

Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors

Administrative Rules Report | Executive Order 2020-03

Comprehensive Review of Administrative Rules as of August 1, 2020

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Method Used to Conduct Review: November 21, 2019 Board Staff and Board Members conducted a complete review of all administrative rules in Title 245, Chapter 2 and Chapter 15. This was a comprehensive review which is conducted annually or biennially. Numerous updates were recommended and passed through the administrative process this year, with a final adoption date of June 25, 2020 and an effective date of November 1, 2020. As the Staff and Board identify rules which are either costly, ineffective, duplicated, or unnecessary each year, these items are brought to the Boards attention and thoroughly reviewed for deletion or updating as appropriate.

TOTAL NUMBER OF UNECESSARY, COSTLY, INEFFECTIVE, AND DUPLICATIVE OR OUTDATE REGULATIONS: *Currently 0.*

Concerning Title 245 rule revisions effective 9/14/18 and 11/1/20, 25% of Chapter 2 Rules were revised/updated and 54% of Chapter 15 Rules were revised/updated. During this period of time, 100% of the rules were reviewed. (see blue and yellow highlighted dates below).

Title 245 Rules of Procedure

Chapter 2-Administrative Operations

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
2-1-1	Purpose	6/11/93	5/11/06	11/21/19						x	Standard Administrative Operations
2-1-2	Terms defined by Statute	6/11/93	7/12/01	11/21/19						x	Standard Administrative Operations
2-1-4	Board meetings	6/11/93	7/12/01 5/11/06 7/25/13	11/21/19						x	Standard Administrative Operations
2-1-5	Duties of Board officers	6/11/93	7/12/01 5/11/06	11/21/19						x	Standard Administrative Operations
2-1-6	Duties of Executive Director, Principal Assistant and Assistant Director	6/11/93	7/12/01 7/11/03 5/11/06 7/25/13 9/14/18	11/21/19						x	Standard Administrative Operations
2-1-7	Vacancies	6/11/93	5/11/06	11/21/19						x	Standard Administrative Operations
2-1-8	Reimbursement for travel	6/11/93	N.A.	11/21/19						x	Standard Administrative Operations
2-1-9	Official Board Seal	6/11/93	5/11/06	11/21/19						x	Standard Administrative Operations
2-1-10	Official records	6/11/93	7/12/01	11/21/19						x	Update effective Nov 1, 2020

			7/11/03 5/11/06 5/11/09 7/25/13								
2-1-11	Inactive records	6/11/93	7/12/01 5/11/06	11/21/19						x	Standard Administrative Operations
2-1-12	Public records	6/11/93	N.A.	11/21/19						x	Standard Administrative Operations
2-1-13	Confidential records	6/11/93	7/12/01 7/25/13 9/14/18	11/21/19						x	Standard Administrative Operations
2-1-14	Filing and disposition of petitions for declaratory rulings	6/11/93	7/12/01	11/21/19						x	Standard Administrative Operations
2-1-15	Request for promulgation, amendment, or repeal of rules	6/11/93	N.A.	11/21/19						x	Standard Administrative Operations
2-1-16	National Council of Examiners for Engineering and Surveying	6/11/93	7/11/03	11/21/19						x	Standard Administrative Operations
2-1-18	Fees and penalties	6/11/93	7/12/01 7/11/03 5/11/06 7/1/07 7/1/08 5/11/09 7/25/13	11/21/19						x	Standard Administrative Operations Update effective Nov 1, 2020
2-1-19	Severability clause	6/11/93	N.A.	11/21/19						x	Standard Administrative Operations
2-1-20	Conflicting statutes	6/11/93	7/12/01	11/21/19						x	Standard Administrative Operations
2-1-21	Engineering and Surveying Education Assistance Program	9/14/18	N.A.	11/21/19						x	Standard Administrative Operations
2-1-22	Powers and authority of Board	11/1/20								x	Financial Operations

