

STATE BOARD
FOR PROFESSIONAL ENGINEERS

v.

WILLIAM C. BLACKWELL

Respondent

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* Before the
* State Board for Professional
* Engineers

* Agency Case No.: 17-PE-37

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CONSENT ORDER

This matter comes before the State Board for Professional Engineers (the “Board”) based on the reinstatement application of William C. Blackwell (“Respondent”) license no. 05-41194. As the result of information supplied with the application, the Board was unable to approve the application for reinstatement. As a means of resolving this matter, the Board and the Respondent have agreed to enter into this Consent Order, and agree and stipulate to the following:

1. The Respondent’s professional engineer’s license expired on November 9, 2013.
2. The Respondent submitted an application for the reinstatement of his expired license on September 29, 2016.
3. During the period in which the license was lapsed, the Respondent engaged in the practice of engineering and signed and sealed nine projects in Maryland.
4. The Maryland Professional Engineers Act, Section 14-101 *et seq.*, Business Occupations and Professions Article, Annotated Code of Maryland (“the Act”) requires that a person who provides professional engineering services in the State be licensed by the Board. In addition, § 14-504(b) prohibits a person from signing and sealing documents while his or her license is expired.

5. The Respondent states that at the time he signed and sealed the documents, he did not realize his license had lapsed and that, by signing and sealing the documents, he did not intend to violate the requirements of the Board.
6. The Respondent agrees to notify the permitting authorities to which the documents were submitted that his license was expired at the time he signed and sealed them, and agrees to resubmit the documents with the signature and seal of a validly licensed professional engineer, if required by the permitting authority, and to notify the Board in writing of compliance with these requirements. Documentation showing compliance must be sent to the Board by the Respondent within thirty (30) days of the date of this Consent Order.
7. Pursuant to § 14-315 of the Act and 09.23.06 of the Code of Maryland Regulations (“COMAR”) the Respondent was required to complete 48 hours of continuing education prior to applying for reinstatement of his license on September 29, 2016.
8. On September 29, 2016 the Respondent was notified that he was the subject of an audit of his Continuing Professional Competency (“CPC”) hours and was required to provide certificates of completion of the hours to the Board within 30 days of the date of the audit.
9. The audit revealed that the Respondent failed to complete the minimum number of required CPC hours before submitting his application for reinstatement but certified on his application that the CPC requirement had been fulfilled.
10. The Respondent’s failure to obtain all the required CPC hours before submitting his application for reinstatement is in violation of Section 14-315 of the Business Occupations and Professions Article, Maryland Annotated Code, and COMAR 09.23.06.

11. The Respondent agrees to complete 6 hours of continuing education acceptable to the Board, including 1 hour of professional engineering ethics within 30 days of this Consent Order.
12. The Respondent agrees to provide to the Board the original certificates or transcripts showing completion of the continuing education within 30 days of acceptance of this Consent Order.
13. The Respondent agrees to abide by the Act and the Regulations of the Board in future practice.
14. With acceptance and submittal of this Consent Order, the Respondent agrees to pay a fine in the amount of three thousand two hundred dollars (\$3,200) in connection with this matter.
15. The Respondent waives the right to the issuance of a statement of charges and a formal hearing on the charges in this matter and where the Respondent would have the opportunity to present a defense to the charges of a violation of the Act.
16. The Respondent agrees that if the Respondent fails to comply with the terms of this Consent Order, the Respondent's license will immediately be suspended by the Board, without a hearing on the suspension, and that the suspension will continue until the Respondent evidences compliance with the Consent Order.
17. The Respondent and the Board understand that this Consent Order will serve as the final resolution of the matter and is not considered by the Board to be a disciplinary action.
18. This Consent Order will be a part of the Respondent's licensing record that is maintained by the Board.

WHEREFORE, based on these stipulations and agreements, it is hereby this

26th day of January, 2017, ORDERED by the State Board for
Professional Engineers:

- I. **That** the Respondent has violated the Maryland Professional Engineers Act, Section 14-101 *et seq.*, Business Occupations and Professions Article, Annotated Code of Maryland by practicing engineering without a valid license and by signing and sealing engineering documents while his license was expired;
- II. **That** the Respondent has violated Section 14-317(a)(1)(vi) of the Business Occupations and Professions Article, Maryland Annotated Code and COMAR 09.23.06.03 for failing to meet the minimum requirements of CPC before submitting his application for reinstatement;
- III. **That** the Respondent notify the permitting authorities to which the documents were submitted that his license was expired at the time he signed and sealed them, and agrees to resubmit the documents with the signature and seal of a validly licensed professional engineer, if required by the permitting authority, and to notify the Board in writing of compliance with these requirements. Documentation showing compliance must be sent to the Board by the Respondent within thirty (30) days of the date of this Consent Order;
- IV. **That** the Respondent shall complete 6 hours of continuing educating acceptable to the Board, including 1 hour of professional engineering ethics, and provide to the Board original certificates or transcripts verifying completion of the continuing education within thirty (30) days of the acceptance of this Consent Order;

- V. **That** the Respondent shall pay a fine of three thousand two hundred dollars (\$3,200) in connection with these violations upon acceptance of this Consent Order;
- VI. **That** the Board shall reinstate Respondent's professional engineer's license upon execution of this Consent Order and payment of the fine;
- VII. **That** in the event the terms and conditions of this Consent Order are not met by the Respondent, the Board shall immediately suspend the Respondent's professional engineer's license, without a hearing on the suspension, and that the suspension will continue until such time as the Respondent evidences compliance with the terms of this Consent Order; and,
- VIII. **That** the records of the Board shall reflect that this matter was resolved with this Consent Order.

Signature on file

William C. Blackwell, Respondent

1/23/2017
Date

Signature on file

Chairman, State Board for
Professional Engineers

1/26/17
Date