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Adopt Eng 301 through Eng 302.04, previously effective 1/1/12 (Document #10045), and expired 1/1/20, cited and to read as follows:

CHAPTER Eng 300 LICENSURE REQUIREMENTS

PART Eng 301 DEFINITIONS

Eng 301.01 Terms Used. As used in these rules, the following terms have the meanings indicated:

(a) “Accreditation Board for Engineering and Technology (ABET)” means the organization primarily responsible for monitoring, evaluating, and certifying the quality of engineering, engineering technology, and engineering-related education in colleges and universities in the United States;

(b) “Applicant” means a candidate on whose behalf an application has been filed;

(c) “Bachelor of science in an ABET accredited engineering curriculum” means a curriculum accredited by the Engineering Accreditation Commission (EAC) of the ABET leading to a Baccalaureate Degree in Engineering;

(d) “Bachelor of science in an Technology Accreditation Commission (TAC) accredited engineering technology curriculum” means a curriculum of 4 or more years accredited by the TAC of the ABET leading to a degree in engineering technology;

(e) “National Council of Examiners for Engineering and Surveying (NCEES)” means the service provider, which verifies and maintains a permanent collection of original source documentation of engineer’s educational, examination and identification documents;

(f) “Non-ABET accredited engineering or related science curriculum” means a curriculum of 4 or more years, of physics, math, chemistry and engineering technology which contains engineering or scientific principles not accredited by ABET;

(g) “Temporary permit” means a temporary license, issued for a period not exceeding 6 months in any one calendar year, issued pursuant to RSA 310:A-19, III; and

(h) “Verification” means a document received directly from a state licensing authority which verifies whether or not a person has ever been granted a license by that state, the dates during which the license was valid and whether the licensing authority has ever taken disciplinary action against that license.

PART Eng 302 APPLICATION AND EXAMINATION REQUIREMENTS AND LICENSURE FEES

Eng 302.01 Application Process.

(a) A person wishing to become licensed as a professional engineer shall submit an application form specified in Eng 302.02, including any fees in accordance with Plc 1002.41.

(b) The application for initial licensure shall be processed in accordance with Plc 304.06 through Plc 304.10.

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(c) Applications about which there has been no communication by the applicant to the OPLC for one year shall be considered abandoned and if the applicant wishes to be licensed, they shall be required to reapply.

Eng 302.02 Application for Initial Licensure.

(a) Each applicant for initial licensure shall:

(1) Complete and submit the “Universal Application for Initial Licensure” as required by Plc 304.03;

(2) Complete and submit the “Addendum to the Universal application for Initial Licensure” by providing the following information:

a. List all names the applicant has ever been known by;

b. Name of the applicant’s employer;

c. The applicant’s positions, dates of employment, title, and present address of employer;

d. Types of work performed and degree of responsibility;

e. Name and present address of someone familiar with each position required by b. above;

f. High school attended and date of graduation or equivalency examination taken and date of passage; and

g. The names, complete addresses, occupation and business relationship with applicant of 5 references as specified in Eng 303.03;

(3) Sign and date the application described in (1) above as required by Plc 304.05; and

(4) Pay the fee required in Plc 1002.41.

(b) The applicant shall submit or arrange for the submission of the following in support of the application:

(1) Transcripts from all post-secondary schools attended submitted directly to the OPLC from the issuing institution;

(2) Educational transcripts sent directly from the institution to the National Council for Examiners for Engineering and Surveying (NCEES) Credentials Evaluations translation and authentication service, which specializes in evaluating educational credentials for translation and authentication. This translation and authentication shall be then sent from the translation and authentication organization directly to the OPLC for evaluation;

(3) A detailed explanation of any of the “yes” answers to the yes or no questions on the “Universal Application for License Renewal” including but not limited to:

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1. Relevant court documents;
 2. Relevant malpractice claims or suits filed; and
 3. Relevant orders, settlements, or disciplinary documents, including the status of compliance with such documents;
- (4) The Fundamentals of Engineering examination scores sent directly to the OPLC from the issuing examination company; and
- (5) A written request as described in Eng 304.01(d) for a waiver of the requirement to NCEES Fundamentals of Engineering Examination, if applicable.