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 1-General Provisions

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-1-1	Purpose	6/11/93	7/12/01 5/11/06	11/21/19						X	Standard licensing provision
15-1-2	Terms defined by Statute	6/11/93	7/12/01	11/21/19						X	Standard licensing provision
15-1-3	Definitions	6/11/93	7/12/01 7/11/02 5/11/06 5/11/09 5/27/10 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-1-4	Statutory charges to the Board	6/11/93	5/11/06 7/25/13	11/21/19						X	Standard licensing provision

15-1-5	Severability clause	6/11/93	N.A.	11/21/19						X	Standard licensing provision
15-1-6	Administrative Procedures Act	6/11/93	7/12/01	11/21/19						x	Administrative procedures act

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 3-Application and Eligibility for Licensing

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/ Unnecessary	Necessary	Explanation of determined category
15-3-1	Availability of forms and Board records	6/11/93	7/12/01	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-3-2	Documents required for licensing	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-3-3	Non-resident applications for original license	6/11/93	7/12/01 7/11/02 5/11/06 7/25/13	11/21/19						x	Standard licensing provision
15-3-4	Board action required	6/11/93	7/12/01 7/11/02 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-3-5	Examination dates and locations	6/11/93	7/12/01 5/11/06 7/25/13	11/21/19						X	Standard licensing provision
15-3-6	Active and inactive applications	6/11/93	7/12/01 7/11/02 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-3-7	Qualifications for original professional engineer license and engineer intern certification	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 5/11/09 5/27/10 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-3-8	Qualifications for original land surveying license	6/11/93	7/12/01 5/11/06 5/11/09	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020

			5/27/10 7/25/13 9/14/18								
15-3-9	License by comity or endorsement for professional engineers or professional land surveyors	6/11/93	5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-3-10	Temporary License	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 5-Examinations

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-5-1	Examinations required, scheduling, and postponements	6/11/93	5/11/06 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-5-3	Examination specifications	6/11/93	7/12/01 5/11/09 7/25/13	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-5-4	Taking and order of taking examinations	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Standard licensing provision Update effective Nov 1, 2020
15-5-5	Examination grading, and retention of examination results	6/11/93	7/12/01 7/11/02 5/11/06 7/25/13 9/14/18	11/21/19						x	Standard licensing provision
15-5-7	Transfer of examination grades	6/11/93	7/12/01 5/11/06 5/11/09 7/25/13	11/21/19						x	Standard licensing provision

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 7-Licensure

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-7-1	Certificate of Licensure	6/11/93	7/12/01 7/11/03 5/11/06 5/27/10 7/25/13	11/21/19						x	Licensing and renewal provisions
15-7-2	Suspension, revocation, or refusal to renew Certificate of Licensure	6/11/93	7/12/01 5/11/06	11/21/19						x	Licensing and renewal provisions
15-7-3	Biennial licensure required	6/11/93	7/12/01 7/11/03 5/11/06 7/25/13 9/14/18	11/21/19						x	Licensing and renewal provisions
15-7-4	Waived renewal fees for professional engineers and professional land surveyors over the age of 70	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 7/25/13 9/14/18	11/21/19						x	Licensing and renewal provisions Update effective Nov 1, 2020
15-7-5	Reinstatement of revoked, inactivated, or retired licenses	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 5/27/10 7/25/13 9/14/18	11/21/19						x	Licensing and renewal provisions Update effective Nov 1, 2020

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors
Subchapter 9-Rules of Professional Conduct

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-9-1	Purpose; scope; applicability	6/11/93	7/12/01 5/11/06 9/14/18	11/21/19						x	National Model Rules of Professional Conduct Language
15-9-3	Responsibility to the public	6/11/93	7/12/01 5/11/06 5/11/09 9/14/18	11/21/19						x	National Model Rules of Professional Conduct Language Update effective Nov 1, 2020
15-9-4	Areas of practice	6/11/93	7/12/01 7/11/03 5/11/06 5/11/09 9/14/18	11/21/19						x	Update effective Nov 1, 2020

