



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING

ORLENE HAWKS  
DIRECTOR

## **MICHIGAN BOARD OF PROFESSIONAL ENGINEERS MEETING**

### **APPROVED MINUTES JANUARY 9, 2019**

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Michigan Board of Professional Engineers met on January 9, 2019, at the Ottawa Building, Conference Room 3, 611 West Ottawa Street, Lansing, Michigan 48933.

#### **CALL TO ORDER**

Michael Drewyor, Acting Chairperson, called the meeting to order at 11:04 a.m.

#### **ROLL CALL**

**Members Present:** Michael Drewyor, Acting Chairperson, Professional Surveyor  
Daniel Acciavatti, Public Member  
Patrick Barry, Architect  
Lori Fobes, Professional Engineer  
Charles Hookham, Professional Engineer  
Brett Karl, Public Member (arrived 11:08 a.m.)  
James Stevens, Professional Engineer (arrived 11:35 a.m.)

**Members Absent:** Kelly Fedele, Chair, Professional Engineer  
Troy Naperala, Professional Engineer

**Staff:** Kiran Parag, Analyst, Compliance Section  
Rick Roselle, Analyst, Boards and Committees Section  
Kyle Wiktorski, Analyst, Licensing Division  
Stephanie Wysack, Board Support, Boards and Committees Section

#### **APPROVAL OF AGENDA**

MOTION by Acciavatti, seconded by Fobes, to approve the agenda as presented.

A voice vote followed.

MOTION PREVAILED

## **APPROVAL OF MINUTES**

MOTION by Fobes, seconded by Hookham, to approve the minutes from September 12, 2018, as written.

A voice vote followed.

MOTION PREVAILED

## **REGULATORY CONSIDERATIONS**

### **Robert O. Walton, Jr. – Consent Order and Stipulation**

MOTION by Hookham, seconded by Fobes, to accept the Consent Order and Stipulation.

Discussion was held.

A roll call vote was held:   Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
  Nays: None

MOTION PREVAILED

### **David L. DeSandre, PE – Consent Order and Stipulation**

MOTION by Acciavatti, seconded by Barry, to accept the Consent Order and Stipulation.

A roll call vote was held:   Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
  Nays: None

MOTION PREVAILED

### **Michael S. Gasvoda – Consent Order and Stipulation**

MOTION by Fobes, seconded by Hookham, to accept the Consent Order and Stipulation.

A roll call vote was held:   Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
  Nays: None

MOTION PREVAILED

### **Ashok Kumar Gupta, PE – Consent Order and Stipulation**

MOTION by Acciavatti, seconded by Hookham, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**Jason Prior Kelly – Consent Order and Stipulation**

MOTION by Barry, seconded by Hookham, to discuss.

A voice vote followed.

MOTION PREVAILED

Discussion was held.

MOTION by Hookham, seconded by Barry, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**Philip J. Quenzi, PE – Consent Order and Stipulation**

MOTION by Fobes, seconded by Hookham, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**Ziad Hassib Sbeiti – Consent Order and Stipulation**

MOTION by Acciavatti, seconded by Fobes, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**Michael A. Smith – Consent Order and Stipulation**

MOTION by Hookham, seconded by Fobes, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**Kenneth S. Wilkerson, PE – Consent Order and Stipulation**

MOTION by Acciavatti, seconded by Barry, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**Kenneth E. Yeager, PE – Consent Order and Stipulation**

MOTION by Acciavatti, seconded by Barry, to accept the Consent Order and Stipulation.

A roll call vote was held: Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Drewyor  
Nays: None

MOTION PREVAILED

**OLD BUSINESS**

None

**NEW BUSINESS**

**Resolution Presentation**

Drewyor presented a Resolution to Naperala, honoring the time he served on the Michigan Board of Professional Engineers.

**Minimum Sanctions Discussion**

MOTION by Hookham, seconded by Fobes, to approve the Minimum Suggested Sanctions handout dated December 27, 2016.

A voice vote followed.

MOTION PREVAILED

## **Rules Discussion**

Roselle presented the draft rules to the board for review.

