

Adopt Eng 301 through Eng 302.04, previously effective 1/1/12 (Document #10045) and expired 1/1/22, to read as follows:

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.

(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 REQUIREMENTS, EXAMINATION, AND LICENSURE FEES

Eng 302.01 Application Process.

(a) A person wishing to become licensed as a professional engineer shall submit an application form provided by the board containing the information specified in Eng 302.02, including the application fee specified in Eng 302.04.

(b) An application, which is not signed by the applicant, and is not accompanied by the application fee, shall not be accepted and shall be returned to the applicant.

(c) If the application is denied, the applicant shall be provided an opportunity to request a hearing for reconsideration pursuant to Eng 206 on the deficiency issues identified by the board. Any such request shall be made in writing and received by the board within 30 days of the receipt of the notification of denial.

(d) Applications about which there has been no communication by the applicant to the board for one year shall be destroyed.

Eng 302.02 Application for Licensure.

(a) Each applicant for licensure shall provide, or cause to be provided, the following on a form supplied by the board:

- (1) The applicant's name, including any names previously used;
- (2) The applicant's residence and business addresses and telephone numbers;
- (3) The applicant's e-mail address;
- (4) The applicant's date of birth and place of birth;
- (5) The applicant's positions, dates of employment, title, and present address of employer;
- (6) Character of employment including types of work performed and degree of responsibility;
- (7) Name and present address of someone familiar with each position;
- (8) The applicant's educational history including the names of all high school and post-secondary institutions attended, the dates of attendance and degrees awarded and certified copies of transcripts from all post-secondary institutions attended;
- (9) A listing of every state in which the applicant holds or has ever held registration or license as a professional engineer;
- (10) Whether the registration or license is now in force and if not, the reasons why it is not in force;
- (11) Whether the applicant has ever lost or been denied registration or licensure as a professional engineer or disciplined by another licensing board in any other state or jurisdiction and if so, an explanation of the circumstances;
- (12) Whether the applicant has ever taken the NCEES Fundamentals of Engineering examination, and if so, the location, date and grade awarded;
- (13) Whether the registration or licensure as a professional engineer was issued by examination and if so, the location, date and grade awarded;
- (14) Whether the applicant has ever been convicted of any felony or misdemeanor that has not been annulled by a court pursuant to RSA 651:5 and, if not annulled, the name of the court in which the conviction occurred, the details of the offense, the date of conviction, and the sentence imposed;
- (15) The names, complete addresses, occupation and business relationship with applicant of 5 references as specified in Eng 303.03;

(16) A list of current memberships in professional or scientific societies which shall include name of organization, location, grades and dates of memberships and any additional experience information the applicant wishes to provide,

(17) The applicant's social security number required pursuant to RSA 161- B:11, VI-a; and

(18) The applicant's signature under penalty of unsworn falsification.

(b) Educational transcripts submitted by each applicant for licensure under the provisions of Eng 303.01 (b) (5) shall be 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 board office for evaluation by the board.

(c) Applicants shall pay the application fee specified in Eng 302.04.

Eng 302.03 Application for the Fundamentals of Engineering Examination.

(a) Each applicant for the fundamentals of engineering examination shall provide, or cause to be provided, the following on a form supplied by the board:

(1) The applicant's name;

(2) The applicant's residence and school or business addresses;

(3) The applicant's telephone number;

(4) The applicant's e-mail address;

(5) The applicant's date of birth;

(6) The applicant's educational history including the names of all high school and post-secondary institutions attended, and the dates of attendance;

(7) Whether the applicant has ever taken the NCEES Fundamentals of Engineering examination, and if so, the location, date and grade awarded; and

(8) The applicant's signature under penalty of unsworn falsification.

(b) Applicants shall pay the application fee specified in Eng 302.04.

Readopt with amendment Eng 302.04, effective 11/1/13 (Document #10045), to read as follows:

Eng 302.04 Application, Examination, and Licensure Fees.

(a) The application fee for certification as an engineer in training shall be \$75.00

(b) The application fee for licensure as a professional engineer shall be \$150.00.

