Online renewal strongly encouraged

Since implementation during calendar year 2007, online renewal has been successful. This year the Board is strongly encouraging all registrants to renew online through its secure website.

Registrants will receive a user ID, password, and instructions on how to renew online using a credit or debit card.

Acceptable credit cards have been expanded to include American Express and Discover, in addition to MasterCard and VISA.

Registrants who cannot renew online must either download a paper renewal from the Board’s website at www.peps.ohio.gov, or contact the Board office at (614) 466-3651 to request the paper renewal.

Online renewal benefits both the registrant and board staff. Advantages include expedited renewal processing with an instant receipt, an environmentally friendly reduction in paper, elimination of incomplete renewals and bad checks, and the ability to link renewal history data without the need for scanning.

During the renewal process, registrants can verify the successful processing of renewal applications from the “License Lookup” link on the Board’s website. When the Board has finished processing a renewal, the expiration date will be updated and the status will change to “Active-in-Renewal Paid.” Once wallet cards are printed and mailed, statuses will change to “Active”.

During renewal registrants will be asked to certify that they have completed the continuing professional development (CPD) requirement for the year.

Registrants should only answer affirmatively in the continuing professional development verification box if they have completed the required hours or if they are exempt from the requirement.

Responding affirmatively when CPD has not been completed is considered fraud or deceit in obtaining registration and a violation of 4733.20(A)(1) of the Ohio Revised Code.

All registrants are required to earn fifteen hours of continuing education per year with the exception of first year registrants and registrants granted an exception by the Board for active military duty.

During renewal registrants will be asked to certify that they have completed the continuing professional development (CPD) requirement for the year.

Biennial renewal proposed

The Board has proposed changes in law to convert to a biennial renewal cycle for professional engineers and professional surveyors beginning with the 2012 renewal cycle.

Converting to a biennial renewal cycle will reduce costs and improve efficiency. Research reflects that 75 percent of other state engineering/surveying boards have opted for biennial or a similar staggered renewal process. If enacted during 2011, the Board will look to implement biennial renewal with the 2012 renewal cycle.

All professional engineers and professional surveyors will renew every other year and be required to obtain 30 hours of continuing professional development during the two-year renewal cycle.

If a licensee exceeds the 30-hour requirement during the renewal period, a maximum of 15 hours may be carried forward into the subsequent renewal period.

The biennial renewal fee will be $40.00.

Individuals licensed as both professional engineers and professional surveyors are required to earn a total of fifteen hours with at least five hours in each area of practice.

Additional information regarding qualifying activities, conversion of hours, and recordkeeping can be accessed on the Board’s website at www.peps.ohio.gov.

James D. Mawhorr, P.E., P.S., resident of Mansfield, Ohio, was appointed to the Board on October 6, 2009, replacing David L. Cox, P.S., whose term expired.

Mr. Mawhorr is currently the Vice President of Transportation for K.E. McCartney & Associates where he is responsible for transportation engineering and construction management services. Mr. Mawhorr previously served as District Highway Administrator in District 3 for the Ohio Department of Transportation.

Mr. Mawhorr is a graduate of the University of Toledo and is registered as both a professional engineer and professional surveyor.

Franklin D. Snyder, Jr., P.S., resident of Jefferson, Ohio, was appointed to the Board on May 3, 2010, replacing Frederick F. Frecker, P.E., P.S., who resigned.

Mr. Snyder is the manager of surveying operations for Burgess & Niple, Inc.’s Great Lakes Region, providing surveying services for public and private clients throughout northern Ohio.

Mr. Snyder is a past president of the Professional Land Surveyors of Ohio, Inc., and a 1999 graduate of LEADERship Ashtabula County.

Mawhorr, Snyder appointed to Board
Enforcement • 2009-2010 Disciplinary Actions

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

During fiscal year 2010 the Board received and investigated 110 complaints — an increase of 25 from the previous fiscal year.

Twenty were opened from complaints received during fiscal year 2010 and nine were opened from complaints received prior to fiscal year 2010.

