

Move that *Model Law* 110.20 A be amended as follows:

110.20 Definitions

5. Practice of Engineering—The term “Practice of Engineering,” as used in this Act, shall mean any service or creative work requiring engineering education, training, and experience in the application of engineering principles and the interpretation of engineering data to engineering activities, including the engineering design of buildings, structures, products, machines, processes, and systems, that potentially impact the health, safety, and welfare of the public.

The services may include, but not be limited to, providing planning, studies, designs, design coordination, drawings, specifications, and other technical submissions; ~~teaching engineering design courses~~ commissioning of engineered systems; performing surveying that is incidental to the practice of engineering; and reviewing construction or other design products for the purposes of monitoring compliance with drawings and specifications related to engineered works.

Surveying incidental to the practice of engineering ~~excludes the surveying of real property for the establishment of land boundaries, rights of way, easements, and the dependent or independent surveys or resurveys of the public land survey system~~ is limiting to conducting measurements to supplement the documentation of existing conditions.

- a. An individual shall be construed to practice engineering, within the meaning and intent of this Act, if he or she does any of the following:
- b. Practices any discipline of the profession of engineering or holds himself or herself out as able and entitled to practice any discipline of engineering Represents himself or herself to be a professional engineer by verbal claim, sign, advertisement, letterhead, or card or in any other way
- c. Through the use of some other title, implies that he or she is a professional engineer under this Act

Rationale

The revision has several parts. First, *Model Law* 170.20, Engineered Products and Systems, has been moved into this definition. Second, to address Charge 4, the committee used Position Statement 29, Commissioning of Engineered Systems, as the basis for adding engineered system commissioning to the definition. Third, while having the teaching of engineering design courses be part of the practice of engineering may be desirable, in practice this does not appear to be happening in universities across the country, making enforcement nearly impossible. And last, surveying incidental to the practice of engineering has been amended from what is excluded to what is allowed.

APPROVED AS PRESENTED

Move that *Model Law* 110.20 B be amended as follows:

110.20 Definitions

- d. Professional Surveyor (Professional Land Surveyor, Professional Surveyor and Mapper, Geomatics Professional, or equivalent term)

- ~~—Professional Surveyor~~—The term “Professional Surveyor,” as used in this Act, shall mean an individual who is qualified to practice surveying by reason of surveying education, training, experience, and examination in the application of surveying principles and the of surveying data and who has been duly licensed as a professional surveyor by the board ~~established under this Act and who is a professional specialist in the technique of measuring land, educated in the basic principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate interpretation evidence and all requisite to surveying of real property, and engaged in the practice of surveying as herein defined.~~

Rationale

The term “professional surveyor” was modified to make it similar to the definition of “professional engineer.” The section that was removed from the definition of “professional surveyor” is included in the “practice of surveying” definition later in the same section. The remaining definitions (currently B.2–5) will be reorganized as necessary to align with this revision.

APPROVED AS PRESENTED

Move that *Model Law* 110.20 J be amended as follows:

110.20 Definitions

J. Signature—The term “Signature,” as used in this Act, shall ~~be in accordance with the Rules~~ mean a name, mark, or writing made by or at the direction of the professional engineer or professional surveyor with the intention of verifying or authenticating a document.

Electronic or Digital Signature—The term “Electronic or Digital Signature” shall mean an electronic sound, symbol, process, or secure digital code that uniquely identifies and authenticates the sender, attached to or logically associated with an electronically transmitted record and executed or adopted by a person with the intent to sign the record.

Rationale

The committee found that the term “signature” was not defined in the *Model Rules* and believes that the best place to define it is in the Definitions section of the *Model Law*.

APPROVED AS PRESENTED

Move that *Model Law* 110.20 N be amended as follows:

110.20 Definitions

N. Authoritative—The term “Authoritative,” as used in this Act or Rules promulgated under this Act, shall mean being presented as trustworthy and competent when used to describe products, processes, applications, or data, ~~resulting~~ derived from the practice of surveying, that results in a description that meets or exceeds the positional accuracy for the location of a feature, object, or boundary.

UPLG is proposing these revisions to help to clarify the definition of “authoritative.” **Rationale**

APPROVED AS PRESENTED

Move that *Model Law* 110.20 O be amended as follows:

110.20 Definitions

Disciplinary Action—The term “Disciplinary Action,” as used in this Act, shall mean any final written decision or settlement taken against an individual or firm by a licensing board based upon a violation of the board’s laws and rules. Disciplinary actions include reprimands; sanctions; administrative fines; the board’s refusal to issue, restore, or renew a license; settlement agreements or consent orders; probation; suspension; revocation; surrendering, relinquishing, or agreeing not to renew the license as part of an agreement or board order; or any combination thereof.

Rationale

The definition for “disciplinary action” was revised based on the motion put forth by the Committee on Law Enforcement (Motion 2) and passed at the 2022 annual meeting. The amendment was presented to provide examples of disciplinary actions to clarify the definition.

APPROVED AS PRESENTED