dynamics, materials
30 science, mechanics of materials, structures, fluid mechanics,
31 hydraulics, thermodynamics, electrical theory, and economics. A
32 knowledge of P.L.1938, c.342 (C.45:8-27 et seq.) is also required.

33 Part P--Specialized Training--This examination is intended to
34 assess the extent of the applicant's more advanced and
35 specialized professional training and experience especially in his
36 chosen field of engineering.

37 Applicants for certificates of registration as
38 engineers-in-training shall qualify by satisfactorily passing the
39 fundamentals portion of the written examination.

40 The scope, time and place of the examinations for applicants
41 for certificates of registration as "engineers-in-training" shall be
42 prescribed by the board. A candidate failing an examination may
43 apply for reexamination to the extent permitted by the
44 regulations of the board. Subsequent examinations will require
45 the payment of fees set by the board.

46 Qualifications for land surveyors.

47 An applicant for license as a land surveyor shall be able to
48 speak and write the English language. All applicants shall be of
49 good character and reputation.

50 Completion of a master's degree in surveying shall be
51 considered as equivalent to one year of surveying experience and
52 completion of a doctor's degree in surveying shall be considered
53 as equivalent to one additional year of surveying experience.

54 In considering the qualifications of applicants, survey teaching

1 experience may be considered as surveying experience for a
2 credit not to exceed two years.

3 In determining whether an applicant's experience is
4 satisfactory for licensure, the board shall consider whether the
5 applicant has demonstrated the ability to perform, manage and
6 supervise field and office surveying activities and works so as to
7 insure the safety of life, health and property.

8 An examination shall be given for the purpose of determining
9 the qualifications of applicants for license in land surveying. The
10 content of the examination for land surveying and methods of
11 procedure shall be prescribed by the board with emphasis upon
12 the applicant's ability to supervise land surveying projects and
13 works. A candidate failing an examination may apply for
14 reexamination to the extent permitted by regulations of the
15 board. Subsequent examinations will require the payment of fees
16 set by the board. The board shall schedule at least two
17 examinations per year, with dates and places to be determined by
18 the board.

19 Examinations of applicants for license as land surveyors shall
20 be divided into two parts, as follows:

21 Part F--Fundamentals of Land Surveying--This examination is
22 intended to assess the applicant's competency in the fundamental
23 surveying subjects and basic surveying sciences, including, but not
24 limited to, mathematics, chemistry, physics, statistics, dynamics,
25 boundary law, real estate law, and economics. A knowledge of
26 P.L.1938, c.342 (C.45:8-27 et seq.) is also required.

27 Part P--Specialized Training--This examination is intended to
28 assess the extent of the applicant's more advanced and
29 specialized professional training and experience in the field of
30 land surveying.

31 Applicants for certificates of registration as
32 surveyors-in-training shall qualify by satisfactorily passing the
33 fundamentals portion of the written examination.

34 The scope, time and place of the examinations for applicants
35 for certificates of registration as "surveyors-in-training" shall be
36 prescribed by the board. A candidate failing an examination may
37 apply for reexamination to the extent permitted by the
38 regulations of the board. Subsequent examinations will require
39 the payment of fees set by the board.

40 (cf: P.L.1992, c.64, s.2)

41 2. This act shall take effect immediately.

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46 Revises comity provisions for professional engineers and land
47 surveyors.

1 the applicant's ability to supervise land surveying projects and
2 works. A candidate failing an examination may apply for
3 reexamination to the extent permitted by regulations of the
4 board. Subsequent examinations will require the payment of fees
5 set by the board. The board shall schedule at least two
6 examinations per year, with dates and places to be determined by
7 the board.

8 Examinations of applicants for license as land surveyors shall
9 be divided into two parts, as follows:

10 Part F--Fundamentals of Land Surveying--This examination is
11 intended to assess the applicant's competency in the fundamental
12 surveying subjects and basic surveying sciences, including, but not
13 limited to, mathematics, chemistry, physics, statistics, dynamics,
14 boundary law, real estate law, and economics. A knowledge of
15 P.L.1938, c.342 (C.45:8-27 et seq.) is also required.

16 Part P--Specialized Training--This examination is intended to
17 assess the extent of the applicant's more advanced and
18 specialized professional training and experience in the field of
19 land surveying.

20 Applicants for certificates of registration as
21 surveyors-in-training shall qualify by satisfactorily passing the
22 fundamentals portion of the written examination.

