



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2019-49A

Kathy Hart, Executive Director
State Board of Licensure for Professional
Engineers and Land Surveyors
220 NE 28th Street, Ste. 120
Oklahoma City, Oklahoma 73105

February 20, 2019

Dear Director Hart:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Licensure for Professional Engineers and Land Surveyors intends to take pursuant to a consent agreement in Board case 2018-049 against a licensed professional engineer and an unlicensed engineering firm. The firm offered engineering services without a valid certificate of authorization. The engineer aided the firm in practicing without a certificate of authorization. The proposed action is to require the firm to pay an administrative penalty of \$2,500 and the engineer to pay a penalty of \$2,500.

Oklahoma law provides that, “[i]n order to safeguard life, health and property, and to promote the public welfare,” “[i]t shall be unlawful to practice or to offer to practice engineering . . . in this state . . . unless such person has been duly licensed.” 59 O.S.Supp.2018, § 475.1. A firm offering engineering services must also seek a certificate of authorization. *Id.* § 475.21(A)(2). The Board may “issue orders [and] levy administrative fines . . . if a person . . . [f]ail[s] to comply with any of the provisions of [this Act]” or “[a]id[s] or assist[s] another person or entity in violating any provision [thereof].” *Id.* § 475.18(A)(4), (8). The Board may reasonably believe that the proposed action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Licensure for Professional Engineers and Land Surveyors has adequate support for the conclusion that this action advances the State’s policy to protect public welfare by upholding standards of safety in professional engineering.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL