AN ACT

Amending the act of May 23, 1945 (P.L.913, No.367), entitled, as amended, "An act relating to and regulating the practice of the profession of engineering, including civil engineering, mechanical engineering, electrical engineering, mining engineering and chemical engineering, the profession of land surveying and the profession of geology and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers-in-training and surveyors-in-training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, Land Surveyors and Geologists, the Department of State and the courts; prescribing penalties; and repealing existing laws," expanding the scope of the act to include soil science; further providing for definitions; and providing for procedure for licensing as professional soil scientist.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The title and section 1 of the act of May 23, 1945 (P.L.913, No.367), known as the Engineer, Land Surveyor and Geologist Registration Law, amended December 16, 1992 (P.L.1151, No.151), are amended to read:

AN ACT
Relating to and regulating the practice of the profession of engineering, including civil engineering, mechanical engineering, electrical engineering, mining engineering and chemical engineering, the profession of land surveying and the profession of soil science and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers-in-training and surveyors-in-training, soil scientists-in-training and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, Land Surveyors and Geologists and Soil Scientists, the Department of State and the courts; prescribing penalties; and repealing existing laws.

Section 1. Short Title.--This act shall be known and may be cited as the "Engineer, Land Surveyor and Geologist and Soil Scientist Registration Law."

Section 2. Section 2(g) of the act, amended December 16, 1992 (P.L.1151, No.151), is amended and the section is amended by adding subsections to read:

Section 2. Definitions.--As used in this act--

* * *

(g) "Board" means The State Registration Board for Professional Engineers, Land Surveyors and Geologists and Soil Scientists.

* * *

(u) "Practice of Soil Science" means the practice or the offer to practice soil science for others for a fee. The term
includes, but is not limited to: describing and classifying soils; soil mapping; predicting, determining and locating natural or man-induced soil conditions which may be useful or hazardous to mankind; recognizing, determining and evaluating soil conditions important to soil and land use; and developing soil management means to ensure the public welfare by safeguarding life, health, property and the environment. The term includes the performance of soil science service or work, consultation, investigation, evaluation, planning, mapping and inspection of soil science work required in implementing the provisions of any Federal, State or local law or regulation or the provisions of any ordinance, code, rule or permit required by any political subdivision. This subsection may not be construed to preclude the practice of soil science by other scientific disciplines, where the practice is regulated by separate rules, certification or licensure.

(y) "Professional Soil Scientist" means an individual licensed and registered under the laws of this Commonwealth to engage in the practice of soil science.

(w) "Soil Science" means the science that investigates soil as a natural three-dimensional body comprised of solids (minerals and organic matter), liquids, and gases, existing at the earth's surface, capable of supporting the growth of land plants and having properties resulting from the integrated effects of climate and living organisms, acting on earthy parent material, as conditioned by topography, over periods of time. Soil science includes, but is not limited to, the study of: soil formation, classification and mapping; physical, chemical, biological and fertility properties of soils; and the interpretation of these properties in relation to the use and
management of soils. The term also includes the subdisciplines
of pedology (study of soil morphology, formation and
classification), soil biology (study of soil organisms), soil
edaphology (influence of soil on organisms, especially plants),
soil chemistry and soil physics.

(x) "Soil Scientist-in-Training" means a candidate for
licensure as a professional soil scientist who has been granted
a certificate as a soil scientist-in-training after successfully
passing the prescribed written examination in fundamental soil
science subjects and who shall be eligible, upon the completion
of the requisite years of experience in soil science under the
supervision of a professional soil scientist or similarly
qualified soil scientist, for the final examination prescribed
for licensure as a professional soil scientist.

