



P.E./P.S. Newsletter 10/2007

Online renewal available

During fiscal year 2007 the Board converted its data to the Ohio eLicense Center database. The database provides the Board with the ability to process online renewals and continuing professional development audits.

Effective this renewal cycle, Professional Engineers (PE), Professional Surveyors (PS), and Professional Engineers/Professional Surveyors (DUAL) will have the ability to renew their license online; or as in the past, by mail-in renewal.

Each renewal form contains instructions and confidential online password informa-

tion that will allow the licensee to complete an electronic renewal and pay the renewal fee using MasterCard or VISA only.

Credit transactions are secure and are monitored by Board staff to resolve any problems that may arise.

Confirmation via email will serve as your receipt for license renewal. If electronic renewal is used, the

Board strongly encourages users to carefully read all of the instructions and reporting formats required.

If you misplace your renewal form with your online user ID and password, you must contact the Board to request a replacement.



Continuing education required for all Ohio P.E., P.S. renewals

As required by law and defined in Ohio Revised Code (R.C.) section 4733.151, Ohio's registered professional engineers and professional surveyors are required to complete 15 hours of continuing professional development (CPD) annually.

When you renew your license this year by using the online system or by mail, you are required to complete the section on CPD. Follow the instructions completely.

Please note that the Board does not offer a grace period for earning your 15 CPD hours. If you have not met the requirements and have let your Ohio license lapse, you will need to make up all CPD hours in order to be reinstated.

Do NOT send in your activity log or documentation with your annual renewal.

The Board will conduct a random audit after the renewal period ends. At that time, if you are selected for audit, the Board will request your paperwork in writing.

The most recently updated CPD policies follow.

LIVE WEB SEMINARS

The Board will not allow credit for web seminars unless the provider is able to verify and confirm attendance and participation.

TECHNICAL ARTICLES REQUIRING SUCCESSFUL COMPLETION OF A TEST

The Board will allow this format up to a maximum of 3 CPD hours per year.

CONSULTANTS

The Board will allow 2 CPD hours per year for individuals that participate on the Ohio Professional Surveyor Exam Workshop Committee and for members of the Board's expert panel.

FINANCIAL MANAGEMENT COURSEWORK

The Board will allow courses in financial management.

For information and updates regarding continuing education, please visit the Board's CPD web page at <http://ohiopeps.org/cpd/index.html>.

DIRECTOR'S CORNER

By John F. Greenhalge
Executive Director

We have had a very exciting and busy year at the Board and have implemented many changes that we feel will help us provide improved service to our registrants and the public.

- After nearly 20 years at the Vern Riffe Center, the Board has moved its office to the historic LeVeque Tower. Our new office is only one block north of our old office.

- The Board has also made a few changes to our exam process. The newly formed expert panel continues to do an excellent job evaluating exam applications and experience. The Board now requires all applicants that have not graduated from an ABET accredited engineering or surveying curriculum to have their education evaluated by the Center for Professional Engineering Education Services (CPEES) prior to submitting an application. CPEES is able to determine if the curriculum is equivalent to an ABET accredited curriculum and also authenticate transcripts, diplomas and other credentials and provide a report to the Board. The Board also moved the exam deadline up 30 days to 120 days before the exam. This allows the Board staff adequate time to provide a thorough review of all applications and ensure that all applications are approved and applicants not prevented from taking an exam.

- Last fall the Board converted its data to Ohio's eLicense Center software system that is currently used by 25 other regulatory Boards. The licensing system uses a Microsoft SQL server platform linked to an internet information server.

PLEASE SEE DIRECTOR'S CORNER
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DON'T FORGET TO RENEW YOUR OHIO P.E., P.S. ANNUAL REGISTRATION BY DECEMBER 31!

2006-2007 Disciplinary Actions

The State Board of Registration for Professional Engineers and Surveyors' mission is to protect the welfare and safety of Ohioans as it relates to our charter in Ohio Revised Code (ORC) Chapter 4733 and Ohio Administrative Code (OAC) Chapter 4733.

The primary goal of our enforcement program is to bring registrants into compliance with Ohio's laws and rules regarding the practice of professional engineering and professional surveying as defined within these chapters. We resolve the majority of complaints we receive by warning letters and educational conferences.

OCTOBER 2006

Howard B. Bumgarner, P.E.
Alexandria, Ohio

VIOLATION: Engaged in the practice of engineering after his registration had expired in December 1996.
BOARD ACTION: Issued a Final Order to revoke Mr. Bumgarner's certificate of registration to practice engineering in Ohio.

