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Current through all acts translated by the Translation Office of the Puerto Rico Government through the 2011 Legislative Session and various acts from 2012 to the present. Appendices III (Rules of Civil Procedure) and IV (Rules of Evidence) of Title 32 have been replaced by Appendices V (Rules of Civil Procedure) and VI (Rules of Evidence) of Title 32 by Order of the Supreme Court dated Sept. 4, 2009, but the official translations are not yet available. Also, the official translations of Appendices XII through XXII of Title 3, which encompass various reorganization plans of the Puerto Rico Government and promulgated in 2010 through 2012, have not yet been received. For all missing translations, please consult the Spanish version

Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711. General principles

The purpose of §§ 711—711z of this title is to regulate the practice of engineering, architecture, surveying and landscape architecture in Puerto Rico, providing, among other things, for the registration and licensing of the persons qualified as such and for the certification of engineers and surveyors in training and associate, and of architects and landscape architects in training.

In order to protect lives, health and property, and foster the public welfare in general, any person who practices, or offers to practice the professions of engineer, architect, surveyor or landscape architect in the public sector or in private enterprises in Puerto Rico, shall be bound to present certifying evidence that he/she is authorized pursuant to §§ 711—711z of this title to exercise the profession of engineer, architect, surveyor or landscape architect in Puerto Rico, that he/she is registered in the official Register of the Board and that he/she is an active member of the College of Engineers and Surveyors of Puerto Rico or the College of Architects and Landscape Architects of Puerto Rico, as the case may be.

History

—Aug. 12, 1988, No. 173, p. 797, § 2; Dec. 26, 1997, No. 185, § 2; Dec. 7, 2007, No. 180, § 1, eff. Dec. 31, 2007.

Annotations

Notes

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HISTORY**Amendments**

—2007.

Act 2007 substituted “architects, surveyors and landscape architects in training” with “and surveyors in training and associate, and of architects and landscape architects in training” at the end of the first paragraph, and made minor lexical changes in the second paragraph.

—1997.

Act 1997 added “landscape architecture” throughout and substituted “registered in an official register of the Board” with “registered in the Official Register of the Board” in the second paragraph.

Statement of motives.

Aug. 12, 1988, No. 173, p. 797.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Title.

Section 1 of Act Aug. 12, 1988, No. 173, as amended by § 1 of Act Dec. 26, 1997, No. 185, provides: “This Act [§§ 711—711z of this title] shall be known as the ‘Board of Examiners of Engineers, Architects, Surveyor and Landscape Architects of Puerto Rico Act’.”

Separability.

Section 17 of Act Dec. 7, 2007, No. 180, eff. Dec. 31, 2007, provides: “If any part, section, provision or language of this Act [which amended §§ 711—711z of this title] were declared null or unconstitutional by a competent court with jurisdiction, said ruling shall not affect the effectiveness of the remaining parts, sections, provisions or language.”

Repealing clause.

Section 31 of Act Aug. 12, 1988, No. 173, p. 797, provides: “Act No. 399 of May 10, 1951, as amended [§§ 681—698 and 700—710 of this title], is hereby repealed.”

Construction.

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Section 26 of Act Aug. 12, 1988, No. 173, renumbered as § 33 and amended by Act Dec. 26, 1997, No. 185, § 34, provides: "This Act [§§ 711—711z of this title] shall not be construed to the effect of preventing or in any way resulting in prejudice to the practice of any other legally recognized professions or trades or that officials and employees of the Government of the United States of America, while they are engaged in the Commonwealth of Puerto Rico in the practice of engineering, architecture, landscape architecture or surveying, do official work of and for said government, exclusively, but they shall not engage in any sort of practice other than that authorized above, unless they comply with the requirements of this Act [§§ 711—711z of this title]. The inclusion of the regulations which govern the practice of landscape architecture in this Act [§§ 711—711z of this title] recognizes the fact that landscape architecture is a different profession and not a specialty of architecture."

Temporary provisions.

Section 30 of Act Aug. 12, 1988, No. 173, renumbered as § 37 and amended by Act Dec. 26, 1997, No. 185, and amended by Act May 21, 1998, No. 74, § 1, provides:

"The following provisions shall govern with respect to the organization, functioning and operation of the incumbent Board on the effective date of this Act [Aug. 12, 1988]:

"(a) All of the Board members in office on the date of approval of this act [Aug. 12, 1988] shall remain in office until their respective appointments expire and their successors are appointed and take office. The Governor shall appoint the four (4) additional Board members within sixty (60) days following the date of approval of this Act [Aug. 12, 1988], so that the representation established in § 5 of this Act [§ 711c of this title] can be achieved.

"However, the two (2) landscape architects who are initially part of the Board shall have practiced Landscape Architecture for a period not less than three (3) years prior to the approval of this Act [Aug. 12, 1988]. The Secretary of the Department of State shall issue a license to those members initially appointed as part of the Board. The members that are designated subsequently shall hold a license issued by the Board.

"(b) Any application for a revalidation examination, license or certificate submitted prior to the effective date of this Act [Aug. 12, 1988] shall be processed according to the provisions of Act No. 173 of August 12, 1988 [§§ 711—711z of this title] and the regulations adopted by virtue thereof.

"(c) Any complaint or procedure initiated under Act No. 173 of August 12, 1988 [§§ 711—711z of this title] and the regulations adopted by virtue thereof, shall continue to be processed under and pursuant to said Act and its regulations until its final resolution or conclusion.

"(d) The Board of Examiners established in § 5 of this act [§ 711c of this title] shall be the successor of the Board of Examiners of Engineers, Architects and Surveyors established in § 2 of Act No. 173 of August 12, 1988 [§ 711 of this title], and as such assumes the responsibility for any agreements, covenants, contracts and obligations granted and contracted by the preceding Board. Likewise, all records, files, documents, archives, equipment and funds are hereby transferred from the preceding Board to its successor.

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“(e) The regulations adopted by virtue of said Act shall continue in effect until they are amended, modified or repealed by the succeeding Board pursuant to this Act [§§ 711—711z of this title].

“(f) Any engineer duly licensed as such by the Board who is qualified to practice the profession of surveyor may continue doing so under his/her engineer’s license without also having to hold a surveyor’s license. For the purposes of this provision, the Board shall establish a Permanent Register in which the engineers in such circumstances shall be registered within one (1) year from the date this provision in Act No. 173 of August 12, 1988, became effective [Aug. 12, 1988]. After this term, only those engineers thus registered and the professionals holding a surveyor’s license, may practice the profession of surveyor in Puerto Rico. The Board shall keep this Permanent Register updated and made available for examination by any interested person. It shall likewise remit a copy thereof to the College of Engineers and Surveyors of Puerto Rico, before which surveying work is presented for approval or registration.

“Engineering students who as of the date of approval of Act No. 173 of August 12, 1988 [Aug. 12, 1988], began their first year of studies in engineering, may apply for inclusion in said Permanent Register after having passed the revalidation examination required therein and having become collegiated. Said application shall be made within one (1) year from the date of issue of their corresponding certificate or license as an engineer and the Board shall include him/her in the Permanent Register provided, that in its judgment, the applicant is qualified to practice the profession of surveyor.

“For the purposes of the Permanent Register provided in this subsection, a ‘qualified engineer’ shall mean any person who has approved [passed] the Surveying I and II courses, the Surveying Camp and the Highways Course as academic requirements, or who otherwise presents attesting evidence of having been practicing the profession of surveyor when the Act becomes effective [Aug. 12, 1988]. Once this Act is approved [Aug. 12, 1988], every Licensed Engineer excluded from the above clauses and who wishes to be included in the Permanent Register shall present authenticating evidence of having passed the courses for a major in surveying from an accredited institution as required by the Board of Examiners of Surveyors.

“(g) Those persons who, on the date of approval of this Act [Aug. 12, 1988], are entitled to be admitted to the surveyor’s revalidation examination pursuant to the provisions of Act No. 173 of August 12, 1988 [§§ 711—711z of this title], shall submit to it no later than three (3) years after the effective date of this Act [Aug. 12, 1988]. Once this term has elapsed, only those requirements established in § 9 of this Act [§ 711e of this title] for surveyors in training and licensed surveyor, shall govern.

“(h) Graduate surveyors who, on the effective date of Act No. 173 of August 12, 1988 [Aug. 12, 1988], have graduated from the two (2)-year course offered at the Mayagüez Campus of the University of Puerto Rico, or who have started said course prior to such a date, shall not be bound to comply with the four (4)-year study requirement established in subsection (e) of § 10 of this Act [§ 711f of this title].

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“(i) Any certificate or license duly issued pursuant to Act No. 173 of August 12, 1988 [§§ 711—711z of this title], shall continue in effect for a term of five (5) years from its corresponding date of issue. Once this term has elapsed said certificates or licenses shall be renewed according to the provisions of § 17 of this Act [§ 711/of this title].

“(j) Those Professional Engineers holding Graduate Engineering Certificates who passed the examinations designated as Fundamental and Professional and who appear in the Register of the Board as having met all the requirements thus merited, shall be granted the professional license.

“(k) Those Professional Architects holding Graduate Architecture Certificates who passed all parts of the revalidation examination and who appear in the Register of the Board as having met all requirements thus merited, shall be granted the professional license.

“(l) Those Professional Surveyors holding Graduate Surveying Certificates who, passed the examinations designated as Fundamental and Professional and who appear in the Register of the Board as having met all the requirements thus merited, shall be granted the professional license.

“(m) Landscape Architecture — Within the term of one year from the date the Board is constituted pursuant to this Act [Aug. 12, 1988], the Board shall issue licenses for the practice of the profession of landscape architecture without the need, of revalidation, to all applicants who meet the following requirements:

“(1) Hold a Bachelor’s, Master’s or Doctor’s Degree in Landscape Architecture, or equivalent curriculum, from an accredited university, as accepted by the Board of Examiners.

“(2) Be a resident of the Commonwealth of Puerto Rico.

“(3) Enjoy good conduct and moral repute in the business and residential community.

“(4) Present a good conduct certificate from the Puerto Rico Police.

“(5) Provide the name, address and telephone number of three (3) engineers, surveyors, architects or landscape architects duly licensed by the Board of their jurisdiction, with direct and personal knowledge of the moral repute and professional experience, if any, of the applicant.”

Special provisions.

Section 16 of Act Dec. 7, 2007, No. 180, eff. Dec. 31, 2007, provides:

“A: Any person who prior to the date of effectiveness of this Act [Dec. 31, 2007] has complied with all the legal requirements to practice the profession of Engineer or Surveyor in Training, shall continue as such, then being able, if they meet the requirements established in this Act for this classification, to request that the Board issue them their certification as Associate Engineer or Surveyor.

“B: Any person who, requirement of taking the revalidation examination he/she lacks, has been unable to renew his/her certificate as Engineer or Surveyor in Training, may request a new certificate as Engineer or Surveyor in

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Training. Once so authorized by the Board of Examiners of Engineers and Surveyors, if he/she meets the requirements established in this Act for this classification, he/she may request that the Board issue his/her certification as Associate Engineer or Surveyor.

“C: Every application for revalidation examination, license or certificate submitted prior to the date of effectiveness of this Act shall be processed pursuant to the provisions of Act No. 173 of August 12, 1988, as amended [§§ 711 et seq. of this title], up to the approval of this Act, and of the regulations adopted therefor.

“D: Every complaint or procedure initiated prior to the effectiveness of this Act shall continue to be processed pursuant to and in accordance with Act No. 173 of August 12, 1988, as amended, up to the approval of this Act, and regulations until its resolution and final decision.

“E: The regulations adopted pursuant to Act No. 173 of August 12, 1988, as amended, up to the approval of this Act shall remain in effect until they are amended, modified or revoked in accordance with this Act by the corresponding Board.

“F: None of the provisions of this Act shall be interpreted to the detriment of vested rights or obligations incurred pursuant to the provisions of the public laws or regulations, or of contracts or collective bargaining agreements or classification and compensation schedules legally in effect, whether in the public or private sector. Nothing contained in this legislation holds harmless or absolves from sanctions any entity that assigns functions or tasks to one personnel classification or another against the provisions of the laws and regulations, or disregarding its own organizational charts or agreements, or negligently or contrary to the public interest or the code of ethics of the profession.”

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

ANNOTATIONS

1. Generally.

2. Constitutionality.

1. Generally.

Only a licensed engineer, trained to practice land surveying and a licensed surveyor can practice land surveying in Puerto Rico; the petitioner acted under the protection of a provisional permit which authorized him to survey, but it

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dealt with an illegally issued permit given that he was not a licensed engineer. [*Matos Matos v. Junta Examinadora de Ingenieros*, 165 D.P.R. 741, 2005 PR Sup. LEXIS 134 \(P.R. 2005\)](#).