During fiscal year 2010 the Board closed 50 complaints.

The Board held 10 disciplinary hearings during fiscal year 2010.

Of the 29 formal investigations the Board conducted, ten were closed after the individual or firm entered into a settlement agreement; two were closed after the Board conducted an adjudication hearing and/or issued disciplinary action; two were closed because no violations were found or the complaint was outside of the Board’s jurisdiction; 11 complaints were closed after the individual or firm voluntarily came into compliance; warning letters were sent in five cases; three complaints were closed due to completion of Board actions.

At the end of fiscal year 2010 the Board had 85 pending complaints.

During fiscal year 2010 the Board opened 29 formal investigations.

Of the 29 formal investigations closed during fiscal year 2010, 15 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 due to completion of Board actions; two were closed because no violations were found or the complaint was outside of the Board’s jurisdiction.

Of the 29 formal investigations the Board closed during fiscal year 2010, ten were taken: 15 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 due to completion of Board actions; two were closed because no violations were found or the complaint was outside of the Board’s jurisdiction.

At the end of fiscal year 2010 the Board had 17 pending formal investigations.

OCTOBER 2009

CHANDER NANGIA, P.E.
HOUSTON, TEXAS

VIOLATION: Voluntarily surrendered license in another state in lieu of disciplinary action [violation of O.R.C. 4733.20 (A)(5) and O.A.C. 4733-35-08].

BOARD ACTION: Settlement agreement to voluntarily surrender license in Ohio.

VAUGHN R. KUCKENBECKER, P.S.
CUMMINGHAM, TENNESSEE

VIOLATION: Applied his surveying seal to work that was not performed under his direct supervision and control [violation of O.R.C. 4733.20 (A)(2), (3) and (5) and O.A.C. 4733-23-01 (B) and (C) and 4733-37-07 (A)].

BOARD ACTION: Settlement agreement with 2 year suspension (one year stayed) and $2,500 fine.

FEBRUARY 2010

JERALD E. HASBROUCK, P.E.
HASBROUCK ENGINEERING, INC.
COLUMBUS, OHIO

VIOLATION: Provided engineering services while PE registration was expired and firm’s Certificate of Authorization was expired [violation of R.C. 4733.02, 4733.14, 4733.16, 4733.20 (A)(2) and (5), 4733.22 and O.A.C. 4733-23-01 (A)].

BOARD ACTION: Settlement agreement with a reprimand and $4,700 fine.

BRIAN C. CHRISTENSON, P.E.
BUCCYRUS, OHIO

VIOLATION: Failed to respond to the continuing education audit; falsely reported that he had completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151, 4733.20 (A)(1) and (5), 4733.22 and O.A.C. 4733-19-01 and 4733-35-09].

BOARD ACTION: Board issued a Final Order revoking registration.

GEORGE DIFENBACH, JR., P.E.
SEATTLE, WASHINGTON

VIOLATION: Failed to respond to the continuing education audit; falsely reported that he had completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151, 4733.20 (A)(1) and (5), 4733.22 and O.A.C. 4733-19-01 and 4733-35-09].

BOARD ACTION: Board issued a Final Order revoking registration.

U YOUNG PARK, P.E.
HONOLULU, HAWAII

VIOLATION: Falsely reported that he had completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151, 4733.20 (A)(1) and (5), 4733.22 and O.A.C. 4733-19-01 and 4733-35-09].

BOARD ACTION: Board issued a Final Order revoking registration.

BRUCE E. WILSON, P.E.
LAS VEGAS, NEVADA

VIOLATION: Failed to respond to the continuing education audit; falsely reported that had he completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151, 4733.20 (A)(1) and (5), 4733.22 and O.A.C. 4733-19-01 and 4733-35-09].

BOARD ACTION: Board issued a Final Order revoking registration.

APRIL 2010

GREGORY N. FERGUSON, P.E.
DES ALLEMANDS, LOUISIANA

VIOLATION: Failed to respond to the continuing education audit; falsly reported that he had completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151 (G) and 4733-35-09].

