



# INTERchange

Informing Professional Engineers of developments that influence their honored profession

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Message from the Executive Director ..... 2

## Board Updates

Introducing Your New WV PE Board ..... 3

2017-2018 Board Leadership Election Results ..... 3

Welcome New Board Member Dr. Larry Nottingham, P.E. .... 3

## Professional Issues and Legal Corner

Future of the Professions – A Board Member’s Perspective ..... 4

Frequently Asked Questions ..... 5

Investigator’s Corner – Alphabet Soup! ..... 6

Board Disciplinary Actions ..... 8

Counsel’s Column – Time’s Up! ..... 10

## NCEES Updates

NCEES Exams Transition to Computer-Based Testing ..... 12

NCEES Announces New Exam Specifications and Standards ..... 13

NCEES Announces Search for Chief Executive Officer ..... 13

## Renewal, Continuing Education and Examination Information

COA Matters Really Matter! ..... 14

WV PE and COA Renewal Status Report ..... 15

Upcoming WV PE Renewal Reminders ..... 15

Calendar of Events ..... 16

INSIDE  
VOLUME 14  
SPRING  
2018



**LESLEY L. ROSIER-TABOR, PE,  
EXECUTIVE DIRECTOR**

## Is It Time To Decouple?

Decoupling is being considered right here, right now! And, no, I am not writing to discuss the historical breakups of Lucille Ball and Desi Arnaz or Sonny and Cher or even Brad Pitt and Angelina Jolie. I am informing of one of the most recent decisions of the WV State Board of Registration for Professional Engineers to move forward to “decouple” or to disconnect the Principles and Practice Examination (PE exam) from the experience requirements in order to be approved to sit for the PE exam.

There is a trend among states to allow early taking of the PE exam. For many years, California has allowed candidates to take the PE exam in preparation for licensure after only two years of engineering experience. As of November 2017, the National Society of Professional Engineers reported there were 14 states that allow candidates to take the PE exam after meeting their minimum education requirements and having successfully passed the FE exam. Those states are Arizona, California, Illinois, Kentucky, Louisiana, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Texas, Utah, and Wyoming. In all of these states, the licensure candidate still needs to accumulate the requisite years of qualifying engineering experience prior to being approved for a PE license.

In the past, NCEES Model Law required that four years of qualifying engineering experience be earned before a licensure candidate could take the PE exam. In our state, WV Engineering Law required that those four years of experience be earned before applying to the Board for approval to sit for the PE exam. NCEES delegates from all state licensing Boards voted in 2013 to remove the timing aspect of the requirements from the NCEES Model Law document. But the NCEES Model Law is just that, a “model”, so it is left to individual state licensing boards to decide if they want to implement change in their practice laws, legislative rules and/or policies.

There are varying opinions on the concept of decoupling but the fact is that many states have already implemented the change and are reporting no problems. If we decouple, it really comes down to a matter of personal choice. If you are one who prefers to take the PE exam early, you may be permitted to do so! If you are one who wants to wait until you have earned the minimum required experience so you can become a PE immediately upon notification of passage that is certainly understandable as well. The key is that one may soon have a choice as the WV PE Board considers moving forward with this concept as early as mid-2019 to provide flexibility if a candidate wishes to and is capable of passing the exam early.

We want to hear from you. We want to hear from sage Professional Engineers. We want to hear from Engineering Interns. We want to hear from engineering faculty as well as engineering students. Just what do you think about “decoupling”? If you would like to provide your input directly to the WV PE Board as they begin to draft legislation for consideration during the 2019 WV Legislative Session, email me at [lesley@wvpebd.org](mailto:lesley@wvpebd.org).

*To review the most Frequently Asked Questions regarding the concept of “Decoupling”, continue to Page 5 of this publication.*



Left to right in photo:

**Mr. Bhajan Saluja, PE**  
Board Vice-President  
Term expires June 30, 2021

**Mr. L.A. Gates, PE**  
Board Member  
Term expires June 30, 2020

**Dr. Larry Nottingham, PE**  
Board Member  
Term expires June 30, 2022

**Mr. Edward Robinson, PE, PS**  
Board President  
Term Expires June 30, 2019

**Mr. Garth Thomas, PE**  
Board Secretary  
Term expires June 30, 2018

## Board Updates

### INTRODUCING YOUR NEW WV PE BOARD

Since our last **INTERchange** publication, the West Virginia State Board of Registration for Professional Engineers has welcomed another new face to the Board. Per a gubernatorial appointment made by Governor Earl Ray Tomblin on December 13, 2016, Dr. Larry C. Nottingham was selected to fill an unexpired term ending on June 30, 2017. He was appointed to replace Richard E. Plymale, Jr. who moved to South Carolina.

After Dr. Nottingham graciously agreed to serve the 6 ½ month short term, the newly elected Governor, Jim Justice, saw fit to reappoint Dr. Nottingham to begin to serve his first, full 5-year term beginning on July 1, 2017. Dr. Nottingham is from the Twelfth Senatorial District and lives in Duck, West Virginia.

### WELCOME DR. LARRY NOTTINGHAM, PE

Dr. Larry C. Nottingham, PE, is the President and Owner of LCN, PLLC, a company he formed in 2005 to provide forensic engineering and expert witness services to the insurance and legal industries. To date, he has provided professional engineering services on approximately 100 projects. He is also a Senior Geotechnical Engineer at NGE, LLC, where he works alongside two of his children, who are also both professional engineers, providing consulting engineering services on a wide variety of engineering projects, including highway and bridge design, commercial, industrial and governmental buildings, landslide investigations and remediation plans, and retaining wall designs.

Dr. Nottingham earned his Bachelor's degree in Civil Engineering from West Virginia Institute of Technology in 1965, a Master's Degree from the University of Pittsburgh in 1966 and a Ph.D. from the University of Florida in 1975. He has been a licensed Professional Engineer in West Virginia since 1969.

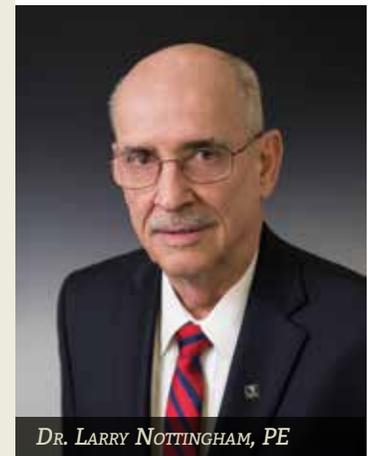
Dr. Nottingham spent much of his engineering career as a Principal Engineer for Triad Engineering where he led the firm as their Vice-President, President and then CEO spanning more than a 20-year period until he started his own firm in 2005. He is also well known throughout the WV engineering community for his service as an engineering educator at WV Institute of Technology. Dr. Nottingham not only taught a variety of Civil Engineering classes, he served as the Civil Engineering Department Chair from 1989 to 1995 and then returned in 2006 to serve as the Interim Dean of the Leonard C. Nelson College of Engineering while a search was in progress to hire a new Dean.

Dr. Nottingham is a Life Member of the American Society of Civil Engineers, where he has held several offices, including President of the WV Section. He is also a member of the International Society for Soil Mechanics and Geotechnical Engineering, a member of Tau Beta Pi, was named WVU Tech Engineering Alumnus of the Year in 2005 and was inducted into the WVU Academy of Civil Engineers in 2014. Dr. Nottingham has also served as a member of both the WVU Tech Engineering Technology Department Advisory Committee and chaired the WVU Tech Civil Engineering Department Advisory Committee for a number of years.

