

Appreciation for “The System”
Earl F. Burkholder, PS, PE, F.ASCE
Global COGO, Inc., Las Cruces, NM 88003
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A definition for “The System” could include many facets. I’ll focus on one – our Board of Licensure (BOL). Thanksgiving was last week, and I just submitted my application for license renewal. Words of Thanksgiving and appreciation to the BOL seem to be appropriate.

In addition to the usual platitudes, I am thankful for Wikipedia, a credible source of information for many topics. A web search on <https://en.wikipedia.org> provides convenient access for readers worldwide. Several excerpts from Wikipedia include. . .

Thanksgiving is a national [holiday](#) celebrated on various dates in the [United States](#), [Canada](#), [Grenada](#), [Saint Lucia](#) and [Liberia](#). (Use links for additional information.)

Surveying or **land surveying** is the technique, profession, art, and science of determining the [terrestrial two-dimensional](#) or [three-dimensional](#) positions of [points](#) and the [distances](#) and [angles](#) between them. (Boundary surveying is subsequently described.)

A **digital twin** is a digital representation of an intended or actual real-world physical product, system, or process (a *physical twin*). . . (Our interest is a geospatial digital twin.)

A **high-definition map (HD map)** is a highly accurate [map](#) used in [autonomous driving](#), containing details not normally present on traditional maps. Such maps can be precise at the [centimeter](#) level. (Much more can be learned from the embedded links.)

But, even with the help of Wikipedia, I cannot provide an authoritative definition of “The System.” For me, it is an unassailable accumulation of laws/standards/rules/procedures that govern every aspect of our lives. For purposes of this article, “The System” includes the New Mexico Board of Licensure for Professional Engineers and Professional Surveyors (NM BOLPEPS) and those who interact with it – board members, licensees, staff, agencies, courts, businesses, professional associations (NCEES, NMPS, NMSPE), and others.

A paraphrase of Section 61-23-1.1 of the “Engineering and Surveying Practice Act” states that the BOL exists to “safeguard life, health, and property, and to promote the public welfare. . . .” Professional licensure by the BOLPEPS in New Mexico is long-standing and parallels trends throughout the United States as documented by [NCEES](#). Except for a possible “sunset” provision – see Section 61-23-32 – the Practice Act is a permanent fixture in our professional lives. Current licensees and citizens of New Mexico owe a huge debt of gratitude for the accumulation of policies governing professional practice (i.e., “The System”). Members and staff of the BOL deserve appreciation for their service as “guardians” of licensure and for protecting the public by reviewing qualifications before granting a license to qualified persons to “engage in the practices of engineering and surveying.”

My personal philosophy is to avoid complaining unless I have something better to offer. The 2022 BOL renewal process may be an exception. The 2022 License Renewal Form includes a “check box” for me to indicate that I have read the:

- | | | |
|----|---------------------|---|
| a. | Practice Act | Sections 61-23-1 through 61-23-36 NMSA 1978 |
| b. | Administrative Code | Title 16, Chapter 39, Parts 1 through 8 |
| c. | Minimum Standards | Title 12, Chapter 8, Part 2, NM Administrative Code |

A link is provided for my convenience and the implication is that I should read them again. But the form does not say “when.” Yes, I read them some time ago. Recent changes are covered in the Annual Ethics Session update. Am I expected to do it again? How long does it take? What is reasonable? Why not just check the form, write the BOL a check, and mail it in?

Unlike previous renewals, the 2022 form does not include a box to show tabulation of continuing education credits earned or carried over. Instead, the Professional Development Affidavit includes specific declaration of meeting continuing education requirements. Furthermore, the signature MUST be in any color other than black. Clarification: the form goes on to state (in red) that signature must be original, and that falsification of signature is subject to disciplinary action.

I applaud the BOL (and staff) for working efficiently and for being careful to preserve the integrity of the licensing and renewal process. Undoubtedly those measures are adequate in some/most/all cases. Am I naïve to believe the answer is “all cases”? When installing software, how many of us check the “I accept” box (without reading the fine print)? Is there a better way for the BOL to ensure compliance? I don’t have a better suggestion. What do you think?

I’d really like to believe this whole thing is a non-issue. Comments for reflection/discussion:

- a. Honesty, trust, loyalty, and integrity are hallmarks of our society and part of “The System.” In the extreme, law enforcement, courts, fines, public opinion, disciplinary action, and prisons serve as deterrents to “bad behavior.” Of course, “bad behavior” is subjective and often depends on values and circumstances. Does “bad behavior” become “acceptable” if the result is inconsequential? At what point (if ever) does “beating The System” justify non-compliance?
- b. Guidelines are often applied at various levels. . . is it moral, is it legal, is it ethical?
 - War crimes are considered to be immoral.
 - Tax fraud and driving without a license are considered to be illegal.
 - Conflict of interest and lying under oath are considered to be unethical.
- c. The following attitudes are often tolerated (should they be emulated).

- The rules were made for others and do not apply to me.
- I'm not guilty if I'm not caught (speeding on the highway or tax evasion).
- The right to decide, makes the decision right - Supreme Court/Abortion?

d. What does it mean to read the fine print?

- Before using software, the buyer is often required to check the box, "I accept conditions" listed by the seller. Is that enforceable in court? Yes, according to "caveat emptor," the purchaser is presumed to be sufficiently intelligent to understand what he/she is signing. Of course, the contrary has been shown.
- Does the difference in consequences (using software and certifying professional compliance in the renewal application) justify equating the two? I'd like to think not. Engineering and surveying are both responsible professions with a reputation to protect.

OK, maybe the BOL doing it correctly. For example, the BOL:

- a. Is currently at "full staff" and has the ability to audit more license renewals than in the past. I was audited some years ago and attest to a thorough review by the BOL. Although my records were up to date, I gained a new appreciation of BOL efforts to fulfill their statutory mandate. A successful audit is gratifying for both parties.
- b. Stipulates that the licensee keep a log of continuing education activities. Having an up-to-date log available for an audit relieves the BOL from time-consuming clerical work.
- c. Encourages each licensee to use the "honor system" in continuing education activities and record keeping.
- d. Publishes a newsletter to notify each licensee of BOL activities. Personally, I have found the BOL to be responsive to inquiries I've submitted.

Conclusion:

As licensed professionals, we should each be diligent in fulfilling the continuing education requirements and taking time to (re-)read the Practice Act, the Administrative Code, and the Minimum Standards. Whether audited or not, we each have a role in upholding the stature and reputation of the Engineering and Surveying professions. Kudos to members of the BOL, to the Executive Director, and to BOL staff.