BOARD ACTION: Settlement agreement with a reprimand and $500 fine.
JEFFREY PUGH, P.E.
ALTO, MICHIGAN
VIOLATION: Failed to respond to the continuing education audit [violation of R.C. 4733.151 (G) and 4733-35-09].
BOARD ACTION: Settlement agreement with a reprimand and $500 fine.

TIEN VAN NGUYEN, P.E.
SUNNYVALE, CALIFORNIA
VIOLATION: Failed to respond to the continuing education audit [violation of R.C. 4733.151 (G) and 4733-35-09].
BOARD ACTION: Settlement agreement with a reprimand and $2,000 fine.

SAM L. YAKER, P.E.
BLOOMFIELD HILLS, MICHIGAN
VIOLATION: Falsely reported that he had completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151 and 4733.20 (A)(1) and (5)].
BOARD ACTION: Settlement agreement to voluntarily surrender Ohio PE registration.

MARK E. LINZ, P.E.
CINCINNATI, OHIO
VIOLATION: Affixed his professional surveyor seal to another surveyor’s survey [violation of R.C. 4733.20 (A)(2) and (5) and O.A.C. 4733-37-05].
BOARD ACTION: Settlement agreement with a reprimand and $1,000 fine.

JERRY B. WEININGER, P.S.
MCCUTCHENVILLE, OHIO
VIOLATION: Failed to respond to the disciplinary action in another state; voluntarily surrendered license in another state in lieu of disciplinary action [violation of ORC 4733.20 (A)(1) and (5) and OAC 4733-35-08].
BOARD ACTION: Settlement agreement to voluntarily surrender license in Ohio.

LARRY S. AYER, P.E.
CINCINNATI, OHIO
VIOLATION: Misdemeanor criminal conviction [violation of R.C. 4733.20 (A)(2), (4) and (5) and OAC 4733-35-02].
BOARD ACTION: Settlement agreement with a reprimand and $1,000 fine.

JUNE 2010

MARK C. STEINER
XENIA, OHIO
VIOLATION: Failed to respond to the continuing education audit; [violation of R.C. 4733.151 (G) and 4733-35-09].
BOARD ACTION: Settlement agreement with a reprimand and $500 fine.

EDWARD J. FOLTZ, P.E.
BURLINGTON, KENTUCKY
VIOLATION: Provided engineering services while PE registration was expired [violation of ORC 4733.02, 4733.20 (A)(2) and (5), 4733.22].
BOARD ACTION: Settlement agreement with a reprimand and $1,500 fine.

HOWARD P. MCCUTCHEON, P.E.
PITTSBURGH, PENNSYLVANIA
VIOLATION: Provided engineering services while PE registration was expired [violation of ORC 4733.02, 4733.20 (A)(2) and (5), 4733.22].
BOARD ACTION: Settlement agreement with a reprimand and $1,000 fine.

CHAD J. BROWN, P.E.
FAIRFIELD, OHIO
VIOLATION: Misdemeanor criminal conviction [violation of R.C. 4733.20 (A)(4)].
BOARD ACTION: Settlement agreement with a reprimand and $1,000 fine.

DOUGLAS K. GREEN, P.E.
OSTRANDER, OHIO
VIOLATION: Failed to respond to the continuing education audit [violation of R.C. 4733.151 (G) and 4733-35-09].
BOARD ACTION: Settlement agreement with a reprimand and $500 fine.

JULY 2010

EDWARD PELTON, P.E.
AKRON, OHIO
VIOLATION: Failed to respond to the continuing education audit; falsely reported that he had completed the continuing education requirement on his annual renewal; failed to complete continuing education [violation of R.C. 4733.151, 4733.20 (A)(1) and (5), 4733.22 and O.A.C. 4733-19-01 and 4733-35-09].
BOARD ACTION: Settlement agreement to voluntarily surrender Ohio PE registration.

