MEMORANDUM OF UNDERSTANDING
TO ADVANCE THE MOBILITY OF PROFESSIONAL ENGINEERS

BETWEEN:

ENGINEERS CANADA

-AND-

THE NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

BACKGROUND

1. Engineers Canada is the national organization of the provincial and territorial Associations/Ordre that regulate the profession of engineering in Canada (the “Canadian Regulators”). Each of the Canadian Regulators are autonomous and are responsible for licensure of Professional Engineers in their province or territory. Engineers Canada has no authority, implied or otherwise, over the Canadian Regulators. Each province/territory legislatively requires that engineers obtain licensure where they intend to provide services.

2. The Nevada State Board of Professional Engineers and Land Surveyors (the “Board”) is established under the provisions of the Nevada Revised Statutes, Chapter 625. The Board is mandated to license qualified applicants and regulate the practice of professional engineering and land surveying throughout the State. It is responsible for the administration, regulation and enforcement of the profession of engineering in the State of Nevada.

3. Engineers Canada is a signatory to the International Engineering Alliance (“IEA”) Mobility Agreements and is authorized by the Canadian Regulators to administer and maintain the Canadian sections of the IEA Registers.

4. The National Council of Examiners for Engineering and Surveying (“NCEES”) is a signatory to the IEA Mobility Agreements and is authorized by the United States engineering regulators, including the Board, to maintain the US sections of the IEA Registers.

5. Engineers Canada and the Board (hereinafter referred to individually as a “Participant” and jointly as the “Participants”) wish to formalize the terms and understanding between themselves, in an effort to engage in a cooperative approach to advancing international mobility.

PURPOSE

6. Through this Understanding, and to facilitate the accelerated licensing of Professional Engineers across the respective jurisdictions, the Participants wish to:
   a. recognize the substantial similarity of licensing standards and practices of the Canadian Regulators and the Board; and
   b. promote the value of the IEA Registers to Professional Engineers in Canada and Nevada.
DEFINITIONS

"Understanding" means this understanding entitled “Memorandum of Understanding to Advance the Mobility of Professional Engineers.”

"Engineers Canada Register" means the register maintained by Engineers Canada to fulfill its obligations under the IEA Mobility Agreements.

"Home Jurisdiction" means the jurisdiction in which a Professional Engineer is licensed.

"Host Jurisdiction" means the jurisdiction to which an engineer applies for reciprocal recognition.

"Member" means a Professional Engineer belonging to any one of the Canadian Regulators or the Board.

"Professional Engineer" is the general descriptor used to identify engineers with capabilities to undertake independent professional engineering practice, recognized by a national professional engineering body or state authority.

"IEA Mobility Agreements" means the International Professional Engineers Agreement ("IPEA") and the Asia-Pacific Economic Cooperation ("APEC") Engineers Agreement, to which Engineers Canada and NCEES are signatories.

"IEA Registers" means the sections of the registers under the IEA Mobility Agreements, and includes the Engineers Canada Mobility Register and the NCEES Register. Members who are listed on the IEA Registers are individuals who have been assessed in their Home Jurisdiction as a Professional Engineer eligible for independent practice and who have gained a minimum of seven (7) years’ experience since graduation and have spent at least two (2) years in responsible charge of significant engineering work. These individuals have also maintained their continuing professional development at a satisfactory level and agree to be bound by the codes of professional conduct established and enforced by their Home Jurisdiction and by any other jurisdiction within which they practice. They agree to be held individually accountable for their actions, both through requirements imposed by the licensing body in the jurisdiction in which they work, and through legal processes. Furthermore, Engineers Canada and the NCEES independently require that Members seeking registration on their section of the IEA Register agree to specific terms and conditions and meet additional standards and criteria, bringing those individuals under greater personal and professional scrutiny.

"NCEES Register" means the register maintained by the NCEES to fulfill its obligations under the IEA Mobility Agreements.

RECIPROCAL RECOGNITION

7. The Participants agree that the Canadian Regulators and the Board have processes for assessing and licensing qualified engineers that are substantially equivalent in terms of assuring the public that the Member will practice with competence and integrity.

8. Engineers Canada recognizes that engineers who are licensed in Nevada and who are listed on the NCEES Register have undergone a greater level of assessment and scrutiny than what is required by any of the Canadian Regulators alone.
9. The Board recognizes that Professional Engineers who are licensed by any of the Canadian Regulators and are listed on the Engineers Canada Register have undergone a greater level of assessment and scrutiny than what is required by the Board alone.

IMPLEMENTATION AND REVIEW

10. Engineers Canada will submit this Understanding to the Canadian Regulators and use best efforts to inform them of both (a) the Board’s substantially equivalent practices for reviewing and assessing its applicants’ and Members’ abilities to practice with competence and integrity, and (b) the added level of assessment and scrutiny that those Nevada Members on the NCEES Register have undergone, in an effort to help expedite the review of any Nevada Members seeking licensure in Canada.

11. Despite section 10, the Canadian Regulators are autonomous and have individually established systems for assessing and licensing applicants. To that end, the Board understands and accepts that some or all of the Canadian Regulators may dismiss or disregard Engineers Canada’s efforts to help expedite the review of Nevada Members seeking licensure in Canada.

12. The Board, understanding that Canadian Members on the Engineers Canada Register have undergone an additional level of assessment and scrutiny, will consider an expedited approach to licensing any such Canadian Member seeking licensure in Nevada.