MOTION by Fobes, seconded by Stevens, to approve the draft rules with changes discussed today.

A roll call vote was held:     Yeas: Acciavatti, Barry, Fobes, Hookham, Karl, Stevens, Drewyor  
  Nays: None

MOTION PREVAILED

## **Chair Report**

Drewyor indicated that Fedele will be attending the 2019 Central/NE Zone Meeting.

## **Department Update**

Roselle announced that Orlene Hawks is the new Director of the Department of Licensing and Regulatory Affairs.

Roselle advised the board that changes were made to the occupational licensing applications as it is related to a question pertaining to good moral character. Roselle explained the distinctions between the previous question and the new question presented on the application.

Roselle thanked the Rules Committee and Wiktorski for their work on the draft of the rule revisions.

## **PUBLIC COMMENT**

None

## **ANNOUNCEMENTS**

The next regularly scheduled meeting will be held May 8, 2019 at 11:00 a.m., in the Ottawa Building, 611 W. Ottawa Street, Upper Level Conference Center, Conference Room 4, Lansing, Michigan.

## **ADJOURNMENT**

MOTION by Fobes, seconded by Acciavatti, to adjourn the meeting at 12:34 p.m.

A voice vote was held.

**MOTION PREVAILED**

Minutes approved by the Board: May 8, 2019

Prepared by:  
Stephanie Wysack, Board Support  
Bureau of Professional Licensing

January 10, 2019

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL ENGINEERS – GENERAL RULES

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45(a) of the 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the board of **professional engineers** by section 308 of the **occupational code**, 1980 PA 299, MCL 339.308; and on the director of the department of licensing and regulatory affairs by ~~section~~**sections 205 and 2009** of the **occupational code**, 1980 PA 299, MCL 339.205; and **339.2009**; and Executive Reorganization Order Nos. **1991-9**, 1996-2, 2003-1, 2008-4, and 2011-4, **MCL 338.3501**, ~~MCL 445.2001~~, ~~MCL 445.2011~~, ~~MCL 445.2025~~, and ~~MCL 445.2030~~)

R 339.16001, R 339.16021, R 339.16022, and R 339.16041 of the Michigan Administrative Code are amended, R 339.16027, R 339.16035, R 339.16036, R 339.16037, R 339.16038, R 339.16051, and R 339.16052 are added, and R 339.16024, R 339.16025, R 339.16026, R 339.16031, R 339.16032, R 339.16033, R 339.16034, R 339.16040, R 339.16042, R 339.16043, and R 339.16044 are rescinded, as follows:

PART 1. GENERAL PROVISIONS

R 339.16001 Definitions.

Rule 1. (1) As used in these rules:

(a) **“Act” means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.**

(b) **“Board” means the Michigan board of professional engineers created under section 2002 of the act, MCL 339.2002.**

~~(a)-(c)~~ **“Continuing education”** means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.

~~(b)-(d)~~ **“Course”** means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation shall not be considered qualified activities, except for employer compensated continuing education activities.

(e) **“Department” means the Michigan department of licensing and regulatory affairs.**

~~(e)-(f)~~ **“Distance learning”** means any of the following:

(i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.

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(ii) Courses which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

**(g) "Responsible charge" means direct control and personal supervision of engineering work.**

(2) Terms defined in the act have the same meanings when used in these rules.

## **PART 2. ~~LICENSURE~~ EDUCATION, EXPERIENCE, AND EXAMINATION STANDARDS**

**R 339.16021 ~~Degree acceptability; criteria; experience credit; transcripts.~~ Educational requirement.**

Rule 21. (1) ~~A bachelor's degree shall be judged by the board for acceptability on the basis of criteria entitled "Criteria For Accrediting Engineering Programs in the United States" dated October 29, 2005, which are incorporated by reference. The accrediting criteria may be obtained at no cost from the Accreditation Board for Engineering and Technology (ABET), 7111 Market Place, Suite 1050, Baltimore, Maryland 21202, phone number: (410)347-7700; website: www.abet.org. The accrediting criteria are also available for review at the offices of the Michigan Board of Professional Engineers, 2501 Woodlake Circle, Okemos, Michigan 48864.~~ **An applicant for a professional engineer license shall submit 1 of the following to satisfy the educational requirements under the act:**

