

The Nebraska Professional

NE Nebraska Professional

Nebraska Board of Engineers and Architects

Volume 50, February 27, 2025

Notice of Rulemaking Hearing

Notice is hereby given that the Board of Engineers and Architects will hold a rulemaking hearing on the 21st day of March 2025, commencing at 8:30 a.m., to be held in the board room of the Nebraska Environmental Trust, 2077 N Street Suite 310, Lincoln, Nebraska, 68509.

The PURPOSE of the hearing is to take testimony and evidence about adoption, amendments, and additions to Title 110, Nebraska Admin. Code, Chapters 1, 4, 5, 6, 7, 8, and 9. This action is proposed to implement *Neb. Rev. Stat. §§81-3401 to 81-3455*, consistent with the authority granted by the law and with constitutionality. The subject matter and scope of rulemaking action are as follows:

- Proposing a definition of public works;
- Clarifying that professional engineer applicants who are designated as a Model Law Engineer by NCEES but hold only a degree accredited by the Engineering Technology Accrediting Board of ABET do not qualify for licensure unless they have been licensed for 15 years in another jurisdiction recognized by the Board;
- Adding a licensure pathway for professional engineers licensed in any foreign country that are both: 1) listed on the International Professional Engineers Register and 2) licensed in a country that is an Authorized Member of either the International Professional Engineer's Agreement or the APEC Engineer Agreement, as developed and published by the International Engineering Alliance;
- Requiring licensees who have knowledge of a violation of the Engineers and Architects Regulation Act or Board Rules shall report such knowledge to the Board within 90 days and cooperate with the Board if requested;
- Clarifying the manner in which large specifications may be appropriately sealed;
- Limiting the number of continuing education (CE) hours the Board will grant in any calendar day to 10, along with revisions to CE recordkeeping rules; and
- Revising rules regarding emeritus-status licensees as it relates to reinstatement applications and continuing education requirements at the time of reapplication.

This hearing is being conducted under the provisions of *Neb. Rev. Stat. §§84-907* which provides that DRAFT COPIES OF THE PROPOSED RULES ARE AVAILABLE for public examination at the Board of Engineers and Architects and at the Office of the Secretary of State, State Capitol, Lincoln, NE 68508. The draft copy of the proposed rules and a clean draft are also available on the Board of Engineers and Architects website at ea.nebraska.gov. The [draft copy](https://ea.nebraska.gov/sites/default/files/doc/250117_LegislativeCopy.pdf) (https://ea.nebraska.gov/sites/default/files/doc/250117_LegislativeCopy.pdf) of the proposed rules and a [clean draft](https://ea.nebraska.gov/sites/default/files/doc/250117_CleanCopy.pdf) (https://ea.nebraska.gov/sites/default/files/doc/250117_CleanCopy.pdf) are available at these links.

The Board expects no fiscal impact from amending these regulations on itself, political subdivisions, or to the regulated public, license applicants, and licensees.

ALL INTERESTED PERSONS are invited to ATTEND and TESTIFY orally or by written submission at the hearing. Interested persons may also submit written comments prior to the hearing, which will be made part of the record at the time of hearing if received by the Board of Engineers and Architects by end of business day Thursday, March 20, 2025. If auxiliary aids or reasonable accommodations are needed to participate at the hearing, please call (402) 471-2021 no later than ten days before the hearing. TDD users please call (800) 833-7352 and ask the relay operator to call us at (402) 471-2021.

Upcoming NBEA Lunch and Learn Webinar

(<https://sonvideo.webex.com/weblink/register/rad47e85bc14096d973fc920fe296b933>) Please join us for the next installment of the NBEA Lunch and Learn Webinar Series on Wednesday, March 19, 2025, at 12 p.m. Central Time regarding:

Join us for a FREE webinar as we review:

- The E&A Act
- Potential updates to Board Rules
- When licensed architects and professional engineers need to be involved in a project's design

WHEN: March 19, 2025
TIME: 12 pm (Central)
WHERE: Webex

If you would like to submit questions ahead of time to be addressed during the webinar, please send them to nbea.marketing@nebraska.gov

To register, click [here](#).

