

Email Question Regarding A Prospective PLS Licensee:

“ . . . Thanks again for taking a look at this. We have an in-house licensed PE who is very capable, has surveying coursework, and about four years of prior civil engineering experience. Since joining us in a development role, he’s continued doing work that overlaps with surveying and wants to pursue PLS licensure.

As we understand Utah Admin. Code [R156-22-302d](#) subsection 11 (pasted below) his ability to accrue qualifying hours is effectively paused unless he is supervised by a PLS within the same firm. Because of the limitations on supervising multiple firms and part-time or consulting roles, it appears third-party supervision does not count.

Practically, that leaves us with two options: (1) have him leave and return to a traditional engineering or surveying firm, or (2) build out a full engineering and surveying firm and hire a full-time PLS. Neither is a great fit for our needs. We need a full-time engineer, but not a full-time PLS.

What we are currently doing is using a contract PLS who performs surveying work within his scope and also reviews and stamps applicable work, providing a second layer of oversight and quality control. From a public protection standpoint, the work is being reviewed and supervised in substance, just not in a structure that appears to satisfy the rule for counting hours.

The question is whether there is any path within the current framework that would allow this type of documented, substantive third-party supervision to count toward licensure, even if it requires additional safeguards, documentation, or oversight.

If not, this seems like a situation where the current structure may unintentionally limit otherwise qualified individuals, particularly in rural areas where there are very few PLSs available without requiring major restructuring.

Any guidance on how DOPL views this, or whether there’s flexibility in interpretation or potential for adjustment, would be greatly appreciated.

(11) Supervisor duties and responsibilities shall include the following:

- (a) A person may not serve as a supervisor for more than one firm.*
- (b) A person who renders occasional, part time or consulting services to or for a firm may not serve as a supervisor.*
- (c) The supervisor shall be in responsible charge of the projects assigned, and professionally responsible for the acts and practices of the supervisee.*
- (d) The supervision shall be conducted in a setting in which the supervisor is independent from control by the supervisee and in which the ability of the supervisor to supervise and direct the practice of the supervisee is not compromised.*
- (e) The supervisor shall be available for advice, consultation, and direction consistent with the standards and ethics of the profession.*
- (f) The supervisor shall provide periodic review of the work assigned to the supervisee.*

(g) *The supervisor shall monitor the performance of the supervisee for compliance with laws, standards and ethics applicable to the profession.*

(h) *The supervisor shall provide supervision only to a supervisee who is an employee of a licensed professional or alternatively in a setting wherein both the supervisor and the supervisee are engaged in a work setting in which the work is exempt from licensure requirements.*

(i) *The supervisor shall submit appropriate documentation to the Division with respect to all work completed by the supervisee during the period of supervised experience, including the supervisor's evaluation of the supervisee's competence to practice in the profession.*

(j) *The supervisor shall ensure that each supervisee has obtained the degree which is a prerequisite to obtaining the qualifying experience."*

Information Compiled by The Division for The Board's Consideration

This is a situation that has seldom arisen under the current framework, where development teams require in-house capability without maintaining a full-time surveying practice.

Based on the provisions cited, there are a few key points that drive how the Division and Board are likely to view this:

First, under R156-22-302g(2), qualifying experience for a PLS must be "*supervised by one or more licensed professional land surveyors.*" That requirement is then narrowed by the broader supervision framework in R156-22-302d(6) and (11), which require direct supervision and define how that supervision must function in practice.

The critical constraint in the scenario is in **R156-22-302d(11)(b)**: "A person who renders occasional, part time or consulting services to or for a firm **may not** serve as a supervisor".

When read together with the definition of "supervision" in 58-22-102(16) and the "employee, subordinate, associate, or drafter" definition in R156-22-102(3), DOPL's framework is fairly specific: qualifying supervision is intended to occur within a structure where the licensee is actively integrated into the firm's work environment and has ongoing, enforceable authority and responsibility over the supervisee's work.

Because of that, a contract or third-party PLS who is providing periodic review, stamping, or QA/QC, while still professionally valuable from a risk management standpoint, generally would **not** meet the regulatory definition of "supervision" for purposes of accruing licensure experience hours. The combination of (a) the prohibition on occasional/consulting supervisors and (b) the requirement that the supervisee be an employee (or in a qualifying exempt setting) tends to close off that pathway.