**(a) Transcripts verifying that he or she received a baccalaureate degree or higher degree in an engineering program accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology, Inc. (EAC/ABET) or the Canadian Engineering Accreditation Board (CEAB).**

**(b) Transcripts verifying that he or she received a master's degree in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree program that is in the same engineering discipline as his or her master's degree.**

**(c) A credentials evaluation from the National Council of Examiners for Engineering and Surveying (NCEES) that verifies both of the following:**

**(i) He or she completed not less than 32 college semester credit hours in the areas of math and science.**

**(ii) He or she completed not less than 48 college semester credit hours in engineering science or engineering design courses that satisfy the course requirements established under the NCEES engineering education standard.**

**(d) A credentials evaluation that verifies he or she has completed an educational program that is substantially equivalent to an EAC/ABET-accredited baccalaureate degree program in engineering. The credentials evaluation must be generated by a company that is a current member of the National Association of Credential Evaluation Services (NACES).**

~~-(2) The department may accept 1 or both of the following as prima facie proof of a bachelor's degree in engineering, or its equivalent, acceptable to the board:~~

~~-(a) Official transcripts verifying a degree which is granted by an educational institution in a program which meets the current criteria of the accreditation board for~~



engineering and technology for programs in engineering in the United States.

~~–(b) Official transcripts verifying possession of a master's degree in engineering from a school and program with an Engineering Accreditation Commission/Accreditation Board for Engineering and Technology (EAC/ABET) or Canadian Engineering Accreditation Board (CEAB) accredited bachelor's degree in the same engineering discipline as the master's degree.~~

~~–(3) All other bachelor's degrees shall be evaluated individually through an analysis of the equivalency between the applicant's programs and the program criteria referred to in subrule (2) of this rule.~~

~~–(4) The holder of a bachelor's degree in engineering accepted by the board shall be granted 4 years of experience credit toward the 8-year experience requirement established by the act.~~

~~–(5) The holder of a master's degree or doctorate degree in engineering accepted by the board shall be granted an additional 1-year of experience credit, for each degree, toward the 8-year experience requirement established by the act.~~

~~–(6) An applicant shall provide official transcripts and other documents as required by the department for evaluation and determination of acceptability of a degree, including documentation by the educational institution verifying that the course content of the degree meets the criteria specified in this rule.~~

~~–(7) The department may accept an official transcript from an accredited educational institution as proof of completion of the required number of humanities/social science credits.~~

R 339.16022 Professional engineering experience.

Rule 22. (1) ~~Acceptable professional work experience required by the act for an examination applicant shall be engineering work which requires the application of engineering principles and data, such as consultation, investigation, evaluation, planning, design, or review of materials and completed phases of work in construction, alteration, or repair in connection with a public or private utility, structure, building, machine, equipment, process, work, or project.~~ **Engineering work that satisfies all of the following requirements shall qualify as professional experience:**

(a) **The work involves the use of engineering principles and data.**

(b) **The work is in the form of consultation, investigation, evaluation, planning, design, or review of materials or completed phases of work in the construction, alteration, or repair in connection with a public or private utility, structure, building, machine, equipment, process, work, or project.**

(c) **The work is performed while under the direction of a professional engineer licensed or registered in Michigan or another state.**

(2) ~~Acceptable professional experience in engineering is experience which is achieved after receiving a baccalaureate degree in engineering or its equivalent. Engineering experience obtained prior to graduation may be acceptable if of a professional nature as described in subrule (1) of this rule.~~ **An applicant for a professional engineer license shall submit to the department all of the following to receive credit for professional experience:**

(a) **The dates of performing work that satisfies the requirements under subrule (1) of this rule.**

(b) The supervising individual's name and license or registration number and the state in which the supervising individual is licensed or registered as a professional engineer.

