

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: The Structural Engineering Practice Act of 1989

2) Code Citation: 68 Ill. Adm. Code 1480

3) <u>Section Numbers:</u>	<u>Proposed Actions:</u>
1480.110	Amendment
1480.120	Amendment
1480.130	Amendment
1480.135	Amendment
1480.140	Amendment
1480.145	New Section
1480.150	Amendment
1480.160	Amendment
1480.170	Amendment
1480.175	Repealed
1480.180	Amendment
1480.185	Amendment
1480.190	Amendment
1480.195	Amendment
1480.200	Amendment
1480.210	Amendment
1480.220	Amendment
1480.Appendix A	New Section
1480.Illustration A	New Section

4) Statutory Authority: Implementing the Structural Engineering Practice Act of 1989 [225 ILCS 340] and authorized by Section 2105-15 of the Civil Administrative Code of Illinois [20 ILCS 2105].

5) A Complete Description of the Subjects and Issues Involved: Generally, the proposed amendments are needed to bring language in all Sections up to date for clarity and to comport with current profession standards and practices. These proposed amendments are a result of ongoing collaborative efforts since 2017 between the Department and the Licensing Board.

The proposed amendments rename and revise the Approved Program Section to allow the required 18 hours of structural engineering coursework to be gained from a BS, MS or PhD. This should remove a fiscal and time burden for some candidates as currently, the hours are limited only to the BS degree. The proposed amendments also change the

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

application & examination approval process and allow all candidates to directly register for and pass the required examination(s) with the national exam entity prior to applying to the Department for licensure. This should remove a fiscal and time burden for the candidates as they must currently apply to the Department and be pre-approved by the Board to sit for the exams, which could require several attempts (applications/fees) before the candidate passes all exams.

The proposed amendments also rename and revise the Related Science Section to reflect current practice standards and they also revise the Experience Section to account for dual degree/co-terminal programs and add language for acceptance of foreign experience as well as update other items for clarity and consistency with other design professions regulated by the Department. The Structural Engineer Intern and Structural Engineer License Application Sections are also being revised and renamed to reflect the changes based on several new amendments as well as incorporating language from the scheduled to be repealed Sections. The amendments also add a new Seal and Signature Requirements Section for reference and consistency with other design professions regulated by the Department.

The proposed amendments also revise the Examination Section to account for National Council of Examiners for Engineering and Surveying (NCEES) examination format changes and clarify exams that are not accepted and add that if an exam is failed it cannot be waived. The amendments also revise the Restoration Section for clarity and consistency with other design professions regulated by the Department and include language for Professional Design Firms. The Endorsement Section is also being revised to reflect the changes based on several new amendments as well as incorporating language from the scheduled to be repealed Sections.

The Seismic Design Requirement Section is being repealed as it is no longer relevant and the Continuing Education Section language is being revised to allow for a partial carry-over of CEs to the subsequent renewal. The proposed amendments add the statutory requirement to include one hour of sexual harassment prevention training, add one hour requirement for State statutes and rules regulating professional engineering and add one hour requirement for professional conduct or ethics. The amendments also place a cap on the number of CE that may be gained within a given 24-hour period and they update other items for clarity and consistency with other design professions regulated by the Department. The amendments also add Professional Limited Liability Company language to the Professional Design Firm Registration Section and rewrite the Standards of Professional Conduct Section to comport with national association language. They

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

also add new APPENDIX A Section for historical purposes and reference for Endorsement candidates to know the requirements in effect in Illinois at any given time.

- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking will not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Department of Financial and Professional Regulation
Attention: Craig Cellini
320 West Washington, 2nd Floor
Springfield, IL 62786

217/785-0810
Fax: 217/557-4451

All written comments received within 45 days after this issue of the *Illinois Register* will be considered.

- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: Those licensed under the Structural Engineering Practice Act of 1989 [225 ILCS 340] may be affected.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

14) Small Business Impact Analysis:

A) Types of businesses subject to the proposed rule:
54 Professional, Scientific and Technical Services

B) Categories that the Agency reasonably believes the rulemaking will impact, including:
ii. Regulatory Requirements

15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not summarized on any Regulatory Agenda.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS

CHAPTER VII: DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONSPART 1480
THE STRUCTURAL ENGINEERING PRACTICE ACT OF 1989

Section

1480.10	Statutory Authority (Repealed)
1480.20	Licensure (Repealed)
1480.30	Approved Education Qualifications (Repealed)
1480.40	Approved Experience Qualifications (Repealed)
1480.45	Renewals (Renumbered)
1480.50	Restoration of Expired Certificate (Repealed)
1480.60	Granting Variances (Renumbered)
1480.110	Approved Structural Engineering <u>ProgramCurriculum</u>
1480.120	Definition of <u>a Non-Approved Program</u> <u>Degree in Related Science</u>
1480.130	Approved Experience
1480.135	Application for Enrollment as a Structural Engineer Intern by <u>Acceptance of</u> Examination
1480.140	Application for Licensure by <u>Acceptance of</u> Examination
<u>1480.145</u>	<u>Seal and Signature Requirements</u>
1480.150	Examination
1480.160	Restoration
1480.170	Endorsement
1480.175	Seismic Design Requirement (<u>Repealed</u>)
1480.180	Inactive Status
1480.185	Continuing Education
1480.190	Renewals
1480.195	Fees
1480.200	Professional Design Firm
1480.205	Acts Constituting the Practice of Structural Engineering Pursuant to Section 5 of the Act
1480.210	Standards of Professional Conduct
1480.215	Structural Engineer Complaint Committee
1480.220	Granting Variances

1480.APPENDIX A Significant Dates for the Administration of the Act and Rules
1480.ILLUSTRATION A Structural Engineer Seal and Signature

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing the Structural Engineering Practice Act of 1989 [225 ILCS 340] and authorized by Section 2105-15 of the Civil Administrative Code of Illinois [20 ILCS 2105].

SOURCE: Adopted at 4 Ill. Reg. 22, p. 242, effective May 15, 1980; amended at 4 Ill. Reg. 44, p. 475, effective October 20, 1980; codified at 5 Ill. Reg. 11068; codified and amended at 5 Ill. Reg. 14171, effective December 3, 1981; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 7448, effective June 15, 1982; transferred from Chapter I, 68 Ill. Adm. Code 480 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1480 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2947; emergency amendment at 13 Ill. Reg. 5781, effective April 5, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 13891, effective August 22, 1989; amended at 15 Ill. Reg. 7081, effective April 29, 1991; amended at 17 Ill. Reg. 11162, effective July 1, 1993; amended at 18 Ill. Reg. 14751, effective September 19, 1994; amended at 19 Ill. Reg. 2309, effective February 14, 1995; amended at 19 Ill. Reg. 16081, effective November 17, 1995; amended at 21 Ill. Reg. 13844, effective October 1, 1997; amended at 24 Ill. Reg. 639, effective December 31, 1999; amended at 24 Ill. Reg. 13734, effective August 28, 2000; amended at 26 Ill. Reg. 12271, effective July 24, 2002; emergency amendment at 27 Ill. Reg. 12114, effective July 14, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18990, effective December 5, 2003; amended at 34 Ill. Reg. 5669, effective March 30, 2010; amended at 36 Ill. Reg. 4844, effective May 1, 2012; amended at 39 Ill. Reg. 14876, effective November 13, 2015; emergency amendment at 44 Ill. Reg. 16249, effective September 15, 2020, for a maximum of 150 days; amended at 45 Ill. Reg. 1856, effective January 28, 2021; amended at 46 Ill. Reg. _____, effective _____.

Section 1480.110 Approved Structural Engineering Program~~Curriculum~~

- a) The Department of Financial and Professional Regulation-Division of Professional Regulation (Division) shall, upon the recommendation of the Structural Engineering Board (the "Board") approve an applicant's engineering ~~or architecture~~ curriculum if the degree is from an educational institution that is legally recognized and authorized by the jurisdiction in which it is located to confer a baccalaureate degree in engineering ~~or architecture~~.
- b) ~~An applicant shall have at a minimum, conferral of a baccalaureate degree in engineering of The curriculum shall be~~ at least 4 academic years ~~and provides, lead to the awarding of the baccalaureate degree, and provide~~ integration of the educational experience with the ability to apply the knowledge gained to the identification and solution of practical problems.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

c) An~~Each~~ applicant shall have passed a minimum of 18 semester hours of courses in the analysis, behavior, and design of structural elements and systems. The required coursework may be obtained from a combination of any of the following levels of education, baccalaureate, master or PhD. The required 18 hours~~These courses~~ may include, but not be limited to:

- 1) Structural analysis courses such as determinate and indeterminate structures and stability, finite element methods; and
- 2) ~~Structural~~A minimum of 9 semester hours are required in structural design courses ~~that~~ may include structural steel, reinforced concrete, prestressed concrete, foundation, masonry and wood engineering.
- 3) ~~Courses such as mechanics (statics and dynamics), mechanics of materials, properties of materials, and soil mechanics shall not be included in the minimum 18 semester hours.~~

d) Courses such as mechanics (statics and dynamics), mechanics of materials, properties of materials, and soil mechanics shall not be included in the minimum 18 semester hours.

e) A senior level project course may qualify for this requirement if the applicant was in charge of the structural engineering component of the project and submits a project summary of his/her specific role on the project.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.120 Definition of a Non-Approved Program~~Degree in Related Science~~

a) A Degree with curriculum of at least four academic years, leading to the conferral of~~in~~Related Science is a four-year curriculum resulting in a baccalaureate degree:

- 1) A baccalaureate degree accredited by the Engineering Accreditation Commission (EAC) of the~~from an~~ Accreditation Board for Engineering and Technology (ABET)~~engineering program~~; or
- 2) An architectural degree accredited by the National Architectural Accrediting Board (NAAB); or

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

32) A related science baccalaureate degree that includes the indicated minimum number of semester hours in at least the following subjects:

Mathematics (beyond trigonometry) – 15 hours.

Basic Sciences (Physics and Chemistry) – 15 hours.

Additional Sciences and/or Engineering Sciences (with a minimum of 9 hours in structural analysis/design) – 30 hours.

The required courses may be completed prior to, concurrent with, or subsequent to receiving the baccalaureate degree.