2. Constitutionality.

This section is not unconstitutional on its face under the Fifth and Fourteenth Amendments because the Commonwealth of Puerto Rico has the power to regulate the licensing of professions such as engineers; there is a rational basis for changing the certification requirement for engineers to require additional testing, and the requirements are applied equally, moreover, it was not unconstitutional as applied because the additional testing requirement was reasonable. *Quiros v. Engineers Architects & Surveyors Examining Bd.* (Aug. 31, 2005).

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End of Document

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Current through all acts translated by the Translation Office of the Puerto Rico Government through the 2011 Legislative Session and various acts from 2012 to the present. Appendices III (Rules of Civil Procedure) and IV (Rules of Evidence) of Title 32 have been replaced by Appendices V (Rules of Civil Procedure) and VI (Rules of Evidence) of Title 32 by Order of the Supreme Court dated Sept. 4, 2009, but the official translations are not yet available. Also, the official translations of Appendices XII through XXII of Title 3, which encompass various reorganization plans of the Puerto Rico Government and promulgated in 2010 through 2012, have not yet been received. For all missing translations, please consult the Spanish version

Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711a. Definitions

For purposes of this §§ 711–711z of this title, the terms indicated below shall have the following meaning:

(a) Board.— Shall mean the Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects as created by §§ 711—711z of this title.

(b) Register.— Shall mean the Register of the Board as established in § 711f of this title.

(c) Engineer in training.— Shall mean any natural person who holds a diploma or certificate accrediting the satisfactory completion of the requirements of this discipline from a school whose curriculum is recognized by the Council on Higher Education, the Accreditation Board for Engineering and Technology (ABET) or the Board, and who has met the requirement of being registered in the Register of the Board and to whom the Board has issued the corresponding certificate.

(d) Associate engineer.— Shall mean any engineer in training who has completed four (4) years of experience accredited by the Board, presenting written evidence by Puerto Rico licensed or associate engineers; or who has obtained a Master's Degree in Engineering from a school whose program is recognized by the Board and has completed three (3) years of experience accredited by the Board, presenting written evidence by engineers licensed or accredited in Puerto Rico or who have obtained a Doctorate (Ph.D.) in Engineering from a school whose curriculum is recognized by the Board and have completed two (2) years of experience accredited by the Board, presenting written evidence by engineers licensed or accredited in Puerto Rico; and hold an accrediting document issued by the Board that authorizes them to practice as such and to be registered in the Register.

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(e) Licensed engineer.— Shall mean any in training or associate engineer who has met the requirements of this §§ 711–711 of this title to practice said profession and has not less than two (2) years of experience accredited by the Board, upon submitting attesting evidence by Professional or Associate Engineers in Puerto Rico; or who has earned a Master's Degree in Engineering from a school whose curriculum is recognized by the Board and has completed one (1) year and six (6) months of experience accredited by the Board, upon submitting attesting evidence by Professional or Associate Engineers in Puerto Rico; or who has earned a Doctoral Degree (Ph.D.) in Engineering from a school whose curriculum is recognized by the Board and has completed one (1) year of experience accredited by the Board, upon submitting attesting evidence by Professional or Associate Engineers in Puerto Rico; and holds a license issued by the Board authorizing him/her to practice as such and is registered in the Register.

(f) Retired engineer.— Shall mean that professional person who because of his/her retirement from the practice of his/her profession has chosen not to activate his/her license or certificate but who wishes to retain all other privileges granted by §§ 711—711z of this title, including that of membership in the College. To such effect and after applying and obtaining the approval of the Board, the latter shall issue a retired engineer certificate, it being understood that the same does not authorize him/her to practice his/her profession, and should he/she wish to return to such practice, he/she must reactivate his/her certificate or professional license through the means provided by §§ 711—711z of this title.

(g) Architect in training.— Shall mean any person who holds a diploma or certificate accrediting the satisfactory completion of the requirements of this discipline from a school whose curriculum is recognized by the Council on Higher Education, the National Architectural Accreditation Board (NAAB) or this Board, who is registered as such in the Register of the Board and to whom the Board has issued the corresponding certificate and practices his/her profession under the supervision of a licensed architect.

(h) Licensed architect or engineer.— Shall mean any architect in training who has practiced the profession of architecture under the supervision of a licensed architect or engineer for a term of not less than two (2) years, who has met the requirements of the law, holds a license issued by the Board authorizing him/her to practice as such in Puerto Rico, and appears in the Register of the Board.

(i) Retired licensed or in training architect.— Shall mean that professional person who because of his/her retirement from the practice of his/her profession has chosen not to activate his/her license or certificate but wishes to retain all other privileges granted by law, including that of membership, in the College. To such effect and after applying and obtaining the approval of the Board, the latter shall issue a (retired) architect certificate, it being understood that the same shall not authorize him/her to practice his/her profession and that should he/she wish to return to his/her practice, he/she must reactivate his/her certificate or professional license through the means provided by law.

(j) Surveyor in training.— Shall mean any person who holds a diploma or certificate accrediting the satisfactory completion of the requirements of this discipline from a school whose curriculum is

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recognized by the Council on Higher Education, the ABET or this Board, and who has met the requirement to be registered in the Register of the Board and to whom the Board has issued the corresponding certificate.

(k) Associate surveyor.— Shall mean any surveyor who has completed four (4) years of experience in surveying accredited by the Board, presenting written documents certified by licensed surveyors or engineers authorized to practice surveying in Puerto Rico; or who has obtained a Master's Degree in Surveying from a school whose curriculum is recognized by the Board and has completed three (3) years of experience accredited by the Board, presenting written documents certified by licensed surveyors or engineers authorized to practice surveying in Puerto Rico; or have obtained a Doctorate (Ph.D.) in Surveying from a school whose curriculum is recognized by the Board and have completed two (2) years of experience accredited by the Board, presenting written documents by licensed surveyors or engineers authorized to practice surveying in Puerto Rico; and hold an accrediting document issued by the Board that authorizes them to practice as such and to be registered in the Register.

(l) Licensed surveyor.— Shall mean any Surveyor in training who has met the requirements of this §§ 711–711 of this title to practice said profession and has not less than two (2) years of experience accredited by the Board, upon submitting attesting evidence certified by licensed or associate surveyors or engineers authorized to practice land surveying in Puerto Rico; or who has earned a Master's Degree in Surveying from a school whose curriculum is recognized by the Board and has completed one (1) year and six (6) months of experience accredited by the Board, upon submitting attesting evidence certified by licensed or associate surveyors or engineers authorized to practice land surveying in Puerto Rico; or has earned a Doctoral Degree (Ph.D.) in Surveying from a school whose curriculum is recognized by the Board and has completed one (1) year of experience accredited by the Board, upon submitting attesting evidence certified by Licensed or Associate Surveyors or Engineers authorized to practice Land Surveying in Puerto Rico; and holds a certificate issued by the Board authorizing him/her to practice as such and to register in the Register.

(m) Retired surveyor.— Means that licensed or accredited professional who, by reason of his/her retirement from the practice of his/her profession, has chosen not to activate his/her license or certificate but who wishes to retain all other privileges granted by §§ 711—711z of this title, including that of membership in the College. To such effect and after applying and obtaining the approval of the Board, the latter shall issue a retired surveyor certificate, it being understood that the same shall not authorize him/her to practice his/her profession and that should he/she wish to return to his/her practice, he/she must reactivate his/her certificate or professional license through the means provided by §§ 711—711z of this title.

(n) Landscape architect in training.— Shall mean any person who holds a diploma or certificate accrediting the satisfactory completion of the requirements of this discipline from a school whose curriculum is recognized by the Council on Higher Education, the Landscape Architect Registration

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Examination Board (LARE) or this Board, and who has met the requirement to be registered in the Register of the Board and to whom the Board has issued the corresponding certificate.

(o) Licensed landscape architect.— Shall mean any landscape architect in training who has practiced the profession of landscape architect under the supervision of a licensed engineer, architect or landscape architect for a term of not less than two (2) years, and who has met all other requirements of the law, holds a license issued by the Board authorizing him/her to practice as such in Puerto Rico and appears in the Register of the Board.

(p) Retired licensed or in training landscape architect.— Means that professional person who because of his/her retirement from the practice of his/her profession has chosen not to activate his/her license or certificate but who wishes to retain all other privileges granted by law, including that of membership in the College. To such effect and after applying and obtaining the approval of the Board, the latter shall issue a (retired) landscape architect certificate, it being understood that the same shall not authorize him/her to practice his/her profession and that should he/she wish to return to his/her practice, he/she must reactivate his/her certificate or professional license through the means provided by law.

(q) Certificate.— Shall mean any document issued by the Board attesting that the person in whose name it has been issued is a professional in training or associate, as the case may be, in the corresponding profession, who has met the requirements established in §§ 711g, 711j and/or 711i of this title, as may apply, and is registered as an engineer, surveyor, architect or landscape architect, in training or associate, as the case may be, in the Register of the Board.

(r) License.— Shall mean any document duly issued by the Board certifying that the person in whose name it is issued is a professional licensed in the corresponding discipline who has met the requirements established in § 711g of this title, and who is registered as a licensed engineer, architect, landscape architect or surveyor, as the case may be, in the Register of the Board.

(s) Person responsible.— Shall mean that person with direct control and personal supervision over any engineering, architecture, landscape architecture or surveying work, as the case may be.

(t) Partnership.— Shall mean two or more licensed professionals of one or more of the disciplines regulated by §§ 711—711z of this title who form a partnership to practice their professions under a trade name or in a group.

(u) Suspension of a certificate or license.— Shall mean the temporary discontinuation of the right to exercise a professional practice pursuant to the provisions of §§ 711—711z of this title.

(v) Cancellation or revocation of the license or certificate.— Shall mean the elimination of the professional concerned from the Register of the Board.

(w) Revocation.— Shall mean the annulment, invalidation, or ineffectiveness of the certificate or license. The Board shall establish the conditions for canceling the effect of a revocation through regulations.

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(x) Professional corporation.— Shall mean a corporation organized under the Puerto Rico General Corporations Act, §§ 2601 et seq. of Title 14, and as provided in the latter, whose sole and exclusive purpose is to render professional services as regulated by §§ 711—711z of this title and whose stockholders are persons duly licensed in the Commonwealth of Puerto Rico, to offer the same professional services rendered by the corporation.

No corporation organized and incorporated under the Puerto Rico General Corporations Act may render professional services except through officials, employees or agents who are duly licensed or otherwise legally authorized to render said professional services within this jurisdiction. However, this provision shall not be construed to include within the term “employee”, such clerical, secretarial, administrative, book-keeping and technical personnel and other assistants that are neither legally nor according to use or custom, deemed as having to hold a license or legal authorization to practice their profession. No person shall, under the pretext of being an employee of a professional corporation, practice a profession unless he/she is duly licensed to do so pursuant to the laws of this jurisdiction.

(y) Continuing education.— Shall mean a planned educational activity to acquire and update the knowledge and skills of professionals.

(z) Office of the Superintendent.— Shall mean the highest ranking office for directing and verifying the implementation of the components and descriptions contained in the documents of a contract.

(aa) Permanent register.— Shall mean all those engineers qualified to exercise the profession of surveyor who meet the requirements established in § 37, subsection (f) (Transitory Provisions) of this act.

History

—Aug. 12, 1988, No. 173, p. 797, § 3; Dec. 26, 1997, No. 185, § 3; Dec. 7, 2007, No. 180, § 2, eff. Dec. 31, 2007; Aug. 20, 2012, No. 190, § 1.

Annotations

Notes

HISTORY

Text references.

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Reference to “Section 37, subsection (f) (Transitory Provisions) of this act” in subsection (aa) is to § 30 of Act Aug. 12, 1988, No. 173, renumbered as § 37 and amended by Act Dec. 26, 1997, No. 185, § 38, which is classified as a note under § 711 of this title under the heading “Temporary Provisions.”

Amendments**—2012.**

Subsection (e): Act 2012 substituted “four (4) years” with “two (2) years”, “three (3) years” with “one (1) year and six (6) months” and “two (2) years” with “one (1) year”.

—2007.

Subsection (c): Act 2007 inserted “natural” before “person”.