PAUL W. HAYMAN, P.E.
HAYMAN RESIDENTIAL ENGINEERING SERVICES, INC.
DURHAM, NORTH CAROLINA
VIOLATION: Provided engineering services in Ohio without a Certificate of Authorization [violation of R.C. 4733.02, 4733.16, 4733.20 (A)(5) and 4733.22].
BOARD ACTION: Settlement agreement with reprimand and $1,500 fine.

PSARA TECHNOLOGIES, INC.
CINCINNATI, OHIO
VIOLATION: Provided engineering services in Ohio without a Certificate of Authorization [violation of R.C. 4733.16, 4733.20 (A)(5) and 4733.22 and O.A.C. 4733-23-01 (A)].
BOARD ACTION: Settlement agreement with reprimand and $2,000 fine.

AUGUST 2010

NORMAN J. CASINI, P.E.
INDEPENDENCE, OHIO
VIOLATION: Failed to respond to the continuing education audit [violation of R.C. 4733.151 (G) and 4733-35-09].
BOARD ACTION: Settlement agreement with a reprimand and $500 fine.

JEFFREY W. LINDSEY, P.E.
DULLES, VIRGINIA
VIOLATION: Failed to respond to the continuing education audit [violation of R.C. 4733.151 (A) and (F), 4733.20 (A)(1) and (5) and O.A.C. 4733-35-09].
BOARD ACTION: Settlement agreement with a reprimand and $3,000 fine.

LON M. COOPER, P.E.
GRAND RAPIDS, MICHIGAN
VIOLATION: Misdemeanor criminal conviction and failing to report the conviction to the Board within 60 days [violation of 4733.20 (A)(2), (4) and (5) and O.A.C. 4733-35-02].
BOARD ACTION: Settlement agreement with a reprimand and $250 fine.
CONTINUING PROFESSIONAL DEVELOPMENT

Preparing for a mistake-free CPD audit

The intent of the continuing professional development (CPD) requirement is to ensure that registrants remain competent to practice by staying abreast of the technological advancements and other changes affecting the professions of engineering and surveying.

Since the inception of CPD in 2008, Executive Director John Greenhalge and the Board staff have addressed many questions by telephone or by speaking at various conferences and seminars across Ohio. One of the major concerns among registrants is the audit.

The Board diligently works with registrants to educate them on how to prepare for an audit and avoid mistakes. However, as with any relatively new law or procedure, mistakes will happen.

Mistakes that are easily rectifiable within the six-month notification period include sending in unacceptable documentation or CPD logs, taking courses or activities that do not qualify or maintaining incomplete CPD records.

One mistake that is not easily rectifiable, and usually requires some form of disciplinary action, is not responding to the Board’s audit and request for information within the 30-day time period.

Ohio Administrative Code section 4733-35-09 states that a registrant must respond timely to written communications from the Board, providing information or documents requested within 30 days of the date on which the communication was mailed.

An additional, and more significant mistake a registrant can make, is certifying on an annual renewal application that they have obtained 15 CPD hours relevant to their field when in fact they have not.

This is a serious violation and may result in serious disciplinary action such as revocation, suspension of the license and/or a fine and reprimand.

Violations become a public record and are reported to the National Council of Examiners for Engineering and Surveying.

When a registrant is disciplined for violations of R.C. section 4733, the action not only affects their Ohio license but may also subject them to administrative action in other states.

Please contact the Board with any questions or concerns about CPD and refer to the continuing education page on the Board’s website for the latest CPD information.

BIENNIUM BUDGET

Efficiently protecting the public

The State Board of Registration for Professional Engineers and Surveyors is an autonomous state agency whose mission is to protect the safety, health and welfare of the public by establishing and maintaining standardized licensing requirements, adopting rules defining and delineating unlawful and unethical conduct and providing an effective and accountable disciplinary process for individuals or entities that violate the laws and rules.

Our specialized staff, including Board members and technical consultants, provides the technical experience and knowledge unique to the professions of engineering and surveying and permits us to regulate and effectively and efficiently investigate complaints and evaluate credentials for licensure.

The Board is one of twenty-five Ohio licensing boards that share a central business office in order to reduce costs related to payroll, human resources and fiscal processing.

