

REQUEST FOR BOARD FEEDBACK: Minimum Time to Completion (MTC) Requirements

Following discussions earlier this summer between Representative Norm Thurston, the Business and Labor Rules Review and General Oversight office, and DOPL, the Representative requested that we conduct a review of licensing rules promulgated by DOPL to identify any that include a “*minimum time to completion*” (MTC) requirement.

For reference, an MTC requirement is any provision that establishes a minimum amount of time an applicant must spend obtaining a required number of training or experience hours. This may appear as either:

- A fixed minimum duration (e.g., “2,000 hours not to be completed in less than 12 months”), or
- A restriction on the rate at which hours may be accrued.

Representative Thurston has asked that we share our findings with the Division and note his interest in removing MTC requirements from rule whenever feasible. We understand that some of these provisions may warrant further discussion, and we welcome that opportunity. Please let us know if you have any questions or recommendations for how best the Representative might proceed.

As background, Representative Thurston has already removed nearly all statutory time-based licensing requirements and remains a strong advocate for competency-based licensure standards. While other organizations (e.g., Libertas Institute) are pursuing broader changes related to education and licensure, the Representative’s focus is limited to administrative rules that constrain how quickly an applicant may complete licensure requirements.

This information summarizes the professions with rule-based time limitations identified by legislative staff. After a productive discussion with Representative Thurston, he has agreed not to pursue the removal of these requirements through the upcoming Rules Reauthorization bill at this time. Instead, he concurs that input from the respective licensing boards should be sought, as these boards typically recommend such rules to DOPL.

Accordingly, Director Steinagel is requesting that this topic be added to your next board meeting agenda, if time allows, for a substantive discussion and feedback. Representative Thurston recognizes that his position carries a bias—that time-based restrictions are rarely justified—so he encourages boards to provide **evidence-based reasoning** if they believe such requirements are necessary.

Representative Thurston has asked that this review **be completed prior to the legislative session**. Director Steinagel informed him that this should be achievable. Please ensure that board discussions and recommendations, if any, **are completed by December 31**. If we do not receive feedback from a board, we will assume the board either has no strong opinion or has chosen not to respond. All board recommendations will be shared with the Representative, along with any relevant DOPL or Commerce Department perspectives.

Thank you for your attention to this request and for facilitating thoughtful discussion on this issue.

Specifically:

- **Engineers and Surveyors - [R156-22-302d\(2\)](#) prohibits applicants from documenting *more than 2,000 hours of experience in any 12-month period***

Utah Code Ann. 58-22-302. Qualifications for licensure.

(1) Each applicant for licensure as a **professional engineer** shall:

...

(d) have successfully completed a program of qualifying experience established by rule by the division in collaboration with the board

...

(3) Each applicant for licensure as a **professional land surveyor** shall:

...

(c) (ii) have successfully completed a program of qualifying experience in land surveying prior to January 1, 2007, in accordance with rules established by the division in collaboration with the board

R156-22-302d. Qualifications for Licensure -- Experience Requirements for All Applicants.

(1) ***2,000 hours of work experience constitutes one year (12 months) of work experience.***

(2) ***No more than 2,000 hours of work experience can be claimed in any 12 month period.***

R156-22-302e. Qualifications for Licensure -- Experience Requirements - Specific to Professional Engineer.

In accordance with Subsection 58-22-302(1)(d), each applicant for licensure as a professional engineer shall submit verification of qualifying experience as follows:

(1) The experience shall be:

..

(d) include a minimum of four years of full-time or substantially equivalent part-time experience in professional engineering, except as provided in Subsection (2).

R156-22-302g. Qualifications for Licensure -- Experience Requirements -- Specific to Professional Land Surveyor.

In accordance with Subsection 58-22-302(3)(d), each applicant for licensure as a professional land surveyor shall submit verification of qualifying experience as follows:

(1) The experience may be obtained before, during, or after completing the education requirement.