Section 3. Section 3 of the act, amended December 16, 1992
(P.L.1151, No.151), is amended to read:

Section 3. Practice of Engineering, Land Surveying [or]__
Geology or Soil Science Without Licensure and Registration
Prohibited.--(a) In order to safeguard life, health or property
and to promote the general welfare, it is unlawful for any
person to practice or to offer to practice engineering in this
Commonwealth, unless he is licensed and registered under the
laws of this Commonwealth as a professional engineer, for any
person to practice or to offer to practice land surveying,
unless he is licensed and registered under the laws of this
Commonwealth as a professional land surveyor [or],[ for any
person to practice or to offer to practice geology unless he is
licensed and registered under the laws of this Commonwealth as a
professional geologist or for any person to practice or offer to
practice soil science unless he is licensed and registered under
the laws of this Commonwealth as a professional soil scientist. Individuals licensed as professional engineers, professional land surveyors [or] registered landscape architects or professional soil scientists may perform geological work which is incidental to their engineering, surveying [or] landscape architecture or soil science without being licensed as a professional geologist. This subsection may not be construed to preclude the practice of soil science by other scientific disciplines, where the practice is regulated by separate rules.

certification or licensure.

(b) A person shall be construed to practice or offer to practice engineering, land surveying [or] geology or soil science who practices any branch of the profession of engineering, land surveying [or] geology or soil science; or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be an engineer, land surveyor [or] geologist or soil scientist, or through the use of some other title implies that he is an engineer, land surveyor [or] geologist or soil scientist or that he is registered under this act; or who holds himself out as able to perform, or who does perform any engineering, land surveying [or] geological or soil science service or work or any other service designated by the practitioner or recognized as engineering, land surveying [or] geology or soil science.

Section 4. Section 4(a), (b), (c), (d), (f), (g) and (i) of the act, amended December 16, 1992 (P.L.1151, No.151) and May 12, 2010 (P.L.192, No.25), are amended and the section is amended by adding a subsection to read:

Section 4. General Powers of Board.--The board shall have power--
(a) Approval of Engineering, Surveying [and] Geology and Soil Science Curricula.--To investigate and to approve or disapprove engineering, surveying [and] geology and soil science curricula of this State, and other states, territories and countries for the education of students desiring to be licensed to engage in the practice of engineering, land surveying [or] geology or soil science, and to revoke or suspend approvals where they are no longer deemed proper.

(b) Licensing Professional Engineers, Professional Land Surveyors [and] Professional Geologists and Professional Soil Scientists.--To provide for and to regulate the licensing, and to license to engage in the practice of engineering, land surveying [or] geology or soil science any person of good moral character and repute who speaks and writes the English language, if such person either--

(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state, foreign country or territory of the United States in which the requirements and qualifications to engage in the practice of engineering, land surveying [or] geology or soil science were at the time of the initial issuance of such license or certificate of registration at least equal to the existing standards of this Commonwealth: Provided, however, That such other state, territory or foreign country shall similarly license or register professional engineers, professional land surveyors [or] professional geologists or professional soil scientists licensed and registered in this Commonwealth. A person may be licensed under this subsection without examination.

(2) In relation to engineers and surveyors, holds a
certificate of qualifications issued by the National Bureau of
Engineering Registration of the National Council of Examiners
for Engineering and Surveying: Provided, The requirements and
qualifications of said bodies to engage in the practice of
engineering or land surveying are at least equal to the
standards of this Commonwealth. A person may be licensed under
this subsection without examination.

In carrying into effect clauses (1) and (2) of subsection (b)
of this section in relation to engineers and surveyors the board
may in its discretion enter into agreements for reciprocity with
the National Council of Examiners for Engineering and Surveying
and with states under such rules and regulations as the board
may prescribe.

(3) Complies with the education and experience criteria and
successfully completes the two-examination process for licensing
as a professional engineer, as set forth in section 4.2, or as a
professional land surveyor, as set forth in section 4.3 [or]
the examination process for licensing as a professional
geologist as set forth in section 4.4 or the examination process
for licensing as a professional soil scientist as set forth in
section 4.6.

