

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control Department or Agency Alabama Board of Licensure for Professional Geologists  
Rule No. 364-X-6-.02

Rule Title: Non-Qualifying Experience

         New     X     Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?         Yes        

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?         Yes        

Is there another, less restrictive method of regulation available that could adequately protect the public?         No        

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?         No        

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?         No        

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?         No        

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule?         No        

\*\*\*\*\*

Does the proposed rule have an economic impact?         No        

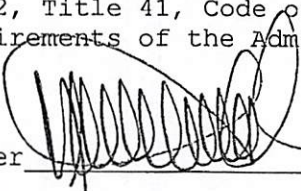
If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer



REC'D & FILED

FEB 17 2023

Date: February 17, 2023

LEGISLATIVE SVC AGENCY  
(DATE FILED)

Alabama Board of Licensure for Professional Geologists

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Licensure for Professional Geologists

RULE NO. & TITLE: 364-X-6-.02 Non-Qualifying Experience

INTENDED ACTION: Amend

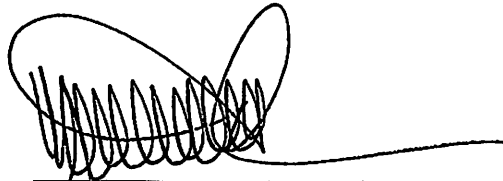
SUBSTANCE OF PROPOSED ACTION: The Board proposes to update requirements for performance of contract work that must be supported by a detailed reference from the principal of project manager to be accepted as experience in the application.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Wednesday, April 5, 2023. Comments should be directed to Keith E. Warren, *Executive Secretary*, 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at [keith@alstateboard.com](mailto:keith@alstateboard.com) or via telephone at 334-420-7236.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:  
Wednesday, April 5, 2023

CONTACT PERSON AT AGENCY:

Keith E. Warren  
*Executive Secretary*  
2777 Zelda Road  
Montgomery, AL 36106  
(334) 420-7236



---

Keith E. Warren, *Executive Secretary*  
Alabama Board of Licensure for Professional Geologists

**364-X-6-.02    Non-Qualifying Experience.**

(1)            Short periods of geological employment of less than three (3) months will not be considered creditable.

(2)            Experience must not have been obtained in violation of Section 34-41-1, Code of Ala. 1975 (the Licensure Law) of Alabama or any other state.

(3)            ~~Board will not accept the mere execution as a contractor of work designed by a licensed professional geologist as qualifying geological experience.~~ Contract work performed in accordance with the design of a licensed professional geologist will not be recognized by the Board as qualifying geological experience, unless supported by a detailed reference from the principal or project manager.

**Author:** Thornton Neathery

**Statutory Authority:** Code of Ala. 1975, §34-41-10.

**History:** **New Rule:** Filed May 10, 1996; effective June 14, 1996. **Amended:** Filed March 5, 2002; effective April 9, 2002. **Amended:** Filed March 5, 2002; effective April 9, 2002. **Amended:** February 17, 2023;