JANUARY 2007

John W. Hagan, P.E., P.S.
B&B Engineering and Surveying, LLC
Thornville, Ohio

VIOLATION: Aiding and abetting the unlicensed practice of engineering or surveying and improper conduct.
BOARD ACTION: Issued a Final Order to revoke Mr. Hagan's certificates of registration to practice engineering and surveying and revocation of the certificate of authorization for Mr. Hagan's firm, B&B Engineering and Surveying, LLC.

Kenneth F. Mann, P.E.
Lakeland, Florida

VIOLATION: Professional registration revoked by another jurisdiction (NC) which constitutes a violation of ORC 4733.20 (A)(5) and OAC 4733-35-08.
BOARD ACTION: Issued a Final Order to revoke Mr. Mann's certificate of registration to practice engineering in Ohio.

Ernest N. Stickels, Jr., P.E., P.S.
Eden, North Carolina

VIOLATION: Professional registration revoked by another jurisdiction (NC) which constitutes a violation of ORC 4733.20 (A)(5) and OAC 4733-35-08.
BOARD ACTION: Issued a Final Order to revoke Mr. Stickels' certificates of registration to practice engineering and surveying in Ohio.

David G. Cooper, P.S.
Erlanger, Kentucky

VIOLATION: Professional registration revoked by another jurisdiction (KY) which constitutes a violation of ORC 4733.20 (A)(5) and OAC 4733-35-08.

BOARD ACTION: Entered into a settlement agreement in which he voluntarily surrendered his professional surveyor certificate of registration in Ohio.

FEBRUARY 2007

ES&C International, LLC
Youngstown, Ohio

VIOLATION: Providing engineering and/or surveying services in Ohio with an expired certificate of authorization.
BOARD ACTION: \$1000 fine.

Samer S. Awadallah, EI
Uniontown, Ohio

VIOLATION: Failure to abide by and comply with examination instructions in violation of Ohio Revised Code Section 4733.20 (A) (7).
BOARD ACTION: Final Order issued to not allow Mr. Awadallah to take the Principles and Practice of Engineering examination until October 2010.

MARCH 2007

Stephen M. Bowman, P.S.
Zanesville, Ohio

VIOLATION: Violations of OAC 4733-38, Standards for Mortgage Location Surveys, based on a mortgage location survey performed in October 2000.
BOARD ACTION: Entered into a settlement agreement in which Mr. Bowman's professional surveyor registration was suspended for six months. The suspension was stayed with the following conditions: serve one year probation, \$500 fine, written reprimand.

Atul A. Gupte, P.E.
Richfield, Ohio

VIOLATION: Engaging in the practice of engineering after his registration had expired in December 2000.
BOARD ACTION: Issued a Final Order to revoke Mr. Gupte's certificate of registration to practice engineering in Ohio.

Sripriya M. Vijayalakshmi
Kansas City, Missouri

VIOLATION: Failure to abide by and comply with examination instructions in violation of Ohio Revised Code Section 4733.20 (A) (7).
BOARD ACTION: Issued a Final Order to not score Ms. Vijayalakshmi Fundamentals of Engineering examination.

APRIL 2007

Curtis Deibel, P.S.
Canton, Ohio

VIOLATION: Providing surveying services at a time when his registration as a professional surveyor was expired.
BOARD ACTION: Entered into a settlement agreement in which he agreed to pay a \$250 fine and renew his registration each year on time.

Donald E. Binckley, II, P.S.
Zanesville, Ohio

VIOLATION: Provided surveying services through his firm, Binckley Land Surveying, Ltd. without a certificate of authorization.
BOARD ACTION: Entered into a settlement agreement in which he was granted a certificate of authorization to provide surveying services, paid a \$500 fine and agreed to renew his certificate of authorization annually by June 30.

JUNE 2007

Frederick Schoen, P.E.
Coldwater, Ohio

VIOLATION: Providing engineering services at a time when his registration as a professional engineer was expired.
BOARD ACTION: Entered into a settlement agreement in which he agreed to pay a \$500 fine, receive a written reprimand and renew his registration each year on time.

Dennis P. Hagan, P.E., P.S.
Pickerington, Ohio

VIOLATION: Engaging in the unlicensed practice of surveying.
BOARD ACTION: Issued a Final Order to revoke Mr. Hagan's certificates of registration as a professional surveyor and professional engineer.

Thomas M. Toberen, P.E., P.S.
Dayton, Ohio

VIOLATION: Conviction of a felony in a federal court (Possession of Child Pornography) which constitutes a violation of ORC 4733.20 (A)(5) and OAC 4733-35-08.
BOARD ACTION: Issued a Final Order to revoke Mr. Toberen's certificates of registration as a professional engineer and professional surveyor.