(c) Investigations of Applications; Determination of
Competency of Applicants.--To investigate the allegations
contained in any application for licensure or certification
under this act in order to determine the truth of such
allegations and to determine the competency of any person
applying for licensure to assume responsible charge of the work
involved in the practice of engineering, land surveying [or]
geology or soil science, such competency to be determined by the
grade and character of the engineering work, the grade and
20150SB0845PN0957 - 7 -
character of the land surveying work or the grade and
color of geologic work or the grade and character of the
soil science work actually performed. In relation to engineers
and surveyors, the mere execution as a contractor of work
designed by a professional engineer, or the supervision of the
construction of such work as a foreman or superintendent, or the
operation or maintenance of machinery or equipment, or work
performed as a salesman of engineering equipment or apparatus,
shall not be deemed to be active practice in engineering, unless
such work has involved the actual practice of engineering.
Engineering and land surveying work, performed under the
supervision of a professional engineer or land surveyor,
respectively, shall be given full credit. Whenever the board
determines otherwise than by examination, that an applicant has
not produced sufficient evidence to show that he is competent to
be placed in responsible charge and shall refuse to examine or
to license such applicant, it shall set forth in writing its
findings and the reasons for its conclusions and furnish a copy
thereof to the applicant.
(d) Examinations; Fees.—To prescribe the subjects, manner,
time and place of examinations for licenses as professional
engineers, professional land surveyors [and] professional
geologists and professional soil scientists and for certificates
for engineers-in-training, geologists-in-training [and],
surveyors-in-training and soil scientists-in-training, and the
filing of applications for such examinations, and to prepare or
provide for the preparation of such examinations, conduct or
provide for the conduct of such examinations, to make written
reports of such examinations, which reports shall be preserved
for a period of not less than three years, to collect such fees
for such examinations, and for licenses and certificates issued
without examination, as may be fixed according to law, and to
issue licenses and certificates to such persons as successfully
pass such examinations.

* * *

(f) Roster of Registrants.--To keep a roster showing the
names and addresses of professional engineers, professional land
surveyors [and] professional geologists and professional soil
scientists licensed under this act, and under prior laws, and
registered by the board, which roster shall be published in
booklet form by the board following each biennial renewal.
Copies of the roster shall be furnished upon request to each
registered or certified person and may be furnished to other
persons upon such terms as the board shall prescribe: Provided,
however, That copies of the roster shall be furnished to the
Planning Commission and the prothonotary of each county in the
Commonwealth.

(g) Suspension and Revocation of Licenses; Registrations and
Certifications; Reinstatements.--To suspend or revoke the license
and registration of any professional engineer, professional land
surveyor [or] professional geologist or professional soil
scientist or the certificate of any engineer-in-training,
geologist-in-training [or] surveyor-in-training or soil
scientist-in-training, who is found guilty by the board, by a
majority vote of all its members, of the practice of any fraud,
deceit or misrepresentation in obtaining his license,
certification or registration, or of gross negligence,
incompetency or misconduct in the practice of engineering, in
the practice of land surveying [or] in the practice of geology
or in the practice of soil science, or of violation of the code
of ethics of the engineering profession, and to reinstate
suspended licenses, registrations and certificates in any cases
where a majority of all the members of the board shall determine
the same to be just and proper. Unless ordered to do so by a
court, the board shall not reinstate the license, certificate or
registration of a person to practice as a professional engineer,
professional land surveyor, professional geologist, professional
soil scientist or an engineer-in-training, geologist-in-training
(or) a surveyor-in-training or a soil scientist-in-training
which has been revoked, and such person shall be required to
apply for a license, certificate or registration after a period
of five years in accordance with section 2 if he desires to
practice at any time after such revocation. The board shall
require a person whose license or registration has been
suspended or revoked to return the license or registration in
such manner as the board directs. Failure to do so shall be a
misdemeanor of the third degree. Misconduct in the practice of
engineering, land surveying (or) geology or soil science shall
include, but not be limited to conviction for a criminal offense
such as extortion, bribery or fraud or entry of a plea of nolo
contendere to a charge thereof for conduct relating to the
practice of engineering, land surveying (or) geology or soil
science, or has violated any provision of this act or any
regulation promulgated by the board. For the purposes of this
subsection, the code of ethics is as follows:
It shall be considered unprofessional and inconsistent with
honorable and dignified bearing for any professional engineer,
professional land surveyor (or) professional geologist (or)
professional soil scientist:
(1) To act for his client or employer in professional
matters otherwise than as a faithful agent or trustee, or to
accept any remuneration other than his stated recompense for
services rendered.

(2) To attempt to injure falsely or maliciously, directly or
indirectly, the professional reputation, prospects or business
of anyone.