### 2017-18 BOARD LEADERSHIP ELECTION RESULTS

During the May 15, 2017 Board meeting, the WV PE Board held officer elections for the upcoming fiscal year, 2018. Upon unanimous vote, the following resulted:

- **Mr. Edward Robinson, PE, PS**  
Board President
- **Mr. Bhajan Saluja, PE**  
Board Vice-President
- **Mr. Garth Thomas, PE**  
Board Secretary



*DR. LARRY NOTTINGHAM, PE*



# Future of the Professions

## A BOARD MEMBER'S PERSPECTIVE

GARTH E. THOMAS, JR., PE, BOARD SECRETARY

How do we embody expertise in society? Are the professions as currently constituted the only means of providing this expertise? These questions are addressed by Richard and Daniel Susskind in *The Future of the Professions: How Technology Will Transform the Work of Human Experts* (Oxford University Press, 2015). This book is an addition to the growing library of books and articles concerned with the loss of human employment to automation, but is focused on the replacement of professionals such as lawyers, physicians, and management consultants.

Engineering is never specifically called out in the book; however, the arguments presented in the book have stimulated discussion within the engineering profession. The National Society of Professional Engineers has formed a task force to study the future of engineering, and NCEES invited representatives from NSPE to conduct a forum on this topic at the most recent annual meeting. If the Susskinds are mostly correct in their assessments, all professions will be seriously impacted.

The central thesis of the book is that the professions function under a "grand bargain". In return for access to specialized knowledge and skills, society grants members of the professions a high degree of autonomy, control over the practice of their respective professions, and control over who can practice within the professions. Professionalism has been the response of industrial societies to the question of how expertise is provided within society. However, the Susskinds argue that this is not the only way to organize expertise. Their case against the current organization of the professions is that the expertise is becoming unavailable to many members of society, knowledge is locked away from the public, professionals discourage client self-help, most professionals do not match the service of the best practitioners in their profession, and clients cannot objectively evaluate the quality of the service they receive. In short, the professions are not serving society as well as they should be, and change is needed. However, the authors do not think that practitioners within the professions will make the necessary changes without outside intervention.

The authors do think that these changes are already underway due to developments in technology and demands for greater access to expertise at lower cost. Much of the book is devoted to describing changes that are taking place in the practices of law, medicine, accounting, management consulting, and architecture. In these fields the authors point to current developments that are replacing professionals: tax preparation software, software that automates the development of building plans, image analysis software to automate the reading of x-rays, and software to generate wills and routine contracts. These examples were initially developed as tools to assist professionals in their work, but have been or are being developed to the point where non-professionals or para-professionals can use them. Knowledge that had been contained in specialized monographs or journals is now available on public websites such as Web MD. Groups of clients for professional services, particularly in the medical fields, have and are forming interest groups to share what they have learned.

The authors contend that this is only the beginning. The development of artificial intelligence as embodied in software like Watson, the

question-answering computer system developed by IBM and capable of answering questions posed in natural language, will accelerate this process of embedding expertise in software or robotic systems. A central argument is that the "capable machines" will not operate in the same way as human experts, but will be as or more effective than human experts in providing service to their users. Examples such as self-driving vehicles, text analysis software, and computerized diagnostic tools are used to make the case that substantial expertise can be embedded within computerized systems. Many readers might conclude that the authors are overstating the case for the impact of artificial intelligence on professional practice, but how professional expertise is provided is not as important as the authors' overarching theme that the professions as currently constituted have outlived their usefulness.

### *How do we embody expertise in society? Are the professions as currently constituted the only means of providing this expertise?*

The book does not provide a timeline for these changes to take place, but does provide a list of indicators that professional practice is being affected. Some of these signs are: professions encroaching on each other's turf, replacement of professionals by para-professionals having less training, replacement of practitioners by software developers, clients organizing self-help groups to reduce reliance on professionals, and the merger and consolidation of professional services firms. Although the book does not address professional licensing, challenges to the continued need for professional licensing within legislative bodies might be another indicator of change in the "contract" between the professions and society.

Many points in this book are controversial and are open to debate, ranging from the philosophical to the practical. Are the professions failing society as badly as the authors seem to think? Can "capable machines" perform as well as the authors believe they can? The authors do anticipate several of these objections and provide rebuttals to them. Whether the responses are convincing will be up to the reader. In the opinion of this reviewer it is not clear that the outcomes the authors envision will necessarily provide better service to society. It is also not clear that knowledge and expertise will continue to be developed without a support structure that is currently provided by the professions. However, the authors are correct that the professions will need to adapt to a changing environment, regardless of whether the development occurs as they predict.

*The Future of the Professions* is recommended reading for all professionals. The issues raised in this book demand serious consideration. We should be concerned with our roles in the "grand bargain." Are we providing the service that our clients and society require in the most effective manner? Will the professions continue to have relevance? If we don't provide the right answers to these questions, the future of our profession will no longer be in our control.

# Frequently Asked Questions

**Q: What are some of the advantages of taking the PE exam early?**

**A:** Many believe that for young engineering graduates who can pass the exam early, there is a higher likelihood that he or she will become a professional engineer once they meet the experience requirement. In turn, this increase in the number of PEs should increase the protection of the health, safety and welfare of the public. Others state that allowing one to take the PE exam early could be beneficial to those who, 4-6 years down the road when traditionally eligible, will likely have heavier workloads and greater demands for their spare study time (such as raising a family). Another benefit could be seen by those licensure candidates who are working in unique and narrowed fields of engineering not necessarily represented on any particular PE exam, which could make it much more difficult to go back and prepare for the breadth portion of a PE exam.

**Q: What are some of the disadvantages of taking the PE exam early?**

**A:** The PE exam is designed for engineers who have gained at least four years of work experience in their respective discipline. NCEES statistics show examinees with four years of engineering experience after graduation have the greatest probability of success on the PE exam. Pass rates for examinees with fewer than or more than four years' experience are lower, typically in proportion to the length of time from the four-year mark. For early-takers, another disadvantage is that it could be problematic for those who may want to consider future comity/reciprocity. If you take the PE exam early and apply for PE licensure in another jurisdiction in the future, you MAY be required to take the PE exam again. Some jurisdictions may not honor the "early taking" of the PE exam prior to obtaining the requisite progressive engineering experience.



## Moved? Don't forget to Keep Your Records Current

Did you know that whenever your contact information changes it is YOUR responsibility to update your personal record with the WV PE Board? It is the responsibility of the licensee, examinee or certificate holder to notify the Board of any change of vital information previously submitted, such as a name or address change, contact phone number(s), email addresses, name of employer, or change of the Engineer In Responsible Charge for a firm holding a Certificate of Authorization.

