

## BOARDS AND COMMISSIONS

### State Board of Licensure for Professional Engineers and Land Surveyors (Amendment)

#### 201 KAR 18:072. Experience.

RELATES TO: KRS 322.040, 322.045, 322.047

STATUTORY AUTHORITY: KRS ~~322.040,~~ 322.040(4), 322.045(3), 322.047(2), 322.290(4)

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

NECESSITY, FUNCTION, AND CONFORMITY: KRS 322.040(4), 322.045(3), and 322.047(2) ~~require [provides that]~~ the board ~~to [shall]~~ promulgate administrative regulations ~~establishing [to establish]~~ requirements for experience as required by KRS 322.040(1)(a)2, 322.040(1)(b)2, 322.040(2)(b), 322.045(1)(c)1, 2, and 3, and 322.047(1)(a)1, 2 and 3. This administrative regulation establishes these requirements.

Section 1. Evaluation of experience in engineering required under KRS 322.040 shall consider the following:

- (1) Experience shall reflect increasing complexity of the engineering tasks and the progressive responsibility of the applicant.
- (2) The applicant shall demonstrate knowledge of engineering mathematics, physical and applied sciences, properties of materials, the fundamental principles of engineering design and the application of engineering principles in the solution of engineering problems.
- (3) One (1) year of credit may be approved for completion of a master's degree in an engineering [in an EAC/ABET accredited] program accredited at the undergraduate level by the Engineering Accreditation Commission of the Accreditation Board of Engineering and Technology, or an engineering program [one] deemed equivalent by the board.
- (4) Experience that violates KRS Chapter 322 shall not be approved.
- (5) Engineering experience gained during [in the] military service [services] in the Armed forces of the United States may be approved.
- (6) Sales experience may be approved if engineering principles were required and used in that experience.
- (7) Experience gained in teaching advanced-level engineering-related courses in an engineering [a four (4) year EAC/ABET accredited] program accredited by the Engineering Accreditation Commission of the Accreditation Board of Engineering and Technology, or an engineering program [one (1)] deemed equivalent by the board, may be approved.
- (8) Experience gained in engineering research and design projects by faculty in an engineering [EAC/ABET accredited] program accredited by the Engineering Accreditation Commission of the Accreditation Board of Engineering and Technology, or an engineering program [one] deemed equivalent by the board, may be approved.
- (9) Experience may be approved for execution or supervision of construction projects designed by a professional engineer.
- (10) The applicant shall demonstrate why experience not gained under the supervision of a professional engineer is eligible for credit.
- (11) Qualifying experience shall be complete at the time of application for licensure.
- (12) Qualifying experience required by KRS 322.040(1)(a)2, 322.040(1)(b)2, and 322.040(2)(b), shall be gained following graduation from the engineering program

required by the provisions of KRS 322.040(1)(a)1, 322.040(1)(b)1, and 322.040(2)(a), except that up to three (3) months of experience may be granted for qualifying experience earned while on active duty in the armed forces prior to graduating from the engineering program required by the provisions of KRS 322.040(1)(a)1, 322.040(1)(b), and 322.040(2)(a).

Section 2. Evaluation of experience in land surveying required under KRS 322.045 and 322.047 shall consider the following:

- (1) Land surveying experience shall reflect increasing complexity of the land surveying tasks and the progressive responsibility of the applicant.
- (2) Experience shall include projects in which the applicant, while under the direct supervision of a practicing professional land surveyor, implemented work involving property conveyance and property boundary determination. The applicant shall also demonstrate experience in the fieldwork aspects of property boundary determination.
- (3) Construction surveying experience shall be limited to a maximum of one (1) year experience credit.
- (4) ~~(3)~~ One (1) year of experience may be approved for completion of a master's degree in land surveying from a board-approved program in land surveying from a college or university.
- (5) ~~(4)~~ A maximum of two (2) years of qualifying experience under this section shall be approved for land surveying experience~~work~~ prior to completion of the education requirements~~graduation~~ under KRS 322.045(1)(c)1, 2, 3, and 322.047(1)(a)1 and 2.
- (6) ~~(5)~~ Experience that violates KRS Chapter 322 shall not be approved.
- (7) ~~(6)~~ Land surveying experience gained during~~in the~~ military service~~services~~in the Armed forces of the United States may be approved.
- (8) ~~(7)~~ A maximum of two (2) years of experience may be approved for teaching land surveying courses at the postsecondary level.
- (9) ~~(8)~~ Qualifying experience shall be complete at the time of application.
- (10) ~~(9)~~ Notwithstanding subsections~~(3),~~ (4), (5), and (8)~~(7)~~, in no case shall an applicant's experience gained after graduation from a program of four (4) years or more, or completion of the twenty-four (24) semester credit hour core curriculum, whichever is later, be less than two (2) years.