(3) To attempt to supplant another engineer, land surveyor
[or] geologist or soil scientist after definite steps have been
taken toward his employment.

(4) To compete with another engineer, land surveyor [or]
geologist or soil scientist for employment by the use of
unethical practices.

(5) To review the work of another engineer, land surveyor
[or] geologist or soil scientist for the same client, except
with the knowledge of such engineer, land surveyor [or]
geologist or soil scientist, or unless the connection of such
engineer, land surveyor [or] geologist or soil scientist with
the work has terminated.

(6) To attempt to obtain or render technical services or
assistance without fair and just compensation commensurate with
the services rendered: Provided, however, the donation of such
services to a civic, charitable, religious or eleemosynary
organization shall not be deemed a violation.

(7) To advertise in self-laudatory language, or in any other
manner, derogatory to the dignity of the profession.

(8) To attempt to practice in any field of engineering, land
surveying [or] geology or soil science in which the registrant
is not proficient.

(9) To use or permit the use of his professional seal on
work over which he was not in responsible charge.
(10) To aid or abet any person in the practice of engineering, land surveying [or], geology or soil science not in accordance with the provision of this act or prior laws.

The board shall appoint, with the approval of the Governor, such hearing examiners as shall be necessary to conduct hearings as may be required under this subsection.

The board shall have the power to adopt and promulgate rules and regulations setting forth the functions, powers, standards and duties to be followed by the hearing examiners.

The hearing examiners shall have the power to conduct hearings in accordance with the regulations of the board, and to issue subpoenas requiring the attendance and testimony of individuals or the production of, pertinent books, records, documents and papers by persons whom they believe to have information relevant to any matter pending before the examiner. Such examiner shall also have the power to administer oaths.

The hearing examiner shall hear evidence submitted and arguments of counsel, if any, with reasonable dispatch, and shall promptly record his decision, supported by findings of fact, and a copy thereof shall immediately be sent to the board and to counsel of record, or the parties, if not represented.

If application for review is made to the board within twenty days from the date of any decision made as a result of a hearing held by a hearing examiner, the board shall review the evidence, and if deemed advisable by the board, hear argument and additional evidence. As soon as practicable, the board shall make a decision and shall file the same with its finding of the facts on which it is based and send a copy thereof to each of the parties in dispute.

* * *
(i) Administration and Enforcement of Laws.—To administer and enforce the laws of the Commonwealth relating to the practice of engineering, land surveying [and] geology and soil science, and to instruct and require its agents to bring prosecutions for unauthorized and unlawful practices.

* * *

(o) Affiliation With the Council of Soil Science Examiners; Dues.—To become affiliated with the Council of Soil Science Examiners, and to pay the dues as established by the council, and to send delegates to the annual meeting of the council, and to defray the delegate's expenses.

Section 5. Section 4.1 of the act, amended December 16, 1992 (P.L.1151, No.151) and November 25, 2002 (P.L.1113, No.136), is amended to read:

Section 4.1. State Registration Board for Professional Engineers, Land Surveyors [and] Geologists and Soil Scientists.—(a) There is hereby established within the Department of State the State Registration Board for Professional Engineers, Land Surveyors [and] Geologists and Soil Scientists. The board shall consist of the Commissioner of Professional and Occupational Affairs, three members appointed by the Governor who shall be persons representing the public at large and [nine] eleven members appointed by the Governor, five of whom shall be registered professional engineers, two of whom shall be registered professional land surveyors [and] two of whom shall be professional soil scientists. Any land surveyor appointed to serve on the board shall have received the land surveyor license upon the passage of the appropriate examination. Any geologist licensed under section 4.4 of this
act shall be eligible for appointment to the board. The professional members of the board shall be so selected that not more than two of them shall specialize in any one of the five major disciplines of engineering: civil, mining and metallurgical, mechanical, electrical and chemical. Each member of the board shall be a citizen of the United States and a resident of this Commonwealth. Each professional member shall have been engaged in the practice of the respective profession for at least ten years and shall have been in responsible charge of work for at least five years.

