

Notice Regarding the Amendments to HAR 16-115

September 22, 2023

As of September 22, 2023, the proposed amendments to Hawaii Administrative Rules (HAR) Title 16, Chapter 115 are now effective. A copy of the new Rules is available on the Board's website at:

https://cca.hawaii.gov/pvl/boards/engineer/statute_rules/.

Please contact the Board via email at EASLA@dcca.hawaii.gov if you have any questions.

The changes now in effect are as follows:

1. Adds new definitions of "A.R.E.", "AXP", "Digital signature", "Environmental engineering", and "Fire protection engineering";
2. Amends definitions of "Branch examination" and "Experience in responsible charge";
3. Includes abbreviations for new branches of "Environmental" and "Fire protection" engineering for seal or stamp;
4. Allows for the acceptance of digital signatures on all plans, specifications, maps, reports, surveys, descriptions, and every sheet in a set of design drawings prepared by or under the supervision of a licensed professional engineer, architect, land surveyor, or landscape architect;
5. Adds a new section to address any misconduct by an applicant in applying for, taking, or subsequent to the examination;
6. Adds two new branches of engineering for licensure, Environmental and Fire Protection;
7. Brings all relevant sections to current practice regarding examinations with outdated test dates by requiring that relevant applicants apply no later than 90 days prior to the examination;
8. Clarifies that "lawful experience" accepted to satisfy the education requirement for professional engineer or land surveyor licensure cannot be credited concurrently with meeting the experience requirement*;
9. Adds new sections addressing the qualifications and licensure requirements for environmental and fire protection engineers;
10. Updates all relevant sections to include the Architectural Experience Program ("AXP"), which has replaced the outdated Intern Development Program ("IDP") of the National Council of Architectural Registration Boards ("NCARB");
11. Deletes reference to a state-produced licensing examination for architect applicants;
12. Clarifies requirements for applicants who may register for the A.R.E. directly with the NCARB:

13. Adds new sections that promulgate rules for §464—9(d), HRS, clarifying the continuing education (“CE”) requirements for licensed architects to renew their license including: that CE courses in public protection subjects must be related to health, safety, and welfare (“HSW”), that CE courses must be completed within two years preceding the biennial renewal date, certificate of compliance, measures to conduct a random CE audit, a four year retention requirement of CE documents by applicants following the renewal period, and clarification of waivers or modification of requirements;
14. Clarifies the examination requirements for licensure as a land surveyor;
15. Clarifies both the requirements of passing the NCEES Fundamentals of Surveying (“FS”) and the FS waiver of examination requirement for applicants by endorsement;
16. Clarifies the name and outdated information regarding the Hawaii state board-produced exam for surveyors;
17. Includes acceptance of a “land surveying” degree for a level of education that determines the required amount of experience needed for licensure;
18. Clarifies the requirement for a landscape architect applying by endorsement by deleting reference to outdated information regarding a state-produced licensing examination and fifteen years of experience in responsible charge approved by the board; and
19. Makes other non-substantive changes for the purposes of style and clarity.

***Board’s waiver effective up to December 31, 2023:**

At its October 12, 2023 meeting, the Board voted and unanimously carried to grant a waiver until December 31, 2023 for engineer and land surveyor applicants submitting “lawful experience” to concurrently fulfill the education and experience requirements.

Therefore, the Board will continue to accept internship or other experience gained to complete an applicant’s engineering degree requirements as “lawful experience” to fulfill the experience requirements of Hawaii Revised Statutes (HRS) §464. All experience is subject to Board review and approval.

Applications must be received by our office by December 31, 2023 to qualify for the waiver.

All other amendments to HAR 16-115 are effective for new applicants as of September 22, 2023.

REQUIREMENTS FOR LICENSURE - ENGINEER

Access this form via website at: cca.hawaii.gov/pvl

REQUIREMENTS

1. Possess the proper education and/or experience as contained below; AND
2. Pass the NCEES FE exam (may be waived for endorsement) and the NCEES PE exam in the discipline applying for or equivalent exams.