~~[(c) The fee for examination for licensure as a professional engineer shall be \$310.00~~

~~—— (d) The fee for the vertical forces component of the Principles and Practice examination for licensure as a professional engineer shall be \$500.00.~~

~~—— (e) The fee for the lateral forces component of the Principles and Practice examination for licensure as a professional engineer shall be \$500.00.]~~

~~[(f)](c) The application fee when applying for licensure by comity[~~/~~ or reciprocity with other states shall be \$[~~2~~]150.00.~~

~~[(g) The certificate of licensure fee for applicants shall be \$50.00.]~~

~~[(h)](d) The biennial renewal fee shall be \$150.00 for active status and \$[~~30~~]75.00 for retired status.~~

~~[(i)](e) The reinstatement fee[after 12 months] shall be [the renewal fee plus 20 percent late fee totaling \$510.00] \$150.00.~~

~~[(j)](f) The application fee for certificate of authorization for all engineering companies shall be \$100.00 per year.~~

~~[(k)](g) The temporary 6 month permit fee shall be \$300.00.~~

~~[(l) The fee for verification of licensure or certification shall be \$25.00.~~

~~—— (m) The fee for replacement of a lost or mutilated certificate of licensure shall be \$50.00.]~~

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

Eng 302.05 Fees. All fees shall be ~~[paid in the form of cash, money order, bank draft, credit card or check payable to: “Treasurer, State of New Hampshire” and are]~~ non-refundable.

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. The board shall require that applicants appear for a personal audience with the board if their records of education or experience are unclear, contradictory or incomplete. The board shall also require documentation of the applicant’s work products to help determine competency if their records of education or experience are unclear, contradictory or incomplete.

(b) Qualifications shall be determined as follows:

(1) Applicants possessing a 4-year EAC/ABET degree shall have 4 years engineering experience satisfactory to the board;

- (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 satisfactory to the board;
- (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 satisfactory to the board. Education per Eng 303.02 (h) shall not be counted towards the 4-year experience requirement;
- (4) Applicants possessing a 4-year degree from non-ABET accredited U.S. engineering program shall have 8 years engineering experience satisfactory to the board;
- (5) Applicants possessing a foreign degree having a favorable NCEES Credentials Evaluations which consists of transcript review only shall have 8 years engineering experience satisfactory to the board;
- (6) Applicants possessing a TAC/ABET 4-year degree shall have 8 years engineering experience satisfactory to the board; 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 satisfactory to the board 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 credible;
- (c) Experience shall not be obtained in violation of RSA 310-A;
- (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

(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 board with 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 as defined by RSA 310-A:2, II, having detailed knowledge of the applicant's engineering experience.

(b) The board shall use as references any individuals, whose names appear in any part of the completed application.

Eng 303.04 Information from References.

(a) Information from references shall be requested by the board on forms provided by the board as follows:

(1) Applicant's name;

(2) Reference's name and address, relationship to the applicant, and status as a licensed engineer as defined in RSA 310-A:2, II; and

(3) A brief description of the reference's knowledge of the applicant's qualifications in the practice of engineering.

(b) The reference shall sign and date the form.

Eng 303.05 Additional References. The board shall require of the applicant the names and addresses of additional references if the original information provided by the references is unclear, incomplete, or contradictory.

Adopt Eng 304, effective 11/1/13 (Document #10045) and expired 1/1/22, to read as follows:

PART Eng 304 EXAMINATIONS

Eng 304.01 Examination Requirements.

(a) The board shall hold the Principles and Practice of Engineering, national examination semi-annually in April and October each year on dates set by the National Council of Examiners for Engineering and Surveying.

(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 petition with the board which includes the application specified in Eng 302.02 and the fee as specified in Eng 302.04.

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

(1) The applicant shall have 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 shall have more than 10 years of accumulated engineering experience under the direction of a licensed professional engineer 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 questionnaire shall consist of a take home examination covering RSA 310-A:2 – 27 and Eng 500.

(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 effect via 1/1/12 (Document #10045) and expired 1/12/22, as follows:

Eng 304.02 Re-Examinations.

(a) Candidates failing an examination shall be entitled to re-examination upon payment of an additional examination fee pursuant to Eng 302.04 (a) and (b).

(b) Candidates failing the NCEES principles and practices examination 3 consecutive times shall submit a new application for examination for licensure pursuant to Eng 302.02 before subsequent re-examination shall be granted.