(b) The terms of members of the board shall be six years, or until his successor has been appointed and qualified but not longer than six months beyond the six-year period. In the event that any of said members shall die or resign during his term, his successor shall be appointed in the same way and with the same qualifications and shall hold office for the unexpired term. No member shall be eligible for appointment to serve more than two consecutive full terms.

(c) [Seven] Eight members of the board shall constitute a quorum. A member may not be counted as part of a quorum or vote on any issue, other than temporary and automatic suspension, under this act unless he is physically in attendance at the meeting.

(d) The board shall select annually a president from among its members.

(e) Each member of the board, except the Commissioner of Professional and Occupational Affairs and the Director of the Bureau of Consumer Protection in the Office of Attorney General, or his designee, shall receive sixty dollars per diem when actually attending to the work of the board. Members shall also
receive the amount of reasonable traveling, hotel and other necessary expenses incurred in the performance of their duties. [(f) The board is subject to evaluation, review and termination within the time and in the manner provided in the act of December 22, 1981 (P.L.508, No.142), known as the "Sunset Act."]

(g) A member of the board who fails to attend three consecutive meetings shall forfeit his seat unless the Commissioner of Professional and Occupational Affairs, upon written request from the member, finds that the member should be excused from a meeting because of illness or the death of a family member.

(h) A public member who fails to attend two consecutive statutorily mandated training seminars in accordance with section 813(e) of the act of April 9, 1929 (P.L.177, No.175), known as "The Administrative Code of 1929," shall forfeit board membership unless the Commissioner of Professional and Occupational Affairs, upon written request from the public member, finds that the public member should be excused from a meeting because of illness or the death of a family member.

Section 6. Section 4.5(a) and (c) of the act, amended May 12, 2010 (P.L.192, No.25), are amended to read:

Section 4.5. Continuing Professional Competency

(a) In order to help safeguard life, health and property and to promote the public welfare, the practice of professional engineering, professional land surveying and professional geology and professional soil science in this Commonwealth requires continuing professional competency.

* * *

(c) Each licensee shall be required to obtain twenty-four
PDH units during the biennial renewal period. If a licensee exceeds the requirement in any renewal period, a maximum of twelve PDH units may be carried forward into the subsequent renewal period. PDH units may be earned as follows:

(1) Successful completion of college courses relevant to professional practice.

(2) Completion of continuing education courses relevant to professional practice.

(3) Completion of correspondence, televised, videotaped and other short courses or tutorials relevant to professional practice.

(4) Completion of seminars, employer-sponsored courses, workshops or professional or technical presentations made at meetings, conventions or conferences relevant to professional practice.

(5) Teaching, presenting or instructing in any of the activities listed in clauses (1), (2), (3) and (4).

(6) Authoring published papers, articles or books relevant to professional practice.

(7) Obtaining patents relevant to professional practice.

(8) For individuals licensed as a professional soil scientist under section 4.6, successful completion of a designated program offered by the Soil Science Society of America, that shall equal the twenty-four PDH units described under this subsection.

* * *

Section 7. The act is amended by adding a section to read:

Section 4.6. Procedure for Licensing as Professional Soil Scientist.--(a) An applicant for licensure as a professional soil scientist shall complete an application for licensure and
pay fees as required by the board.

(b) An applicant must be qualified to be licensed after submission of proof satisfactory to the board that the applicant:

(1) Is of good moral character.

(2) Has graduated from an accredited institution of higher learning with a bachelor of science or bachelor of arts degree or advanced degree with at least fifteen credits in soil science.

(3) Has completed at least five years of professional soil science work, or has completed a minimum of three years of professional soil science work under the supervision of a licensed professional soil scientist and two years of graduate school in a relevant field.

(4) Has passed an examination on fundamentals of soil science and professional practice of soil science adopted by the board with development of the examination in conjunction with the Council of Soil Science Examiners of the Soil Science Society of America.

(c) Within one year from the effective date of this section, the individuals who are engaged in the practice of soil science on the date of enactment who have submitted proof that they have the designation of Certified Professional Soil Scientist or Certified Professional Soil Classifier through the certification program of the Soil Science Society of America shall be deemed to have met the requirements of subsection (b).