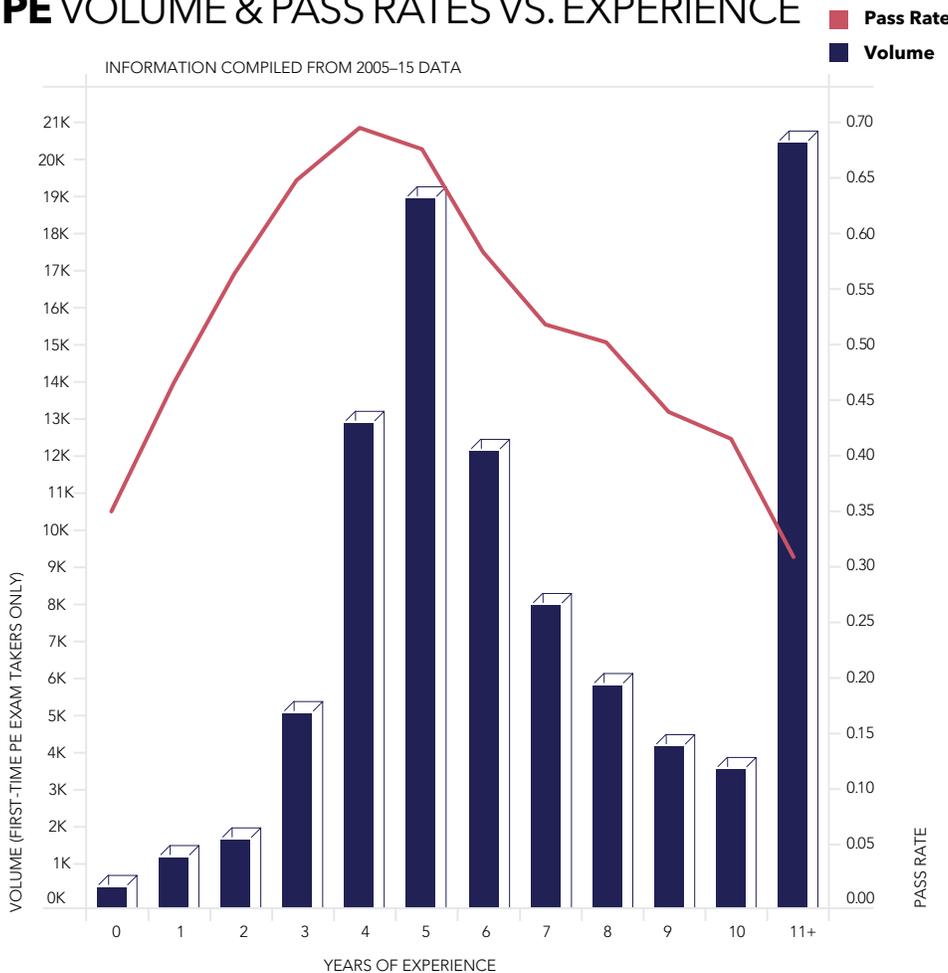
This information should be provided within 30 days of when the change occurs to ensure uninterrupted service and proper delivery of official Board correspondence (paper correspondence as well as electronic communications). We also encourage our examinees and licensees to provide a current primary and secondary email address as we routinely provide special notices, renewal reminders and examinee updates via electronic means.

The most convenient way to submit your personal changes is by simply completing the online Change of Address form located on our website at [www.wvpebd.org](http://www.wvpebd.org). You may also submit an email with the same information to [info@wvpebd.org](mailto:info@wvpebd.org) or simply phone our office and speak to an agency representative.

For those individuals requesting to change their name and obtain a new EI or PE wall certificate, you are required to submit new photo identification and a copy of a marriage certificate, divorce decree, or other official court documentation of an official name change along with the required \$25.00 replacement certificate fee.

## PE VOLUME & PASS RATES VS. EXPERIENCE

INFORMATION COMPILED FROM 2005-15 DATA



Provided by NCEES - [www.ncees.org](http://www.ncees.org)



# PDHs, CPC, CEUs, CPDs ... Alphabet Soup?

## INVESTIGATOR'S CORNER



### A Little Trivia ...

#### Alphabet soup was the hottest culinary innovation of ... 1867.

Just after the Civil War, the *Tri-Weekly Standard* in Raleigh first reported on a new fun type of food. The short item marveled:

*"The latest culinary novelty is alphabetical soup. Instead of the usual cylindrical and star shaped morsels of macaroni which have hitherto given body to our broth, the letters of the alphabet have been substituted. These letters of pasta preserve their forms in passing through the pot".*

Though a later article speculated that the soup's inventor wanted to improve literacy through his pasta, there's no proof of his or her name (or that they existed at all).

Only one thing is certain: alphabet soup has been around for over 150 years. And it's nearly as certain we'll be spelling with our food for 150 more.

CREDIT: [triviahappy.com/articles/alphabet-soup-is-150-years-old-this-is-how-we-started-spelling-with-our-food](http://triviahappy.com/articles/alphabet-soup-is-150-years-old-this-is-how-we-started-spelling-with-our-food)

Happy 2018 to everyone and I hope this year brings you great happiness and success.

This edition's article will focus primarily on, and as the title suggests,

Continuing Education. There are many different ways to describe continuing education. Just to name a few, it can be called Professional Development Hours (PDHs), Continuing Professional Competency (CPCs), Continuing Professional Development (CPDs), and even Continuing Education Units (CEUs). Surely there are other acronyms out there, but in reality we must understand they all really mean the same thing, or at least all relate to the same topic.

Before delving too deep into the subject though, I would be remiss not to quote the exact section of the WV Legislative Rules for Professional Engineers that refers to continuing education. WV Code R. §7-1-10, entitled Continuing Professional Competency, is binding upon all registrants and takes precedent to any information contained in this newsletter. First and foremost, and as you will always hear the Board Staff quote WV Code R. §7-1-10.5, "The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit. No pre-approval of offerings will be issued."

### WV CPC Audit

Per WV Code R. §7-1-10.8(b), the Board is required to audit between 3-5% of renewals to verify compliance with continuing education claims. Prior to the 2016 audit, the Board would consistently audit within this range. However, the percentage of renewals for the 2016 audit increased due to some changes in WV engineering law and some differences in the renewal cycle. As you will recall, WV was one of only 6 other states that required an annual renewal and when you renewed your license in 2016 it was the first time having to report on a biennial basis, thus requiring 30 PDHs (as opposed to the 15/year required previously). As I am sure all registrants are now aware, WV has come in line with the other 44 states in regards to a biennial renewal and requires the PE license to be renewed by December 31st

of even-numbered years. With that change in the renewal cycle, the PDH requirement simply doubled, meaning that you must report 30 credits upon renewal. Interestingly enough, out of the 534 audits (6.4% of all renewals) conducted last year, over 500 of them were reviewed because the registrant did not report enough credits! And even more interesting, most of the audited renewals claimed 15 hours and 8 carryover hours, typically what these individuals had been claiming on their previous annual renewals! Taken at face-value, it appears many registrants simply did not take the time to update their records and record the correct amount of PDHs. Let's hope for more attention to detail during the 2018 renewal period and a greater understanding of the reporting requirements. Don't forget, you can now carryover up to 15 credit hours - so the simple rule of thumb is 30/15 every 2 years.

### PDH Q&A

While our office fields numerous questions on a daily basis, the questions concerning PDHs are usually routed to me. I can say that the second most popular topic revolves around the type and reporting of PDHs. Questions such as: Do I have to take an ethics course? Can I take all of my PDHs online or do I need to have a portion of my credits as live, in person training? Do I have to use a certain PDH provider? I attended a week long (40 hour) technical conference; can I claim all of these hours on my renewal? I lost my completion certificate, do really I need to have one?

These are all valid questions, especially for those who may be registered in multiple states. As those who hold multiple licenses know, the PDH requirements differ amongst the jurisdictions but hopefully the next few sentences will add some clarity on the PDH requirements specifically relevant to renewing your WV PE license.

WV does not require any ethics courses, but an individual could claim a relevant ethics course as a PDH. Similarly, the Board's Rules do not specifically limit nor specify a number of online hours versus live, in-person hours as some states do. The West Virginia Board does not pre-approve continuing education courses nor do we pre-qualify companies to offer continuing education seminars. The current WV policy has been to allow the PE to determine whether or not certain activities

serve as valid professional development for their current position. The philosophy is that we license thousands of Professional Engineers and all have diverse backgrounds and needs that must be met. Since no pre-approval process is offered in WV, the Board will have final authority with respect to approval of credits when reviewing annual renewals. Should one be audited, it will be the responsibility of the engineer to produce records and defend the claimed credit used for professional development activities.

Concerning the completion certificate question, I direct your attention to WV Code R. §7-1-10.7 which states "Each registrant is responsible for his or her own professional development activities. The registrant shall maintain the records to be used to support credits claimed for professional development activities. Records required include, but are not limited to: 1) a log showing the type of activity claimed, the sponsoring organization, the activity's location and duration, the instructor's or speaker's name, and the PDH credits earned; and 2) attendance verification records in the form of completion certificates, paid receipts or other documents supporting evidence of attendance." Please note this is an "and", i.e., a log and attendance verification. Towards the conclusion of this article, please find a description of the National Council of Examiners for Engineering and Surveying (NCEES) record-keeping option that I highly recommend. In regards to the claiming of 40 hours in one week for a two year renewal, I bring this up because NCEES model law also requires 30 PDHs biennially, but the model law requires that you get 15 each year (i.e., cannot earn all 30 PDHs in the same year). Please know that WV Engineering Law does not have this requirement, and you can claim all 30 of your WV PDHs in the first or second year of your licensing period. Of course, please feel free to call the Board office with any specific questions particular to your situation.

