

Responses to Survey - Board of Professional Engineers & Professional Land Surveyors Total responses:* 121 of 161

<p>Highest Compliment</p>	<p><i>Monitoring profession on behalf of licensees - 65 Helps avoid criticism because of bad actors - 25 Helps to streamline CE -- 15 None - 20 Other: Monitoring profession on behalf of public - There is staff available to answer and respond to inquires. I am thankful my profession has a licensing board. It is important to ensure professional services to the public. - They do a good job of addressing complaints and by doing so protecting public safety. - Ability to protect the public from the unprofessional practices of bad actors. -Easy to work with and processes are easy to understand. - Helps to keep professional standards high. There would be only amateurs dealing with the public otherwise. - Am unsure if there is anything the board does really well. - Keeps administrative rules applicable to current situations/occurrences. - They do a good job. - ability to monitor profession on behalf of Public. - Ability to maintain records of all licensed professionals. - Thorough screening of new applicants for licensure. -</i></p>
<p>Biggest Complaint</p>	<p><i>Licensing fees too high - 7 Renewal times too rigid - 5 Lack of Information - 9 Regulations too strict - 3 Board's response to unlicensed practice - 31 None - 66 Other: long processing times. - Lack of reference materials to prepare for required examinations. - I think the professional licensing board SHOULD be an important regulatory agency to restrict unlicensed or unethical practice. Unfortunately, the reality is that they function mostly as a hammer on the licensee's because that is the only group they have any real authority over. They lack the will and power to actually deter unlicensed practice. - In the mid 1970's, the board attempted to limit the number of new registrants. - Continuing education is getting more expensive to obtain and should cover a longer period of time such as two renewal time periods. Especially for obtaining more CEU's in one period and carrying them forward. - Stricter and stricter standards for continuing education. - Rules not integrated with other statutes; not prosecuting unlicensed practice. - Board Attorney (and some board members) too political - worried about the Agency and/or administration's reaction to their decision. - Board is too restrictive on entry. There is denial of entry into the market place for qualified individuals by bureaucratic regulation. - Allowing reciprocity from states with less restrictive application requirements. - Slow action on complaints. - Does the Board send notice to County Clerks and Recorders when a license is revoked or suspended? Do Clerks and Recorders check on a surveyor's status before recording surveys? - Not having the fortitude to impose sanctions when complaints are filed and not following up after a complaint is filed. - Licensing fees too low. - Appointments to Board are too political and opinions of Professional Associations are not taken into regard. - Most continuing education is meaningless. - Screening procedure of complaints. Anyone can complain if relevant or not, and the professional has no input until he/she has to sit before the board. - No teeth when they do discipline. -</i></p>
<p>Reasons the board is important: Keeps the quality bar high. I served on the electrical board as a public member and saw first hand the caring related to quality . I am a licensed Architect and Engineer, and believe in the continuing education supported by the Boards. - Ensures a basic level of competency in performing professional services. Engineering is not a repeat-sales business, and the stakes are high and expensive. Without regulation, there is a lot of room for fly-by-night shady actors. Boards and requirements keep things in reliable order for the unsuspecting public. - MT Board & association w/MARLS - does a very good job at keeping professionals informed of changes & issues. - Licensing of professional engineers allows for minimum standards of education and knowledge for those practicing in Montana. - Public Health & Public Safety are of paramount importance. - To ensure that only qualified professionals (engineers/surveyors) with sufficient experience and knowledge design / approve projects and to hold them accountable if they fail to meet their obligations as a professional. - Monitor the practicing members of Civil Engineering and Land Surveying. - Monitor professional practices. - There is no other entity that can monitor and guide professional practice of Land Surveying. The BPELS plays a critical role in not only licensing but in keeping the Administrative Rules of Montana up to date and relevant. Professional Land Surveyors rely on the ARM's to make decisions and to provide uniform standards. - They keep you on top of revisions to laws and rules and make it is easier to make changes for the better. - The board makes sure the profession stays a profession.</p>	