PART Eng 305 RECIPROCITY

Eng 305.01 Reciprocity. 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 or higher than those of this state, shall apply to the board for licensure on a form provided by the board as specified in Eng 302.02 and pay the fee per Eng 302.04 (c). Verification of equivalency shall be determined by verification of the requirements of the state of origin. The verification shall be obtained by the candidate for licensure and submitted to the board directly from the verifying 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 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 provide, or cause to be provided, the following on a form supplied by the board:

(1) The applicant's name, including any names previously used;

(2) The applicant's business addresses and telephone numbers;

(3) Fields of engineering practices engaged in;

(4) Names and addresses of corporate officers or partners;

(5) Names and addressees, of person(s) responsible for engineering activities and decisions;

(6) NH license number, and status of persons responsible for engineering activities and decisions;

(7) Number of hours employed per week of person(s) responsible for engineering activities and decisions;

(8) Personnel legally authorized to sign contracts for the business organization for engineering services; and

(9) Applicant's signature under penalty of unsworn falsification.

(d) Applicants shall pay the application fee specified in Eng 302.04.

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.

(b) Applicants for temporary permits shall provide, or cause to be provided, the following on a form provided by the board:

- (1) The applicant's name, including any names previously used;
- (2) The applicant's business addresses and telephone numbers;
- (3) State currently licensed in and license number, expiration date;
- (4) Project title, location and brief description of the specific project in the state;
- (5) Applicant's professional engineer stamp of jurisdiction applicant is licensed~~[/]~~ **or** registered in;
- (6) The applicant's positions, dates of employment, title, and present address of employer;
- (7) Character of employment including types of work performed and degree of responsibility;
- (8) Name and present address of someone familiar with each position;
- (9) The applicant's educational history including the names of all high school and post-secondary institutions attended, the dates of attendance and degrees awarded and certified copies of transcripts from all post-secondary institutions attended;
- (10) A listing of every state in which the applicant holds or has ever held a registration or license as a professional engineer;
- (11) Whether the registration or license is now in force and if not, the reasons why it is not in force;
- (12) Whether the applicant has ever lost or been denied registration or licensure as a professional engineer or disciplined by another licensing board in any other state or jurisdiction and if so, an explanation of the circumstances;
- (13) Whether the applicant has ever taken the NCEES Fundamentals of Engineering examination, and if so, the location, date and grade awarded;
- (14) Whether the registration or licensure as a professional engineer was issued by examination and if so, the location, date and grade awarded;
- (15) Whether the applicant has ever been convicted of any felony or any misdemeanor, or a violation involving engineering or the practice of professional engineering and if so, the name of the court, the details of the offense and the date of conviction and the sentence imposed;
- (16) The names, complete addresses, occupation and business relationship with applicant of 5 references as specified in Eng 303.03;
- (17) A list of current memberships in professional or scientific societies, including name of organization, location, grades and dates of memberships and any additional experience information the applicant wishes to provide, and

(18) Applicant's signature under penalty of unsworn falsification.

(c) Applicants shall submit the application fee specified in Eng 302.04.

(d) Temporary permits shall be granted if the board determines that the applicant meets or exceeds the requirements of Eng 303.01, 303.02, and 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 who has paid all of the fees, shall be issued a license by the board. The licensee shall be issued a license authorizing the practice of engineering that shall show the name of the licensee, shall have a serial number, and shall be sealed and signed by the chairperson and secretary of the board.

Eng 308.02 Pocket Cards. Biennially, the board shall issue a pocket card upon receipt of the biennial renewal form and fee. The card shall certify that the engineer holds a license in good standing and is authorized to practice engineering to the date of expiration as shown on the card.

Eng 308.03 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.

(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 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 for the licensee to stamp or seal any documents with their seal after their license has expired, 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.

Rule	Specific State Statute which the Rule Implements
Eng 301	RSA 310-A:6, I (a); 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:6, I(a); RSA 310-A:16
Eng 302.03, 302.04	RSA 310-A:6, I (e); RSA 310-A:7, I, II; RSA 310-A:16
Eng 302.03 (d) & (e)	RSA 310-A:6, I (c); RSA 310-A:7, I (a); RSA 310-A:16; RSA 310-A:17
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

Rule	Specific State Statute which the Rule Implements
Eng 301	RSA 310-A:6, I (a); RSA 310-A:11; RSA 310-A:12, I, II, III, IV
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:6 I, (k); 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)