- b) In evaluating the acceptability of an applicant's non-approved~~related science curriculum of a baccalaureate~~ degree, the Board shall consider courses taken to attain a graduate degree in engineering and/or additional course credits in mathematics, science or engineering as education, when the course work of an applicant with a baccalaureate degree fails to satisfy the requirements of subsection (a). ~~Not more than 15 hours may be made up in mathematics and basic sciences.~~ Education considered in this manner shall not also be credited as engineering experience.
- c) The Division, upon the recommendation of the Board, has determined that an applicant who has gained a baccalaureate degree accredited by the Engineering Technology Accreditation Commission (ETAC) of ABET, may apply under this Section; however, engineering technology courses shall not be accepted toward~~accept educational courses in engineering technology as~~ meeting the educational requirements for a non-approved program~~basic engineering or related science~~ in accordance with this Section.
- d) Mathematics shall be beyond trigonometry, and include differential and integral calculus, and differential equations at the baccalaureate level. Mathematics may also include, but not be limited to, the study of probability, statistics, numerical analysis, and advanced calculus. Courses in computer usage and/or programming may not be used to satisfy the mathematics requirement.
- e) Basic sciences shall include basic physics and chemistry, and may also include ~~life sciences, earth sciences, and/or~~ advanced physics and chemistry, ~~as appropriate to the engineering discipline being studied.~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

f) Additional Engineering Sciences

- 1) Additional sciences courses have their roots in mathematics and basic sciences but carry the knowledge toward creative application. Such subjects include, but are not limited to, geology, geography, dendrology, astronomy, biology, soil mechanics.
- 2) Engineering sciences courses have their roots in mathematics and basic sciences but carry knowledge further toward creative application of engineering principles. Approved engineering courses include, but are not limited to, structural design, structural analysis, mechanics, thermodynamics, heat transfer, electrical and electronic circuits, material science, transport phenomena, engineering economics, and computer science (other than computer programming skills).

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.130 Approved Experience

- a) Every application shall be reviewed by the Division or the Structural Engineer Board (Board) to determine whether the applicant's experience meets the requirements described in this Section. Approved experience, other than in accordance with subsection (a)(1)(A)(a)(3), shall have been acquired after conferral~~receipt~~ of the baccalaureate degree.
 - 1) Credit for Graduate Study:
 - A) One year of experience shall be given for completion of graduate study resulting in conferral of a master's degree with an emphasis in civil or structural engineering from a U.S. university, including as part of a combined or dual degree program where the baccalaureate degree requirements are being met simultaneously with the master's degree requirements. The course of study shall include a minimum of 8 semester hours, or their equivalent (e.g., 12 quarter hours), of structural analysis, behavior or design courses.
 - B) One year of experience shall be given for completion of graduate study resulting in conferral of a doctoral degree with an emphasis

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

in structural engineering from a U.S. university and a course of study that includes a minimum of 8 semester hours, or their equivalent (e.g., 12 quarter hours), of structural analysis, behavior or design courses beyond a master's degree. Two years of experience shall be given for completion of graduate study resulting in conferral of a doctoral degree with an emphasis in structural engineering from a U.S. university and a course of study that includes a minimum of 16 semester hours, or their equivalent (e.g., 24 quarter hours), of structural analysis, behavior or design courses without a master's degree.

- C) The maximum credit for graduate study shall be 2 years.
- D) If coursework from a post-graduate degree is used to satisfy the education requirement, the applicable post-graduate degree shall not also be credited as engineering experience.

2) ~~The maximum credit for graduate study shall be 2 years.~~

23) Credit for one year of structural engineering experience shall be given for a graduate of a university certified cooperative program ~~that is a supervised industrial or field experience of at least one calendar year that alternates with periods of full time academic training. Supervision shall be by a U.S. licensed engineer legally practicing structural engineering.~~

- A) ~~An internship shall not qualify for co-op credit A maximum of one year of experience credit may be given for one year or more of actual work experience acquired through participation in a university cooperative program;~~
- B) The co-op program shall consist of supervised industrial or field training to last at least one academic year and alternate with semesters of full-time academic education;
- C) Applicants claiming credit for participation in the university cooperative program shall submit an official transcript from the university reflecting the university credit for completion of the program; and

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

D(E) All experience ~~shall be structural engineering experience and~~ must be verified, on forms provided by the Division, by the supervising engineer who is licensed as a structural engineer.

34) Credit for all required experience ~~or any remaining experience as set forth in Section 1480.140~~ shall be given for actual experience in the practice of structural engineering under the employ or immediate supervision of an engineer legally practicing structural engineering. Acceptable~~The~~ experience shall be within the definition of the practice as set forth in Section 5 of the Act and shall require the application of technical knowledge and structural engineering principles.

45) All experience shall be progressive in nature and must demonstrate growth in quality, responsibility and~~Each applicant shall submit evidence of at least 2 years of engineering experience in a position of responsible charge while in the employ of or under the immediate personal supervision of a licensed engineer legally practicing structural engineering. In this category the applicant shall have directed the work, with responsibility for the successful accomplishment of the work, including demonstrated capability of making independent technical decisions, and be held to fulfill a structural engineering duty and being~~ accountable for the performance of his or her~~those~~ duties.

56) Credit for a maximum of 3 years of the experience required for licensure shall be given for the full-time teaching of upper division junior/senior courses or graduate courses in structural engineering as a part of, or in conjunction with, an approved engineering curriculum as set forth in Section 1480.110. An academic year of full-time teaching (2 semesters, or 3 quarters) at a level of assistant professor, or higher, shall be considered equivalent to 6 months of the experience required for licensure. This teaching experience shall be fully documented, and certified by an affidavit from the department chairman, or dean, of the engineering curriculum involved. ~~Applicants qualifying under this subsection are exempt from the requirement of subsection (a)(5).~~

6) All experience must be verified and submitted on forms provided by the Division or as part of an NCEES Record.

7) Experience gained outside of the U.S. shall be accompanied by certified

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

documents detailing the requirements to legally practice structural engineering in that country and proof that the supervisor met those requirements at the time of supervision. Applicant is responsible for providing translations into English as necessary and at their expense. A maximum of two years of verified experience gained in this manner shall be given.

- b) If coursework from a post-graduate degree is used to satisfy the education requirement, the applicable post-graduate degree shall not also be credited as experience. While an applicant may receive either experience credit, education credit, teaching credit, or a combination of these, such applicant shall not receive more than one year's total credit for any one year (i.e., overlapping experience, education or teaching shall be credited to only one category).
- c) Experience requirement to be licensed as a Structural Engineer:
 - 1) For a graduate from an approved program, 4 years of acceptable experience is required.
 - 2) For a graduate from a non-approved program, 8 years of acceptable experience is required.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.135 Application for Enrollment as a Structural Engineer Intern by Acceptance of Examination

- a) An applicant who is in the senior year of an approved engineering baccalaureate degree as set forth in Section 1480.110, may sit for the Fundamentals of Engineering exam (Part I) and then submit the application, required fee as specified in Section 1480.195, and an official BS transcript showing conferral of the degree within 12 months after sitting for the exam, for enrollment as a structural engineer intern shall file an application on forms supplied by the Division as required by Section 1480.150(j).
 - 1) The application shall include:
 - A) Either:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- i) ~~Proof of a degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110. Official college transcript showing all coursework completed and conferral of a baccalaureate degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110; or~~
 - ii) ~~Proof of a degree in a related science as set forth in Section 1480.120. Official college transcript showing all coursework completed and conferral of a bachelor of science degree in a related science; and completed experience verification forms, indicating the required 4 years of approved experience;~~
- B) ~~The required fee specified in Section 1480.195;~~
- C) ~~For an applicant claiming credit for participation in a cooperative program, as described in Section 1480.130(a)(3), certification of participation, with a brief description of the program, from the university and verification of supervision;~~
- D) ~~Proof of passage of the Test of English as a Foreign Language (TOEFL) and the Test of Spoken English (TSE) for applicants who apply after January 1, 1997, who graduated from an engineering program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the engineering program from which the applicant graduated was taught in English. The minimum acceptable scores are 550 for the paper TOEFL, 213 for the computer based TOEFL and 50 for the paper TSE, or 88 for the Internet-based TOEFL iBT with a minimum score of 26 on the speaking module. However, any applicant who subsequently earned a post graduate degree in engineering from an accredited educational institution in the United States or its territories shall not be subject to this requirement.~~
- 2) ~~An applicant shall have acquired the experience required by subsection (a)(1)(A)(ii) after conferral of the degree and prior to applying to the~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Division:

3) ~~Applicants who received their education in a foreign country shall have the education evaluated at their expense. Applicants shall obtain the forms from NCEES Credentials Evaluations, P.O. Box 1686 (280 Seneca Creek Road), Clemson SC 29633-1686. Evaluations completed prior to October 30, 2006 from Engineering Credentials Evaluation International (ECEI) are also accepted. The Board has only approved NCEES and ECEI as evaluators for engineering degrees. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in Sections 1480.110 and 1480.120.~~

b) An applicant who is either a graduate of an approved engineering baccalaureate degree as set forth in Section 1480.110, or a graduate of a non-approved baccalaureate degree as set forth in Section 1480.120, may sit for the Fundamentals of Engineering exam (Part I) and then submit the application, required fee as specified in Section 1480.195 and an official BS transcript showing conferral of the degree.

c) Proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88, for applicants who apply after January 1, 1997, who graduated from a program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English; the applicant shall submit verification from the school that the engineering program from which the applicant graduated was taught in English. However, any applicant who subsequently earned a post-graduate degree in structural engineering from an accredited educational institution in the United States or its territories shall not be subject to this requirement.

d) Applicants who received their education in a foreign country other than Canada, shall have the education evaluated at their expense. Applicants shall obtain the forms from NCEES Credentials Evaluations, 200 Verdae Boulevard, Greenville, SC 29607. Evaluations completed prior to October 30, 2006 from Engineering Credentials Evaluation International (ECEI) are also accepted. The Board has only approved NCEES and ECEI as evaluators for degrees. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

the requirements set forth in Sections 1480.110 and 1490.120.

eb) Upon receipt of the application and all supporting documentation in complete order, all files will be presented to the Board for evaluation of the required education ~~and experience~~ based on the criteria specified in Sections 1480.110 and ~~1480.120~~1480.130. ~~Once the applications have been approved, those persons will be notified of their eligibility to register for the Fundamentals of Engineering Examination, the examination filing deadline and the required examination fee as provided for in Section 1480.195.~~

