



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-775A

Kathy Hart, Executive Director  
State Board of Licensure for Professional  
Engineers and Land Surveyors  
220 NE 28<sup>th</sup> Street, Ste. 120  
Oklahoma City, Oklahoma 73105

November 6, 2017

Dear Executive Director Hart:

This office has received your request for a written Attorney General Opinion regarding action that the State Board of Licensure for Professional Engineers and Land Surveyors intends to take pursuant to a consent agreement in Board case 2017-014 against an engineering firm, an unlicensed engineer, and a licensed engineer. The firm executed a proposal, signed by the unlicensed engineer, to provide engineering and surveying services in Bartlesville without a Certificate of Authorization. The now-licensed engineer was unlicensed at the time, but was represented as being qualified and contracted to perform engineering and land surveying services for the project. The Board proposes to impose administrative penalties against all three parties, to reprimand the firm and the licensed engineer, and to order the unlicensed engineer to cease and desist from practicing or offering to practice engineering in the State until properly licensed.

Oklahoma law provides that, “[i]n order to safeguard life, health and property, and to promote the public welfare,” it is unlawful for unlicensed persons “to practice or to offer to practice engineering and land surveying . . . in this state[.]” 59 O.S.2011, § 475.1. A firm practicing or offering to practice engineering or land surveying services in this state must be “issued a certificate of authorization by the Board.” 59 O.S.Supp.2016, § 475.21(A)(2). The Board may “issue orders [and] levy administrative fines . . . if a person . . . [f]ail[s] to comply with any of the provisions of [this Act] or any of the rules or regulations pertaining thereto.” *Id.* § 475.18(A)(4). The Board may reasonably believe that the disciplinary action is necessary to deter future violations.

It is, therefore, the official opinion of the Attorney General that the State Board of Licensure for Professional Engineers and Land Surveyors has adequate support for the conclusion that this proposed action advances the State's policy to protect public welfare.



MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA



RYAN CHAFFIN  
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