Subsection (l): Act 2012 deleted “Associate or” in the catchline, substituted “two (2) years” with “four (4) years”, “three (3) years” with “one (1) year and six (6) months”, “two (2) years” with “one (1) year” and amended this subsection generally.

Subsection (d): Act 2007 added this subsection, redesignating former subsections (d)—(i) as (e)—(j), respectively.

Subsection (e): Act 2007 generally amended this definition.

Subsection (f): Act 2007 deleted “licensed or in training” from the catchline and twice substituted “by law” with “by §§ 711—711z of this title”.

Subsections (i) and (j): Act 2007 made a minor lexical change that affected only the Spanish version.

Subsection (k): Act 2007 added this subsection, redesignating former subsections (j)—(y) as (l)—(aa), respectively.

Subsection (l): Act 2007 added “Associate or” to the catchline and generally amended this definition.

Subsection (m): Act 2007 substituted “licensed surveyor or in training” with “surveyor” in the catchline; in the first sentence, substituted “professional person” with “licensed or accredited professional”; and twice substituted “by law” with “by §§ 711—711z of this title”.

Subsection (p): Act 2007 made minor lexical changes.

Subsection (q): Act 2007 inserted “or associate, as the case may be” before “in the corresponding profession”, added “711j and/or 711/ as may apply”, and inserted “or associate” after “in training”.

Subsection (t): Act 2007 substituted “professionals licensed or in training” with “licensed professionals” and made minor lexical changes.

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Subsection (u): Act 2007 made a minor lexical change that affected only the Spanish version.

Subsection (x): Act 2007 deleted “For the purposes of §§ 711—711z of this title” at the beginning of the first sentence and made minor lexical changes.

—1997.

Act 1997 amended this section generally and added subsections (k)—(y).

Effectiveness.

Section 4 of Act Aug. 20, 2012, No. 190, provides: “This Act [which amended §§ 711a, 711g, and 711e of this title] shall take effect immediately after its approval; the effects of this Act shall apply to any person who, as of the effective date thereof, is in the process of fulfilling the years of experience required herein.”

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Aug. 20, 2012, No. 190.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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[20 L.P.R.A. § 711b](#)

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Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711b. Professional practice

For the purposes of §§ 711—711z of this title, the practice or exercise of the professions of engineer, architect, landscape architect or surveyor comprise the corresponding functions, fields and provisions established below:

(a) Practice of engineering or architecture.— Comprises the rendering of any professional work or the execution of any work of a creative nature whose completion requires the knowledge, training and experience of an engineer or architect.

It includes the application of special knowledge of the physical sciences, mathematics, and engineering or architecture for rendering such professional services or executing such works of a creative nature as may be required in any work involving consulting, studies, research, appraisals, drawing up of blueprints, measurements, inspections and supervision of works under construction, in order to ensure compliance with the specifications and the proper execution of the projected works in relation to any public or private works, facilities, machinery, industrial procedures and methods, equipment systems and works of a technical nature in engineering or architecture.

(b) Practice of surveying.— Comprises the rendering of any professional service or the execution of any work of a creative nature whose completion requires the education, knowledge, training and experience of a surveyor. It includes the rendering of any services or the execution of any works that require the application of knowledge in surveying to render said professional services or execute such works of a creative nature. It comprises consulting, conducting studies, and teaching surveying subjects, conducting research, cartographic, photogrammetric and geodesic works, measurements in relation to engineering or architectural projects or works, the segregation of real estate and topography

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for official use, the determination and description of areas, boundaries and land divisions and the consolidation and segregation of real estate and their verification and certification, including graphic representations thereof.

The practice of surveying furthermore encompasses technical and professional tasks concerning the determination, drafting and location of coastlines, the location of bodies of water, the correlation of vertical and horizontal as well as level, surface and underground controls, the geometric design of lots, access points, easements and rights of way, the layout and leveling of water and sewage pipelines and of water supply systems and real estate, and the monumenting, locating, leveling and layout of highways. It also includes the execution of measures related to studies and field studies on sanitary systems, water supplies, access points and routes, on hydrography, real estate registries, geography, photogrametric controls and on the location of plants, aqueducts, mines, bridges, power lines and docks.

The surveyor shall draft certifications of his work when said work is of a surveying nature.

(c) Practice of landscape architecture.— Comprises the application of artistic and scientific principles to the research, planning, design and management of natural and constructed environments as related to landscape architecture. The landscape architect applies creative and technical skills and the scientific, cultural and political knowledge in the planned arrangement of natural elements taking into consideration the administration and conservation of natural, constructed and human resources.

The practice of landscape architecture may include, in order to preserve, develop and enhance the landscape, the following: research, the selection and location of land and water resources for their proper use; viability studies and the preparation of written graphic criteria to be used as guides in the planning and design of landscape architecture development programs; the planning, and design of urban landscape architecture; expertise; the teaching of the science of landscape architecture and the management of landscape architecture construction projects. It also includes the preparation, revision and analysis of master plans for the use and development of land in relation to landscape architecture, the production of general and specific plans for the land; plans for leveling the drainage of the landscape, plans for irrigation and planting and construction details for landscape architecture; specifications, cost estimates and reports for land development; advice on the design of roads, bridges and structures in relation to the functional and aesthetic requirements on the areas on which these are to be constructed; negotiations to develop landscape architecture projects; field observation and inspection of the landscape architecture project and the restoration and maintenance of the land. Provided, That in those landscape architecture projects for which the intervention of an architect, engineer or surveyor is called for, the certification of their respective work shall be made by the architect, engineer or surveyor.

The landscape architect shall prepare the certification of his/her work when the project is clearly and substantially undertaken to conserve, develop and enhance the landscape. It shall not be understood that the professional practice of landscape architecture in any way limits the

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professional practice scope of licensed architects, engineers, surveyors or agronomists devoted to horticulture and to the design and construction of landscape gardens.

(d) Limitation to the practice of engineers in training.— Engineers in training will be authorized to practice their profession in a limited manner. They shall not render services for the certification of blueprints, designs or measuring in engineering or architecture, or assume primary responsibility therefor.

(e) Limitation to the practice of associate engineers.— Associate engineers shall be authorized to practice their profession institutionally. That is, they can only render their professional and supervisory services as part of their work within a private or governmental organizational framework in which they have no significant responsibility for professional services rendered directly to the public. They may supervise the work of engineers in training and certify the experience of the latter before the Board. They shall not render the services of blueprint certification, design or surveying in engineering or architecture, directly to the public nor perform functions reserved for licensed engineers, in accordance with other provisions of §§ 711—711z of this title.

An associate engineer shall be entitled to choose to become a licensed engineer after passing the revalidation examination he/she lacks.

(f) Limitation to the practice of architects in training.— Architects in training will be authorized to practice their profession in a limited manner under the direct supervision of a licensed professional duly authorized to practice engineering or architecture in Puerto Rico. Architects in training shall not certify professional works or assume primary responsibility therefor or directly contract these with the general public.

(g) Limitations to the practice of surveyors in training.— Surveyors in training will be authorized to practice their profession in a limited manner under the direct supervision of a licensed professional duly authorized to practice surveying in Puerto Rico. Surveyors in training shall not certify professional works or assume primary responsibility therefor.

(h) Limitations to the practice of associate surveyors.— Associate surveyors shall be authorized to practice their profession institutionally. That is, they can only render their professional and supervisory services as part of their work within a private or governmental organizational framework in which they have no significant responsibility for professional services rendered directly to the public. They may supervise the work of surveyors in training and certify the experience of the latter before the Board. Associate surveyors shall not certify professional works or assume primary responsibility therefor directly with the public.

An associate surveyor shall be entitled to choose to become a licensed surveyor after passing the revalidation examination he/she lacks.

(i) Limitations to the practice of landscape architects in training.— Landscape architects in training will be authorized to practice their profession in a limited manner under the direct supervision of a licensed

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professional duly authorized to practice engineering, architecture, or architectural landscaping in Puerto Rico. Landscape architects in training shall not certify professional works or assume primary responsibility therefor.

None of the professionals in training or associate shall alter or modify the works carried out by licensed professionals pursuant to §§ 711—711z of this title when these refer to the technical aspects of the profession.

History

—Aug. 12, 1988, No. 173, p. 797, § 4; Dec. 26, 1997, No. 185, § 4; Jan. 14, 1999, No. 47, § 1; Dec. 7, 2007, No. 180, § 3, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Subsections (a), (c), (f), (g) and (i): Act 2007 made a minor lexical change that affected only the Spanish version.

Subsection (b): Act 2007, in the first paragraph, inserted “teaching surveying subjects”, substituted “measuring tracts of land” with “segregation of real estate” before “and topography”, and made minor lexical and syntactical changes throughout this subsection.

Subsection (d): Act 2007 added “or assume primary responsibility therefor” at the end of the definition.

Subsection (e): Act 2007 added this subsection, redesignating former (e) and (f) as (f) and (g), respectively.

Subsection (h): Act 2007 added this subsection, redesignating former (g) as (i).

Second paragraph: Act 2007 added “or associate” after “training”.

—1999.

Subsection (b): Act 1999 amended this subsection generally.

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—1997.

Subsection (b): Act 1997 added the third paragraph to this subsection.

Subsection (c)—(g): Act 1997 added these subsections.

Act 1997 added the last paragraph.

Statement of motives.

Dec. 26, 1997, No. 185.

Jan. 14, 1999, No. 47.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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20 L.P.R.A. § 711c

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Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711c. Creation

The Board of Examiners of Engineers and Surveyors and the Board of Examiners of Architects and Landscape Architects are hereby created, which shall be attached to the Department of State of the Commonwealth of Puerto Rico.

The Board of Examiners of Engineers and Surveyors shall be constituted by nine (9) members, of whom two (2) shall be civil engineers, one (1) a mechanical engineer, one (1) an electrical engineer, one (1) an industrial engineer, one (1) a chemical engineer, one (1) computer engineer, and two (2) surveyors. The Board of Examiners of Architects and Landscape Architects shall be constituted by two (2) architects, two (2) landscape architects, and one (1) representative of the public interest who does not belong to the abovementioned professions, but who possesses the necessary qualities, interests, and dedication to make decisions that will benefit the professions they represent. The members of the boards shall be appointed by the Governor of Puerto Rico with the advice and consent of the Senate of Puerto Rico. The corresponding professional colleges representing the professionals regulated by this chapter may advise the Governor of Puerto Rico in the selection of the members that shall make up the boards. These must be duly licensed to practice their respective professions in Puerto Rico and be active members of their respective professional associations. In addition they must have actively practiced their profession as a licensed engineer, architect, surveyor or landscape architect, as the case may be, for a period of not less than seven (7) years and, for at least three (3) of those years, they must have been directly in charge of supervising or having direct or primary responsibility for engineering, architectural, landscape architecture or surveying projects or works, as the case may be.

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(a) Term of appointment.— The members of the Board shall be appointed for a term of four (4) years each and hold office until their successors are appointed and take office. No member of the Board shall be appointed for more than two (2) consecutive terms.

(b) Vacancies.— Any vacancy arising among the members of the Board shall be filled for the unexpired term of the member who created it.

(c) Removal from office.— The Governor, motu proprio, or through the recommendation of the Board, may remove any member of the Board from office for his/her inability to perform his/her office, manifest incompetence to fulfill his/her duties, dereliction of duty, misconduct or repeated and unjustified absences from Board meetings.

(d) Board meetings.— The Board shall hold at least one session per month, provided there are matters to consider. It may also hold such special sessions as may be needed for the speedy handling of its affairs, after a call has been issued to its members at least twenty-four (24) hours in advance thereof.

(e) Quorum.— A majority of the members of the Board shall constitute quorum to hold any session and consider matters under its jurisdiction; provided, that members present represent the various professions of engineering, architecture, surveying and landscape architecture, except as provided hereinafter. The decisions of the Board shall be made by a majority vote of its members.

When the Board has a matter of strict relevance to a specific profession before it, such a matter shall be discussed before the full Board with the participation of all its members present, duly constituted in a session. However, only those Board members who represent the profession which the matter concerns shall decide upon it, although the opinions of the remaining members thereof shall appear in the records of the Board.

In those cases in which an interprofessional matter is involved, the latter shall be discussed before the full Board with the participation of all its members present, duly constituted in a session and each Board member who represents the profession involved in the matter being considered shall have a vote in the decision or resolution of the matter, it being understood that in the case of the engineering profession the vote shall be cast by the member representing the specialty involved.

In case of a tie, the Chairman of the Board shall cast a vote to resolve the matter.

In order to protect the public interest, the bylaws of the Board shall establish the proper procedure for considering and resolving the matters before it.

