

Part 1.
GENERAL INFORMATION

1.1 The Board's Purpose

The Board of Professional Engineering (referred to as the "Board" in these rules) has been created and given powers by Vermont law. Its primary purpose is to protect the public welfare and to safeguard life, health and property. The Board does this by setting standards, evaluating applicants' qualifications for licensure, and, when necessary, disciplining licensed professional engineers for unprofessional conduct or referring unlicensed persons practicing professional engineering to the Attorney General's Office.

Copies of the Board's statutes and rules and additional information about the Board and its procedures may be obtained by contacting the Office of Professional Regulation (Office) at the address below.

1.2 Mailing Address, Office Location, and Telephone Numbers

The Board's mailing address is the Office of the Secretary of State, Office of Professional Regulation, 26 Terrace Street, Redstone Building, Drawer 09, Montpelier, Vermont 05609-1106. The Office telephone number is 1-802-828-2363.

1.3 Board Members, Officers, and Meetings

Names, addresses, and telephone numbers of members and officers are available from the Office or by accessing the Board's Web site at www.vtprofessionals.org/engineers. A schedule of Board meetings may be obtained by contacting the Office.

1.4 Laws That Govern The Board

The laws relating specifically to the Board and to the licensing of professional engineers and engineer interns (formerly engineers-in-training) can be found in Title 26, Chapter 20, Vermont Statutes Annotated. (V.S.A.). Other laws relating to the Board include the "Administrative Procedure Act" (3 V.S.A. §§801-849), the "Right to Know Law" (1 V.S.A. §§312-313), the "Law of Professional Regulation" (3 V.S.A. §§ 121-131), and the "Access to Public Records Law" (1 V.S.A. §§315-320). These laws establish rights for applicants, licensed engineers, and members of the public. Copies of these laws may be obtained by contacting a town clerk, library, or the Office. "Vermont Statutes Online" are also available on the Internet at <http://www.leg.state.vt.us>.

1.5 Applications and Fees

An application for licensure as a professional engineer may be obtained from the Office. Only completed applications will be considered by the Board. Fees must accompany the application.

The General Assembly establishes the schedule of fees. This schedule will be included with the application forms. Checks should be made out to the "Vermont Board of Professional Engineering". Fees are presently charged for the following:

- * Application for engineer intern certificate
- * Issuance of engineer intern certificate
- * Application for initial license
- * Issuance of initial license and specialty certificate
- * Additional specialty certificate
- * Biennial renewal of specialty certificate (no charge for licensees 80 or older)
- * Transient practice permit
- * Late renewal penalty
- * Reinstatement of revoked or suspended license
- * Replacement of license
- * Verification of license
- * Fundamentals of Engineering and Principles and Practice Examinations

1.6 Definitions

A. Active Engineering Practice:

Pursuant to the powers and duties authorized by 26 V.S.A. § 1172(a)(2), the Board interprets the active engineering practice requirements of 26 V.S.A. § 1182 to mean that, except in extraordinary circumstances as determined by the Board, an applicant must have been engaged in the active practice of professional engineering for the statutory time period during the years immediately preceding license application to the Board. The work must also have been of a progressively more responsible, difficult, and complex nature during that time period and must show maturation of professional engineering judgment. An applicant who has not actively practiced professional engineering within two years of making application to the Board may be required to submit to re-examination in the Fundamentals of Engineering and/or the Principles and Practice of engineering in the specialty sought.

B. Foreign Education:

An applicant who has received a Bachelor of Science Degree in engineering or engineering technology from a foreign institution where the program is not pre-approved by the Accreditation Board for Engineering and Technology, Inc. (ABET), must have his or her foreign curriculum evaluated through the National Council of Examiners for Engineering and Surveying (NCEES) and accepted by the Board if he or she wishes to claim ABET equivalency.

Foreign educational curriculum evaluations are prepared through the NCEES by Engineering Credentials Evaluation International (a service of ABET) or its successor organization.

1.7 Professional Engineering Specialties

The Board recognizes for the purpose of licensure the following engineering specialties. Examinations will be offered in other specialties as such examinations become available through the (NCEES). Currently, examinations for those specialties marked with an asterisk (*) are offered only in the fall of each year. An applicant for a license as professional engineer must qualify in one (or more) of these engineering specialties.

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<u>Specialty</u>	<u>Abbreviation</u>	<u>First Offered/Ended</u>
* Aeronautical/Aerospace	A/A	Spring 1978 - present
* Agricultural	AGR	Fall 1973 - present
Chemical	CHE	Fall 1966 - present
Ceramic	CER	Fall 1973 - Fall 1991
Civil	CIV	Fall 1966 - present
Civil/Sanitary	CE/SAN	Fall 1966 - Fall 1991
Civil/Structural	CE/STR	Fall 1966-Fall 1991
* Control Systems	CSE	Fall 1992 - present
Electrical	ELE	Fall 1966 - present
Environmental	ENV	Fall 1993 - present
* Fire Protection	FIR	Fall 1981 - present
* Industrial	IND	Spring 1973 - present
* Manufacturing	MAN	Fall 1972 - present
Mechanical	MEC	Fall 1966 - present
Mechanical/Heating and Ventilating	ME/HVAC	Fall 1966 - Fall 1991
* Metallurgical	MET	Fall 1980 - present
* Mining/Mineral	M/M	Spring 1979- present
* Nuclear	NUC	Fall 1973 - present
* Petroleum	PET	Spring 1973 - present
Sanitary	SAN	Fall 1973 - Fall 1982
Structural I	STRI	Fall 1985 - present
Structural, Part II	STRII	Fall 1987 - present

The Board issues specialty certificates under 26 V.S.A. § 1182. In addition to the education and experience requirements set forth in § 1182, most candidates will have passed an examination offered by the NCEES. The NCEES examination typically dictates a candidate's specialty and area of practice.

A professional engineer licensed by the Board must practice within his or her specialty and area of competence. It is recognized that some licensed professional engineers may possess sufficient training and experience to practice competently to a limited degree in closely related specialties. If this is a frequent occurrence, the professional engineer should apply for that additional specialty certification from the Board under 26 V.S.A. § 1182 (e).

A professional engineer licensed prior to the availability of a particular specialty may possess sufficient training and experience to practice professional engineering competently in that specialty. This often occurs where licensed professional engineers have expanded their areas of expertise through years of practice, usually under the umbrella of the original specialty field. In this case, the professional engineer may continue to practice this related work or request an additional specialty certificate from the Board under 26 V.S.A. § 1182(e).

Part 2.
INFORMATION FOR ENGINEER INTERN
(FORMERLY ENGINEER-IN-TRAINING) APPLICANTS

2.1 Qualifications to Sit for the Fundamentals of Engineering (FE)

Examination on the Basis of Education (A-C) or Experience (D):

A. ABET-Approved Engineering Curriculum - the applicant must have satisfactorily completed at least five semesters of an engineering curriculum of at least four years in length, which is either approved by the Board or accredited by ABET or an equivalent body recognized by Board rule for this purpose; or

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B. ABET-Approved Engineering Technology Curriculum - the applicant must have satisfactorily completed at least five semesters of an engineering technology curriculum of at least four years in length, which is either approved by the Board or accredited by ABET or an equivalent body recognized by Board rule for this purpose; or

C. Non-ABET-Approved Engineering or Engineering Technology Curriculum - the applicant must have satisfactorily completed eight semesters of an engineering or engineering technology curriculum.

D. Experience - the applicant must have satisfactorily completed six years of active engineering practice (26 V.S.A. §1182(c) or §1185). The applicant must provide a detailed description of his or her work experience and have this experience verified by his or her employer(s) or supervisor(s).