(d) Within one year from the effective date of this section, the individuals who are engaged in the practice of soil science on the date of enactment who meet the requirements in subsection (b)(1), (2) and (3) shall be exempt from taking the examination.
specified in subsection (b)(4).

Section 8. Sections 5, 7, 9, 10.2, 11 and 11.1 of the act, amended December 16, 1992 (P.L.1151, No.151), are amended to read:

Section 5. Exemption from Licensure and Registration.--
Except as specifically provided in this section, this act shall not be construed to require licensure and registration in the following cases:

(a) The practice of engineering, land surveying [or], geology or soil science by any person who acts under the supervision of a professional engineer, professional land surveyor [or], geologist or professional soil scientist, respectively, or by an employe of a person lawfully engaged in the practice of engineering, land surveying [or], geology or soil science and who, in either event, does not assume responsible charge of design or supervisions;

(b) The practice of engineering, land surveying [or], geology or soil science, not exceeding thirty days in the aggregate in one calendar year, by a nonresident not having a place of business in this Commonwealth, if such person is legally qualified to engage in the practice of engineering, land surveying or geology in the state or territory of his residence: Provided, That standards of such state or territory are at least equal to the standards of this Commonwealth;

(c) The practice of engineering, land surveying [or], geology or soil science by officers and employes of the United States Government for the said government;

(d) Except as otherwise provided in subsection (g) of this section, the practice of engineering or land surveying by a regular employe of a public utility company, as defined by the
Public Utility Code (66 Pa.C.S. § 101 et seq.) in connection with the facilities of such public utility, which are subject to regulation by the Pennsylvania Public Utility Commission:
Provided, That such public utility shall employ at least one professional engineer, as defined in this act, who shall be in responsible charge of such utility's engineering work and shall employ at least one professional land surveyor, as defined in this act, who shall be in responsible charge of such utility's land surveying;
(e) The practice of architecture by a duly registered architect, and the doing of such engineering work as is incidental to his architectural work;
(f) The practice of engineering, land surveying or geology or soil science by any person or by any employee of any copartnership, association or corporation upon property owned by such person or such copartnership, association or corporation, unless such practice affects the public safety or health or the property of some other person or entity.
(g) The practice of engineering, land surveying or geology or soil science work by a manufacturing, mining, communications common carrier, research and development or other industrial corporation or by employees of such corporation, provided such work is in connection with or incidental to products of, or non-engineering services rendered by, such corporation or its affiliates.
(h) The running of lines or grades and layout work on or within established property limits, or from established points outside the property limits to or within such property limits when performed by a contractor or home builder in conjunction with the construction, reconstruction, alteration, maintenance
or demolition of a structure or other facility.

(i) The writing of deed descriptions.

(j) The preparation of shop drawings or the performance of construction management services by persons customarily engaged in construction work.

(k) The practice of individuals providing geologic services, excluding soil science services, to businesses engaged in the exploration or development of gas or oil.

Section 7. Seal of Registrants.--(a) Each person, registered under this act, shall obtain a seal of a design authorized by the board which shall bear the registrant's name and number and the legend "Registered Professional Engineer," "Registered Professional Land Surveyor" [or] "Registered Professional Geologist" or Registered Professional Soil Scientist." Such seal, or a facsimile imprint of same, shall be stamped on all plans, specifications, plats and reports issued by a professional engineer, professional land surveyor [or] professional geologist or professional soil scientist.

(b) It shall be unlawful for any person to use such seal during the period the license or registration of the holder thereof has been suspended or revoked, or to use a seal of any design not approved by the board.

Section 9. Fees.--(a) The fee for an applicant for licensure as a professional engineer, professional land surveyor [or] professional geologist or professional soil scientist, including examination, and for examination or certification, or both, as an engineer-in-training or a surveyor-in-training, shall be as fixed by the board by regulation and shall be subject to review in accordance with the act of June 25, 1982 (P.L.633, No.181), known as the "Regulatory Review Act."
revenues generated by fees, fines and civil penalties imposed in accordance with the provisions of this act are not sufficient to match expenditures over a two-year period, the board shall increase those fees by regulation, subject to review in accordance with the "Regulatory Review Act," such that the projected revenues will meet or exceed projected expenditures.