Eng 302.03 Application for the Fundamentals of Engineering Examination. Each individual wishing to take the Fundamentals of Engineering Examination administered by the National Council of Examiners for Engineering and Surveying (NCEES) shall apply directly to the NCEES.

Readopt with amendment Eng 302.04, previously effective 1/1/12 (Document #10045), as amended effective 11/1/13 (Document #10390), and expired 1/1/20 in paragraphs (b) and (d) through (m), to read as follows:

Eng 302.04 Application Fees. All fees applicable to this chapter shall be as described in Plc 1002.41.

Adopt Eng 302.05 through Eng 303.05, previously effective 1/1/12 (Document #10045), and expired 1/1/22, to read as follows:

PART Eng 303 QUALIFICATIONS OF APPLICANTS

Eng 303.01 Candidate Requirements.

(a) Candidates for licensure shall meet the requirements established by RSA 310-A:12-19 before a license shall be granted.

(b) Qualifications shall be determined as follows:

- (1) Applicants possessing a 4-year EAC/ABET degree shall have 4 years engineering experience as described in Eng 303.02;
- (2) Applicants possessing a 4-year EAC/ABET equivalent, foreign engineering degree which consists of an engineering program which has a successful ABET site visit shall have 4 years engineering experience as described in Eng 303.02;
- (3) Applicants possessing a degree in a related science and holding a master's degree or higher in engineering from an institution which offers an EAC/ABET 4-year engineering degree accredited program shall have 4-year experience as described in Eng 303.02. Education, per Eng 303.02 (h), shall not be counted towards the 4-year experience requirement;

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(4) Applicants possessing a 4-year degree from non-ABET accredited U.S. engineering program shall have 8 years engineering experience in accordance with Eng 303.02;

(5) Applicants possessing a foreign degree having a favorable NCEES Credentials Evaluations which consists of transcript review only shall have 8 years engineering experience in accordance with Eng 303.02;

(6) Applicants possessing a TAC/ABET 4-year degree shall have 8 years engineering experience in accordance with Eng 303.02; and

(7) Applicants possessing any degree other than those set forth per Eng 303.01 (b) (1)-(6), or no degree, shall have 25 years of engineering experience in accordance with Eng 303.02 and shall have successfully passed the NCEES Principles and Practices of engineering examination.

Eng 303.02 Experience Requirements. Experience in the practice of engineering shall be determined pursuant to RSA 310-A:12 – 19 as follows:

(a) Experience shall be progressive on engineering projects to indicate that it is of increasing quality and requiring greater responsibility;

(b) Only work of an engineering nature shall be counted toward the experience requirement;

(c) Experience shall not be obtained in violation of RSA 310-A:2 through RSA 310-A:27;

(d) Experience gained in the armed services, to be creditable, shall be of a character equivalent to that which would have been gained in the civilian sector doing similar work. The applicant while in the armed services shall have served in an engineering or engineering-related group;

(e) Experience shall be gained under the supervision of a licensed professional engineer or if not, an explanation shall be made showing why the experience should be considered acceptable;

(f) Teaching experience to be creditable must be of an advanced level in a college or university offering an engineering curriculum of four years or more that is accredited by the ABET accredited program;

(g) Experience gained in engineering research and design projects by members of an engineering faculty where the curriculum is of an advanced level in a college or university offering an engineering curriculum of four years or more that is accredited by the ABET accredited program shall be creditable;

(h) Successful completion of graduate study leading to the master's degree in engineering which has followed a baccalaureate degree in engineering may be used for credit for one year's experience. If the Ph.D. in engineering is completed under the same conditions, 2-year's total experience shall be credited. The 2 years credit shall include the one year for the master's degree;

(i) Experience shall not be anticipated. The experience shall have been received at the time of the application;

(j) Experience as a contractor in the execution of design by a professional engineer or in employment considered as that of supervising construction of such work shall not be considered as creditable experience; and

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(k) Experience gained in construction to be creditable shall constitute engineering practice as set forth in RSA 310-A:2, III.

Eng 303.03 References Required.

