



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-772A

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

November 6, 2017

Dear Executive Director Hart:

This office has received your request for written Attorney General Opinions regarding action that the State Board of Licensure for Professional Engineers and Land Surveyors intends to take pursuant to consent agreements in cases 2017-072 and 2017-052. Case 2017-072, involves a person unlicensed in Oklahoma issuing an engineering report for the repair of property in Prague, Oklahoma. Case 2017-052 involves an engineer whose license expired in 1986 issuing engineering drawings and foundation certifications to the City of Oklahoma City for eight projects between 2013 and 2016. The Board proposes to assess a \$750 administrative penalty in case 2017-072; a \$3,500 administrative penalty in case 2017-052; and to order both Respondents to cease and desist from practicing or offering to practice engineering in the State until properly licensed.

Oklahoma law provides that, “[i]n order to safeguard life, health and property, and to promote the public welfare,” it is unlawful for unlicensed persons “to practice or to offer to practice engineering . . . in this state[.]” 59 O.S.2011, § 475.1. 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 any of the rules or regulations pertaining thereto.” 59 O.S.Supp.2016, § 475.18(A)(4). The Board may reasonably believe that its proposed action is necessary to ensure that only licensed individuals practice engineering.

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 proposed action advances the State’s policy to protect the public welfare.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN  
DEPUTY CHIEF – ASSISTANT ATTORNEY GENERAL