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**INDEPENDENT REGULATORY REVIEW COMMISSION**  
333 MARKET STREET, 14TH FLOOR, HARRISBURG, PA 17101

March 9, 2005

George Roman, P.E., P.L.S, Chairman  
State Registration Board for Professional Engineers, Land Surveyors and Geologists  
2601 North Third Street  
Harrisburg, PA 17110

Re: Regulation #16A-478 (IRRC #2453)  
State Registration Board for Professional Engineers, Land Surveyors and Geologists  
Biennial Renewal Fees and Examination Fees

Dear Chairman Roman:

Enclosed are the Commission's comments for consideration when you prepare the final version of this regulation. These comments are not a formal approval or disapproval of the regulation. However, they specify the regulation review criteria that have not been met.

The comments will be available on our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us). If you would like to discuss them, please contact me at 783-5506.

Sincerely,

Mary S. Wyatt  
Acting Executive Director/Chief Counsel

evp

Enclosure

cc: Honorable Thomas P. Gannon, Majority Chairman, House Professional Licensure Committee  
Honorable William W. Rieger, Democratic Chairman, House Professional Licensure Committee  
Honorable Robert M. Tomlinson, Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Lisa M. Boscola, Minority Chairman, Senate Consumer Protection and Professional Licensure Committee  
Honorable Pedro A. Cortes, Secretary, Department of State

## **Comments of the Independent Regulatory Review Commission**

on

### **State Registration Board for Professional Engineers, Land Surveyors and Geologists Regulation No. 16A-478 (IRRC #2453)**

#### **Biennial Renewal Fees and Examination Fees**

**March 9, 2005**

We submit for your consideration the following comments that include references to the criteria in the Regulatory Review Act (71 P.S. § 745.5b) which have not been met. The State Registration Board for Professional Engineers, Land Surveyors and Geologists (Board) must respond to these comments when it submits the final-form regulation. The public comment period for this regulation closed on February 7, 2005. If the final-form regulation is not delivered within two years of the close of the public comment period, the regulation will be deemed withdrawn.

#### **1. Section 37.17. Schedule of fees. – Clarity.**

The House Professional Licensure Committee (House Committee) submitted comments dated February 15, 2005, recommending “that the Board add language to the regulation which states that the testing organization will set the fee and that applicants will pay the fee directly to the testing organization.” We agree that language should be added indicating who sets and collects fees.

#### **2. Section 37.16. General information; application and examination. – Clarity.**

Existing Subsection (c) (relating to examinations) states:

Written examinations will be held in Pittsburgh, Harrisburg, Philadelphia and other places designated by the Board during the months of April and October of each year. Applications for examination eligibility shall be submitted to the Board office by December 1 for the April examination and by July 1 for the October examination.

The House Committee questioned whether existing Section 37.16(c) should be amended, given that the testing organization administers the examination. We also seek this clarification.

Subsection (c) is inconsistent with the Board’s website concerning examination dates and application deadlines for geologists. The website lists examination dates in March rather than April and application deadlines of November 15 and June 15, not December 1 and July 1. The Board should consider replacing the specific information in the regulation with a reference to where applicants can find current information concerning the current testing organizations, examination fees, examination deadlines, examination dates and examination locations.

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**Facsimile Cover Sheet**

**Kristine M. Shomper**  
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INDEPENDENT REGULATORY REVIEW COMMISSION

**To:** Suzanne Hoy  
**Agency:** Department of State  
 Licensing Boards and Commissions  
**Phone:** 7-2628  
**Fax:** 7-0251  
**Date:** March 9, 2005  
**Pages:** 3

**Comments:** We are submitting the Independent Regulatory Review Commission's comments on the State Registration Board for Professional Engineers, Land Surveyors and Geologists regulation #16A-478 (IRRC #2453). Upon receipt, please sign below and return to me immediately at our fax number 783-2664. We have sent the original through interdepartmental mail. You should expect delivery in a few days. Thank you.

Accepted by:

Date:

3/9/05