

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 932

Short Title: Penalty Up/Engineering Violations.

(Public)

Sponsors: Representatives Colton, Barbee, Foster, Hall, R. Hunter, and Rhyne.

Referred to: Commerce.

March 27, 1989

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE PENALTY FOR ENGINEERS AND LAND SURVEYORS FOUND GUILTY OF CERTAIN MISCONDUCT IN PROFESSIONAL PRACTICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 89C-21 reads as rewritten:

"§ 89C-21. Disciplinary action – Reexamination, revocation, suspension, reprimand, or ~~fine.~~ civil penalty.

(a) The Board may suspend, refuse to renew, or revoke the certificate of registration, require reexamination, or levy a ~~fine~~ civil penalty not in excess of five ~~hundred thousand dollars (\$500,000)~~ (\$5,000) for any engineer or land surveyor, who is found:

- (1) Guilty of the practice of any fraud or deceit in obtaining a certificate of registration or certificate of authorization.
- (2) Guilty of any gross negligence, incompetence, or misconduct, in the practice of his profession. In the event the Board finds that a certificate holder is incompetent the Board may, in its discretion, require oral or written examinations, or other indication of the certificate holder's fitness to practice his profession and to suspend his license during any such period.
- (3) Guilty of any felony or any crime involving moral turpitude.
- (4) Guilty of violation of the Rules of Professional Conduct, as adopted by the Board.

1 (5) To have been declared insane or incompetent by a court of competent
2 jurisdiction and has not thereafter been lawfully declared sane or
3 competent.

4 (b) The Board shall have the power to (i) revoke a certificate of authorization, or
5 (ii) to suspend a certificate of authorization for a period of time not exceeding two
6 years, of any corporation where one or more of its officers or directors have committed
7 any act or have been guilty of any conduct which would authorize a revocation or
8 suspension of their certificates of registration under the provision of this section.”

9 Sec. 2. This act shall become effective July 1, 1989, and shall apply to
10 proceedings filed on or after that date.