

January 19, 2017

MNSEA Structural Engineering Licensure Task Force

Andrew Agosto

Greg McCool

Stephanie Young

Dear Andrew, Greg, and Stephanie,

On behalf of the National Society of Professional Engineers (NSPE) and the Minnesota Society of Professional Engineers (MnSPE), we write to you today regarding the proposed Title Act legislation and its implications for the practice of engineering in Minnesota.

NSPE and MnSPE strongly believe in the importance of professional engineering licensure. While we understand that the direct purpose of this proposed amendment to the rule is to recognize and protect the designation “Professional Structural Engineer,” we are concerned that unintended consequences may negatively impact the practice of engineering in Minnesota and interfere with the capacity for qualified professional engineers to continue their practice within the state in service to the public health, safety, and welfare.

The proposed Title Act legislation seeks to establish structural engineering licensure in Minnesota. Specifically, the Minnesota Structural Engineers Association (MNSEA) proposes a restriction that no person shall use the title “Professional Structural Engineer,” or any variant of the SE designation, unless they are qualified according to rules established by the Minnesota State Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design. MNSEA’s Structural Engineering Licensure Task Force proposes to require passage of the 16-hour National Council of Examiners for Engineering and Surveying (NCEES) Structural Engineering exam in order to earn the designation of “Professional Structural Engineer.”

NSPE and MnSPE support the concept of licensure of engineers only as professional engineers and oppose licensure status by designated branches or specialties. The licensing of engineers began in Wyoming in 1907 to protect the public from untrained individuals practicing engineering and surveying. Today, all states and territories license professional engineers to protect the public health, safety, and welfare. This well-tested approach to the regulation of engineering practice has been protecting the public for decades. Layers of licensing requirements cloud that perspective and create uncertainty and confusion for the public. Professional engineers who are not fully competent to perform structural engineering are already ethically obligated not to do so, just as they are obligated not to practice in any areas that are beyond their established expertise and competence.

Moreover, this proposed legislation raises major concerns about its impact on professional engineers in Minnesota who currently perform structural engineering, competently and successfully, but have not taken the 16-hour SE exam. It is important to note that the NCEES 16-hour Structural Engineering exam has only been offered since April 2011. We understand that the proposed Title Act would not restrict practice. However, creating a separate designation implies that licensure as a professional engineer is not adequate and that those without designation as a “Professional Structural Engineer” are unqualified to practice, neither of which is true.

Efforts to weaken engineering licensure by carving particular niches within the profession undermine a system of laws designed to protect the health, safety, and welfare of the public. Therefore, NSPE and MnSPE oppose the proposed Title Act legislation and any other efforts to create separate requirements for the practice of engineering.

Thank you for this opportunity to provide comment. If we can answer any questions or respond to any comments, please contact Brian Malm, MnSPE President, at [brianma@bolton-menk.com](mailto:brianma@bolton-menk.com) or Arielle Eiser, Senior Manager of Government Relations, at [aeiser@nspe.org](mailto:aeiser@nspe.org).

Sincerely,



Kodi Jean Verhalen, P.E., Esq., F.NSPE  
President, 2016–17  
National Society of  
Professional Engineers



Brian Malm, P.E.  
President  
Minnesota Society of  
Professional Engineers

cc: Doreen Frost, Executive Director, MN Board of AELSLAGID  
Peter Miller, Chair, MN Board of AELSLAGID  
Association of MN Building Officials  
Council of American Structural Engineers National  
National Council of Structural Engineers Associations  
University of MN Duluth Dept. of Civil Engineering  
American Society of Civil Engineers, Minnesota  
American Society of Mechanical Engineers, Minnesota  
Associated General Contractors of Minnesota  
Building Owners and Managers Association of Minneapolis/St. Paul  
Minnesota Dept. of Transportation Bridge Office

Minnesota Concrete Council  
North Central Electrical Engineering Society  
University of MN Mankato Dept. of Civil Engineering  
American Institute of Architects Minnesota  
Minnesota Geotechnical Society  
American Council of Engineering Companies of Minnesota  
University of MN Twin Cities Dept. of Civil Engineering