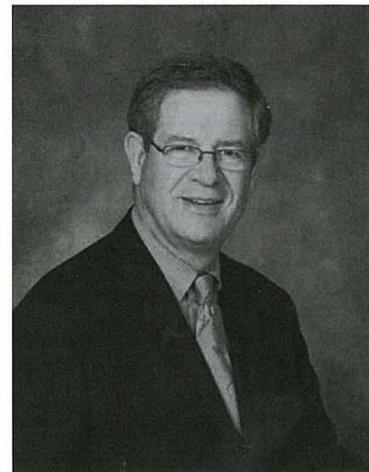


# The Path to Compliance

## Rules of Professional Conduct - OAC 245: 15-9-4 Areas of Practice

One of the longest standing Rules of Professional Conduct states: "Licensees shall practice only in the areas of their competence. Licensees shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or land surveying involved." The individuals who wrote this rule many years ago understood that Oklahoma engineers are not licensed by discipline and a check and balance was needed to ensure the public that only those with minimum competence in a particular discipline of engineering would be allowed to practice that discipline. According to the National Council of Examiners for Engineering and Surveying (NCEES), minimum competency, as measured by the examination component of the licensing process, is defined as the lowest level of knowledge at which a person can practice professional engineering and surveying in such a manner that will safeguard life, health, and property and promote the public welfare. A licensee can demonstrate meeting or exceeding that level of knowledge through a combination of education, experience and examination



**Bruce A. Pitts, PLS**  
**Director of Enforcement**

Questions about an engineer's ability to practice in a specific discipline often arise in disciplinary matters. A typical case is when a city code compliance officer or an investigator from the Fire Marshal's office submits to us a set of design plans where one engineer has signed and sealed the plans sheets for several disciplines. If our current records for that licensee do not disclose competency in all of the disciplines listed in the design plans, we may formally request the licensee to describe in detail what education, experience or examination they obtained since original licensure that would enable them to practice in these different areas. The engineer can satisfy the Board that he or she is competent to practice in disciplines other than their primary discipline(s) determined at the time of licensure by providing evidence that they were trained in another discipline of engineering and obtained several years of experience under the direct supervision of a licensed engineer, or if they can demonstrate that they have obtained additional formal education in another discipline of engineering, or if they have taken and passed NCEES examinations in other disciplines of the profession. In cases where a licensee's competence cannot otherwise be determined, the Board has the authority by law to admit the licensee to an appropriate examination.

In those cases where the licensee cannot demonstrate competency in areas of engineering where plans were signed and sealed, the Board's Investigation Committee will turn the plans over to one of our experts in the different engineering disciplines who review plans for quality of work issues. If it becomes apparent to the expert that the engineer does not possess the knowledge and skill necessary to practice at the threshold level of professional competence, charges of gross incompetence against the engineer along with charges of practicing outside of their area of competence may be filed.

Whether or not an engineer is doing the project pro bono; whether or not it is a large or small project; whether or not the engineering is incidental to the project, licensees are bound by the Rules of Professional Conduct to perform engineering services only in those areas where they are competent.

*Questions or comments regarding this article or if you have other enforcement/disciplinary questions or topics for discussion, please e-mail [bruce@pels.state.ok.us](mailto:bruce@pels.state.ok.us)*