

1 GENERAL GOVERNMENT CABINET

2 Kentucky State Board of Licensure for Professional Engineers and Land Surveyors

3 (Amendment)

4 201 KAR 18:010. Classes of applicants.

5 RELATES TO: KRS 322.010, 322.040, 322.045, and 322.120

6 STATUTORY AUTHORITY: KRS 322.040, 322.045, 322.120, 322.290(4)

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 322.040 and 322.045

8 establish[es] the criteria for credentialing persons under the jurisdiction of the board. KRS
9 322.120 establishes the requirements for licensure by endorsement[~~reciprocity~~]. This
10 administrative regulation establishes the classes of applicants for professional engineer[s] and
11 professional land surveyor[s] licensure for convenience in discussing and processing applications
12 for licensure[~~licenses~~], certification, and examination.

13 Section 1. Classes of Applicants. [~~(1)~~]For convenience in discussing and processing
14 applications for licensure[~~licenses~~], certification, and examinations, there are hereby established
15 the following four (4) classes of applicants:[-]

16 (1)[~~(2)~~] Professional engineer. This class includes those applying for an engineering
17 license[s] pursuant to KRS 322.040(1)[;] and (2) [~~and (4)~~]or 322.120.

18 (2)[~~(3)~~] Engineer in training[~~Engineer in training~~]. This class includes those applying for
19 certification as an engineer in training[~~engineers in training~~] pursuant to 201 KAR 18:030.

20 (3)[~~(4)~~] Professional land surveyor. This class includes those applying for a land
21 surveying license pursuant to KRS 322.045(1)[~~322.040(3) and (4)~~] or 322.120.

1 (4)[(5)] Land surveyor in training~~[surveyor in training]~~. This class includes those
2 applying for certification as a land surveyor in training~~[surveyors in training]~~ pursuant to 201
3 KAR 18:030.

APPROVED: April 19, 2024



KYLE L. ELLIOTT, Executive Director
Kentucky State Board of Licensure for Professional
Engineers and Land Surveyors

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on September 24, 2024, at 2:00 p.m., Eastern Standard Time, at the Kentucky Engineering Center, 160 Democrat Drive Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five (5) workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through September 30, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact Person: Kyle L. Elliott, Executive Director, Kentucky State Board of Licensure for Professional Engineers and Land Surveyors, 160 Democrat Drive Frankfort, Kentucky 40601, phone (502) 573-2680, facsimile: (502) 573-6687, email kyle.elliott@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

201 KAR 18:010

Contact Person: Kyle L. Elliott

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(1) Provide a brief summary of:

(a) What this administrative regulation does:

This administrative regulation establishes the classes of applicant for professional engineer and professional land surveyor licensure for convenience in discussing and processing applications for licensure, certification, and examination.

(b) The necessity of this administrative regulation:

This administrative regulation is necessary to establish the criteria for credentialing persons that seek licensure as a professional engineer and/or professional land surveyor in the Commonwealth of Kentucky.

(c) How this administrative regulation conforms to the content of the authorizing statutes:

This administrative regulation, authorized by KRS 322.040, KRS 322.045, KRS 322.120, and KRS 322.290(4), establishes the classes of applicants for professional engineer and professional land surveyor licensure for convenience in discussing and processing applications for licensure, certification, and examination. This administrative regulation conforms to the authorizing statutes because the authorizing statutes give the board authority to promulgate administrative regulations reasonably necessary for the performance of its duties.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:

This administrative regulation ensures those seeking licensure are informed of the classes of applicants for licensure when discussing applications for licensure, certification, and examination with the board.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation:

This amendment makes minor changes in wording to enhance clarity of the regulation. Additionally, to correct statute citations in this administrative regulation.

(b) The necessity of the amendment to this administrative regulation:

This amendment is necessary to provide clarity to makes minor changes in wording to enhance clarity of the regulation, and to improve formatting of the regulation. Additionally, to correct statute citations in this administrative regulation.

(c) How the amendment conforms to the content of the authorizing statutes:

This amendment to an existing administrative regulation, authorized by KRS 322.040, KRS 322.045, KRS 322.120, and KRS 322.290(4), establishes the classes of applicants for professional engineer and professional land surveyor licensure. This amendment to an existing administrative regulation conforms to the authorizing statutes because the authorizing statutes give the board authority to promulgate administrative regulations reasonably necessary for the performance of its duties.

(d) How the amendment will assist in the effective administration of the statutes:

This amendment to an existing administrative regulation will clarify the classes of applicants for professional engineer and professional land surveyor licensure.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:

Applicants for licensure as a professional engineer or professional land surveyor will be impacted by this regulation.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:

The board will help educate identified entities of this amendment to an existing administrative regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):

There are no expected costs for those identified in question (3).

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):

The applicants for licensure will have the benefit of practicing engineering or land surveying in the Commonwealth of Kentucky.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None.

(b) On a continuing basis: None.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:

Restricted agency funds from pre-existing fees provide the funding to enforce the regulation. The Board receives no general or federal funds.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:

No increase in fees or funding will be required because of this new regulation.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:

This administrative regulation does not establish fees or directly or indirectly increase any fees.

(9) TIERING: Is tiering applied? (Explain why or why not)

Tiering is not applied because the regulation is applicable to all engineers and land surveyors seeking licensure.

FISCAL IMPACT STATEMENT

201 KAR 18:010

Contact Person: Kyle L. Elliott

Phone: (502) 573-2680

Email: kyle.elliott@ky.gov

(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.

KRS 322.040; KRS 322.045; KRS 322.120; KRS 322.290(4)

(2) Identify the promulgating agency and any other affected state units, parts, or divisions:

The Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.

(a) Estimate the following for the first year:

Expenditures: None.

Revenues: None.

Cost Savings: None.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

There will be no expenditures or cost savings.

(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):

None, only the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors is impacted.

(a) Estimate the following for the first year:

Expenditures: None.

Revenues: None.

Cost Savings: None.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

This regulation does not create expenditures, revenues, or cost savings.

(4) Identify additional regulated entities not listed in questions (2) or (3):

None.

(a) Estimate the following for the first year:

Expenditures: None.

Revenues: None.

Cost Savings: None.

(b) How will expenditures, revenues, or cost savings differ in subsequent years?

This regulation does not create expenditures, revenues, or cost savings.

(5) Provide a narrative to explain the:

(a) Fiscal impact of this administrative regulation:

There is no fiscal impact from this regulation.

(b) Methodology and resources used to determine the fiscal impact:

There are no fees or costs associated with this regulation.

(6) Explain:

(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)

This administrative regulation will not have an overall negative or adverse major economic impact to the entities identified.

(b) The methodology and resources used to reach this conclusion:

There are no costs, expenditures, or revenues from this regulation.