



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB0940

Introduced 2/10/2009, by Rep. David E. Miller

SYNOPSIS AS INTRODUCED:

5 ILCS 80/4.20	
5 ILCS 80/4.30 new	
225 ILCS 325/3	from Ch. 111, par. 5203
225 ILCS 325/4	from Ch. 111, par. 5204
225 ILCS 325/6	from Ch. 111, par. 5206
225 ILCS 325/7	from Ch. 111, par. 5207
225 ILCS 325/8	from Ch. 111, par. 5208
225 ILCS 325/10	from Ch. 111, par. 5210
225 ILCS 325/17	from Ch. 111, par. 5217
225 ILCS 325/19	from Ch. 111, par. 5219
225 ILCS 325/21	from Ch. 111, par. 5221
225 ILCS 325/42	from Ch. 111, par. 5242

Amends the Regulatory Sunset Act. Extends the repeal date of the Professional Engineering Practice Act of 1989 from January 1, 2010 to January 1, 2020. Amends the Professional Engineering Practice Act of 1989. Provides that services performed by employees of a business organization engaged in telecommunications are exempt from the Act. Provides additional examples of "professional engineering practice". Changes the definition of "technical submissions" and provides additional examples. Provides that the Department may grant the title "Professional Engineer, Retired" and by rule exempt from continuing education requirements those who are granted the title. Further provides that those persons granted the title "Professional Engineer, Retired" may request restoration to active status under the applicable provisions of the Act. Makes other changes. Effective immediately.

LRB096 08552 ASK 18674 b

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Regulatory Sunset Act is amended by changing
5 Section 4.20 and by adding Section 4.30 as follows:

6 (5 ILCS 80/4.20)

7 Sec. 4.20. Acts repealed on January 1, 2010 and December
8 31, 2010.

9 (a) The following Acts are repealed on January 1, 2010:

10 The Auction License Act.

11 The Illinois Architecture Practice Act of 1989.

12 The Illinois Landscape Architecture Act of 1989.

13 The Illinois Professional Land Surveyor Act of 1989.

14 The Land Sales Registration Act of 1999.

15 The Orthotics, Prosthetics, and Pedorthics Practice
16 Act.

17 The Perfusionist Practice Act.

18 ~~The Professional Engineering Practice Act of 1989.~~

19 The Real Estate License Act of 2000.

20 The Structural Engineering Practice Act of 1989.

21 (b) The following Act is repealed on December 31, 2010:

22 The Medical Practice Act of 1987.

23 (Source: P.A. 95-1018, eff. 12-18-08.)

1 (5 ILCS 80/4.30 new)

2 Sec. 4.30. Act repealed on January 1, 2020. The following
3 Act is repealed on January 1, 2020:

4 The Professional Engineering Practice Act of 1989.

5 Section 10. The Professional Engineering Practice Act of
6 1989 is amended by changing Sections 3, 4, 6, 7, 8, 10, 17, 19,
7 21 and 42 as follows:

8 (225 ILCS 325/3) (from Ch. 111, par. 5203)

9 (Section scheduled to be repealed on January 1, 2010)

10 Sec. 3. Application of the Act; Exemptions.

11 (a) Nothing in this Act shall be construed to prevent the
12 practice of structural engineering as defined in the Structural
13 Engineering Practice Act of 1989 or the practice of
14 architecture as defined in the Illinois Architecture Practice
15 Act of 1989 or the regular and customary practice of
16 construction contracting and construction management as
17 performed by construction contractors.

18 (b) Nothing in this Act shall prevent:

19 (1) Employees, including project representatives, of
20 professional engineers lawfully practicing as sole owners,
21 partnerships or corporations under this Act, from acting
22 under the direct supervision of their employers.

23 (2) The employment of owner's representatives by the

1 owner during the constructing, adding to, or altering of a
2 project, or any parts thereof, provided that such owner's
3 representative shall not have the authority to deviate from
4 the technical submissions without the prior approval of the
5 professional engineer for the project.

6 (3) The practice of officers and employees of the
7 Government of the United States while engaged within this
8 State in the practice of the profession of engineering for
9 the Government.