By consistently looking for ways to reduce expenses the Board is able to maintain the lowest renewal fee in the U.S. for professional engineering and surveying licensing Boards at $20.00 per year.

As the newsletter goes to press the Board is preparing its 2012-2013 biennium budget request.

During the last biennium, the Board’s annual budget was reduced from $1,058,881 to $902,772 — a 14.5% decrease — despite annual revenue remaining steady at $1,048,336.

The Board’s 2012-2013 biennium budget request will include a request to return to previous budget levels so that the Board can maintain its current level of operations and continue to provide excellent service to the public, examinees and registrants.

Such as revocation, suspension of the license and/or a fine and reprimand.

Violations become a public record and are reported to the National Council of Examiners for Engineering and Surveying.

When a registrant is disciplined for violations of R.C. section 4733, the action not only affects their Ohio license but may also subject them to administrative action in other states.

Please contact the Board with any questions or concerns about CPD and refer to the continuing education page on the Board’s website for the latest CPD information.

OHIO ENGINEERING FIRST

Main Street Bridge

Columbus’ second Main Street bridge is a 700-foot inclined arch suspension bridge over the Scioto River.

The bridge is the first in North America, and only the fifth in the world, to use an inclined arch superstructure. Additionally, it is believed to be the first in the world to use cables and struts to tie the arch together, and the first to carry both pedestrians and vehicles.

The final cost is over $60 million.

The original Main Street bridge was a multiple-span, art-deco open-spandrel concrete deck arch bridge, built in 1937. After years of degradation due to weather and traffic, the bridge was deemed unfit for use and closed in 2000.

Wanting an iconic structure to replace the old bridge, city of Columbus officials appointed Dr. Spiro Pollalis, professor of design technology and management at the Harvard University Graduate School of Design, to design the bridge.

His design, altered slightly for budget reasons, was opened for traffic on July 30, 2010.

For more information and links go to http://en.wikipedia.org.
EXAMINATIONS

The Board’s examination process is quite thorough and our licensing process ensures that only qualified individuals are admitted to the practice of engineering and surveying.

In order to become registered as a professional engineer or professional surveyor, Ohio law requires that applicants pass a fundamentals examination and a principles and practice examination.

The fundamentals examination is the first-stage examination that is usually taken after the applicant has completed a four-year curriculum in engineering or surveying.

The principles and practice examination is the second-stage examination taken after the applicant has passed the fundamentals examination and obtained four years of acceptable engineering or surveying experience.

Each exam is eight hours long, with one four-hour session in the morning and another in the afternoon. Examinees must participate in both sessions on the same day.

During fiscal year 2010 the Board reviewed 2,698 applications to take the engineering and surveying examinations. 1,312 persons took the fundamentals examinations, of which 943 (72%) received passing scores. 686 persons took the principles and practice examinations, of which 379 (55%) received passing scores.

COMITY

Comity is the process where a professional engineer or professional surveyor is granted an Ohio registration based upon their registration in another state or United States territory.

All comity applicants must pass the fundamentals examination and the principles and practice examination, as well as meet Ohio’s registration requirements.

During fiscal year 2010, 517 individuals became registered in Ohio as professional engineers or professional surveyors by comity.

NCEES

The Board is a member of the National Council of Examiners for Engineers and Surveyors (NCEES) and actively participates and represents Ohio in council activities.

NCEES is comprised of the sixty-five state and territorial licensing boards in the United States that regulate the professions of engineering and surveying. NCEES develops and scores the engineering and surveying licensure examinations and assists member boards in the development of model laws and model rules.

Ohio is one of twelve states that comprise the Central Zone.

The Board and its staff frequently participate on NCEES committees and attend the annual and central zone meetings.

ACTIVITIES

The Board and its staff frequently speak at engineering and surveying association and society meetings and participate in their annual meetings.

The Board and its staff also visit Ohio’s universities and colleges that have engineering and surveying programs to speak about the value of licensure and other topics of interest.

The Board participated in several additional activities during the fiscal year.

