

Burgos, Alexander N

Subject: FW: [External] Re: RRC Meeting Jan 2026-Request for Technical Changes

From: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Sent: Monday, January 5, 2026 3:36 PM
To: Wes Tripp <wtripp@ncbels.org>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: RE: [External] Re: RRC Meeting Jan 2026-Request for Technical Changes

Wes,

Thank you for the responses and changes.

In (a)(4), please include whether the incorporated Standard “includes subsequent amendments and editions”. Also, include that the Standard can be obtained on the website “at no cost”.

I’m otherwise satisfied with the changes. Please reply at your earliest convenience.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

Burgos, Alexander N

Subject: FW: [External] Re: RRC Meeting Jan 2026-Request for Technical Changes
Attachments: 21 NCAC 56 .0501.docx; 01.2026 - Engineers and Surveyors- Request for Technical Changes.docx

From: Wes Tripp <wtripp@ncbels.org>
Sent: Tuesday, December 30, 2025 4:28 PM
To: Wiggs, Travis C <travis.wiggs@oah.nc.gov>
Cc: Burgos, Alexander N <alexander.burgos@oah.nc.gov>
Subject: [External] Re: RRC Meeting Jan 2026-Request for Technical Changes

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Travis,

Thank you for your review on this rule. Please see the attached revised rule. The Request for Technical Changes document is also attached with my responses to your questions in red font.

—Wes



S. Wesley Tripp III
Board Counsel
North Carolina Board of Examiners for Engineers and Surveyors
4601 Six Forks Road, Suite 310
Raleigh, NC 27609
Office: (919) 791-2000, Ext. 111
Mobile: (919) 906-9518

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REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Examiners for Engineers and Surveyors

RULE CITATION: 21 NCAC 56 .0501

DEADLINE FOR RECEIPT: January 13, 2026

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

In (a), line 5, why is "Certain" capitalized? Is it defined elsewhere?

"Certain" is capitalized in (a), line 5 because it is the first word of a sentence.

Line 6, consider replacing "concerning" with "describing" if appropriate.

Lines 18-19, Is there a necessary threshold or standard applied to "technical courses that contain(s) engineering or scientific principles? What is considered a "technical course"? How many courses or hours must "contain engineering or scientific principles" to qualify?

No, there is no necessary threshold or standard applied to technical courses that contain engineering or scientific principles. N.C. Gen. Stat. § 89C-13(a)(2) and (a1)(1)(b) have historically been interpreted by the Board to include non-ABET accredited engineering degrees and science degrees. These class of degrees require the applicant for licensure to obtain eight years of experience rather than four for those with ABET accredited engineering degrees.

I have proposed revised language to clarify this interpretation.

Line 19, consider replacing "This" with "The curriculum".

Line 27, spell out "NCEES" the first time used. Just move it from line 30 to 27.

Lines 27-28, please incorporate the standard by reference if your agency intends to enforce it. If not, I'm satisfied with how it's currently cited.

Page 2, lines 20-21, "of a professional grade and character, and shall be performed" was published in the Register but is stricken here. Also, lines 23-24, "The Board"

Travis C. Wiggs
Commission Counsel
Submitted to agency: December 29, 2025

through “experience” was not published but is now in the Rule. How does this not constitute a substantial change under 150B-21.2(g)?

This language was revised post-publication to mirror changes made to the sister rule concerning surveying education in 21 NCAC 56.0601 approved by RRC at the November 2025 meeting. This language addressed a staff counsel concern that the “grade and character” language was a vague standard.

This revised language does not constitute a “substantial change” under N.C. Gen. Stat. § 150B-21.2(g) because the language proposed for removal in (b)(1), lines 22-23 is redundant. Progressive engineering experience gained under the responsible charge of a licensed professional engineer is patently experience “of a professional grade and character.”

The language proposed to be removed in (b)(1), lines 25-26 is similarly redundant language. The previous sentence establishes a standard that half of an applicant’s engineering experience shall be gained under the responsible charge of a licensed professional engineer, but then allows the applicant to seek a waiver of that standard if the applicant can demonstrate to the Board why the experience should be considered acceptable.

Accordingly, the proposed revisions clarify an applicant’s experience requirements by removing vague language without substantively changing what’s expected of an applicant without adequate notice.

Line 35, consider replacing “show” with “demonstrate” and “assumption” with “progression”.

Page 3, lines 6 and 9, please clarify what “one year” and “two years” means in this context.