- 1) Once the applications have been approved, those persons will be notified of their enrollment as a structural engineer intern.
- 2) Applicants who are reviewed by the Board and not approved, based on requirements specified in this Section, shall be deferred enrollment as an Illinois structural engineer intern until applicant meets the requirements.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.140 Application for Licensure by Acceptance of Examination

- a) An applicant shall have acquired the experience required by Section 1480.130 and passed the Fundamentals of Engineering (Part I) and the 16-hour Structural Engineering (Part II) examinations in compliance with Section 1480.150 prior to making application to the Division. ~~Applicant Enrolled as a Structural Engineer Intern or Engineer Intern~~
- 1) An applicant shall have acquired all experience required by Section 1480.130 prior to making application to the Division.
- 2) An applicant for licensure as a structural engineer who is enrolled as a structural engineer intern or engineer intern shall file an application on forms supplied by the Division as required by Section 1480.150(j). ~~The application shall include, in addition to the requirements of Section 9 of the Act, the following:~~
- A) Experience verification forms completed by the supervisor, indicating the required 4 years of experience earned. ~~For engineer interns enrolled with a degree in a related science, experience~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~verification forms shall be completed for the entire 8 years of required experience as set forth in Section 1480.130.~~

~~B) For persons who were certified or enrolled as an engineer intern or engineer in training in Illinois or another state or territory:~~

- ~~i) A certification of enrollment from the appropriate state board, including the date of the examination; and~~
- ~~ii) Official college transcripts showing coursework completed and degree received.~~

~~C) The required fee specified in Section 1480.195.~~

~~D) For an applicant claiming credit for participation in a cooperative program, as described in Section 1480.130(a)(3), certification of participation with a brief description of the program, from the university and verification of supervision.~~

b) An applicant must satisfy one of the below options when applying: Applicant Not Enrolled as a Structural Engineer Intern or an Engineer Intern

- 1) Applicant Enrolled as an Illinois Structural Engineer Intern. An applicant who is enrolled as an Illinois structural engineer intern shall file an application on forms supplied by the Division and shall include, in addition to the requirements of Section 9 of the Act, the following: shall have acquired all experience as required in Section 1480.130 prior to making application to the Division.
 - A) An official copy of his or her Illinois structural engineer intern certificate indicating prior Board approval of the baccalaureate degree and passage of Part I of the required examinations.
 - B) Official certification for successful passage of Part II of the examination requirement as specified in Section 1480.150.
 - C) Experience verification forms completed by the supervisor, indicating the required experience earned as specified in Section 1480.130.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- i) Applicants desiring to use post-graduate degrees as experience credit as specified in Section 1480.130 must submit an official conferred transcript for review and acceptance.
- ii) Applicants claiming credit for participation in a cooperative program, as described in Section 1480.130(a)(2), must submit certification of participation with a brief description of the program, from the university and verification of supervision.
- D) The required fee specified in Section 1480.195.
- E) In lieu of the documentation specified in subsection (b)(1)(A), (B), and (C), an applicant may submit a current NCEES Council Record.

2) Applicant Not Enrolled as an Illinois Structural Engineer Intern. An applicant ~~for registration as a structural engineer who is~~ not enrolled or ~~certified as an Illinois structural engineer intern~~ ~~a Structural Engineer Intern~~ shall file an application on forms supplied by the Division ~~and as required by Section 1480.150(j).~~ ~~The application~~ shall include, in addition to the requirements of Section 9 of the Act, the following:

- A) An official transcript showing conferral date for a degree from an approved structural engineering program as specified in Section 1480.110 or a non-approved program as specified in Section 1480.120. ~~Verification of experience indicating the approved experience as set forth in Section 1480.130;~~
- B) Official certification for successful passage of the required examinations for licensure as specified in Section 1480.150. ~~Certification of education of one of the following:~~
 - i) ~~A degree from an approved structural engineering or architecture curriculum as set forth in Section 1480.110. An official transcript of educational credit showing receipt of a baccalaureate degree from an approved structural~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~engineering or architecture curriculum as set forth in Section 1480.110; an official transcript of educational credit; and completed experience certification forms indicating the required 4 years of approved experience, except as provided in subsection (e) of this Section; or~~

ii) ~~A degree in a related science as set forth in Section 1480.120. An official transcript of educational credit showing receipt of a bachelor of science degree in a related science; an official transcript of educational credit; and completed experience certification forms, indicating the required 8 years of approved experience; and~~

C) Experience verification forms completed by the supervisor, indicating the required experience earned as specified in Section 1480.130~~The required fee specified in Section 1480.195.~~

i) Applicants desiring to use post-graduate degrees as experience credit as specified in Section 1480.130 must submit an official conferred transcript for review and acceptance.

ii) Applicants claiming credit for participation in a cooperative program, as described in Section 1480.130(a)(2), must submit certification of participation with a brief description of the program, from the university and verification of supervision.

D) The required fee specified in Section 1480.195.

E) In lieu of the documentation specified in subsection (b)(2)(A), (B) and (C), an applicant may submit a current NCEES Council Record.

c) If an applicant has ever been licensed to practice engineering in another jurisdiction, certification from the jurisdiction of original licensure and any other jurisdiction in which the applicant is or has ever been licensed, including the following:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) The date of issuance of the applicant's license and the current status of the license;
- 2) The basis of licensure and a description of the examination by which the applicant was licensed, if any; and
- 3) Whether the records of the licensing authority contain any record of disciplinary action taken or pending against the applicant.

d) Applicants not enrolled as a structural engineer intern in Illinois who received their baccalaureate education in a foreign country other than Canada, shall have the education evaluated at their expense. Applicants shall obtain the forms from NCEES Credentials Evaluations, 200 Verdae Boulevard, Greenville, SC 29607
P.O. Box 1686 (280 Seneca Creek Road), Clemson SC 29633-1686. Evaluations completed prior to October 30, 2006 from Engineering Credentials Evaluation International (ECEI) are also accepted. The Board has only approved NCEES and ECEI as evaluators for engineering degrees. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in Sections 1480.110 and 1480.120.

e) Applicants not enrolled as a structural engineer intern in Illinois shall submit proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88, (TOEFL) and the Test of Spoken English (TSE) for applicants who apply after January 1, 1997, who graduated from a structural engineering, architecture or related science program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the structural engineering, architecture or related science program from which the applicant graduated was taught in English. The minimum acceptable scores are 550 for the paper TOEFL, 213 for the computer based TOEFL and 50 for the TSE, or 88 for the Internet-based TOEFL-iBT with a minimum score of 26 on the speaking module. However, any such applicant who subsequently earned a post-graduate degree in structural engineering from an accredited educational institution in the United States or its territories shall not be subject to this requirement.

f) Upon receipt of the application and all supporting documentation in complete order,

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) ~~The~~the applicant's file will be presented to the Board for evaluation of the required education, examinations and experience as specified in this Section~~Sections 1480.110 and 1480.130~~. Once the application has been approved, those persons ~~if otherwise qualified, shall be granted a license to practice structural engineering in this State~~~~will be notified of their eligibility to register for the Fundamentals of Engineering, the 16 hour Structural examination, the examination filing deadline and the required examination fee as provided for in Section 1480.195.~~
- 2) Applicants who are reviewed by the Board and not approved, based on requirements specified in this Section shall be deferred licensure as an Illinois structural engineer until applicant meets the requirements.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.145 Seal and Signature Requirements

- a) Every licensed structural engineer shall have a reproducible seal or facsimile, which may be computer generated, the impression of which shall contain the name, the license number of the structural engineer, and the words "Licensed Structural Engineer State of Illinois". A structural engineer shall seal all documents prepared by or under the direct supervision and control of the structural engineer. Any document that bears the name of a professional design firm, rather than bearing the name of the individual licensed structural engineer responsible for the document, shall be deemed an invalid seal. The individual licensee's written signature and date of signing, along with the date of license expiration, shall be placed adjacent to the seal. The licensee may provide, at his or her sole discretion, an original signature in the licensee's handwriting, a scanned copy of the document bearing an original signature, or a signature generated by a computer.
- b) All technical submissions issued by a structural engineering firm, corporation, limited liability company, professional limited liability company or partnership are required to bear the corporate or assumed business name and design firm registration number, in addition to the seal requirements.
- c) A suggested facsimile of the design and lettering of the seal is found in Section 1480.ILLUSTRATION A.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 46 Ill. Reg. _____, effective _____)

Section 1480.150 Examination

a) Beginning with~~Prior to~~ the April 2011 exam administration, the examination for licensure as a structural engineer shall be divided into 2~~3~~ Parts.

1) Part I - Fundamentals of Engineering. This examination shall consist of problems or other examining techniques designed to evaluate the applicant's knowledge of the basic and engineering sciences and related subjects normally considered as the fundamentals of engineering.

2) Part II – 16-hour Structural~~Structural I~~ Examination. This examination replaces the Structural I and Structural II examinations. This examination shall consist of two 8-hour components: the Vertical Forces (gravity/other) and Incidental lateral component and the Later Forces (wind/earthquake) component. An applicant must receive acceptable results on both 8-hour components to pass the Structural Examination. The problems may include, but not be limited to, bridges, buildings, foundations, or~~be 8 hours in duration and shall consist of problems or other examining techniques relating to designs in or to~~ the practice of structural engineering as described in Section 5 of the Act.

3) An applicant may sit for each component in separate exam administrations but must receive acceptable results on both components within a five-year period. If both components are not satisfactorily completed within the five-year period, the applicant shall be required to retake the first component~~Structural II Examination. This examination shall be 8 hours in duration and shall consist of problems or other examining techniques relating to designs in structural engineering, including seismic design. These problems may include, but not be limited to, bridges, buildings, foundations, and seismic and lateral forces.~~

4) Part I of the examination shall be waived for an applicant who is enrolled as an engineer intern or licensed as a professional engineer and who received such license by passing the fundamentals of engineering examination administered under the authority of the Illinois Professional Engineer Practice Act of 1989 or from another state or territory.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

b) A state constructed Structural III examination shall not be accepted towards meeting the examination requirements for licensure. Beginning with the April 2011 exam administration, the examination for licensure as a structural engineer shall be divided into 2 Parts.

1) Fundamentals of Engineering. This examination shall consist of problems or other examining techniques designed to evaluate the applicant's knowledge of the basic and engineering sciences and related subjects normally considered as the fundamentals of engineering.

