



LEGISLATURE OF PUERTO RICO

Office of Legislative Services

March 5, 1999

José A. Figueroa-Lugo, Director of the Office of Legislative Services of the Legislature of Puerto Rico, hereby certifies to the Secretary of State that he has duly compared the English and Spanish texts of Act No. 185 (S.B. 253) (Conference) of the 2nd Session of the 13th Legislature of Puerto Rico, entitled:

AN ACT to amend Sections 1, 2, 3, 4 and 5; add Sections 6 and 7; amend and renumber Sections 6, 7, 8 and 9 as Sections 8, 9, 10 and 11 respectively; add Section 12; amend and renumber Sections 10, 11, 12, 13, 14, 15, 16 and 17 as Sections 13, 14, 15, 16, 17, 18, 19 and 20 respectively; amend and renumber Section 19 as Section 21; add Sections 22, 23 and 24; amend and renumber Sections 20 and 21 as Sections 25 and 26 respectively; add a Section 27; amend and renumber Sections 22, 23, 24 and 25 as Sections 28, 29, 30 and 31 respectively; add a Section 32; amend and renumber Sections 26, 27, 28, 29 and 30 as Sections 33, 34, 35, 36 and 37 respectively, of Act No. 173 of August 12, 1988, in order to add to and regulate the profession of landscape architect in Puerto Rico; establish the Board of Examiners of Engineers, Surveyors, Architects and Landscape Architects; determine its organization and define its functions, duties and powers; authorize it to issue, renew, suspend and cancel licenses and certificates for the exercise of the professions of engineering, surveying, architecture and landscape architecture; establish the amount to be charged for examination, reexamination, license and certificate fees; and empower it to adopt the regulations needed to apply this Act, and establish penalties,

and finds the same are complete, true and correct versions of each other.


José A. Figueroa-Lugo

(S.B. 253)
(Conference)

(No. 185)

(Approved December 26, 1997)

AN ACT

To amend Sections 1, 2, 3, 4 and 5; add Sections 6 and 7; amend and renumber Sections 6, 7, 8 and 9 as Sections 8, 9, 10 and 11 respectively; add Section 12; amend and renumber Sections 10, 11, 12, 13, 14, 15, 16 and 17 as Sections 13, 14, 15, 16, 17 18, 19 and 20 respectively; amend and renumber Section 19 as Section 21; add Sections 22, 23 and 24; amend and renumber Sections 20 and 21 as Sections 25 and 26 respectively; add a Section 27; amend and renumber Sections 22, 23, 24 and 25 as Sections 28, 29, 30 and 31 respectively; add a Section 32; amend and renumber Sections 26, 27, 28, 29 and 30 as Sections 33, 34, 35, 36 and 37 respectively, of Act No. 173 of August 12, 1988, in order to add to and regulate the profession of landscape architect in Puerto Rico; establish the Board of Examiners of Engineers, Surveyors, Architects and Landscape Architects; determine its organization and define its functions, duties and powers; authorize it to issue, renew, suspend and cancel licenses and certificates for the exercise of the professions of engineering, surveying, architecture and landscape architecture; establish the amount to be charged for examination, reexamination, license and certificate fees; and empower it to adopt the regulations needed to apply this Act, and establish penalties.

STATEMENT OF MOTIVES

The development of modern-day cities throughout the world greatly depends on the evolution of the technological environment, whereby it becomes necessary from time to time to temper the laws in effect to the realities of that society and to adopt the mechanisms needed to allow the State to properly exercise its regulatory and protective functions. Only thus

shall the Government of Puerto Rico be able to effectively fulfill its public function of fostering the socio-economic development of its People.

The duty of all landscape architects is to plan land use by using the problems and needs of the individual and of nature as a point of departure for their work. Their mission is to design exterior spaces by integrating the physical structures to the natural environment. In Puerto Rico it has become urgently necessary to achieve this integration since the territorial extension of the island is limited and exposed to conditions such as environmental pollution, population density and high temperatures.

For the past twenty (20) years all efforts to address the regulation of the exercise of the landscape architect's profession have been unsuccessful, causing the practice of the latter to be undertaken by persons who lack formal studies in the field, thus depriving the citizens from obtaining services of acceptable levels of quality which endanger the safety of those who seek them, and affect the credibility of the professional who exercise it.