NOTE: Licensure in Hawaii is by discipline. Currently, licenses are offered in the following **disciplines of engineering**: agriculture, chemical, civil, electrical, industrial, mechanical, and structural.

Civil and structural engineering are two separate and distinct disciplines in Hawaii. Civil engineering involves site work, site preparation, infrastructure, grading and drainage, etc. It does not include the design of buildings, structures, or towers. This falls within the scope of structural engineering.

Thus, as a result, if you are a licensed civil engineer or PE whose practice involves what Hawaii considers to be structural engineering, you will need to qualify in and be licensed as a structural engineer in Hawaii in order to practice in your field.

PATHWAYS

There are two basic pathways to licensure:

1. Endorsement - If you are currently licensed in another state, you will be seeking licensure via
 - a. Endorsement with NCEES exams; or
 - b. Endorsement without NCEES FE exam. To qualify for this option, submit verification of 15 years in responsible charge on form (EAS-11(b)).
2. Exams - If you are **NOT** licensed in any other state, you will be seeking licensure via NCEES exams.
 - a. To take the FE and/or PE Exam; or
 - b. For initial licensure if you have already passed both the PE and FE Exams

- On page 1 of the application form, please indicate which pathway (1a, 1b, 2a or 2b) for licensure you are taking.

MINIMUM EDUCATION & EXPERIENCE

The amount of experience required is dependent on the level of education you have and the pathway applicable to you:

EDUCATION LEVEL	LAWFUL EXPERIENCE	REQUIRED EXAMINATIONS	
1 - Master's degree or higher in engineering from an approved institution of higher education AND a bachelor's degree from an approved school or college of engineering	3 years	FE exam <u>OR</u> 15 years responsible charge *	PE Exam
2 - Master's degree or higher in engineering from an approved school or college of higher education	4 years	FE exam <u>OR</u> 15 years responsible charge *	PE Exam
3 - Bachelor's degree from an approved school or college of engineering	4 years	FE exam <u>OR</u> 15 years responsible charge *	PE Exam
4 - Graduate of a 4-year engineering technology or graduate of an arts and science curriculum with a math, science, or science-related major.	8 years	FE exam <u>OR</u> 15 years responsible charge *	PE Exam
5 - No degree	12 years	FE exam <u>OR</u> 15 years responsible charge *	PE Exam

On page 1 of the application form, please indicate which level of education (1 to 5) you have.

* Option of waiving the FE Exam with 15 years Responsible Charge experience is only applicable to Licensure via Endorsement.

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FOREIGN EDUCATION

In addition to the foregoing, graduates of foreign colleges must have their foreign education evaluated and found "equivalent" **if they wish to have their college degree(s) considered.**

In order to do this, contact the National Council of Examiners for Engineering and Surveying ("NCEES") Credentials Evaluation Services ("CES") at: www.ncees.org, by calling (864) 654-6824, or writing to P.O. Box 1686, Clemson, SC 29633-1686.

Reports are prepared by NCEES and a copy is sent to us usually within 45 days following receipt of all required documents.

Please be advised that if the program you completed is **NOT** considered equivalent to an ABET accredited program, you will be required to provide the following lawful experience:

For FE - none (9) years of lawful experience.

For PE - twelve (12) years of lawful experience.

VERIFICATION OF EDUCATION AND EXPERIENCE

Applicants are required to document their education and experience. Your level of education and pathway for licensure will dictate the type of **additional verification** you will need to submit. Refer to the listing below for ways to provide evidence of your experience:

1. NCEES Council Record may be submitted in lieu of #2 and #3 below.
2. Supervised Experience: You must have form(s) EAS-08 "Verification of Supervision" completed by your supervisor(s).