2) 16 hour Structural Examination. This examination shall consist of two 8-hour components: the Vertical Forces (gravity/other) and Incidental Lateral component and the Lateral Forces (wind/earthquake) component. An applicant must receive acceptable results on both 8-hour components to pass the Structural examination. An applicant may sit for each component in separate exam administrations but must receive acceptable results on both components within a five year period. The problems may include, but not be limited to, bridges, buildings, foundations, or the practice of structural engineering as described in Section 5 of the Act. This examination replaces the Structural I and Structural II examinations.

3) No credit will be accepted for passing either the Structural I or the Structural II examination, if both the examinations were not passed prior to the April 2011 examination administration.

c) The NCEES 8-hour Principles & Practice of Engineering Civil/Structural examination shall not be accepted towards meeting the examination requirement for licensure as a structural engineer.

de) The examination administered by the Division shall be provided by the National Council of Examiners for Engineering and Surveying (NCEES). The specific examination content shall be as determined by periodic evaluations of the test specifications by NCEES.

ed) The scoring of the examinations and determination of scores shall be as approved by NCEES.

fe) Separate scores shall be given for the Fundamentals of Engineering, Structural I

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~and Structural II~~ and/or the 16-hour Structural. All scores shall be graded as pass or fail. Once an applicant fails a Part of the examination, that Part shall not be waived.

g(f) Candidates may not review their examination booklet or the associated answer sheets. Rescoring of the examination or any individual problem is not permitted; however, a retabulation of the numerical score will be permitted for a paper examination, but no retabulation of a computer-based examination is allowed.

h(g) Retake of Examination

- 1) Applicants shall be required to retake only the Part on which a passing score was not achieved.
- 2) If an applicant fails to pass an examination for licensure under this Act within 3 years after filing the application, the application shall be denied. However, the applicant may thereafter make a new application for examination, accompanied by the required fee (Section 1480.195). New applications shall include proof of meeting the qualifications for examination in effect at the time of the new application except as provided for in subsection (g)(1).

i(h) Successful scores of previously passed Parts of the examination shall be accepted for the purpose of licensure provided the applicant has met all other requirements for licensure as outlined in the Act. For these purposes, the most recent score on a Part shall be the score of record. In no circumstances shall the Division accept a previous passing score on a Part for an applicant whose score of record is a failing score.

j(i) After the October 2010 examination administration, if an applicant has not passed both the Structural I and II examinations, the applicant will be required to take and pass the 16-hour Structural examination and will receive no credit for passing either the Structural I or the Structural II examinations.

k(j) Examinations may be given in various formats with different application submittal dates depending on the examination format. ~~For examinations administered in paper form in October and April, the application deadline is November 15 for the April exam and May 15 for the October exam. For examinations administered continuously in a computer-based format, there is no~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~deadline for submittal of the application. Computer-based examinations will be offered at times and in manners prescribed by NCEES. If approved for any examination, paper or computer-based, the applicant will be allowed to test for three years after the date of receipt of the application by the Department, with no limit on the number of times the examination may be taken.~~

- 1) For examinations administered in paper form in October and April, there is an examination assignment cutoff date that varies depending on the actual date of the examination. For examinations administered in the spring, receipt of the applications after November 15 for the April exam or, for examinations administered in the fall, after May 15 for the October examination, may not provide sufficient time for required credentials to arrive at the Department and be reviewed by the Board prior to the exam assignment cutoff date. If this occurs, the applicant will be approved to sit for a later examination if all requirements are met.
- 2) For examinations administered continuously in a computer-based format, there is no deadline for submittal of the application and the applicant, if approved to sit for the exam, will be allowed to test for three years after date of receipt of the application by the Department. For the computer based examinations, there will be four windows in a year, with a maximum of three attempts in any calendar year, and no more than one attempt in a window.

lk) Any person who is licensed in Illinois as a Structural Engineer will not be allowed to retake a passed examination or take a different version of the structural examination unless specifically required to do so by the Board.

m) If an applicant has failed an examination, the examination may not be waived for licensure.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.160 Restoration

- a) A licensee seeking restoration of a license that has expired for less than 5 years shall have the license restored upon application on forms provided by ~~to~~ the Division, proof of 30 hours of continuing education completed in accordance with Section 1480.185 within 2 years prior to the date of submitting the application,

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

and payment of the required fee specified in Section 1480.195.

- b) A licensee seeking restoration of a license that has been placed on inactive status for less than 5 years shall have the license restored upon application on forms provided by~~to~~ the Division, proof of 30 hours of continuing education completed in accordance with Section 1480.185 within 2 years prior to the date of submitting the application, and payment of the current renewal fee specified in Section 1480.195.
- c) A licensee seeking restoration of a license after it has expired or been placed on inactive status for more than 5 years shall file an application, on forms provided~~supplied~~ by the Division, for review by the Board and proof of 30 hours of continuing education completed in accordance with Section 1480.185 within 2 years prior to the date of submitting the application, together with the fee required by Section 1480.195. The licensee shall also submit:
 - 1) Sworn evidence of active practice in another jurisdiction for at least the last 2 years. The evidence shall include a statement from the appropriate board or licensing authority in the other jurisdiction that the licensee was authorized to practice during the term of the active practice;
 - 2) An affidavit attesting to military service, as provided in Section 14 of the Act;
 - 3) Proof of passage of the NCEES ~~Structural II examination or the~~ 16-hour Structural examination (see Section 1480.150) within the 5 years preceding restoration; or
 - 4) Other evidence of continued competence in structural engineering, shall be satisfied by one of the below~~including, but not limited to:~~
 - A) Employment in a responsible capacity by a licensed structural engineer;
 - B) Lawfully practicing structural engineering as an employee of a governmental agency;
 - C) Teaching structural engineering courses in a college or university; or

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

D) Submit a written proposal to the Division for review by the Board of college level structural engineering courses, structural engineering association programs or certifications, or similar programs he or she plans to complete (subject to pre-approval of the Board) to demonstrate continued evidence of practice and competence. Continuing education, as required in Sections 1480.160 or 1480.185, cannot be utilized for this requirement. **Performing structural engineering research.**

d) Any person seeking restoration of a license within 2 years after discharge from military service (see Section 14 of the Act) will be required to pay only the current renewal fee.

e) ~~A restoration applicant shall meet the requirement for seismic design set forth in Section 1480.175.~~

ef) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience required by subsection (c)(4) is questioned by the Division because of discrepancies or conflicts in information, information needing further clarification, and/or missing information, the licensee seeking restoration of a license shall be requested to:

- 1) Provide information as may be necessary; and/or
- 2) Appear for an interview before the Board to explain the relevance or sufficiency when the information available to the Board is insufficient to evaluate the individual's current competency to practice under the Act. Upon recommendation of the Board, and approval by the Director of the Division of Professional Regulation (Director) with the authority delegated by the Secretary, an applicant shall have the license restored or shall be notified of the reason for the denial of the application for restoration.

f) A professional design firm seeking restoration of a license that has expired for any length of time shall have the license restored upon payment of the late fee plus any lapsed renewal fee required by Section 1480.160 and submitting proof of the following:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Certificate of Good Standing from the Illinois Secretary of State or a copy of the letter or certificate received from the county clerk where an assumed name has been filed.
- 2) Proof that the managing agent-in-charge is still a full-time employee or a resolution appointing a new managing agent.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.170 Endorsement

- a) Any person who holds an unexpired certificate of registration or license to practice structural engineering issued under the laws of another state or territory and who desires to become licensed by endorsement shall file an application, on forms provided by the Division, together with:
 - 1) Proof of meeting requirements substantially equivalent to those in force in this State at the time of original or subsequent licensure by examination in the other jurisdiction (i.e., a separate written 16 hour structural engineering examination and the Fundamentals of Engineering examination), including official conferred college transcripts~~certification of education~~ and verification of experience;
 - 2) A certification by the jurisdiction of original licensure and certification from the jurisdiction of predominant active practice, including the following:
 - A) The time during which the applicant was licensed in that jurisdiction, including the date of the original issuance of the license;
 - B) The basis of licensure and a description of all examinations by which the applicant was licensed in that jurisdiction and the date of passage of any such examinations; and
 - C) Whether the records of the licensing authority contain any disciplinary action taken against the applicant;
 - 3) If the qualifications of the applicant at the time of original licensure did

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

not meet the requirements for licensure in this State at that time, the applicant may submit additional certifications of other jurisdictions to indicate meeting the qualifications in effect in this State at the time of any later licensure;

- 4) The required fee set forth in Section 1480.195;
- 5) Applicants who received their baccalaureate education in a foreign country, other than Canada and who were originally licensed after January 1, 1997 shall have the education evaluated at their expense. Applicants shall obtain the forms from NCEES Engineering and Surveying Credentials Evaluations, 200 Verdae Boulevard, Greenville, SC 29607 P.O. Box 1686 (280 Seneca Creek Road), Clemson SC 29633-1686. Evaluations completed prior to October 30, 2006 from Engineering Credentials Evaluation International (ECEI) are also accepted. The Board has only approved NCEES and ECEI as evaluators for all engineering degrees. The Board will review all transcripts and the evaluation submitted to the Division to determine if the education meets the requirements set forth in Sections 1480.110 and 1480.120; and
- 6) Proof of passage of the Test of English as a Foreign Language Internet Based Test (TOEFL-iBT) with a minimum score of 26 on the speaking module and a total minimum integrated score of 88 (TOEFL) and the Test of Spoken English (TSE), for applicants who were originally licensed in another jurisdiction after January 1, 1997, who graduated from a structural engineering, architecture or related science program outside the United States or its territories and whose first language is not English. In order to determine applicants whose first language is English, the applicant shall submit verification from the school that the structural engineering, architecture or related science program from which the applicant graduated was taught in English. The minimum acceptable scores are 550 for the paper TOEFL, 213 for the computer based TOEFL and 50 for the TSE, or 88 for the internet based TOEFL iBT with a minimum score of 26 on the speaking module. However, any applicant who subsequently earned a post-graduate degree in structural engineering from an accredited educational institution in the United States or its territories shall not be subject to this requirement.
- 7) In lieu of the documentation specified subsection (a)(1) and (2) and

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

applicant may submit a current NCEES Council Record.