(c) Documentation from the supervising individual attesting to the work experience, dates of work, and supervision.

(3) ~~Acceptable experience, as defined in subrule (1) of this rule, shall be performed by the applicant under the direction of a licensed professional engineer or a person of equivalent professional standing. A maximum of 5 years of professional experience in engineering work shall be granted for a degree earned from a program approved under R 339.16021. Credit shall be granted in the following amounts:~~

(a) A maximum of 4 years of professional experience shall be granted for an approved baccalaureate degree. Experience shall be granted for only 1 baccalaureate degree.

(b) A maximum of 1 year of professional experience shall be granted for an approved post-baccalaureate degree. Experience shall be granted for only 1 post-baccalaureate degree.

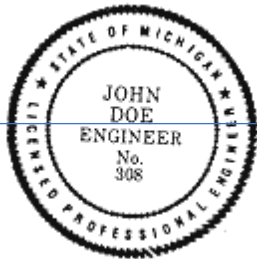
(4) ~~An applicant shall provide the department with a description of work experience with the examination application and shall cause verification of work experience to be filed with the department by persons familiar with the nature of the work performed by the applicant. An applicant for licensure by reciprocity may receive credit for not more than 4 years of professional experience by submitting proof acceptable to the department verifying that he or she has obtained not less than 4 years of experience practicing as a licensed or registered professional engineer in another state.~~

R 339.16024 Professional engineer seal; use; validation. **Rescinded.**

~~—Rule 24. (1) After meeting the licensing requirements prescribed by the act and these rules, an applicant shall be licensed by the department according to the act.~~

~~—(2) Upon being licensed, a licensee shall obtain a seal authorized by the board. As prescribed by the act, the seal of a professional engineer shall have the following design:~~

Figure for 339.16024



~~No other design for a seal shall be used~~

~~—(3) A licensee's seal shall be used by the licensee whose name appears thereon for so long as the license remains in effect. A licensee shall be responsible for the security of the licensee's seal.~~

R 339.16025—Licensure **Rescinded.**

~~–Rule 25. (1) For licensure by reciprocity, the board may consider educational requirements equivalent to those in effect in Michigan at the time of primary licensing.~~

~~–(2) An applicant who holds a valid professional engineering license in another United States jurisdiction may submit verification of 5 years of licensed practice in responsible charge of engineering work acceptable to the board as equivalent to satisfactory completion of the fundamentals of engineering (FE) examination.~~

~~–(3) An applicant who holds a valid professional engineer's license in another United States jurisdiction may submit verification of 15 years of licensed practice in responsible charge of engineering works acceptable to the board as equivalent to satisfactory completion of the principles and practice of engineering (PE) examination.~~

**R 339.16026 Examination equivalency. Rescinded.**

~~–Rule 26. The department may consider an applicant for licensure to have satisfied the requirements of MCL 339.2004(2)(b) who satisfies both of the following:~~

~~(a) Has passed the principles and practice examination and~~

~~(b) Has passed the fundamentals of engineering examination or holds a doctoral degree in engineering from a school with an EAC/ABET or CEAB accredited bachelor's degree in the same engineering discipline as the doctoral degree, provided that the applicant's bachelor's degree is equivalent to an EAC/ABET or CEAB accredited degree.~~

**R 339.16027 Approved examinations.**

**Rule 27. The board approves the following examinations administered by NCEES:**

**(a) The Fundamentals of Engineering (FE) examination. A passing score as determined by NCEES is required for the examination to be considered passed.**

**(b) The Principles and Practice of Engineering (PE) examination or the Structural Engineering (SE) examination. A passing score as determined by NCEES is required for the examination to be considered passed.**

**PART 3. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT  
LICENSURE**

**R 339.16031 –Solicitation of employment; restrictions; exception. Rescinded.**

~~–Rule 31. (1) In the solicitation of employment, a licensee shall not falsify or permit misrepresentation of the academic or professional qualifications of the licensee or the licensee's associates.~~