Line 24, consider adding “the” prior to “for” and adding “qualification” after “practice”.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Travis C. Wiggs
Commission Counsel
Submitted to agency: December 29, 2025

21 NCAC 56 .0501 is amended with changes as published in 40:04 NCR 441–43 as follows:

21 NCAC 56 .0501 REQUIREMENTS FOR LICENSING

(a) Education. Pursuant to G.S. 89C-13, ~~The~~ the Board shall consider the education of an applicant in determining eligibility for ~~licensing~~ certification as an Engineer Intern or licensure as a Professional Engineer. ~~The~~ Certain terms ~~used by the Board for~~ [concerning] [describing] the educational requirements found in G.S. 89C-13(a1) G.S. 89C-13 to ~~be eligible to be licensed as a Professional Engineer~~ are defined as follows:

- (1) ~~"Engineering curriculum of four or more years approved by the Board" is defined as "An~~ EAC/ABET accredited program" is a program that has been accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET). ~~This program is incorporated by reference including subsequent amendments and editions. This material is available at www.abet.org/accreditation criteria policies documents/ at no cost, or for inspection at the office of the North Carolina Board of Examiners for Engineers and Surveyors. Copies may be obtained at the Board office at a cost of five dollars (\$5.00) per copy. A list of accredited programs can be found on ABET's website at <https://www.abet.org>.~~
- (2) ~~"Engineering or related science curriculum of four or more years other than ones approved by the Board" is defined as "An engineering curriculum or related science curriculum of four years or more" is a~~ curriculum, although not accredited by ABET, of technical courses that contains engineering or scientific principles, curriculum including non-ABET accredited engineering degrees or related science degrees. [This] The curriculum may also [includes] include a bachelor's degree in engineering technology, whether or not accredited by the Engineering Technology Accreditation Commission (ETAC) of ABET.
- (3) ~~"A master's degree in engineering from an institution that offers EAC/ABET accredited programs" and "an earned doctoral degree in engineering from an institution that offers EAC/ABET accredited programs" are~~ graduate degrees in engineering from an institution which offers EAC/ABET accredited undergraduate programs.
- (4) Educational programs "approved by the Board as being of satisfactory standing" include foreign degrees equivalent to the [NCEES] National Council of Examiners for Engineering and Surveying (NCEES) Engineering Education [Standard,] Standard, which is incorporated by reference. A copy of the applicable standard is available at <https://ncees.org/ncees-services/credentials-evaluations/>. Foreign degrees shall be considered substantially equivalent only after the Board obtains an evaluation report from the Credentials Evaluations Service of [the National Council of Examiners for Engineering and Surveying (NCEES)] NCEES evaluating the foreign degree.
- (3) ~~"Equivalent education satisfactory to the board" is defined as:~~
 - (A) ~~A graduate degree in Engineering from an institution where the same discipline undergraduate engineering program has been accredited by ABET (EAC) shall be~~

considered equivalent to an engineering curriculum of four or more years approved by the Board.

(B) — A bachelor's degree in Engineering Technology, whether or not accredited by the Technology Accreditation Commission (TAC) of ABET, shall be considered equivalent to an engineering or related science curriculum of four or more years other than one approved by the Board.

(C) — Foreign degrees shall be considered equivalent only after receipt of an evaluation report that the degree is substantially equivalent to an EAC/ABET accredited engineering curriculum from the Center for Professional Engineering Education Services, an affiliate of the National Council of Examiners for Engineering and Surveying (NCEES), or from the American Association of Collegiate Registrars and Admissions Officers (AACRAO). The Board shall equate the degree to an EAC/ABET accredited engineering curriculum of four or more years approved by the Board in Subparagraph (a)(1) of this Rule if it receives a substantially equivalent evaluation.

(b) Experience. Pursuant to G.S. 89C-13, ~~The the~~ Board shall consider the experience of an applicant ~~shall be considered~~ in determining eligibility for certification as an Engineer Intern or licensure ~~whether an applicant is eligible to be licensed~~ as a Professional Engineer.

(1) Required Experience. In evaluating ~~the work experience required,~~ experience, the Board shall consider ~~the an applicant's~~ total experience record and ~~the its~~ progressive nature of the record. nature. Experience shall be of a progressive engineering nature obtained after graduation from a program that meets the criteria set forth in G.S. 89C-13 and defined in Paragraph (a) of this Rule. Not less than half of required engineering experience shall be of a professional grade and character, and shall be performed gained under the responsible charge of a licensed Professional Engineer, or if not, the applicant shall submit a written explanation to the Board explaining why the experience should be considered acceptable. The Board shall approve the experience on a case-by-case basis if it is satisfied of the grade and character of the progressive experience. Experience gained under the technical supervision of an unlicensed individual shall be considered based upon the engineering education and experience credentials of the unlicensed supervisor. Experience gained in the armed services, typically while serving in an engineering or engineering related group, shall be accepted only if substantially equivalent to civilian work.

