

Occupational Board Reform Act Survey

Response – Nebraska Board of Engineers and Architects

Provide an explanation of why you believe or do not believe that the occupational regulations overseen by your board have been effective.

The Board's position is that the occupational regulations it oversees, Neb. Admin. Code, Title 110 is effective. The regulations include provisions on initial licensure for architects and professional engineers, comity licensure, temporary permits, code of ethical practice for licensees, use of the licensee seal, organizational practice requirements, enforcement procedures, continuing education, and clarifications to the Engineers and Architects Regulation Act.

The Board is committed to keeping its regulations up to date and concise through regular reviews. Because of national trends in licensure standards and processes for engineers and architects, the Board continually keeps its rules modernized and up-to-date in several ways.

The Nebraska Board is a member of both the National Council of Architectural Registration Boards (NCARB) and the National Council of Examiners for Engineering and Surveying (NCEES). Board members and staff attend meetings of these organizations to discuss common issues and policies that may affect licensure. These organizations also develop and publish national model laws that state governments can use as a high-level but sound and realistic benchmark that provides greater uniformity of qualifications for licensure. In addition, using their national examinations and model law also simplifies interstate licensure and mobility of architects and professional engineers. This is demonstrated by the fact that, based on our response to the question regarding number of regulated professionals in Nebraska, nearly two-thirds of our active licensees have an address of record outside Nebraska.

We have also simplified the licensing process described in the regulations for individuals who maintain a record of their qualifications through NCARB or NCEES. For those individuals who meet the requirements, Board staff can process their license application and issue the license in a matter of days once all application materials have been received.

When it begins the rulemaking process, the Board communicates with over 20 primary stakeholder groups for feedback and suggestions as standard practice. The Board is committed to keeping these organizations—who have previously expressed an interest in the E&A Regulation Act—informed in order to ensure the Board's regulations are effectively implemented and not burdensome.

It is also the Board's goal to publish notification of the public hearing on rules promulgation well in advance of the actual hearing(s).

Finally, the Board is a leader in using the process outlined in the Negotiated Rulemaking Act (N.R.S. § 84-921 to 84-932) in the past for proposed rule changes.

What is the potential harm if this occupation is no longer licensed, certified, or regulated?

The practices of architecture and engineering greatly impact the health, safety, and welfare of the citizens of Nebraska.

Virtually all Nebraskans benefit from the services of architects and professional engineers each day and often without knowledge of their professional involvement. Supplying safe drinking water; safely designing the roads and bridges we drive over; providing safe and secure places to work, shop, and socialize; applying technology; developing building codes; improving air quality; treating

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wastewater; and protecting our state's limited natural resources are just a few areas where the knowledge of architects and professional engineers are needed if not required by state or municipal laws.

Errors in architectural or engineering design can have disastrous consequences in case of an emergency, accident, or failure. Through licensing, architects and professional engineers shoulder the responsibility for not only their work, but for the lives affected by that work and hold themselves to high ethical standards of practice through the Board's code of practice adopted via regulations.

Without professional licensing, consumers do not have the specialized knowledge needed to evaluate the competency, qualifications, and performance for these highly complex and technical professions.

Provide a comparison of whether and how other states regulate the occupation.

All 50 states and 5 U.S. territories regulate the professions of engineering and architecture through professional licensing.

Number of regulated professionals in Nebraska

As of June 18, 2020:

1,932 Architects (571 with address of record in Nebraska, 1,361 with out-of-state address)

8,359 Professional Engineers (2,569 with address of record in Nebraska, 5,790 with out-of-state address)

2,210 active organizations authorized to practice engineering or architecture (290 with address of record in Nebraska, 1,920 with out-of-state addresses).

Total Engineers by License Type: 74 Agricultural, 3 Agricultural and Biological, 84 Architectural, 80 Chemical, 4,438 Civil, 36 Control Systems, 1,327 Electrical, 503 Electrical and Computer, 164 Environmental, 78 Fire Protection, 29 Industrial, 1,431 Mechanical, 12 Metallurgical, 13 Mining & Minerals, 6 Nuclear, 6 Petroleum, 2 Sanitary, 1 Software, 765 Structural. Note that it is not uncommon for engineers to have more than one license discipline (one could be both a Professional Civil Engineer and a Professional Structural Engineer, for example), so the totals of these are more than the total number of licensed individuals: