

CHAPTER 28-02.1-04 GENERAL REQUIREMENTS

Section

28-02.1-04-01 General Requirements

28-02.1-04-02 Experience

28-02.1-04-01. General requirements.

All applicants must:

1. Complete the applications on forms approved by the board.
2. Complete the application under oath. An affidavit is required.
3. Furnish references as required but may not include board members or relatives of the applicant as references.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010; October 1, 2014.

General Authority: NDCC 43-19.1-08

Law Implemented: NDCC 43-19.1-12

28-02.1-04-02. Experience.

The following describes what the board considers acceptable experience. The applicant must provide proof that the experience meets these requirements.

1. The experience gained through military service must be substantially equivalent in character to civilian experience in similar fields or disciplines.
2. Experience must be of a grade and character that indicates to the board that the applicant is competent to practice and preferably be gained under the supervision of a registered professional engineer or professional land surveyor.
3. Experience must be substantially related to engineering or land surveying. Dual registration must fulfill experience requirements for each application without duplicate credits for time of gaining experience.
4. The board requires progressive experience in applying the principles and methods of engineering analysis and design for an applicant in fulfilling experience requirements if the applicant is seeking professional engineering registration.
5. The board requires progressive experience on surveying projects to indicate that it is of increasing quality and requiring greater responsibility. A substantial portion of the experience must be spent in charge of work related to property conveyance or boundary line determination, or both. The experience must demonstrate adequate experience in the technical field aspects of the profession.
6. An engineering or land surveying applicant may be granted one year's experience for each postgraduate degree in the field of practice following a baccalaureate degree in the field of practice, not to exceed two years.
7. Military spouses. Military spouse applicants must satisfy the requirements located in North Dakota Century Code section 43-51-11.1.

- a. The board shall grant on a case-by-case basis exceptions to the board's licensing standards to allow a military spouse to practice the profession of engineering if upon application to the board:
 - (1) The military spouse demonstrates competency in the profession through methods or standards determined by the board which must include experience in the profession for at least two of the four years preceding the date of application under this section; and
 - (2) The board determines the issuance of the license will not substantially increase the risk of harm to the public.
- b. The board shall issue a provisional license or temporary permit to a military spouse for which the licensure requirements under subdivision a have been substantially met. No fees may be charged a military spouse for a provisional license or temporary permit. The provisional license or temporary permit may not exceed two years and remains valid while the military spouse is making progress towards satisfying the unmet licensure requirements. A military spouse may practice under a provisional license or temporary permit until any of the following occurs:
 - (1) The board grants or denies the military spouse a North Dakota license under subdivision a or grants a North Dakota license under the traditional licensure method;
 - (2) The provisional license or temporary permit expires;
 - (3) The military spouse fails to comply with the terms of the provisional license or temporary permit; or
 - (4) The board revokes the provisional license or temporary permit based on a determination revocation is necessary to protect the health and safety of the residents of the state.
- c. A military spouse issued a license under this section has the same rights and duties as a licensee issued a license under traditional licensure methods.
- d. If within thirty days of receipt of a completed application under subdivision a the board does not grant or deny a license or does not issue a provisional license or temporary permit under subdivision b, the board automatically shall issue a provisional license or temporary permit. A provisional license or temporary permit issued under this subdivision remains valid until the board grants or denies the application for licensure under subdivision a or issues a provisional license or temporary permit per the requirements under subdivision b.
- e. On each licensure application and renewal form the board shall inquire and maintain a record of whether an applicant or licensee is a member of the military or a military spouse. If an applicant self-identifies as and provides the board with satisfactory proof of being a military spouse, the board immediately shall commence the process to issue a license, provisional license, or temporary permit.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010; October 1, 2021.

General Authority: NDCC 43-19.1-08

Law Implemented: NDCC 43-19.1-14, 43-19.1-15, 43-19.1-16, 43-19.1-17, 43-51-11.1