(f) Election of officers and report.— The Board shall annually elect, from among its members, a Chairperson, a Vice Chairperson and a Recording Secretary, as well as any other officers needed for its operation. The Board shall adopt an official seal.

The Recording Secretary shall render a report annually to the Governor on the activities of the Board indicating the licenses issued, denied and revoked, the matters handled and considered

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during said report year and the recommendations the Board deems should be adopted for the most effective application of §§ 711—711z of this title.

(g) Per diems.— The members of the Board shall receive per diems equal to the minimum per diem established for the members of the Legislature for each day or portion thereof they attend Board meetings or sessions up to a maximum of three thousand dollars (\$3,000) per year, except for the Chairperson of the Board who shall receive per diems equal to one hundred and thirty-three percent (133%) of the per diems received by the other members of the Board; the shall also be entitled to reimbursement for the travel expenses they necessarily must incur to represent the Board pursuant to the regulations in effect of the Department of the Treasury.

They shall also be entitled to [be] reimbursed for travel expenses necessarily incurred to represent the Board, pursuant to the regulations of the Secretary of the Treasury in effect.

History

—Aug. 12, 1988, No. 173, p. 797, § 5; Dec. 26, 1997, No. 185, § 5; Jan. 4, 2000, No. 7, § 16; July 25, 2000, No. 138, § 1.

Annotations

Notes

HISTORY

Editor's notes.

This section was amended by Act July 30, 2016, No. 94, but the official translation was not available at the time of publication. Please consult the Spanish version.

Amendments

—2000.

Act July 25, 2000, No. 138 divided the former Board into two separate boards and amended the first and second paragraphs generally.

Subsection (g): Act Jan. 4, 2000, No. 7, amended this subsection generally.

—1997.

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Act 1997 amended the second paragraph of this section generally.

Subsection (c): Act 1997 added “motu proprio, or through the recommendation of the Board” before “may remove any member of the Board from office.”

Subsection (e): Act 1997 substituted “Every five (5)” with “A majority” and added “landscape architecture” in the first sentence of the first paragraph.

Subsection (f): Act 1997 deleted “stamp” from the catchline.

Subsection (g): Act 1997 substituted “a per diem of fifty dollars (\$50)” with “a per diem equivalent... Legislature” in the first paragraph.

Subsection (h): Act 1997 deleted former subsection (h) referring to the adoption of rules.

Act 1997 deleted the last two paragraphs.

Statement of motives.

Dec. 26, 1997, No. 185.

Jan. 4, 2000, No. 7.

July 25, 2000, No. 138.

Special provisions.

Section 3 of Act July 25, 2000, No. 138, provides: “Sixty (60) days after the approval of this Act [July 25, 2000], the Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects of Puerto Rico shall cease its functions and the Board of Examiners of Engineers and Surveyors and the Board of Examiners of Architects and Landscape Architects shall be constituted, respectively. The members of the original Board shall become part of the new Boards and the new members shall be designated as provided by this Act [that amended this section].”

Cross references.

Treasury, Secretary of, see § 283c of Title 3.

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[20 L.P.R.A. § 711c-1](#)

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§ 711c-1. Professional Revalidation [Evaluation] Committee

The Board of Examiners of Engineers and Surveyors shall create a Professional Revalidation [Evaluation] Committee, made up of members of its Board of Examiners for the drafting of a professional revalidation for computer engineers.

Said Committee shall submit to the Board of Examiners of Engineers and Surveyors, where there shall be a computer engineer, a professional revalidation bill for computer engineers no later than six (6) months after this act becomes effective, for evaluation and future administration. Provided, That those computer engineers who have already graduated shall be granted the license, if they can prove that they have five (5) years or more of experience and that they have passed the general revalidation examination.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 5-A on July 25, 2000, No. 138, § 2.

Annotations

Notes

HISTORY

Text references.

20 L.P.R.A. § 711c-1

The reference to “this act” in the second paragraph is to Act July 25, 2000, No. 138, which became effective July 25, 2000.

Reclassification.

Sections 6 and 7 of Act Dec. 26, 1997, No. 185, added new §§ 6 and 7 to Act Aug. 12, 1988, No. 173, which had been classified as §§ 711c-1 and 711c-2 of this title, respectively. Subsequently, § 2 of Act July 25, 2000, No. 138 added a § 5-A to the amendatory law of 1997, inserting it between §§ 5 and 6, for which reason the new § 5-A was classified as § 711c-1 of this title and former §§ 711c-1 and 711c-2 were reclassified as 711c-2 and 711c-3 of this title, respectively.

Statement of motives.

July 25, 2000, No. 138.

Special provisions.

See note under § 711c of this title.

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[20 L.P.R.A. § 711c-2](#)

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§ 711c-2. Powers

The Board shall have the power to:

- (a) Possess and use a seal, which may be altered at its will.
- (b) To adopt and promulgate any rules, and regulations deemed necessary to implement §§ 711—711z of this title; to comply with its duties under the latter; to establish the form and manner for the standard evaluation of the experience of professionals in training who apply for certification based upon experience as associate engineers or surveyors, as the case may be; to establish those continuing professional education requirements deemed necessary for renewing professional licenses or certificates; and to establish the procedures for handling matters, provided these rules and regulations are not incompatible with the laws in effect, the Constitution of the Commonwealth of Puerto Rico and the laws and treaties approved by the United States of America.

In the promulgation and adoption of its regulations, the Board shall comply with the provisions of §§ 2101 et seq. of Title 3, known as the “Uniform Administrative Procedure Act”. Likewise it shall notify all professional colleges in writing of every transaction or effort made to such effect.

- (c) Resort, *motu proprio* or through the Secretary of Justice, to any Part of the Court of First Instance to enforce the provisions of §§ 711—711z of this title or of the regulations promulgated pursuant thereto. The Secretary of Justice shall provide, at the request of the Board, the legal assistance needed to accomplish said purposes.

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(d) Order the appearance and testimony of witnesses and require the presentation of any papers, books, documents or other evidence deemed necessary for the purposes of its investigation, for the fulfillment of its functions and the duties imposed by §§ 711—711z of this title.

Should a duly summoned witness fail to appear to testify or to present the evidence required, or should he/she refuse to answer any question with regard to any study or investigation conducted pursuant to the provisions of §§ 711—711z of this title, the Board may resort, on its own or through the Secretary of Justice, to any Part of the Court of First Instance of Puerto Rico and require its assistance in obtaining the testimony of the witness or the production of the evidence required, as the case may be. The Secretary of Justice shall provide the legal assistance needed to accomplish the purpose thereof at the request of the Board.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 6 on Dec. 26, 1997, No. 185, § 6; Dec. 7, 2007, No. 180, § 4, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Reclassification.

See note under § 711c-1 of this title.

Amendments

—2007.

Subsection (b): Act 2007 added “to establish the form . . . as the case may be” and made minor lexical changes.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

20 L.P.R.A. § 711c-2

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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[20 L.P.R.A. § 711c-3](#)

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§ 711c-3. Immunity from civil liability

The members of the Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects, of the Governing Boards of the College of Architects and Landscape Architects, and the College of Engineers and Surveyors, and of those commissions created by said Governing Boards or by said Colleges, shall be immune from civil liability when performing their powers and obligations granted by §§ 711—711z of this title in support of the Board of Examiners or their respective colleges. They shall also enjoy immunity from civil liability, as established in §§ 711—711z of this title, provided these functions are related to the implementation of administrative procedures or the procedures for handling complaints on ethics delegated to the professional colleges.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 7 on Dec. 26, 1997, No. 185, § 7.

Annotations

Notes

HISTORY

Reclassification.

20 L.P.R.A. § 711c-3

See note under § 711c-1 of this title.

Statement of motives.

Dec. 26, 1997, No. 185.

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[20 L.P.R.A. § 711d](#)

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§ 711d. Minutes and archives

The Board shall keep a book of the minutes of all details of its meetings, its procedures, decisions and resolutions. It shall likewise organize its archives in such a way that all its documents, files and accounts [are] kept in accordance with §§ 1001—1013 of Title 3.

History

—Aug. 12, 1988, No. 173, p. 797, § 6, renumbered as § 8 on Dec. 26, 1997, No. 185, § 8.

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[20 L.P.R.A. § 711e](#)

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§ 711e. Examinations

The Board shall offer licensure examinations at least once a year to determine the capacity of every applicant who meets the requirements established in this §§ 711–711z of this title for the issuing of certificates or licenses to practice the profession of engineer, surveyor, architect or landscape architect, as the case may be.

Any person who does not pass the licensure examination on the first attempt shall have the opportunity to retake said examination five (5) months after the date of the first examination. Those persons who fail on two (2) consecutive occasions shall be entitled to retake the examination, provided they meet the requirements established by the Board in its regulations for such purposes. Engineers and surveyors shall take both the fundamentals and the principles and practice exams.

The Board may offer the fundamentals exams to engineering or surveying students who need fewer than thirty-two (32) credit hours to complete graduation requirements. The pertinent procedure shall be established in the regulations of the Board.

The engineering, surveying, architecture and landscape architecture examinations shall be conducted in accordance with the rules established by the Board and shall include those matters, subjects and skills it may deem convenient for evaluation purposes.

The regulations of the Board shall provide for the applicant to receive an orientation, prior to appearing for the examination, that will familiarize him/her with the revalidation procedure, the norms that govern its administration, the type of examination and the method of evaluation thereof. To such effect, the Board shall prepare and publish a handbook containing the above information and shall make copies available to

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the persons allowed to take the revalidation examination upon the payment of a ten-dollar (\$10) Internal Revenue voucher.

The Board may revise the cost of this revalidation handbook from time to time, based on the expense incurred in its preparation and publication, but the amount to be charged shall not exceed the real cost of such expense.

The Board shall adopt standards to guarantee that those persons who fail any revalidation examination have the right to examine their answer sheet, receive a breakdown of the points obtained per question, discipline or subject matter, as the case may be, and request the reconsideration of the grade obtained in their examination. The type and form of the examination shall be according to the provisions of the regulations of the Board.

History

—Aug. 12, 1988, No. 173, p. 797, § 7, renumbered as § 9 and amended on Dec. 26, 1997, No. 185, § 9; Aug. 20, 2012, No. 190, § 3.

Annotations

Notes

HISTORY

Amendments

—2012.

Third paragraph: Act 2012 substituted “during their last semester of studies” with “who need fewer than thirty-two (32) credit hours to complete graduation requirements”.

—1997.

Act 1997 added “landscape architecture” in the first and fourth paragraphs; added the third sentence in the second paragraph; deleted “it” between “that govern” in the first sentence of the fifth paragraph; and added the second sentence in the last paragraph.

Effectiveness.

See note under § 711a of this title.

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Statement of motives.

Dec. 26, 1997, No. 185.

Aug. 20, 2012, No. 190.

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§ 711f. Register

The Board shall also maintain an official register containing a list with the correlated numbers of the licenses granted to authorize the practice of the professions of licensed engineer, architect, surveyor and landscape architect; a second list, likewise containing the correlated numbers of the certificates granted to engineers, architects, landscape architects and surveyors in training or associates; a third list of those professionals who due to their retirement from the practice of their profession have chosen to inactivate their license or certificate but who, pursuant to the provisions of § 711g-1 of this title, have requested from and been granted by the Board, the title of retired licensed, associate or in training engineer, surveyor, landscape architect or architect.

This Register shall include:

- (a) The name and residential and mailing address of the professional registered therein.
- (b) The date of the application.
- (c) The profession to which he/she belongs.
- (d) The number of his/her certificate or license.
- (e) The examinations taken and passed.
- (f) Evaluation of training and experience, where applicable.
- (g) Dates on which the Board has taken the corresponding action regarding the application.
- (h) Any other information the Board may deem pertinent.

History

—Aug. 12, 1988, No. 173, p. 797, § 8, renumbered as § 10 and amended on Dec. 26, 1997, No. 185, § 10; Dec. 7, 2007, No. 180, § 5, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Act 2007 added “or associates” after “surveyors in training” and “associate” after “retired licensed”, and made minor lexical changes.

—1997.

First paragraph: Act 1997 added “landscape architect” twice and the disposition of a third list in the Official Register.

Subsection (a): Act 1997 substituted “age and residence” with “residential and mailing address.”

Subsection (b): Act 1997 deleted “registration” before “application.”

Subsection (d): Act 1997 deleted “registration...opportunity, he” before “of his/her certificate.”

Subsection (f): Act 1997 added “where applicable.”

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

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Special provisions.

