



Maine PE News

June 2016

Volume 16, Issue 1

Thoughts While Driving . . . By Mandy Holway Olver, PE

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- Joyce Noel Taylor, PE
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If you are reading this newsletter, it is likely that you are either on your way to attaining or have already attained the Professional Engineering (P.E.) credential. One of the priorities of the Maine PE Board is to encourage those with engineering degrees to pursue professional licensure. While the P.E. credential is a necessity to practice engineering in some employment positions, it is not for others.

We have been working with universities in Maine that offer engineering programs to encourage students nearing graduation to start the licensure process by taking the Fundamentals of Engineering (FE) exam and becoming certified as an Engineer-Intern. This is the current terminology for what many of us knew as the EIT (Engineer-In-Training) exam. There is no better time to take the FE exam than while a student is approaching graduation. The content of the FE exam is geared to the academic content of undergraduate engineers. Students are used to taking exams, and having the EI credential on the resume of job seeking students may distinguish them from other applicants.

The current process of signing up to take the FE exam is to pay the exam fee to NCEES and schedule a test date at a Pearson Vue testing center. NCEES, the National Council of Examiners for Engineering and Surveying, administers the FE and has contracted with Pearson Vue to provide exam services. Applicants make an appointment at their convenience to take the 6-hour exam. In Maine the exam centers are located in Bangor and Westbrook. There are numerous locations throughout the U.S. For the following links are sources of more information on the exam center and exams: <http://www.pearsonvue.com/ncees/> and <http://ncees.org/exams/fe-exam/>

Before the computer-based format now offered at testing centers, applicants were given an opportunity to take the exam on campus on a fixed date. While that inflexible date might have been an inconvenience for some, for many it presented a fixed target date to prepare for and take the exam. The problem with scheduling the exam at your convenience has resulted in many potential registrants never getting around to taking the FE, and subsequently never taking the PE.

As members of the PE community, we ask for your help in promoting licensure. If you are in a position to interact with graduating students, please ask them if they have signed up for the FE exam and explain how passing that exam and becoming credentialed has helped you in your career.

Inside this issue:

FE Results	2
PE results	2
Using PE Credentials	3
NCEES Notes	4
New NCEES Interface	4
Serve on the PE Board	4
Engineering Expo	5

FE Exam Results Jun 2015 to Dec 2015

These are the individuals who successfully passed the FE exam between June 1, 2015 and December 31, 2015. Because the FE exam is now a computer-based examination, there are no longer fixed testing dates.

Hans Albee	Michael Chin	Michael Hanestad	Andrew Schanck
Derek Allan	Alexander Cole	Nicholas Haritos	Sean Seeley
Ian Allan	Kevin Conroy	Cotter Jackson	Emily Tynes
Stephanie Beadle	Sean Dinan	Benjamin Johnson	Joseph Viola
Jonathan Belanger	Laura Donovan	Jordyn Mallett	Peter Violette
Sunil Bhandari	Daniel Dorfman	Evan McMahon	Evan Waddell
Ian Black	Teagan Dunfey	Christopher Morin	Peter Westra
Marissa Boivin	Chula Gangsa	Mark Nortz	Brent Williams
Jonathan Bouchard	Cameron Guild	Joshua Nougaret	Christopher Yerxa
Kyle Castagnetto	Allen Guinoo	Yi Peng	
Perry Chan	Kerem Gungor	Erik Ryan	

Congratulations to those who passed the October 2015 PE Exam



Approved seal format

Hans Albee	Stephen Hofacker	Ian O'Neill
Joshua Boynton	Jonathan Hollenbeck	Benjamin Pearson
Maria Cadena	Michelle Jose	Timothy Poulin
Gary Craig	Kathryn Kazior	Richard Powers
Thomas Daniels	Phillip Lanergan	Dustin Ross
Jeremy Fink	Scott Lizotte	Charles Smith
Katherine Gray	Evan Lonstein	Carol Spaulding
William Guinther	Garrett Luszczki	Benjamin Stiles
Patrick Halpin	Gregory Macalister	Benjamin Toothaker
Jeffrey Ham	Heather Martin	
Ryan Harlow	Kevin Mesick	
Kiva Hermansen	Brendan Moran	

Using Professional Engineer Credentials

by Knud E. Hermansen, P.L.S., P.E., Ph.D., Esq.

