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SB-1085 Professional engineers: geologists and geophysicists: land surveyors. (2015-2016)

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Senate Bill No. 1085

CHAPTER 629

An act to amend Section 7841.1 of, and to add Sections 6795.2, 7881.5, and 8801.1 to, the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 25, 2016. Filed with Secretary of State September 25, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1085, Roth. Professional engineers: geologists and geophysicists: land surveyors.

Existing law makes the Board for Professional Engineers, Land Surveyors, and Geologists responsible for the certification, licensure, and regulation of the practice of professional engineering, the practice of professional geologists and geophysicists, and the practice of professional land surveyors. Except for an applicant for a geophysicist license, existing law requires these applicants for a certificate or license to complete an examination that tests knowledge of state laws, as provided. Existing law subjects these certificates and licenses to renewal and requires the holder of the certificate or license to apply for renewal on a form prescribed by the board and pay a prescribed fee, as provided.

This bill would additionally require an applicant for renewal to complete a board-administered online assessment to reinforce the certificate holder's or licenseholder's knowledge of laws applicable to his or her practice area. The bill would authorize the failure to complete the assessment within a specified period of time to be a cause for disciplinary action. The bill would prohibit the board from charging the renewal applicant a fee for the administration or development of the assessment. The bill would also require an applicant for a geophysicist license to complete an examination that tests knowledge of state laws, as provided.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 6795.2 is added to the Business and Professions Code, to read:

6795.2. (a) At the time of renewal specified in Section 6795 or 6796, the board shall administer an assessment of the certificate holder to reinforce the certificate holder's knowledge of state laws and the board's rules and regulations. Failure to complete this assessment within 60 days after the date of expiration of the certificate may result in disciplinary action under Section 6775, but shall not affect the renewal of the certificate.

(b) The crime in subdivision (j) of Section 6787 shall not apply to this section.

(c) The board shall not charge the certificate holder a fee for the administration or development of the assessment.

(d) For the purposes of this section, "assessment" means an online program that contains educational reading material and questions. The material shall be based on state law and the board's rules and regulations relating to the practice of professional engineers. The scope of the assessment shall be limited to the board's top five types of violations related to the administrative and procedural aspects of the practice of professional engineers and any changes or additions to existing law related to such administrative and procedural aspects.

SEC. 2. Section 7841.1 of the Business and Professions Code is amended to read:

7841.1. An applicant for licensure as a geophysicist shall have all of the following qualifications. This section shall not apply to applicants for licensure as geologists.

(a) Not have committed any acts or crimes constituting grounds for denial of licensure under Section 480.

(b) Meet one of the following educational requirements fulfilled at a school or university whose curricula meet criteria established by rules of the board.

(1) Graduation with a major in a geophysical science or any other discipline that, in the opinion of the board, is relevant to geophysics.

(2) Completion of a combination of at least 30 semester hours, or the equivalent, in courses that, in the opinion of the board, are relevant to geophysics. At least 24 semester hours, or the equivalent, shall be in the third or fourth year, or graduate courses.

(c) Have at least seven years of professional geophysical work that shall include either a minimum of three years of professional geophysical work under the supervision of a professional geophysicist, except that prior to July 1, 1973, professional geophysical work shall qualify under this subdivision if it is under the supervision of a qualified geophysicist, or a minimum of five years' experience in responsible charge of professional geophysical work. Professional geophysical work does not include the routine maintenance or operation of geophysical instruments, or, even if carried out under the responsible supervision of a professional geophysicist, the routine reduction or plotting of geophysical observations.

Each year of undergraduate study in the geophysical sciences referred to in this section shall count as one-half year of training up to a maximum of two years, and each year of graduate study or research counts as a year of training.

Teaching in the geophysical sciences referred to in this section at a college level shall be credited year for year toward meeting the requirement in this category, provided that the total teaching experience includes six semester units per semester, or equivalent if on the quarter system, of the third or fourth year or graduate courses.

Credit for undergraduate study, graduate study, and teaching, individually, or in any combination thereof, shall in no case exceed a total of four years towards meeting the requirements for at least seven years of professional geophysical work as set forth above.

The ability of the applicant shall have been demonstrated by his or her having performed the work in a responsible position, as the term "responsible position" is defined in regulations adopted by the board. The adequacy of the required supervision and experience shall be determined by the board in accordance with standards set forth in regulations adopted by it.

(d) Successfully pass a written examination that shall test the applicant's knowledge of state laws, rules, and regulations, and of the principles and practices of geophysics within this state. The board shall administer the test on the state laws and the board's rules and regulations as a separate part of the examination for licensure as a geophysicist.

SEC. 3. Section 7881.5 is added to the Business and Professions Code, to read:

7881.5. (a) At the time of renewal specified in Section 7880 or 7881, the board shall administer an assessment of the certificate holder to reinforce the certificate holder's knowledge of state laws and the board's rules and regulations. Failure to complete this assessment within 60 days after the date of expiration of the certificate may result in disciplinary action under Section 7860, but shall not affect the renewal of the certificate.

(b) The crime in subdivision (h) of Section 7872 shall not apply to this section.

(c) The board shall not charge the certificate holder a fee for the administration or development of the assessment.

(d) For the purposes of this section, "assessment" means an online program that contains educational reading material and questions. The material shall be based on state law and the board's rules and regulations relating to the practice of professional geologists and geophysicists. The scope of the assessment shall be limited to the board's top five types of violations related to

the administrative and procedural aspects of the practice of professional geologists and geophysicists and any changes or additions to existing law related to such administrative and procedural aspects.

SEC. 4. Section 8801.1 is added to the Business and Professions Code, to read:

8801.1. (a) At the time of renewal specified in Section 8801 or 8802, the board shall administer an assessment of the licenseholder to reinforce the licenseholder's knowledge of state laws and the board's rules and regulations. Failure to complete this assessment within 60 days after the date of expiration of the license may result in disciplinary action under Section 8780, but shall not affect the renewal of the license.

(b) The crime in subdivision (j) of Section 8792 shall not apply to this section.

(c) The board shall not charge the licenseholder a fee for the administration or development of the assessment.

(d) For the purposes of this section, "assessment" means an online program that contains educational reading material and questions. The material shall be based on state law and the board's rules and regulations relating to the practice of professional land surveyors. The scope of the assessment shall be limited to the board's top five types of violations related to the administrative and procedural aspects of the practice of professional land surveyors and any changes or additions to existing law related to such administrative and procedural aspects.