SEPTEMBER 2007

Steven M. Burnett, EI
Toledo, Ohio

VIOLATION: Found guilty of cheating on the Principles and Practice of Engineering examination.
BOARD ACTION: Issued a Final Order to not permit Mr. Burnett to take the Principles and Practice of Engineering examination until April 2009.

Steven C. Porpora, P.E.
Akron, Ohio

VIOLATION: Conviction of a felony (Domestic Violence) and failure to notify the Board within sixty days which constitutes a violation of ORC 4733.20 (A)(5) and OAC 4733-35-07(D) and 4733-35-08.
BOARD ACTION: Issued a Final Order suspending Mr. Porpora's certificate of registration as a professional engineer for three months. The suspension was stayed with the following conditions: placed one year on probation, pay a \$250 fine.

ELECTRONIC SEAL AND SIGNATURE UPDATE

On December 28, 2006, amended substitute House Bill 699 took effect authorizing the use of computer generated seals and electronic signatures in Ohio.

The Board worked very closely with the Ohio Department of Transportation, the Ohio Environmental Protection Agency, the Ohio Department of Natural Resources and Ohio's engineering and surveying associations to come up with language to allow the use of computer generated seals and electronic signatures.

CHECK YOUR LICENSE STATUS

Persons practicing beyond the expiration date of their license are subject to disciplinary sanctions by the Board. Take the time to check your expiration date. You may access your current status by visiting the license lookup page on the Board's website at <http://ohiopeps.org/licenselookup/index.html>. The system allows interested parties to search license status for any person that currently holds a license to practice. The following tips will make the feature easy to use:

- Do **not** select all options for your search.
- Use as few fields as possible.
- Do not combine name and number search.

LICENSE STATUS DEFINITIONS

ACTIVE

Licensee is active and permitted to practice.

ACTIVE-IN-RENEWAL

Licensee is active. The licensee is in the process of renewing.

ACTIVE-IN-RENEWAL PAID

Licensee is active. The licensee has completed the requirements for renewal.

INACTIVE

License not renewed, therefore the individual is not authorized to practice.

Board looking for Ohio PS exam development volunteers

The Board is looking for Subject Matter Experts to volunteer to serve on the Ohio Professional Surveyor Exam Committee. The committee assists the Board in the development and evaluation of the 2-hour Ohio Professional Surveyor exam. Serving on the committee is an excellent way to give back to the profession and serve the citizens of Ohio. Although the committee is made up of volunteers, the Board reimburses com-

mittee members for mileage and meals and provides a hotel room the Friday before the workshop.

The committee meets twice a year, typically a Saturday in November and May. The next workshops are scheduled for November 10, 2007 and May 3, 2008. If you are interested, please contact Executive Director John F. Greenhalge for more information or send a cover letter and resume to the Board.

Dawson appointed to new commission

Board member Bert Dawson, P.E., P.S., was appointed to represent the County Engineers Association of Ohio on the newly created Household Sewage and Small Flow On-Site Sewage Treatment System Study Commission.

The commission was established with the passage of Amended Substitute House Bill 119, 127th General Assembly; the same legislation that rescinded the Ohio Department of Health sewage treatment systems rules that were put into effect on January 1, 2007.

The commission will study and recom-

mend to the Governor and General Assembly by December 1, 2008 efficient and effective ways to treat sewage, to ensure protection of public health while considering economic impacts concerning household sewage treatment systems and small flow on-site sewage treatment systems.

For more information regarding related sections of Amended Substitute House Bill 119, visit the Ohio Department of Health's Sewage Treatment Systems page. Comments, suggestions and recommendations may be emailed to bert.dawson@pes.ohio.gov.

BS+30 model law survives challenge

The future of P.E. licensure has been a hot topic recently with the adoption of what is known nationally as BS+30. At the 2006 NCEES annual meeting in Anchorage Alaska, the member Boards of NCEES voted to amend the model law to set new minimum educational requirements for licensure as a professional engineer. The new requirement would require a bachelor's degree in engineering plus 30 additional hours of education for those that seek P.E. registration starting in 2015. In order for the BS+30 requirement to take effect in Ohio the Board would have to adopt the BS+30 model law.

At the 2007 NCEES annual meeting in Philadelphia, Pennsylvania, the BS+30 was

revisited and Nevada proposed a motion to rescind the BS+30 requirement. Ohio joined Nevada and 19 other states in support of the Nevada motion to rescind the BS+30 requirement.