NOTE: To be acceptable, experience must have been gained in the discipline for which you are applying, and under the supervision of an engineer who is **licensed in the same discipline for which you are applying.**

3. Experience in responsible charge (for licensure via endorsement): You must have form(s) EAS-11(b) completed by a person other than the applicant who is **licensed in the same discipline for which you are applying.** Please note that experience in responsible charge will require twice the amount of the required supervised experience. (For example: Every two (2) years of experience in responsible charge will be credited for one (1) year of the required supervised experience.)

NOTE: Pursuant to HAR 16-115-2, "Experience in responsible charge" means that an individual is **licensed** and in direct control or personal supervision of engineering work.

EXAMINATION

NOTE: To be acceptable, your PE exam must have been/be taken in the same discipline for which you are applying (i.e. agricultural, chemical, civil, electrical, environmental, fire protection, industrial, mechanical, or structural engineering).

For structural engineering, a 16-hour structural engineering exam is required. The 8-hour PE-Civil Structural exam does not qualify.

Applicants for licensure via endorsement:

Verification of your examination and exam scores must be accomplished. Send the "Verification of Exam/License" form S-1 to the state in which you were **ORIGINALLY LICENSED BY EXAMINATION** with the appropriate service fee, if any. Contact your state licensing agency for any charge. If more than one form is needed or in cases where the exams were taken in more than one state, please duplicate. Alternatively, request NCEES to submit your council records.

If you wish to have the FE exam requirement waived, you will need to have a licensed engineer complete the "Verification of Experience in Responsible Charge" form documenting 15 years of experience in responsible charge. The PE exam requirement cannot be waived.

Applicants for licensure via NCEES FE and PE exams:

Upon approval of your application, you will be mailed an approval notice. You must then register and pay exam fees **DIRECTLY** with NCEES to take the next schedule exam by NCEES's filing deadline. To register for the exam, go to: www.els-examreg.org OR call NCEES at 1-877-536-7729, Monday-Friday between 7:30 am - 5:00 pm Eastern Standard Time.

We will then inform the NCEES of your eligibility to take the FE and/or PE exam. The NCEES will send you an examination packet containing information on registration and cancellation deadlines and fees.

Alternatively, applicants for the FE exam may register directly with NCEES and do not need to file an application to the Board.

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*Education level and experience to qualify to take the NCEES FE exam:

EDUCATION LEVEL	EXPERIENCE
1 - Be in the last year of an engineering curriculum at an approved school or college with graduation expected within 7 months of the date of application	None
2 - Master's degree in engineering from an approved institution of higher education	None
3 - Bachelor's degree from an approved school or college of engineering	None
4 - Graduate of a 4-year engineering technology, or graduate of an arts and science curriculum with a math, science, or science-related major.	2 years
5 - No degree	9 years

On page 1 of the application form, please indicate which level of education (1 to 5) you have.

If you require special accommodations to sit for the licensure examination, please contact the Exam Branch immediately, but no later than the exam filing deadline at (808) 586-2711 to obtain a Disability Certification Form that will need to be completed and returned to our office. No action will be taken to provide special testing accommodations until your exam application is complete and approved.

For your information: NCEES
P.O. Box 1686
Clemson, SC 29633-1686
Phone: (800) 250-3196
www.ncees.org

SUBMITTALS

1. Complete the entire application; provide details of your experience in the "Experience Record" portion (keep in mind that "supervisor" refers to a licensed engineer other than yourself).
2. Provide a copy of all pertinent diplomas or official transcript(s) from an approved school or college.
3. Depending on your pathway and the examination(s) you are applying for, the Board will be awaiting submission of one or more of the following:
 - a. "Verification of Supervision" form completed by your supervisor(s) who is a licensed engineer in the **same discipline** for which you are applying.
 - b. "Verification of Exam/License" form from another state Board.
 - c. "Experience in Responsible Charge" form from a licensed engineer in the **same discipline for which you are applying**.
 - d. NCEES CES report if you are a graduate of a foreign college.