23 The scope, time and place of the examinations for applicants
24 for certificates of registration as "surveyors-in-training" shall be
25 prescribed by the board. A candidate failing an examination may
26 apply for reexamination to the extent permitted by the
27 regulations of the board. Subsequent examinations will require
28 the payment of fees set by the board.

29 (cf: P.L.1992, c.64, s.2)

30 2. This act shall take effect immediately.

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STATEMENT

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35 This bill revises the comity, or reciprocity, provisions of the
36 law regulating the practices of professional engineering and land
37 surveying. Presently, a license issued by another jurisdiction may
38 be accepted by the State Board of Professional Engineers and
39 Land Surveyors as minimum evidence that the applicant is
40 qualified for registration as a professional engineer or land
41 surveyor in New Jersey so long as the requirements for license of
42 the issuing agency are at least comparable to those of the board
43 in effect at the time of application. This bill would instead
44 provide that licensure in another jurisdiction would be acceptable
45 as minimum evidence of qualification if the requirements which
46 were in effect at the time application was made to the licensing
47 agency in that jurisdiction which the applicant satisfied in order
48 to qualify for examination by the issuing agency are at least
49 comparable to those same requirements of the board which were
50 in effect in this State at that time. As amended by this bill, the
51 comity provision would be similar to that used in adjacent states
52 and will, it is intended, lead to a more equitable review of comity
53 applications in New Jersey.

ASSEMBLY COMMERCE AND REGULATED
PROFESSIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 885

with committee amendments

STATE OF NEW JERSEY

DATED: MARCH 7, 1994

The Assembly Commerce and Regulated Professions Committee reports favorably Assembly Bill No. 885, with committee amendments.

This bill, as amended, revises the comity provisions of the law regulating the practices of professional engineering and land surveying. Presently, a license issued by another jurisdiction may be accepted by the State Board of Professional Engineers and Land Surveyors as minimum evidence that the applicant is qualified for registration as a professional engineer or land surveyor in New Jersey, so long as the requirements for license of the issuing agency are at least comparable to those of the board in effect at the time of application. This bill would instead provide that licensure in another jurisdiction would be acceptable as minimum evidence of qualification if the requirements which were in effect at the time application in that jurisdiction which the applicant satisfied in order to qualify for examination by the issuing agency are at least comparable to those same requirements of the board which were in effect in this State at that time.

The committee amended the bill to provide that in order for professional engineers licensed in another jurisdiction to have their licenses accepted by the board they must also have not failed any portion of a nationally administered, two-day examination, required by the board, that was taken in order to receive licensure in the foreign jurisdiction.

The amendments further provide that in order for the license of a land surveyor issued by another jurisdiction to be accepted by the board, the licensing authority of the foreign jurisdiction must attest to or verify the licensing criteria at the time of the land surveyor's original licensure in that jurisdiction, and the land surveyor must receive a passing grade on the New Jersey portion of the current land surveying examination and any portions of a nationally administered two-day examination not already passed by the licensing applicant.

This bill was pre-filed for introduction in the 1994 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE COMMERCE COMMITTEE

STATEMENT TO

[FIRST REPRINT]

ASSEMBLY, No. 885

STATE OF NEW JERSEY

DATED: SEPTEMBER 12, 1994

The Senate Commerce Committee reports favorably Assembly, No. 885 (1R).

This bill revises the endorsement provisions of the law regulating the practices of professional engineering and land surveying. Presently, a license issued by another jurisdiction may be accepted by the State Board of Professional Engineers and Land Surveyors as minimum evidence that the applicant is qualified for registration as a professional engineer or land surveyor in New Jersey, so long as the requirements for license of the issuing agency are at least comparable to those of the board in effect at the time of application. This bill would instead provide that licensure in another jurisdiction would be acceptable as minimum evidence of qualification if the requirements which were in effect at the time application in that jurisdiction which the applicant satisfied in order to qualify for examination by the issuing agency are at least comparable to those same requirements of the board which were in effect in this State at that time.

The bill also provides that in order for professional engineers licensed in another jurisdiction to have their licenses accepted by the board they must also have not failed any portion of a nationally administered, two-day examination, required by the board, that was taken in order to receive licensure in the foreign jurisdiction; and that in order for the license of a land surveyor issued by another jurisdiction to be accepted by the board, the licensing authority of the foreign jurisdiction must attest to or verify the licensing criteria at the time of the land surveyor's original licensure in that jurisdiction, and the land surveyor must receive a passing grade on the New Jersey portion of the current land surveying examination and any portions of a nationally administered two-day examination not already passed by the licensing applicant.