Ohio Board member Ted Hubbard, P.E., P.S., addressed the council expressing Ohio's concerns that there is no demonstrated need to increase the education requirement and the problems that will arise with comity. The motion did not pass and BS+30 remains in the model law.

In order for the BS+30 requirement to take effect in Ohio, the Board would have to change current Ohio law to include the NCEES model law language.

Board to enter 75th year of licensure

September 26, 2008 will mark the 75th anniversary date of the establishment of Ohio's State Board of Registration for Professional Engineers and Surveyors.

Engineers first presented a bill to the Ohio legislature in 1880 and 16 times thereafter until 1930, when the Eighty-ninth General

Assembly passed a Registration Act which was promptly vetoed by the Governor.

The Nintieth General Assembly passed an engineers and surveyors registration act which was signed into law by Governor George White and became effective on Tuesday, September 26, 1933.

'Report to the Governor' excerpts

REGISTRANTS

During fiscal year (FY) 2007 the Board had 32,782 individuals registered as professional engineers and/or professional surveyors. There was a 4.5% decrease in individual registration renewals this year attributed to the Continuing Professional Development requirement that went into effect in 2007. Certificates of Authorization were issued to 2,034 firms licensed to offer and provide engineering and/or surveying services in the state of Ohio.

EXAMINATIONS

During FY 2007 the Board reviewed 2,870 applications to take the engineering and surveying examinations. 1,155 persons took the fundamentals examinations, of which 781 (68%) received passing scores. 789 persons took the principles and practice examinations, of which 467 (59%) received passing scores.

COMITY

During FY 2007, 490 individuals became registered in Ohio as professional engineers or professional surveyors by comity.

ENFORCEMENT

The Board is charged with investigating complaints alleging violations of Ohio R.C. 4733 and Ohio A.C. 4733.

During fiscal year 2007 the Board received and investigated 138 complaints. One hundred fourteen complaints were engineering related; 24 were surveying related. The Board held seven disciplinary hearings during FY 2007.

During fiscal year 2007 the Board closed 65 complaints. Twenty-nine complaints were closed because

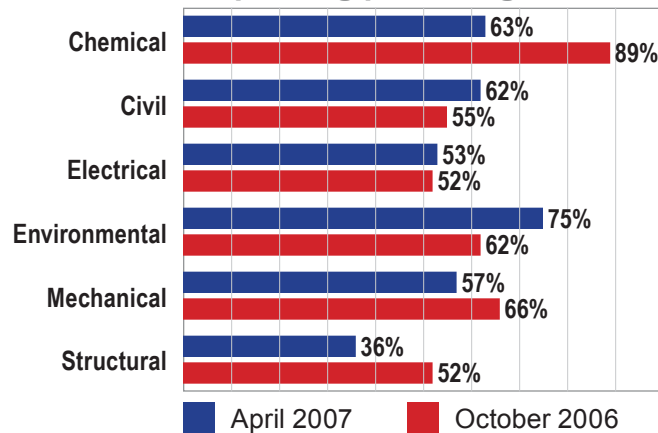
no violations were found or the complaint was outside of the Board's jurisdiction; 22 complaints were closed after the individual or firm voluntarily came into compliance; warning letters were sent in seven cases; and seven complaints were closed due to completion of Board actions. At the end of FY 2007 the Board had 92 pending complaints.

During FY 2007 the Board opened 27 formal investigations. Twenty were engineering related and seven were surveying related. Sixteen were opened from complaints received during fiscal year 2007 and 11 were opened from complaints received prior to fiscal year 2007.

During fiscal year 2007 the Board closed 19 formal investigations. Of the 19 formal investigations closed the following actions were taken: five investigations were closed after the individual or firm entered into a settlement agreement; ten were closed after the Board conducted an adjudication hearing and/or issued disciplinary action; two were closed after a warning letter was issued; one was closed due to completion of Board actions; and one was closed due to no apparent violation.

At the end of FY 2007 the Board had 24 pending formal investigations.

PE passing percentages



DIRECTOR'S CORNER

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This new database will allow the Board to pursue on-line renewals and on-line applications in the future.

- And last, but not least, the Board will begin auditing the Continuing Professional Development (CPD) requirement that went into effect in 2007. With your 2008 registra-

tion, you will be required to certify that you have completed the CPD requirement. **Do NOT send in your CPD documentation with your renewal.** The Board will conduct an audit beginning in January 2008, and those selected for audit will be required to turn in their CPD documentation. For more information on CPD please go to the CPD page on our website at <http://ohiopeps.org>.

The Board is constantly working to improve our services to both the public and our registrants. If you have comments or suggestions I encourage you to contact me at john.greenhalge@pes.ohio.gov.

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