

## Georgia Passes P.E., S.E. Practice Act

By Michael Planer, P.E., S.E.

Beginning in April 2011, the National Council of Examiners for Engineering and Surveying (NCEES) recommended the 16-hour structural exam as the standard for demonstrating minimum competence in the practice of structural engineering. As a result, structural engineering became the only professional engineering discipline requiring more than an 8-hour exam in many jurisdictions. Prior to this date, some states already had some form of structural engineering legislation and, since 2011, more states have either passed or attempted to pass S.E. legislation. For Georgia, the Structural Engineers Association of Georgia (SEAOG) started looking at developing an easily understandable and compelling reason for structural engineering legislation soon after April 2011. This included making sure complex structures were being designed by qualified engineers and addressing a competitive disadvantage that engineers in Georgia who were designing structures faced, compared to engineers from states that had a P.E., S.E. designation.

On August 4, 2020, the Governor of the State of Georgia signed a bill recognizing Structural Engineering as an addition to the current Professional Engineering license for specifically designated structures. The legislation is a practice act and requires passing the 16-hour exam for a structural engineer to receive the P.E., S.E. designation. Georgia engineers who had a P.E. designation before 2011 and who could demonstrate substantial structural design experience also received the P.E., S.E. designation without the need to take the exam.

Passage of the Georgia structural engineering practice act was a lengthy process requiring the coordination and efforts of various local organizations, including SEAOG, the American Society of Civil Engineers (ASCE), and the Georgia Chapter of the American Council of Engineering Companies (ACEC Georgia). In 2012, SEAOG started reviewing the current Georgia licensing statute and how the wording could potentially be revised to require a Professional Engineer, Structure Engineer (P.E., S.E.) to be the Engineer of Record in responsible charge of any designated structure established by *Rule* by the Professional Engineers and Land Surveyors Board. During these initial efforts, SEAOG anticipated that there might be some objections from other interest groups, so they worked closely with ASCE, ACEC, and other

local organizations as well as the Georgia Department of Transportation to determine a list of designated structures. The wording of the designated structures was necessary so that these other organizations developed a comfort level as to when a P.E., S.E. stamp would be required versus only a P.E. stamp. For example, the Georgia Department of Transportation developed the wording for what types of bridges would require the P.E., S.E. stamp. The group also used the *Oak Brook Accords Consensus Document Regarding Geo-Structures, and S.E. Licensure* developed within ASCE in November of 2015 to establish the list of Geo-Structures that can be designed by an appropriately qualified and licensed professional engineer. This initial work was difficult; however, actively getting the legislation introduced through committees, voted on, passed, and signed into law was more challenging.

At the beginning of the process, SEAOG enlisted the assistance of ACEC Georgia to help establish the initial wording of the legislation, navigate the legislative process, and set strategies for finding sponsors in the House and Senate to introduce the bill. During these planning sessions, it became apparent that the legislative process is not easy to predict. Therefore, working with the ACEC Georgia lobbyist was essential to moving the bill forward.

The bill was first introduced in 2015 but did not make it out of the committee process. ACEC Georgia met with legislators and, now knowing who may be opposed to the bill, provided guidance on strategy on the proper timing to reintroduce the bill, which committee meetings to attend, and which local legislators to contact. Educating and communicating with the legislators was also crucial to the bill's passage. In particular, the legislators needed to understand the merits of the legislation and the logic for supporting the bill. During this process, ACEC Georgia also met with the Governor's office to educate the Governor and his staff on the bill's merits.

In 2016, the bill was reintroduced in the House, went through committees, and ultimately passed. Unfortunately, the bill stalled in the Senate Regulated Industries Committee due to the Committee's focus on other issues at that time. Between 2016 and 2018, the bill was not submitted due to challenges within the various committees or other ongoing



political priorities in the legislature. In 2019, it was determined that the timing seemed right, and the bill was again reintroduced. The bill easily passed the House but had more difficulty in the Senate, ultimately passing in a close vote late in the evening on the last day of the session. Excitement over the bill's passage was short-lived as the Governor vetoed it due to a technical requirement that the legislation needed to be reviewed by the Georgia Occupational Regulation Review Council (GORRC) prior to it being signed into law. ACEC Georgia met with the Governor's office to make sure it understood the proper procedure. With that understanding in place, the bill would be reintroduced in January 2020 legislative session only to have the session cut short due to the COVID 19 pandemic. However, with ACEC Georgia's guidance, the bill was reintroduced once the legislators reconvened in the summer of 2020. With a shortened session, the organizations working toward passage acted quickly to move the bill through the process and a vote in both the Georgia House and Senate. Again, the bill was successful in the committees and both chambers, and, with the technicality from the previous year resolved, Governor Kemp signed the bill into law.

Many engineers were involved in the 10-year process of gaining passage of the bill. They, including the author, learned so much about the legislative process and the importance of engaging industry organizations early.

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