What that leaves under the current rules: Practically speaking, the framework appears to allow only a few viable structures:

1. **Employment relationship with a licensed PLS (or firm employing one):** The supervisee is an employee under a PLS who meets the “responsible charge” and direct supervision requirements full-time within that firm structure.
2. **Reorganization so supervision is internalized:** This can be either:
 - Hiring a full-time PLS within your organization, or
 - Structuring the surveying function through a licensed surveying firm where supervision is inherently part of the employment relationship.
3. **Employment under a qualifying licensed engineering/surveying firm that provides supervision as part of its normal operations:** This is essentially the traditional pathway contemplated by the rule.

Outside of those structures, the Division is likely to view the arrangement as falling into the “consulting/occasional services” category, even if the substantive technical oversight is robust and well-documented.

On the core question: is there flexibility in interpretation?

From a regulatory interpretation standpoint, there is limited room for “*functional equivalence*” here. The statute’s definition of supervision is quite explicit that it is not just review and approval, but review and approval *within a defined supervisory relationship* tied to employment/authority structure. That tends to constrain DOPL from treating independent QA/QC arrangements as qualifying supervision, even if they provide comparable technical rigor.

That said, the point about rural and capacity constraints is a real policy issue, and the Division does sometimes engage with stakeholders on whether rule amendments or clarifications are appropriate. If there is interest in pursuing that path, the most effective next step would likely be raising it through the Board for consideration of whether the rule structure is creating unintended barriers in low-density areas.

In short, under the current language of R156-22-302d and R156-22-302g, it is unlikely that a “contract or part-time supervising PLS”, no matter how engaged in review and QA/QC, would be accepted for accumulation of qualifying experience hours. **The framework appears to require a valid employment-based supervision relationship with a licensed surveyor who is structurally embedded in the firm’s control and oversight of the work.**

Board Meeting

Arthur LeBaron <aalebaron@gmail.com>
To: Nicole Herrera <nherrera@utah.gov>

Wed, May 20, 2026 at 7:29 AM

Nicole,

Again, my apologies for missing the meeting today. I wanted to just give a little insight into my takeaways from the Western Zone meeting in Bend.

NCEES will be administering the PS test in its current format until July 2027. The new format will begin in October 2027, which will also include the rollout of the new PLSS module. Overwhelmingly the Western states will be adopting this new format for surveying licensing examination requirements. It is my recommendation that Utah adopt these changes into our rule so that 1. Our licensees are getting proper examination on PLSS items, and 2. Our licensees will be poised for reciprocity with our fellow PLSS states.

I don't know the exact details, but the NCEES is continuing to work on the Structural exam to address the issues that have been identified.

Also I was approached by a few jurisdictions expressing their hope to see DOPL staff and more board members from Utah at the meetings. It was nice to know that we are missed and people notice that the contingent from our great state is always small. NCEES has now made funding available so that staff beside the Member Board Executive can attend, so that may be new information for everyone to consider. I want to offer my encouragement to all the board members to make an effort to clear their schedule in order to attend the NCEES meetings. There is a lot of valuable information there that pertains to our duties as board members and will make us much more aware of licensing issues across the country. I know it's difficult to travel, especially for volunteer work. I have plenty that I miss out on at home when I go and often wonder if it's worth the sacrifice. But it does my heart good to know that attending will help our nation and our state continue to exist as a 1st world place. So that's my pep talk for the day to everyone. We have the annual meeting coming up and I hope to be able so see some fellow Utahns there in August.

Sincerely,

Arthur
Sent from my iPhone

Internationally- trained Applicant Credentialing Program

ITAC



Division of
Professional Licensing
UTAH DEPARTMENT OF COMMERCE



Agenda

- 1. Overview of ITAC**
- 2. International Engineering Assessment
Pathway**
- 3. Next Steps/Feedback**

ITAC Mission

The Internationally-trained Applicant Credentialing Program's mission is to develop pathways to licensure for qualified professionals who completed their training or education outside the U.S.