10 (4) Services performed by employees of a business
11 organization engaged in utility, telecommunications,
12 industrial or manufacturing operations, or by employees of
13 laboratory research affiliates of such business
14 organization which are rendered in connection with the
15 fabrication or production, sale, and installation of
16 products, systems, or nonengineering services of the
17 business organization or its affiliates.

18 (5) Inspection, maintenance and service work done by
19 employees of the State of Illinois, any political
20 subdivision thereof or any municipality.

21 (6) The activities performed by those ordinarily
22 designated as chief engineer of plant operation, chief
23 operating engineer, locomotive, stationary, marine, power
24 plant or hoisting and portable engineers, electrical
25 maintenance or service engineers, personnel employed in
26 connection with construction, operation or maintenance of

1 street lighting, traffic control signals, police and fire
2 alarm systems, waterworks, steam, electric, and sewage
3 treatment and disposal plants, or the services ordinarily
4 performed by any worker regularly employed as a locomotive,
5 stationary, marine, power plant, or hoisting and portable
6 engineer or electrical maintenance or service engineer for
7 any corporation, contractor or employer.

8 (7) The activities performed by a person ordinarily
9 designated as a supervising engineer or supervising
10 electrical maintenance or service engineer who supervises
11 the operation of, or who operates, machinery or equipment,
12 or who supervises construction or the installation of
13 equipment within a plant which is under such person's
14 immediate supervision.

15 (8) The services, for private use, of contractors or
16 owners in the construction of engineering works or the
17 installation of equipment.

18 (c) No officer, board, commission, or other public entity
19 charged with the enforcement of codes and ordinances involving
20 a professional engineering project shall accept for filing or
21 approval any technical submissions that do not bear the seal
22 and signature of a professional engineer licensed under this
23 Act.

24 (d) Nothing contained in this Act ~~Section~~ imposes upon a
25 person licensed under this Act the responsibility for the
26 performance of any of the foregoing functions unless such

1 person specifically contracts to provide it.

2 (Source: P.A. 91-91, eff. 1-1-00.)

3 (225 ILCS 325/4) (from Ch. 111, par. 5204)

4 (Section scheduled to be repealed on January 1, 2010)

5 Sec. 4. Definitions. As used in this Act:

6 (a) "Approved engineering curriculum" means an engineering
7 curriculum or program of 4 academic years or more which meets
8 the standards established by the rules of the Department.

9 (b) "Board" means the State Board of Professional Engineers
10 of the Department of Professional Regulation, previously known
11 as the Examining Committee.

12 (c) "Department" means the Department of Professional
13 Regulation.

14 (d) "Design professional" means an architect, structural
15 engineer or professional engineer practicing in conformance
16 with the Illinois Architecture Practice Act of 1989, the
17 Structural Engineering Practice Act of 1989 or the Professional
18 Engineering Practice Act of 1989.

19 (e) "Director" means the Director of Professional
20 Regulation.

21 (f) "Direct supervision/responsible charge" means work
22 prepared under the control of a licensed professional engineer
23 or that work as to which that professional engineer has
24 detailed professional knowledge.

25 (g) "Engineering college" means a school, college,

1 university, department of a university or other educational
2 institution, reputable and in good standing in accordance with
3 rules prescribed by the Department, and which grants
4 baccalaureate degrees in engineering.

5 (h) "Engineering system or facility" means a system or
6 facility whose design is based upon the application of the
7 principles of science for the purpose of modification of
8 natural states of being.

9 (i) "Engineer intern" means a person who is a candidate for
10 licensure as a professional engineer and who has been enrolled
11 as an engineer intern.

12 (j) "Enrollment" means an action by the Department to
13 record those individuals who have met the Board's requirements
14 for an engineer intern.

15 (k) "License" means an official document issued by the
16 Department to an individual, a corporation, a partnership, a
17 professional service corporation, a limited liability company,
18 or a sole proprietorship, signifying authority to practice.

19 (l) "Negligence in the practice of professional
20 engineering" means the failure to exercise that degree of
21 reasonable professional skill, judgment and diligence normally
22 rendered by professional engineers in the practice of
23 professional engineering.