~~–(2) A licensee shall not offer to pay or give, or pay or give, directly or indirectly, to a client, potential client, the agent of a client, or the agent of a potential client, a commission, contribution, gift, or other substantial valuable consideration to secure or retain engineering work. This restriction does not include payments to an employment agency for the purpose of securing employment or employees for salaried positions.~~

~~–(3) A licensee shall seek professional employment on the basis of the licensee's qualifications, competence, and ability to properly accomplish the employment sought.~~

**R 339.16032 –Conflict of interest. Rescinded.**

~~–Rule 32. (1) To avoid a conflict of interest, a licensee shall promptly inform, in writing, an employer or client of the licensee or a public body on which the licensee serves of any~~

employment, business association, interest, duty, or circumstance if the employment, business association, interest, duty, or circumstance is with another and involves the current or prospective work assignment of the licensee with that employer, client, or public body.

~~–(2) A licensee shall not accept compensation, financial or otherwise, from more than 1 party for services performed on the same project or assignment, unless the circumstances are fully disclosed to all parties that pay, or are required to approve payment, for the work performed by the licensee.~~

~~–(3) A licensee shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with the client or employer of the licensee in connection with work for which the licensee is responsible. A licensee shall not solicit or accept financial or other valuable consideration from another for specifying products or services.~~

**R 339.16033 –Participation in engineering projects; competence required. Rescinded.**

~~–Rule 33. A licensee shall undertake to participate only in those phases of a project in which the licensee is competent. In the areas of a project involving architecture, professional engineering, and land surveying in which the licensee lacks competence, the licensee shall retain licensed professional associates for those phases of that project.~~

**R 339.16034 –Work review and approval of procedures and decisions of persons under licensee's supervision. Rescinded.**

~~–Rule 34. On work for which the licensee is responsible, the procedures followed and the decisions made by persons under the licensee's supervision shall be subject to sustained review and approval by the licensee.~~

**R 339.16035 Licensure by examination.**

**Rule 35. The department shall issue a professional engineer license to an applicant who satisfies the requirements of the act and all of the following requirements:**

- (a) Submits a completed application on a form provided by the department.**
- (b) Pays the required fee to the department.**
- (c) Submits proof acceptable to the department that verifies he or she meets the educational requirement under R 339.16021.**
- (d) Has passed the FE examination approved under R 339.16027. However, an applicant is not required to have passed the FE examination if he or she submits proof acceptable to the department verifying that he or she holds a doctorate degree in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree in the same discipline as the doctorate degree.**
- (e) Has passed either the PE examination or the SE examination approved under R 339.16024.**
- (f) Submits proof of obtaining not less than 8 years of professional experience that satisfies the requirements under R 339.16022.**

**R 339.16036 Licensure by reciprocity.**

**Rule 36.** The department shall issue a professional engineer license to an applicant who satisfies the requirements of the act and all of the following requirements:

- (a) Submits a completed application on a form provided by the department.
- (b) Pays the required fee to the department.
- (c) Submits proof acceptable to the department that verifies he or she meets the educational requirement under R 339.16021.
- (d) Has an active professional engineering license or registration in another state.
- (e) Submits proof acceptable to the department verifying that he or she has passed either the PE examination or the SE examination approved under R 339.16024.
- (f) Submits proof acceptable to the department verifying that he or she has passed the FE examination approved under R 339.16027. However, an applicant is not required to have passed the FE examination if he or she submits proof acceptable to the department verifying that he or she holds a doctorate degree in engineering from a school and program with an EAC/ABET-accredited or a CEAB-accredited baccalaureate degree in the same discipline as the doctorate degree.
- (g) Submits proof of obtaining not less than 8 years of professional engineering experience that satisfies the requirements under R 339.16022.

**R 339.16037 License renewal; continuing education waiver.**

**Rule 37. (1)** An applicant for license renewal who has been licensed during the 2-year period immediately preceding the expiration date of the license shall obtain not less than 30 hours of continuing education in activities approved under R 339.16041 during the 2-year period immediately preceding the expiration date of the license.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.16041.