- ~~b) An endorsement applicant shall meet the requirements for seismic design set forth in Section 1480.175.~~
- be) The Division may, in individual cases, upon the recommendation of the Board, waive a portion of the examination requirements after consideration of the quality of an applicant's structural engineering education and experience, including whether he or she has graduated from an approved programengineering curriculum, has achieved special honors or awards, has had numerous articles published in professional journals, has participated in the writing of textbooks relating to structural engineering, and any other attribute the Board accepts as evidence that the applicant has outstanding and proven ability in the practice of structural engineering.
- cd) In order to provide background in structural engineering experience, an applicant licensed as a structural engineer in another state or territory and who has met all previously stated requirements may be requested to appear before the Board for an oral interview at which questions will be asked to determine the applicant's qualifications and knowledge of structural engineering. Specifically, questions may explore the applicant's knowledge concerning the design of concrete, structural steel, timber, masonry and foundations and analysis procedures, design codes, materials and recommended practices for design and construction.
- de) When the accuracy of any submitted documentation, or the relevance or sufficiency of the course work or experience, is questioned by the Division or the Board because of lack of information, discrepancies or conflicts in information given or a need for clarification, the applicant seeking a license may be requested to:

 - 1) Provide information as may be necessary;
 - 2) Appear for oral interviews before the Board; and/or
 - 3) If licensed prior to January 1, 1997, upon review of the educational requirements, have his or her education evaluated at his or her expense as set forth in subsection (a)(5).
- ef) The Division shall examine each endorsement application to determine whether

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

the qualifications of the applicant, at the time of original or subsequent licensure, were substantially equivalent to the requirements then in force in this State. After review of the application, the Division shall either issue a license by endorsement to the applicant or notify the applicant of the reasons for the deferral or denial of the application. An applicant not qualified for licensure by endorsement shall automatically be reviewed under the provisions of Section 1480.140.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.175 Seismic Design Requirement (Repealed)

~~All restoration or endorsement applicants applying for licensure pursuant to Sections 1480.160 and 1480.170 must submit satisfactory evidence of knowledge in seismic design at the time of application.~~

- a) ~~The seismic design requirement can be satisfied by passage of one of the following:~~
 - 1) ~~The 16 hour NCEES Structural examination beginning with the April 2011 administration;~~
 - 2) ~~The NCEES Structural II examination beginning with the April 2004 administration;~~
 - 3) ~~The NCEES Structural II PM examination administered by Illinois from April 1991 through October 2003;~~
 - 4) ~~The NCEES Structural II PM examination administered by all other jurisdictions from April 1993 through October 2003;~~
 - 5) ~~The Western States Structural Examination administered from Spring 1993 through Fall 2003;~~
 - 6) ~~The Western States Structural Examination administered prior to Spring 1993 and submission of satisfactory evidence that the applicant has been responsible for current seismic design procedures during his or her practice of structural engineering within the 5 years prior to application to Illinois;~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

7) ~~Satisfactory completion of a Board approved course of instruction dealing with seismic design that is part of an approved engineering curriculum. Evidence of completion shall be a college transcript;~~

8) ~~Satisfactory completion of a Board approved professional seminar dealing with seismic design and involving a minimum of 16 contact hours of lectures within the 5 years prior to application. Evidence of completion shall be by means of a valid certificate of completion signed by the providers of the seminars. A short essay of approximately 1000 words to be reviewed by the Board on Illinois seismic conditions and requirements may be used to satisfy a maximum of 2 hours of the 16 contact hour requirement; or~~

9) ~~Evidence that the applicant has, within the 5 years prior to application to Illinois, taught Board approved professional seminars or courses dealing with current seismic design procedures that are part of an approved engineering curriculum or has conducted significant research into the problems of seismic resistance of structures and published the results of the significant research.~~

b) ~~Evidence of passage of one of the examinations identified in subsections (a)(1) through (4) shall be submitted by the licensing jurisdiction where the applicant passed the examination.~~

e) ~~The Board shall utilize, but not be limited to, the following standards when approving a course or seminar in subsection (a):~~

- 1) ~~Effects of earthquakes on buildings or bridges;~~
- 2) ~~Structural standards and specifications for buildings or bridges;~~
- 3) ~~Concepts in structural dynamics;~~
- 4) ~~Seismic loading, including seismicity;~~
- 5) ~~Seismic response analysis; and~~
- 6) ~~Seismic design concepts, including concrete, steel, other structural materials and foundations.~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Repealed at 46 Ill. Reg. _____, effective _____)

Section 1480.180 Inactive Status

- a) Any licensed structural engineer who notifies the Division in writing on forms prescribed by the Division may elect to place his or her license on inactive status and shall be excused from the payment of renewal fees until he or she notifies the Division in writing of a desire to resume active status.
- b) Any licensee seeking restoration from inactive status shall do so in accordance with Section 1480.160.
- c) Any licensed structural engineer whose license is on inactive status shall not practice structural engineering in the State of Illinois. Practicing or offering to practice on a license that is on inactive status shall be considered unlicensed activity and shall be grounds for discipline under Section 20 of the Act.
- d) [Inactive status is not available for a Professional Design Firm.](#)

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.185 Continuing Education

The continuing education required as a condition for license renewal under the Act is set forth in this Section. All structural engineers shall meet these requirements.

- a) Continuing Education Requirements
 - 1) For every renewal, renewal applicants shall complete 30 hours of Continuing Education (CE) relevant to the practice of structural engineering during each pre-renewal period. The pre-renewal period is the 24 months preceding the expiration date of the license. Failure to comply with these requirements may result in nonrenewal of the structural engineer's license or other disciplinary action, or both. A maximum of 15 qualifying CE hours gained within six months from the current renewal deadline and not used for the current renewal period may be carried over to the subsequent renewal period but shall not include the requirements for the State statutes and rules, professional conduct and/or ethics, or sexual

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

harassment prevention training, which must all be satisfied during each pre-renewal period. CEs used in this manner must be documented on the appropriate Department issued form.

- 2) Beginning with the November 30, 2020 renewal and ever renewal thereafter, the total continuing education hours shall include one hours of sexual harassment prevention training that shall meet the requirements of Section 1130.400 of the Civil Administrative Code.
- 3) Beginning with the November 30, 2024 renewal and every renewal thereafter, the total continuing education hours shall include:
 - A) A minimum of 1 hour of programs, courses or activities in the area of Illinois statutes and rules that regulate structural engineers and structural engineering.
 - B) A minimum of 1 hour of programs, courses, or activities in the area of professional conduct and/or ethics.
- 2) ~~A renewal applicant is not required to comply with CE requirements for the first renewal following the original issuance of the license.~~
- 43) Structural engineers licensed in Illinois but residing and practicing in another state must comply with the CE requirements set forth in this Section. Continuing education credit hours used to satisfy the CE requirements of another state and meeting the requirements of this Section may be submitted toward fulfillment of the CE requirements of the State of Illinois.
- 54) The minimum length of any single CE activity is one hour. After completion of the initial CE hour, credit may be given in one-half hour increments.
- 65) One continuing education hour shall represent a minimum of 50 minutes of instruction or participation. No credit will be allowed for introductory remarks, meals, breaks or administrative matters related to courses of study. For a CE activity consisting of a single presentation with duration greater than 60 minutes or consisting of multiple individual presentations with total duration greater than 60 minutes, the CE credit earned shall be

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

determined by totaling the minutes of instruction or participation and dividing by 60 to convert to hours. The number of hours from this calculation shall be rounded down to the nearest one-half hour increment. A maximum of 12 CE hours may be earned within a 24-hour period, where a period begins at midnight.

76) Nontechnical portions of a CE activity, such as receptions, dinners, etc., do not qualify for credit as CE.

b) Activities for which CE credit may be earned are as follows:

- 1) Successful completion of a~~Course work relevant to structural engineering completed at an accredited~~ college or university course in the area of structural engineering, related sciences and structural engineering ethics. One semester credit hour ~~of course work~~ is equivalent to 15 hours of CE and one quarter credit hour ~~of course work~~ is equivalent to 10 hours of CE.
- 2) ~~A maximum of 10 CE credit hours per pre renewal period may be earned for the completion of a self administered course.~~ All required CE hours may be obtained online; however, each self-administered course shall include an examination that will be graded by the sponsor.
- 3) Successful completion of continuing education courses.
- 4) A maximum of 10 CE credit hours per prerenewal period may be earned for attending in-house courses. Credit for in-house courses will be based on one CE credit for each hour of attendance. For courses presented in-house by outside individuals, see subsection (b)(3).
- 5) Attending workshops or professional or technical meetings, conventions or conferences in person or by webinar in real-time with opportunities for interaction with the presenter. Attendance at qualifying programs, professional and/or technical society meetings will earn CE credits for the actual time of each program. Visiting exhibitor booths or similar activities shall not qualify for CE credit. Recorded webinars shall be considered self-administered and subject to the requirements of subsection (b)(2).
- 6) Teaching or instructing a structural engineering course, seminar, lecture,

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

presentation or workshop shall constitute 3 CE hours for each hour spent in the actual presentation. Teaching credit shall be valid for the initial presentation only. Teaching credit shall not apply to faculty teaching regularly scheduled curriculum courses at a college, university, or other educational institution~~presenting in the activities described in subsections (b)(1) through (5). CE credit will be applied at the rate of 3 hours for every hour taught, and only for the first presentation of the program (i.e., credit shall not be allowed for repetitious presentations of the same program).~~

- 7) Authoring published papers, articles or books. The preparation of each published paper or book chapter dealing with structural engineering may be claimed as 10 hours of CE credit.
- 8) ~~Active~~Two hours of CE credit may be earned by active participation on a structural engineer board, committee or holding an office in a professional or technical society. ~~A maximum of 10 CE credit hours earned through participation on committees will be accepted per prerenewal period.~~
 - A) Two CEs will be awarded per committee membership or office held.
 - B) A maximum of 8 CEs may be accepted per pre-renewal period.
- c) All programs or courses shall:
 - 1) Contribute to the advancement, extension and enhancement of the professional skills and scientific knowledge of the licensee in practice of structural engineering;
 - 2) Foster the enhancement of general or specialized practice and values of structural engineering;
 - 3) Be developed and presented by persons with education and/or experience in the subject matter of the program; and
 - 4) Specify the course objectives, course content and teaching methods to be used.
- d) Acceptable providers for programs or course activities shall include, but not be

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

limited to:

- 1) National Council of Examiners for Engineering and Surveying (NCEES);
- 2) Structural Engineers Association of Illinois (SEAOI);
- 3) National Society of Professional Engineers (NSPE);
- 4) Illinois Society of Professional Engineers (ISPE);
- 5) American Council of Engineering Companies of Illinois (ACEC-IL);
- 6) Technical or professional societies or organizations relating to professional engineering, such as the American Society of Civil Engineers (ASCE);
- 7⁴) Technical or professional societies or organizations relating to structural engineering;
- 8²) Colleges, universities or other accredited educational institutions; or
- 9³) Providers of services or products used by or specified by structural engineers.

e) The Division shall not pre-approve individual courses or programs.

f) CEs that are non-structural in nature shall not be accepted unless licensee can substantiate how the course enhances their license, as a structural engineer in Illinois cannot legally offer or perform non-structural services.

g)e) For auditing or restoration purposes, it⁴ shall be the responsibility of a licensee to maintain a record of CE for 6⁴ years after the renewal that includes:

- 1) All of the following:
 - A) The name and address of the sponsor or presenter;
 - B) A brief statement of the subject matter, printed program schedules, registration receipts or other proof of participation;

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

C) The number of hours attended in each program; and

D) The date and place of the program; or

2) The certificate of attendance, transcript or records of CE credits maintained by an acceptable provider of continuing education or a records administrator, or log of activities that include activities for CE credit not given by a CE provider.

h^f) Certification of Compliance with CE Requirements

1) Each renewal applicant shall certify, on the renewal application, full compliance with the CE requirements set forth in subsection (a).