Since I just described the 'second most popular' PDH topic, I guess I should at least mention the 'most' commonly asked question, which is: 'Can I count this training, course, class, presentation, etc. as PDHs for my next renewal?' After reading the above Q&A, I am sure you can now answer this question. However, to reiterate, WV Code R. §7-1-10.5 states that 'no pre-approval of offerings will be issued.'

## Have we beaten this to death yet?

Well, I hope not. I find the topic of PDHs to be very important, not only because continuing education is required by WV Engineering Law, but more so because it furthers us as professionals. Continuing your professional growth, continuing to further your technical knowledge, and keeping up with ever changing technology are all common sense reasons to take your PDHs seriously. I urge you to focus on high quality, relevant, and interesting professional education in 2018 and beyond, not only for yourself, but for the entire engineering profession.

In an effort to assist all PEs nationwide, NCEES has created an online CPC tracking and records management program. Each time you complete a CPC course, you may enter the course information, corresponding PDHs, and upload supporting documentation. If your renewal ever comes up for audit in WV, you can electronically transmit your CPC information to the WV PE Board for ease of complying with WV Code R. §7-1-10. All you will need is a free MyNCEES account to sign up. Visit [ncees.org/cpc](http://ncees.org/cpc) for further information.

Remember, while non-compliance with the PDH requirements may not be a cause for disciplinary action in WV (some states do consider a continuing education violation an automatic reason for license discipline), non-compliance will invalidate your license and you will be required to reinstate your WV PE license prior to offering or practicing engineering.

I close this year's edition of the Investigator Corner highlighting a true CPC story, albeit not in WV. An engineer stated that he was unable to provide documentation of his reported professional development hours because he had attended conferences without paying the registration fee. He would simply wait by the sign-in table and, once the conference began, would pick up a registration packet of someone who had registered for the conference but had not picked up his event information. When he contacted the conference sponsors and asked them to verify his attendance (after explaining that he had not paid the registration fee), the sponsoring organization refused.

While the Board may appreciate the honesty, an ethics course should probably be a priority for his next renewal cycle.

*Want to engage with others about the profession? Eager to be the first to know when results are released? Join NCEES on your preferred social network to experience a new level of interaction and learning.*



[www.facebook.com/NCEES](http://www.facebook.com/NCEES)

NCEES' Facebook page is filled with premium content, a rich history of NCEES, and photo albums of recent events. Like NCEES on Facebook, and you'll be able to stay on top of the pertinent issues affecting the engineering and surveying professions.



[www.twitter.com/NCEES](http://www.twitter.com/NCEES)

If you prefer to quickly scan headlines, follow NCEES on Twitter to learn about its activities and engineering and surveying related news. Retweet NCEES to share important facts and answers to common questions about licensure with your colleagues.



[www.linkedin.com](http://www.linkedin.com)

Do you hold a professional engineering or surveying license? Join NCEES' LinkedIn groups (Professionally Licensed Engineering Community and Professionally Licensed Surveying Community) to connect with your professionally licensed peers. You can also broadcast your association with NCEES by following its LinkedIn page.



[www.youtube.com/NCEESMedia](http://www.youtube.com/NCEESMedia)

NCEES YouTube channel features videos of professional engineers and professional surveyors promoting the value of licensure. These videos are excellent tools to share with those who want to know more about our organization and the process of becoming licensed. In the near future, NCEES' YouTube will be expanding to include videos that answer their most frequently asked questions, as well as to clarify processes and policies.

# Board Disciplinary Actions

**Disclaimer:** *Every effort has been made to ensure that the enforcement information is correct; however this information should not be relied upon without verification from the Board office or website. It should be noted that the names of companies and individuals listed may be similar to the names of parties who have not had enforcement actions taken against them. Should you have any specific questions regarding the disciplinary actions noted below, please contact the Board office.*

In meeting its mission of safeguarding life, health and property, and to promote the public welfare, the WV Board actively enforces the statutes and rules that fall within its jurisdiction. Below is a summary of formal complaints that resulted in disciplinary action since the 2016 newsletter. Numerous other investigations were conducted, some resulting in formal complaints which are still pending; some dismissed because the charges were unsubstantiated or considered trivial; and some closed after acceptable corrective action or warning.

Disciplinary actions can be either a result of a formal hearing resulting in a Board Order or settled informally resulting in a Consent Order. These orders are public records. If you are interested in knowing more about the nature of the complaint, you may request a copy pursuant to the State's Freedom of Information Act. All Orders are posted on the Board website.

All civil penalties are deposited in the state's general fund. Administrative costs are made payable to the WV PE Board and are retained by the Board to offset costs incurred in the investigation and complaint resolution efforts. Administrative costs may be waived if the complaint is resolved with a minimum of expense.

Case #: **C2016-09 - William L. Toney**

Violation: Improper use of seal. [§30-13-21(a)(4), W. Va. R. 7-1-7.3(e)&(h)]

Resolution: Consent Order signed. Administrative costs of \$500 paid. Case closed 10/13/16.

Case #: **C2016-18 - Churches Engineering, LLC and Churches Engineering**

Violation: Practicing engineering in WV without Certificates of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$500 paid. Administrative costs of \$1,500 paid. Case closed 9/20/17.

Case #: **C2016-25 - Schneider Electric Engineering Services LLC / John R. Carlin**

Violation: Failure within thirty days to provide information requested by the Board [§30-13-21(a)(6)]

Resolution: Consent Order signed. Civil penalty of \$1,000 paid. Administrative costs of \$300 paid. Case closed 10/13/16.

Case #: **C2016-27 - WiSEngineers, Inc.**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$550 paid. Case closed 9/12/16.

Case #: **C2017-01 - DCS Infrastructure Engineering, PLLC / Donald Stout**

Violation: Offering to practice and practicing engineering in WV without a license and Certificate of Authorization. [§30-13-2, §30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$1000 paid. Case closed 9/15/16.

Case #: **C2017-03 - Odisea, LLC / Jeffrey Ruppert**

Violation: Offering to practice engineering in WV without a license and Certificate of Authorization. [§30-13-2, §30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$500 paid. Case closed 10/13/16.

Case #: **C2017-04 - DWG, Inc. Consulting Engineers**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$250 paid. Case closed 9/12/16.

Case #: **C2017-05 - Machado Patano, PLLC**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$250 paid. Case closed 9/12/16.

Case #: **C2017-06 - Seizmic, Inc.**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$1,250 paid. Case closed 11/2/16.

Case #: **C2017-08 – FESCO, LTD.**

Violation: Offering engineering in WV without a license and Certificate of Authorization. [§30-13-2, §30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Administrative costs of \$500 paid. Case closed 3/21/17.

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Case #: **C2017-09 – Picard Engineering**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$250 paid. Case closed 5/15/17.

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Case #: **C2017-10 – Structural Resources, Inc.**

Violation: Providing misinformation to the Board and failing to timely respond to the Board's request for information. [§30-13-21(a)(6), §30-13-21(a)(12)]

Resolution: Consent Order signed. Civil penalty of \$500 paid. Case closed 5/5/17.

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Case #: **C2017-15 – Stevens Engineering / Ross Stevens**

Violation: Offering and practicing engineering in WV without a license and Certificate of Authorization. [§30-13-2, §30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$1,000 paid. Case closed 5/5/17.