(3) A licensee shall retain documentation of satisfying the requirements of this rule and R 339.16041 for a period of 4 years from the date of applying for license renewal.

(4) A licensee is subject to audit under this part and may be required to submit documentation as described by R 339.16041 upon request of the department.

(5) A request for a continuing education waiver pursuant to section 204(2) of the act, MCL 339.204, must be received by the department before the expiration date of the license.

**R 339.16038 Relicensure.**

**Rule 38. (1)** An applicant whose license has lapsed for less than 3 years after the expiration date of the last license may be relicensed under section 411(3) of the act, MCL 339.411, by satisfying all of the following requirements:

- (a) Submitting a completed application on a form provided by the department.
- (b) Paying the required fee to the department.
- (c) Submitting proof to the department verifying that he or she has completed 15 hours of continuing education activities approved under R 339.16041 during the 12 months immediately preceding the date of the relicensure application. However, if the continuing education hours submitted with the application are deficient, the

applicant has 1 year from the date of the application to provide proof of completing the deficient hours.

(2) An applicant whose license has lapsed for 3 years or more after the expiration date of the last license may be relicensed under section 411(4) of the act, MCL 339.411, by satisfying all of the following requirements:

- (a) Submitting a completed application on a form provided by the department.
- (b) Paying the required fee to the department.
- (c) Establishing that he or she has met the requirements of the act and the requirements for licensure under R 339.16035.

#### PART 4. CONTINUING EDUCATION

R 339.16040-Continuing education; license renewal; requirements. **Rescinded.**

~~Rule 40. (1) A licensee shall obtain continuing education, as specified in R 339.16042.~~

~~(2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.~~

~~(3) The department shall not renew a license if the continuing education requirements have not been completed.~~

~~(4) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.~~

R 339.16041 Acceptable continuing education; limitations.

Rule 41. (1) **The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:** ~~Continuing education hours may be acquired in another jurisdiction.~~

~~(2) Continuing education hours shall be relevant to the occupation and may be earned as follows:~~

~~(a) Successfully completing a college course.~~

~~(b) Successfully completing a continuing education course.~~

~~(c) Successfully completing a distance learning course.~~

~~(d) Presenting or attending a seminar, in house course, workshop, or professional or technical presentation made at a meeting, convention, or conference.~~

~~(e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 2(a) to (d) of this rule.~~

~~(f) Publishing a peer reviewed paper, article, or book in the licensee's area of professional practice.~~

~~(g) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting.~~

~~(h) Participating in a company sponsored seminar or training that is designed to enhance professional development in the licensee's area of professional practice.~~

~~(i) Serving as a mentor to an engineering student in a school sponsored program.~~

~~(j) Obtaining patents related to engineering.~~

~~(3) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as either a licensee, instructor, or presenter.~~

- ~~-(4) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee's regular duties as a member of a faculty.~~
- ~~-(5) Continuing education hours shall not be earned for any of the following activities:~~
- ~~-(a) Passing an examination to obtain licensure.~~
- ~~-(b) Completing a course that does not provide a licensee access to an instructor during the course.~~
- ~~-(c) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.~~
- ~~-(d) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.~~
- ~~-(6) The conversion of other units of credit per renewal cycle shall be as follows:~~
- ~~-(a) 1 college semester credit hour equals 45 continuing education hours.~~
- ~~-(b) 1 college quarter credit hour equals 30 continuing education hours.~~
- ~~-(c) Publishing a peer reviewed paper, article, or book in the licensee's area of professional practice equals 6 continuing education hours.~~
- ~~-(d) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting equals 2 continuing education hours.~~
- ~~-(e) Serving as a mentor for an engineering student in a school sponsored program equals 4 continuing education hours.~~
- ~~-(f) Obtaining patents related to engineering equals 10 continuing education hours.~~