OR

4. NCEES Council Record that documents any of the above.
5. **A non-refundable application fee of \$150 for endorsement, \$100 for PE exam or \$50 for FE exam made payable to: Commerce & Consumer Affairs. (check must be in U.S. dollars and be from a U.S. financial institution.)**

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INFORMATION & INSTRUCTIONS - ENGINEER

Complete the on-line fillable form OR print legibly in black ink. Answer all questions and sign and date the application form. Applications that lack supporting documents required for exam or licensure will not be considered. It is the applicant's responsibility to ensure that all documents are received timely. The processing of your application may be delayed if you file an incomplete application.

REQUIREMENTS

Please read the requirements section carefully. Should you have a question or concern regarding the requirements, contact the Licensing Branch at (808) 586-3000.

Individuals from the neighbor islands can call the toll free access numbers:

Kauai: 274-3141 ext. 3000

Maui: 984-2400 ext. 3000

Hawaii: 974-4000 ext. 3000

Molokai: 1-800-468-4644 ext. 3000

Lanai: 1-800-468-4644 ext. 3000

Information can also be obtained from the Professional & Vocational Licensing Division's website at: cca.hawaii.gov/pvl.

SOCIAL SECURITY NUMBER

Your Social Security Number is used to verify your identity for licensing purposes and for compliance with the below laws. **For a license to be issued, you must provide your Social Security Number or your application will be deemed deficient and will not be processed further.**

The following laws require that you furnish your Social Security Number to our agency.

FEDERAL LAWS:

42 U.S.C.A. §666(a)(13) requires the Social Security Number of any applicant for a professional license or occupational license be recorded on the application for license; and if you are a licensed health care practitioner, **45 C.F.R., Part 61, Subpart B, §61.7** requires the Social Security Number as part of the mandatory reporting we must do to the Healthcare Integrity and Protection Data Bank (HIPDB), of any final adverse licensing action against a licensed health care practitioner.

HAWAII REVISED STATUTES ("HRS"):

§576D-13(j), HRS, requires the Social Security Number of any applicant for a professional license or occupational license be recorded on the application for license; and

§436B-10(4), HRS, which states that an applicant for license shall provide the applicant's Social Security Number if the licensing authority is authorized by federal law to require the disclosure (and by the federal cites shown above, we are authorized to require the Social Security Number).

FEES

A non-refundable application fee of \$150 for endorsement, \$100 for PE exam or \$50 for FE exam. Make check payable to: **COMMERCE AND CONSUMER AFFAIRS** (unless otherwise noted). (check must be in U.S. dollars and be from a U.S. financial institution.)

NOTE: One of the numerous legal requirements that you must meet in order for your new license to be issued is the payment of fees as set forth in this application. You may be sent a license certificate before the payment you sent us for your required fees is honored by your bank. If your payment is dishonored, you will have failed to pay the required licensing fee and your license will not be valid, and you **may not** do business under that license. Also, a \$25.00 service charge shall be assessed for payments that are dishonored for any reason.

RETURN OF REQUIRED ITEMS

Mailing Address:

Board of EASLA
DCCA, PVL Licensing Branch
P. O. Box 3469
Honolulu, HI 96801

Office Location:

335 Merchant Street
Room 301
Honolulu, HI 96813
Phone: (808) 586-3000

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RELEASE OF INFORMATION

If an agency or individual is assisting you with the licensure process, we will not be able to release any information to them unless you provide us with authorization. If you wish to do so, please complete the portion on **Release of Information to Third Party**, sign and date it.

RESPONSE

You will receive a deficiency notice or an approval notice upon receipt of all required documents and review of your application.

If for any reason you are denied the registration or license you are applying for, you may be entitled to a hearing as provided by the Hawaii Administrative Rules, Title 16, Chapter 201, and/or Chapter 91, Hawaii Revised Statutes. Your written request for a hearing should be directed to the Board of Professional Engineers, Architects, Surveyors and Landscape Architects and must be received within 60 days of the date that your application for registration or license has been denied.