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Case #: **C2017-16 – Bruce E. Kenney**

Violation: Committed an act of misconduct in the practice of engineering, convicted of a crime which is a felony, knowingly made false statements or signed false statements to induce payment, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public. [§30-13-21(a)(2), §30-13-21(a)(3), §30-13-21(a)(4), §30-13-21(a)(7), §30-13-21(a)(11)] Violations of the Rules of Professional Responsibility. [W.Va. R. §7-1-12.2, §7-1-12.3(g), §7-1-12.4(d), §7-1-12.4(e), §7-1-12.4(f)]

Resolution: Consent Order signed. Civil penalty of \$15,000 payment pending. Administrative costs of \$500 paid. Case closed 12/14/17.

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Case #: **C2017-17 – James T. Miller**

Violation: Committed an act of misconduct in the practice of engineering, convicted of a crime which is a felony, knowingly made false statements or signed false statements to induce payment, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public. [§30-13-21(a)(2), §30-13-21(a)(3), §30-13-21(a)(4), §30-13-21(a)(7), §30-13-21(a)(11)] Violations of the Rules of Professional Responsibility. [W.Va. R. §7-1-12, §7-1-12.3(g), §7-1-12.4(d), §7-1-12.4(e), §7-1-12.4(f)]

Resolution: Consent Order signed. License revoked for 3 years. 30 hour professional ethics course required prior to reinstatement application.

Civil penalty of \$15,000 payment pending. Administrative costs of \$1,500 paid. Case closed 11/15/17.

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Case #: **C2017-18 – Dennis Corporation / Daniel Dennis**

Violation: Convicted of a crime which is a felony, knowingly made false statements or signed false statements to induce payment, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public. [§30-13-21(a)(3), §30-13-21(a)(4), §30-13-21(a)(7), §30-13-21(a)(11),] Violation of the Rules of Professional Responsibility. [W.Va. R. §7-1-12.3(g)]

Resolution: Consent Order signed. Civil penalty of \$25,000 payment pending. Administrative costs of \$1,500 paid. Case closed 11/15/17.

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Case #: **C2017-19 – TK Architects International, Inc.**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$250 paid. Case closed 5/5/17.

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Case #: **C2017-20 – Current Consulting, LLC**

Violation: Practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4)]

Resolution: Consent Order signed. Civil penalty of \$250 paid. Case closed 5/5/17.

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Case #: **C2017-22 – Franklin S. Pajaro, PE**

Violation: Providing false information to the Board and practicing engineering in WV without a Certificate of Authorization. [§30-13-17(a), §30-13-21(a)(4), §30-13-21(a)(12)]

Resolution: Consent Order signed. Civil penalty of \$750 paid. Case closed 8/4/17.

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Case #: **C2018-02 – Andrew P. Nichols**

Violation: Committed an act of misconduct in the practice of engineering, convicted of a crime which is a felony, knowingly made false statements or signed false statements to induce payment, engaged in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public. [§30-13-21(a)(2), §30-13-21(a)(3), §30-13-21(a)(4), §30-13-21(a)(11)] Violations of the Rules of Professional Responsibility. [W.Va. R. §7-1-12, §7-1-12.3(g)]

Resolution: Consent Order signed. License revoked for 3 years. 30 hour professional ethics course required prior to reinstatement application.

Civil penalty of \$15,000 payment pending. Administrative costs of \$1,500 payment pending. Case closed 2/21/18.

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# Time's Up!

## LEGAL CORNER

DEBRA L. HAMILTON, BOARD COUNSEL & DEPUTY ATTORNEY GENERAL



As my time as counsel for the WV PE Board winds down (I am retiring June 30), there are things in our attorney/client relationship we will both miss, but there is one thing I am sure the staff will not miss – and that is the fact that I change language that at some prior point I had signed off on or even had written. That is not uncommon, as we are always considering new angles, clarifying, adapting to the changing landscape, but I really threw them a curveball when I questioned the format of the table of complaints that resulted in disciplinary action since the last newsletter. Though thankfully it didn't happen all that often, in this instance they did not take my advice to provide more information about the complaints that have been resolved since the last newsletter.

For one reason, as I have stated before in terms of my client's philosophy, consistency is always a consideration for the Board when determining how complaints are handled. Their decision to keep this table as is was, I think, another example of the Board's predilection for consistency. The information in the table is the information provided in the annual report to the Governor, and there is good reason for it to be the same. Plus, as staff correctly pointed out and as the intro to the table in the newsletter always states, anyone can find out more about a particular disciplinary action through a FOIA request or by reading the Orders posted to the Board's website.

However, I was invited to expand upon the information in the table for my last article for this newsletter should I so choose. Since I thought that, particularly this year, the cryptic summary of how the complaints were resolved didn't tell much of the story. That is the long version of how my topic for this year came about.

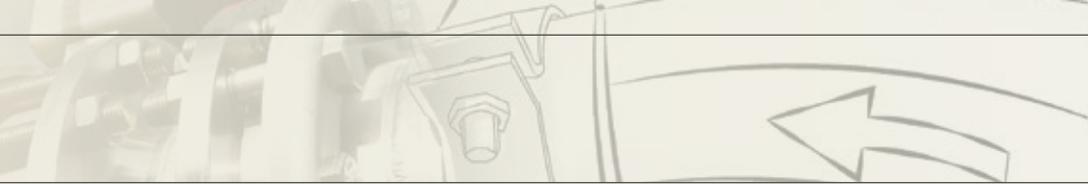
Here is one general observation: the table often doesn't say whether someone is prohibited from practicing or is now in good standing with the Board. In many cases, the complaint comes to the attention of the Board because an applicant for licensure or COA is working or has offered to do work in West Virginia, wants to get the necessary credentials, and answers truthfully on the application regarding prior work or offers.

In those cases, almost all of the sanctioned licensees are in good standing with the Board and are able to practice engineering in West Virginia. As a side note, some seem reluctant to apply for licensure or the COA while there is a complaint pending, despite the fact that both staff and I encourage them to do so sooner rather than later. Even if someone jumps the gun when offering or starting to do work in West Virginia, it is always best to get right with the Board as soon as possible.

Included in the table are a couple of revocations for specific terms, so obviously those individuals cannot practice until they are eligible for and have become licensed by the Board. However, there are a few others where the licensees either turned in their license or did not renew their license, and the consent orders specifically state they have agreed never to apply for licensure in West Virginia or practice engineering here.

Another general comment: Several years ago the Board considered it more fair to charge offers to practice and practice as separate offenses since some did work for existing clients (there was no offer) and some submitted offers but made sure they were licensed before commencing their engineering work. While the amount may change based on the understanding that the West Virginia Board's civil penalties are much lower than assessed in most states, offering or practicing without a license or COA is generally \$250 per each violation. This guideline can help you understand the amount of civil penalty in many of the sanctions listed in the table.

However, there are some matters where the sanctioned licensee is paying more. This is usually explained by the fact there was more than one offer or more than one practice. The amount assessed is decided on a case-by-case basis, but there was a change in philosophy that is reflected in the first FY2017 multi-count matter. While the Board reserves the right to settle matters on a case-by-case basis, if you practice engineering more than once without a license or COA, chances are you will be assessed for each of those instances. In C2017-06, the firm had done five jobs in WV and paid a \$250 civil penalty for each of those projects.



## Previous Columns On Various Legal Issues

Visit the “Publications/Reports” link on our website at [www.wvpebd.org](http://www.wvpebd.org) to review previous editions of the **INTERchange**.

**2016 – FIRST RULE: Know Your Rules.**

Explains the importance of PEs understanding the Rules of Professional Responsibility.

**2015 – What’s the Deal With Using Your Seal?**

Discusses several seal violations, with a focus on sealing work done in whole or in part by others.

2014 – General primer on the statute and rules that comprise WV Engineering Law and an explanation of some legal terms found in WV Engineering Law.

2013 – **Are You Talking to Me?** What constitutes a ‘disciplinary action’ and the information needed to fully respond to the renewal question regarding that, investigations & criminal matters.