24 (m) "Professional engineer" means a person licensed under
25 the laws of the State of Illinois to practice professional
26 engineering.

1 (n) "Professional engineering" means the application of
2 science to the design of engineering systems and facilities
3 using the knowledge, skills, ability and professional judgment
4 developed through professional engineering education, training
5 and experience.

6 (o) "Professional engineering practice" means the
7 consultation on, conception, investigation, evaluation,
8 planning, and design of, and selection of materials to be used
9 in, administration of construction contracts for, or site
10 observation of, an engineering system or facility, where such
11 consultation, conception, investigation, evaluation, planning,
12 design, selection, administration, or observation requires
13 extensive knowledge of engineering laws, formulae, materials,
14 practice, and construction methods. A person shall be construed
15 to practice or offer to practice professional engineering,
16 within the meaning and intent of this Act, who practices, or
17 who, by verbal claim, sign, advertisement, letterhead, card, or
18 any other way, is represented to be a professional engineer, or
19 through the use of the initials "P.E." or the title "engineer"
20 or any of its derivations or some other title implies licensure
21 as a professional engineer, or holds himself out as able to
22 perform any service which is recognized as professional
23 engineering practice.

24 Examples of the practice of professional engineering
25 include, but need not be limited to, transportation facilities
26 and publicly owned utilities for a region or community,

1 railroads, railways, highways, subways, canals, harbors, river
2 improvements; land development; stormwater detention,
3 retention, and conveyance, excluding structures defined under
4 Section 5 of the Structural Engineering Practice Act of 1989
5 (225 ILCS 340/5); irrigation works; aircraft ~~and~~ airports;
6 traffic engineering; ~~and landing fields;~~ waterworks, piping
7 systems ~~and appurtenances,~~ sewers, sewage disposal works,
8 storm sewer, sanitary sewer and water system modeling; plants
9 for the generation of power; devices for the utilization of
10 power; boilers; refrigeration plants, air conditioning systems
11 and plants; heating systems and plants; plants for the
12 transmission or distribution of power; electrical plants which
13 produce, transmit, distribute, or utilize electrical energy;
14 works for the extraction of minerals from the earth; plants for
15 the refining, alloying or treating of metals; chemical works
16 and industrial plants involving the use of chemicals and
17 chemical processes; plants for the production, conversion, or
18 utilization of nuclear, chemical, or radiant energy; forensic
19 engineering, geotechnical engineering including, subsurface
20 investigations; soil and rock classification, geology and
21 geohydrology, incidental to the practice of professional
22 engineering; geohydrological investigations, migration pathway
23 analysis (including evaluation of building and site elements),
24 soil and groundwater management zone analysis and design;
25 energy analysis, environmental risk assessments, corrective
26 action plans, design, remediation, protection plans and

1 systems, hazardous waste mitigation and control, and
2 environmental control or remediation systems; recognition,
3 measurement, evaluation and control of environmental systems
4 and emissions; control systems, evaluation and design of
5 engineered barriers, excluding structures defined under
6 Section 5 of the Structural Engineering Practice Act of 1989
7 (225 ILCS 340/5); modeling of pollutants in water, soil, and
8 air; engineering surveys of sites, facilities, and topography
9 specific to a design project, not including land boundary
10 establishment; automated building management systems; control
11 or remediation systems; computer controlled or integrated
12 systems; automatic fire notification and suppression systems;
13 investigation and assessment of indoor air inhalation
14 exposures and design of abatement and remediation systems; or
15 the provision of professional engineering site observation of
16 the construction of works and engineering systems. Nothing in
17 this Section shall preclude an employee from acting under the
18 direct supervision/responsible charge of a licensed
19 professional engineer. Nothing contained in this Section
20 imposes upon a person licensed under this Act the
21 responsibility for the performance of any of the foregoing
22 functions unless such person specifically contracts to provide
23 it.

24 (p) "Project representative" means the professional
25 engineer's representative at the project site who assists in
26 the administration of the construction contract.

1 (q) "Registered" means the same as "licensed" for purposes
2 of this Act.

