



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2015-193A

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

December 9, 2015

Dear Executive Director Hart:

This office has received your request for a written Attorney General Opinion regarding agency action that the State Board of Licensure for Professional Engineers and Land Surveyors intends to take. The proposed action is to—pursuant to a consent order in case 2015-061—impose fines totaling \$1,500 for failing to have evidence supporting claimed completion of biannual continuing education requirements.

Oklahoma law authorizes the Board to “[e]stablish continuing education requirements for renewal of professional engineering and professional land surveyor licenses.” 59 O.S.Supp.2015, § 475.8(A)(2). The Board’s administrative rules require completion of thirty professional development hours during each biennial licensure period. OAC 245:15-11-5(a). The Board’s rules also clarify that the licensee bears the “responsibility of maintaining records to be used to support credits claimed.” OAC 245:15-11-9(a). The Board’s rules obligate licensees to maintain these records for five years because they will be subject to audits. OAC 245:15-11-9(b). This action, the result of one such audit, thus enforces administrative rules. The Board may reasonably believe that the penalties imposed here will adequately 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 of Oklahoma’s policy to protect the public welfare by requiring licensed professional engineers and land surveyors to learn from ongoing continuing education.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT  
ATTORNEY GENERAL OF OKLAHOMA