2.2 Additional Information Regarding the Fundamentals of Engineering Examination:

A. Application Review. If the applicant meets the requirements set forth in 26 V.S.A. §1182 or §1185, the applicant will be approved to sit for the FE examination and will be advised of the date and location of that examination(s) and the fee required.

B. Processing Time for Applications. Processing applications depends on several factors beyond the control of the Board. These include receipt of verification of education and/or verification of active engineering practice. To ensure sufficient time for Board processing, completed applications must be filed at least 90 days before the requested examination date.

C. Examinations. The Board offers the standard examinations prepared by the NCEES twice each year (spring and fall). The FE examination is eight hours long and consists of questions to test the applicant's understanding of basic science and engineering principles.

For the purposes of 26 V.S.A. §§ 1182(a), (b), and (c), and 1185, the Board has adopted the recommended passing score established by the NCEES for the FE examination.

The Board will advise the applicant in writing of the results of the FE examination. If the applicant fails the FE, he or she may be re-examined upon payment of an examination fee and upon meeting the current requirements for examination. The applicant should verify with the Board that the qualifications for taking the examination have not changed.

2.3 Right to a Written Decision

The Board will make the decision to grant or deny approval for an applicant to sit for the FE examination and will notify the applicant in writing. If the Board denies an applicant permission to sit for the FE examination, it will provide specific reasons and inform the applicant of the right to appeal the Board's decision.

2.4 Right to Appeal

An applicant dissatisfied with the Board's decision may appeal within 30 days of the date of the decision to the Director of the Office of Professional Regulation. Information concerning the appeal process may be obtained from the Office of Professional Regulation.

2.5 Engineer Intern Certificates

Engineer Intern certificates will be issued to applicants who pass the FE examination. These certificates do not carry an expiration date.

PART 3.
INFORMATION FOR PROFESSIONAL ENGINEER APPLICANTS
UNDER THE WRITTEN PRINCIPLES AND PRACTICE EXAMINATION

3.1 Qualifications to Sit for the Principles and Practice (P&P) Examination (A-D)

A. ABET-Approved Engineering Curriculum

To qualify to sit for the examination, an applicant must have

- Graduated from an ABET-approved engineering curriculum (4 year course minimum),
and
- Been registered as an Engineer -In-Training (E.I.T.) or Engineer Intern. (Refer to Part 2.),
and
- Completed four years of active engineering practice after graduation in engineering work satisfactory to the Board, the last two years of which were within the specialty certification sought. Work in a cooperative educational program up to a total of 12 months may be included in the total active engineering practice.

The Board will count a completed master's or doctoral degree in an engineering curriculum as one year of active engineering practice. A maximum of one year will be counted even if the applicant holds both degrees.

A graduate of a foreign college or university is required to meet the requirements as defined under Rule 1.6 (B) if he or she wishes to claim ABET equivalency.

B. ABET-Approved Engineering Technology Curriculum

To qualify to sit for the examination, an applicant must have

- Graduated from an ABET-approved engineering technology curriculum (4 year course),
and
- Been registered as an Engineer -In-Training (E.I.T.) or Engineer Intern. (Refer to Part 2.),
and
- Completed eight years of active engineering practice satisfactory to the Board, after graduation, in work of a progressively more responsible nature, at least five years of which were within the specialty certification sought. Work in a cooperative educational program up to a total of 12 months may be included in the total active engineering practice;

A graduate of a foreign college or university is required to meet the requirements as defined under Rule 1.6 (B) if he or she wishes to claim ABET equivalency.

C. Equivalent Experience

To qualify to sit for the P & P examination, an applicant must have

- Been registered as an Engineer -In-Training (E.I.T.) or Engineer Intern. (Refer to Part 2.),
and
- Completed 12 years of active engineering practice satisfactory to the Board in work of a progressively more responsible nature, at least six (6) years of which were within the specialty certification sought.

D. Long-Term Professional Experience

To qualify to sit for the P & P examination, an applicant must have

- Completed 16 years of active engineering practice satisfactory to the Board in work of a progressively more responsible nature, the last eight (8) years of which were within the specialty certification sought;

and

- Been found by the Board to be a person of professional experience in the field of engineering.

E. Additional Specialty Certification

A licensee in good standing may obtain an additional specialty certification in any of the following ways:

A. A licensee who is a graduate of an ABET-approved engineering curriculum must have completed two years of active engineering practice within the specialty certification sought and must have obtained a passing score on the P & P examination in the specialty certification sought.

B. A licensee who is a four-year ABET engineering technology graduate must have completed four years of active engineering practice within the specialty certification sought and must have obtained a passing score on the P & P examination in the specialty certification sought.

C. A person licensed through equivalent experience must have completed six years of active engineering practice within the specialty certification sought and must have obtained a passing score on the P & P examination in the specialty certification sought.

D. A person licensed through long-term professional experience must have completed eight years of active engineering practice within the specialty certification sought and must have obtained a passing score on the P & P examination in the specialty certification sought.

E. A person who is an ABET engineering graduate or a four-year ABET engineering technology graduate, or who was licensed through equivalent experience or through long-term professional experience, may obtain an additional specialty certification without taking the P & P examination. To qualify under this option, the licensee must have completed ten years of active engineering practice satisfactory to the Board within the specialty certification sought, must present to the Board a portfolio of important engineering work representing a reasonably broad sampling of the engineering work typical of the field in which specialty certification is sought, and must demonstrate before the Board a thorough knowledge of the engineering principles underlying the work presented in the portfolio.

3.2 Additional Information for Principles and Practice Examination:

A. Application Review. If the applicant meets the requirements set forth in 26 V.S.A. § 1182, the applicant will be approved to sit for the P & P examination and will be advised of the date and location of the examination(s) and the fee required.

B. Processing Time for Applications. Processing applications depends on several factors beyond the control of the Board. These include receipt of educational verifications, verification of having passed the FE examination in another state and receipt of five letters of reference. To ensure sufficient time for Board processing, completed applications must be filed at least 90 days before the requested examination date.

C. Examinations. The Board offers the standard examinations prepared by the NCEES twice each year (spring and fall). Certain examinations are offered only once a year. (Refer to Rule 1.7.)

D. Stale Applications. An application will be considered stale two years after initial approval to sit for the P & P examination. Thereafter, an applicant who wishes to pursue licensure may be required to file a new application, including supporting information.

The P&P examination is eight hours long and consists of questions to test the applicant's ability to solve problems requiring the application of basic science and engineering principles.

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For the purposes of 26 V.S.A. §§ 1182(a), (b), and (c), the Board has adopted the recommended passing score established by the NCEES for the P & P examination.

The Board will advise the applicant in writing of the results of the P&P examination. If the applicant fails the P&P examination, he or she may be re-examined upon payment of an examination fee and upon meeting the current requirements for examination. The applicant should verify with the Board that the qualifications for taking the examination have not changed.

3.3 Applicant References

The Board requires five technical references for each applicant for licensure as a professional engineer. Letters from reference providers who are supervisors or work associates are preferred. Reference providers must give independent opinions of the applicant's background, qualifications, and character. At least three of the five reference providers must be professional engineers thoroughly familiar with the applicant's experience. Professional engineer reference providers must be licensed in an NCEES jurisdiction or in a jurisdiction with licensing standards deemed acceptable by the Board.

Reference providers must provide detailed, specific information about the applicant's engineering experience. Reference providers must be selected to cover, at a minimum, all years of experience under which the applicant is applying. (For example, if an applicant is applying to sit for the P&P examination with 16 years of active engineering practice, the reference providers must cover those 16 years of experience). These references may be sequential or may cover the entire period listed. The Board requires a minimum of two references, including at least one from a professional engineer, covering work performed in the two to 16 years (depending upon the particular subsection of 26 V.S.A. § 1182 under which the applicant applies) immediately preceding application for licensure.

The Board will reject references if they:

- are incomplete;
- are signed by the reference provider but written by the applicant;
- do not attest to the applicant's ability to perform professional engineering services;
- are prepared and signed more than six months prior to the application filing date.

3.4 Right to a Written Decision

The Board will make all decisions on whether a person is granted or denied a license or to sit for an examination and will notify the applicant in writing. If the Board denies a license or permission to sit for an examination, it will provide specific reasons and inform the applicant of the right to appeal the Board's decision.

3.5 Right to Appeal

An applicant dissatisfied with the Board's decision may appeal within 30 days of the date of the decision to the Director of the Office of Professional Regulation. Information concerning the appeal process can be obtained from the Office of Professional Regulation.

PART 4.
INFORMATION FOR LICENSURE WITHOUT EXAMINATION
(Endorsement from another Jurisdiction)

4.1 Qualifications for Licensure Without Examination:

An applicant must hold a current, valid license, in good standing in another jurisdiction with requirements which the Board deems to be substantially equivalent to those of this State. These requirements shall include but not be limited to **A**, **B**, **C**, or **D** listed below:

A. An applicant must have graduated from an ABET-approved engineering curriculum of at least 4 years in length and have a minimum of four years of active engineering practice and have passed the FE examination and the P & P examination;

or

B. An applicant must have graduated from an ABET-approved engineering technology curriculum and have a minimum of eight years of active engineering practice and have passed the FE examination and the P & P examination;

or

C. An applicant must have completed a minimum of twelve years active engineering practice and have passed the FE examination and the P & P examination;

or

D. An applicant must have completed a minimum of 16 years of active engineering practice and passed an examination (oral or written) that tested the principles and practice of engineering in the specialty sought.

4.2 Additional Information for Applicants for Licensure Without Examination.

A. Application Review. If the jurisdiction has requirements that the Board deems substantially equivalent under 26 V.S.A. §1182 (e), the applicant shall be licensed in an engineering specialty.

B. Processing Time for Applications. Processing applications depends on several factors beyond the control of the Board. These include receipt of educational verification, verification of having passed the FE (Engineer Intern) and P & P examinations in another state and receipt of five letters of reference. The Board requires a minimum of 90 days to review completed applications.

C. Stale Applications. An application will be considered stale when the applicant fails to supply all required information within one year of initial filing. Thereafter, an applicant who wishes to pursue licensure may be required to file a new application, including supporting information.

4.3 Right to a Written Decision

The Board will make all decisions on whether a person is granted or denied a license and will notify the applicant in writing. If the Board denies a license, it will provide specific reasons and inform the applicant of the right to appeal the Board's decision.

4.4 Right to Appeal

An applicant not satisfied with the Board's decision may appeal within 30 days of the date of the decision to the Director of the Office of Professional Regulation. Information concerning the appeal process can be obtained from the Office of Professional Regulation.

PART 5.
TRANSIENT PRACTICE AND TEMPORARY PRACTICE

5.1 Transient Practice

A person who is not a resident of this state may obtain a transient practice permit to perform acts constituting the practice of engineering, provided that:

- A. The practice in this state does not exceed 30 days in any calendar year; and
- B. The person is licensed or registered as a professional engineer in another state which, in the opinion of the Board, has regulatory standards substantially equivalent to those applicable in this state.
- C. A transient practice permit is issued only in a specialty required for the work to be performed in Vermont. The non-resident applicant must be licensed in that specialty to obtain a transient practice permit.

The Board may issue a transient practice permit to a non-resident licensed engineer as a courtesy for a project of short duration. A transient practice permit covers a maximum of 30 days of professional engineering practice on a Vermont project in any calendar year, regardless of where this work is performed. Work that is associated with a professional engineering project but that is not actually performed in Vermont, such as follow-up studies, data compilation, administrative review, and the like, does count toward the 30-day permit limit.

