

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL ENGINEERS – GENERAL RULES

Filed with the Secretary of State on October 10, 2013

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the board by section 308 of 1980 PA 299, MCL 339.308 and on the director of the department of licensing and regulatory affairs by sections 205 and 2009 of 1980 PA 299, MCL 339.205 and 339.2009 and Executive Reorganization Order Nos. 1996-2, 2003-1, 2011-4, MCL 445.2001, MCL 445.2011, and MCL 445.2030)

R 339.16001 of the Michigan Administrative Code is amended, and R 339.16040, R 339.16041, R 339.16042, R 339.16043, and R 339.16044 are added as follows:

PART 1. GENERAL PROVISIONS

R 339.16001 Definitions.

Rule 1. (1) As used in these rules:

(a) "Act" means 1980 PA 299, MCL 339.101 to 339.2919.

(b) "Board" means the board of professional engineers.

(c) "Department" means the department of licensing and regulatory affairs.

(d) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.

(e) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation shall not be considered qualified activities, except for employer compensated continuing education activities.

(f) "Distance learning" means any of the following:

(i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.

(ii) Courses which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(2) Terms defined in the act have the same meanings when used in these rules.

PART 4. CONTINUING EDUCATION

R 339.16040 Continuing education; license renewal; requirements.

Rule 40. (1) A licensee shall obtain continuing education, as specified in R 339.16042.

(2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.

(3) The department shall not renew a license if the continuing education requirements have not been completed.

(4) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.

R 339.16041 Acceptable continuing education; limitations.

Rule 41. (1) Continuing education hours may be acquired in another jurisdiction.

(2) Continuing education hours shall be relevant to the occupation and may be earned as follows:

(a) Successfully completing a college course.

(b) Successfully completing a continuing education course.

(c) Successfully completing a distance learning course.

(d) Presenting or attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, or conference.

(e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 2(a) to (d) of this rule.

(f) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice.

(g) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting.

(h) Participating in a company sponsored seminar or training that is designed to enhance professional development in the licensee's area of professional practice.

(i) Serving as a mentor to an engineering student in a school-sponsored program.

(j) Obtaining patents related to engineering.

(3) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as either a licensee, instructor, or presenter.

(4) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee's regular duties as a member of a faculty.

(5) Continuing education hours shall not be earned for any of the following activities:

(a) Passing an examination to obtain licensure.

(b) Completing a course that does not provide a licensee access to an instructor during the course.

(c) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.

(d) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.

(6) The conversion of other units of credit per renewal cycle shall be as follows:

(a) 1 college semester credit hour equals 45 continuing education hours.

(b) 1 college quarter credit hour equals 30 continuing education hours.

(c) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice equals 6 continuing education hours.

(d) Serving as a member of the state board of professional engineers or attending a state board of professional engineers meeting equals 2 continuing education hours.

(e) Serving as a mentor for an engineering student in a school-sponsored program equals 4 continuing education hours.

(f) Obtaining patents related to engineering equals 10 continuing education hours.

R 339.16042 Continuing education hours required; renewal.

Rule 42. Continuing education hours required for renewal shall be as follows:

(a) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 15 hours of continuing education for the first renewal period.

(b) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 30 hours of continuing education for the renewal period.

R 339.16043 Determination of credit; forms; record keeping.

Rule 43. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include the following:

(a) The courses or activities completed, the dates when the courses or activities were held and the duration of the courses or activities, the sponsoring organization, the instructor's or speaker's name, and the hours earned.

(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.

R 339.16044 Auditing.

Rule 44. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.