Activity Code	Activity and Proof Required	Number of Continuing Education Hours Granted for Activity
(a)	<p><b>Completing a continuing education program or activity related to professional engineering that is approved or offered for continuing education credit by any of the following:</b></p> <ul style="list-style-type: none"> <li>• <b>Another state's board of engineers.</b></li> <li>• <b>Michigan Society of Professional Engineers.</b></li> <li>• <b>NCEES.</b></li> <li>• <b>ABET.</b></li> </ul> <p><b>If audited, a licensee shall submit documentation or certificate of completion showing the licensee's name, total continuing education credits earned, sponsor name and contact information, program title, and the date the program was held or completed.</b></p>	<p><b>The number of continuing education hours approved by the approving entity are granted for this activity.</b></p>

(b)	<p>Passing an academic course related to professional engineering offered by a college or university that offers a baccalaureate degree or higher degree in an engineering program that is accredited by EAC/ABET or CEAB.</p> <p>If audited, a licensee shall submit a copy of the transcript showing the number of credit hours of the academic courses related to professional engineering.</p>	<p>Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit.</p>
(c)	<p>Attending a seminar, in-house course, workshop, or professional or technical presentation related to professional engineering.</p> <p>If audited, the licensee shall submit a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the presentation.</p>	<p>One continuing education hour is granted for every 50 minutes attending the activity.</p>
(d)	<p>Teaching, instructing, or presenting a subject related to professional engineering.</p> <p>If audited, a licensee shall submit documentation by the college or university confirming the licensee as the teacher, instructor, or presenter of the academic course, the dates of the course or presentation, number of classroom hours spent teaching, instructing, or presenting, and the course title.</p>	<p>Two continuing education hours are granted for every 50 minutes of teaching, instruction or presenting.</p> <p>A maximum of 12 continuing education hours are granted for this activity during each renewal period.</p>
(e)	<p>Publication of a peer-reviewed paper, article, or book related to professional engineering.</p> <p>If audited, the licensee shall submit a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Six continuing education hours are granted for this activity.</p> <p>Credit is not granted for multiple publications of the same peer-review paper, article, or book.</p> <p>A maximum of 18 continuing education hours are granted for this</p>



		activity during each renewal period.
(f)	<p>Serving as a voting member on a state or national professional engineering committee, board, council, or association. To receive credit, a licensee must participate in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.</p> <p>If audited, a licensee shall submit documentation satisfactory to the department verifying the licensee's participation in at least 50% of the regularly scheduled meetings of the committee, board, council, or association.</p>	<p>Three continuing education hours are granted for the year in which the licensee serves as a member.</p> <p>A maximum of 6 continuing education hours are granted for this activity during each renewal period.</p>
(g)	<p>Attending a Michigan board of professional engineers meeting. To receive credit, the licensee shall obtain a form provided by the department from a department employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department employee for verification.</p> <p>If audited, the licensee shall submit a copy of the form completed, signed, and dated by the department employee who was present at the meeting.</p>	<p>One continuing education hour is granted for each meeting attended.</p> <p>A maximum of 6 continuing education hour are granted for this activity during each renewal period.</p>
(h)	<p>Serving as a school-sponsored mentor to an engineering student in a school-sponsored program. To receive credit, this activity shall not be part of the licensee's regular job description.</p> <p>If audited, the licensee shall submit a letter from an authorized official from the school verifying the licensee's role and the number of mentoring hours the licensee provided.</p>	<p>Four continuing education hours are granted for this activity.</p> <p>A maximum of 8 continuing education hours are granted for this activity during each renewal period.</p>
(i)	<p>Participating in a company-sponsored or hosted seminar or training that is designed to enhance professional development in the licensee's area of professional practice.</p>	<p>One continuing education hour is granted for every 50 minutes of the seminar or training.</p>

	<p><b>If audited, a licensee shall submit documentation or a certificate of completion issued by the company presenting the seminar or training showing the licensee's name, company name, subject of seminar or training, and the date on which the seminar or training was held.</b></p>	
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**(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education hours during the renewal period.**

**(3) Not more than 12 continuing education hours shall be earned during a 24-hour period.**

~~R 339.16042 Continuing education hours required; renewal. **Rescinded.**~~

~~—Rule 42. Continuing education hours required for renewal shall be as follows:~~