5.2 Temporary Practice

An applicant who has moved to Vermont may practice professional engineering while his or her application is pending with the Board, provided that (1) the applicant became a Vermont resident within six months before applying for licensure and (2) the applicant is licensed as a professional engineer in another state with licensing standards substantially equivalent to Vermont's.

PART 6.
INFORMATION FOR LICENSEES

6.1 Change of Name or Address

It is the responsibility of each applicant, engineer intern, or licensee to inform the Office of his or her correct address and/or name change.

6.2 Certificates and Seals

When an applicant successfully completes all requirements for licensure, the Board will issue a license certificate which shall be displayed during the period of active professional engineering practice. Licensees shall obtain a seal which shall be used when signing plans, designs, specifications, plats, reports, etc. (26 V.S.A. §1188). The Board shall provide an impression of an acceptable seal design upon request.

There are areas of engineering practice which may be performed by non-engineers under other licensing statutes. Examples of such engineering practice include, but are not limited to, septic tank and leach field design by on-site technicians, and certain work performed by master electricians and master plumbers.

Licensees may choose to perform such work in other disciplines under the statutes and regulations governing the conduct of such work outside the professional engineering statutes and regulations. The licensee shall not seal or sign such work as a professional engineer. To stamp or sign such work as an engineer implies to the public that the licensee is registered in the discipline which encompasses such work.

This does not restrict the performance of engineering work in another specialty ancillary to a licensee's discipline which is considered a part of the usual and customary practice of the licensee's discipline.

6.3 Renewal/Reinstatement of a License

A. An expired specialty certificate may be reinstated upon payment of a renewal fee and a late renewal penalty. A licensee shall not be required to pay renewal fees during periods when the license was expired.

B. Notwithstanding Rule 6.3 A., if a specialty certificate remains expired for a period of five years it may be reinstated only by decision of the Board acting on petition of the former licensee. During that proceeding, the Board may impose reasonable requirements, including reexamination, and may require completion of a practical or academic reentry program. The Board may also require payment of a renewal fee, a late renewal penalty and a license reinstatement fee.

6.4 Specialty Certificates

A licensee who renews his or her license biennially shall receive a licensure card in his or her engineering specialty. The current licensure card shall be displayed with the license certificate.

6.5 Practice Guidelines

The Board endorses the following Fundamental Principles and Canons of the Code of Ethics of ABET as recommended guidelines for the practice of professional engineering:

The Fundamental Principles:

Engineers uphold and advance the integrity, honor and dignity of the engineering profession by:

1. Using their knowledge and skill for the enhancement of the human welfare;
2. Being honest and impartial, and serving with fidelity the public, their employers and clients;
3. Striving to increase the competence and prestige of the engineering profession; and
4. Supporting the professional and technical societies of their disciplines.

The Fundamental Canons:

1. Engineers shall hold paramount the safety, health and welfare of the public in the performance of their professional duties.
2. Engineers shall perform service only in the areas of their competence.
3. Engineers shall issue public statements only in an objective and truthful manner.
4. Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.
5. Engineers shall build their professional reputation on the merit of their services and shall not compete fraudulently with others.
6. Engineers shall associate only with reputable persons or organizations.
7. Engineers shall continue their professional development throughout their careers and shall provide opportunities for the professional development of those engineers under their supervision.

Part 7 . COMPLAINT PROCEDURES

7.1 Initiating a Complaint

The Board follows the current complaint procedure recommended by the Office of Professional Regulation. A copy of the complaint procedure may be obtained by contacting the Office. See Rule 1.2 for the address and telephone number of the Office.

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7.2 Confidentiality

The Board follows the confidentiality provisions of the Law of Professional Regulation, 3 V.S.A. § 131. All identifying information related to complaints remains confidential until disciplinary charges are filed.

7.3 Appeals

A party aggrieved by a final decision of the Board in a disciplinary matter may, within 30 days of the decision, appeal that decision by filing a notice of appeal with the Director of Professional Regulation. Information about the appeal process may be obtained from the Office.

Effective Date: January 1, 2000