

STATE OF WISCONSIN  
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL  
ENGINEERS, DESIGNERS AND LAND SURVEYORS

---

IN THE MATTER OF RULE-MAKING : ORDER OF THE  
PROCEEDINGS BEFORE THE : EXAMINING BOARD OF  
EXAMINING BOARD OF ARCHITECTS, : ARCHITECTS, LANDSCAPE  
LANDSCAPE ARCHITECTS, : ARCHITECTS, PROFESSIONAL  
PROFESSIONAL ENGINEERS, : ENGINEERS, DESIGNERS AND  
DESIGNERS AND LAND SURVEYORS : LAND SURVEYORS  
: ADOPTING RULES  
: (CLEARINGHOUSE RULE 03-087)

---

ORDER

An order of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors to renumber and amend A-E 4.09 (intro.), (1) to (4); and to create A-E 4.09 (2), relating to application contents for professional engineers.

Analysis prepared by the Department of Regulation and Licensing.

---

ANALYSIS

**Statute interpreted:**

Section 443.10 (1) and (2), Stats.

**Statutory authority:**

Sections 15.08 (5) (b), 227.11 (2) and 443.10 (1) and (2), Stats.

**Explanation of agency authority:**

Current rules define contents of applications for registration for professional engineers. Section A-E 4.09 provides that applications for registration will include specific information and documentation that will verify the applicant's education, experience and training. The current rules do not provide specific application requirements for different types of applicants. For example, applications for initial registration now require the same documentation as applications by comity. Because applicants by comity are already registered and practicing in another state, the documentation needed by the section to determine their eligibility for registration in Wisconsin is not the same as that needed for an applicant for initial registration.

**Related statute or rule:**

There are no related statutes or rules other than those listed above.

**Plain language analysis:**

Because applicants by comity are already registered and practicing in another state, the documentation needed by the section to determine their eligibility for registration in Wisconsin is not the same as that needed for an applicant for initial registration. Therefore, s. A-E 4.09 (2) is created.

**Summary of, and comparison with, existing or proposed federal regulation:**

The federal government does not regulate or oversee the application process for engineers involving licensure, and a search of the United States Code Services (USCS) and the Code of Federal Regulations (CFR) returned no entries regarding this subject.

**Comparison with rules in adjacent states:**

This rule change will bring Wisconsin in line with the adjacent states that all have similar comity rules.

**Anticipated costs incurred by private sector:**

There will be no anticipated costs that would be incurred by the private sector.

**Effect on small business:**

These rules will have no significant economic impact on a substantial number of small businesses, as defined in s. 227.114 (1) (a), Stats.

**Agency contact person:**

The agency contact person is Pamela Haack, Paralegal, Department of Regulation and Licensing, Office of Legal Counsel, 1400 East Washington Avenue, Room 171, P.O. Box 8935, Madison, Wisconsin 53708. Telephone: (608) 266-0495. Email address: [pamela.haack@dr.state.wi.us](mailto:pamela.haack@dr.state.wi.us).

-----  
TEXT OF RULE

SECTION 1. A-E 4.09 (intro.) and (1) to (4) are renumbered A-E 4.09 (1) (intro.), (a) to (d) and as renumbered A-E 4.09 (1) (intro.) and (1) (b) are amended to read:

**A-E 4.09 Application contents.** (1) (intro.) An application for initial registration shall include all of the following:

(b) References from at least 5 individuals having personal knowledge of the applicant's experience in professional engineering, 3 or more of whom are registered professional engineers.

SECTION 2. A-E 4.09 (2) is created to read:

A-E 4.09 (2) (intro.) An application for registration by comity from another state shall include all of the following:

(a) Verification of registration submitted directly from all states, territories or provinces of Canada where the applicant is or has been registered, including a statement regarding any disciplinary action taken.

(b) Any additional data, exhibits or references showing the extent and quality of the applicant's experience that may be required by the section.

-----  
(END OF TEXT OF RULE)  
-----

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated \_\_\_\_\_

Agency \_\_\_\_\_

Chairperson  
Examining Board of Architects,  
Landscape Architects, Professional  
Engineers, Designers and Land Surveyors

A-E 4.09 CR03-087 (Comity application) Draft for Adoption 3-7-05