3 (r) "Related science curriculum" means a 4 year program of
4 study, the satisfactory completion of which results in a
5 Bachelor of Science degree, and which contains courses from
6 such areas as life, earth, engineering and computer sciences,
7 including but not limited to, physics and chemistry. In the
8 study of these sciences, the objective is to acquire
9 fundamental knowledge about the nature of its phenomena,
10 including quantitative expression, appropriate to particular
11 fields of engineering.

12 (s) "Rules" means those rules promulgated pursuant to this
13 Act.

14 (t) "Seal" means the seal in compliance with Section 14 of
15 this Act.

16 (u) "Site observation" is visitation of the construction
17 site for the purpose of reviewing, as available, the quality
18 and conformance of the work to the technical submissions as
19 they relate to design.

20 (v) "Support design professional" means a professional
21 engineer practicing in conformance with the Professional
22 Engineering Practice Act of 1989, who provides services to the
23 design professional who has contract responsibility.

24 (w) "Technical submissions" are the ~~means~~ designs,
25 drawings, and specifications which establish the scope and
26 standard of quality for materials, workmanship, equipment, and

1 systems intended for use in construction. Technical
2 submissions also include, but are not limited to, studies,
3 analyses, calculations ~~the construction systems, studies,~~ and
4 other technical reports prepared in the course of the practice
5 of professional engineering, or under the direct
6 supervision/responsible charge of a licensed professional
7 engineer ~~a design professional's practice.~~

8 (Source: P.A. 91-91, eff. 1-1-00; 91-92, eff. 1-1-00; 92-16,
9 eff. 6-28-01; 92-145, eff. 1-1-02.)

10 (225 ILCS 325/6) (from Ch. 111, par. 5206)

11 (Section scheduled to be repealed on January 1, 2010)

12 Sec. 6. Composition, qualifications and terms of the Board.

13 (a) The Board shall be appointed by the Director and shall
14 consist of 10 members, one of whom shall be a public member and
15 9 of whom shall be professional engineers licensed under this
16 Act. In addition each member who is a professional engineer
17 shall:

18 (1) be a citizen of the United States, and

19 (2) be a resident of this State.

20 (b) In addition, each member who is a professional engineer
21 shall:

22 (1) have not less than 12 years of experience in the
23 practice of professional engineering, and shall hold an
24 active license as a professional engineer in Illinois;

25 (2) have been in charge of professional engineering

1 work for at least 5 years. For the purposes of this
2 Section, any period in which a person has been in charge of
3 teaching engineering in an engineering college with the
4 rank of assistant professor or higher shall be considered
5 as time in which such person was in charge of professional
6 engineering work.

7 The terms for all members shall be for 5 years. On the
8 expiration of the term of any member or in the event of a
9 vacancy, the Director shall appoint a member who shall hold
10 office until the expiration of the term for which the member is
11 appointed and until a successor has been appointed and
12 qualified.

13 No member shall be reappointed to the Board for a term
14 which would cause that individual's continuous service on the
15 Board to be longer than 15 successive years.

16 In implementing the 5 year terms, the Director shall vary
17 the terms to enable the Board to have no more than 2 terms
18 expire in any one year.

19 The public member shall not be an employee of the State of
20 Illinois. The public member shall be an Illinois resident and a
21 citizen of the United States.

22 In making appointments to the Board, the Director shall
23 give due consideration to recommendations by members of the
24 profession and by organizations therein.

25 The Director may remove any member of the Board for
26 misconduct, incompetence, neglect of duty or for reasons

1 prescribed by law for removal of State officials.

2 The Director may remove a member of the Board who does not
3 attend 2 consecutive meetings.

4 A quorum of the Board shall consist of a majority of Board
5 members appointed. Majority vote of the quorum is required for
6 Board decisions.

7 Each member of the Board may ~~shall~~ receive compensation as
8 determined by the Secretary ~~when attending Board meetings or~~
9 ~~meetings approved by the Director~~ and shall be reimbursed for
10 all actual traveling expenses.