2) The Division may require additional documentation in order to demonstrate compliance with the CE requirements. It is the responsibility of each renewal applicant to retain or otherwise produce evidence of compliance. The additional documentation will be required in the context of a Division audit.

3) When there appears to be a lack of compliance with CE requirements, an applicant will be notified and may request an interview with the Board. At that time the Board may recommend that steps be taken to begin formal disciplinary proceedings as required by Section 10-65 of the Illinois Administrative Procedure Act [5 ILCS 100].

i^g) The Division may conduct random audits to verify compliance with continuing education requirements.

j^h) Waiver of CE Requirements: A licensee may be exempt from the foregoing CE requirements if one of the following situations occurs. If an exemption is claimed, it is required that the renewal fee and any documentation needed to support the exemption be submitted for renewal of a license. Waiver requests must be made before the end of the renewal period. Waiver requests sent after the end of the renewal period shall not be considered.

1) A licensee shall not be required to report continuing education hours during the first biennial renewal period in which the licensee obtained

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

initial licensure in Illinois, but shall be subject to the continuing education requirements for all subsequent biennial renewal~~Any renewal applicant seeking renewal of a license without having fully complied with these CE requirements shall file with the Division a renewal application, the required renewal fee, a statement setting forth the facts concerning the non-compliance, a request for waiver of the CE requirements on the basis of these facts, and proof of CE that was completed during the pre-renewal period. The applicant may request an interview with the Board at the time of the waiver request. If the Division, upon the written recommendation of the Board, finds from the applicant's affidavit or any other evidence submitted that extreme hardship has been shown to substantiate granting of a waiver, the Division shall waive enforcement of the CE requirements for the renewal period for which the applicant has applied.~~

- 2) A licensee who is on full-time active duty in the military service of the United States, or is a licensee who is called to temporary active duty in the military service or Armed Forces of the United States for a period of time exceeding 120 consecutive days during the renewal period, when that activity or location restricts participation in a continuing education program~~If an interview with the Board is requested at the time the request for waiver is filed with the Division, the renewal applicant shall be given at least 20 days written notice of the date, time and place of the interview by certified mail, return receipt requested.~~
- 3) A licensee who demonstrates to the satisfaction of the Division that meeting these requirements would be an undue hardship by reason of disability, illness, or other clearly mitigating circumstances shall submit supporting documentation~~Extreme hardship shall be determined by the Board on an individual basis and be defined as an inability to devote sufficient hours to fulfilling the CE requirements during the applicable pre-renewal period because of:~~
 - A) The documentation shall be in the form of a sworn statement by the licensee, statement from a physician, or medical record showing the disability, illness, or circumstance preventing the licensee's participation in the continuing education program~~Full-time service in the armed forces of the United States of America during a substantial part of the pre-renewal period.~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

B) If the Division finds from the evidence that good cause has been shown for non-compliance, the Division may waive enforcement, extend the time within which the applicant shall comply, or establish a particular program or schedule of continuing education for the renewal period in which the undue hardship existed.~~An incapacitating medical condition, documented by a currently licensed physician;~~

C) Consecutive waiver requests made for reasons of disability, illness, or other circumstances may be prima facie evidence for non-renewal of applicant's license based on an inability to actively engage in licensed practice.~~A physical inability to travel to the sites of approved programs, documented by a currently licensed physician; or~~

D) ~~Any other similar extenuating circumstances (i.e., family illness and prolonged hospitalization).~~

4) Any renewal applicant who, prior to the expiration date of his/her license, submits a request for a waiver, pursuant to the provisions of this subsection (h), shall be deemed to be in good standing and may practice until the Division's final decision on the waiver has been made.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.190 Renewals

- a) Every license issued to an individual under the Act shall expire on November 30 of each even-numbered year. The holder of a license may renew the license during the month preceding the expiration date by completing the continuing education requirements in accordance with Section 1480.185 and paying the required fee set forth in Section 1480.195.
- b) It is the responsibility of each licensee to notify the Division of any change of address. Failure to receive a renewal form from the Division shall not constitute an excuse for failure to pay the renewal fee or to renew one's license.
- c) Every license issued to a professional design firm under the Act shall expire on April 30 of each odd-numbered year. The holder of the license may renew that

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

license for a 2-year period during the month preceding~~preceding~~ the expiration date by paying the required fee. The holder shall certify that the firm still meets the requirements of the Act and is in good standing with the Illinois Secretary of State (when applicable) and has an active managing agent-in-charge.

- d) Practicing or offering to practice on a license that has expired shall be considered unlicensed activity and shall be grounds for discipline under Section 20 of the Act.
- e) It is the responsibility of each licensee to notify the Division of any discipline or conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony under the laws of the United States or any state or territory thereof, or that is a misdemeanor, an essential element of which is dishonesty, or any crime that is directly related to the practice of the profession of structural engineering since the last renewal.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.195 Fees

The following fees shall be paid to the Department and are not refundable:

- a) Application Fees
 - 1) The fee for application for a license as a structural engineer is \$100. In addition, applicants for an examination shall be required to pay the examination fee, either to the Department or to the designated testing service. Failure to appear for the examination on the scheduled date, at the time and place specified, after the applicant's application for examination has been received and acknowledged by the Department or the designated testing service, shall result in the forfeiture of the examination fee.
 - 2) The application fee for a license as a structural engineer intern is \$50.
 - 3) The application fee for a certificate of registration as a professional design firm is \$75.
- b) Renewal Fees

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) The fee for the renewal of a structural engineer license shall be calculated at the rate of \$30 per year.
- 2) The fee for renewal of a certificate of registration as a professional design firm is \$75 for the renewal period (see Section 1480.190(c)).

c) General Fees

- 1) The fee for the restoration of a license other than from inactive status is \$50 plus payment of all lapsed renewal fees.
- 2) There is no charge~~The fee for the issuance of a duplicate license, for the issuance of a replacement license for a license that has been lost or destroyed, or for the issuance of a license with a change of name or address, other than during the renewal period, is \$20. No fee is required for name and address changes on Division records when no duplicate license is issued. Licenses are available electronically through the Department website.~~
- 3) The fee for a certification of a licensee's record for any purpose is \$20.
- 4) The fee to have the tabulation of the score of an examination administered by the Division reviewed and verified is \$20 plus any fee charged by the testing service.
- 5) ~~The fee for a wall certificate showing licensure shall be the actual cost of producing the certificate.~~
- 5~~6~~) The fee for a roster of persons licensed as structural engineers or structural engineer interns in this State shall be the actual cost of producing the roster.

d) All of the fees collected pursuant to this Section shall be deposited in the Design Professionals Administration and Investigation Fund.

e) Additional Fees

- 1) Any person who delivers a check or other payment to the Department that

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

is returned to the Department unpaid by the financial institution upon which it is drawn shall pay to the Department, in addition to the amount already owed to the Department, a fee of \$50.

- 2) If the check or other payment was for a renewal or issuance fee and that person practices without paying the renewal fee or issuance fee and the fee for a returned check, an additional fee of \$100 shall be imposed.
- 3) The fees imposed by this Section are in addition to any other discipline provided under the Act for unlicensed practice or practice on a nonrenewed license. The Division shall notify the person that payment of fees shall be paid to the Department by certified check or money order within 30 calendar days after the notification.
- 4) If, after the expiration of 30 days from the date of the notification, the person has failed to submit the necessary remittance, the Division shall automatically terminate the license or certificate or deny the application, without hearing.
- 5) If, after termination or denial, the person seeks a license or certificate, he or she shall apply to the Division for restoration or issuance of the license or certificate and pay all fees due to the Division. The Division may establish a fee for the processing of an application for restoration of a license or certificate to pay all expenses of processing this application.
- 6) The Director may waive the fees due under this Section in individual cases in which the Director finds that the fees would be unreasonable or unnecessarily burdensome.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.200 Professional Design Firm

- a) Persons who desire to practice structural engineering in this State in the form of a corporation, professional service corporation, partnership, professional limited liability company, limited liability company, limited liability partnership, or sole proprietorship (if the sole proprietorship is conducting or transacting business under an assumed name in accordance with the Assumed Business Name Act [805 ILCS 405]) shall, in accordance with Section 19 of the Act, file an

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

application with the Division on forms provided by the Division, together with the following:

- 1) For Corporations or Professional Service Corporations (Registration as a professional design firm shall meet the registration requirements of Section 12 of the Professional Service Corporation Act [805 ILCS 10/12].)
 - A) The name of the corporation and its registered address, the names of all members of the board of directors, and the name of the state and license number for each director who is a licensed design professional.
 - B) A copy of the Articles of Incorporation bearing the seal of the office, in the jurisdiction in which the corporation is organized, whose duty it is to register corporations under the laws of that jurisdiction. If it is a foreign corporation, a copy of the certificate of authority to transact business in this State issued by the Secretary of State is also required. The purpose clause of the Articles of Incorporation or the certificate of authority shall designate that the corporation is authorized to provide structural engineering services. Each corporation shall remain active and in good standing with the Secretary of State in order to maintain professional design firm registration.
 - C) A signed and dated resolution of the board of directors of the corporation designating a regular full-time employee of the corporation who has an active Illinois structural engineer license as the managing agent in charge of the structural engineering activities in Illinois. The Illinois license number of the structural engineer designated as the managing agent shall also be included in the resolution.
 - D) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the corporation, if applicable.
 - E) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

2) For Partnerships

A) General

- i) A copy of the signed and dated partnership agreement authorizing the partnership to provide structural engineering services. The agreement shall contain the name of the partnership, its business address and the names of all general partners. The name of the state in which each partner is licensed as a design professional and the license number shall be listed on the application.
- ii) A signed and dated resolution adopted by the general partners designating a regular full-time employee of the partnership who has an active Illinois structural engineer license as the managing agent in charge of the structural engineering activities in this State. The license number of the managing agent shall be included in the resolution.
- iii) A copy of the partnership documentation bearing the stamp of the county clerk where the partnership has been filed.
- iv) A letter or certificate from the county clerk where an assumed name has been filed, if applicable.

