



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-94A

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

March 20, 2018

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 in case 2017-082, against S.P.M. & Co. (“the Firm”) and S.P.M. The Firm was not licensed to offer and/or practice engineering in Oklahoma at the time it offered services. S.P.M. was previously licensed, but the license was suspended at the time services were offered. The Board proposes to impose administrative penalties totaling \$10,000 each against the Firm and S.P.M. and suspend both from practicing or offering to practice engineering in the State of Oklahoma for five years.

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 and land surveying . . . in this state[.]” 59 O.S.2011, § 475.1. A firm practicing or offering to practice engineering or land surveying services in this state must be “issued a certificate of authorization by the Board.” 59 O.S.Supp.2017, § 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 any of the rules or regulations pertaining thereto.” *Id.* § 475.18(A)(4). 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 public welfare.

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