11 Members of the Board shall be immune from suit in any
12 action based upon any disciplinary proceedings or other
13 activities performed in good faith as members of the Board.

14 Persons holding office as members of the Board immediately
15 prior to the effective date of this Act under the Act repealed
16 herein shall continue as members of the Board until the
17 expiration of the term for which they were appointed and until
18 their successors are appointed and qualified.

19 (Source: P.A. 91-92, eff. 1-1-00.)

20 (225 ILCS 325/7) (from Ch. 111, par. 5207)

21 (Section scheduled to be repealed on January 1, 2010)

22 Sec. 7. Powers and duties of the Board. Subject to the
23 provisions of this Act, the Board shall exercise the following
24 functions, powers and duties:

25 (a) Review education and experience qualifications of

1 applicants, including conducting oral interviews as deemed
2 necessary by the Board, to determine eligibility as an
3 engineer intern or professional engineer and submit to the
4 Director written recommendations on applicant
5 qualifications for enrollment and licensure;

6 (b) The Board may appoint a subcommittee to serve as a
7 Complaint Committee to recommend the disposition of case
8 files according to procedures established by rule in the
9 Illinois Administrative Code, Title 68, Section 1380.305;

10 (c) Conduct hearings regarding disciplinary actions
11 and submit a written report and recommendations to the
12 Director as required by this Act and to provide a Board
13 member at informal conferences;

14 (d) Make visits to universities or colleges to evaluate
15 engineering curricula or to otherwise evaluate engineering
16 curricula and submit to the Director a written
17 recommendation of acceptability of a curriculum;

18 (e) Submit a written recommendation to the Director
19 concerning promulgation of rules as required in Section 5
20 and to recommend to the Director any rules or amendments
21 thereto for the administration of this Act;

22 (f) Hold at least 3 regular meetings each year;

23 (g) Elect annually a chairperson and a
24 vice-chairperson who shall be professional engineers; and

25 (h) Submit written comments to the Director within 30
26 days from notification of any final decision or order from

1 the Director that deviates from any report or
2 recommendation of the Board relating to the qualification
3 of applicants, discipline of licensees or registrants, or
4 promulgation of rules.

5 (Source: P.A. 91-92, eff. 1-1-00.)

6 (225 ILCS 325/8) (from Ch. 111, par. 5208)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 8. Applications for licensure.

9 (a) Applications for licensure shall (1) be on forms
10 prescribed and furnished by the Department, (2) contain
11 statements made under oath showing the applicant's education
12 and a detailed summary of the applicant's technical work, and
13 (3) contain references as required by the Department.

14 (b) Applicants shall have obtained the education and
15 experience as required in Section 10 or Section 11 prior to
16 submittal of application for examination, except as provided in
17 subsection (b) of Section 11. Allowable experience shall
18 commence at the date of the baccalaureate degree, except:

19 (1) Credit for one year of experience shall be given
20 for a graduate of a baccalaureate curriculum providing a
21 cooperative program, which is supervised industrial or
22 field experience of at least one academic year which
23 alternates with periods of full-time academic training,
24 when such program is certified by the university, or

25 (2) Partial credit may be given for professional

1 engineering experience as defined by rule for employment
2 prior to receipt of a baccalaureate degree if the
3 employment is full-time while the applicant is a part-time
4 student taking fewer than 12 hours per semester or 8 hours
5 per quarter to earn the degree concurrent with the
6 full-time engineering experience.

7 (3) If an applicant files an application and supporting
8 documents containing a material misstatement of
9 information or a misrepresentation for the purpose of
10 obtaining licensure or enrollment or if an applicant
11 performs any fraud or deceit in taking any examination to
12 qualify for licensure or enrollment under this Act, the
13 Department may issue a rule of intent to deny licensure or
14 enrollment and may conduct a hearing in accordance with
15 Sections 26 through 33 and Sections 37 and 38 of this Act.

16 The Board may conduct oral interviews of any applicant
17 under Sections 10, 11, or 19 to assist in the evaluation of the
18 qualifications of the applicant.

