

Patrick Administration Further Streamlines Engineering and Land Surveying Regulations, Celebrates Success Of Regulatory Reform Initiatives

These reforms are the latest example of a nation-leading regulatory reform process that led to 255 executive branch regulations being amended or eliminated

BOSTON – Thursday, August 28, 2014 – Building on a regulatory reform effort that has already made doing business in Massachusetts easier for thousands of companies, Housing and Economic Development Secretary Greg Bialecki today celebrated the implementation of regulations recently adopted by the Division of Professional Licensure's (DPL) Board of Professional Engineers and Professional Land Surveyors. These new regulations comprehensively reform the rules governing the practice of engineering and land surveying in Massachusetts.

"Through these important reforms we have made it easier to do business in Massachusetts," said Housing and Economic Development Secretary Greg Bialecki. "Enhancing efficiencies in government operations is not only good practice, but it also promotes growth and opportunity in the Commonwealth."

"In the true spirit of regulation reform, these changes bring Massachusetts in line with the rest of the country in terms of industry standards and will impact every community in the Commonwealth," said Undersecretary of Consumer Affairs Barbara Anthony. "These restructured regulations create a single, organized set of rules which clearly articulate the pathways to professional licensure and requirements for professional standards."

Early last month, Governor Patrick also signed "*An Act Modernizing Licensing Operations at the Division of Professional Licensure*," as part of his regulatory reform initiative. The legislation streamlines and improves the licensing process and business climate for thousands of professional licensees throughout Massachusetts by making key reforms to the internal operations of DPL, ultimately lowering costs and allowing the agency to run more efficiently.

The changes allow the use of new technologies in the course of performing engineering and land surveying work, and also clarify existing regulatory requirements for licensed professionals. The Board began its review of the regulations after discovering that majority of the regulations governing engineers and land surveyors had not been updated since 1993, and hearing from members of the professions who found the existing regulations to be outdated and lacking structure.

In an effort to modernize existing regulations, the Board developed a new set of rules that clarify the requirements for licensure and recognize important technological advancements that impact how licensees conduct business on a day-to-day basis. For example, licensees can now authenticate their work through the use of digital signatures and digitized professional stamps which will help modernize the profession by allowing the use of new technologies, saving time and increasing efficiency.

"The revised version of 250 CMR, the regulations governing the practice of professional engineering and professional land surveying in the Commonwealth, make it easier for the public, applicants, and licensed to professionals to understand and use the regulations," said Dennis Drumm, Chairman of the Board of Registration of Professional Engineers and Professional Land Surveyors. "The Board of Registration of Professional Engineers and Professional Land Surveyors had a goal of clarity – and we met it – vastly improving how the public and practitioners can use these regulations. The Board of Registration is grateful to the Division of Professional Licensure staff, especially Board Counsel Sheila York, for their diligence and responsiveness in working with us on these new regulations."

Members of the engineering and land surveying professions provide services to consumers in a number of fields including civil, environmental, electrical, mechanical and structural. Specifically, they prepare and stamp engineering plans for submission to public authorities and provide a wide variety of engineering services to the public.

“This is an exciting time at DPL, as we have seen first-hand that when regulatory reform is put into action, it means real changes for consumers and businesses in the Commonwealth,” said DPL Director Mark Kmetz. “These regulations provide professional engineers and land surveyors with a regulatory code that is clear and coherent, and reflects how these professions are practiced in the 21st century.”

Another new change clarifies an existing requirement that businesses performing engineering or surveying work have an appropriately qualified licensee directly in charge of the work. Currently, a licensee cannot approve work unless it is performed by the licensee personally, or by an employee under the direct supervision of the licensee. The revised regulation describes the requirements that must be met to ensure that the licensee exercises direct charge and supervision over the work. This clarification will provide better guidance to small engineering and land surveying firms in their day-to-day operations, while also offering stronger protections to businesses and consumers utilizing the services of those firms.

The text of the final regulations is available online through the [Board's webpage](#).

“This new version of 250 CMR will help the public understand the roles of engineers and land surveyors,” said Dean Groves, Chair of The Engineering Center Education Trust. “It also helps the professions. Finally, licensees can authenticate their work through the use of digital signatures and digitized professional stamps. Along with additional changes, this will help modernize the profession by allowing the use of new technologies, saving time and increasing efficiency.”

In July, the Governor announced the implementation of 255 executive branch regulations have been amended or eliminated, streamlining and improving the licensing process and business climate for thousands of professional licensees throughout Massachusetts. In October 2011, Governor Patrick announced the Administration's thorough process of reviewing rules and regulations, focusing on finding regulations that are duplicative, out-of-date or in need of update and creating the changes necessary to improve or eliminate those regulations. This review is the first comprehensive effort of its kind in Massachusetts history, and one of the first completed reviews in the Nation, allowing the Patrick Administration to make substantial strides to ease the cost of doing business in Massachusetts.

The initiative included a comprehensive review and re-evaluation of existing regulations, a systematic and coordinated process for regulators to consider economic impacts for newly-proposed regulations, public reporting of small business impacts for all regulatory changes to improve transparency during the public rule-making process and partnerships with the regulated community to share responsibility for creating a balanced regulatory environment.

Significant regulatory reforms by the Patrick Administration since January 2012 include:

- MassDOT has standardized permitting and police escort fees for oversized loads on Interstate 93 and the Massachusetts Turnpike, a move that allows for freer transit of trucks while still maintaining public safety parameters; permits online filing for permits; makes it easier to approve request for access to MassDOT property, including curb cuts and other construction access permits; and allows online filing for permits.
- Some of the most significant changes have come through the repeal of certain Massachusetts Health Connector's regulations, including the elimination of the Fair Share Contribution requirement, the elimination of the Employer Health Insurance Responsibility Disclosure form and the elimination of the requirement that employers offer section 125 plans to pay for coverage through their group health plan or through the Health Connector on a pre-tax basis or be subjected to a surcharge. Each of these regulations burdened employers of all sizes.
- The Department of Environmental Protection has repealed a duplicative approval process for certain Title V septic

systems. The amendments streamline state oversight by ending the requirement that local approving authorities consult with DEP before determining whether facilities asserted to be in separate ownership are in fact a single facility. These changes clarify and modernize regulatory language and reduce costs for residential construction.

- The Department of Public Health adopted a model National Registry of Emergency Medical Technicians (EMTs) examination and certification; reduced licensure fees; allowed online licensure filing; made changes to EMT scope of practice and training standards; required accreditation of paramedic-level training institutions through Commission on Accreditation of Allied Health Education Program; and extended hospital affiliation agreement requirements to Basic Life Support ambulance services. Private ambulance companies and hospitals will benefit from the adoption of national accreditation standards and online filing.
- The Department of Public Safety (DPS) amended regulations overseeing ice cream truck operators. Previously, any truck operating in more than one municipality had to obtain a license from each city or town. Now, a driver may apply for a single DPS license which will permit the sale of ice cream in any municipality in the Commonwealth.

The Board of Professional Engineers and Professional Land Surveyors licenses almost 16,000 individuals in these professions, and sets and enforces licensing standards to ensure that licensees are competent and do not endanger public safety. It is one of the 31 professional and trade boards under the supervision of DPL, a regulatory agency within the Office of Consumer Affairs and Business Regulation. The agency is responsible for ensuring regulatory compliance and the integrity of the licensing process for more than 370,000 licensees practicing some 50 trades and professions. DPL also licenses and regulates private occupational schools.

More information on the Patrick Administrations Nation-leading regulatory reform efforts can be found at www.mass.gov/

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