

The Testimony Of  
**Jeff Kennedy, PE, Past President, Ohio Society of Professional Engineers**

Presented To  
**The Senate General Government and Agency Review Committee,  
Senator Kirk Schuring, Chair**

Date  
**February 19, 2020**

Regarding  
**Senate Bill 246 (Occupational Licensing of Out-of-State Licensees)**

Chair Schuring, Vice Chair Rulli, Ranking Member O'Brien, and members of the General Government and Agency Review Committee, thank you for allowing me this opportunity to testify today on Senate Bill 246, which would require occupational licensing of out-of-state licensees.

My name is Jeff Kennedy, PE, and I am a past president of the Ohio Society of Professional Engineers (OSPE), and I have also previously served as OSPE's vice president of legislative and government affairs.

I am testifying today on behalf of OSPE – the single, most powerful voice representing licensed professional engineers. OSPE has discussed Senate Bill 246 at length in board and committee meetings, and the Board of Directors decided with a unanimous vote to engage on this bill because it has serious ramifications for Ohioans. Our organization is here today as an interested party with concerns regarding Senate Bill 246.

Generally speaking, OSPE agrees that license portability is very desirable, and we applaud efforts to attract people and businesses who will help Ohio thrive long into the future. However, with OSPE's support for the bill's intent in place, I must also add that OSPE members recognize that it is critical – absolutely essential – that great care be taken in the particulars of the bill.

I state publicly: The professions that stand between the public and the potential for grievous harm merit extra consideration. This includes professional engineering work.

Professionally, my career began after I graduated with a bachelor's of science degree in civil engineering from Purdue University in 1983. Since 1985 I have been working as a civil engineer designing mainly bridges and culverts. Since 1990 I have been a licensed professional engineer, first in Indiana and since 1993, here in Ohio. For the past 11 years I have served as the president of Shaffer, Johnston, Lichtenwalter & Associates, Inc., a small consulting civil engineering and surveying firm with offices in Mansfield and Wooster, Ohio. Our work includes the design and project management of residential and commercial site

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developments, including grading, storm water management, storm and sanitary sewers; roadway, bridge and culvert projects. My personal experience includes the design, plan production and project management for over 120 street and highway bridges and culverts in Indiana and Ohio. We also perform bridge inspection and load rating services for municipalities, counties, state departments of transportation and private businesses. As you might imagine this work requires specialized and rigorous training to safeguard the public. It's a responsibility that I take very seriously because if one of our bridges were to collapse, it could cost the lives of possibly dozens of people.

I am concerned that perhaps the public is not fully aware of the professional engineer's scope of responsibilities, the lives PEs impact in executing their work, and the consequences for lowering standards to the least common denominator. Therefore, I am including with my testimony today some captioned photographs that may effectively underline my point that lives are at stake. In deciding how Senate Bill 246 will be executed, you hold lives in your hands.

I've heard the argument, if you get a bad haircut you can let Angie's List know and not go back to that vendor. But with engineering work, the public typically does not choose who will perform services on public improvements. Those decisions are made by local and state governmental officials, only some of whom may be elected. People who circumnavigate Ohio's requirements for engineering licensure would be able to submit their qualifications on government contracts for bridges, buildings, drinking water projects, sewage treatment, dams, and environmental remediation projects, etc.

*That thought keeps me up at night.*

Together with a coalition of like-minded engineering associations, the Ohio Society of Professional Engineers has worked to draft language to address our concerns with Senate Bill 246. We are working to schedule meetings with the sponsors of Senate Bill 246 and other parties working on the bill's development.

Our message is as follows: Regarding the professions that have a **national standard for licensure** – in other words, minimum standards for education, experience and a national examination – Ohio would not benefit the public by conceding to the decisions of the few states who have chosen to ignore the national standard in favor of lesser requirements.

*As written, Senate Bill 246 allows other states' registrants nearly unilateral access to Ohio licenses without much regard for this state's standards. Do we, as Ohio citizens, want to have our licensing regulations dictated by other states, rather than by our own elected representatives?*

Furthermore, Senate Bill 246 makes no mention of foreign degree applicants. Engineers from other countries often have very different requirements for education and experience. Senate Bill 246, as written, would allow these applicants to obtain Ohio PE licenses via reciprocity from another state – but without consideration for whether their qualifications meet Ohio law or national standards.

OSPE believes Ohio's professional engineering licensure – which does keep to the national standard for education, experience and examination – must remain rigorous for a reason. The

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reason is for our families, our friends and the public we serve. We believe the national standard should prevail.

And if the national standard does prevail? Here's the good news for those who want to ensure that Ohio is being abundantly fair in granting licenses by reciprocity to people from out of state: Our own licensing authority, the State Board of Registration for Professional Engineers and Surveyors is already highly respected by Ohio PEs and by other states' regulatory boards for its ability to grant reciprocity within 24-48 hours turn-around time for engineers who meet the national standard. Also, the State Board of Registration has pledged to do all that it can to support the national standard. In this way, the Ohio engineers' and surveyors' board is focused in working to support license portability, but within the confines of a well thought-out national standard that protects the public and that has the support of almost every state in our union. As I mentioned earlier, my own professional experience began in Indiana where I worked for nearly eight years. When I began working in Ohio, it was a smooth and quick process to receive my professional engineer's license by reciprocity. That is a testimony to the efficiency of our Ohio engineers' and surveyors' board of registration.

OSPE would greatly appreciate being invited to interested party meetings, and we hope to hear of these occurrences.

Ultimately, we desire that the bill sponsors and indeed the Senate General Government and Agency Review Committee will support the language of our proposed amendment and work with us in protecting Ohio.

Thank you again for this opportunity to speak before you on behalf of the Ohio Society of Professional Engineers. I welcome any questions you may have for me.