



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-774A

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 a written Attorney General Opinion regarding action that the State Board of Licensure for Professional Engineers and Land Surveyors intends to take pursuant to consent agreement in case 2017-016 against an engineering firm and a licensed professional engineer. The firm offered and/or provided engineering services to the cities of Duncan and Chickasha without having a Certificate of Authorization to do so within the State. The licensed engineer, on behalf of the firm, signed the agreements with cities and knew, or should have known, that the firm did not have the Certificate of Authorization. The Board proposes to impose administrative penalties against the firm and the engineer.

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. A firm practicing, or offering to practice, engineering services in this state must be “issued a certificate of authorization by the Board.” 59 O.S.Supp.2016, § 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 disciplinary 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 proposed action advances the State’s policy to protect the public welfare.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink, appearing to be "R. Chaffin".

RYAN CHAFFIN  
DEPUTY CHIEF – ASSISTANT ATTORNEY GENERAL