19 It is the responsibility of the applicant to supplement the
20 application, when requested by the Board, by provision of
21 additional documentation of education, including transcripts,
22 course content and credentials of the engineering college or
23 college granting related science degrees, or of work experience
24 to permit the Board to determine the qualifications of the
25 applicant. The Department may require an applicant, at the
26 applicant's expense, to have an evaluation of the applicant's

1 education in a foreign country by a nationally recognized
2 evaluating service educational body approved by ~~the Board in~~
3 ~~accordance with rules prescribed by~~ the Department.

4 An applicant who graduated from an engineering program
5 outside the United States or its territories and whose first
6 language is not English shall submit certification of passage
7 of the Test of English as a Foreign Language (TOEFL) and a test
8 of spoken English ~~the Test of Spoken English (TSE)~~ as defined
9 by rule.

10 (Source: P.A. 91-92, eff. 1-1-00; 92-145, eff. 1-1-02.)

11 (225 ILCS 325/10) (from Ch. 111, par. 5210)

12 (Section scheduled to be repealed on January 1, 2010)

13 Sec. 10. Minimum standards for examination for licensure as
14 professional engineer. To qualify for licensure as a
15 professional engineer each applicant shall be:

16 (a) A graduate of an approved engineering curriculum of at
17 least 4 years who submits acceptable evidence to the Board of
18 an additional 4 years or more of experience in engineering work
19 of a grade and character which indicate that the individual may
20 be competent to practice professional engineering, and who then
21 passes a nominal 8-hour written examination in the fundamentals
22 of engineering, and a nominal 8-hour written examination in the
23 principles and practice of engineering. Upon passing both
24 examinations, the applicant, if otherwise qualified, shall be
25 granted a license to practice professional engineering in this

1 State; or

2 (b) A graduate of a non-approved engineering curriculum or
3 a related science curriculum of at least 4 years and meeting
4 the requirements as set forth by rule, who submits acceptable
5 evidence to the Board of an additional 8 years or more of
6 experience in engineering work of a grade and character which
7 indicate that the individual may be competent to practice
8 professional engineering, and who then passes a nominal 8-hour
9 written examination in the fundamentals of engineering and a
10 nominal 8-hour written examination in the principles and
11 practice of engineering. Upon passing both examinations, the
12 applicant, if otherwise qualified, shall be granted a license
13 to practice professional engineering in this State; or

14 (c) An engineer intern ~~who meets the education and~~
15 ~~experience qualifications of subsection (a) or (b) of this~~
16 ~~Section and has passed the nominal 8 hour written examination~~
17 ~~in the fundamentals of engineering,~~ by application and payment
18 of the required fee, may then take the nominal 8-hour written
19 examination in the principles and practice of engineering. If
20 the applicant passes ~~Upon passing~~ that examination and submits
21 evidence to the Board that meets the experience qualification
22 of subsection (a) or (b) of this Section, the applicant, if
23 otherwise qualified, shall be granted a license to practice
24 professional engineering in this State.

25 (d) When considering an applicant's qualifications for
26 licensure under this Act, the Department may take into

1 consideration whether an applicant has engaged in conduct or
2 actions that would constitute a violation of the Standards of
3 Professional Conduct for this Act as provided for by
4 administrative rules.

5 (Source: P.A. 91-92, eff. 1-1-00.)

6 (225 ILCS 325/17) (from Ch. 111, par. 5217)

7 (Section scheduled to be repealed on January 1, 2010)

8 Sec. 17. Licensure; Renewal; Restoration; Person in
9 military service; Retired. The expiration date and renewal
10 period for each professional engineer license issued under this
11 Act shall be set by the Department by rule. The enrollment of
12 an engineer intern shall not expire.

13 Any person whose license has expired or whose license is on
14 inactive status may have such license restored by making
15 application to the Department and filing proof acceptable to
16 the Department of that person's fitness to have such license
17 restored, which may include sworn evidence certifying to active
18 practice in another jurisdiction satisfactory to the
19 Department and by paying the required restoration fee. If the
20 person has not maintained an active practice in another
21 jurisdiction satisfactory to the Department, the Board shall
22 determine, by an evaluation program established by rule, the
23 person's fitness to resume active status and may require the
24 person to complete a period of evaluated experience and may
25 require successful completion of the principles and practice

1 examination.

