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Engineering Laws, Rules and Ethics for Illinois Professional Engineers

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Credit: 2 PDH

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(b) The Secretary, the designated hearing officer, and every member of the Board has the power to administer oaths to witnesses at any hearing that the Department is authorized to conduct and any other oaths authorized in any Act administered by the Department.

Hearing, Motion for Rehearing

(a) The Board or hearing officer appointed by the Secretary shall hear evidence in support of the formal charges and evidence produced by the licensee. At the conclusion of the hearing, the Board or hearing officer shall present to the Secretary a written report of its findings of fact, conclusions of law, and recommendations. If the Board fails to present its report, the applicant or licensee may request in writing a direct appeal to the Secretary, in which case the Secretary may issue an order based upon the report of the hearing officer and the record of the proceedings or issue an order remanding the matter back to the hearing officer for additional proceedings in accordance with the order.

(b) At the conclusion of the hearing, a copy of the Board or hearing officer's report shall be served upon the applicant or licensee, either personally or as provided in this Act for the service of the notice of hearing. Within 20-calendar days after such service, the applicant or licensee may present to the Department a motion, in writing, for a rehearing which shall specify the particular grounds for rehearing. The Department may respond to the motion for rehearing within 20-calendar days after its service on the Department. If no motion for rehearing is filed, then upon the expiration of the time specified for filing such a motion, or upon denial of a motion for rehearing, the Secretary may enter an order in accordance with the recommendations of the Board or hearing officer. If the applicant or licensee orders from the reporting service and pays for a transcript of the record within the time for filing a motion for rehearing, the 20-calendar day period within which a motion may be filed shall commence upon delivery of the transcript to the applicant or licensee.

(c) If the Secretary disagrees in any regard with the report of the Board, the Secretary may issue an order contrary to the report. The Secretary shall notify the Board on any such deviation and shall specify with particularity the reasons for such action in the final order.

(d) Whenever the Secretary is not satisfied that substantial justice has been done, the Secretary may order a hearing by the same or another hearing officer.

(e) At any point in any investigation or disciplinary proceeding provided for in this Act, both parties may agree to a negotiated consent order. The consent order shall be final upon signature of the Secretary.

Chapter 5

Review of Disciplinary Cases

The following disciplinary cases were extracted from the May 2019 to June 2020 disciplinary reports posted on the website of the Illinois State Board of Professional Engineers. In selecting these cases, different scenarios of violations are depicted along with their corresponding final decisions issued by the Illinois Board.

Case No. 1

This case involves fining a licensed professional engineer \$5,000 for signing an engineering inspection report while his professional engineering license was in non-renewed status – June 2020.

Case No. 2

This case involves suspending the license of a professional engineer for failing to file and/or pay Illinois state income taxes – March 2020.

Case No. 3

This case involves fining a licensed professional engineer \$500 for failing to provide sufficient proof of completion for all 30 of the required professional engineering continuing education hours for the 2009-2011 reporting period – February 2020.

Case No. 4

This case involves reprimanding the license and fining the professional engineer \$2,500, and also revoking the design firm license for practicing structural engineering services without a valid structural engineering professional design firm registration or having a licensed structural engineer on staff – November 2019.

Case No. 5

This case involves placing a professional engineer in refuse to renew status due to unlicensed practice and failure to comply with seal requirements – May 2019.

Appendix A

References

Illinois Board of Professional Engineers

<https://idfpr.illinois.gov/profs/profengineer.html>

Illinois Compiled Statutes: Title 68, Chapter VII, 225 ILCS 325, Professional Engineering Practice Act of 1989.

<https://www.ilga.gov/commission/jcar/admincode/068/06801380sections.html>

Illinois Administrative Code: Part 1380, Professional Engineering Practice Act Of 1989

<https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=1344&ChapterID=24>

Disciplinary Reports

<https://idfpr.illinois.gov/news/latestnews.html>