The intention of the measure at hand is to attach the Landscape Architects to the Engineers, Architects and Surveyors Board, as well as to define the requirements to exercise said profession in Puerto Rico. Thus will the practice of the landscape architect's profession be regulated by requiring the acquisition of a license which guarantees that those persons who hope to exercise said profession have the required academic education and the necessary knowledge to qualify them to provide quality services.

The intention of the several amendments proposed, is to further improve the Law in view of the experiences noted in other States, and reconcile its provisions to the provisions of the Act which governs the Engineering, Surveying and Architecture Professions thus guaranteeing the quality and

requirements which our people and the professional practitioners in these fields deserve.

BE IT ENACTED BY THE LEGISLATURE OF PUERTO RICO:

Section 1.- Section 1 of Act No. 173 of August 12, 1988, is hereby amended to read as follows:

“Section 1.- Title of the Act.-

This Act shall be known as the “Board of Examiners of Engineers, Architects, Surveyor and Landscape Architects of Puerto Rico Act”.

Section 2.- Section 2 of Act No. 173 of August 12, 1988, is hereby amended to read as follows:

“Section 2.- General Principles.-

The purpose of the Act 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, architects, surveyors 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 engineering, architecture, surveying or landscape architecture 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 this Act to exercise the profession of engineering, architecture, surveying or landscape architecture 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.”

Section 3.-Section 3 of Act No. 173 of August 12, 1988 is hereby amended to read as follows:

“Section 3.-Definitions.-

For the purposes of this Act, 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 this Act.

(b) ‘Register’, shall mean the Register of the Board as established in Section 10 of this Act.

(c) ‘Engineers 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 Accreditation Board for Engineering and Technology (ABET) or the Board, and who has met with the requirement of being registered in the Register of the Board and to whom the Board has issued the corresponding certificate.

(d) ‘Licensed Engineer’, shall mean any Engineer in Training who has met the requirements of this Act to practice said profession with not less than two (2) years of experience, who holds a license issued by the Board authorizing him/her to practice as such and who is registered in the Register.

(e) ‘Retired Licensed or in Training 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 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 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 Law.

(f) '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.

(g) '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.

(h) 'Retired Licensed Architect or in Training', 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.

(i) '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 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.

(j) 'Licensed Surveyor', shall mean any Surveyor in Training who has practiced the profession of surveyor under the supervision of a licensed surveyor, architect or engineer for a term of not less than two (2) years, and who has met all other requirements of this Act, holds a license issued by the Board authorizing him/her to practice as such and appears in the Register of the Board.

(k) 'Retired Licensed Surveyor or in Training', 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 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 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 Law.

(l) '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 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.

(m) '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.

(n) 'Retired Licensed Landscape Architect or in Training', 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 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.

(o) 'Certificate', shall mean any document issued by the Board accrediting that the person in whose name it has been issued is a professional in training in the corresponding discipline who has met the requirements established in Section 11 of this Act and is registered as an engineer, architect, landscape architect or surveyor in training, as the case may be, in the Register of the Board.

(p) '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 Section 11 of this Act, and who is registered as a licensed engineer, architect, landscape architect or surveyor, as the case may be, in the Register of the Board.

(q) '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.

(r) 'Partnership', shall mean two or more professionals licensed or in training in one or more of the disciplines regulated by this Act who form a partnership for the practice of their professions under a trade name or as a group.

(s) 'Suspension of a Certificate or License', shall mean the temporary discontinuation of the right to exercise a professional practice pursuant to the provisions of this Act.

(t) 'Cancellation or Revocation of the License or Certificate', shall mean the elimination of the professional concerned from the Register of the Board.

(u) '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.

(v) 'Professional Corporation', for the purposes of this Act, it shall mean a corporation organized under the Puerto Rico General Corporations Act and as provided in the latter, whose sole and exclusive purpose is to render professional services as regulated by this Act and whose stockholders are persons duly licensed or in training 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, bookkeeping 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 exercise the profession they practice. 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.

(w) 'Continuing Education', shall mean a Planned Educational Activity to acquire and update the knowledge and skills of professionals.

(x) '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.

(y) 'Permanent Register', shall mean all those engineers qualified to exercise the profession of surveyor who meet the requirements established in Section 37, subsection (f) (Transitory Provisions) of this Act."