STATE OF NEBRASKA BOARD OF ENGINEERS AND ARCHITECTS

1. The E&A Act
2. Potential updates to Board Rules
3. When licensed architects and professional engineers need to be involved in a project's design

If you have specific questions about these topics, we ask that you submit them before the webinar so we can better answer them during the presentation. Please send questions to nbea.marketing@nebraska.gov (mailto:nbea.marketing@nebraska.gov).

To register, please click [here](#)

(<https://sonvideo.webex.com/weblink/register/rad47e85bc14096d973fc920fe296b933>).

Important reminders:

1. It is **anticipated** the Board will give continuing education credit for the webinar, but as a reminder, the Board **DOES NOT** pre-approve continuing education offerings.
2. Certificates **WILL NOT** be issued as attendance verification. If you participate in the entire presentation, you will receive an email within the next week confirming your attendance. You may need to check your email Junk folder for the email confirmation.
3. If an individual would like to claim professional development hours from the webinar, they will need to **register individually** as the attendance roster is generated from WebEx based on each individual email address or phone number that is logged into the webinar.

NCEES Professional Activities and Knowledge Study Opportunity

NCEES is seeking licensed structural engineers with competency in bridge structures to participate in a professional activities and knowledge study (PAKS) for the PE Structural exam. The results of this online survey will be used to update specifications for the exam, which is used throughout the United States for licensing purposes.

NCEES requires a cross section of licensed professional engineers practicing structural engineering—including those working in industry, consulting, the public sector, and academia—to complete an online survey about the tasks and knowledge required of a licensed structural engineer with four to six years of experience to practice in a manner that safeguards the health, safety, and welfare of the public.

The survey can be completed in approximately 50-60 minutes and will be open until March 10, 2025. To access the online survey, please click [here](#) (https://www.surveymonkey.com/r/NCEES_PE_Structural_Engineering_Survey_2025).

For more information, please click [here](#) (<https://ncees.org/ncees-seeks-licensed-structural-engineers-professional-expertise-and-advice/>).

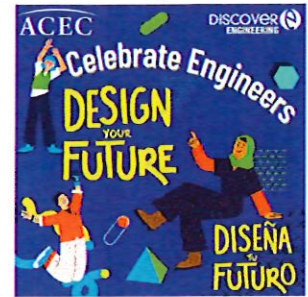
2025 E-Week Concludes

For this year's Engineers Week, commonly known as "E-Week", the theme was "Design Your Future." This theme is both a call to action and a celebration of the limitless possibilities in engineering. It invites us to dream boldly, innovate relentlessly, and create a future shaped by our collective ingenuity.

As we mark 25 years into the 21st century, engineers remain at the forefront of addressing rapid technological advancements, societal shifts, and global challenges. Their critical work is reshaping how we live, work, and connect, with breakthroughs in:

- **Renewable Energy:** Advancing solar, wind, and geothermal systems to combat climate change.
- **Circular Economy:** Designing systems to minimize waste and promote sustainable production.
- **Artificial Intelligence (AI):** Revolutionizing industries like healthcare, transportation, and finance.
- **Autonomous Systems:** Innovating self-driving cars, drones, and robotics to transform industries.
- **Gene Editing:** Using tools like CRISPR to tackle genetic diseases and improve agriculture.
- **Urban Planning:** Creating smarter, sustainable cities with efficient energy and waste systems.

For more information about E-Week, click [here](https://www.acec.org/news/engineers-week-2025/) (https://www.acec.org/news/engineers-week-2025/).



NCEES Professional Licensure Scholarship

Applications for NCEES Professional Licensure Scholarships are now open until March 14, 2025! To apply, please click [here](https://acecinstitute.awardspring.com/Home/ScholarshipDetails/334880) (https://acecinstitute.awardspring.com/Home/ScholarshipDetails/334880).

