



1 GENERAL GOVERNMENT CABINET

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

3 (Amendment)

4 201 KAR 18:060. Rejections and Denials of Applications for Licensure.

5 RELATES TO: KRS 322.040, 322.045, 322.047, 322.050, 322.120, [322.210,]322.300

6 STATUTORY AUTHORITY: KRS 322.290(4)

7 CERTIFICATION STATEMENT: This is to certify that this administrative regulation
8 complies with the requirements of 2025 RS HB 6, Section 8. The Board of Licensure for
9 Professional Engineers and Land Surveyors is not one of the agencies that is directed by House
10 Bill 6, Section 8(3) to include a certification by the Governor.

11 NECESSITY, FUNCTION, AND CONFORMITY: 322.290(4) authorizes the board to
12 promulgate administrative regulations necessary for the proper performance of its duties. This
13 administrative regulation establishes requirements for rejections and denials[Relates to refusal]
14 of licensure[registration] requests by the executive director of the board and an
15 applicant's[applicants'] right to reconsideration.

16 Section 1. Rejections. (1) An application for licensure which is incomplete shall be
17 rejected by the executive director of the board.

18 (2) If an application for licensure is rejected, the applicant[A person whose application
19 has been rejected] shall be [fully-]informed as to the reason for the rejection of the[his]
20 application for licensure, and shall[he will] be given [every] reasonable opportunity to secure
21 reconsideration[-of his application].

1 Section 2. Denials. (1) An application for licensure which does not meet the requirements
2 of KRS 322.040, KRS 322.045, KRS 322.047, KRS 322.050, or KRS 322.120 shall be denied by
3 the executive director of the board.

4 (2) If an application is denied, the applicant shall be informed as to the reason for the
5 denial of the application and shall be given reasonable opportunity to secure reconsideration.

6 (3) If an application is not approved by the executive director, the applicant may request
7 reconsideration by the board by filing a written request for reconsideration with the board within
8 thirty (30) calendar days after the date upon which the applicant is sent notice that the application
9 for licensure was not approved by the board's executive director.

10 (4) If an application is not approved by the board, the applicant may request a hearing in
11 accordance with the provisions of KRS Chapter 13B by filing a written request for an
12 administrative hearing with the board within thirty (30) calendar days after the date upon which
13 the application for licensure was denied. The request shall identify the specific issues in dispute
14 and the legal basis on which the board's decision on each issue is believed to be erroneous.

APPROVED: April 11, 2025



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

8/12/25

Date

PUBLIC HEARING AND PUBLIC COMMENT PERIOD

A public hearing on this administrative regulation shall be held on October 28, 2025, 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 October 31, 2025. 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 18:060

Contact Person: Kyle L. Elliott

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Subject Headings: Boards and Commissions, Engineers and Land Surveyors, Occupations and Professions

(1) Provide a brief summary of:

(a) What this administrative regulation does:

This already existing administrative regulation establishes the requirement that an applicant for licensure whose application for licensure has been rejected shall be informed of the reason the application for licensure was rejected and that the individual may seek reconsideration of said application for licensure.

(b) The necessity of this administrative regulation:

This already existing administrative regulation is necessary to ensure an individual whose application for licensure is rejected is informed of the reason said individual's application for licensure was rejected.

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

This already existing administrative regulation, authorized by KRS 322.290(4), establishes the requirement that an applicant for licensure whose application for licensure has been rejected shall be informed of the reason the application for licensure was rejected and that the individual may seek reconsideration of said application for licensure. This administrative

regulation conforms to the authorizing statute because the authorizing statute gives 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 already existing administrative regulation ensures an individual seeking licensure whose application for licensure has been rejected is informed of the reason said application was rejected and that process by which said individual may seek reconsideration of the application for licensure.

(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:

The amendment to this already existing regulation will clarify when the Board's executive director can reject or deny an application for licensure as a professional engineer or land surveyor and the applicant's right to reconsideration of said rejection/denial by the Board. This amendment also makes minor grammatical corrections to enhance clarity of the regulation. This amendment inserts gender neutral language.

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

The amendment to this already existing regulation is necessary to provide clarity on the steps that must be taken when requesting reconsideration of the rejection or denial of an application of licensure. The amendment is also necessary to ensure an applicant whose application for licensure has been rejected or denied is informed of the reason the application was rejected or denied.