~~—(a) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 15 hours of continuing education for the first renewal period.~~

~~—(b) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 30 hours of continuing education for the renewal period.~~

~~R 339.16043 Determination of credit; forms; record keeping. **Rescinded.**~~

~~—Rule 43. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include the following:~~

~~—(a) The courses or activities completed, the dates when the courses or activities were held and the duration of the courses or activities, the sponsoring organization, the instructor's or speaker's name, and the hours earned.~~

~~—(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.~~

~~R 339.16044 Auditing. **Rescinded.**~~

~~—Rule 44. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.~~

## **PART 5. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT**

**R 339.16051 Professional conduct; requirements; restrictions.**

**Rule 51. (1) A licensee shall comply with all of the rules of conduct under this part.**

**(2) A licensee shall do all of the following:**

**(a) If having responsible charge, he or she shall notify his or her employer or client, and any other appropriate authority when his or her judgment is overruled under circumstances that endanger life or property.**

**(b) If not having responsible charge, he or she shall notify the licensee having responsible charge when his or her judgment is overruled under circumstances that endanger life or property.**

**(c) Participate in phases of a project in which he or she is competent.**

**(d) Undertake assignments in which he or she is qualified by education or experience in the specific technical field involved.**

**(e) Complete, sign, seal, or approve engineering documents that are in conformity with law and applicable professional standards.**

**(f) Be objective and truthful in professional reports, statements, or testimony and include all relevant and pertinent information in such reports, statements, or testimony.**

**(g) Disclose to an employer, client, or public body on which he or she serves all known or potential conflicts of interest that could influence or appear to influence his or her judgment or the quality of his or her services.**

**(3) A licensee shall not do any of the following:**

**(a) Disclose confidential information obtained in a professional capacity without the prior consent of the client or employer unless authorized or required by law or these rules.**

**(b) Partner, practice, or offer to practice with any person or firm or assist any person or firm that he or she knows is engaged in fraudulent or dishonest business or professional practices or the unlawful practice of professional engineering.**

**(c) Falsify his or her qualifications or the qualifications of his or her associates or permit misrepresentations of his or her qualifications or the qualifications of his or her associates.**

**(d) Misrepresent or exaggerate his or her experience or qualifications.**

**(e) Knowingly make statements containing a material misrepresentation of fact or omitting a material fact or knowingly make statements that deceive the public.**

**(f) Attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensed professional engineers.**

**(g) Give or offer to give, directly or indirectly, to a client, potential client, the agent of a client, or the agent of a potential client, a commission, contribution, gift, or other valuable consideration to secure or retain engineering work. This restriction does not include payments to an employment agency for securing employment or employees for salaried positions.**

**(h) Solicit or accept a compensation, contribution, gift, or other valuable consideration, directly or indirectly, from more than 1 party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.**

**(i) Solicit or accept a commission, contribution, gift, or other valuable consideration, directly or indirectly, from other parties dealing with his or her clients or employers, or from outside agents who have no dealings with his or her client or employer, in connection with the work for which he or she is responsible, unless the circumstances are fully disclosed and agreed to by all interested parties.**

**(j) Solicit or accept a commission, contribution, gift, or other valuable consideration, directly or indirectly, under circumstances in which his or her judgment may be compromised.**

**(k) Complete, sign, seal, or approve engineering documents that are not in conformity with the law or applicable professional standards.**

(3) Work for which the licensee is responsible, the procedures followed, and the decisions made by persons under the licensee's supervision shall be subject to sustained review and approval by the licensee.

**R 339.16052 Professional engineer seal.**

**Rule 55. (1) Effective 60 days after the promulgation of this rule, the seal of a professional engineer must include the licensee's full name and license number, as shown on his or her state-issued professional engineer license, and indicate "State of Michigan" and "Licensed Professional Engineer" in the legend surrounding the seal. The seal must have a design substantially similar to figure 55.**

**(2) A licensee's seal shall be used by the licensee whose name appears on the seal for so long as the license remains in effect. A licensee is responsible for the security of his or her seal.**

**FIGURE 55**

