



The Value of Your Engineering License

By Brent L. White, P.E., S.E.

CASE, NCSEA, and SEI, the three structural engineering associations that support this magazine, have various shared interests. Perhaps the most important shared interest is the promotion and support of licensure for structural engineers – the S.E. License. *A Vision for the Future of Structural Engineering Licensure* is a detailed paper outlining this common position.

This paper, developed by the Structural Engineering Licensure Coalition, has previously been discussed in these pages and is something practicing structural engineers are encouraged to be familiar with.

The purpose of this article is not to review the finer points associated with S.E. Licensure but to share some thoughts related to the licensure of structural engineers, professional engineers, and professional licensure in general.

Likely, practicing structural engineers recognize the need for some differentiation relative to structural engineering practice beyond engineering practice in general. We recognize that to adequately navigate the complexities of structural engineering analysis, design, complex code requirements, etc., more than a basic understanding of engineering mechanics and analysis is necessary. This does not downplay the practice of any field of engineering but recognizes that there is a difference.

There are various challenges to this premise from those that oppose additional licensing requirements for structural engineers and other engineering professions that practice in specific highly technical and complex fields. The ethical cannon that a professional engineer does not practice beyond their area of expertise is an example. Creating a “barrier to entry” is an economic argument that is also used in protest. However, implications to the health and safety of the public due to improperly performed structural engineering analysis and design outweigh these arguments, in my opinion.

Reaching the goals outlined in the *Vision* document will take time – as all change does. Recently, there have been some advances with several states adopting either title or practice acts related to S.E. Licensure or concerted efforts to advance such legislation. Every positive step is an advancement.

As the profession pushes forward with S.E. Licensure objectives, it is equally important to recognize the value of professional engineering licensure in general and understand the value in maintaining continued support of P.E. Licensure. Recently, several states have made significant efforts to either eliminate professional engineering licensure or reduce competency and experience requirements. One primary argument used is the same as stated above regarding S.E. Licensure – all licensure is an economic barrier to an occupation and opportunity for employment. To practicing P.E.s in any field, this likely makes little sense. We all understand and recognize that an unqualified person should not practice engineering, just as an unqualified engineer should not practice structural engineering. The practice of engineering is not just an occupation – but a profession – a type of work that needs special training or a particular skill, often one that

is respected because it involves a high level of education and experience. The difference between an occupation and a profession is key.

Licensure of professionals has a history in the United States that dates to the late 1800s. The United States Supreme Court upheld a West Virginia Law to license physicians in *Dent v. West Virginia* in 1889.

The Court recognized that every individual has the right to pursue a lawful occupation and that legislatures cannot deprive someone of that opportunity. However, the Court concluded that, in this case, licensing was a way to protect public health and safety. The *Dent* decision has subsequently led to the licensure of scores of occupations under the guise that public health, safety, and welfare are being protected. The proliferation of licensed occupations since the mid-1900s is outstanding. As a licensed professional, I find it amazing that

ballroom dance instructors, fortune tellers, hair braiders, and cat groomers are licensed in many states. It is hard to understand how a bad haircut compares to a failed structure relative to the public's health, safety, and welfare. The state I reside in has 66 primary occupation categories, many with multiple licenses. This was outstanding to me until I read that my state ranks in the top 10 for fewest licenses. Understandably there is a feeling of licensure overload.

Several years ago, I was appointed to serve on an occupational and professional licensure review committee for the state legislature. This committee consisted of individuals with licenses regulated by the state, legislators, and the general public. The responsibility of the committee was to review proposed new or pending legislation related to occupational licensing. My participation provided an interesting opportunity to observe how others viewed the importance of licensing. I was amazed that the opinions ranged from ‘if it is a job, license it and regulate it’ to ‘there should be no licensure – period.’ I sat next to a practicing dentist whose opinion was the latter. I asked him several times if anyone should be able to practice dentistry. His opinion was that any regulation was unconstitutional and that *Caveat Emptor* was the standard. I asked him how a person knows how to beware of an unqualified dentist, to which he replied that, eventually, that dentist would have no patients. Personally, I do not want to be experimented on until the market provides a correction.

Full disclosure, I am a less-is-more person regarding regulation generally. I think too many professions are licensed, which diminishes the importance of professions that truly impact the public's health, welfare, and safety. Professional engineering licensure is essential for the safety and welfare of the public, and S.E. Licensure enhances that safety and welfare. As a profession, while we are pursuing the lengthy process of S.E. Licensure in all jurisdictions, we need to be wary of efforts to remove or diminish P.E. Licensure. ■



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