From time to time, the Maine State Board of Licensure for Professional Engineers (Board) receives queries or must provide an opinion on the use of the term engineering or the title of professional engineer, P.E., or similar title. The use of the title 'Professional Engineer' or similar designation such as 'P.E.' is governed by statute. Two sections of the engineering statute give particular insight into the use of professional engineering credentials.

The Maine engineering statute states in part:

"It is unlawful for any person to practice or to offer to practice the profession of engineering in the State or to use in connection with the person's name or otherwise assume, use or advertise any title or description tending to convey the impression that the person is a professional engineer, unless that person has been duly licensed or exempted under this chapter." 32 M.R.S. § 1351

Maine statute defines the practice of professional engineering in part to be:

"Practice of professional engineering" means any professional service . . . wherein the public welfare or the safeguarding of life, health or property is concerned or involved, when such professional service requires the application of engineering principles and data." 32 M.R.S. § 1251(3)

The following scenarios give insight into how the State Board of Licensure would apply the Maine engineering statute:

I have a B.S. in mechanical engineering. I am not a licensed engineer. Can I have business cards printed with my name and 'Mechanical Engineer' after my name? No. A business card, according to its name, is a card handed out to individuals to promote business. Under 32 M.R.S. § 1351, "*it is unlawful ... to ... advertise any title ... tending to convey the impression that the person is a professional engineer, unless that person has been duly licensed or exempted under this chapter.*" To use the title as described, you would need to be licensed as a Professional Engineer in the State of Maine. An individual could use the title, 'Engineer Intern' or 'E.I.'" if the individual holds a current certification as an Engineer Intern in Maine.

Of paramount concern to the Board is whether the card and the title would imply to the public or be inferred by the public that you are able and willing to offer or provide mechanical engineering services. The inference caused by an inappropriate use of an engineering title would be mitigated if your card instead read, "B.S. in Mechanical Engineering." The latter would suggest an academic accomplishment, while the former implies a professional licensure that you hold. Regardless of the title and inferences, unless you are licensed, or fall under one of the statutory exemptions, you cannot practice professional engineering as defined in 32 M.R.S. 1251(3).

I have a B.S. in civil engineering. I am not a licensed engineer. The engineering consulting firm that I work for has provided me with a business card that I give to prospective clients and members of the public containing the firm's name, address, and telephone number along with my name that also states 'Civil Engineer.' Does this business card violate the statute?

(Continued on P. 6)

NCEES Meeting Notes

The following are some interesting tidbits picked up at recent NCEES meetings:

- The NCEES FE exam is now offered throughout the year instead of having certain months blocked out. The exam is computer based and is offered at Pearson Vue testing facilities nationwide. Qualified candidates are invited to sit for the FE exam at their earliest convenience.
- The PE Chemical and PE Nuclear exams will be the first PE exams to be con-

verted to computer-based testing (CBT). It is projected that the first administration of the computer-based PE Chemical exam will be January 2018.

- The other PE exams will convert to computer-based testing over the five years following Chemical.
- The biggest single issue in the conversion to computer-based testing is the development of supplied resource materials, so the exams requiring greater

resources, such as the PE Civil and SE exams will be the last to change to CBT.

- Fitbits and other smart devices that have the capability to transmit are not permitted in NCEES exam sites. Twenty-one people were excluded from one state's PE exam for having such devices.
- A few states have decided to "decouple" the experience requirement from the qualifications for the PE exam. Candidates in

those jurisdictions can take the PE exam when they feel prepared. They can then become licensed once they meet the experience requirement. Several other jurisdictions are exploring decoupling. However, Ohio has indicated that anyone who tests "early" will be required to retake the PE exam in order to receive a license there. If you want to test early, check with your licensing jurisdiction to be sure it is permitted.

Any licensee can now log into NCEES and upload their continuing education and track their credits at no cost.

NCEES Has a New Interface

NCEES has launched a new interface that combines all of the different NCEES capabilities into one location, to make the experience more efficient.

Licensees and member boards each have an access point for NCEES features such as Records, Exams, Verifications, Credentials Evaluations, Continuing Ed, and Enforcement. Each area can be accessed from

one page. For Licensees, that will continue to be their individual MyNCEES login.