ABANDONMENT

Pursuant to HRS §436B-9 your application shall be considered abandoned and shall be destroyed if you fail to provide evidence of continued efforts to complete the licensing process for two consecutive years. The failure to provide evidence of continued efforts includes, but is not limited to: (1) failure to submit any required information and documents requested by the licensing authority within two consecutive years from the last date the documents and information were requested, or (2) failure to complete any additional requirements for licensure that remain after approval of your application, such as attempting to complete an exam requirement, within two consecutive years from the date your application was approved, or (3) failure to provide the licensing authority with any written communication during two consecutive years indicating that you are attempting to complete the licensing process. If an application is deemed abandoned, the applicant shall be required to reapply for licensure and comply with the licensing requirements in effect at the time of the reapplication.

LAWS & RULES PUBLICATIONS

You must certify to reading, understanding, and agreeing to comply with the Hawaii Revised Statutes and Hawaii Administrative Rules governing this license area. Please see below for the chapter numbers of the applicable Hawaii Revised Statutes and Hawaii Administrative Rules. To obtain a copy of the statutes and rules, send a written request to: Board of EASLA, Commerce & Consumer Affairs, P.O. Box 3469, Honolulu, Hawaii 96801. In addition, you may download the statutes and rules from the following website: cca.hawaii.gov/pvl. Look under "Engineer, Architect, Surveyor & Landscape Architect".

For Engineers, you should be familiar with Chapter 464, Chapter 115, and Chapter 436B.

LICENSURE & RENEWAL

After all requirements are fulfilled, license fees will be due. Notification of amounts will be sent to you at the appropriate time.

For Engineers, all licenses (regardless of issuance date) will expire on **April 30 of each EVEN-NUMBERED year** and are subject to renewal by the license expiration date. Renewals received after the license expiration date are subject to late renewal fees and may be restored up to 2 years. After 2 years, a new application for licensure is required.

CHANGE OF ADDRESS

Whenever you have a change of address, please report it to the department in writing so that your records can be updated.

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.

APPLICATION FOR LICENSURE - ENGINEER

Access this form via website at: cca.hawaii.gov/pvl

State of Hawaii, Board of Engineers, Architects, Land Surveyors & Landscape Architects

Legal Name (First, Middle)		(Last)
Other Names Used:		
Social Security No.:	Phone No. (days):	Email Address
Residence Address (Include Apt. No., City, State and Zip Code)		
Mailing Address (ONLY if different from above)		
Check your pathway to licensure and your education level.		
#1 <input type="checkbox"/> Via Endorsement		
Current License in (state): _____		
Education Level: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <input type="radio"/> 4 <input type="radio"/> 5		
a. <input type="checkbox"/> with NCEES exam:		
Passed FE exam in _____ on _____		
(State) (Date)		
Passed PE exam in _____ on _____		
(State) (Date)		
b. <input type="checkbox"/> without NCEES FE exam: (attach 15 years of responsible charge)		
#2 <input type="checkbox"/> Via NCEES exams		
a. <input type="checkbox"/> Application for FE exam		
• Education Level: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <input type="radio"/> 4 <input type="radio"/> 5		
• Years of Experience _____		
<input type="checkbox"/> Application for PE exam		
• Education Level: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <input type="radio"/> 4 <input type="radio"/> 5		
• Years of Experience _____		
• Passed FE exam in _____ on _____		
(State) (Date)		
b. <input type="checkbox"/> Application for initial license with FE/PE exams completed in another state		
• Education Level: <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 <input type="radio"/> 4 <input type="radio"/> 5		
• Years of Experience _____		
• Passed FE exam in _____ on _____		
(State) (Date)		
• Passed PE exam in _____ on _____		
(State) (Date)		