See note under § 711 of this title.

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§ 711g. Requirements for granting licenses and certificates

Any person who applies to the Board for an engineer, architect, landscape architect, or surveyor license, and any person who applies for an associate engineer or surveyor certificate, or for an architect or landscape architect in training certificate, shall:

- (1) Be a resident of the Commonwealth of Puerto Rico.
- (2) Enjoy good conduct and moral reputation in the business and residential community.
- (3) Present a certificate of good conduct from the Puerto Rico Police or from the police or authorized state official of the United States of America or the foreign country of origin.
- (4) Provide the name, address and telephone number of three (3) engineers, surveyors, architects or landscape architects, duly licensed by the Board of his/her jurisdiction, with direct and personal knowledge of the moral reputation and professional experience, if any, of the applicant.
- (5) Present the evidence required below, according to the profession in question and as the case may be:

(a) Engineer in training.— Certifying evidence that the applicant has graduated from an engineering course or plan of studies of engineering, of at least four (4) academic years, or its equivalent, from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education, and in the case of foreign degrees, by the Board; and the [successful completion] of the written examinations on the basic subjects of the discipline of engineering.

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(b) Associate engineer.— Certifying evidence that the applicant has graduated from an engineering course or plan of studies of at least four (4) academic years, or its equivalent, from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education; and in the case of foreign degrees, by the Board, and the [successful completion] of the written examinations on the basic subjects of the discipline of engineering.

Attesting evidence of having practiced the profession legally as engineer in training, accruing experience for a minimum of four (4) years; or having practiced legally as engineer in training, accruing experience for a minimum of three (3) years and holding a Master's Degree in Engineering from any university, college or institute, whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education; and in the case of foreign degrees, by the Board; or having accumulated experience for a minimum of two (2) years and holding a Doctorate (Ph.D.) in Engineering from any university, college or institute, whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education and in the case of foreign degrees, by the Board.

Certifying evidence that the applicant took, at least once, during the period of his/her certification as engineer in training, the examination he/she lacks.

(c) Licensed engineer.— Attesting evidence that the applicant has graduated from an engineering curriculum or program of at least four (4) years, or its equivalent, from any university, college, or institution whose reputation or degree of excellence are, in the case of Puerto Rico, recognized by the Council on Higher Education; and in the case of foreign degrees, by the Board; has successfully passed the fundamentals of engineering and the principles and practice of engineering written examinations (licensure exam) and has at least two (2) years of experience; or has at least one year (1) and six (6) months of experience and holds a Master's Degree in Engineering from any university, college, or institution whose reputation and degree of excellence are, in the case of Puerto Rico, recognized by the Council on Higher Education; and in the case of foreign degrees, by the Board; or has at least one (1) year of experience and holds a Doctoral degree (Ph.D.) in Engineering from any university, college, or institution whose reputation and degree of excellence are, in the case of Puerto Rico, recognized by the Council on Higher Education; and in the case of foreign degrees, by the Board.

(d) Architect in training.— Evidence that the applicant is a graduate of an architecture course or plan of studies of at least five (5) academic years, or its equivalent, from any university, college or institution whose reputation or degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education, and in the case of foreign degrees, by the Board.

(e) Licensed architect.—

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(1) Architect in training certificate duly issued by the Board pursuant to the provisions of §§ 711—711z of this title.

(2) Evidence that he/she has a minimum of two (2) years professional experience acquired after his/her certification as architect in training, according to the sworn statement of a licensed architect or engineer. This sworn statement shall give evidence, to the satisfaction of the Board, that the applicant is qualified to practice the profession of architect with the degree of professional responsibility that justifies his/her licensing. When the evidence of the experience required above is not conclusive for the Board, or when, in the opinion of the Board, such evidence fails to show that there is sufficient guarantee and justification to license the applicant, he/she may be required to present further evidence on any part thereof.

(3) The [successful completion] of written examinations (revalidation) on professional subjects of architecture for which the license is being applied for.

(f) Surveyor in training.— Attesting evidence that the applicant has graduated from a surveying course or plan of studies of at least four (4) academic years, or its equivalent, from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education, and in the case of foreign degrees, by the Board, and the [successful completion] of the written examinations on the basic subjects of the discipline of surveying.

(g) Associate surveyor.— Attesting evidence that the applicant has graduated from a surveying course or plan of studies of at least four (4) academic years, or its equivalent, from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education, and in the case of foreign degrees, by the Board, and the [successful completion] of the written examinations on the basic subjects of the discipline of surveying.

Attesting evidence of having practiced the profession legally as surveyor in training, accumulating experience for a minimum of four (4) years; or having practiced legally as surveyor in training, accumulating experience for a minimum of three (3) years and holding a Master's Degree in Surveying from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education; and in the case of foreign degrees, by the Board; or having accumulated experience for a minimum of two (2) years, and holding a Doctorate (Ph.D.) in Surveying from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education; and in the case of foreign degrees, by the Board.

Attesting evidence that the applicant took, at least once, during the period of his/her certification as surveyor in training, the revalidation examination he/she lacks.

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(h) Licensed surveyor.— Attesting evidence that the applicant has graduated from a land surveying curriculum or program of at least four (4) years, or its equivalent, from any university, college or institution whose reputation and degree of excellence are, in the case of Puerto Rico, recognized by the Council on Higher Education; and in the case of foreign degrees, by the Board; and has successfully passed the fundamentals of surveying and the principles and practice of surveying written examination (licensor exam); and provides attesting evidence of having at least two (2) years of professional experience acquired after his/her certification as surveyor in training or accredited, according to the sworn statement of a licensed surveyor or engineer authorized to practice the profession of surveying; or has at least (1) year and six (6) months of experience according to the sworn statement of a Licensed Surveyor or Engineer authorized to practice Surveying and holds a Master's Degree in Surveying from any university, college, or institution whose reputation and degree of excellence are, in the case of Puerto Rico, recognized by the Council on Higher Education; and in the case of foreign degrees, by the Board; or has at least one (1) year of experience, according to the sworn statement of a licensed surveyor or engineer authorized to practice surveying and holds a Doctoral Degree (Ph.D.) in surveying from any university, college, or institution whose reputation and degree of excellence are, in the case of Puerto Rico, recognized by the Council on Higher Education; and in the case of foreign degrees, by the Board. This sworn statement shall provide evidence, to the satisfaction of the Board, that the applicant is qualified to practice the profession of surveyor with the degree of professional responsibility that justifies his/her licensing. When the evidence of the experience required above is not conclusive for the Board, or when, in the opinion of the Board, such evidence fails to show that there is sufficient guarantee and justification to license the applicant, he/she may be required to present further evidence on any part thereof.

(i) Landscape architect in training.— Certifying evidence that the applicant has graduated from a landscape architecture course or plan of studies of at least four (4) academic years, or its equivalent, from any university, college or institution whose reputation or degree of excellence are, in the case of Puerto Rico, of those accepted by the Council on Higher Education, and by the Board, and in the case of institutions outside of Puerto Rico by the Landscape Architect Registration Examination Board (LARE), and the [successful completion] of the written examinations (revalidation) on the basic subjects of landscape architecture.

(j) Licensed landscape architect.— Evidence that he/she has a minimum of two (2) years professional experience acquired after his/her certification as landscape architect in training, according to the sworn statement of a licensed landscape architect, architect or engineer. This sworn statement shall give evidence, to the satisfaction of the Board, that the applicant is qualified to practice the profession of landscape architect with the degree of professional responsibility that justifies his/her licensing. When the evidence of the experience required above is not conclusive for the Board, or when, in the opinion of the Board, such evidence fails to show that there is sufficient

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guarantee and justification to license the applicant, he/she may be required to present further evidence on any part thereof.

History

—Aug. 12, 1988, No. 173, p. 797, § 9, renumbered as § 11 and amended on Dec. 26, 1997, No. 185, § 11; Jan. 14, 1999, No. 47, § 2; Dec. 7, 2007, No. 180, § 6, eff. Dec. 31, 2007; Aug. 20, 2012, No. 190, § 2.

Annotations

Notes

HISTORY

Amendments

—2012.

Subsection (5)(c): Act 2012 substituted the second instance of “four (4) years” with “two (2) years”, “three (3) years” with “one (1) year and six (6) months” and “two (2) years” with “one (1) year”.

Subsection (5)(h): Act 2012 substituted the second instance of “four (4) years” with “two (2) years”, “three (3) years” with “one (1) year and six (6) months” and “two (2) years” with “one (1) year”.

—2007.

First paragraph: Act 2007 substituted “engineer, surveyor, architect or” with “associate engineer or surveyor, or a certificate as architect or”.

Subsection (5): Act 2007 added clauses (b) and (g), redesignating former (b)—(e) as (c)—(f) and former (f)—(h) as (h)—(j), respectively.

Subsection (5)(a): Act 2007 inserted “of engineering” after “plan of studies” and substituted “written revalidation examinations on the basic or the professional subjects” with “written examinations on the basic subjects”.

Subsection (5)(c): Act 2007 inserted “of engineering” after “plan of studies”, deleted “(revalidation)” after “written examinations”, and added the text beginning with “having accumulated experience” through the end of the clause.

Subsection (5)(f): Act 2007 substituted “written revalidation examinations in the basic and professional subjects” with “written examinations on the basic subjects”.

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Subsection (5)(h): Act 2007 increased the required amount of experience from 2 years to 4 years, inserted “or accredited” after “certification as surveyor in training”, substituted “sworn statement of a licensed surveyor, architect, or engineer” with “sworn statement of a licensee surveyor or engineer” and added “authorized to practice the profession of surveying... by the Board” before “This sworn statement”.

—1999.

Act 1999 introduced minor lexical changes in the introductory paragraph and in subsection (5)(e).

—1997.

First paragraph: Act 1997 added “landscape architect” twice.

Subsection (2): Act 1997 added “business and residential.”

Subsection (4): Act 1997 added “or landscape architect” after “architects” and “of his/her jurisdiction” after “Board.”

Subsection (5)(f): Act 1997 added “and evidence that he/she has...” at the end of the first sentence and the last two sentences.

Subsection (5)(g) and (h): Act 1997 added these clauses.

Effectiveness.

See note under § 711a of this title.

Statement of motives.

Dec. 26, 1997, No. 185.

Jan. 14, 1999, No. 47.

Dec. 7, 2007, No. 180.

Aug. 20, 2012, No. 190.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

Cross references.

Higher Education Council, see §§ 852 et seq. of Title 18.

ANNOTATIONS

1. Generally.**2. Professional services.****1. Generally.**

Difference between engineer in training and licensed engineer is that the former has not passed second part of revalidation examination with respect to professional material in engineering and, as such, cannot be given an engineer's license. 1995 Op. Sec. Jus. No. 5.

Eligibility for engineer's license in Puerto Rico is limited to natural persons. *Colegio de Ingenieros y Agrimensores de P.R. v. Autoridad de Acueductos y Alcantarillados de P.R.*, 131 D.P.R. 735, 1992 PR Sup. LEXIS 291 (P.R. 1992).

A brief amending paragraph stating that a corporation will contract with engineers to provide all functions involving duties of engineers is not sufficient to eliminate from the contract all clauses which assigned to said corporation the functions and duties of engineers, especially when the corporation was not authorized to provide said functions. *Colegio de Ingenieros y Agrimensores de P.R. v. Autoridad de Acueductos y Alcantarillados de P.R.*, 131 D.P.R. 735, 1992 PR Sup. LEXIS 291 (P.R. 1992).

2. Professional services.

There is no legal impediment to certain unlicensed engineers being contracted as engineers in training with the remuneration corresponding to their preparation, or to their performing supervisory functions related specifically to administrative tasks such as personnel, purchasing, budgets and the like. 1995 Op. Sec. Jus. No. 5.

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§ 711g-1. Retired engineer, architect, surveyor or landscape architect

Any licensed or in training professional or associate, who because of his/her retirement from the practice of his/her profession wishes to inactivate his/her license or certificate but who wishes to continue enjoying all other benefits granted by said condition, including that of membership in the College, shall file a sworn application with the Board, should he/she not apply personally, in which he/she must provide evidence of his/her retirement from the practice of his/her profession and of his/her desire to remain enrolled in the Register of the Board as retired engineer, architect, surveyor or landscape architect, as the case may be. The Board, after verifying the contents of said application, shall proceed to inactivate the license or certificate of the professional concerned and in its place shall proceed to enroll the applicant in the Register of Retired Professionals.