(2) Definition. ~~The word "progressive" in the terms "progressive nature of the record," "progressive engineering experience," "progressive land surveying," "progressive engineering nature," or "progressive experience on engineering projects"~~ "Progressive experience" means requires that during the period of time provided as experience, ~~that~~ an applicant made a practical utilization of acquired knowledge and demonstrated continuous improvement, growth, and development ~~have been shown~~ in the utilization of that knowledge as revealed in the complexity and technical detail of the work product or work record. The applicant shall show demonstrate continuous assumption

of greater individual responsibility for the work product over that period of time. The progressive experience on engineering projects shall ~~be of a grade and a character~~ demonstrate an increasing quality and responsibility that shows the Board that the applicant is competent to practice engineering.

(3) Credit for Experience. In evaluating progressive engineering experience, the Board shall give credit for experience in the following areas of work:

(A) One year of credit shall be granted for graduate ~~Graduate~~ schooling or research in an engineering program resulting in award of a master's degree from an institution that offers EAC/ABET-accredited ~~programs— one year;~~ programs;

(B) Two years of credit shall be granted for graduate ~~Graduate~~ schooling or research in an engineering program resulting in award of an earned doctoral degree in engineering from an institution that offers EAC/ABET-accredited ~~programs— two years, with or without a master's degree, but this includes the one year for the master's degree, if obtained;~~ programs. If an applicant has earned both a master's and doctoral degree in engineering from an institution that offers EAC/ABET accredited programs, the applicant shall receive only two years of credit.

(C) A maximum of two years of credit shall be granted for progressive ~~Progressive~~ land surveying ~~—maximum two years;~~ experience; and

(D) Teaching of engineering subjects at the university level in an engineering program offering a four-year or more degree approved by the Board.

The Board shall not accept combinations of the categories in this Subparagraph as fulfilling all the necessary statutory experience requirements. ~~Every applicant for licensure as a Professional Engineer, as part of the total experience requirement, shall show a minimum of one year experience of a progressive engineering nature in industry, government, or under a licensed Professional Engineer offering service to the public.~~

~~Full time engineering faculty members who teach in an engineering program offering a four year or more degree approved by the Board may request and shall be granted waiver of the minimum one year experience in industry, government, or private practice if they demonstrate consulting or research work of at least one year's duration, which was pursued to completion of the project, and that is of a progressive engineering nature. The faculty applicant shall document the work to evidence that the work meets the Board's requirement.~~

(4) An exception to the requirement in Subparagraph (b)(1) of this Rule that experience be obtained after graduation is for the long-established practice qualification of 20 years or more, as provided for in G.S. 89C-13(a3).

(5) Other experience is considered if it is:

(A) Experience obtained prior to graduation as part of an ABET accredited engineering program shown on the transcript, with a maximum credit of one year; or

(B) Experience obtained in a foreign country that is performed under direct supervision of a Professional Engineer licensed with a member Board of the National Council of Examiners for Engineering and Surveying (NCEES).

History Note: Authority G.S. 89C-10; 89C-13;
Eff. February 1, 1976;
Readopted Eff. September 29, 1977;
Amended Eff. August 1, 2014; August 1, 2011; May 1, 2009; August 1, 2002; August 1, 2000; August 1, 1998; November 2, 1992; April 1, 1989; January 1, 1982;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. [January 1, 2026;] February 1, 2026; July 1, 2020.

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To: Wes Tripp
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Good afternoon,

I'm the attorney who reviewed the rules submitted by the Board of Examiners for Engineers and Surveyors for the January 2026 RRC meeting. The RRC will formally review these rules at its meeting on Thursday, January 29, 2026, at 10:00 a.m. The meeting will be a hybrid of in-person and WebEx attendance, and an invite should be sent to you as we get close to the meeting. If there are any other representatives from your agency who want to attend virtually, please let me know prior to the meeting, and we will get invites out to them as well.

Attached is the Request for Changes Pursuant to G.S. 150B-21.10. Please submit the revised rules to me via email, no later than 5 p.m. on January 13, 2026. Let me know if you have any questions.

Thanks,

Travis C. Wiggs
Rules Review Commission Counsel
Office of Administrative Hearings
Telephone: 984-236-1929
Email: travis.wiggs@oah.nc.gov

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