The Honorable William Coley, Chair Tel: D. Pritchard 614-519-4819

Senate Government Oversight and Reform Committee E-mail: davepritchard@sbcglobal.net

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The Honorable Ohio Senator William Coley:

This testimony on Senate Bill 255 is submitted on behalf of the Ohio Council of Local Sections of the American Society of Civil Engineers. The ASCE represents interests of over 3,000 engineers in the State of Ohio, many of whom are licensed under existing State law, Section 4733 of the Ohio Administrative Code.

ASCE maintains that a mandated sunset review of engineering licensure requirements on a 5-year schedule, as proposed in SB 255, is not warranted. In addition, experience shows that professional licensure is the most appropriate and least restrictive regulation for entering engineering practice as the public depends upon qualified professionals performing civil engineering work.

Licensing in Ohio has been in place since 1933. The current licensing approach in Ohio closely adheres to the nationwide NCEES model law and it is substantially the same as the licensing approach used in nearly all of the 50 states, four territories and the District of Columbia. In concert with national standards, in order to become registered as a professional engineer (PE) in Ohio an individual must complete a college level course of at least 4 years at a nationally accredited engineering program, pass a two-step test, gain 4 years of engineering experience, and meet certain requirements, including a clean disciplinary record, in compliance with the laws of the State of Ohio. In order to maintain the PE license, an individual must complete at least 30 hours biennially of relevant continuing education, including at least two hours of ethics or rules education. These requirements for professional licensure as an engineer assure that **qualified** civil engineers are practicing engineering for the health, safety and welfare of Ohioans. Such assurance is ever more important as the complexity of engineering is ever increasing. Lowering the standards would not be in the public interest and the consequences, potentially disastrous.

Licenses are issued for the practice of engineering in Ohio without specification as to the particular branch of engineering practice, civil, mechanical, electrical etc. Ohio law makes it the responsibility of the individual engineer to practice only in areas in which he or she is qualified, an important aspect of Ohio law. The law allows for Ohio registration of engineers licensed in other states by comity as appropriate.

The practice of professional engineering in Ohio is regulated by the Ohio State Board of Registration for Professional Engineers and Surveyors. The Board is an agency of the State of Ohio, with its 5 members appointed by the Governor. In order to be in responsible charge of a project a professional engineer must be registered in Ohio. The term, responsible charge, can include the design, supervision of design

and review of plans for a project and must, under Ohio law, be carried out by an engineer registered in Ohio. This authority must be evidenced by the individual engineer's seal and signature on the project plans used for construction attesting that the PE has been in control of the work. In addition to implementing the laws for issuing engineering licenses, the Board investigates any complaints against licensees or regulated individuals and the unlicensed practice of engineering in Ohio. The Board issues orders or negotiates resolution of violations that may be identified. It should be noted that civil engineers who are not licensed may work in positions performing some engineering tasks on projects, but their work must typically be directly supervised and sealed by the licensed PE in responsible charge.

Civil engineers are engaged in engineering a wide variety of projects and facilities in Ohio, including roads, bridges, dams, utility systems and structures. Civil engineers are employed in Ohio by many entities, including government agencies (e.g., ODOT, county engineers, cities), private companies (e.g., railroads, manufacturers, utility companies), and engineering consultants. Professional engineers also practice in Ohio as individuals providing consulting services to a variety of clients. Many of the civil engineers employed by the various entities are licensed, and the agencies and firms typically support the licensing by assisting their employees in attaining licensure, providing continuing education, and paying the costs for licensure in Ohio, and in other states where appropriate.

The existing licensing laws for engineers in Ohio have served well to assure proper design, construction and oversight of projects built and operated throughout the state. Engineers have generally fulfilled faithfully the requirement of licensure; that they carry out their work to assure the health, safety and welfare of the public. The licensing process works to assure that only those with appropriate technical and personal integrity can legally be in responsible charge of projects in Ohio, and to remove any that fail to meet the standards.

Periodic updating of any law, including professional engineering licensure laws, is warranted, and several aspects of the law have been modified in recent years, including the need for continuing education, and the inclusion of ethics in the continuing education rules. However, ASCE maintains that a mandated sunset review of engineering licensure requirements on a 5-year schedule, as proposed in SB 255, is not warranted. The State licensing board and the professional engineering community in Ohio have identified and, where appropriate, sought to update Ohio law governing the practice of engineering in the State, and should be relied upon to do this in the future as in the past.

Thank You.



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