2012 – **Settlement of a Complaint.** A brief explanation of the usual procedure for resolving complaints by Consent Order.

2011 – **Exemptions, Exceptions, Etc.** A brief discussion of the various listserves that allow for sharing and comparison among licensing boards, with specific attention to various states’ exemptions from their licensure requirements.

2010 – **Unlicensed Practice.** A discussion of the WV PE Board’s authority to take administrative action against unlicensed practice.

2008 – **5G: Where to Go? What to Do?** A brief overview of the law that requires “Qualifications-Based Selection (QBS)” for procurement by governmental entities of engineering and architectural services.

2007 – **A Legal Perspective on Expert Testimony.** A discussion of licensure requirements for expert witnesses testifying about engineering matters.

2006 – **Plan Stamping, Sealing Record/As-Built Drawings** and an article reprinted from the NC Board – Attributes of Responsible Charge.

2005 – **Initiating Board Investigations, Duty to Report Alleged Infractions and Home Inspectors.**

There are two matters in this year’s roster that settled only for administrative costs – C2016-09 and C2017-08. Like I said, you can’t always read between the lines to tell what is going on. In the first matter, a professional engineer had been charged with misuse of seal, and a lot of time went into investigating the circumstances where it appeared that someone else had placed his seal on a West Virginia drawing. That investigation hit a dead end, but the licensee admitted that it was done by a former employee who, with the licensee’s permission and reportedly with the supervision and verification required by West Virginia Engineering Law, had been allowed to affix the licensee’s seal to engineering work. The Board conceded that sometimes there is nothing a licensee can do about the rogue use of one’s engineering seal, but here the licensee had been lax about control of his seal. He was reprimanded for that and agreed to not relinquish the physical possession of his seal, not allow anyone else to affix his seal to a document, and to report any known use of it to the Board within 30 days of discovery of that use.

In C2017-08, a Texas firm advertised in a local Chamber of Commerce program as a petroleum engineering company, but it did not have a WV COA. The Board was satisfied that the company’s work in WV was for field services. Even though the ad was technically an offer of services without a COA, the Board agreed to settle the matter for administrative costs upon the firm’s agreement not to advertise or otherwise offer engineering services until it was qualified to do so.

C2016-25 is another instance where the brief write-up doesn’t tell the whole story, which was so confusing that even the consent order doesn’t go into great detail. It was a COA issue, discovered in connection with the COA questionnaire sent out by the Board in 2016. Through several moves, the firm and its engineer-in-responsible charge (EIRC) had not updated the information in the Board’s records as required by the Board’s rules, it took repeated attempts to get the updated information from the firm, and then it was learned that several projects had been performed during the time of the outdated records. Given that the records were finally straightened out and all was right with the Board after much effort on its part, the matter was closed with the firm’s payment of civil penalties and administrative costs.

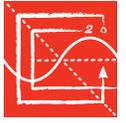
I will close with a brief comment on the complaints that resulted in significant civil penalties and loss of each professional engineers’ license – permanently or for several years. These severe sanctions were in connection with the pay-to-play scheme involving WV Department of Highway funds and four WV professional engineers who entered guilty pleas to federal felonies. The pay-to-play scheme involving WV Department of Highway funds and four WV professional engineers who entered guilty pleas to federal felonies. In some ways, it was an unfortunate way to end my tenure with the West Virginia PE Board. Over the years, they have been zealous in their enforcement, fair in their resolution, and well-respected on both counts by engineers and other boards throughout the country. I could feel the Board’s anguish engendered by the headline-making convictions, given the importance to the Board both of protecting the public and upholding the professional reputation of this State’s engineering community. Here, it was especially wrenching since it involved public monies and the reputation of a state agency. It can only be hoped that events such of these will not happen again, and that each licensee will know and honor the Rules of Professional Responsibility that govern professional engineers.

Which brings me to my last point. Early on I heard a colleague in the Attorney General’s office advise a client that he just needed to fall on his sword. It was a phrase I remembered and used often in describing various settlement negotiations. I found that for the most part professional engineers were honest and quite quick to admit responsibility for their infractions. Most wanted to get the matter resolved so they would be in good standing with the Board and could get back to work. Over the years, there were some glaring exceptions to that overall experience, including a couple on this year’s list. Best for some things to remain confidential.

With that, I extend a fond farewell to West Virginia’s engineering community, and I hope that both you and the State prosper through improvements to our infrastructure and economy.



# NCEES Exams Transition To Computer-Based Testing (CBT)



**NCEES**  
advancing licensure for  
engineers and surveyors

*The NCEES pages contain an overview of recent news releases received from the National Council of Examiners for Engineering and Surveying (NCEES), as well as NCEES Licensure Exchange articles, concerning items that may be of interest to our engineering community. Some of these articles may have been adapted to fit the space allocated. For more information on any of these updates, or to review the full news releases, simply visit the NCEES website at [ncees.org](http://ncees.org).*

NCEES began the process of transitioning exams to computer-based testing (CBT) in 2011. CBT offers many benefits, such as enhanced exam content security and uniformity in testing conditions. For most exams, it provides greater scheduling flexibility. All exams are offered at approved Pearson VUE test centers (visit [ncees.org/exams/test-center-locations](http://ncees.org/exams/test-center-locations) to view NCEES-approved test centers near you). For more information on registering for a CBT exam, visit the NCEES website to download the Examinee Guide and watch a video series about the exam-day experience.

**CONVERSION SCHEDULE:** NCEES has successfully converted, or is in the process of converting, the following exams to a computer-based format. They are no longer offered in pencil-and-paper format.

YEAR	EXAM	AVAILABILITY	YEAR	EXAM	AVAILABILITY
2014	FE exam (all disciplines)	Year-round	2018	PE Chemical	Year-round
	FS exam	Year-round		PE Nuclear	Single-day
2017	PS exam	Year-round			

All other NCEES exams are currently in the conversion process and scheduled to launch in computer-based format between now and 2024. They are currently offered in pencil-and-paper format and available once or twice per year depending on the exam. Please visit the NCEES website or the WV PE Board website to view the current pencil-and-paper exam schedule.

**The following conversion schedule is TENTATIVE. Official notification and details related to each exam will be provided 12 months in advance and available on the NCEES website for review.**

YEAR	EXAM	AVAILABILITY	YEAR	EXAM	AVAILABILITY
2019	PE Environmental	Year-round	2022	PE Architectural	Single-day (date TBD)
	PE Petroleum	Single-day (date TBD)		PE Control Systems	Single-day (date TBD)
2020	PE Fire Protection	Single-day (date TBD)		PE Metallurgical & Materials	Single-day (date TBD)
	PE Industrial & Systems	Single-day (date TBD)		PE Naval Architecture & Marine	Single-day (date TBD)
	PE Mechanical:			PE Software	Single-day (date TBD)
	HVAC & Refrigeration	Year-round	2023	PE Civil: Construction	Year-round
Machine Design & Materials	Year-round	PE Civil: Geotechnical		Year-round	
Thermal & Fluids Systems	Year-round	PE Civil: Structural		Year-round	
2021	PE Agricultural & Biological	Single-day (date TBD)		PE Civil: Transportation	Year-round
	PE Electrical & Computer: Computer Engineering Electronics, Controls, & Communications	Single-day (date TBD)		PE Civil: Water Resources & Environmental	Year-round
	PE Electrical & Computer: Power	Year-round	2024	Structural exam (SE)	TBD
	PE Mining & Mineral Processing	Single-day (date TBD)			

## YEAR-ROUND VS. SINGLE-DAY EXAMS

Some CBT exams are administered year-round. NCEES constructs these exams using a linear-on-the-fly (LOFT) algorithm. This means that all examinees for a particular exam are required to answer the same number of questions in the same topics; however, no examinees will have the same set of questions. The algorithm will assemble a unique exam within the same specification framework (i.e., the same number of questions per topic area) and the same relative level of difficulty. Other CBT exams that have a smaller examinee population use a different high-stakes testing model and are administered on a single day each year. All examinees taking these exams receive the same questions. The question formats used on both types of exams are the same, independent of the statistical model employed.