<input type="checkbox"/> Approved: FE _____ PE _____	
<input type="checkbox"/> Passed: FE _____ PE _____	
License No. _____	Date Licensed: _____
PE -	
Discipline:	
AG	CE CH EE
EN	FP IE ME SE
FOR BOARD USE	
Employer's Name, Address & Phone No.	
Indicate the Discipline you are applying for:	
<input type="checkbox"/> Agricultural	<input type="checkbox"/> Fire Protection
<input type="checkbox"/> Chemical	<input type="checkbox"/> Industrial
<input type="checkbox"/> Civil	<input type="checkbox"/> Mechanical
<input type="checkbox"/> Electrical	<input type="checkbox"/> Structural
<input type="checkbox"/> Environmental	

(CONTINUED ON PAGE 2)

Print Name of Applicant (Engineer): _____

Date: _____

Check answers and attach supporting documents when appropriate.

1. Are you at least 18 years of age? ☐ YES ☐ NO
2. Are you a U.S. citizen, a U.S. national, or an alien authorized to work in the United States? ☐ YES ☐ NO
3. Have you ever applied for or been licensed as an Engineer in Hawaii? ☐ YES ☐ NO

If "YES" indicate the MONTH and YEAR: _____ or License No.: **PE** - _____ Expiration: _____

4. Has any license ever been suspended, revoked or otherwise subject to disciplinary action? ☐ YES ☐ NO
5. Are there any disciplinary actions pending against you? ☐ YES ☐ NO
6. Have you ever been convicted of a crime in any jurisdiction that has not been annulled or expunged? ☐ YES ☐ NO

EXPLAIN "YES" RESPONSES, PROVIDING DATES, PLACES, AND TYPE OF CONVICTION OR DISCIPLINARY ACTION ON A SEPARATE SHEET. ATTACH PERTINENT DOCUMENTATION IF APPLICABLE.

EDUCATION (Indicate if School of Engineering with University & clarify degree, as "BS in Engineering")

Name & Location of School	Dates (Mo/Yr)		Date Graduated	Degree Received	Major
	From	To			
Engineering College/University					
Other College/University					

EXPERIENCE RECORD (You may attach additional sheets provided that the information is in this format)

ENGAGEMENT NUMBER	DATES (Mo/Yr) TIME (yrs & mos)			TITLE OF POSITION, NAME OF EMPLOYER & CHARACTER OF EACH EMPLOYMENT. <i>Designate each employment or change of position by a separate letter and a ruled line extending across page. Include magnitude & complexity of work on which engaged, your duties & degree of responsibility. Have in mind that the Examining Committee is more interested in your specific duties rather than the number of persons employed or over-all cost of projects.</i>	YOUR SUPERVISOR	
	FROM	TO	TOTAL TIME		NAME & ADDRESS	Licensed in what branch of Engineering?

SUMMARY (By Applicant)
TOTAL EXPERIENCE

SUMMARY (By Board)

(CONTINUED ON PAGE 3 - ***Signature Required***)

Print Name of Applicant (Engineer): _____

Date: _____

AFFIDAVIT OF APPLICANT:

I certify that the statements, answers and representations made in this application and documents attached are true and correct. I understand that any misrepresentation is grounds for refusal or subsequent revocation of my license and is a misdemeanor (Section 710-1017, Sections 436B-19 and 464-10, Hawaii Revised Statutes). I further certify that I have read, understand and agree to comply with the provisions of Hawaii Revised Statutes, Chapter 464, Hawaii Administrative Rules, Chapter 115.

Signature of Applicant

Date

Release of Information to Third Party:

To assist me in the licensing process, I authorize the Board and DCCA's staff to release any and all information regarding my application (including, but not limited to application status) to the following third party:

Name of individual who is assisting you: _____

Signature of Applicant

Date

This material can be made available for individuals with special needs. Please call the Licensing Branch Manager at (808) 586-3000 to submit your request.