



The South Carolina EXAMINER

January 2003

Board of Registration for Professional Engineers and Land Surveyors

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Gaye Garrison Sprague, P.E.

Board Welcomes Newest Member

The South Carolina Board welcomes its newest member, Gaye Garrison Sprague, P.E., of Greenville. Ms. Sprague was appointed to the Board in July by Governor Jim Hodges. She is the owner and principal of Sprague & Sprague Consulting Engineers. Founded in 1985, the firm specializes in traffic engineering, in transportation planning, and in consulting and design regarding applications of geosynthetics.

Ms. Sprague has 24 years of experience in the field of traffic engineering and transportation planning. She has a Master of Science degree in civil engineering from Clemson University where she has taught classes in transportation planning and mass transit. She is active in the Institute of Transportation Engineers (ITE) as well as many community organizations.

Ms. Sprague commented: "This is an exciting opportunity to serve the citizens of South Carolina. My goal is to participate in continuing the great work done by previous Board members, especially Mr. Ed Britt who rotated off the Board as I came on. This appointment places the first female engineer and first traffic engineer on the Board. I am honored to bring the perspectives of these two groups to the Board."

Retiring Board Member

J. Edward Britt, P.E., ended his five-year term with the Board this past July. Board members presented Mr. Britt with a plaque in appreciation for his dedicated service to the citizens of South Carolina.

One of Mr. Britt's many contributions to the Board was the idea to hold a licensing ceremony to recognize and honor new engineers and land surveyors. This ceremony is held twice a year at the State House to recognize new licensees.

Jay Pitts, Board Administrator, commented on Mr. Britt's impact: "Ed has been an incredible asset to the Board and to this state. His dedication to his profession and his enthusiasm for serving the public made him a significant addition to our Board. Ed brought many new ideas and solutions to the issues facing the engineering and surveying communities. He will be missed."

Mr. Britt is the founder, partner and president of Britt, Peters & Associates, Inc, in Greenville.



South Carolina
Department of
Labor, Licensing
and Regulation

A Letter From The Chair

James T. McCarter, P.E.

An NCEES Record Makes Fast Comity Possible

The South Carolina Board often receives applications for licensure from engineers licensed in other states who have changed jobs or whose firms have asked them to work in South Carolina for a period of time. Such individuals benefit greatly from having a record in the NCEES Records Program.

In today's dynamic economy, it is important for professional engineers to be in a position to obtain a license not only in another jurisdiction, but to be able to obtain one quickly. In other words, licensure mobility is important. Some common examples include when an employer wants an engineer to relocate to an office in another state or when an employer has a client who is considering a project in another state and must have a properly licensed staff member ready to provide engineering services to that client in that state. Licensure mobility is also an important factor for engineers whose change of employment requires moving to another state. Licensure mobility is a frequently discussed topic at the National Council of Examiners for Engineering and Surveying (NCEES), the National Society of Professional Engineers (NSPE), and our engineering technical societies. Many licensing jurisdictions are working to speed up the licensing process for those who are already licensed in another jurisdiction.

Most jurisdictions that are expediting the licensing process for engineers licensed in other jurisdictions are doing so by issuing a license upon verification that an individual is a Model Law Engineer (MLE) in the Council Records Program. To qualify as an MLE, one must have an engineering degree accredited by ABET, have passed the eight-hour NCEES Fundamentals of Engineering Exam and the eight-hour NCEES Principles and Practice of Engineering Exam, and have a minimum of four years of acceptable engineering experience with no disciplinary action brought against the individual by any jurisdiction. Some jurisdictions are now issuing a license by comity within one week of receipt of an application from an individual designated as an MLE in his or her NCEES Council Record. Compare that one week to the three months or longer needed for non-MLEs to go through the licensing process, and one can see the benefits of the MLE status.

For jurisdictions that have not implemented an expedited process for MLEs or for engineers who do not qualify as an MLE, the NCEES Council Record still speeds up the process, since the jurisdiction neither has to contact references for verification nor wait for receipt of transcripts for an applicant's degree verification. For the applicant, it saves the trouble of locating employment references, finding five licensed references who can verify his or her character and ability as an engineer, requesting university transcripts, and completing a summary of his or her entire experience.

For those who have practiced for an extended period of time and changed employment several times, employment references may be hard to locate. Previous employers may be deceased or out of business. In such cases, the licensure application may be delayed and, in some jurisdictions, could be grounds for denial of licensure.

Completion of the application for an NCEES Council Record is very similar to completion of an application for licensure in any jurisdiction. Once an NCEES Council Record is established, it must be updated annually with payment of an annual fee. The Council Record contains verified references, academic credentials, discipline of licensure, exam information, and the jurisdictions in which the engineer is licensed. Regardless of what happens to the engineer's previous employers or references, the record is there, available when the engineer finds it necessary to apply for licensure in another jurisdiction. Upon request and payment of the necessary fee, the Council Record is forwarded to the jurisdiction where the engineer is filing an application. It is important to note that an NCEES Council Record does not guarantee the granting of a license, as each jurisdiction has its own specific requirements for licensure.

Although an engineer may not have plans to move away or practice in another jurisdiction, it is beneficial to have an NCEES Council Record. The South Carolina Board is constantly seeing applications from those who have changed employment, or who have experienced changing conditions within the firm where they have been employed for many years. In such situations, an NCEES Council Record is most beneficial. Interested parties may call NCEES at (800) 250-3196 or send an e-mail to jgalbrea@ncees.org. For more information, visit the NCEES Web site at www.ncees.org. Select *Engineers/Surveyors* on the left-hand side of the page and on the next page select *Licensure Through Comity*.

Office Notes & Reminders

- Effective July 1, 2003, any application for licensure filed with the Board will expire five years after the filing date. At that time, the applicant will be required to complete a new application.
- Beginning July 1, 2004, the practice of Geodetic, Photogrammetric and Geographic Information System (GIS) Surveying as defined in the S.C. Code of Laws & Regulations, will require a license in South Carolina. Application packets may be obtained by emailing Therese Garwacki at garwackit@mail.llr.state.sc.us.
- The current license renewal period began July 1, 2002, and ends June 30, 2004. Thirty CPC hours will be required for renewal at that time.
- Visit the Board's Web Page to download applications and forms. Log-on today to find out about upcoming Board meetings, examination dates, fee schedules, frequently asked questions, CPC requirements and the new S.C. Code of Laws & Regulations: www.llr.state.sc.us/POL/Engineers

Copies of the S.C. Code of Laws & Regulations may be obtained free of charge by contacting the Board office

CONTACT US:

(803) 896-4422

engls@mail.llr.state.sc.us

www.llr.state.sc.us/POL/Engineers

Board staff members are committed to serving you. Please contact us at any time!

Board Ambassadorship Program

The South Carolina Board continued its Ambassadorship Program during 2002. The second Licensing Ceremony for Professional Engineers and Land Surveyors was held July 17, 2002, at the State House. New licensees were presented with their registration certificates and treated to a reception afterward sponsored by the South Carolina Society of Professional Engineers. This event helps promote the importance of professional licensure in our state. The next ceremony will be held this month.

The Board continues to travel to engineering colleges across South Carolina to promote licensure among faculty and students. Last Fall, the Board visited the campuses of Clemson University and South Carolina State University.

Dean Thomas M. Keinath and the College of Engineering and Science welcomed the Board to Clemson University in September. Faculty and Board members enjoyed a presentation by Mike Shannon of NCEES on using the Fundamentals of Engineering (FE) examination as a tool for outcome assessment. Students shared a pizza lunch with Board members and had the opportunity to ask questions about examinations and licensure.

Dean James A. Anderson and the College of Engineering Technology and Sciences hosted the Board's November meeting at South Carolina State University. Faculty and students joined Board members for lunch and a presentation on examinations and the different paths to professional licensure. Dean Anderson led the Board on a tour of the College and discussed new curricular programs available to students.

The Board is grateful to both Dean Keinath and Dean Anderson for the hospitality extended at each institution. Board members were delighted to have the opportunity to learn more about both colleges and to meet the students and faculty at Clemson and S.C. State. They look forward to returning to both schools in the future.

The Board plans to continue building its Ambassadorship Program in 2003. The first meeting of the year will be held at the University of South Carolina as Board members continue to promote professional licensure among faculty and students.

Investigator's Corner

Charles J. Ido

Does South Carolina allow professional engineers to place electronic seals and electronic signatures on design drawings to be issued for construction?

Computer generated seals may be used on final original drawings provided that a handwritten signature and date is placed across or under the seal.

May a South Carolina engineer review design drawings originated by an architectural client and, finding the drawings to comply with design codes and appropriate design standards, seal and sign those drawings?

No! South Carolina law does not provide for the sealing of engineering design documents by a licensee solely on the basis of his review of another's design work. All engineering design must be provided by the South Carolina licensee or under his direct supervisory control.

Do the codes and regulations of the Board address wetlands identification / wetlands delineation by licensed surveyors?

There are no specific code or regulation requirements for licensed land surveyors or licensed engineers to routinely address wetlands identification / wetlands delineation in their work. The identification and delineation of wetlands require special knowledge and is not a typical responsibility of licensed land surveyors or engineers in South Carolina unless such was part of the contracted scope of services. Even in such cases, the land surveyor or engineer would have to be authorized by the U.S. Army Corps of Engineers.

Are interior designers licensed in South Carolina? What services may they provide?

Interior designers are not currently required to be licensed in South Carolina. Interior designers and all other non-registered persons may design non-structural store fronts, interior alterations or additions, fixtures, cabinet work, furniture and any non-structural work necessary to provide for their installation. Interior designers may not design any components which change or affect the structural, mechanical or electronic systems or the life and safety design elements of the building.

What Board regulates the design activities of landscape architects?

The preparation and sealing of landscape design drawings is regulated by the Board of Landscape Architecture in the Division of Land, Water and Conservation, South Carolina Department of Natural Resources.

Is there a law against bidding engineering services?

Your attention is directed to the provisions of Regulation 49-305. It is clear in its intent that engineers and land surveyors are to solicit and accept work only on the basis of their professional competency, qualifications, experience and reputation for high ethical standards. Financial remuneration should not be used as a primary consideration but should be negotiated after selection of the engineering or land surveying firm is made. The Board is aware that procurement of professional services on a competitive basis has the potential of driving down quality of services. For that reason, the Board strongly encourages (but cannot mandate) the selection of professional services through a qualification based selection (QBS) procedure.

Construction Manager

A Construction Manager is an individual or a firm with the expertise and resources to provide construction management services. A Construction Manager works for the project owner for a fee and is responsible for the supervision and coordination of the work of the design professionals and multiple prime contractors.

To become licensed as a Construction Manager, an applicant must be licensed in South Carolina as a general or mechanical contractor, architect or professional engineer. The engineer who is monitoring the execution of design plans or is performing as an on-site representative for construction quality assurance, or both for a project owner is not considered a Construction Manager.

For further information, please contact the South Carolina Contractors' Licensing Board at (803) 896-4627.

FORMAL DISCIPLINARY ACTIONS

*February 2002 -
December 2002*

John Coke Smith, III, PLS (SC)

2/14/02 – Prepared an inaccurate plat of property in Greenville County; public reprimand.

Rodney R. Moore, PE (CA)

2/27/02 – Misrepresented CPC compliance on renewal application; \$1,000 fine, public reprimand.

William H. Hocutt, PE (SC)

3/7/02 – Misrepresented CPC compliance on renewal application; \$1,000 fine, public reprimand.

Architectural Design Guild (MO)

4/24/02 – Unlicensed practice (Florence County); \$1,000 fine, public reprimand, required to obtain appropriate license to complete the project.

Richard L. Jenks, PE (GA)

5/8/02 – Misrepresented CPC compliance on renewal application; \$2,000 fine, public reprimand, license suspended for 2 years, pay administrative costs of Board hearing.