## ALTERNATIVE ITEM TYPES

CBT exams include traditional multiple-choice questions as well as alternative item types (AITs). AITs provide opportunities to assess the technical knowledge of examinees using methods not available through paper-based testing. AITs include but are not limited to the following: (1) Multiple correct—allow examinees to select multiple answers; (2) Point and click—require examinees to click on part of a graphic to answer; (3) Drag and drop—require examinees to click on and drag items to match, sort, rank, or label; (4) Fill in the blank—provide a space for examinees to enter a response to the question.

## NEW EXAM SPECIFICATIONS & STANDARDS

Details regarding the following new exam specifications and standards are posted on the NCEES website. If you have any questions about these changes or require additional information, please contact NCEES.

### April 2018 Exam Changes

- PE Architectural Engineering
- PE Electrical and Computer
- PE Environmental (also being reduced from 100 to 80 questions to match the other PE exams)
- Structural 16-hour
- PE Civil (Construction, Geotechnical, and Structural modules)

### October 2018 Exam Changes

- PE Nuclear (Transitioning to CBT in October 2018 and offered on a single-day only).
- PE Fire Protection

### Special Accommodations

- All requests for testing accommodations must be submitted through the NCEES E3 system by the posted registration deadlines. These include accommodations for ADA and religious reasons and for active military service. More information about special accommodations is posted on the NCEES website.

## NCEES ANNOUNCES SEARCH FOR NEW CEO



The National Council of Examiners for Engineering and Surveying has begun the search process for a new chief executive officer. Current CEO Jerry Carter will retire on September 30, 2018. The board of directors has formed a five-member CEO Search Committee, chaired by President Patrick Tami, PLS. The committee will accept applications from qualified candidates until April 30, 2018.

"Under CEO Carter's leadership, NCEES has become one of the most respected organizations in the engineering and surveying professions. He has greatly improved our ability to achieve NCEES' mission by bringing about a significant evolution of the Council's services and governance," Tami says. "Thanks to him, our new CEO will be able to continue our mission with a dedicated staff and strong financial footing."

NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops, administers, and scores the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories.

Candidates for the position should hold a bachelor's degree or higher and have at least five years of executive-level leadership or management experience. The ideal candidate will be a visionary leader with strong financial experience in leading an organization, preferably in an engineering or surveying community. He or she will have an understanding of organizational governance and its structure and be a strong collaborative leader of NCEES leadership, staff, members, and volunteers. Previous experience at an executive level is preferred.

**ESTABLISHED TIMELINE:** Position published February 12, 2018, Application deadline April 30, 2018, Interview period June–July, 2018, Executive selected, August 2018

**APPLICATION INFO:** Information about the search is available at [ncees.org/CEOsearch](https://ncees.org/CEOsearch).

**1.** About NCEES, **2.** About the position, **3.** Qualifications, **4.** Timeline, **5.** Contact information

## ABOUT NCEES

The National Council of Examiners for Engineering and Surveying is a nonprofit organization made up of engineering and surveying licensing boards from all U.S. states, the District of Columbia, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

NCEES was founded in 1920 to help its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops, administers, and scores the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories.

**NCEES Vision:** The vision of NCEES is to provide leadership in professional licensure of engineers and surveyors through excellence in uniform laws, licensing standards, and professional ethics in order to safeguard the health, safety, and welfare of the public and to shape the future of professional licensure.

**NCEES Mission:** The mission of NCEES is to advance licensure for engineers and surveyors in order to safeguard the health, safety, and welfare of the public. This mission is supported through its member boards, board of directors, staff, board administrators, and volunteers by:

- Providing outstanding nationally normed examinations for engineers and surveyors
- Providing uniform model laws and model rules for adoption by the member boards
- Promoting professional ethics among all engineers and surveyors
- Coordinating with domestic and international organizations to advance licensure of all engineers and surveyors.

Learn more at [ncees.org](https://ncees.org).



## COA Matters Really Matter!

**TIFFANY COLEMAN,  
ADMINISTRATIVE ASSISTANT II**

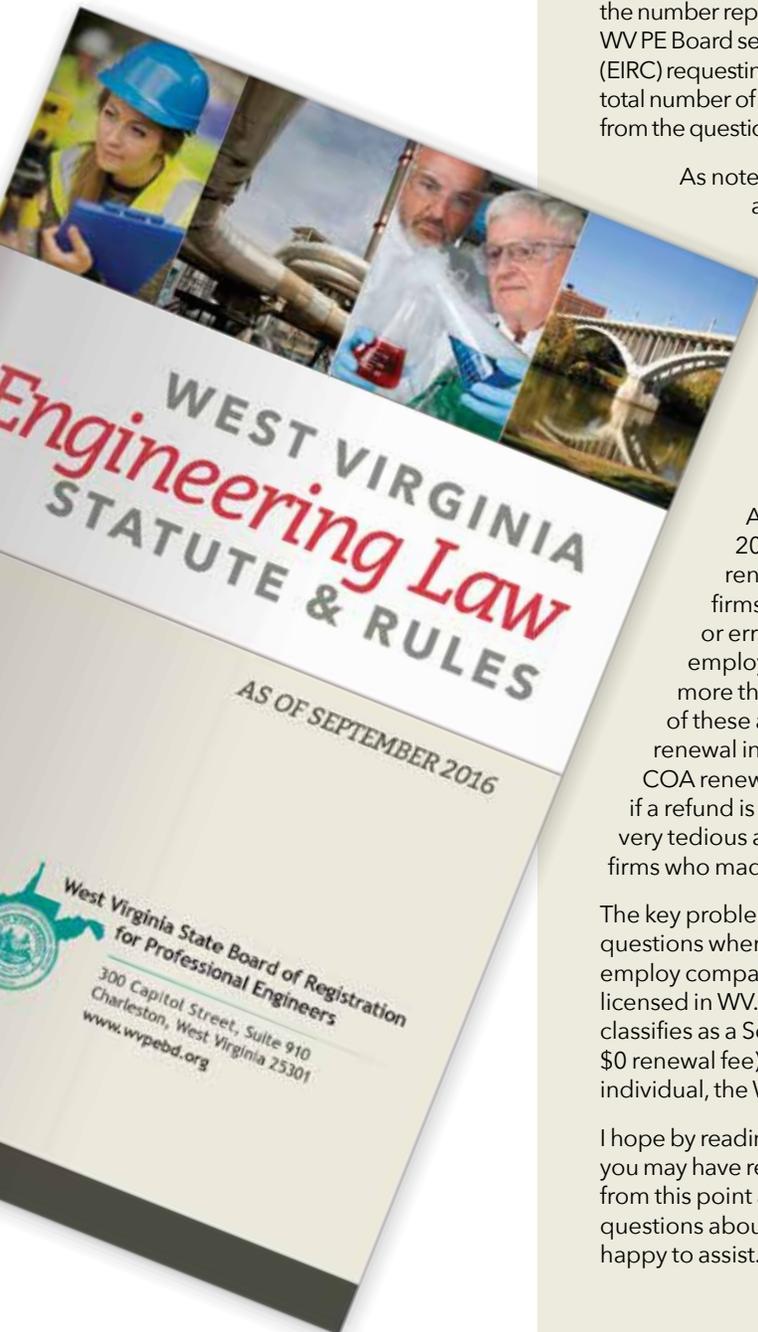
You may recall an article published by the West Virginia Professional Engineers Board in the 2016 Fall Interchange detailing renewal issues where the Certificate of Authorization (COA) renewal fee submissions did not appear to match previous submissions and the reported number of Professional Engineers claimed for a number of firms did not match the number reported in previous years. In efforts to correct renewal inconsistencies, the WV PE Board sent a questionnaire to each firm and the Engineer in Responsible Charge (EIRC) requesting the total number of employees associated with the firm's COA and the total number of Professional Engineers associated with the firm's COA. The responses from the questionnaire revealed that 327 firms had not renewed properly.