(a) Each applicant for licensure shall provide the names and addresses of at least 5 individuals, who shall provide references, and are not related to the applicant. At least 3 of the references shall be individuals having personal or professional knowledge of the applicant's engineering experience. At least 3 of the references shall be licensed engineers, having detailed knowledge of the applicant's engineering experience.

(b) Any individuals, whose names appear in any part of the completed application shall be used as a reference.

Eng 303.04 Information from References.

(a) Each professional reference listed on the “Addendum to the Universal Application for Initial Licensure” shall complete the “Professional Reference Form” and the applicant shall complete and submit the form to the OPLC.

(b) Each reference shall provide the following on the “Professional Reference Form”:

- (1) The applicant for initial licensure’s name;
- (2) Reference’s name, address, phone number, relationship to the applicant, state of licensure, license number, and status of license;
- (3) A brief description of the reference’s knowledge of the applicant’s qualifications in the practice of engineering.
- (4) Length of time the reference has known the applicant;
- (5) Whether or not the reference is related to the applicant;
- (6) What has been the reference’s business connection to the applicant;
- (7) Whether or not the reference knows anything reflecting adversely on the integrity or general good character of the applicant that would affect the decision on licensure;
- (8) Whether or not the reference would employ the applicant in a position of trust;
- (9) Whether or not the applicant is connected with a firm and if yes, the name and address of the firm;
- (10) Whether or not the reference determines that the applicant is qualified to be placed in a position to be in charge of designs or supervision of work;
- (11) Whether the applicant in an individual practice and if yes provide the nature of the practice;

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(12) Whether or not the reference recommends the applicant for licensure as a professional engineer;

(13) Any remarks the reference would like to add to the recommendation, optional; and

(14) The reference's signature and date of signing under the following statement:

"I make the above statements with full knowledge that the person referred to is making application for licensure to the State of New Hampshire as a Professional Engineer."

Eng 303.05 Additional References. Applicant's shall provide the names and addresses of additional references if the original information provided by the reference(s) is unclear, incomplete, or contradictory.

Readopt with amendment Eng 304.01, previously effective 1/1/12 (Document #10045), as amended effective 11/1/13 (Document #10390), and expired 1/1/20 in paragraphs (b) through (f), cited and to read as follows:

PART Eng 304 EXAMINATIONS

Eng 304.01 Examination Requirements.

(a) The "Principles and Practice of Engineering" national examination shall be held at least annually on dates set by the National Council of Examiners for Engineering and Surveying or its successor organization.

(b) All applicants for licensure shall have successfully passed the NCEES Fundamentals of Engineering examination unless waived pursuant to (c) and (d) below.

(c) Applicants who meet the education and experience required per RSA 310-A:12, II may request a waiver of the NCEES Fundamentals of Engineering exam, by filing a written request with the OPLC.

(d) Waivers of the "NCEES Fundamentals of Engineering" exam shall be granted if the applicant meets the following:

(1) The applicant has a Bachelor of Science Degree in an engineering curriculum from an EAC/ABET or other 4-year accredited program in an engineering curriculum; and

(2) The applicant has more than 10 years of accumulated engineering experience as set forth in Eng 303.02 and RSA 310-A:12, II.

(e) All applicants for licensure shall have successfully passed the "NCEES Principles and Practice" examination and the New Hampshire law and ethics questionnaire.

(f) The law and ethics examination shall:

(1) Be a take home examination covering RSA 310-A:2 – 27 and Eng 500;

(2) Be multiple choice and have its content developed by the board in consultation with the OPLC;

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- (3) Be obtained from the OPLC; and
- (e) Require a passing score of at least 90%.

(g) The Fundamentals of Engineering national examination created and graded by NCEES shall be administered using computer-based testing at NCEES test centers on dates set by NCEES.

Adopt Eng 304.02 through Eng 308, previously effective 1/1/12 (Document #10045), and expired 1/1/20, to read as follows:

Eng 304.02 Re-Examinations of the NCEES Principles and Practice Examination (NCEES examination).

(a) Candidates for licensure who fails the NCEES examination on the initial attempt shall be entitled to re-examination for an additional 2 attempts. If the candidate desires to retake the examination after the initial attempt, they shall submit the “Application to Retake the NCEES Examination” each time up to the allowable 2 attempts.