Said enrollment and registration does not authorize the retired professional to practice his/her profession, although the latter may continue using the title of engineer, surveyor, architect or landscape architect, as the case may be, adding the word “retired” after the same, and may also retain his/her membership in his/her professional College by faithfully complying with the laws governing said College, which shall adjust his/her dues so as to take into consideration his/her status as retired professional, and of the regulations promulgated pursuant to the same.

History

—Aug. 12, 1998, No. 173, p. 797, added as § 12 on Dec. 26, 1997, No. 185, § 12; Dec. 7, 2007, No. 180, § 7, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Act 2007 inserted “or associate” after “in training professional” at the beginning of the first paragraph.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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[20 L.P.R.A. § 711h](#)

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§ 711h. Issuance of license

Any person who meets the licensing requirements established in §§ 711—711z of this title and in its regulations, shall be enrolled in the register which the Board shall maintain for such purposes, and the latter shall issue the corresponding license authorizing the licensed engineer, architect, surveyor or landscape architect to practice his/her profession, as the case may be, pursuant to the scope established in § 711b of this title.

Any license issued by the Board shall bear the full name of the person to whom it is issued, and its corresponding serial number and date of issue and expiration, and it shall be signed by the Chairperson of the Board and the Secretary of State or his/her representative, under the seal of the Board.

History

—Aug. 12, 1988, No. 173, p. 797, § 10, renumbered as § 13 and amended on Dec. 26, 1997, No. 185, § 13.

Annotations

Notes

HISTORY

Amendments

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—1997.

Act 1997 amended the catchline and text of this section generally.

Statement of motives.

Dec. 26, 1997, No. 185.

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

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§ 711i. Issuing of certificates

Any person who meets the requirements established in §§ 711—711z of this title and its regulations to be certified as engineer, surveyor, architect, or landscape architect in training or associate, as the case may be, shall be entered in the register kept by the Board to such effects, which shall issue a certificate to him/her accrediting him/her as an engineer, architect or surveyor in training or associate, as the case may be.

Every certificate issued by the Board shall bear the full name of the person to whom it is issued, the serial number of his/her certificate, the issue and expiration date of the certificate and the signatures of the Chairperson of the Board and the Secretary of State or his/her authorized representative, under the Seal of the Board.

History

—Aug. 12, 1988, No. 173, p. 797, § 11, renumbered as § 14 and amended on Dec. 26, 1997, No. 185, § 14; Dec. 7, 2007, No. 180, § 8, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

First paragraph: Act 2007 twice inserted “or associate” after “in training”.

—1997.

Act 1997, in the first paragraph, deleted “graduate” preceding “engineer” and added “or landscape architect” following “architect”; made minor lexical changes and added gender inclusive language throughout.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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§ 711j. Examination, reexamination, certificate and licensing fees

The fees to be paid for issuing certificates or licenses, due to the inactivity, renewal or reactivation of the same, and for the examinations and reexaminations required in §§ 711—711z of this title, shall be those that the Board shall determine from time to time and through regulations, taking into account the existing costs and the laws and regulations that may apply. The Board shall carry out a public hearings process as provided by §§ 2101 et seq. of Title 3, known as the “Uniform Administrative Procedure Act”, every time it decides to change the fees to be paid.

The fees established through regulations shall be paid through an internal revenue voucher upon filing the application for a certificate, license or examination, as the case may be, with the Board.

The Board shall not return any amount of money to the applicant who fails his/her examination or desists from his/her application.

The application for a license or a certificate shall be made on the forms furnished by the Board for such purpose, on which there shall be adequate blank spaces for the applicant to enter his/her personal data, the information concerning his/her academic education, experience, if any, and the persons whom the Board may ask for references of the applicant.

The fees collected for the services of the Boards regulated herein shall be separated by the Treasury Department through an account with the figures for the income of the Examination Board, using adequate accounting methods, to be used thereby in the financing of their respective budgets.

History

20 L.P.R.A. § 711j

—Aug. 12, 1988, No. 173, p. 797, § 12, renumbered as § 15 and amended on Dec. 26, 1997, No. 185, § 15; Mar. 27, 1999, No. 104, § 1; Dec. 7, 2007, No. 180, § 9, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Act 2007 made minor lexical changes throughout the section; in the first paragraph, deleted former subsections (a)—(i) and replaced them with “those that the Board...fees to be paid”; in the second paragraph, substituted “above” with “through regulations”; in the fourth paragraph, deleted the final sentence requiring an internal revenue voucher to accompany the application; and added the fifth paragraph.

—1999.

Act 1999 added subsection (i) and made minor lexical changes in the introductory paragraph.

—1997.

Catchline: Act 1997 substituted “Fees” with “Examination, reexamination, certificate and license fees”.

Act 1997 amended this section generally.

Statement of motives.

Dec. 26, 1997, No. 185.

Mar. 27, 1999, No. 104.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

20 L.P.R.A. § 711j

See note under § 711 of this title.

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[20 L.P.R.A. § 711k](#)

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§ 711k. Seals

Any professional who holds a license issued by the Board shall affix a specially designed seal or stamp approved by the Board, should it be required, on every graphic or written professional document issued or authorized by him/her, including specifications, mensurations, reports, designs, plans and other similar documents, whether prepared for the Government or the private sector. Said seal or stamp shall bear the full name of the professional, the profession he/she practices, his/her condition as a licensee, the number of his/her license and the inscription "Puerto Rico". The professional shall also sign the document concerned in his/her own hand. It shall be illegal to sign, seal or stamp any document with said seal and signature during the term of suspension or inactivity of a license and after the date of expiration or permanent cancellation thereof. For all legal purposes said seal shall be deemed to be a public seal authorized by §§ 711—711z of this title.

On affixing the seal and signature on any document of this type, the professional certifies that said work was performed by him/her or that its technical phase was under his/her control and supervision. The performance of said work shall not be interpreted to be of a restrictive nature, since it is acknowledged that professional endeavors may be based on, and/or include elements or details involving the workmanship of others or library or data base research not directly produced by the professional.

When filing plans, each particular sheet shall be sealed and signed by the professional or professionals who participated in their preparation. In the case of those professionals who render services through a partnership, or through a professional corporation, each sheet shall be sealed and signed by the professionals who participated in its preparation and in addition, the person responsible for the case shall sign and seal the first page or title page of the same. The Board shall determine the manner in which the cybernetic and digitalized signatures and seals shall be accepted so as to comply with this section.

History

—Aug. 12, 1988, No. 173, p. 797, § 13, renumbered as § 16 and amended on Dec. 26, 1997, No. 185, § 16.

Annotations

Notes

HISTORY

Amendments

Act 1997 amended this section generally.

Statement of motives.

Dec. 26, 1997, No. 185.

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[20 L.P.R.A. § 711f](#)

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Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711f. Certificates or licenses—Renewal

The certificates or licenses referred to in §§ 711h and 711i of this title shall be in effect for a term of not more than five (5) years and it shall be the duty of the holders to renew the same within ninety (90) days prior to their expiration date following the procedure established by the Board of Examiners of Engineers, Architects and Surveyors of Puerto Rico. All cases of renewal shall require a certification from the professional college to which the professional holder of the license or certificate belongs evincing that said holder is an active member of the College concerned. The application for the renewal of a certificate or license shall include an internal revenue voucher in the amount established in § 711j of this title.

The Board of Examiners shall require that the application includes evidence that the continuing education requirements which the Board shall establish through regulations, with the prior recommendation of the Puerto Rico College of Engineers and Surveyors and the Puerto Rico College of Architects and Landscape Architects, have been met. The Board shall accept evidence of continuing education courses offered by duly accredited colleges or organizations in the United States of America. The Board shall accept those certifications that, upheld by the pertinent evidence, are issued by the corresponding professional colleges. Failure to present the evidence required shall prevent the renewal of licenses or certificates unless the Board, at its discretion, determines that the failure to present said evidence was for just cause.

To renew or reactivate a certificate as associate engineer or surveyor, it shall not be necessary to present evidence of having taken professional examinations.

The Board shall have a term of fifteen (15) days as of the date on which the applicant submits all the required documents to make a decision regarding the renewal or denial of the license or certificate, as the case may be. In the case that, having met the requirements of the Board and for causes not attributable to

20 L.P.R.A. § 711I

the applicant, the new certificate or license is not issued within the term established by law, the certificate or license held by the applicant shall remain in effect until the Board issues the new accrediting document.

The Board shall establish in its regulations the additional information and documents, if any, that shall be submitted with every application for the renewal of a certificate or a license, as well as the procedure for its consideration and issuing.

In the case of architects and architects in training, the application for the renewal of a certificate shall also include evidence that its holder has taken at least two (2) of the pending parts of the examination during the term of effectiveness of the certificate to be renewed.

History

—Aug. 12, 1988, No. 173, p. 797, § 14, renumbered as § 17 and amended on Dec. 26, 1997, No. 185, § 17; Dec. 7, 2007, No. 180, § 10, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Act 2007 made minor lexical changes throughout the section; in the first paragraph, substituted “thirty (30) days” with “ninety (90) days”; deleted the former third paragraph; added new third and fourth paragraphs; and redesignated the former fourth paragraph as the sixth.

—1997.

Act 1997 added the second, third and fourth paragraphs, redesignating the former second paragraph as the fifth, and made minor lexical changes in the first and fifth paragraphs.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

20 L.P.R.A. § 711I

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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20 L.P.R.A. § 711m

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§ 711m. Certificates or licenses—Inactivity and reactivation

Any person qualified as a licensed, associate or in training engineer, surveyor, architect or landscape architect may request the inactivation of his/her license or certificate when retiring from the active practice of his/her profession pursuant to the authorization granted by §§ 711—711z of this title to pursue such a practice. The petition for inactivation of a certificate or license shall be made by filing a sworn statement with the Recording Secretary of the Board.

Said inactivation shall be notified to the corresponding professional college not later than thirty (30) days from the effective date of the inactivation of membership of the person concerned, except in the case of retired professionals.

After the inactive period has passed, the holder may request the reactivation of his/her certificate or license through a petition in writing to such effect filed with the Recording Secretary of the Board, together with evidence of his/her compliance with the other requirements imposed by §§ 711—711z of this title, or that may be imposed through regulations issued pursuant to the latter, such as continuing education requirements.

It shall be illegal and constitute sufficient cause to cancel the certification or license for the holder of an inactive license or certificate to practice his/her profession during its inactive period.

The Board shall notify the corresponding professional college of the reactivation of any certificate or license within a term not to exceed thirty (30) days from the effective date of reactivation of any certificate or license, as the case may be.

Those professionals who have been inactivated, suspended or expelled as members of their respective professional colleges by virtue of the causes, and through the procedures established by said colleges,

20 L.P.R.A. § 711m

shall have their certificates or licenses, as the case may be, suspended through the certification of such a fact presented to the Board by the authorized official of the corresponding college.

When the corresponding professional college officially certifies the reinstatement of the professional concerned, pursuant to the applicable collegiation laws, after his/her inactivation, suspension or expulsion has been decreed, the Board shall immediately reactivate his/her license or certificate through the procedure and payment of the fees provided in the regulations of the Board. If the expulsion or suspension is for failure to pay the annual dues, an official certification by the corresponding college shall suffice, which will constitute a sufficient determination of fact for the Board to take the corresponding action without having to follow the procedure of a hearing which is established below for the other cases.

The Board shall establish, through regulations, the necessary norms for the application of this section.

History

—Aug. 12, 1988, No. 173, p. 797, § 15, renumbered as § 18 and amended on Dec. 26, 1997, No. 185, § 18; Dec. 7, 2007, No. 180, § 11, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

First paragraph: Act 2007 substituted “certified or” with “licensed, associate or” in the first sentence.

—1997.

Act 1997 amended this section generally.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

20 L.P.R.A. § 711m

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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[20 L.P.R.A. § 711n](#)

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§ 711n. Certificates or licenses—Denial, suspension, revocation or cancellation

The Board may deny, suspend, revoke or cancel the license or certificate of any applicant or holder with the affirmative vote of five (5) of its members, for:

- (a) Incurring fraud or deceit in order to be enrolled in the Register of the Board.
- (b) [Gross] negligence, incompetence, or reproachable conduct in the practice of his/her profession.
- (c) Having violated the Code of Professional Ethics of the College of Engineers and Surveyors of Puerto Rico or the College of Architects and Landscape Architects of Puerto Rico, as the case may be, or for having violated the laws under which said professional institutions were created.
- (d) Committing fraud or deceit in the practice of his/her profession or being convicted of a felony or a misdemeanor implying moral turpitude.
- (e) Signing or stamping with his/her seal any plan, blueprint, drawing, specifications, studies, mensuration or any other instrument of professional service which was not prepared by him/her or under his/her direct supervision and responsibility, or in which the names of persons who are not duly authorized to practice these professions in Puerto Rico appear with the title of engineer, architect, landscape architect or surveyor.
- (f) Helping, hiring, counseling, inciting or in any other way facilitating the practice of engineering, architecture or surveying to any person who is not authorized to practice these professions in Puerto Rico, pursuant to §§ 711—711z of this title.