Jose Solis

Business, Construction, &
Design Section



Shelmira Moret

Multidisciplinary Health &
Services Section



Jesler Molina

Medical & Allied Health
Section

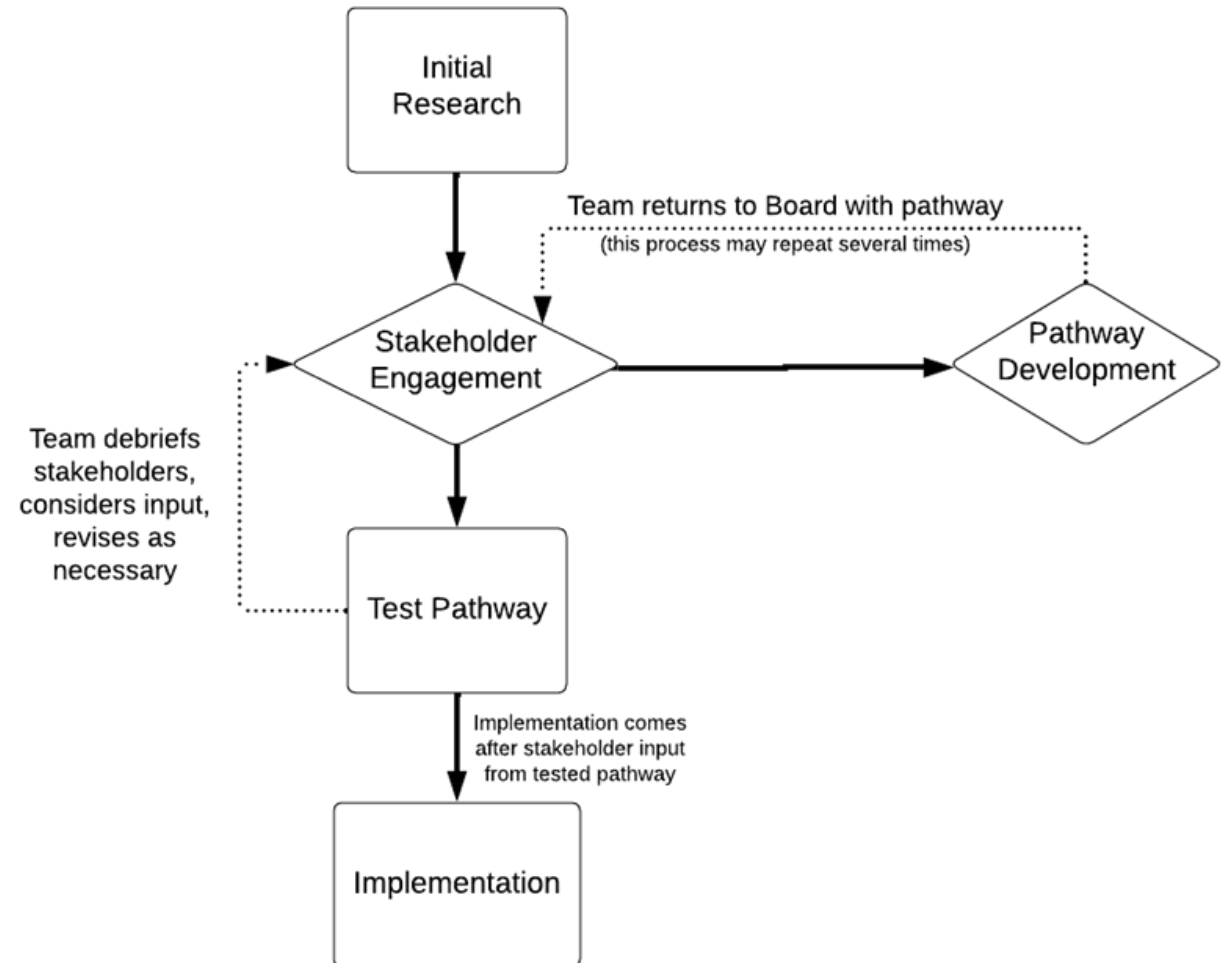
ITAC Legislation Mandate

Key Legislations:

- **SB 43 (2022)** - Allows the Division of Professional Licensing to issue licenses to applicants with substantially similar qualifications in some professions.
- **SB 35 (2023)** - Expands authority to other regulatory agencies.
- **HB 58 (2024)** - Expands DOPL's authority to issue licenses (and limited supervised training permits) in all professions

ITAC Pathway Development Process

1. Initial Research
2. Stakeholder Engagement
3. Pathway Development
4. Return to Board for Feedback
5. Test Pathway
6. Return to Board for Feedback
7. Implementation



International Engineering Assessment Pathway



International Engineering Assessment Pathway 58-1-302(3)(B)

Problem

- There is no pathway for internationally-trained engineers (ITEs) to qualify for licensure with a substantially similar education.
 - Currently, ITEs must obtain a NCEES Credential Evaluation to determine if their degree meets NCEES Educational Standard.
 - However, NCEES Credential Evaluation does not determine if a degree is substantially similar to Utah's requirement.