- Bert Dawson, P.E., P.S. served on the Household Sewage and Small Flow On-Site Sewage Treatment System Study Commission.
- The Board, in conjunction with the Ohio Society of Professional Engineers and the Professional Land Surveyors of Ohio, conducted spring and fall certificate ceremonies in the Statehouse, recognizing individuals that passed the fundamentals and principles and practice examinations.
- Executive Director John F. Greenhalge served as Chairman of the NCEES Committee on Law Enforcement for 2009-2010 and was reappointed to the committee for 2010-2011.
- The Board has developed a program for new registrants covering the registration and renewal process, the laws and rules governing the practice of engineering and surveying and CPD. The goal of the program is to educate new registrants on the requirements and responsibilities associated with professional licensure.

Main Street Inclined single-rib tied arch bridge

JUNE 16, 2010 PHOTO BY JORDAN STEELE. LICENSED UNDER THE CREATIVE COMMONS ATTRIBUTION 3.0 LICENSE. BACKGROUND ON PAGE 4.
Ohio’s State Board of Registration for Professional Engineers and Surveyors is the agency responsible for regulating the professions of engineering and surveying in the state.

The Board’s mission is to protect the safety and welfare of the citizens of Ohio by evaluating credentials and administering examinations for registration, renewing licenses, investigating complaints and providing applicants, registrants and the public with the most up-to-date information.

Our nearly 30,000 registrants are the professionals that design Ohio's roads, bridges and highways, design our homes, skyscrapers, schools, churches and commercial buildings, establish our property boundaries and GIS data, inspect our waterways and ensures the safety of our drinking water.

**STAFFING, STRUCTURE**

The Board is comprised of five members: one professional engineer member, three professional engineer and professional surveyor members (known as a dual registrant) and one professional surveyor member.

The Board members are appointed by the Governor and serve five-year terms.

The current Board members are: Theodore B. Hubbard, P.E., P.S., Mansfield; Bert Dawson, P.E., P.S., East Liverpool; Chandra R. Shah, P.E., Cincinnati; James D. Mawhorr, P.E., P.S., Mansfield; and Franklin D. Snyder, Jr., P.S., Jefferson.

The Board has an administrative staff of eight full-time employees that handle the daily operations of the board and several consultants that assist the Board in evaluating applications for registration and developing the Ohio surveying examination.

The Board has the lowest staff to licensee ratio of any of Ohio’s licensure boards.

**COMMITTEES**

The Board has three committees:

1. an expert panel consisting of four paid consultants which evaluate the examination and certificate of authorization applications, and offer professional opinions at the request of the Board;

2. the Credentials Review Committee, consisting of Board members and staff, which verifies and approves examination and certificate of authorization applications; and

3. the Ohio Professional Surveys Exam Committee, consisting of volunteers and paid consultants that write and grade the Ohio-specific principles and practice of surveying examination that all applicants for licensure as a professional surveyor must pass.

The current composition of the Board, committees and office staff provide a high level of expertise, manpower and balance for carrying out the duties of the Board in an expeditious and unbiased manner.

The Board will request that its personnel ceiling be restored to nine positions in order to hire an investigator to assist in the investigation of complaints and CPD audits.

**REGISTRANTS**

During fiscal year 2010, the Board had 26,681 individuals registered as professional engineers and professional surveyors.

There was a 0.6% decrease in individual registration renewals this year attributed to the Continuing Professional Development requirement that went into effect in 2008.

Certificates of Authorization were issued to 2,007 firms licensed to offer engineering and/or surveying services in the State of Ohio.

During FY 2010 the Board registered 914 new professional engineers and professional surveyors by examination and comity.

**License Status Definitions**

**ACTIVE** Licensee active and permitted to practice in Ohio

**ACTIVE-IN-RENEWAL** Licensee active, in the process of renewal, and permitted to practice in Ohio

**FAILED TO RENEW** Licensee inactive and not authorized to practice in Ohio; can renew online without reinstatement

**INACTIVE** Licensee not renewed and not authorized to practice in Ohio