20 L.P.R.A. § 711n

- (g) Making use of his/her license or certificate to practice his/her profession in Puerto Rico during the time said license or certificate is inactive, cancelled or suspended, or during the term its holder has been suspended from the practice thereof by virtue of the application of other laws.
- (h) Willfully or negligently evading compliance with any law, order, code or regulation of the Government of the Commonwealth of Puerto Rico or any of its instrumentalities, public corporations or municipalities that rule the design, certification, inspection and supervision of construction works.
- (i) Passing him/herself off as a licensed engineer, architect, surveyor or landscape architect when only holding a certificate as engineer or architect, surveyor or landscape architect in training or associate.
- (j) Having had his/her professional license or certificate revoked, suspended or cancelled in any other jurisdiction in which he/she was authorized to practice his/her profession, when the reason for the revocation, suspension or cancellation of his/her license or certificate in said jurisdiction is one of those provided in this section.

History

—Aug. 12, 1988, No. 173, p. 797, § 16, renumbered as § 19 and amended on Dec. 26, 1997, No. 185, § 19; Dec. 7, 2007, No. 180, § 12, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Subsection (f): Act 2007 deleted “landscape architecture” before “or surveying”.

Subsection (g): Act 2007 made a minor lexical change that affected the Spanish version only.

Subsection (i): Act 2007 added “or associate” at the end of this subsection.

—1997.

Acts 1997 amended this section generally.

20 L.P.R.A. § 711n

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

ANNOTATIONS

1. Generally.

The Legislature has specifically conditioned and restricted causes for felony in the profession. 1992 Op. Sec. Jus. No. 2.

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[20 L.P.R.A. § 711o](#)

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§ 711o. Certificates or licenses—Reissuance

The Board may re-register and issue a new certificate or a new license to any person whose corresponding registration has been cancelled in its registers with the favorable vote of not less than seven (7) of its members and for justified reasons stated for the record. The reissuance of certificates or licenses shall also be subject to the provisions of the regulations of the Board. The Board shall immediately notify its action to the professional college concerned, with a copy of its record.

History

—Aug. 12, 1988, No. 173, p. 797, § 17, renumbered as § 20 and amended on Dec. 26, 1997, No. 185, § 20.

Annotations

Notes

HISTORY

Amendments

—1997.

20 L.P.R.A. § 711o

Act 1997 substituted “at least five (5) of its members” with “not less than seven (7) of its members” and amended this section generally.

Statement of motives.

Dec. 26, 1997, No. 185.

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[20 L.P.R.A. § 711p](#)

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§ 711p. Repealed. Act Dec. 26, 1997, No. 185, § 21, eff. Dec. 26, 1997.

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[20 L.P.R.A. § 711q](#)

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§ 711q. Filing of complaints

The Board, on its own initiative or at the request of a duly grounded complaint filed by any person, may initiate any procedure to file charges against any licensed, associate or in training engineer, surveyor, architect or landscape architect who violates the provisions of §§ 711—711z of this title or its regulations. Any complaint to those effects shall be filed with the Recording Secretary in writing, under oath, for its corresponding registration.

The Board shall notify the engineer, surveyor, architect or landscape architect of the nature of the charge or charges filed against him/her and serve a copy of the complaint not later than ten (10) days following the date of filing, either personally or by certified mail with acknowledgement of receipt to his/her last known address. At the same time, he/she will be notified of the date, place and hour of the hearing to be held before the Board for the investigation of such charges within thirty (30) days after the date said notice is received.

Said notice shall advise the party charged of his/her right to appear at the hearing personally, to be represented by counsel, to question the persons who testify against him/her and examine the evidence presented against him/her, as well to present the attesting and documentary evidence on his/her behalf that he/she may deem pertinent.

The Board may issue summons under admonishment of contempt to compel the appearance of witnesses or the presentation of any books, files or other documents it may deem pertinent. The members of the Board may likewise take oaths and statements from any witnesses appearing before it and receive any attesting or documentary evidence concerning the proceedings before its consideration.

20 L.P.R.A. § 711q

Should any person who has been duly summoned by the Board refuse to appear before the latter or to produce the books, files, documents or any other evidence required from him/her, the Board may, through the Secretary of Justice, resort to the Part of the Court of First Instance corresponding to the place of residence of said person to order him/her to appear or present the evidence requested, or for both purposes, as the case may be.

On the basis of the merits stated by the Board in its initial writ, the court shall issue whatever order is pertinent to require the person to appear before the latter and state the reasons for his/her noncompliance with the summons of the Board. If the action and order of the Board are sustained, the court shall require and order the person to appear before the former and to produce the evidence required. Any person who disobeys the order of the court shall be subject to being punished for contempt.

The Board shall keep a record of the hearing and a transcript thereof shall be filed with the Recording Secretary and every decision shall be issued under the affirmative vote of not less than five (5) of the members of the Board.

At the conclusion of the hearing, the Board shall make its decision within a term not to exceed twenty (20) days, from the date of its conclusion. The decision of the Board shall be notified to the initiating party by certified mail with acknowledgement of receipt within ten (10) days after the date of issue of the notice. The decision of the Board shall clearly and concisely state the grounds upon which it is based.

History

—Aug. 12, 1988, No. 173, p. 797, § 19, renumbered as § 21 and amended on Dec. 26, 1997, No. 185, § 22; Dec. 7, 2007, No. 180, § 13, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Act 2007 added “associate” before “or in training” in the first sentence.

—1997.

20 L.P.R.A. § 711q

Catchline: Act 1997 substituted “Complaints” with “Filing of complaints”.

Act 1997 amended this section generally.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

Cross references.

Justice, Secretary of, see § 71 of Title 3.

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[20 L.P.R.A. § 711q-1](#)

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§ 711q-1. Professional associations

The practice of the profession of engineering, architecture, surveying and landscape architecture under a trade name or professional association shall be allowed provided all members or principals of said entity hold a license in their respective professions and are enrolled in the corresponding Register of Professional Associations.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 22 on Dec. 26, 1997, No. 185, § 23; Dec. 7, 2007, No. 180, § 14, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

Act 2007 deleted “or are in training” after “hold a license” and made minor lexical changes.

20 L.P.R.A. § 711q-1

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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[20 L.P.R.A. § 711q-2](#)

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§ 711q-2. Professional corporations

The corporate practice of the engineering, architecture, surveying and landscape architecture professions shall be allowed provided that all the shareholders are licensed in their respective professions and that said corporation is organized as a professional corporation pursuant to the provisions of §§ 711—711z of this title or §§ 2601 et seq. of Title 14, known as the “General Corporation Law of Puerto Rico”.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 23 on Dec. 26, 1997, No. 185, § 24; Dec. 7, 2007, No. 180, § 15, eff. Dec. 31, 2007.

Annotations

Notes

HISTORY

Amendments

—2007.

20 L.P.R.A. § 711q-2

Act 2007 substituted “one or several” with “the” before “engineering” and inserted “that all the shareholders...and that” before “said corporation”.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 7, 2007, No. 180.

Separability.

See note under § 711 of this title.

Special provisions.

See note under § 711 of this title.

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[20 L.P.R.A. § 711q-3](#)

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§ 711q-3. Professional practice, professional associations

It shall likewise be illegal for any association or group of professionals to use the words “engineer,” “surveyor,” “architect,” or “landscape architect” or any other word derived therefrom in conjunction with a partnership or corporate name.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 24 on Dec. 26, 1997, No. 185, § 25.

Annotations

Notes

HISTORY

Statement of motives.

Dec. 26, 1997, No. 185.

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20 L.P.R.A. § 711q-3

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[20 L.P.R.A. § 711r](#)

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Laws of Puerto Rico Annotated > **TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117)** > **Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)**

§ 711r. Intervention by Secretary of Justice

The Board may request the services of the Secretary of Justice with regard to the functions and duties imposed upon him by §§ 711—711z of this title. The Secretary of Justice shall answer the questions asked by the Board and upon its request, shall initiate and process any action or procedure before the courts for the application of §§ 711—711z of this title in which the Board is, or becomes a part thereof.

History

—Aug. 12, 1988, No. 173, p. 797, § 20, renumbered as § 25 on Dec. 26, 1997, No. 185, § 26.

Annotations

Research References & Practice Aids

HISTORY

Cross references.

Justice, Secretary of, see § 292 of Title 3.

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20 L.P.R.A. § 711r

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[20 L.P.R.A. § 711s](#)

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Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711s. Official list

The Board shall publish separate lists from time to time, by profession, with the names and addresses of all engineers, surveyors, architects and landscape architects duly certified or licensed by the Board, and shall send copies of these lists to the Secretary of State of Puerto Rico, the College of Engineers and Surveyors of Puerto Rico and the College of Architects and Landscape Architects of Puerto Rico. It may likewise provide a copy of said lists to any person or entity requesting them, provided they are not used for commercial ends or purposes, and that they pay the cost of reproducing them through an Internal Revenue voucher.

Within six (6) months after the effective date of this act, the Board shall publish a complete and separate list, by professions, with the names and addresses of all engineers, surveyors, architects and landscape architects enrolled as such in the Register of the Board, indicating, as the case may be, whether they hold in training certificates or are duly licensed. Likewise, on the date of such a publication, the Board shall remit a copy of said lists, as pertinent, to the College of Engineers and Surveyors of Puerto Rico and to the College of Architects and Landscape Architects of Puerto Rico and thereafter, every six (6) months from the date of the initial publication of said list, it shall send supplementary lists, by professions, of all persons who are subsequently included in the Register of the Board, to said colleges. The College of Engineers and Surveyors of Puerto Rico and the College of Architects and Landscape Architects of Puerto Rico shall, in turn, review said lists and advise the Board, within two (2) months following the date they are received, as to any deviation therein, for their information and corresponding investigation.

History

20 L.P.R.A. § 711s

—Aug. 12, 1988, No. 173, p. 797, § 21, renumbered as § 26 and amended on Dec. 26, 1997, No. 185, § 27.

Annotations

Notes

HISTORY

Text references.

The reference to the “effective date of this act” is to Act Aug. 12, 1988, No. 173, which constitutes this chapter.

Amendments

—1997.

Act 1997 substituted “College of Architects” with “College of Architects and Landscape Architects,” added the references to landscape architects and made minor lexical changes throughout the section; and in the second paragraph, added “and separate” following “complete” and substituted “graduate” with “in training” preceding “certificates.”

Statement of motives.

Dec. 26, 1997, No. 185.

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

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[20 L.P.R.A. § 711s-1](#)

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§ 711s-1. Special licenses

The Board may issue special licenses to non-domiciled specialized professionals who hold a license from the territory or country of origin, provided they meet the following requirements:

- (1) Be a partner in a professional corporation whose designated managing partner practices in Puerto Rico, belongs to the same professional corporation, holds due membership in a college and practices the same specialized profession as the applicant for the special license.
- (2) That the designated managing partner in the professional corporation issues a sworn statement to the effect that he/she made the necessary arrangements and efforts for recruitment and faced difficulties in contracting a specialist in said specialty in Puerto Rico.
- (3) The professional specialist shall submit before the Board a sworn statement certifying that he/she is accredited in his/her place of origin, that he/she enjoys a good reputation, and has not violated the laws or code of ethics which regulate the profession, that he/she is not being investigated for these or other similar reasons and that he/she shall obey the laws and regulations of the profession and the laws of Puerto Rico.
- (4) The designated managing partner shall be compelled to inform the Board as to the termination of the work or project for which it was required to issue the special license.
- (5) The special license shall be issued for the term of one year from its date of issue. Should the project or work be prolonged, the professional specialist shall be compelled to apply for a new special license for an additional term of one year.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 27 on Dec. 26, 1997, No. 185, § 28.

Annotations

Notes

HISTORY

Statement of motives.

Dec. 26, 1997, No. 185.