13. The Participants will, every five (5) years unless otherwise mutually agreed, review and report on the status of implementation and effectiveness of this Understanding and may make any proposals necessary, in writing, for modification of the Understanding.

LICENSEING, IMMIGRATION AND VISA ISSUES

14. Nothing in this Understanding is intended to preclude the need by Members to conform to applicable licensing, immigration and visa requirements of the Host Jurisdiction.

INFORMATION EXCHANGE

15. Upon reasonable request, the Participants will provide resource information, including any existing manuals, guidelines, website links and/or contact information, to assist the Board or any of the Canadian Regulators, to understand the Host Jurisdiction’s licensing or other processes.

16. The Participants will notify each other and provide copies of any major changes in policy, criteria, procedures and programs that might affect this Understanding.

DISPUTE RESOLUTION

17. The Participants will at all times endeavor to agree on the interpretation and application of this Understanding, and will make every attempt, through cooperation and consultation, to arrive at a satisfactory resolution of any matter that might affect the operation or interpretation thereof.
TERM

18. This Understanding is at-will and may be modified by mutual consent of each Participant’s authorized signatory. The Understanding shall become effective upon signature and will remain in effect unless a Participant notifies the other Participant, in writing, of its intention to terminate the Understanding, which notice shall be provided at least three (3) months prior to the date of termination.

19. Notwithstanding section 18, this Understanding will automatically terminate if the United States and Canada, represented respectively by the NCEES and Engineers Canada, ceases to be a member in good standing under the Washington Accord.

20. Termination of this Understanding will not affect rights already granted to individual Members under this Understanding.

GENERAL

21. Without exception, the Participants understand and agree that this Understanding is not intended to create any legally binding obligations, but rather, is intended to formalize the Participants’ agreement to work together to facilitate mobility and encourage discussions regarding general areas of cooperation.

EXECUTED this 12th day of January, 2017

ENGINEERS CANADA

[Signature]
Chris D. Roney, FEC, P.Eng.
President

[Signature]
Kim Allen, FEC, P.Eng.
Chief Executive Officer

NEVADA STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

[Signature]
Christopher M. Roper, PE/SE
Board Chairman

[Signature]
Patty Mamola, PE
Executive Director
ATTACHMENT TO MEMORANDUM OF UNDERSTANDING
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BETWEEN ENGINEERS CANADA
-AND-
NEVADA STATE BOARD FO PROFESSIONAL ENGINEERS AND LAND SURVEYORS

LICENSURE PRACTICES

Nevada State Board of Professional Engineers and Land Surveyors

In licensing a Professional Engineer, the Nevada State Board of Professional Engineers and Land Surveyors generally requires the following elements:

a) A degree from an Accredited Engineering Program or equivalent;
b) A minimum of four years of acceptable engineering experience depending on education;
c) At least two years engineering experience under the direct supervision of a professional engineer in the same discipline;
d) Successful completion of the Nevada exam on laws related to regulating engineers;
e) Verification of suitable character and engineering competence through reference statements from at least four licensed Professional Engineers;
f) Verification of US citizenship or legal right to work in the US;
g) A passing score on the NCEES Fundamentals of Engineering;
h) A passing score on the NCEES Principles and Practice of Engineering examination; and
i) For structural engineering, a passing score on the NCEES Structural Engineering examination.

Engineers Canada

In licensing a Professional Engineer, Engineers Canada Member Regulators generally require the following elements:

a) A degree from an Accredited Engineering Program or equivalent;
b) A minimum of four years acceptable engineering experience of which one year must be obtained in a Canadian environment or equivalent;
c) English or French language competency as required by the Jurisdiction;
d) Successful completion of a professional practice examination;
e) Demonstration of good character; and
f) Receipt of at least three professional references regarding practice and character.

In addition, some Member Regulators have additional competency based criteria for practice in certain areas. Engineers Canada will verify these upon request.

IEA Registers

The International Engineering Alliance (IEA) maintains the

- International Professional Engineers Agreement (IPEA) Register, and
- Asia-Pacific Economic Cooperation Engineers Agreement (APEC EA) Register.

The member countries maintain a section of the register in their jurisdiction. Engineers listed on the registers may use the APEC or IntPE designations to signify that they have met the standard of
registration and are prepared to conduct engineering practices internationally. They may also experience faster registration in some international jurisdictions.

Engineers Canada and NCESS are the authorized signatory members of IEA for Canada and the USA respectively.

The IEA Registers generally require the following elements:

a) Credentials as a Professional Engineer eligible for independent practice in their Home Jurisdiction;
b) A minimum of seven (7) years' experience since graduation;
c) At least two (2) years in responsible charge of significant engineering work;
d) Continuing professional development at a satisfactory level;
e) Agreement to be bound by the codes of professional conduct established and enforced by their Home Jurisdiction and by any other jurisdiction within which they practice;
f) Agreement to be held individually accountable for their actions, both through requirements imposed by the licensing body in the jurisdiction in which they work, and through legal processes; and
g) Furthermore, Engineers Canada and the NCEES independently require that Members seeking registration on their respective IEA Registers agree to standards and criteria, bringing those individuals under greater personal and professional scrutiny.

The IEA periodically audits (not longer than six years) each authorized members' process to ensure their processes determine that engineers continue to meet the established standard.