

APPLICANT'S NAME: _____

DATE: _____

This licensing law and rule questionnaire is an integral part of the application process. All answers can be found at the website: <http://www.engineer.mt.gov> by clicking the "Regulations" tab and using the links to Administrative Rules and Statutes. Please indicate your answers by selecting "T" for true or "F" for false for each statement and typing in the legal reference for the statement. This questionnaire may not be duplicated or completed and provided to other applicants.

Montana Engineer Licensing Law and Rule Questionnaire			
Note: This completed exam must accompany application			
No.	T / F	Statement	Legal Reference
	<input checked="" type="radio"/> <input type="radio"/>	One of the duties of the Board of Professional Engineers and Professional Land Surveyors (Board) is to investigate complaints of illegal or unethical conduct of engineers licensed by the Board.	37-1-101
1.		Under Montana law, it is the duty of all applicants for license or renewal to report any legal or disciplinary actions against them, which relate to the applicant's practice or fitness to practice.	
2.		The Board is obligated by Montana law to enforce rules governing licensure of engineers and land surveyors.	
3.		The Board is not required by law to conduct a contested case hearing when a license is denied or a probationary license is issued.	
4.		The Board may issue subpoenas in connection with investigations and disciplinary proceedings.	
5.		A person or private entity, filing a complaint in good faith, is not immune from suit in a civil action related to filing or contents of the complaint.	
6.		Assisting in the unlicensed practice of a profession or occupation or allowing another person or organization to practice or offer to practice by use of the licensee's license is considered unprofessional conduct by Montana law.	
7.		Practice of engineering includes work ordinarily performed by persons who operate or maintain machinery or equipment, communication lines, signal circuits, electric power lines, or pipelines.	
8.		Teaching of advanced engineering subjects is not defined as engineering in Montana.	
9.		A person must be considered to practice engineering, within the meaning and intent of Montana law, who by verbal claim, advertisement, letterhead, card, or in any other way represents that the person is a professional engineer.	
10.		A person is not considered to be practicing engineering when the work does not include final engineering and is done under the direct supervision of a person holding a professional engineer's license.	
11.		The Board may not adopt rules for proper performance of its duties, as the Montana Legislature can only do this.	
12.		In order to safeguard life, health, and property and to promote the public welfare, a person in either a public or private capacity practicing or offering to practice engineering is required to submit evidence that the person is qualified to practice and is licensed as provided by Montana law.	
13.		Applicants can be exempt from the fundamentals of engineering examination if they have a PhD in an approved engineering curriculum or if they have 20 years or more of progressive engineering experience.	

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14.		If a person has passed the PE exam, is licensed to practice in another state and meets the same qualifications as an applicant seeking to take the PE exam in Montana, that person may be issued a Montana license.	
15.		An engineer may affix his seal and signature on any plans or drawings after his (her) license has expired, provided they have notified the Board.	
16.		Professional engineer licenses are valid for 4 years.	
17.		Before a professional engineer license can be renewed, the licensee must affirm that they have maintained the required CE during the preceding licensing period.	
18.		Failure to renew a professional engineer license on time will result in additional fees to the licensee.	
19.		If the renewal process is not completed within one year, the licensee will be considered a new applicant, potentially requiring re-testing.	
20.		A business entity seeking to provide engineering services in Montana must obtain a Certificate of Authorization and have at least one employee who is a licensed engineer in Montana.	
21.		A business entity with multiple branch offices must obtain a separate Certificate of Authorization for each branch office.	
22.		It is a criminal offense if a person knowingly presents or attempts to use the license or the seal of another person.	
23.		The Board may adopt rules without using the public participation rules governing state agencies.	
24.		Baccalaureate engineering or engineering technology programs accredited by the accreditation board for engineering and technology (ABET), or equivalent curricula as approved by the Board, meet the education requirements for licensing.	
25.		Sub-professional experience is experience that is gained before graduation with a baccalaureate degree, is counted at a 50% rate, and will be awarded at a one year maximum.	
26.		If an applicant for licensing as a professional engineer does not have the required experience for licensure, then the applicant can still apply for engineering licensure and see if the Board will accept a lesser amount of experience.	
27.		A licensee may not practice any professional engineering in the state of Montana while the license is in an inactive status.	
28.		A person who holds a PE license in another state must re-take the Fundamentals of Engineering exam and the Principles & Practices of Engineering exam in order to be licensed in Montana.	
29.		A licensed professional engineer's seal cannot be of the rubber stamp variety.	
30.		A licensed engineer in Montana must certify at license renewal time that he (she) has completed 120 hours of professional development/continuing education during the previous licensing period.	
31.		New licensees by exam or comity are exempt from obtaining professional development hours (PDH) during their first renewal cycle.	
32.		Anyone wishing to enter a complaint against a professional engineer may do so anonymously.	

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33.		The term “direct supervision” means the licensee has exercised regular and direct oversight and guidance of engineering work, which includes plans, designs, surveys, and client advice at the time the works occurs, and the licensee takes responsibility for the work.	
34.		To be in “responsible charge” an engineer must personally make engineering decisions, or review and approve proposed engineering decisions prior to their implementation.	
35.		Licensees shall issue no statements, criticism or arguments on technical matters which are inspired or paid for by interested parties, unless licensees preface their comments by explicitly identifying the interested parties on whose behalf they are speaking and by revealing the existence of any interest the licensees may have in the matters.	
36.		Licensees with direct knowledge of an alleged violation of the laws and rules of professional conduct regulating engineering are not required to report such violations to the Board.	
37.		Licensees’ primary obligation is to protect the safety, health property and welfare of the public and shall notify their employer, client and such other authority when their professional judgment is overruled in such a manner as to endanger the safety, health, property or welfare of the public.	
38.		Since Montana does not license engineers by discipline, a licensee may affix their signatures or seals on any set of plans or documents regardless of engineering discipline or the engineer’s area of competency.	
39.		Licensees shall not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.	
40.		Licensees may attempt to supplant other licensees or firms from work that is in progress, without notifying the other licensee in writing.	