

**Testimony of the Board of Professional Engineers, Architects, Surveyors, and  
Landscape Architects**

**Before the  
Senate Committee on Commerce and Consumer Protection  
Tuesday, February 7, 2023  
9:15 a.m.  
Videoconference**

**On the following measure:  
S.B. 1523, RELATING TO THE STATE BOARD OF PROFESSIONAL ENGINEERS,  
ARCHITECTS, SURVEYORS, AND LANDSCAPE ARCHITECTS**

Chair Keohokalole and Members of the Committee:

My name is Sheena Choy, and I am the Executive Officer of the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (Board). The Board appreciates the intent of and offers comments on this bill.

The purpose of this bill is to require the Board to, upon its denial of an application for licensure, provide the applicant with a written notice of denial accompanied by a written explanation describing the reasons for the Board's denial.

The proposed amendments seem unnecessary because current law requires written notice to be sent to any aggrieved party when an application is denied. For the Committee's information, upon denial of any application, Hawaii Revised Statutes section 436B-9, requires, among other things:

- (a) Unless otherwise provided by law, each licensing authority shall take the following actions within one year after the filing of a complete application for licensure:
  - (2) Notify the applicant in writing by mail of the decision regarding the application for licensure. If the application has been denied, written notice of the decision shall state specifically the reason for denying the application and shall inform the applicant of the right to a hearing under chapter 91. Emphasis added.**

Further, Hawaii Administrative Rules section 16-115-12, requires the Board to, "[i]n the event an application for the issuance of a license or for the reinstatement thereof is denied, the board shall notify the applicant by letter of the board's action

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which shall include a concise statement of the reasons therefor and a statement  
informing the applicant of the applicant's right to a hearing if the applicant so desires.”

Thank you for the opportunity to testify on this bill.

DEPARTMENT OF PLANNING AND PERMITTING  
**CITY AND COUNTY OF HONOLULU**

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**LATE**

RICK BLANGIARDI  
MAYOR



DAWN TAKEUCHI APUNA  
DIRECTOR DESIGNATE

JIRO SUMADA  
DEPUTY DIRECTOR

February 7, 2023

The Honorable Jarrett Keohokalole, Chair  
and Members of the Committee on Commerce and Consumer Protection  
Hawaii State Senate  
Hawaii State Capitol  
415 South Beretania Street  
Honolulu, Hawaii 96813

Dear Chair Keohokalole and Committee Members:

**Subject: Senate Bill No. 1523  
Relating to the State Board of Professional Engineers,  
Architects, Surveyors and Landscape Architects**

The Department of Planning and Permitting (DPP) **supports** Senate Bill No. 1523, which requires the State Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (EASLA), upon its denial of an application for licensure, to provide a written explanation describing the reasons for the EASLA's denial.

In general, engineer applicants for licensure should be afforded the reasons their application was denied so that they can focus on how they can correct, supplement and/or improve their application for proper qualification. It is unproductive to not provide this information and can have larger negative effects on the development industry.

The DPP is facing a crisis in the hiring and retention of engineers, who play a crucial role in the review and approval of development projects across O'ahu. The substantial pay differential between government and nongovernment engineers makes hiring and retention of engineers particularly challenging for the DPP. As the DPP undergoes an overhaul of its processes and structure, it seeks to provide a clear career path for engineers who are interested in public service. Requiring the EASLA to provide the reasons for denial of an application for licensure removes uncertainty and frustration for DPP engineers who are trying to become licensed to advance their careers at DPP.

Thank you for the opportunity to testify.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dawn Takeuchi Apuna".

Dawn Takeuchi Apuna  
Director