15-9-5	Public statements	6/11/93	5/11/06 7/25/13 9/14/18	11/21/19						x	National Model Rules of Professional Conduct Language
15-9-6	Conflict of interest	6/11/93	7/12/01 5/11/06 5/11/09 9/14/18	11/21/19						x	National Model Rules of Professional Conduct Language
15-9-7	Solicitation of work	6/11/93	7/12/01 5/11/06 7/25/13	11/21/19						x	National Model Rules of Professional Conduct Language

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 11-Continuing Education

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-11-1	Definitions	6/11/93	7/12/01 7/11/03 5/11/06 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements
15-11-2	Continuing education committees	6/11/93	5/11/06 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements
15-11-3	Scope and exemptions	6/11/93	7/12/01 7/11/02 5/11/06 5/27/10 7/25/13 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements
15-11-5	Requirements for Professional Engineers and Land Surveyors	6/11/93	7/12/01 7/11/02 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements Update effective Nov 1, 2020
15-11-6	Criteria for continuing educational activities	6/11/93	7/11/02 5/11/06 7/25/13	11/21/19						x	Continuing Education Requirements modeled after the national requirements
15-11-7	Conversion of units and determination of credits	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements Update effective Nov 1, 2020
15-11-8	Comity Out-of-Jurisdiction Resident	6/11/93	7/11/02 7/11/03	11/21/19						x	Continuing Education Requirements modeled after the national requirements

			5/11/06								
15-11-9	Records – Audits	6/11/93	7/11/02 7/11/03 5/11/06 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements
15-11-11	Disallowed credit; failure to comply	6/11/93	7/11/03 5/11/06 5/11/09 5/27/10 7/25/13 9/14/18	11/21/19						x	Update effective Nov 1, 2020
15-11-12	Re-licensure	6/11/93	5/11/06 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements
15-11-13	Dual Licensees	6/11/93	5/11/06 7/25/13 9/14/18	11/21/19						x	Continuing Education Requirements modeled after the national requirements Update effective Nov 1, 2020

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 13-Minimum Standards for the Practice of Land Surveying

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-13-1	Purpose; scope; applicability	6/11/93	7/12/01 5/11/07	11/21/19						x	Minimum practice standards for professional land surveyors
15-13-2	Minimum Standards	6/11/93	7/12/01 5/11/06 5/11/07 5/11/09 5/27/10 7/25/13 9/14/18	11/21/19						x	Minimum practice standards for professional land surveyors Update effective Nov 1, 2020
15-13-4	Mortgage Inspection Report	7/25/13	9/14/18	11/21/19						x	

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 15-Ethical Marketing of Services

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-15-1	Purpose; scope	6/11/93	5/11/06	11/21/19						x	Requirements for ethical marketing for governmental clients
15-15-2	Definitions	6/11/93	7/11/02 5/11/06	11/21/19						x	Requirements for ethical marketing for governmental clients
15-15-3	Professional obligation in solicitation of professional employment	6/11/93	7/11/02 5/11/06 7/25/13	11/21/19						x	Requirements for ethical marketing for governmental clients

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors
Subchapter 17-Licensee's Seal

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-17-1	Licensee's seal	6/11/93	7/12/01 5/11/06 5/27/10 7/25/13 9/14/18	11/21/19						x	Licensee's seal requirements Update effective Nov 1, 2020
15-17-2	Use of seal	6/11/93	7/12/01 7/11/02 5/11/06 5/11/07 5/11/09 5/27/10 7/25/13 9/14/18	11/21/19						x	Licensee's practice of engineering and land surveying regarding responsible charge issues and proper signing and sealing requirements Update effective Nov 1, 2020

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors
Subchapter 19-Organizational Practice

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-19-1	Certificate of Authorization required	6/11/93	7/12/01 7/25/13 9/14/18	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-2	Criteria for issuance of Certificate of Authorization	6/11/93	7/12/01 7/11/03 5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-3	Biennial license for Certificate of Authorization	6/11/93	7/12/01 7/11/03 5/11/06	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-4	Reinstatement of revoked Certificate of Authorization	6/11/93	7/12/01 7/11/03 5/11/06 5/11/09	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-5	Compliance with laws, rules, regulations and orders	6/11/93	5/11/06	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma

15-19-6	Notification of changes in firm practice required	6/11/93	7/12/01 5/11/06	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-7	Authority to use professional titles	6/11/93	7/11/03 5/11/06	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-8	Firms required to file with Secretary of State; restriction on similar names	6/11/93	7/12/01 5/11/06 5/27/10	11/21/19						x	Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma
15-19-9	Exceptions	5/27/10	N.A.	11/21/19							Requirements for company/firm certificates of authorization to offer and/or practice engineering and/or surveying in Oklahoma

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 21-Corner Perpetuation and Filing Act Requirements

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-21-1	Purpose	6/11/93	5/11/06 5/11/09 7/25/13 9/14/18	11/21/19						x	Land surveying practice requirements for corner filings
15-21-2	Recordation corners	6/11/93	5/11/09 7/25/13 9/14/18	11/21/19						x	Land surveying practice requirements for corner filings
15-21-3	Specifications for Certified Corner Records	6/11/93	5/11/06 5/11/09 7/25/13	11/21/19						x	Land surveying practice requirements for corner filings
15-21-4	Remonumentation of corners	6/11/93	5/11/09	11/21/19						x	Land surveying practice requirements for corner filings
15-21-5	Availability of records	6/11/93	5/11/09	11/21/19						x	Land surveying practice requirements for corner filings
15-21-6	Penalties	6/11/93	5/11/06 5/11/09	11/21/19						x	Land surveying practice requirements for corner filings

Chapter 15-Licensure and Practice of Professional Engineers and Land Surveyors

Subchapter 23-Violations

Section	Title	Date Created	Date(s) Amended	Date Last Reviewed	Costly	Ineffective	Duplicate	Location of Duplication	Outdated/Unnecessary	Necessary	Explanation of determined category
15-23-1	Prima facie evidence	6/11/93	7/11/02 5/11/06 5/11/09 5/27/10	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.

			7/25/13 9/14/18								
15-23-2	Grounds for violations and penalties – Conduct	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06 5/27/10 7/25/13 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-3	Additional administrative penalties for violations	6/11/93	7/11/02 5/11/06	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-4	Fraud or misrepresentation	6/11/93	7/12/01 5/11/06	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-5	Gross negligence	6/11/93	7/11/02 5/11/06 7/25/13 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-6	Gross incompetence	6/11/93	7/12/01 7/11/02 5/11/06 7/25/13	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-7	Misconduct or dishonest practice	6/11/93	7/12/01 7/11/02 5/11/06 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-9	Filing a complaint; forms and evidence; Formal Notice of Charges	6/11/93	7/11/02 7/11/03 5/11/06 5/27/10 7/25/13 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-10	Resolution by settlement	6/11/93	5/11/06 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-15	Hearings	6/11/93	7/12/01 7/11/02 5/11/06 5/27/10 7/25/13 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-16	Hearing disqualification procedures	6/11/93	5/11/06 7/25/13	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board. Provisions for administrative actions

											regarding violations of the statutes and rules of the Board.
15-23-17	Powers of hearing authority	6/11/93	7/11/02 5/11/06	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-18	Findings of the Board and penalties	6/11/93	7/12/01 7/11/02 5/11/06 7/25/13	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-19	Orders developed without a quorum	6/11/93	7/12/01 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-20	Issuing of orders	6/11/93	7/11/02 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-21	Final orders	6/11/93	7/12/01 5/11/06 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-22	Procedures to file exceptions to proposed orders	6/11/93	7/12/01 7/11/02 7/11/03 5/11/06	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-23	Rehearing, reopening or reconsideration	6/11/93	7/11/02 5/11/06	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-24	Other hearings	6/11/93	5/11/06	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.
15-23-25	Emergency hearings and orders	6/11/93	7/12/01 5/11/06 9/14/18	11/21/19						x	Provisions for administrative actions regarding violations of the statutes and rules of the Board.

END OF REPORT