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

The amendment to this already existing regulation, authorized by KRS 322.290(4), outlines the requirement that an applicant for licensure whose application for licensure has been rejected or denied is informed of the reason the application for licensure was rejected or denied and that the individual may seek reconsideration of said application for licensure. The amendment to this already existing administrative regulation conforms to the authorizing statute because the authorizing statute gives 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:

The amendment to this already existing administrative regulation will clarify the authority the executive director of the Board has in rejecting or denying an application for licensure is incomplete or when an individual fails to meet the statutory requirements for licensure and the steps that must be taken by an individual whose application for licensure has been rejected or denied to secure reconsideration of a denied or rejected application for licensure.

(3) Does this administrative regulation or amendment implement legislation from the previous five years?

The amendment to this already existing administrative regulation does not implement legislation from the previous five years.

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

Individuals applying for licensure as a professional engineer or professional land surveyor whose application for licensure has been rejected or denied will be impacted by this administrative regulation. At this time, it is unknown how many individuals this will affect;

however, it is believed it will affect less than 50 individuals per year. No businesses, organizations, or state and local governments are expected to be affected by this administrative regulation.

(5) Provide an analysis of how the entities identified in question (4) 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 (4) will have to take to comply with this administrative regulation or amendment:

The individuals listed in question (4) will not have to take any action to comply with this administrative regulation, unless they wish to seek reconsideration of the rejection or denial of an application of licensure by the executive director of the Board.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (4):

There are no expected costs for those identified in question (4).

(c) As a result of compliance, what benefits will accrue to the entities identified in question (4):

An applicant for licensure whose application for licensure is rejected or denied will have the benefit of being informed of the basis upon which said application for licensure was rejected or denied. Upon successfully meeting the statutory requirements for licensure, the individual will ultimately have the benefit of being able to practice engineering or land surveying in the Commonwealth of Kentucky.

(6) 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.

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

No funds are needed for the implementation and enforcement of this administrative regulation. However, to the extent any funds are needed for the implementation and enforcement of this amendment, the funds would be from restricted agency funds. The Kentucky State Board of Licensure for Professional Engineers and Land Surveyors receives no general or federal funds.

(8) 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:

An increase in fees or funding will not be necessary to implement the amendment to this already existing administrative regulation.

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

This amendment to the already existing administrative regulation neither establishes any fees nor directly or indirectly increases any fees.

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

Tiering is not applied as this amendment is equally applicable to all those applying for licensure as a professional engineer or professional land surveyor.

FISCAL IMPACT STATEMENT

201 KAR 18:060

Contact Person: Kyle L. Elliott

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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 322.290(4).

(2) State whether this administrative regulation is expressly authorized by an act of the General Assembly, and if so, identify the act:

This administrative regulation is authorized by KRS 322.290(4), which allows the Board to promulgate administrative regulations that are reasonably necessary for the proper performance of its duties and the regulation and fair conduct of the proceedings before it.

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

The promulgating agency is the Kentucky State Board of Licensure for Professional Engineers and Land Surveyors.

(b) Estimate the following for each affected state unit, part, or division identified in (3)(a):

1. Expenditures:

For the first year: None.

For subsequent years: None.

2. Revenues:

For the first year: None.

For subsequent years: None.

3. Cost Savings:

For the first year: None.

For subsequent years: None.

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

No local entities (cities, counties, fire departments, school districts) are affected.

(b) Estimate the following for each affected local entity identified in (4)(a):

1. Expenditures:

For the first year: Not applicable.

For subsequent years: Not applicable.

2. Revenues:

For the first year: Not applicable.

For subsequent years: Not applicable.

3. Cost Savings:

For the first year: Not applicable.

For subsequent years: Not applicable.

(5) (a) Identify any affected regulated entities not listed in (3)(a) or (4)(a):

No other regulated entities are affected by this administrative regulation.

(b) Estimate the following for each regulated entity identified in (5)(a):

1. Expenditures:

For the first year: Not applicable.

For subsequent years: Not applicable.

2. Revenues:

For the first year: Not applicable.

For subsequent years: Not applicable.

3. Cost Savings:

For the first year: Not applicable.

For subsequent years: Not applicable.

(6) Provide a narrative to explain the following for each entity identified in (3)(a), (4)(a), and (5)(a):

(a) Fiscal impact of this administrative regulation:

This administrative regulation will not have a major fiscal impact on state or local government or regulated entities.

(b) Methodology and resources used to reach this conclusion:

Not applicable.

(7) Explain, as it relates to the entities identified in (3)(a), (4)(a), and (5)(a):

(a) Whether this administrative regulation will have a “major economic impact”, as defined by KRS 13A.010(13):

This amendment to an already existing administrative regulation will not have a “major economic impact.”

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

Not applicable.