Reasons the board is important: (continued) - The board: provides updated rules that reflect changing technologies and legislation; polices the profession by investigating and responding to complaints and following through with appropriate actions; administers the application and testing process for new licensees therefore protecting the public from unqualified practitioners. - All states have a licensing board for professional engineers and land surveyors. The board performs an essential function in regulating the practice of those professions. It is important to the state to have qualified individuals acting as engineers and land surveyors. - The board will not allow applicants to apply to take the PE exam until four years of professional experience has been obtained. Due to the length of time it takes the board to review and approve applications, and the fact that the exams are only offered twice a year, and that most engineers begin their professional experience in May or December (after graduating college), the end result is that most end up taking 4.5 to 5 years to obtain a license. If the board would allow engineers to apply to take the exam after 3.5 years of experience, Montana would still be in compliance with the Model Law for engineers, and engineers would be able to realize the increased salary and job opportunities of professional licensure sooner in their careers. - I believe that it is very important to have licensing/examinations for licensing to establish a baseline of competency for consulting engineering. - (Dually licensed with architectural board): The Architectural and Engineering disciplines within this Board are imperative. They not only perform a very important service to the individual Montana-licensed A/Es within the state, they perform a very important service to Montana-licensees throughout the US. They also provide support related to other A/E Boards on behalf of all licensees. These professions are regulated because they completely and directly affect the welfare and safety of all. I can't imagine this regulation would be considered in the reduction of regulated professionals. - Engineering professionalism and ethics. - Reciprocity with licensing in other states. - Licensing of Professional Engineers reduces the risk to users of engineered products and services. - Insures that public facilities are designed for safety by qualified persons. Insures that engineers maintain qualifications through continuing education. - The licensing board is required to establish standard criteria for public safety and welfare. Allowing individuals to falsely represent themselves as a particular professional will expose the public to danger. - Many individuals don't realize that neither the attorney, title company, or realtor can identify their property lines even though in many situations their fees are higher than the professional land surveyor. The board of registration helps put the full time surveyor on the same platform as the weekend surveyor so both use the same guidelines for their work. - Establishes a credential that shows an ability to pursue a goal and achieve it; demonstrates a minimum level of competency to fellow engineers and the public. - Maintenance of professional standards of practice and conduct. - Necessary to maintain a high level of professional competence and integrity. - Our Board acts as a filter for surveyors and engineers entering our state to practice and resident applicants who wish to become licensed in Montana. Many do not meet Montana standards in the initial application process. Without the Board's review, litigation issues will increase due to incompetent and dishonest licensees. The Board is also a key player in establishing rules and interpreting legislation. Without its input there would be much confusion in the realm of acceptable standards. Our board interacts with many agencies and county officials who have questions pertaining to engineering and surveying. The Board is able to answer their questions and address their concerns. - Unless the board starts making the hard decisions to police our profession to gain more respect in the public, it is not necessary. - Board is an appropriate gateway for individuals to enter the profession(s) as legitimate professional practitioners. Board serves the critical function of acting in the public's interest regarding safety, welfare, and health. Board seems to be mostly effective in serving function of public protection without being too over-reaching. - It is important to prevent unlicensed (unqualified) individuals from trying to practice land surveying or engineering. The public health and safety and welfare will be negatively impacted by individuals who don't have the qualifications, trying to practice engineering (improperly designed water treatment facilities, inadequate wastewater treatment systems, unsafe structural design, etc.) or land surveying (erroneous land boundaries, encroachment of improvements, leading to increased conflict between property owners, etc.) - The licensing board should raise the bar for every current and future Professional Land Surveyor, by setting the standards to which we adhere to. Without rules and regulations or the ability to enforce the established standards, whether technical, ethical or professional, the status of "Professional" is left with little meaning. -The degree of professionalism of a license is only as good as the Board that oversees that license. Professionalism is what protects the general public. - To review LSI and LS applications to become a Licensed surveyor in the state. - The Board is necessary for review of applicants desiring to practice engineering or surveying. Upon a positive review, they then require examinations to prove that the applicant is knowledgeable and capable of offering services to the general public. Without this manner of review by the Board, no Association of either discipline would be capable of administering the reviews and examinations without funding from the state government. Therefore, funding this Board to continue its function is absolutely necessary for the public's safety, health, and welfare. - The ability to protect the public welfare from individuals who are not qualified to become a Professional Land Surveyor. - The Board provides a method to track how many people are practicing the profession. - The board is necessary to keep unlicensed and unregistered surveyors from doing work in the state of Montana. The public is at risk when the "low bid" has absolutely no guarantee of quality assurance.

Reasons the board is important: (continued) -- Keeps unlicensed practice at bay. Engineering and surveying are important professions that can effect public health, safety, welfare, and the environment. As such it is important to maintain and promote the professions. The Board should take an active stance in educating the public as well as young engineers as to the role of professional engineers and surveyors in our society. The role of licensing, the obligations to protect the public health, safety, welfare and the environment, and business ethics should be stressed throughout the college courses, and in particular there should be mandatory course work on public health, safety, welfare, and the environment, and professional liability required in the last year before a student graduates. - The licensing board maintains the professional distinction and minimum requirements so that Engineers and the engineering business at least meet the minimum requirements. Otherwise a garbage man (sanitation engineer) would be able to provide engineering services in the State. It is also established to ensure that the Professional Engineers keep public safety and welfare as paramount in their practice. - It is important to ensure that people can find out if the person they hire meets licensing standards for the work they want them to do. - Protects those in the public who are not in a position to be able to judge the engineering qualifications of an individual claiming to be qualified. The licensing board helps ensure that at least minimal qualifications and professional standards are in place. - (identical responses = 2 for the following:) The board is necessary to enforce/administer those hallmarks of a profession (responsibility, expertise, corporateness) in the public interest: 1) controls acceptance into the profession, especially those files that require judgement of some form; 2) monitors the continuing education of the members; 3) acts to enforce a code of ethics and administers discipline actions; 4) co-ordinates with other professional boards within the state, and within the US. - Provides an independent means to certify minimum qualifications to the public. - It is also a helpful service to the profession by providing laws and rules on their website that are pertinent to the profession. It is also helpful for the complaint process to have a board dedicated to only 1 or 2 professions instead of numerous professions. - Provides vehicle to administer and regulate issuance of professional engineering licenses to protect the public from a public safety standpoint. - Ensures proper education (accredited degree / continuing education) and competency (recommendation of supervisors / peers). - There is a lot of information available on the internet and elsewhere that provide technical information that can be used to accomplish part of what engineers do. However, this information does not replace an understanding of math, science, and engineering that comes from the rigors of education and the professional development process. Knowing what not to do is sometimes more important than knowing how to do something. - The board gives the general population a place to solve any grievances that they might have with a licensed individual. The Board is also a good place to get general information about a certain profession. - By restricting unlicensed practice, the board maintains the dignity of boundary lines and thereby reduces conflicts and preserves harmony in the community. - The intensely technical nature of land surveying demands that any oversight be conducted by appropriately educated and credentialed individuals. A professional board is the best way to accomplish such oversight. - The board regulates the activities of our profession making it difficult, not impossible, for less than reputable firms to practice our profession within the standards we have adopted and abide by. Many people do not realize the board also mentors. I had been brought before the board for some survey practices that involved my plats, and they gave me guidance on how to resolve those issues. Discipline does not always mean sanction but sometimes it is teaching. - It is essential to license engineers, otherwise unqualified individuals would perform engineering work and unsafe structures, utilities, and etc. would be constructed. -Someone has to make sure that a person wanting to practice is qualified. - It would be a great tool if they would take a strict stance on unlicensed practice and enforce that stance. - It is a challenge to compete with an arm-chair licensed surveyor who just sends out technicians to complete field work and poke pipes in the ground. It is especially distressing to have those license holders in another state that never make it out to the jobsite to actually review and have oversight. Without the oversight, the technician is making boundary location decisions without a license. We as a profession and business owners have to be able to monitor our own competitors by reviewing their work as it is filed in the courthouse. We can bring concerns as a professional courtesy to those who may have made an error but it is the board that needs to be there to enforce action when it can't be remedied by negotiating. The corner monuments that are set "rule", and documents that are filed are "official record" for abstractors and Realtors and should be able to be relied on as both accurate in location and precise in wording. Without a licensing board for Professional Engineer and Land Surveyors, the practices would be unregulated. These professions require national and state specific testing and statutory qualifications before testing is allowed. Without a board how would this be accomplished? All states have requirements for licensing of these professions. Montana would be remiss to not require licensing and have a board that oversees these professions. In the past almost 30 years since I have been licensed, the Land Surveyors have been successful in having a voice regarding the scope of practice for Land Surveying. Recently the Geomatics Advisory Committee (formed by the Board) provided direction that further defined the practices of Professional Engineering and Land Surveying. Nationally the scope of the practice of Land Surveying has been defined by NCEES - it's important that Montana follow this national direction to be consistent with other states. - The board is always there as the final say. Professionals have worked the ground [and have] good knowledge of the politics involved.

Reasons the board is important: (continued)- The only duty of a licensing board is to make sure that a person who acquires a license in whatever field it may be has the knowledge to perform the tasks necessary to complete the job. After that has been proved get the hell out of my hair.

Public Health - 0	Public Welfare - 19	Public Safety - 17	All or combination - 76	None of these - 3
Scope of Practice:	Too Narrow - 6	Too Broad - 8	Just Right - 105	

Problems with other professions' scope of practice? No - 108 Yes 6 - Board of Realty Regulation (3). Board of Private Security (1) Board of Architects and Landscape Architects (1)

Regarding scope: Should allow Civil Engineers to practice Land Surveying if they also have the license and practice from another state without the test. - The scope of practice for engineers is well-defined, and Montana's regulations follow national standards. - It allows flexibility and places the scope of practice in the responsible party's lap. - It is extremely difficult to narrow or broaden, or perhaps even define the scope of "mechanical engineering", it is a wide spectrum in itself. - A little narrow on with the architectural firm practice rules. - More engineers are needed in Montana. - Engineers are tested under certain specialities, but the license is the same. - Engineering design, judgment and resulting products affect just about every aspect of public health, safety and economic well being. Therefore, a Board with a broad scope of practice and effective authority to enforce rules of professional conduct is necessary. To narrow that scope with separate boards for different engineering disciplines - civil, structural, mechanical, electrical, etc. - would be redundant and would add unnecessary costs. The State should support the present size and makeup of the Board, with members representing most branches of the engineering profession. The State must definitely support the continuing function of the Board as a reference source for professional practice and a recourse for the public and professionals who wish to inquire about or report unprofessional conduct by any of its members. - It would be difficult to practice the many areas/types of surveying. I think it is just right for me to specialize in only a few because I can offer to the public a better product/professional opinion in that area of practice. If he is not confident or does not have the equipment to perform the project then he should let the client know this and be able to direct him to someone who is able to meet his expectations. - The nature of professional engineering is pretty well defined. - Engineering is very complex and depends on individual professional judgment. The Board acts to ensure minimum standards but does not appear to tread into areas of second-guessing competent professionals. - A rule was just approved defining the definition of engineering and land surveying. This rule defines the two professions well and gives the Board a definition when a complaint arises. - Civil Engineering is a broad discipline (transportation, geotechnical, structural, etc.) but the industry only employs you where your education, training, skills are a fit. - There is an overlap between the engineering that I practice (Civil/Structural and Architecture). I believe that the Montana practice has a pretty good definition that lets us and architects perform work we can reasonably perform that would otherwise intrude on each others' practices. The line is probably nebulus, but I think self regulation has worked out by and large for the most part. - As a PLS, we are often faced with the opportunity to cross professional lines of practice, mostly engineering and legal issues. The scope of practice as defined keeps us all operating within the bounds of our respective professions. - Allowing reciprocity from states with less restrictive application requirements. - Too much encroachment by GIS people. - For my profession, land surveying, it believe the scope is a good fit. - I appreciate the latitude of the continuing education courses that can be used for licensing purposes. -

What laws/regulations have caused the most problems? -- None - 12 **Other:** Continuing education requirements. It's often very difficult to obtain the required hours every 2-year period. - The Land Surveyors test for Land Surveyors trying to get license by comity. - The law regarding remainder parcels on land divisions. - The Subdivision and Platting Act. (7) The public can't understand why they must go thru so many hoops to sell part or all of their land.- Almost every legislature changes the Subdivision and Platting Act. - Subdivision/Platting Act, because of so many regulations/requirements to be able to develop your property. I understand and know it is important o have a few of these laws/regulations to protect the safety, health, property, property rights, and general welfare of the public. But we have gone little too far. - For the Subdivision and Platting Act, each county chooses "how" and "when" they will adhere to the law.- The subdivision laws are getting out of hand....too much time and money to subdivide. - Continued amendment to the Subdivision and Platting Act. It's always a struggle to keep up with the changing laws and advise clients of the complicated and expensive process to subdivide their property. - Professional development hours. - The additional requirement of having to track continuing education, while not a problem, just adds to the bookkeeping aspect of licensure. That being said, I understand the need and comply. - The Montana Sanitation in Subdivision Act (ARM 17.36.101 through 17.36.805) -

What laws/regulations have caused the most problems? (continued) - The restrictions and definitions of allowable continuing education activities. I happen to disagree with a few of the continuing education restrictions (like getting credit for TAKING a class, but not for GIVING a class if you are a professor). - Stringent requirements for which types of information requires the seal of a professional surveyor (as opposed to a non-surveyor engineer). - The building code updates. It is probably the most reasonable way to do it, but the IBC has too many changes. For example, you get used to the 1.5 increase in shear (not moment and axial and other forces induced by seismic loads) in SDC C,D,E,F in masonry buildings so you effectively throw your free-body-diagram out the window (the basis of this type of engineering), and then all of a sudden in 2009 it is gone - without any fanfare or anything by the way of explanation. - Continuing Education. It is necessary, however, it seems to creep up on me all at once, because I am generally heavily engaged in the execution of business. - There needs to be a Montana law that heavily fines road builders, excavators, fence builders, utilities providers who destroy survey monuments because they are careless & uninformed. There are no problems for those licensed individuals who consistently follow the rules and regulations put forth by the state and by the Board itself. - Those laws that take away the rights of landowners in an effort to control areas that benefit no one, other than the governing body's whims. Bills come forth at every session to tweak the existing rules, and most legislatures do not thoroughly review the bills, but rely on the word of a few. - These questions appear to have been written by someone with an anti-agency agenda. - Montana's regulations are similar to the other states that I am registered in. - Inconsistency of new licensees' school and experience. Make the requirements to get licensed more clear and consistent, and check references for new licensees. - Examining Land Surveyors exceed their statutory authority and have no control to assure that they are even capable. Many Examining Land Surveyors act in an arbitrary and capricious manner and become vindictive when their decisions are questioned by other Land Surveyors. - Firm regulation is vague and unclear in the architectural licensure laws. MT 24.114.402, seems to relieve architects from using their personal seal by opting to use the seal of the firm. There is no other mention of firm regulation/registration or even firm seal requirements. This may also cause problems when determining individual responsibility. I'd suggest reviewing the architectural licensure statutes and regulations. - I believe it is too burdensome and difficult to report violations to the board, as (I believe) they cannot be reported anonymously. - Requirement to practice under licensed engineer for 4 years before getting licensed. This is necessary, but difficult to do in Montana. - I have had no problems with the regulations established by the board. In my opinion the board has functioned well and instituted important regulations in a fair manner. - Continuing education occasionally becomes an issue, as one gets pressed to meet deadlines at work and complete necessary continuing education requirements. The continuing education guidelines are a good requirement though and necessary to keep abreast of changes in the field. - Maintaining the continuing education requirements and keeping the records up to date. Although this has been the problem, I agree 100% in the requirements and would not want them to change it, other than to allow the CEU's to cover a longer period of time. - Continuing educational requirements (PDHs). - Could tighten up the requirements for when a corner record, survey record of index, or certificate of survey is required.

Consumer complaints filed: No 75 Yes 8 Board effective? Yes - 3 No - 5 Other comments: *Effective:* Unlicensed practice issue and Board wrote a cease and desist order. - Dropped the matter but wrote letter to licensee. - Dropped the matter. The board required a field investigation of my complaint. *Not effective:* Board dropped the matter (3).- Still pursuing the matter after 3+ years. - Provided audio and written proof to the real estate board of realtor misrepresentation and the investigator dropped the case. - Board should have followed up more rigorously on unlicensed practitioner. Unlicensed people purporting to offer professional services are a scourge to the profession. The board has been way too lax in letting them slip by. VERY discouraging for the licensees. Why did we bother getting licensed if our board will not look out for our interests? - Brought before the Board of Architects: an architect was practicing well beyond the scope of his knowledge. We sent numerous correspondence to that board. That was several years ago now and I still do not know what has been done. - Board should have written letter to the licensee.

Nonlicensee comments

Not calculated yet

*as of 4/4/2012

1586, 1562, 1151, 1531, 1514, 1465.5 (out-of-state), 1462, 1427, 1411 (out-of-state), 1406, 1374, 1365, 1364, 1363, 1333, 1330 (out-of-state), 1318, 1317,