Section 3. Evaluation of both experience in engineering required under KRS 322.040 and in land surveying required under KRS 322.045 and 322.047 shall consider the following: Overlapping experience in engineering and land surveying may receive a maximum of one (1) year credit that may count towards both engineering and land surveying experience requirements.

*KYLE L. ELLIOTT, Executive Director*

APPROVED BY AGENCY: April 11, 2025

FILED WITH LRC: August 12, 2025 at 9:19 a.m.

PUBLIC HEARING AND 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, fax (502) 573-6687, email [kyle.elliott@ky.gov](mailto:kyle.elliott@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person:** Kyle L. Elliott

**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 sets forth the requirements for the experience component for licensure as a professional engineer and professional land surveyor.

**(b) The necessity of this administrative regulation:**

This already existing administrative regulation is necessary to outline the experience requirements for those seeking licensure as a professional engineer and/or professional land surveyor in the Commonwealth of Kentucky.

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

This already existing administrative regulation, authorized by KRS 322.040, KRS 322.045, and KRS 322.047, outlines the requirements for consideration of experience for an individual to meet the experience component prior to obtaining a professional engineer and/or professional land surveyor license. This administrative regulation also conforms to the authorizing statute, KRS 322.290(4), 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 establishes detailed requirements related to the experience component of engineering and surveying licensure to assist the board in evaluating applicants 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 administrative regulation makes minor grammatical corrections to enhance clarity of the regulation. The amendment to this already existing administrative regulation also clarifies that military service may be considered as relevant experience to meet the experience component for licensure. The amendment to this already existing administrative regulation also clarifies overlapping experience in engineering and land surveying may receive a maximum of one-year credit toward the experience requirement for licensure. The amendment also clarifies a maximum of one year of construction surveying experience may count toward the experience requirement for professional land surveying licensure.

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

The amendment to this already existing administrative regulation is necessary to provide clarity on what experience will count toward the experience component for licensure as a professional engineer and/or professional land surveyor. This amendment is also necessary to provide clarity as it makes minor changes in wording to enhance clarity of the regulation.

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

The amendment to this already existing administrative regulation, authorized by KRS 322.040, KRS 322.045, and KRS 322.047, outlines the requirements for consideration of experience for an individual to meet the experience component prior to obtaining a professional engineer and/or professional land surveyor license. This administrative regulation also conforms to the authorizing statute, KRS 322.290(4), 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 what experience will count toward the experience component for licensure as a professional engineer and/or professional land surveyor.

**(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:**

The amendment to this already existing administrative regulation will only affect individuals applying for licensure as professional engineers and land surveyors. No businesses, organizations, or state and local governments are anticipated 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:**

In order to comply with the amendment to this already existing regulation, individuals seeking licensure as a professional engineer and/or professional land surveyor will need to ensure the claimed experience on the individual's application for licensure will be sufficient to meet the experience component for licensure.

**(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 in complying with this amendment for those identified in question (4).

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

Upon successful compliance with the experience component needed for licensure, applicants for licensure will have the benefit of practicing engineering or land surveying in the Commonwealth of Kentucky if all other licensure requirements are also met.

**(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 the amendment of this already existing administrative regulation, 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:**

No increase in fees or funding will be required as a result of the amendment of 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 an existing administrative regulation does not establish fees. Nor does this amendment directly or indirectly increase any fees.

**(10) TIERING: Is tiering applied?**

Tiering is not applied because the regulation is applicable to all engineers and land surveyors seeking licensure.

## **FISCAL IMPACT STATEMENT**

**(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation:**

KRS 322.040(4), KRS 322.045(3), KRS 322.047(2), 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 322.040(4), KRS 322.045(3), KRS 322.047(2), KRS 322.290(4).

**(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 agency.

**(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(14):**

The amendment to this already existing administrative regulation will not have a "major economic impact."

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

Not applicable.