B) Limited Partnership

- i) A signed and dated copy of the partnership agreement indicating that it has been filed with the Secretary of State authorizing the partnership to provide structural engineering services. The partnership agreement shall contain the name of the partnership, its business address and the name of each partner. The name of the state in which each partner is licensed and the license number shall be listed on the application.
- ii) A signed and dated resolution adopted by the partners designating a full-time employee of the partnership who has an active Illinois structural engineer license in this

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

State. The Illinois license number of the structural engineer designated as the managing agent shall also be included in the resolution.

- iii) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.
- iv) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the partnership, if applicable.

3) For Professional Limited Liability Companies, Limited Liability Companies or Limited Liability Partnerships

- A) An application containing the name of the professional limited liability company, limited liability company or partnership, the business address and the members/partners of the company/partnership, the name of the state and the license number of each design professional who is a member or partner.
- B) A copy of the resolution of the members' or partners' operating agreement or partnership agreement filed with the Secretary of State stating the company or partnership is authorized to offer structural engineering services.
- C) A signed and dated resolution of the members or partners designating a regular full-time employee of the company who has an active Illinois structural engineer license as the managing agent in charge of the structural engineering activities in this State. The license number of the managing agent shall also be included in the resolution.
- D) A copy of the authority to transact business under the Assumed Business Name Act issued by the Secretary of State for any assumed names of the professional limited liability company, limited liability company or partnership, if applicable.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

E) A certificate of good standing from the Secretary of State and a copy of the latest annual report, if applicable.

F) The Secretary of State requires that all businesses organized as an LLC and who provide or plan to provide professional services which are regulated/licensed by the Illinois Department of Financial and Professional Regulation must register as a Professional Limited Liability Company (PLLC) with the Illinois Secretary of State's Office.

4) For Sole Proprietorships with an Assumed Name

A) An application containing the name of the sole proprietorship and its business address and the name and Illinois license number of the structural engineer who owns and operates the business.

B) A letter or certificate from the county clerk where an assumed name has been filed.

5) A list of all office locations in Illinois at which the corporation, professional service corporation, professional limited liability company, limited liability company or partnership, partnership or sole proprietorship provides structural engineering services.

6) The fee required in Section 1480.195.

b) A professional design firm may designate more than one managing agent in charge of structural engineering activities. However, a licensee designated as the managing agent may not serve as a managing agent for more than one corporation, professional service corporation, professional limited liability company, limited liability company/partnership, or partnership doing business in Illinois, except when an entity is created as a joint venture of 2 or more professional design firms for a specific project. The managing agents designated by the professional design firms may be designated as the managing agents for the participating firms in the joint venture.

c) Upon receipt of the documents required by subsection (a) and review of the application, the Division shall issue a registration authorizing the corporation, professional service corporation, professional limited liability company, limited

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

liability company/partnership, partnership or sole proprietorship to engage in the practice of structural engineering or notify the applicant of the reason for the denial of the application.

- d) Each corporation, professional service corporation, professional limited liability company, limited liability company/partnership, partnership or sole proprietorship shall be responsible for notifying the Division within 30 days after any changes in:
 - 1) The membership of the board of directors, members/partners of the professional limited liability company, limited liability company/partnership or the general partners;
 - 2) The licensure status of the general partners, members/partners of the professional limited liability company, limited liability company/partnership or any of the licensed structural engineer members of the board of directors; and
 - 3) An assumed name.
- e) Each corporation, professional limited liability company, limited liability company/partnership, professional service corporation or partnership shall be responsible for notifying the Division in writing, by certified mail, within 10 business days after the termination or change in status of the managing agent. Thereafter, the corporation, professional service corporation, limited liability company/partnership or partnership, if it has so informed the Division, has 30 days to notify the Division of the name and license number of the structural engineer licensed in Illinois who is the newly designated managing agent.
- f) Any failure to notify the Division as required in subsections (d) and (e) or any failure of the corporation, professional service corporation, professional limited liability company, limited liability company/partnership, partnership or sole proprietorship to continue to comply with the requirements of Section 19 of the Act will subject the corporation, professional limited liability company, limited liability company or partnership to the loss of its registration to practice structural engineering in Illinois.
- g) Sole Proprietorships. Any sole proprietorship owned and operated by a structural engineer who has an active Illinois license is exempt from the registration

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

requirements of a professional design firm. However, if the sole proprietorship operates under an assumed name, the sole proprietor shall file an application in accordance with subsection (a)(4) with the Division. A sole proprietorship shall notify the Division of all assumed name changes. Any sole proprietorship not owned and operated by an Illinois licensed structural engineer shall be prohibited from offering structural engineering services to the public.

- h) In addition to the seal requirements in Section 12 of the Act, all documents or technical submissions prepared by the design firm shall contain the design firm registration number issued by the Division.

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.210 Standards of Professional Conduct

~~To In order to~~ safeguard the life, health, safety, and property, ~~to promote the public welfare of the public~~, and to ~~establish and maintain a high standard of integrity and high standards of skill and in the~~ practice of structural engineering. ~~The, the~~ following standards Standards of professional conduct Professional Conduct shall be binding upon on every licensee person holding a license as a structural engineer and on all Professional Design Firms ~~corporations and partnerships~~ authorized to offer or perform practice structural engineering services in Illinois ~~this State~~.

- a) Licensee's Obligation to the Public Professional Responsibility. ~~Licensees shall be responsive to the needs of clients and employers, but shall hold paramount life, health, property and the welfare of the public.~~
 - 1) Licensees shall be cognizant that their first and foremost responsibility is to all times recognize that their primary obligation is to safeguard protect the life, health, safety, property and welfare of the public when performing services for clients and employers. If their professional judgment is overruled under circumstances where the life, health, property or welfare of the public is endangered, they shall notify their client or employer and such authority as may be appropriate (which may include the Division or other law enforcement agencies).
 - 2) Licensees shall sign approve and seal only those plans and other documents that conform to accepted structural engineering standards and that safeguard the designs reviewed or prepared by them, and found to be

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~safe for the public~~ health, ~~safety, property~~ and welfare ~~of the public~~.

- 3) Licensees shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled when the health, safety, or welfare of the public is endangered~~not reveal confidential facts, data or information obtained in a professional capacity without the prior consent of the client, except as authorized or required by law.~~
- 4) Licensees shall, to the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements, and testimony~~not permit the use of their name or firm's name, nor shall they be associated in business ventures with persons or firms which they have reason to believe to be engaging in fraudulent or dishonest business practices.~~
- 5) Licensees shall express a professional opinion publicly only when it is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter~~having knowledge of any alleged violation of any of this Part shall cooperate with the Division, furnishing such information or assistance as may be required to conduct an investigation resulting from a complaint.~~
- 6) Licensees shall issue no statements, criticisms, or arguments on structural engineering matters that are inspired or paid for by interested parties, unless they explicitly identify the interested parties on whose behalf they are speaking and reveal any interest they have in the matters.
- 7) Licensees shall not partner, or offer to practice with any person or firm that they know is engaged in fraudulent or dishonest business or professional practices.
- 8) Licensees who have knowledge or reason to believe that any person or firm has violated any rules or laws applying to the practice of structural engineering shall report it to the Division, may report it to appropriate authorities, and shall cooperate with the Division and those authorities as requested.
- 9) Licensees shall not knowingly provide false or incomplete information

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

regarding an applicant in obtaining licensure.

10) Licensees shall comply with the licensing laws and rules governing structural engineering profession in each of the jurisdictions in which they practice.

b) Licensee's Obligation to Employer and Clients ~~Competence. Licensees shall perform services only in areas of their competence.~~

- 1) Licensees shall undertake assignments only when qualified by education ~~or and~~ experience in the specific technical field of structural engineering involved.
- 2) Licensees shall not affix their ~~signatures~~signature or ~~seals~~seal to any plans, specifications, or other documents dealing with subject matter in which they lack competence, nor to any such plans, specifications, ~~plan~~ or other documents, ~~document~~ not prepared ~~or reviewed~~ under their direct supervisory control.
- 3) Licensees may accept an assignments and assume responsibility for coordination of an assignment outside of their field~~fields~~ of competence ~~if each technical segment is signed and sealed by the licensee responsible for preparation of that technical segment~~ ~~to the extent that their services are restricted to those phases of the project in which they are qualified, and to the extent that all other phases of the project will be performed by licensees qualified in those phases.~~
- 4) Licensees shall not reveal facts, data, or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which they serve except as authorized or required by law or rules.
- 5) Licensees shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients.
- 6) Licensees shall disclose to their employers or clients all known or potential conflicts of interest or other circumstances that could influence or appear to influence their judgment or the quality of their professional

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

service or engagement.