(b) If the Bureau of Professional and Occupational Affairs determines that the fees established by the board are inadequate to meet the minimum enforcement efforts required, then the bureau, after consultation with the board, shall increase the fees by regulation, subject to review in accordance with the "Regulatory Review Act," such that adequate revenues are raised to meet the required enforcement effort.

(c) All persons now qualified and engaged in the practice of engineering, land surveying [and] geology and soil science, or who shall hereafter be licensed by the board, shall register, biennially, with the board and pay the fee for each biennial registration. All fees collected under the provisions of this act shall be received by the board and shall be paid into the Professional Licensure Augmentation Account.

Section 10.2. Reporting of Multiple Licensure.--Any licensee of this Commonwealth who is also licensed to practice engineering, land surveying [or] geology or soil science in any other state, territory or country shall report this information to the board on the biennial renewal application. Any disciplinary action taken in other states, territories or countries shall be reported to the board on the biennial renewal application or within ninety days of final disposition, whichever is sooner. Multiple licensure shall be noted by the board on the engineer's, land surveyor's [or] geologist's or
soil scientist's record, and each state, territory or country
shall be notified by the board of any disciplinary action taken
against the licensee in this Commonwealth.

Section 11. Penalties.--(a) Whoever shall engage in the
practice of engineering, the practice of land surveying [or,]
the practice of geology or the practice of soil science without
being licensed and registered as required by this act, or
exempted therefrom, as provided in this act, or shall present or
attempt to use, as his own, the license or certificate of
registration of another, or shall give any false or forged
evidence of any kind to the board, or to any member thereof, in
order to obtain a license or registration as a professional
ingineer, professional land surveyor [or], professional
geologist or professional soil scientist or a certificate as an
engineer-in-training [or], surveyor-in-training or soil
scientist-in-training, or shall use any expired, suspended or
revoked certificate of registration, or shall otherwise violate
the provisions of this act, shall be guilty of a summary offense
and upon conviction thereof for a first offense, shall be
sentenced to pay a fine not exceeding one thousand dollars, or
suffer imprisonment, not exceeding three months, or both and for
a second or subsequent offense shall be guilty of a felony, and
upon conviction thereof, shall be sentenced to pay a fine of not
less than two thousand dollars but not more than five thousand
dollars or to imprisonment for not less than one year but not
more than two years, or both.

(b) In addition to any other civil remedy or criminal
penalty provided for in this act, the board, by a vote of the
majority of the maximum number of the authorized membership of
the board as provided by law, or by a vote of the majority of
the duly qualified and confirmed membership or a minimum of six
members, whichever is greater, may levy a civil penalty of up to
one thousand dollars on any current licensee who violates any
provision of this act or on any person who practices the
profession of an engineer, land surveyor [or] geologist or soil
scientist without being properly licensed to do so under this
act. The board shall levy this penalty only after affording the
accused party the opportunity for a hearing, as provided in
Title 2 of the Pennsylvania Consolidated Statutes (relating to
administrative law and procedure).

(c) All fines and civil penalties imposed in accordance with
this section shall be paid into the Professional Licensure
Augmentation Account.

Section 11.1. Injunction Against Unlawful Practice.--It
shall be unlawful for any person to practice, or attempt to
offer to practice, engineering, land surveying [or] geology or
soil science, as defined in this act, without having at the time
of so doing a valid, unexpired, unrevoked and unsuspended
license issued under this act. The unlawful practice of
engineering, land surveying [or] geology or soil science, as
defined in this act, may be enjoined by the courts on petition
of the board or the Commissioner of Professional and
Occupational Affairs. In any such proceeding, it shall not be
necessary to show that any person is individually injured by the
actions complained of. If the respondent is found guilty of the
unlawful practice of engineering, land surveying [or] geology
or soil science, the court shall enjoin him from so practicing
unless and until he has been duly licensed. Procedure in such
cases shall be the same as in any other injunction suit. The
remedy by injunction hereby given is in addition to any other
civil or criminal prosecution and punishment.

Section 9. This act shall take effect in 60 days.