Whitley Engineering, Inc. (NC)

5/15/02 – Unlicensed practice (York County); \$500 fine, public reprimand, required to obtain appropriate license to complete the project.

William Jones Hodges, PE (SC)

5/30/02 – Gross negligence in structural engineering; public reprimand, will limit future practice to civil and environmental engineering.

N. H. Joshi & Associates (FL)

6/5/02 – Unlicensed practice (Horry County); \$500 fine, public reprimand, required to obtain appropriate license to complete the project.

OCI Associates, Inc. (FL) 6/13/02 –

Unlicensed practice (Horry County); \$1,000 fine, public reprimand, required to obtain appropriate license to complete the project.

Lawrence Fischer, PE (FL)

6/25/02 – Practice certificate under sanction in another jurisdiction (OK); public reprimand.

Edward Dennison Collins, PE (CA)

7/3/02 – Practice certificate under sanction in another jurisdiction (NV); public reprimand.

John F. Collins (SC)

7/23/02 – Unlicensed practice of engineering (Greenwood County); public reprimand.

Timothy Floyd Wade, PE (SC)

7/23/02 – Practice certificate under sanction in another jurisdiction (NC); public reprimand.

C. LaVerne Steadman, PLS (SC)

7/30/02 – Signed and sealed a plat as accurate and complete, knowing that all property corners had not been set or re-established; \$1,000 fine, public reprimand.

Thomas Daniel Mull, PE (NC)

7/30/02 – Practice certificate under sanction in another jurisdiction (NC); public reprimand.

Marks Albert Levy, PE (IN)

8/20/02 – Practice certificate under sanction in another jurisdiction; public reprimand.

George T. Welch, PE (SC)

8/27/02 – Gross negligence in fire protection engineering; public reprimand, will no longer offer/provide fire protection engineering in South Carolina.

BAA Mechanical Engineering, Inc.

(GA) 8/27/02 – Unlicensed practice (York County); \$1,000 fine, public reprimand, required to obtain appropriate license to complete project.

Timothy William Shytle (NC)

9/12/02 – Unlicensed practice of engineering (expired license); \$1,000 fine, public reprimand. License now current.

Aries Engineering, Inc. (GA)

10/9/02 – Unlicensed practice (Beaufort County); \$1,000 fine, public reprimand, encouraged to obtain appropriate license to complete the project.

Ronald E. Kirby (SC)

11/20/02 – Unlicensed practice of engineering (expired license); \$500 fine, public reprimand. License is now current.

Mohsen Sefat (NC)

12/5/02 – Unlicensed practice of engineering (expired license); \$500 fine, public reprimand. License is now current.

Gregory A. Riffe, P.E. (NC)

12/16/02 – Unlicensed practice of engineering (expired license), gross negligence or misconduct in fire sprinkler engineering; public reprimand, cease and desist practice in SC for 6 months, successful completion of fire sprinkler design/planning training. Reinstatement date: 4/25/02.

Although every effort has been made to ensure the accuracy of this information, before making decisions based upon it, please seek verification at (803) 896-4422. Listings do not reflect pending appeals for rehearing or information that occurs near publication date.

Do you have questions, concerns or comments that you would like to see addressed in future issues of *The Examiner*? If so, just send them in, and we will be happy to respond. You may send them to our mailing address, call (803) 896-4422, or e-mail: engls@mail.llr.state.sc.us.

We appreciate your input!

IMPORTANT INFORMATION:

Policy Change

At its November meeting, the Board voted to adopt the following policy:

Effective July 1, 2003, any application for licensure filed with the Board will expire five years after the filing date. At that time, the applicant will be required to complete a new application.

Please direct any questions or comments to the Board office at (803) 896-4422.

Correct Address?

Have you moved or changed jobs recently? If so, your address on file with the Board office may not be current.

Please contact us in writing to update your records:

engls@mail.llr.state.sc.us
Fax - (803) 896-4427

Need Information?

Do you have questions about South Carolina licensure? Log-on to our Web Site to find the answers!

www.llr.state.sc.us/POL/Engineers

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