(b) The applicant shall provide the following information on the “Application to Retake the NCEES Examination” form:

- (1) Applicant’s full legal name;
- (2) All names the applicant has ever been know by;
- (3) The applicant’s home mailing address;
- (4) The applicant’s school attended or current business employed at;
- (5) The mailing address of the school or business listed in (4) above;
- (6) Applicant’s current position;
- (7) Applicant’s e-mail address;
- (8) School or current employer’s phone number listed in (4) above;
- (9) Applicant’s home phone number;
- (10) Answer yes or no to the question “Have you ever had any disciplinary action brought against you by any Board or Jurisdiction?”; and
- (11) The applicant’s signature and date of signing below the following preprinted statement:

“I the undersigned am making the foregoing statements and attest that the statements are made in good faith and are true in every respect.”.

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(c) The candidate for re-examination who fails the NCEES examination 3 consecutive times shall have their application for license denied.

(d) If the application for licensure is denied by the board based on failing the NCEES examination 3 consecutive times, the applicant shall be provided an opportunity to request a hearing for reconsideration pursuant to Plc 200. Any such request shall be made in writing and received by the board within 30 days of the receipt of the notification of denial.

(e) Candidates failing the NCEES examination and wish to retake the examination for a 4th time, without a hearing before the board, shall submit a new application for licensure pursuant to Eng 302.02 before the board grants approval to sit for re-examination.

(f) The candidate for re-examination who fails the NCEES examination 4 or more consecutive times shall have their application for license denied at each subsequent failure.

(g) If the application for licensure is denied based on failing the examination 4 or more consecutive times, the applicant shall be provided an opportunity to request a hearing for reconsideration pursuant to Plc 200 after each failed attempt. Any such request shall be made in writing and received by the OPLC within 30 days of the receipt of the notification of denial.

PART Eng 305 RECIPROCITY

Eng 305.01 Reciprocity.

(a) Candidates for licensure who are licensed or registered in another state, provided that the other state's licensure or registration requirements are substantially equivalent to, as defined in Plc 302.28, or higher than those specified in Eng 303.01, Eng 303.02, and Eng 304.01.

(b) Applicants for reciprocity shall apply for licensure as specified in Eng 302.02(a) and (b) and pay the fee per Plc 1002.41.

(c) The applicant for reciprocity shall provide a letter of good standing from each state where the applicant has ever held a license in support of the application required in (b) above. Each letter of good standing shall be submitted to the OPLC directly from the issuing state for approval.

PART Eng 306 ENGINEERING CERTIFICATES FOR BUSINESS ORGANIZATIONS

Eng 306.01 Business Organization Certificate Requirements.

(a) Business organizations offering engineering services in New Hampshire shall meet the requirements established pursuant to RSA 310-A:20.

(b) Persons designated as being responsible for the engineering activities of the business organization shall:

(1) Be licensed as a professional engineer in this state, and;

(2) Be employed by the business organization a minimum of 37.5 hours per week, except in the case of a business organization which is owned by a professional engineer and which

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business organization is either not actively providing engineering services or consists of a sole practicing professional engineer.

(c) Applicants for a certificate of authorization for a business organization shall complete and submit to the OPLC the “Application for Certificate of Authorization for a Business Organization”.

(d) The applicant shall provide the following information on the “Application for Certificate of Authorization for a Business Organization”:

- (1) Whether or not the application is for a new certificate or renewal of a certificate;
- (2) The applicant’s name, including any names previously used;
- (3) The applicant’s business name, addresses, and telephone numbers;
- (4) Fields of engineering practices engaged in;
- (5) Contact person name, their phone number, and e-mail address;
- (6) Name of person legally authorized to sign documents;
- (7) Names and addresses of corporate officers or partners;
- (8) List of engineers licensed or registered in New Hampshire who are responsible for engineering activities and decisions including their:
 - a. Full name;
 - b. Business address;
 - c. NH license number;
 - d. Where they are full time or part time employees;
- (9) Applicant’s signature and date of signing under the following statement:

“I attest that the information contained in this form is true and correct to the best of my knowledge and belief and acknowledge that the provision of false information in the application is a basis for disciplinary action by the board.”

(e) Applicants shall pay the application fee specified in Plc 1002.41.