Some of the newer features include the ability to establish an NCEES Record without paying a fee. Licensees can track their career online, and will only pay a fee if they choose to have their Record transmitted to a licensing board. Another key feature is

the new CPC tracking system. Any licensee can now log into NCEES and upload their continuing education and track their credits at no cost. The system will even tell you what the requirements are for each state in which you are licensed and remind you when they are due. Boards will then be able to access that information directly to conduct audits.

Serving on the PE Board

Over the next year or so, two PE board members whose terms are or will be up have indicated that they cannot continue to serve and will not renew for another term and therefore need to be replaced. We are also seeking a public member of the board.

Qualifications to serve on the board are found in the engineering statute: "Each member of the board must be a citizen

of the United States and a resident of this State, and each engineer member must have been engaged in the practice of the profession of engineering for at least 12 years and must have been in responsible charge of engineering work for at least 5 years." 32 M.R.S.A. § 1302.

Board members are appointed by the Governor and serve for a term of five years, attending

five board meetings yearly and other meetings as required.

The public member of the board cannot be an engineer or connected to the profession.

Individuals who are qualified and interested in serving on the PE Board are invited to contact the board office. The office staff can explain the responsibilities of board members and provide access to the application forms.

Engineers Week Expo at UMaine Orono

Over 1700 people attended the 2016 Engineering Expo on February 27 at the UMaine Field House. Families from around the state came to Orono to participate in hands-on engineering experiments, watch demonstrations, and gather information about engineering careers.

The State Board of Licensure for Professional Engineers joined over 55 other exhibitors, including USM, UMaine, Maine Maritime Academy, and many engineering firms from Maine and the region.

The Expo is the culmination of the Engineering Week celebration, and next year will be held at the University of Southern Maine in Westbrook — we would love to have you join us there!



Using PE Credentials (cont.)

(cont. from page 3)

Yes. This card would tend to "... advertise [a] title ... convey[ing] the impression that the person is a professional engineer...." (See 32 M.R.S. § 1351) or able to "practice professional engineering....," in this case civil engineering services. (See 32 M.R.S. §1251(3)) The Board is concerned that the public may be harmed by being misled into believing the person with this title is able, willing, and can offer or practice professional engineering as defined by statute.

I am a licensed engineer in Vermont. I am not licensed as an engineer in Maine. I have business cards showing my name, Vermont address, telephone number, and e-mail address. After my name I have "P.E." While attending an engineering conference in Maine, I gave my business card to engineers I met while attending the conference. Is this a violation of Maine statutes? No. The address shown on the card is for a professional engineer who resides or does business in the state of Vermont. The reasonable and ordinary presumption is that all engineering services are offered and provided at the address shown on the business card. The purpose for the card and intent in giving the card to other engineers is not to "practice or to offer to practice the profession of engineering in the State [of Maine]...." See 32 M.R.S. § 1351. Furthermore, 32 M.R.S. § 1255 does allow for temporary licensure for limited engineering practice for up to 30 days by an engineer licensed in another state. (However, the individual must apply and receive authorization before offering or providing engineering services in Maine.)

I am a licensed engineer in Kansas. I am not licensed as an engineer in Maine. May I use the P.E. designation or say that I am a professional engineer in correspondence that I send to a Maine individual, agency, or firm? Yes. See the previous answer for business cards. It would only be a violation of Maine statutes if the correspondence could be construed as the offer of or practice of engineering in Maine. A common example of this situation is correspondence received by the Board where a person using the P.E. designation after their name is seeking information on comity in order to become a professional engineer in Maine.

My company is a multi-state engineering consulting firm. We maintain a web site that lists the location of our home office in Pennsylvania. However, we provide engineering services in many states. There is at least one engineer in our firm that is licensed in the state we provide engineering services – including Maine. I am the vice-president of the firm and licensed as an engineer in three states but not Maine. If the web page lists my name followed by 'P.E.' does this mislead the public so that I am in violation of Maine statutes? No, unless you expressly or impliedly suggest on the web site that you are licensed in Maine or you will personally perform the engineering services that the company performs in Maine. Prudence would suggest that your company bio be on the web site and expressly mention those states that you are licensed as an engineer. Best practice for Professional Engineers and firms with multi-jurisdictional practice is to list the states of licensure for each Professional Engineer, so that they do not mislead the public.

