

October 1, 2012

The Honorable Joan Carter Conway, Chair  
Senate Education, Health, and Environmental Affairs Committee  
Miller Senate Office Building, 2 East Wing  
11 Bladen St.  
Annapolis, MD 21401

The Honorable Dereck E. Davis, Chairman  
House Economic Matters Committee  
House Office Building, Room 231  
6 Bladen St.  
Annapolis, MD 21401

Dear Chair Conway and Chairman Davis:

I herewith transmit on behalf of the Department of Labor, Licensing and Regulation and the State Board for Professional Engineers, the follow up report required by Chapter 317 of 2011 and specified in the *Preliminary Evaluation of the State Board for Professional Engineers* published in December 2010.

Should you or any of your committee members have follow-up questions or concerns regarding the report, please do not hesitate to contact me directly. I can be reached by telephone at (410) 230-6225 or by e-mail at [mvorgetts@dllr.state.md.us](mailto:mvorgetts@dllr.state.md.us).

Sincerely,



Michael Vorgetts, Deputy Commissioner

cc: Scott R. Jensen, Interim Secretary  
Harry Loleas, Commissioner  
H.C. Harclerode II, Chair  
Pamela J. Edwards, Executive Director  
Jill Porter, Legislative Director  
Laura McCarty, Senior Manager  
Michael Rubenstein, Principal Policy Analyst  
Sara Fidler, Committee Analyst  
Laura Atas, Committee Analyst

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**FOLLOW-UP REPORT TO THE SENATE EDUCATION, HEALTH, AND  
ENVIRONMENTAL AFFAIRS COMMITTEE AND THE HOUSE ECONOMIC  
MATTERS COMMITTEE**

Uncodified language included in Chapter 317 of 2011 requires the State Board for Professional Engineers, in conjunction with the Department of Labor, Licensing and Regulation (DLLR), to submit a follow-up report to the Senate Education, Health, and Environmental Affairs Committee and the House Economic Matters Committee by October 1, 2012, to address several issues identified in the 2010 Sunset Evaluation of the State Board for Professional Engineers, conducted by the Department of Legislative Services. Specifically, Chapter 317 required the Board and DLLR to report on the following issues:

1. reallocation of the Board's special fund resources and staff in light of the privatization of examination administration responsibilities, the new continuing professional competency requirements, and the growing licensing workload;
2. implementation of the examination administration process through a private contractor;
3. establishment and implementation of continuing professional competency (CPC) requirements;
4. establishment of firm permits or certificates of authorization with uniform requirements for the State Board of Professional Engineers, State Board of Architects, State Board of Certified Interior Designers, State Board of Examiners of Landscape Architects, and State Board for Professional Land Surveyors;
5. implementation of the new structural engineering exam; and
6. institution of computer-based testing and establishing more rigorous educational requirements for licensure.

DLLR and the Board have submitted the following comments regarding the issues raised in the 2010 sunset evaluation.

**1. Reallocation of Board funding and staff due to various changes and increased workload.**

The focus of the exam coordinator has shifted in recent years. As less time must be spent on preparation of the exam site and procuring proctors, equipment, etc., more time is needed for approval and reconciliation of exam candidates in three separate exam management systems. Further, the exam coordinator has become the first point of contact with the exam vendor.

Review of CPC audit documents and the increased licensing workload has been absorbed by current staff.

**2. Exam administration through private contractor.**

The Board entered into a contract with an exam vendor, Professional Credential Services, Inc. (PCS), which became effective June 1, 2011, for a three-year term with an option to renew for two more years. PCS began administering exams on behalf of the Board in October 2011.

**3. Status of continuing professional competency requirements.**

After extensive consultation with stakeholder representatives, CPC regulations were promulgated in July 2011. Effective October 1, 2012, CPC requirements are phased in at 50%. Engineers with licenses that expire between October 1, 2012, and September 30, 2013, must meet a 12-hours CPC requirement. The Board has altered its application materials to allow for CPC reporting.

**4. Uniformity of firm permit with other design boards.**

The Board has dedicated a significant amount of time to discussing and evaluating proposals that would require engineering firms to obtain a permit. Although no formal action has yet been enacted, consensus legislation may be proposed as early as the 2013 session of the Maryland General Assembly.

**5. Implementation of structural engineering exam.**

The structural engineering exam was revised and restructured into a 16-hour exam by the National Council of Examiners for Engineering and Surveying and was first made available to candidates in April 2011. However, at that time, the Maryland Professional

Engineers Act specified that examinations could only be eight hours in length. Chapter 210 of 2011 removed references to exam length and Maryland offered the new structural exam for the first time in October 2011.

**6. Institution of computer-based testing and enhanced educational requirements.**

Chapter 210 altered the Maryland Professional Engineers Act by removing language that required Board examinations to be “written.” Board examinations will begin transitioning to a computer-based format in January 2014. The Board has discussed establishing more rigorous educational requirements for licensure, but has not yet taken a position on this issue.