PART Eng 307 TEMPORARY PERMIT

Eng 307.01 Temporary Permit.

(a) A person who is eligible to be licensed as a professional engineer in New Hampshire by reciprocity may apply for a temporary permit for a specific project in this state not to exceed 6 months in any one calendar year.

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(b) Applicants for temporary permits shall provide, or cause to be provided, the following forms:

(1) The “Universal Application for Initial Licensure” as required by Plc304.01(a)(1); and

(2) The “Addendum to the Universal Application for Initial Licensure For Temporary Permit” providing the following information;

- a. All names the applicant has ever been know by;
- b. Project title, location, and brief description of the specific project in the state of New Hampshire;
- c. Applicant’s professional engineer stamp of jurisdiction applicant is licensed or registered in;
- d. The applicant’s positions, dates of employment, title, and present employer’s name and address;
- e. Descriptions of types of work performed and degree of responsibility;
- f. Name and present address of someone familiar with each position;
- g. The applicant’s educational history including the names of all post-secondary institutions attended, the dates of attendance, and degrees awarded and certified copies of transcripts from all post-secondary institutions attended;
- h. Whether or not the applicant has ever taken the NCEES Fundamentals of Engineering examination, and if so, the location, date and grade awarded; and
- i. The names, complete addresses, occupations, and business relationships with applicant of 5 references as specified in Eng 303.03;

(c) Applicants shall submit the application fee specified in Plc 1002.41.

(d) Temporary permits shall be granted if the OPLC determines that the applicant meets or exceeds the requirements of Eng 303.01, Eng 303.02, and Eng 304.01.

PART Eng 308 CREDENTIALS

Eng 308.01 License. An applicant for licensure as a professional engineer, who has met satisfactorily all the requirements of RSA 310-A:2-27 and the board’s administrative rules, and who has paid all of the fees, shall be issued a license.

Eng 308.02 Licensed Engineer Seal or Stamp.

(a) The board shall upon issuance of a license to an applicant as a licensed engineer, require the licensee to acquire an impression type seal or rubber stamp of the design specified by these rules. This seal shall bear the licensee's name and number as shown on the license. This seal may be affixed on all plans, maps, and reports prepared by the licensee, but shall be affixed to all documents issued or filed for public record.

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(b) The seal shall consist of 2 concentric circles with the outer circle having a diameter of 1-9/16 inches and the inner circle diameter 15/16 of an inch. In the space between the circles at the top shall be the words "State of New Hampshire" and at the bottom "Professional Engineer." In the space inside the inner circle shall be the full legal name of the licensee and the license number written horizontally. At the bottom of the inner circle shall be the word "Licensed."

(c) It shall be a violation of these rules, pursuant to RSA 310-A:25, for the licensee to stamp or seal any documents with their seal after their license has expired, been revoked, or suspended or after the licensee has chosen retired status. It shall be a violation of these rules for the licensee to stamp or seal any documents not prepared by that licensee personally or under their direct supervision.

APPENDIX

Rule	Specific State Statute which the Rule Implements
Eng 301	RSA 310-A:11; RSA 310-A:12, I, II, III, IV
Eng 302	RSA 310-A:6, I (b); RSA 310-A:12, I, II, III, IV
Eng 302.02(b)	RSA 310-A:16
Eng 302.03, 302.04	RSA 310-A:7, I, II; RSA 310-A:16
Eng 302.04 (a) and (c)	RSA 310-A:6, I (e); RSA 310-A:7, I (a) & (b); RSA 310-A:16; RSA 310-A:17
Eng 303	RSA 310-A:6, I, (b), (l); RSA 310-A:12, I, II, III, IV; RSA 310-A:13; RSA 310-A:14; RSA 310-A:15; RSA 310-A:16
Eng 304	RSA 310-A:6, I, (c), (m), (n); RSA 310-A:17
Eng 305	RSA 310-A:6, I, (o); RSA 310-A:18-a; RSA 310-A:19
Eng 306	RSA 310-A:20, I-VI
Eng 307	RSA 310-A:6, I, (o); RSA 310-A:18-a; RSA 310-A:19
Eng 308	RSA 310-A:6, I, (i); RSA 310-A:25