I have retired from engineering practice. I was licensed as a professional engineer for 28 years. I did not renew my engineering license. May I state 'PE, retired' after my name on correspondence? No. 'Retired' status and the title is reserved for those individuals who have qualified,

Using PE Credentials (cont.)

complied with, and applied for retired status under 32 M.R.S. § 1361.

My company job description lists me as an Engineer Intern. I have not taken and passed the fundamentals of engineering exam yet. Is this in violation of the statute? Yes. Under 32 M.R.S. 1351(2), the designation or title of "Engineer Intern" is expressly reserved for "*a person who has been certified as an engineer-intern by the board.*"

I am a graduate of an engineering program. I have applied for and been hired by a non-profit agency to oversee their engineering projects, including construction projects. My job title in the agency is "Chief Engineer." Do I have to be a licensed engineer? That would depend. This is a two-part answer. The first part refers to the term or title chief 'engineer.' The term or title 'engineer' is not a protected word under the statute. ('Professional Engineer' is a protected title.) It is not necessarily a violation of the statute to use the term 'engineer' in the title for a non-licensed engineer. A violation of the statute would depend on the context in which the term is used. If it is used as an internal designation, there is no violation of the statute. However if the term is used in a context or promotion suggesting to the public that the person or entity is able to offer or practice professional engineering services, it is prohibited. 32 M.R.S. § 1351 states the use of 'engineer' or similar term in connection with the person's name is improper if the title or term is used: "... *to convey the impression that the person is a professional engineer. . . .*" The second part to the answer must focus on the duties that are entailed by the 'chief engineer' within the organization. If these duties involve the practice of professional engineering as defined by 32 M.R.S. § 1251(3), the person holding the position must be a licensed engineer.

A local HVAC contractor has a truck with a sign that states, 'Mechanical and Heating Engineering Services.' Must the contractor be a professional engineer? The contractor must either be a professional engineer or have a licensed engineer as an employee. The fact that the sign says 'engineering services' would imply that the contractor offers and applies engineering principles and advertises that fact to the public. 32 M.R.S. § 1251(3) requires an engineering licensure during the: "*Practice of professional engineering ... [involving] consultation ... in connection with any public ... works or projects ... [requiring] the application of engineering principles....*"

I passed the fundamentals of engineering (FE) exam, can I use the designation Engineer Intern (E.I.)? No. You have completed a necessary step in being certified as an Engineer Intern. In order to use the title of E.I. or Engineer Intern, you must apply for and receive certification from the Maine State Board of Licensure for Professional Engineers.

I am an engineer intern (E.I.) certified by the engineering board in another state but working for a company in Maine. Can I use the term E.I. after my name while working for the Maine firm? No. While the Maine State Board of Licensure for Professional Engineers (Board) has never prosecuted anyone for this situation, legally, the title 'Engineer Intern' is reserved for individuals certified by the Board. Certification costs \$10 for an individual that applies and meets the requirements of an Engineer Intern as set forth in 32 M.R.S. § 1352-A(2). You do not need to be certified as a Maine E.I. in order to apply for initial licensure as a Professional Engineer in Maine. You may be an E.I. or E.I.T. in another state when you apply.

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AUDIT Letters Are Being Mailed Soon!

Some of you will receive a letter from the Board in the near future informing you that you have been randomly selected for an audit of your compliance with the professional development requirements.

You are required to respond to that audit request within 30 days of receipt by submitting a completed and signed copy of the PDH Activity Log (found on the website) as well as documentation sufficient to provide evidence that you did in fact complete the claimed professional development training.

Documentation may include certificates of attendance or completion, receipts for payment, official transcripts, copies of sign-in sheets, letters from the course provider indicating your attendance, or other indicia that you have completed the coursework. If you have questions about the merits of your documentation, please contact the board office.

Once your submissions are reviewed and approved, you will be notified by mail that the audit is complete. If you fail to respond to the audit request or are unable to provide full documentation supporting your PDH audit, your license may be subject to board discipline. Grounds for discipline can include, but are not limited to: failure to timely respond to the audit request, failure to complete the required professional development hours, or failure to maintain the required records. Please don't ignore your audit letter!