

P.L. 2009, CHAPTER 294, *approved January 17, 2010*  
Assembly, No. 3835 (*First Reprint*)

1 AN ACT concerning continuing professional competency  
2 requirements for professional engineers<sup>1</sup>, amending P.L.1983,  
3 c.337<sup>1</sup> and supplementing P.L.1938, c.342 (C.45:8-27 et seq.).  
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:  
7

8 1. (New section) The State Board of Professional Engineers  
9 and Land Surveyors shall require each person licensed as a  
10 professional engineer, as a condition for biennial licensure pursuant  
11 to P.L.1938, c.342 (C.45:8-27 et seq.) and P.L.1972, c.108 (C.45:1-  
12 7), to complete not more than 24 credits of continuing professional  
13 competency relating to the practice of professional engineering, as  
14 provided in section 2 of this act, during each biennial registration  
15 period.  
16

17 2. (New section) a. The board shall:

18 (1) Establish standards for continuing professional competency  
19 in professional engineering, including the subject matter and  
20 content of courses of study, which shall be in conformity with a  
21 national model, such as that of the National Council of Examiners  
22 for Engineering and Surveying;

23 (2) Approve educational programs offering credit towards the  
24 continuing professional competency in engineering requirements;  
25 and

26 (3) Approve other equivalent educational programs, including,  
27 but not limited to, meetings of constituents and components of  
28 professional engineering associations and other appropriate  
29 professional and technical associations when an engineering **["or"]**  
30 topic<sup>1</sup> is presented as a principal part of the program, examinations,  
31 papers, publications, technical presentations, teaching and research  
32 appointments, technical exhibits, management, leadership or ethics  
33 courses, and correspondence courses on engineering topics where a  
34 final examination is required and shall establish procedures for the  
35 issuance of credit upon satisfactory proof of the completion of these  
36 programs.

**EXPLANATION** – Matter enclosed in bold-faced brackets **["thus"]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ARP committee amendments adopted May 7, 2009.

1       b. In the case of education courses and programs, each hour of  
2 instruction shall be equivalent to one credit.

3       'c. Two of the 24 credits of continuing professional competency  
4 required pursuant to section 1 of this act shall be in professional  
5 practice ethics.'  
6

7       3. (New section) The board shall:

8       a. Establish procedures for monitoring compliance with the  
9 professional engineering continuing professional competency  
10 requirements; and

11       b. Establish procedures to evaluate and grant approval to  
12 providers of continuing professional competency in professional  
13 engineering.  
14

15       4. (New section) The board may, in its discretion, waive  
16 requirements for continuing professional competency in  
17 professional engineering on an individual basis for reasons of  
18 hardship such as illness or disability, service in the armed forces of  
19 the United States of America, retirement of the license, or other  
20 good cause.  
21

22       5. (New section) The board shall not require completion of  
23 professional engineering continuing professional competency  
24 credits for initial registration.  
25

26       6. (New section) a. The board shall not require completion of  
27 professional engineering continuing professional competency  
28 credits for any licensure periods commencing within 12 months of  
29 the effective date of this act.

30       b. The board shall require completion of professional  
31 engineering continuing professional competency credits on a pro  
32 rata basis for any licensure periods commencing more than 12 but  
33 less than 24 months following the effective date of this act.  
34

35       7. (New section) The board ~~'shall~~ may<sup>'</sup> accept as proof of  
36 completion of continuing professional competency program  
37 credits<sup>'</sup>;

38       a.<sup>'</sup> documentation submitted by a person licensed as a  
39 professional engineer or by any entity offering a continuing  
40 professional competency program approved by the board pursuant  
41 to section 2 of this act<sup>'</sup>; or

42       b. any other proof acceptable to the board<sup>'</sup>.  
43

44       <sup>'</sup>~~8.~~ Any person who fails to complete the continuing  
45 professional competency requirements established pursuant to  
46 section 1 of this act shall be liable to a civil penalty of not more  
47 than \$500, or additional hours of continuing professional

1 competency in professional engineering, or both, as imposed by the  
2 board, for a first offense. A second or subsequent offense by a  
3 licensee shall be considered professional misconduct pursuant to the  
4 provisions of P.L.1938, c.342 (C.45:8-27 et seq.) and P.L.1978,  
5 c.73 (C.45:1-14 et seq.).<sup>1</sup>

6  
7 <sup>1</sup>8. (New section) Notwithstanding the provisions of section 1 of  
8 P.L.1993, c.39 (C.45:8-35.2) and section 1 of this act, the board  
9 shall require each person licensed as both a professional engineer  
10 and a land surveyor, as a condition for biennial certification, to  
11 complete not less than 36 credits of continuing professional  
12 competency relating to the practice of professional engineering and  
13 land surveying, with not less than 12 credits to be completed in  
14 professional engineering and not less than 12 credits to be  
15 completed in land surveying.<sup>1</sup>

16  
17 9. (New section) The board shall allow a professional engineer  
18 to carry over a maximum of 12 continuing professional competency  
19 credits to the next biennial licensure period.

20  
21 <sup>1</sup>10. Section 18 of P.L.1983, c.337 (C.45:3A-15) is amended to  
22 read as follows:

23 18. a. Except as provided in subsections b. and c. of this section,  
24 two years from the effective date of P.L.2008, c.77 (C.45:3A-16 et  
25 al.) and every two years thereafter, each person licensed to practice  
26 landscape architecture in this State shall certify to the board, upon a  
27 form issued and distributed by the board, that the person has  
28 attended, or participated in not less than 24 hours of continuing  
29 education in landscape architecture as follows: college postgraduate  
30 courses, lectures, seminars, or workshops, as approved by the board  
31 or any other evidence of continuing education which the board may  
32 approve.

33 b. Two years from the effective date of P.L.2008, c.77  
34 (C.45:3A-16 et al.) and every two years thereafter, each architect  
35 who is licensed to practice landscape architecture pursuant to  
36 subsection d. of section 11 of P.L.1983, c.337 (C.45:3A-8), shall  
37 certify to the board, upon a form issued and distributed by the  
38 board, that the person has attended or participated in not less than  
39 12 hours of continuing education in landscape architecture as  
40 follows: college postgraduate courses, lectures, seminars, or  
41 workshops, as approved by the board or any other evidence of  
42 continuing education which the board may approve.

43 c. Two years from the effective date of P.L.2008, c.77  
44 (C.45:3A-16 et al.) and every two years thereafter, each  
45 professional engineer who is licensed to practice landscape  
46 architecture pursuant to subsection d. of section 11 of P.L.1983,  
47 c.337 (C.45:3A-8), shall certify to the board, upon a form issued  
48 and distributed by the board, that the person has attended or

1 participated in not less than ~~24~~ 12 hours of continuing education  
2 in landscape architecture as follows: college postgraduate courses,  
3 lectures, seminars, or workshops, as approved by the board or any  
4 other evidence of continuing education which the board may  
5 approve.<sup>1</sup>

6 (cf: P.L.2008, c.77, s.15)

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8 <sup>1</sup>~~10.~~ 11. This act shall take effect on the 360th day following  
9 enactment, but the board may take such anticipatory administrative  
10 action in advance as shall be necessary to effectuate the purposes of  
11 this act.

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16 Mandates professional engineers to complete continuing  
17 professional competency requirements during each biennial  
18 licensure period.