

This is an amendment to 16.39.2 NMAC Section 8, effective 12/16/2022.

16.39.2.8 CONTINUING PROFESSIONAL DEVELOPMENT - REQUIREMENTS:

The purpose of the continuing professional development requirement is to enhance the continuing level of professional development of professional engineers and professional surveyors.

A. Introduction - Every licensee shall meet the continuing professional development requirements of these regulations for professional development as a condition for license renewal.

B. Failure to meet requirements - Submission of professional development hours (PDHs) shall be made concurrently with license renewal. Failure to meet the PDH requirements will result in the rejection of renewal.

C. Requirements - each licensee is required to obtain 30 professional development hours (PDH) units during a biennium at least two of which shall be in ethics/business-related. If a licensee exceeds the biennial requirement in any biennial cycle, a maximum of 15 PDH units may be carried forward into the subsequent biennium in accordance with what has been previously reported to the board. PDH units may be earned from participation in qualifying activities as follows:

(1) successful completion of college courses relevant to engineering and surveying;
(2) successful completion of short courses, tutorials, webinar or distance-education courses offered for self-study, independent study or group study through synchronous or asynchronous delivery method such as live, correspondence, archival or the internet;

(3) presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, [ø] conferences, or educational institutions;

(4) teaching or instructing in Paragraphs (1) through (3) of Subsection D of 16.39.2.8 NMAC;

(5) authoring published papers, articles, [ø] books, or accepted licensing examination items;

(6) active participation in professional or technical societies;

(7) patents;

(8) active participation in educational outreach activities, pertaining to professional licensure or the surveying/engineering professions, as a speaker, instructor, presenter or panelist.

D. Units - the conversion of other units of credit to PDH units is as follows:

(1) One college or unit semester.....45 PDH;

(2) One college or unit quarter hour.....30 PDH;

(3) One continuing education unit.....10 PDH;

(4) One hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences.....1 PDH;

(5) for teaching, apply multiple of two(teaching credit is valid for teaching a course or seminar for the first time only; teaching credit does not apply to full-time faculty);

(6) Publications:
(a) each published peer-reviewed paper or book in the licensee's area of professional practice.....10 PDH;

(b) each published paper or article other than Subparagraph (a) of Paragraph (6) of Subsection E of 16.39.2.8 NMAC in the licensee's area of professional practice.....5 PDH;

(7) active participation in professional and technical societies (each organization) 2 PDH;

(8) each patent.....10 PDH;

(9) One hour of outreach activity.....1 PDH (max [4] 6 PDH/biennium).

E. Determination of credit - the board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit:

(1) credit for college or community college approved courses will be based upon course credit established by the college;

(2) credit for qualifying seminars, workshops, professional conventions, and courses/activities may be recommended by the professional societies;

(3) additional criteria for credit determination shall be included in the board policy.

F. Record keeping - each licensee is responsible for maintaining records that support credits claimed is the responsibility of the licensee. Records required include but are not limited to:

- (1) a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDH credits earned;
- (2) attendance verification records in the form of completion certificates, paid receipts or other documents supporting evidence of attendance;
- (3) proof of membership in a technical organization issuing a publication as a part of its membership fee;
- (4) a log indicating the medium used for a technical review, the subject of the review, the author or sponsoring organization, the date the review was conducted, a brief written summary of the contents of the reviewed material and the time spent on the review;
- (5) the organization sponsoring a civic or community activity, the date and location of the activity, the subject of the activity and the licensee's involvement in the activity. These records must be maintained for a period of three years and copies may be requested by the board for audit verification purposes.

G. Exemptions - a licensee may be exempt from the professional development educational requirements for One of the following reasons:

- (1) new licensees by way of examination or comity/endorsement shall be exempt for the first year directly following the issuance of their license; PDH requirements will be prorated for any remaining portion of the licensing period beyond One year from the date of initial licensure;
- (2) a licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a calendar year may be exempt from obtaining the professional development hours required during that year; supporting documentation shall be furnished to the board;
- (3) licensees experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the board may be exempt; supporting documentation must be furnished to the board;
- (4) licensees who have been approved for "retired status" by the board shall be exempt from the professional development hours required; in the event such a person elects to return to active practice of professional engineering or professional surveying, professional development hours must be earned before returning to active practice for the preceding biennial cycle.

H. Reinstatement - a licensee may bring a lapsed license to active status by obtaining all delinquent PDH units outstanding from the last biennium and complying with all other reinstatement requirements in the Engineering and Surveying Practice Act and the board's rules and regulations; however, if the total number required to become current exceeds 30, then 30 shall be the maximum number required.

I. Comity/out-of-jurisdiction resident - licensees who are residents of other jurisdictions shall meet the continuing professional development requirements of this board. These requirements may be deemed satisfied when a non-resident licensee provides evidence of having met requirements for another state engineering/surveying licensing board that are equal to or exceed the requirements of this board.

J. Dual licensees - the number of PDH units required shall remain the same for persons who hold a dual license as a professional engineer and professional surveyor; for persons who hold a dual license, half of the PDH units shall be in each profession.

K. Forms - all renewal applications will require the number of earned PDH units. The licensee must sign the renewal application, and submit with the appropriate fee.

[16.39.2.8 NMAC - Rp, 16 NMAC 39.2.8, 12/1/2001; A, 7/1/2006; A, 7/1/2015; A, 1/1/2016; A, 12/28/2017; A, 12/16/2022]