As noted in the WV Engineering Law (statute and rules) as well as the COA application and renewal documents, the COA fee structure is based on a sliding scale and is determined by the number of **ALL** Professional Engineers employed with the firm, not simply WV PEs. To rectify the situation, firms who had renewal discrepancies were contacted to pay the difference between the 2016-17 renewal fee made and the actual renewal fee payment that should have been paid. To avoid potential disciplinary action for providing misinformation to the board, firms need to continue to renew based on the current and correct information for the firm at the time of future renewals.

A New Year is here and we have now completed the second biennial 2018 - 2019 Certificate of Authorization renewal. Upon review of the renewal submissions, there continued to be an ongoing problem with firms not accurately reporting the correct number of Professional Engineers or erroneously classifying their firm as a Sole Proprietor when they had more employees than simply the sole WV PE. In fact, we had to individually contact more than 291 firms who appeared to have renewal discrepancies. Some of these are the same firms we had to contact after the 2016-2017 review for renewal inconsistencies. The process involved to individually contact and correct COA renewals is a manual one which can often involve more than two dozen steps if a refund is required so they can re-renew with correct credit card payment. It is very tedious and time consuming for our staff as well as the staff of the engineering firms who made the errors.

The key problems are two-fold: (1) A common issue is that firms are not reading the questions where they are to report the **TOTAL** number of Professional Engineers they employ company-wide, regardless of their state of licensure, and not simply those licensed in WV. (2) Another issue appears to be a misunderstanding of what the Board classifies as a Sole Proprietor and who qualifies for this entity type (which results in a \$0 renewal fee). A Sole Proprietor is a business that is owned and operated by one individual, the WV PE only, meaning the firm has no other employees.

I hope by reading this article we have cleared up any confusion or misunderstandings you may have regarding your firm's COA. I am optimistic that we can move forward from this point and have a smoother COA renewal season in late 2019. If you still have questions about your COA, please do not hesitate to contact our office. We are always happy to assist.



# Renewal Status Report and COA Renewal Follow-Up

## 2018 WV PE AND COA RENEWAL STATUS REPORT

To view or download a complete roster of the Active PE licenses, Firm Certificates of Authorizations (COAs), and Retired PEs, simply visit our website. You may also access the online verification search to determine if a particular individual and/or firm is authorized to practice, or even offer to provide engineering services in WV. Please be reminded that due to our upgraded technology and “real-time” search features available on our website, we are no longer publishing lengthy lists within our newsletter of those PEs or firm COAs with Lapsed, Inactive or Invalidated status. It is quite possible these individuals or firms may have already begun or completed the reinstatement process to bring such non-practicing status situations into Active status and good standing. However, in addition to individual look-ups by name, one may use our Licensure Verification search tool to review other Status designations of their choosing. Again, visit our website for complete status details for any WV PE or WV COA, or simply contact the Board office with any specific questions.

In addition, please be reminded that all licensees should report disciplinary actions, a change in address, employer or email to the Board within 30 days. All submitted address changes, new employer updates, new licensees, as well as any recent Board changes to the status of a licensee will appear immediately unless an action is required by staff before it will post. If such an action is required by staff, a flashing warning signal will appear the next time a staff member logs into the in-house database prompting them to perform the check and release the “real-time” update. In most instances, such approvals are performed during the normal course of business and multiple times throughout each work day. If, however, an after-hours/weekend/holiday submission occurs that requires staff action, rest assured such will take place within a few hours of our office opening on the next official business day.

## UPCOMING WV RENEWAL REMINDERS

West Virginia Engineering Law requires our agency to send notification at least 30 days prior to the expiration of a license, meaning no later than December 1st of odd numbered years for COAs and December 1st of even numbered years for PEs and Retired PEs. Renewal notification postcards are typically mailed in mid-late November and the WV State Treasurer's Office activates our online license renewal system at the same time. There will be renewal instructions on the mailer as well as at the live link posted on our website at that time. You will also receive a number of courtesy email notifications to your record email address(es) throughout the renewal season until you successfully renew. Upon successful renewal, we will no longer contact you with unnecessary email communication.

All WV PE licenses will be required to be renewed by December 31, 2018. At a meeting in November 2016, and after the printing of our last Board newsletter, the West Virginia State Board of Registration for Professional Engineers voted to allow registrants to check a box on the online renewal certifying that they have met the Continuing Professional Competency requirements as outlined in WV Engineering Law (specifically WV Legislative Rules 7-1-10) during the biennial renewal period (or other qualifying period for new or reinstated licensees). As a condition of WV PE renewal, every registrant must:

- Certify that he or she has met the continuing education requirements (obtained the minimum of thirty (30) PDHs prior to the biennial renewal period; and
- Indicate the total number of PDHs obtained during the qualifying renewal period; and
- Indicate the total number of requested carryover hours (up to a maximum of 15 PDHs) to be used during the next biennial renewal.

Submission of a detailed description of the PDHs obtained will no longer be required at the time of renewal. Only registrants randomly selected for audit following the close of this renewal period will be required to submit detailed records to support the credits claimed at the time of renewal.

If you wish to track your PDHs online, NCEES offers a free CPC tracking tool. Information about the NCEES CPC Tracking System is available at [ncees.org/cpc](http://ncees.org/cpc).

## 2018 REGISTRATIONS

The following is a numerical summary of registered individuals and firms as of March 1, 2018.

- » Active PEs.....8740
- » Retired PEs ..... 281
- » Active COAs .....3101

### COA Status Summary for Recent 2018-2019 COA Renewal

- » Active Firms Receiving COA Renewal Notification in November 2017 ..... 3297
- » Non-Practicing Inactive Status Requests received during COA Renewal Season..... 123
- » Non-Responding Firms resulting in Lapsed Status after COA Renewal Season.....140



## 15 YEARS OF GROWTH!

### Then ...

#### FY 2002 – Annual Report Statistics

- » Active WV PEs.....5583
- » Retired WV PEs .....81
- » Active WV COAs ..... 643

### Now ...

#### FY 2017 – Annual Report Statistics

- » Active WV PEs.....8520
- » Retired WV PEs ..... 283
- » Active WV COAs ..... 3304



**WV State Board of Registration  
for Professional Engineers**  
300 Capitol Street, Suite 910  
Charleston, West Virginia 25301

# CALENDAR of events - 2018

- JAN 25 Board Meeting, WV PE Board Office, Charleston, WV
- JAN 25 PE Exam Candidate Interviews, Charleston, WV
- FEB 8-24 National Engineers E-Week - various Board activities/speaking engagements
- MAR 20 Board Meeting, WV PE Board Office, Charleston, WV
- MAR 21-22 40th Annual WV EXPO and Continuing Education Seminars, Charleston, WV
- APR 13-14 PE Exam + SE Exams, Charleston and Morgantown, WV
- MAY 9 Board Meeting, WV PE Board Office, Charleston, WV
- MAY 17-19 NCEES Northeast Meeting, Portland, ME
- JUL 17 Board Meeting, WV PE Board Office, Charleston, WV
- JUL 28 PE Application Deadline for October 2018 Exam Administrations  
(Please note this is a "received in office" deadline, not a "postmark" deadline)
- AUG 15-18 NCEES Annual Meeting, Scottsdale, AZ
- SEP 18 Board Meeting, WV PE Board Office, Charleston, WV
- OCT 26-27 PE Exam + SE Exams, Charleston and Morgantown, WV
- NOV 13 Board Meeting, WV PE Board Office, Charleston, WV