Solution:

- **International Engineering Assessment Pathway**
 - Allows DOPL to use the Washington Accord Agreement to determine if foreign undergraduate engineering degrees are substantially similar under 58-1-302(3)(b) enabling DOPL to qualify these ITEs to sit for examination.

International Engineering Assessment Pathway *58-1-302(3)(B)*

What is the Washington Accord?

- The Washington Accord Agreement is a global agreement between organizations that accredits undergraduate engineering programs.
- It sets standards for engineering education and promotes mutual recognition of engineering qualifications across countries.

Who is covered under the Washington Accord?

- Recognized accredited undergraduate engineering degree programs from 25 accreditation bodies.
 - **ABET is a Signatory Member.**

Qualifications & Considerations

Qualification:

Recognized accredited (undergraduate) engineering degree program under the Washington Accord.

Considerations:

1. Unqualified applicants will be required to obtain an official NCEES Credentials Evaluation.
2. Eligibility is strictly limited to degree programs from Washington Accord signatories holding Full Member status.
 - Recognition begin once a signatory body gains full member status.
 - Degrees from signatories with Provisional and Revoked status do not qualify for this pathway.

Application Process for Examination

- 1. Applicant submit degree information to ITAC.**
 - a. ITAC verifies applicant's eligibility under the Washington Accords.
- 2. Applicant creates NCEES Council Record.**
 - a. Applicant contacts their education institution for official transcripts.
 - b. Education institution sends official transcripts to NCEES.
 - i. English Programs: Official transcripts must be send by institution to NCEES.
 - ii. Non-English Programs: Official transcripts must be translated in English.
- 3. Applicant submits request to take FE in Utah.**
 - a. Bureau 5 issues Authorization to Test (FE & PE).

Application Process for Licensure

Upon submission of a formal application, an applicant must present:

- **NCEES Council Record** including the following:
 - Official Transcripts from an institution under the Washington Accord.
- **Successful completion of FE and PE.**
- **Qualifying Work Experience (Domestic/Foreign):**
 - Verified by a licensed PE or NCEES.

Next Steps

- Feedback from Board.
- Identify potential test applicants of International Engineering Assessment Pathway.
- Return to Board with updates on Testing Phase.

Feedback Phase





Thank you!



Division of
Professional Licensing
UTAH DEPARTMENT OF COMMERCE

Table 1. Current Signatory Organizations of the Washington Accord

Country	Signatory Organizations	Date Joined
Australia	Engineers Australia (EA)	1989
Canada	Engineers Canada (EC)	1989
Ireland	Engineers Ireland (EI)	1989
New Zealand	Engineering New Zealand (EngNZ)	1989
United Kingdom	Engineering Council United Kingdom (ECUK)	1989
United States	Accreditation Board for Engineering and Technology (ABET)	1989
Hong Kong China	The Hong Kong Institution of Engineers (HKIE)	1995
South Africa	Engineering Council South Africa (ECSA)	1999
Japan	Japan Accreditation Board for Engineers Education (JABEE)	2005
Singapore	Institution of Engineers Singapore (IES)	2006
Chinese Taipei	Institute of Engineering Education Taiwan (IEET)	2007
South Korea	Accreditation Board for Engineering Education of Korea (ABEEK)	2007
Malaysia	Board of Engineers Malaysia (BEM)	2009
Turkey	Association for Evaluation and Accreditation of Engineering Programs (MÜDEK)	2011
Russia	Association for Engineering Education of Russia (AEER)	2012
Sri Lanka	Institution of Engineers Sri Lanka (IESL)	2014
India	National Board of Accreditation (NBA)	2014
China	China Association for Science and Technology (CAST)	2016
Pakistan	Pakistan Engineering Council (PEC)	2017
Peru	Instituto de Calidad y Acreditacion de Programas de Computacion, Ingenieria y Tecnologia (ICACIT)	2018
Costa Rica	Colegio Federado de Ingenieros y de Arquitectos de Costa Rica (CFIA)	2020
Indonesia	Indonesian Accreditation Board for Engineering Education (IABEE)	2022
Mexico	Consejo de Acreditación de la Enseñanza de la Ingeniería (CACEI)	2022
Philippines	Philippine Technological Council (PTC)	2023
Bangladesh	The Institution of Engineers Bangladesh (IEB)	2024