

No. 2006-170

AN ACT

SB 655

Amending the act of May 23, 1945 (P.L.913, No.367), entitled, as amended, "An act relating to and regulating the practice of the profession of engineering, including civil engineering, mechanical engineering, electrical engineering, mining engineering and chemical engineering, the profession of land surveying and the profession of geology and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers-in-training and surveyors-in-training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, the Department of State and the courts; prescribing penalties; and repealing existing laws," further providing for general powers of the State Registration Board for Professional Engineers, Land Surveyors and Geologists; and providing for continuing education requirements.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 4(l) of the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, amended December 16, 1992 (P.L.1151, No.151), is amended to read:

Section 4. General Powers of Board.—The board shall have power—

* * *

(l) Administrative Rules and Regulations.—To adopt, promulgate and enforce such administrative rules and regulations, not inconsistent with this act, as are deemed necessary and proper by the board to carry into effect the powers conferred by this act[.], *which shall include establishing requirements for continuing education to be fulfilled by individuals licensed and registered under this act. The rules and regulations shall include any fees necessary for the board to carry out its responsibilities regarding establishing continuing education requirements.*

* * *

Section 2. The act is amended by adding a section to read:

Section 4.5. Mandatory Continuing Education.—(a) The board shall adopt, promulgate and enforce administrative rules and regulations establishing requirements of continuing education to be fulfilled by individuals licensed and registered under this act. Except as otherwise provided in this section, beginning with the licensure period designated by regulation, individuals licensed and registered under this act shall be required to complete twenty-four hours of mandatory continuing education during each two-year licensure period as a condition of biennial renewal.

(b) An individual applying for initial licensure and registration shall be exempt from the requirement set forth in subsection (a) for the licensure period immediately following initial licensure and registration.

(c) The board may waive all or a portion of the continuing education requirement established in subsection (a) for an individual licensed and registered under this act who shows to the satisfaction of the board that the individual was unable to complete the requirements due to serious illness, military service or other demonstrated hardship. The request shall be made in writing, with appropriate documentation, and shall include a description of circumstances sufficient to show why the individual is unable to comply with the continuing education requirement set forth in subsection (a). Requests for waiver of the continuing education requirement shall be evaluated by the board on a case-by-case basis. The board shall send the individual written notification of its approval or denial of the request for waiver.

(d) An individual seeking to reinstate an inactive or lapsed license and registration shall show proof of compliance with the continuing education requirement for the preceding biennial renewal period.

(e) All courses, locations, instructors and providers of mandatory continuing education shall be approved by the board. However, no credit shall be given for a course in practice building or office management.

(f) The board shall promulgate regulations to carry out the provisions of this section within eighteen months of the effective date of this section.

Section 3. This act shall take effect in 60 days.

APPROVED—The 29th day of November, A.D. 2006.

EDWARD G. RENDELL