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[20 L.P.R.A. § 711t](#)

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Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711t. Reciprocity

The Board, at the request of the interested party and after payment of the fee provided by regulations, may register and issue engineering, surveying, architecture or landscape architecture certificates or licenses to any person who holds a license issued by the competent authority of any state, territory or possession of the United States of America or of any country, provided the requirements are not substantially in conflict with the provisions of §§ 711—711z of this title and whose basic requirements are not less than those specified in the law governing the pertinent register in effect locally at the time in which said certificate is issued. To that effect the applicant must meet the requirements stated in §§ 711—711z of this title and of the state, territory or possession of the United States or the foreign country of which the applicant is a citizen and from whom it has been authorized; and shall, also grant the same rights, with no exceptions whatsoever, to the engineers, architects, surveyors or landscape architects authorized to practice their profession in the Commonwealth of Puerto Rico. The Board may establish reciprocity agreements for the granting of licenses or certificates with other political jurisdictions, which shall be granted through written agreements with the bodies charged with regulating the professions of engineering, architecture, surveying and landscape architecture in the jurisdictions concerned.

In the case of the profession of engineering, an official certificate signed by the Secretary of State or the authorized official of the state, territory or the foreign country concerned shall be required, which shall guarantee the same rights to the professionals of Puerto Rico that are granted to its own citizens.

The clauses and conditions of the reciprocity agreements, as well as the norms and procedures for the application of this section, shall be subject to regulation by the Board.

History

—Aug. 12, 1988, No. 173, p. 797, § 22, renumbered as § 28 and amended on Dec. 26, 1997, No. 185, § 29.

Annotations

Notes

HISTORY

Amendments

—1997.

Act 1997 added the reference to landscape architect throughout the text, the phrase “provided...issued” in the first sentence of the first paragraph, and “In the case of the profession of engineering” at the beginning of the second paragraph.

Statement of motives.

Dec. 26, 1997, No. 185.

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20 L.P.R.A. § 711u

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§ 711u. Exemption from residence requirement

The Board may exempt licensed engineers, architects, surveyors and landscape architects from the residential requirement provided in §§ 711—711z of this title in the following cases:

- (a) When the jurisdiction of origin of the professional likewise exempts Puerto Rican professional from said residential requirement.
- (b) When the applicant forms an association to practice his/her profession with another architect, landscape architect, engineer or surveyor licensed and domiciled in the Commonwealth of Puerto Rico, pursuant to the requirements established by the Board through regulations.

The Board shall grant a license to those professionals who are exempted from complying with the residential requirement, and said license shall be conditioned by the requirements of the dispensation under which it is issued and be subject to the special norms established for these cases by the College of Architects and Landscape Architects or the College of Engineers and Surveyors, as the case may be. They shall also be bound to renew said conditioned license annually after paying the corresponding fees.

History

—Aug. 12, 1988, No. 173, p. 797, § 23, renumbered as § 29 and amended on Dec. 26, 1997, No. 185, § 30.

Annotations

Notes

HISTORY

Amendments

—1997.

Act 1997 added the references to landscape architect throughout this section.

Statement of motives.

Dec. 26, 1997, No. 185.

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

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§ 711v. Renowned professionals

The Board, at its discretion, may grant a license without it being subject to all the provisions of §§ 711—711z of this title, to any engineer, architect, surveyor or landscape architect of renown or international prestige authorized to practice in another jurisdiction, for his/her achievements in the field of engineering, architecture, surveying or landscape architecture, be it in the study, practice or teaching thereof.

History

—Aug. 12, 1988, No. 173, p. 797, § 24, renumbered as § 30 and amended on Dec. 26, 1997, No. 185, § 31.

Annotations

Notes

HISTORY

Amendments

—1997.

Act 1997 added “or landscape architect” after “surveyor” and “or landscape architecture” after “surveying.”

20 L.P.R.A. § 711v

Statement of motives.

Dec. 26, 1997, No. 185.

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§ 711w. Budget

The Board shall annually prepare and submit to the Secretary of State, for the corresponding action, a budget of expenses for each fiscal year. The Board shall likewise submit to the Governor of Puerto Rico and to the Legislature of Puerto Rico, not later than January 30 of each year, a report of all its activities during the corresponding year and of the use given to the operating funds thereof.

History

—Aug. 12, 1988, No. 173, p. 797, § 25, renumbered as § 31 and amended on Dec. 26, 1997, No. 185, § 32.

Annotations

Notes

HISTORY

Amendments

—1997.

Act 1997 proposed to amend and renumber this section, but the renumbering occurred with no apparent change to the text.

20 L.P.R.A. § 711w

Statement of motives.

Dec. 26, 1997, No. 185.

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§ 711w-1. Supervision

Any agency, public or private corporation or instrumentality of the Commonwealth of Puerto Rico which, as part of its functions, carries out architecture, landscape architecture, surveying or engineering works or projects, shall entrust the direction and supervision of the technical phase of said works or projects to a licensed engineer, architect, surveyor or landscape architect, as the case may be.

History

—Aug. 12, 1988, No. 173, p. 797, added as § 32 on Dec. 26, 1997, No. 185, § 33.

Annotations

Notes

HISTORY

Statement of motives.

Dec. 26, 1997, No. 185.

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§ 711z. Incorporation of the Code of Ethics

The Board shall include as part of its regulations, and enforce it when called upon to do so, the Code of Professional Ethics adopted by the College of Engineers and Surveyors of Puerto Rico and by the College of Architects and Landscape Architects of Puerto Rico. Said Colleges shall provide the Board with a certified copy of the Code of Professional Ethics that governs them not later than thirty (30) days following the date of approval of this act. Any subsequent amendment or modification to the Code of Ethics shall be notified to the Board together with a certified copy thereof, within fifteen (15) days of its adoption.

History

—Aug. 12, 1988, No. 173, p. 797, § 29, renumbered as § 36 and amended on Dec. 26, 1997, No. 185, § 37.

Annotations

Notes

HISTORY

Text references.

The reference to “this act” is to Act Aug. 12, 1988, No. 173, which constitutes §§ 711—711z of this title.

Amendments

20 L.P.R.A. § 711z

—1997.

Act 1997 added “and Landscape Architects” following “Architects” in the first sentence.

Statement of motives.

Dec. 26, 1997, No. 185.

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

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§ 711y. Criminal violations and sanctions

Any person who practices or offers to practice the professions of engineering, architecture, surveying or landscape architecture in the Commonwealth of Puerto Rico without being duly authorized pursuant to §§ 711—711z of this title, or uses or attempts to use a professional license, certificate or seal as his/her own, or who presents before the Board or any of the members thereof false or altered evidence to obtain any license or certificate, or for the renewal or reactivation of same, or who passes as a registered professional, or attempts to use a license or certificate which has been revoked, or who violates any of the provisions of §§ 711—711z of this title or its regulations shall incur in a misdemeanor and if convicted, shall be sanctioned with a fine of not less than ten thousand dollars (\$10,000); or a jail term of not less than six (6) months, or both penalties, at the discretion of the court. If there are aggravating circumstances, the fixed penalty may be increased up to a maximum of one (1) year.

Any natural or juridical person who knowingly associates with, abets, or favors any other person in the practice of the professions of engineer, architect, surveyor or landscape architect without being duly authorized to practice as such in the Commonwealth of Puerto Rico shall incur in a misdemeanor, and if convicted, shall be sanctioned with a jail term which shall not exceed six (6) months, or a fine which shall not exceed ten thousand dollars (\$10,000), or both penalties, at the discretion of the court, which may impose the penalty of rendering community services in lieu of the established jail term.

In the case of subsequent convictions the penalty shall be a fine of not less than ten thousand dollars (\$10,000), nor more than fifteen thousand dollars (\$15,000), or a jail term of not less than six (6) months nor more than one (1) year, or both penalties, at the discretion of the court. When the person convicted is a professional engineer, architect, surveyor or landscape architect, the court shall issue a notification of said conviction to the Board, accompanied by a copy of the judgment.

20 L.P.R.A. § 711y

The Board may resort to the court, on its own initiative or with the corresponding assistance of the Department of Justice of Puerto Rico, in cases of illegal practice of the professions regulated herein, or other violations against §§ 711—711z of this title, as set forth in this section, to obtain the issuing of an order to cease and desist by means of injunction under penalty of contempt against the offenders who commit the criminal conduct herein established.

History

—Aug. 12, 1988, No. 173, p. 797, § 28, renumbered as § 35 and amended on Dec. 26, 1997, No. 185, § 36; Dec. 29, 2003, No. 333, § 1.

Annotations

Notes

HISTORY

Amendments

—2003.

Act 2003 amended the end of first paragraph generally, interchanged new second and third paragraphs, and redesignated the former second as the fourth, amending it generally.

—1997.

Act 1997 added “or landscape architecture” after “surveying” and “or landscape architect” after “surveyor” in the first paragraph.

Statement of motives.

Dec. 26, 1997, No. 185.

Dec. 29, 2003, No. 333.

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20 L.P.R.A. § 711y

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[20 L.P.R.A. § 711x](#)

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Laws of Puerto Rico Annotated > TITLE TWENTY Examining Boards and Professional Colleges (Chs. 1 — 117) > Chapter 35. Board of Examiners of Engineers, Architects, Surveyors and Landscape Architects (§§ 681 — 711z)

§ 711x. Professional practice; prohibitions

For the purposes of §§ 711—711z of this title it shall be understood that a person practices the professions regulated thereby when he/she exercises, or offers to exercise the practice of the profession of engineering, surveying, architecture or landscape architecture, or holds office or a position in the Government of the Commonwealth of Puerto Rico or in the private sector which entails the performance of functions or the classification defined in §§ 711—711z of this title as such a practice; or that through the use of written or spoken words, signs, symbols, cards, printed letterheads, graphics or advertisements of any sort, or by any other physical or electronic means, makes known or gives the impression that he/she is an engineer, architect, surveyor or landscape architect or that in any other form or manner uses any of these four (4) professional terms in connection with his/her name or person.

It shall be illegal for any person to practice or offer to practice engineering, architecture, surveying or landscape architecture in Puerto Rico, or to use or advertise in connection with his/her name any title, word or term, or description, that may give the impression that he/she is an authorized engineer, architect, surveyor or landscape architect, unless he/she is registered as such, pursuant to the provisions of §§ 711—711z of this title, that he/she holds the corresponding license or certificate and is an active member of the College of Engineers and Surveyors of Puerto Rico or the College of Architects and Landscape Architects of Puerto Rico, as the case may be.

It shall be equally illegal for any natural or juridical person, in addition to what is provided above and, in other acts, to employ, or in any way on his/her own part or through agents, representatives or job solicitors, negotiate or sponsor the employment or services of other persons for the practice of the professions regulated herein unless they are duly authorized under §§ 711—711z of this title or the applicable collegiation laws to exercise the practice of said professions. This provision shall apply to the principal as

20 L.P.R.A. § 711x

well as to the agent, representative and job solicitor. Every announcement, circular letter, notice, letter or edict that is posted or publicly circulated, in which the services of these professionals are requested, must clearly state the requirements of holding a certificate or license and being collegiated [sic].

History

—Aug. 12, 1988, No. 173, p. 797, § 27, renumbered as § 34 and amended on Dec. 26, 1997, No. 185, § 35.

Annotations

Notes

HISTORY

Amendments

—1997.

Act 1997 added the references to “landscape architect” and “landscape architecture” throughout, and substituted “three (3)” with “four (4)” before “professional terms” in the first paragraph of this section.

Statement of motives.

Dec. 26, 1997, No. 185.

Cross references.

Architects Association, see §§ 751—763 of this title.

College of Engineers and Surveyors, see §§ 731—743 of this title.

ANNOTATIONS

1. Generally.

An unlicensed engineer may not practice engineering in Puerto Rico unless he/she is under the direct supervision of a licensed engineer who can certify that the completed work is correct. 1995 Op. Sec. Jus. No. 5.

20 L.P.R.A. § 711x

An unlicensed engineer, not legally authorized to practice engineering in Puerto Rico, may not, with respect to the technical aspects of engineering, supervise the work of licensed engineers or supervise projects or jobs that require approval. 1995 Op. Sec. Jus. No. 5.

Law regulating exercise of profession of engineer and which prohibits practice of said profession by corporations in Puerto Rico has no extraterritorial effect, but a corporation authorized to do business in Puerto Rico may not use the title “engineer” in correspondence within the jurisdiction of Puerto Rico. *Colegio de Ingenieros y Agrimensores de P.R. v. Autoridad de Acueductos y Alcantarillados de P.R.*, 131 D.P.R. 735, 1992 PR Sup. LEXIS 291 (P.R. 1992).

Laws of Puerto Rico Annotated

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