2 However, any person whose license expired while that person
3 was (1) in Federal Service on active duty with the Armed Forces
4 of the United States, or the State Militia called into service
5 or training, or (2) in training or education under the
6 supervision of the United States preliminary to induction into
7 the military service, may have such license renewed or restored
8 without paying any lapsed renewal fees if, within 2 years after
9 honorable termination of such service, training, or education,
10 except under conditions other than honorable, the Department is
11 furnished with satisfactory evidence that the person has been
12 so engaged and has maintained professional competence and that
13 such service, training or education has been so terminated.

14 Each application for renewal shall contain the original
15 seal and signature of the professional engineer. Applicants for
16 renewal or restoration shall certify that all conditions of
17 their license meet the requirements of the Illinois
18 Professional Engineering Practice Act of 1989.

19 The Department may grant the title "Professional Engineer,
20 Retired", to any person who has been duly licensed as a
21 professional engineer by the Department and who chooses to
22 relinquish or not renew his or her license. The Department may,
23 by rule, exempt from continuing education requirements those
24 who are granted the title "Professional Engineer, Retired."
25 Those persons granted the title "Professional Engineer,
26 Retired" may request restoration to active status under the

1 applicable provisions of Sections 17, 17.5, and 18 of this Act.

2 (Source: P.A. 89-61, eff. 6-30-95.)

3 (225 ILCS 325/19) (from Ch. 111, par. 5219)

4 (Section scheduled to be repealed on January 1, 2010)

5 Sec. 19. Endorsement. The Department may, upon the
6 recommendation of the Board, license as a professional
7 engineer, on payment of the required fee, an applicant who is a
8 professional engineer registered or licensed under the laws of
9 another state or territory of the United States or the District
10 of Columbia or parties to the North American Free Trade
11 Agreement if the applicant qualifies under Section 10 of this
12 Act, or if the qualifications of the applicant were at the time
13 of registration or licensure in another jurisdiction
14 substantially equal to the requirements in force in this State
15 on that date.

16 The Department may refuse to endorse ~~by comity~~ the
17 applicants from any state, District of Columbia or territory if
18 the requirements for registration or licensure in such
19 jurisdiction are not substantially equal to the requirements of
20 this Act.

21 Applicants have 3 years from the date of application to
22 complete the application process. If the process has not been
23 completed during the 3 year time frame, the application shall
24 be denied, the fee forfeited and the applicant must reapply and
25 meet the requirements in effect at the time of reapplication.

1 (Source: P.A. 88-595, eff. 8-26-94; 89-61, eff. 6-30-95.)

2 (225 ILCS 325/21) (from Ch. 111, par. 5221)

3 (Section scheduled to be repealed on January 1, 2010)

4 Sec. 21. Rosters. The Department shall maintain a roster of
5 the names and addresses of all professional engineers and
6 professional design firms, partnerships, and corporations
7 licensed or registered under this Act. This roster shall be
8 available upon ~~written~~ request and payment of the required fee.

9 (Source: P.A. 88-428.)

10 (225 ILCS 325/42) (from Ch. 111, par. 5242)

11 (Section scheduled to be repealed on January 1, 2010)

12 Sec. 42. Civil penalties.

13 (1) In addition to any other penalty provided by law, any
14 person, sole proprietorship, professional service corporation,
15 limited liability company, partnership, or other entity who
16 violates Section 40 of this Act shall forfeit and pay to the
17 Design Professionals Administration and Investigation Fund a
18 civil penalty in an amount determined by the Department of not
19 more than \$10,000 ~~\$5,000~~ for each offense. The penalty shall be
20 assessed in proceedings as provided in Sections 26 through 33
21 and Section 37 of this Act.

22 (2) Unless the amount of the penalty is paid within 60 days
23 after the order becomes final, the order shall constitute a
24 judgment and shall be filed and execution issued thereon in the

1 same manner as the judgment of a court of record.

2 (Source: P.A. 88-595, eff. 8-26-94; 89-61, eff. 6-30-95.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.