



NEW YORK STATE SOCIETY OF
PROFESSIONAL ENGINEERS

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ON AGENDA SENATE HIGHER ED COMMITTEE MARCH 4, 2025 10:30 AM

MEMORANDUM IN OPPOSITION

March 3, 2025

S 5392/A483 - Authorizing Not for Profits to Provide Professional Engineering Services

On behalf of the New York State Society of Professional Engineers (NYSSPE), in furtherance of public health, safety and welfare, we are writing in **OPPOSITION** to the above referenced bill. NYSSPE is a professional association representing the interests of its members and more generally the interests of all professional engineers (totaling more than 30,000 licensees in New York State) practicing in all disciplines (civil, structural, mechanical, electrical, geological, environmental, etc.) and practicing in all practice settings (private sector consulting, industry, government, and education.)

The Society is charged with furthering public health, safety, and welfare by assuring that the critical role played by the licensed professional engineering community is fully recognized by state policymakers. Further, the Society seeks to assure that our state's laws, requiring that governance of engineering firms is placed in the hands of design professionals, are not diluted.

This legislation would permit foreign not-for-profit corporations to secure a certificate of authorization to provide professional engineering services in specified wetland areas with respect to specified projects. Enactment of this legislation would permit an unnecessary exemption from the current requirement that control of newly authorized engineering firms be governed by professional design licensees. New York State has among the most stringent laws guarding the delivery of professional engineering and other professional design services in the nation. These laws have served to protect New Yorkers from management decisions that pose unnecessary risks. All of the projects targeted by this legislation can readily proceed by employing professional engineering firms which are structured to assure that public safety is prioritize. Should the proponents of this legislation wish to permit not-for-profits to directly provide professional engineering services it is essential that governance by a "professional design not-for-profit" be under the control of managers all of whom are licensed in New York as design professionals.

Respectfully submitted,

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