

BEFORE THE BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS
DEPARTMENT OF LABOR AND INDUSTRY
STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF ADOPTION
RULE I military training or experience)

TO: All Concerned Persons

1. On March 27, 2014, the Board of Professional Engineers and Professional Land Surveyors (board) published MAR Notice No. 24-183-40 regarding the public hearing on the proposed adoption of the above-stated rule, at page 568 of the 2014 Montana Administrative Register, Issue No. 6.

2. On April 18, 2014, a public hearing was held on the proposed adoption of the above-stated rule in Helena. One comment was received by the April 25, 2014, comment deadline.

3. The board has thoroughly considered the comment received. A summary of the comment and the board's response is as follows:

COMMENT 1: One commenter provided information that certain military personnel (Reservists and National Guardsmen who have never been activated) in fact do not receive a DD 214 form upon their discharge from the military. Because the rule may be interpreted to absolutely require a DD 214 from all applicants who wish to submit evidence of relevant military training, service, or education as part of the licensure process, the commenter suggested the board amend this new rule to allow consideration of other evidence of military discharge in addition to or in lieu of a DD 214 form.

RESPONSE 1: The board agrees with the suggestions and is amending the new rule accordingly. The board is further amending this new rule to be consistent with the military experience rules of the rest of the department-attached licensing boards.

4. The board has adopted NEW RULE I (ARM 24.183.506) with the following changes, stricken matter interlined, new matter underlined:

NEW RULE I EQUIVALENCY OF MILITARY EDUCATION, TRAINING, AND EXPERIENCE (1) ~~Engineering and land surveying experience and education acquired during military service will be considered on a case-by-case basis. To be considered equivalent, the experience must fall within the "practice of engineering" as defined in 37-67-101(6), MCA, and the "practice of land surveying" as defined in 37-67-101(7), MCA.~~ Pursuant to 37-1-145, MCA, the board shall accept relevant military training, service, or education toward the requirements for licensure as a professional engineer or professional land surveyor.

(2) Relevant military training, service, or education must be completed by an applicant while a member of either:

- (a) United States armed forces;
- (b) United States reserves;
- (c) state national guard; or
- (d) military reserves.

(3) An applicant must submit satisfactory evidence of receiving military training, service, or education that is equivalent to relevant licensure requirements as a professional engineer or professional land surveyor. Satisfactory evidence includes:

(a) a copy of the applicant's military discharge document (DD 214 or other discharge documentation);

(b) a document that clearly shows all relevant training, certification, service, or education the applicant received while in the military, including dates of training and completion or graduation; and

(c) any other documentation as required by the board.

(4) The board shall consider all documentation received to determine whether an applicant's military training, service, or education is equivalent to relevant licensure requirements.

BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS
DAVID ELIAS, ENGINEER SURVEYOR,
PRESIDING OFFICER

/s/ DARCEE L. MOE

Darcee L. Moe
Rule Reviewer

/s/ PAM BUCY

Pam Bucy, Commissioner
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State May 12, 2014