Section 4.- Section 4 of Act No. 173 of August 12, 1988 is hereby amended to read as follows:

"Section 4.- Professional Practice.-

For the purposes of this Act, 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 application of knowledge, as a surveyor. It includes the rendering of any services or the execution of any works that require the application of knowledge of surveying to render said professional services or execute such works of a creative nature. It comprises consulting, conducting studies and research, the management of surveying resources, cartographic, photogrammetric and geodesic works, appraisals, expertise and evaluations, measurements in relation to engineering or architectural projects or works, segregation of real estate and topography 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.

It also comprises the technical and professional execution related to the determination, drafting and location of coastlines, the location of bodies

of water, the correlation of vertical and horizontal controls, leveling, and surface and underground controls, the geometric design of lots, accesses, easements and rights of way, the relocating, drafting and leveling of water and sewage pipes, of water supply systems and real estate; monumenting, locating, leveling and relocating of highways; the measurements related to studies, and field studies on sanitary systems, water supplies, accesses and routes, hydrography, real estate registry, geography, photogrammetric controls, location of plants, aqueducts, mines, bridges, power lines and docks.

The surveyor shall issue certifications of his/her work when it is clearly and substantially 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 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 plans, designs or measuring in engineering or architecture.

(e) '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.

(f) '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.

(g) '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 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 shall alter or modify the works carried out by licensed professionals pursuant to this Act when these refer to the technical aspects of the profession.

Section 5.- Section 5 of Act No. 173 of August 12, 1988 is hereby amended to read as follows:

"Section 5.- Board of Examiners.-

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

The Board shall be constituted by thirteen (13) 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 and one (1) engineer that shall be designated from among one of the engineering specialties excluding civil engineering; as well as two (2) surveyors, two (2) architects and two (2) landscape architects. The members of the Board 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 Act may advise the Governor of Puerto Rico in the selection of the members of the Board. 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 licensed engineers, architects, surveyors or landscape architects, 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 architectural or surveying projects or works, as the case may be.

(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 (1) 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 during said report year and the recommendations the Board deems should be adopted for the most effective application of this Act.

(g) Per diems.-

Board members shall receive a per diem equivalent to the minimum per diem established for the members of the Legislature in Section 2 of Act No. 97 of June 19, 1968, as amended, for each day they attend a meeting, or render services in administering the examinations required by this Act or perform other official functions of their respective offices or that may be delegated to them by the Chairperson of the Board.

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

Section 6.- A new Section 6 is hereby added to Act No. 173 of August 12, 1988, to read as follows:

“Section 6.- Powers.-

The Board shall have the power to:

- (a) Possess and use a seal, which may be altered at its will.
- (b) Adopt and promulgate any rules, and regulations deemed necessary to implement this Act; comply with its duties under the latter; 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 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 this Act 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.

- (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 this Act.

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 this Act, 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.”

Section 7.- A new Section 7 is hereby added to Act No. 173 of August 12, 1988, to read as follows:

“Section 7.- 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 this Act in support of the Board of Examiners or their respective colleges. They shall also enjoy immunity from civil liability, as established in this Act, provided these functions are related to the implementation of administrative procedures or the procedures for handling complaints on ethics delegated to the professional colleges.”

Section 8.- Section 6 is hereby renumbered as Section 8 of Act No. 173 of August 12, 1988.

Section 9.- Section 7 of Act No. 173 of August 12, 1988, is hereby amended and renumbered as Section 9, to read as follows:

“Section 9.- Examinations.-

The Board shall offer revalidation examinations at least once (1) a year to determine the capacity of every applicant who meets the requirements established in this Act 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 fails the first time he/she takes the revalidation examination shall have the opportunity to take said examination again after five (5) months have elapsed from the date of the first examination. Those persons who fail on two (2) successive occasions shall be entitled to take the examination again, provided they meet the requirements established by the Board in its regulations for such a purpose. In the case of engineers and surveyors, their examinations shall be one on the basic and one on the professional aspects of their profession.

The Board may offer the revalidation examination on the basic subjects to engineering or surveying students during their last semester of studies. 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 the

persons allowed to take the revalidation examination upon the payment of a ten (10) dollar 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.”

Section 10.- Section 8 of Act No. 173 of August 12, 1988 is hereby amended and renumbered as Section 10, to read as follows:

“Section 10.- 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, surveyors and landscape architects in training; and 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 Section 12 of this Act, have requested from and been granted by the Board, the title of retired licensed 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.