These \$5,000 scholarships are awarded to students with a career goal of becoming a professional engineer or professional surveyor. Applicants must be enrolled in a college or university during the 2024-25 academic year. Current high school students are not eligible.

Upcoming Changes to ARE® Guidelines

NCARB works regularly with psychometricians and hundreds of volunteer architects to ensure the Architect Registration Examination® aligns with exam best practices and current architectural practice. As part of ongoing efforts to improve the ARE, NCARB is implementing two updates effective April 28, 2025:

1. **NCARB is retiring drag-and-place item types from the exam.** NCARB analysis of evolving testing best practices indicate that other item types used on the ARE assess candidates' qualifications more effectively. Beginning April 28, candidates should only expect to see three item types on the exam: multiple choice, check-all-that-apply, and hotspot. Format and scoring of these item types will not change.
2. **All candidates will automatically see provisional feedback at the end of their exam.** Going forward, candidates will not need to indicate if they would like to see provisional feedback at the end of an exam division. The provisional feedback displayed on the screen will inform the candidate of their overall likelihood of passing or failing the division.

NCARB also added clarifying language to the instructions for scheduling an exam appointment with accommodations, updated the AIA Code of Ethics and Professional Conduct listed in the Reference Guide to the most current version, and aligned the lists of AIA Contract Documents to accurately reflect the content on the exam. Exam objectives covered by each division, as well as the tools and resources available to candidates during the exam, will otherwise remain the same.

NCARB has released an [updated version of the ARE Guidelines](https://www.ncarb.org/sites/default/files/ARE-5-Guidelines_April2025.pdf?utm_source=NCARB+Email+List&utm_campaign=6da826d379-are-update&utm_medium=email&utm_term=0_6fc3e7dfc9-6da826d379-669495262) (https://www.ncarb.org/sites/default/files/ARE-5-Guidelines_April2025.pdf?utm_source=NCARB+Email+List&utm_campaign=6da826d379-are-update&utm_medium=email&utm_term=0_6fc3e7dfc9-6da826d379-669495262) that reflects these changes, which go into effect on April 28, 2025. NCARB will update the practice exams on April 28 to reflect these exam changes.

How This Impacts Candidates

If candidates are testing between now and April 28, 2025:

- Candidates should still anticipate encountering some drag-and-place items. NCARB's exam prep content related to drag-and-place items will remain available until April 28.
- If candidates would like to view provisional feedback at the end of the exam, they should follow the process outlined in the [current ARE Guidelines](https://www.ncarb.org/sites/default/files/ARE-5-Guidelines.pdf?utm_source=NCARB+Email+List&utm_campaign=6da826d379-are-update&utm_medium=email&utm_term=0_6fc3e7dfc9-6da826d379-669495262#page=36) (https://www.ncarb.org/sites/default/files/ARE-5-Guidelines.pdf?utm_source=NCARB+Email+List&utm_campaign=6da826d379-are-update&utm_medium=email&utm_term=0_6fc3e7dfc9-6da826d379-669495262#page=36).

NEWLY-LICENSED PROFESSIONAL ENGINEERS

Agricultural and Biological		
Jace L. Walther		North Platte, NE
Architectural		
Gage A. Gibney		Omaha, NE
Civil		
Muhanad S. Al Samarie		Lincoln, NE
Collins A. Boasiako		Norfolk, NE
Nataliaja Z. Dominguez-Grigaitis		Omaha, NE
Gabriel C. Najera		Omaha, NE
Robert D. Neely		Omaha, NE
Jason D. Sloniker	South Sioux City, NE	
Marie E. Wagner-Loos		Lincoln, NE
Control Systems		
Collin M. Hoffman		Estes Park, CO
Electrical and Computer		
Luis M. Torres-Abrea		North Platte, NE
Mechanical		
Mark N. Wagner		Omaha, NE

Recently Resolved Compliance Cases

24.13 – Unlicensed Individual Practice

Summary: The Board was notified of the submission of unsealed plans to another state agency for the construction of a single-story building [Business (B) Occupancy] comprising approximately 4,400 square feet. The plans did not bear the seal of a Nebraska-licensed architect or professional engineer.

Action: The Board reviewed the information submitted and determined that the project is exempt from the Act. As a result, the complaint was dismissed.

24.31 – Audit Failure

Summary: A complaint was initiated alleging that **Larry Christian (A-4081)** failed to complete the continuing education audit requirement for architects. Board Rule 9.1 requires every architect to meet the continuing education requirements as a condition for license renewal.

Action: The Board found that Christian failed to meet continuing education requirements during the 2022-2023 renewal period. The Board proposed a settlement agreement in which Christian agreed to the disciplinary action, which imposed a license suspension, a \$500 civil penalty, and \$279.50 in investigative costs to be paid within thirty (30) days. The Board accepted and executed the settlement agreement at the December 6, 2024 meeting. During the January 24, 2025 meeting, the Board voted to remove the license suspension and close the complaint.

24.32 – Audit Failure

Summary: A complaint was initiated alleging that **Nathaniel Felten (E-17485)** supplied false information regarding the completion of continuing education. Board Rule 9.1 requires every professional engineer to meet the continuing education requirements as a condition for license renewal.

Action: The Board found that Felten failed to meet continuing education requirements during the 2022-2023 renewal period. The Board proposed a settlement agreement in which Felten agreed to the disciplinary action, which imposed a license suspension, a \$500 civil penalty, and \$216.50 in investigative costs to be paid within thirty (30) days. The Board accepted and executed the settlement agreement at the January 24, 2025 meeting.

24.36 – Violation of E&A Act – 81-3442(1)(j)

Summary: The Board was notified of a single-story building [Mercantile (M)] comprising approximately 18,800 square feet. The complaint alleges the Respondent was notified by a professional engineer that their building was not safe but has not made the necessary modifications to return it to a safe condition.

Action: After reviewing the complaint, the Board dismissed it as the city confirmed it will oversee the building's safety and compliance. Additionally, the Board informed the Respondent of its expectation to implement the professional engineer's recommendations to ensure the safety of all individuals entering the building.

24.46 – Audit Failure

Summary: A complaint was initiated for supplying false information regarding the completion of continuing education. Board Rule 9.1 requires every architect to meet the continuing education requirements as a condition for license renewal.

Action: The Board reviewed the complaint and found the Respondent did not adequately maintain their continuing education records nor comply with the audit deadline. Additionally, the Respondent failed to respond to Board communications in a timely manner. However, the Respondent submitted documentation illustrating they met the continuing education requirements. This documentation was submitted approximately eight months after the initial audit notification and two months past the six-month deadline. As a result, the Board concluded that the final submission met the 2022-2023 continuing education requirements. A letter of warning was issued to the Respondent, reminding them of their responsibilities requiring continuing education and promptly responding to the Board communications and deadlines.

For further information regarding the enforcement process, please click [here](https://ea.nebraska.gov/enforcementcomplaints) (https://ea.nebraska.gov/enforcementcomplaints).

For a full list of disciplinary actions taken by the Board, please click [here](https://ea.nebraska.gov/disciplinary-actions) (https://ea.nebraska.gov/disciplinary-actions).

The Nebraska Professional Archive

[The Nebraska Professional #49](https://ea.nebraska.gov/sites/default/files/doc/January_2025_Newsletter.pdf) (https://ea.nebraska.gov/sites/default/files/doc/January_2025_Newsletter.pdf)

[The Nebraska Professional #48](https://ea.nebraska.gov/sites/default/files/doc/December_2024_Blog.pdf) (https://ea.nebraska.gov/sites/default/files/doc/December_2024_Blog.pdf)

Please click [here](https://ea.nebraska.gov/nebraska-professional-archive) (https://ea.nebraska.gov/nebraska-professional-archive) for past issues.

If you have questions about topics in this digital newsletter, previous issues, or other topics that would be helpful to publish in our next release, please [contact us](mailto:nbea.marketing@nebraska.gov) (mailto:nbea.marketing@nebraska.gov).