



**North Dakota State Board of Registration for
Professional Engineers and Land Surveyors**

May 7, 2021

Via Email to vrichter@nd.gov

Ms. Vonette Richter
Assistant Code Revisor
North Dakota Legislative counsel
State Capitol
600 E Boulevard, 2nd Floor
Bismarck, ND 58505-0360

Dear Ms. Richter:

The Notice of Intent to Amend Administrative Rules and a copy of the proposed rules are enclosed as required by N.D.C.C. § 28-32-10(1).

Sincerely,

A handwritten signature in blue ink, appearing to read 'John E. Ward', is written over the typed name.

John E. Ward
Special Assistant Attorney General

Encls.

FULL NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

TAKE NOTICE that the North Dakota State Board of Registration for Professional Engineers and Land Surveyors will hold a public hearing to address proposed amendments to N.D. Admin. Code Title 28 from 1:00pm to 2:00pm on Friday, June 18, 2021, at 723 West Memorial Highway, Bismarck, ND 58504. The public may also participate in the public hearing by telephone at the following: Dial-in # (701)-557-7679; Conference ID# 821433.

The proposed Title 28 Amendments addresses the following rules:

28-02.1-04-02. Experience.

The purpose of the proposed amendment is to adopt rules subject to N.D. Cent. Code § 43-51-11.1 with respect to military spouses.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-05-02. Qualifications and requirements - Professional engineer by examination.

The purpose of the proposed amendment is to clarify the language with respect to an applicant's ability to verify experience.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-06-01. Qualifications and requirements - Land surveyor intern.

The purpose of the proposed amendment is to update the requirements for Land Surveyor interns applying after June 30, 2028 in accordance with N.D. Cent. Code § 43-19.1-16.2.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-07-02. Issuance of certificate of commercial practice.

The purpose of the proposed amendment is to streamline the reporting process

and remove unnecessary language.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-08-02. Seals.

The purpose of the proposed amendment is to update and clarify language related to the use of electronic seals.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-08-03. Use of seals.

The purpose of the proposed amendment is to update and clarify language related to the use of electronic seals.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-09-02. Renewals.

The purpose of the proposed amendment is to update and clarify language related to renewals.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-09-03. Reinstatements.

The purpose of the proposed amendment is to update and clarify language related to mid-biennium renewals.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-10-01. Examinations.

The purpose of the proposed amendment is to update and clarify language as regards current examination offerings.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-10-02. Fees.

The purpose of the proposed amendment is to update and clarify language as regards fees.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-02.1-13-01. Survey requirements for preparation of legal descriptions and conveyance of property.

The purpose of the proposed amendment is to update and clarify language as regards survey requirements for preparation of legal descriptions of property and to create an exception for preliminary documents.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-03.1-01-03. Standards of integrity.

The purpose of the proposed amendment is to add a requirement that before a registrant accepts outside employment shall receive written approval from their employer.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-03.1-01-09. Disclosure of confidential information.

The purpose of the proposed amendment is to update and clarify language as regards a registrant's obligations with respect to confidential information.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-03.1-01-10. Disclosure of conflict of interest.

The purpose of the proposed amendment is to update and clarify language as

regards a registrant's obligations with respect to conflicts of interest.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-03.1-01-15. Proprietary interests of others.

The purpose of the proposed amendment is to update and clarify language as regards a registrant's obligations with respect to the registrant's employer's property.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-04-01-03. General requirements.

The purpose of the proposed amendment is to require at least one professional development hour in ethics.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-04-01-05. Qualifying activities.

The purpose of the proposed amendment is to update and clarify language.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

28-04-01-07. Exemptions.

The purpose of the proposed amendment is to add a section that allows the board to modify the requirements for continuing education due to extenuating circumstances.

The proposed amendment is not expected to have an impact on the regulated community in excess of \$50,000.

The proposed rules may be reviewed at the office of North Dakota State Board of Registration for Professional Engineers and Land Surveyors at 723 West Memorial Highway, Bismarck, ND 58504. A copy of the proposed rules and/or a regulatory analysis may be requested by writing the above address or calling 701-258-0786. The

proposed rules may also be viewed on the website of the North Dakota State Board of Registration for Professional Engineers and Land Surveyors at (ndpelsboard.org). Written or oral comments on the proposed rules sent to the above address or telephone number and received by June 28, 2021 will be fully considered.

If you plan to attend the public hearing and will need special facilities or assistance relating to a disability, please contact the North Dakota State Board of Registration for Professional Engineers and Land Surveyors at the above telephone number or address at least seven days prior to the public hearing.

Dated this 7th day of May, 2021.

Darcie Handt, Executive Director

ABBREVIATED NOTICE OF INTENT TO AMEND ADMINISTRATIVE RULES

RELATING TO: 28-02.1-04-02. Experience; 28-02.1-05-02. Qualifications and requirements - Professional engineer by examination; 28-02.1-06-01. Qualifications and requirements - Land surveyor intern; 28-02.1-07-02. Issuance of certificate of commercial practice; 28-02.1-08-02. Seals; 28-02.1-08-03. Use of seals; 28-02.1-09-02. Renewals; 28-02.1-09-03. Reinstatements; 28-02.1-10-01. Examinations; 28-02.1-10-02. Fees; 28-02.1-13-01. Survey requirements for preparation of legal descriptions and conveyance of property; 28-03.1-01-03. Standards of integrity; 28-03.1-01-09. Disclosure of confidential information; 28-03.1-01-10. Disclosure of conflict of interest; 28-03.1-01-15. Proprietary interests of others; 28-04-01-03. General requirements; 28-04-01-05. Qualifying activities; 28-04-01-07. Exemptions.

TAKE NOTICE that the **North Dakota State Board of Registration for Professional Engineers and Land Surveyors** will hold a public hearing to address proposed changes to the N.D. Admin. Code from 1:00pm to 2:00pm on Friday, June 18, 2021 at 723 West Memorial Highway, Bismarck, ND 58504. The public may also participate in the public hearing by telephone at the following: Dial-in # (701)-557-7679; Conference ID# 821433.

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Darcie Handt, Executive Director