

RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS

Title of Rule: Rules and Regulations for Professional Engineering

Rule Identifier: 430-RICR-00-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: November 22, 2023

End of Public Comment: December 22, 2023

Rulemaking Authority:

R.I. Gen. Laws § 5-8-3

Summary of Rulemaking Action:

The Board of Registration for Professional Engineers ("Board") at the Department of Business Regulation is proposing some amendments to streamline procedures and remove redundant or unnecessary regulatory provisions. These changes also reflect the 2021 amendments to the Professional Engineering Act, which updated the licensing requirements and provided a pathway for engineering technology degree applicants.

Summary of Substantive Changes:

§ 1.2 – Updated definitions, removed terms that are not used in the regulation, deleted language that is repetitive of the statutes, and added definition for ETAC accreditation.

§ 1.3 (former numbering) – deleted this section which contained information repetitive of the statutes and other non-regulatory content that does not affect the rights of registrants.

§ 1.4 (old numbering) – deleted this section and incorporated provisions into new section § 1.3.

§ 1.3 (new numbering) – clarified licensing provisions and updated consistent with 2021 statutory changes to R.I. Gen. Laws § 5-8-11 and current online application process. Added a chart to clearly explain the exam, education, and experience requirements for the 5 pathways to licensure in the statute. Updated application procedures to reflect the Board's decision to decouple exam approval from experience review. Applicants may take the exams whenever they are ready and should only apply to the Board for registration when they are eligible under one of the 5 pathways to licensure.

§ 1.3.1(H) – deleted the \$20 fee for retirement status.

§ 1.4 (new numbering) – cleaned up and deleted redundant information.

§ 1.5 (new numbering) – Relocated text from former numbering § 1.4(B) under its own heading.

§ 1.6 – Updated and consolidated repetitive content for disciplinary actions. Deleted content that only repeated statutory language. Clarified the complaint process to reflect current practice.

§ 1.7 (old numbering) – deleted this section. A simplified version of this is included in new numbering § 1.4.

§ 1.7 (new numbering) – A few clean up edits to the Rules of Professional Conduct.

§ 1.9 – Added references to the Department's Administrative Procedures, APRA and Declaratory Rulings regulations. Deleted provisions on public information because Access to Public Records is governed by APRA and there is no reason to repeat that in this regulation.

§ 1.10 – Deleted biennial \$20 fee for retirement status from the fee chart.

§ 1.11 – Added severability clause.

Additional Information and Public Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until December 22, 2023 by contacting the appropriate party at the address listed below:

Amy Stewart
Board of Registration for Professional Engineers
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Warwick, RI 02886
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In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by a governmental agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within ten (10) days of the publication of this notice.

Regulatory Analysis Summary and Supporting Documentation:

These proposed amendments streamline, reorganize and simplify this regulation to the benefit of registrants, applicants and Board/Department staff. The proposed changes make the regulation consistent with the 2021 statutory amendments which provided a pathway to licensure for accredited engineering-technology degrees. There are no costs to licensees imposed by these amendments. No new requirements are imposed. The amendments merely clarify, update and simplify existing practices and current statutory requirements.

These amendments benefit licensees and applicants by adding clarity to the board's requirements and procedures. The Board also proposed deleting the \$20 fee for retirement status and removing the requirement for renewal of that status.

In the development of the proposed amendment consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information.

For full regulatory analysis or supporting documentation contact the agency staffperson listed above.