- 7) Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to in writing by all interested parties.
- 8) Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body that they serve.
- 9) Licensees shall not use confidential information received in the course of their assignments as a means of making personal profit without the consent of the party from whom the information was obtained.

c) Licensee's Obligation to Other Licensees~~Professional Integrity. Licensees shall issue professional statements in an objective and truthful manner.~~

- 1) ~~Licensees shall not falsify or permit misrepresentation of their, or their firm's professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incidental to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments~~
~~be completely objective and truthful in all structural engineering reports, statements or testimony.~~
- 2) ~~Licensees shall not offer, give, solicit, or receive, either directly or indirectly, any commission, or gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority~~
~~may express publicly a professional opinion on technical subjects only when it is founded upon adequate knowledge of the facts and a background of competence in the subject matter.~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

3) Licensees~~A licensee, when acting as a representative of an individual or organization, shall not injure or attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensees, nor indiscriminately criticize other licensees' work~~~~issue no statements, criticisms, or arguments on structural engineering matters without first prefacing those comments by explicitly identifying on whose behalf the comments will be made. When the licensee is acting as a consultant, expressing a professional opinion, such opinion shall be prefaced by complete personal identification as a consultant, without necessarily naming the client. The licensee shall reveal any personal interest in the matter.~~

4) Licensees shall make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, or welfare of the public, unless such reporting is legally prohibited.

4) ~~Conflict of Interest. Licensees shall act in professional matters for each employer or client as faithful agents of trustees and shall avoid conflicts of interest.~~

4) ~~Licensees shall conscientiously avoid conflicts of interest with their employers or clients. Whenever conflicts of interest appear unavoidable, however, licensees shall disclose promptly to their employers or clients any business association, interest or circumstance that may influence judgment or quality of services.~~

2) ~~Licensees shall not accept compensation, financial or other, from more than one party for services on a project or for services pertaining to a project unless the licensee makes full disclosure and receives consent of all interested parties.~~

3) ~~Licensees shall not solicit or accept financial or other valuable consideration from any material supplier or equipment supplier for specifying the supplier's products except when the licensee is a known employee or agent of the supplier.~~

4) ~~Licensees shall not solicit or accept gratuities, directly or indirectly, from any contractor, architect, engineer or other party dealing with the licensee's employer or client in connection with work for which the~~

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

~~licensee is responsible.~~

- 5) ~~Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their firm or organization serves as a member. Conversely, licensees serving as members, advisors or employees of a governmental body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services solicited or provided by them or their organization.~~
- e) ~~Employment Solicitation. Licensees shall avoid improper solicitation of professional employment.~~
- f) ~~Licensees shall not offer to pay, either directly or indirectly, any commission, political contribution, gift or other consideration in order to secure professional assignments.~~
- 2) ~~Licensees shall not falsify or permit misrepresentation of their, or their associates' academic or professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in or for the subject matter of prior assignments. Brochures or solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments with the intent or purpose of enhancing their qualifications and/or their work.~~

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480.220 Granting Variances

- a) The Director may grant variances from this Part in individual cases when he or she finds that:
 - a1) the provision from which the variance is granted is not statutorily mandated;
 - b2) no party will be injured by the granting of the variance; and
 - c3) the rule from which the variance is granted would, in the particular case, be unreasonable or unnecessarily burdensome.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

b) ~~The Director shall notify the Board of the granting of a variance, and the reasons for granting the variance, at the next meeting of the Board.~~

(Source: Amended at 46 Ill. Reg. _____, effective _____)

Section 1480. APPENDIX A Significant Dates for the Administration of the Act and Rules

a) July 5, 1915. The State Board of Examiners of Structural Engineers Act became effective on July 5, 1915. Prior to that date, there was no regulation in Illinois governing the practice of structural engineering or requiring registration of engineers. Examinations were required for all applicants who could not prove that they had been working as a structural engineer in Illinois for the 10 years prior to the Act. The State Board of Examiners of Structural Engineers was to be composed of 5 members, one of whom shall be a professor in the Civil Engineering Department of the University of Illinois and the other four shall be structural engineers of recognized standing. Structural engineers were exempt from the requirements of the 1897 Architect Act. The Board was appointed by the Governor and was autonomous, received application fees, elected officers including treasurer and filed with Illinois Secretary of State any changes in the Act or Rules.

b) July 1, 1919. Original Act of 1915 repealed. State Board of Examiners of Structural Engineers and office of the secretary of board abolished. Powers, duties and responsibilities transferred to the Department of Registration and Education. The new Act was named the Illinois Structural Engineering Act. The practice of structural engineering was defined in the Act. The requirement to take the structural exam, given by the Department, was a four-year degree with a structural emphasis. The minimum age was 21 to take the examinations. Firms offering structural services must have a registered structural engineer as the principal. The Department of Registration and Education shall hold examinations. Licensure of structural engineers licensed in other states may be licensed in Illinois if, at the date of licensure, the requirements were substantially equal to those in force in Illinois at the date of original licensure.

c) July 10, 1935. Act amended adding the Committee comprised of 5 members, one of whom shall be a professor in the Civil Engineering Department of the University of Illinois and the other four shall be structural engineers of recognized standing. The Department shall not exercise powers or duties, except on the action and report in writing of the Committee.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

d) 1941. Added to the definition of practice: Professional engineer not to practice structural engineering without registration as a structural engineer.

e) The administrative rules filed with the Secretary of State on December 23, 1960 stated:

- 1) Examinations – the written examination that was available in 1960 was the 16-hour state constructed structural examination. It consisted of four 4-hour examinations in the following divisions:
 - A) General engineering knowledge.
 - B) Reinforced concrete.
 - C) Structural steel.
 - D) Wood, masonry, foundations.
- 2) Allowed an oral examination with the Board that included blueprints or other reproductions of three or more major structures prepared by the applicant or under the applicant's immediate supervision over a ten year period subsequent to his graduation from an accredited engineering curriculum which included structural engineering.
- 3) Accredited College: A college of engineering whose standards and curricula, including structural engineering, are equivalent to and whose credits are acceptable by the University of Illinois, College of Engineering, will be accredited by the Department of Registration and Education.
- 4) Experience Requirements: A minimum of 6 years structural experience. Those who graduated from an accredited curriculum which included structural engineering shall be credited with two years of the required 6-year period. Those with a minimum of no less than 10 years of experience may request an oral examination.

f) All examinations were state constructed until Illinois accepted the NCEES examinations as standard on the following dates:

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Fundamentals of Engineering – April 1984 - replaced
- 2) Structural I – April 1984 – replaced combined Divisions B1, C1, D1
- 3) Structural II – October 1987 – this was in two Parts: AM and PM: replaced combined Divisions B2, C2, D2

g) Complaint Review Sub-Committee: 1993 Act established that the Board may create a complaint review sub-committee. Rules were adopted in 1994 establishing the Complaint Review Sub-Committee.

h) 1996 Renewals required either proof of:

- 1) having passed the Illinois administered NCEES Structural II PM examinations after October 1991, the Western States Structural Examination after 1993 or the NCEES Structural II PM examinations administered in another jurisdiction starting with the Spring 1993; or
- 2) satisfactory completion of a Board approved professional seminar dealing with seismic design and involving a minimum of 16 contact hours; or
- 3) evidence that the licensee has taught a Board approved professional seminar dealing with seismic design that is part of an approved engineering curriculum. The same requirement was placed on all applicants applying by endorsement who were licensed in other jurisdictions.

i) August 2, 1996. Proof of completion of the Test of English as a Foreign Language (TOEFL) with a score of 550 and Test of Spoken English (TSE) with a score of 50 for all applicants applying who graduated from an engineering program outside the United States or its territories and whose first language is not English.

j) August 2, 1996. All applicants with a foreign baccalaureate degree are required to submit at their own expense a course-by-course evaluation.

k) 2003. The Western States Structural Examination was no longer offered. Some western states offered a state constructed Structural III examination. Illinois

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

required passage of the SE I & II exams and has never recognized that state constructed SE III exam as meeting Illinois specific requirements.

- l) 2004. The NCEES Structural II exam was changed from two 4-hour portions (AM and PM) to one 8-hour Structural II exam.
- m) Beginning with the November 30, 2004 renewal and all renewals thereafter, renewal applicants shall complete 30 Continuing Education (CE) hours relevant to the practice of structural engineering during each prerenewal period, a maximum of 10 may be earned as a self-administered course.
- n) Restoration requires completion of the CE as stated in Section 1480.185 in addition to all other restoration requirements.
- o) October 30, 2006. Engineering Credentials Evaluation International (ECEI) ceased evaluating credentials. The Board approved the Center for Professional Engineering Credentials (CPEES) as the only engineering evaluation service.
- p) August 6, 2009. CPEES changed its name to NCEES Credentials Evaluations service.
- q) In March of 2010, the Test of English as a Foreign Language (TOEFL and the Test of Spoken English (TSE) ceased to be offered as the TOEFL-iBT (Internet Based Test) was established and superseded this exam. While in effect, the TOEFL and TSE requirements were a minimum score of 550 or 213 for the computer-based test and the TSE was a minimum score of 50.
- r) 2011. NCEES no longer offered the SE I & II exams. These were replaced by the 16-hour structural examination which consists of two 8-hour components: The Vertical Forces (gravity/other) and Incidental Lateral component, and the Lateral Forces (wind/earthquake) component. An applicant must receive acceptable results on both 8-hour components to pass the structural examination. Prior to the April 2011 exam administration, the examination for licensure as a structural engineer shall be divided into 3 parts. Those 3 parts are: (1) Fundamentals of Engineering; (2) Structural I Examination; and (3) Structural II Examination.
- 1) Fundamentals of Engineering. This examination shall consist of problems or other examining techniques designed to evaluate the applicant's

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

knowledge of the basic and engineering sciences and related subjects normally considered as the fundamentals of engineering.

- 2) Structural I Examination. This examination shall be 8 hours in duration and shall consist of problems or other examining techniques relating to designs in or to the practice of structural engineering as described in Section 5 of the Act.
- 3) Structural II Examination. This examination shall be 8 hours in duration and shall consist of problems or other examining techniques relating to designs in structural engineering, including seismic design. These problems may include, but not be limited to, bridges, buildings, foundations, and seismic and lateral forces.
- 4) No credit will be accepted for passing either the Structural I or the Structural II examination if both the examinations were not passed prior to the April 2011 examination administration.

s) January 1, 2014. NCEES changed the Fundamentals of Engineering exam from a paper and pencil examination to a Computer Based Test (CBT) which became available on demand up to three times a year, no more than once per quarter.

(Source: Added at 46 Ill. Reg. _____, effective _____)

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

NOTICE OF PROPOSED AMENDMENTS

Section 1480.ILLUSTRATION A Structural Engineer Seal and Signature



[Signature]
[Date Signed]
License Expires: [Date]

(Source: Added at 46 Ill. Reg. _____, effective _____)