BEFORE THE
GEORGIA PROFESSIONAL ENGINEERS AND LAND SURVEYORS BOARD
STATE OF GEORGIA

Professional Licensing Boards
FEB 16 2024
Docket Number
2024-0173

IN THE MATTER OF:	)	
	)	
MARC RAYMOND ACAMPORA	)	**DOCKET NO.**
License No. PE022075, Lapsed	)	
	)	
Respondent.	)	

PUBLIC CONSENT ORDER

By agreement of the Georgia Professional Engineers and Land Surveyors Board ("Board") and Marc Raymond Acampora ("Respondent"), the following disposition of this matter is entered pursuant to the provisions of O.C.G.A. T. 43, Chs. 1 and 15.

FINDINGS OF FACT

1.

Respondent previously held a valid certificate of registration to practice as an engineer in the State of Georgia, pursuant to O.C.G.A. Title 43, Chapter 15, as amended. On or about June 6, 1995, the Board issued a registration to Respondent, PE022075. Respondent submitted Respondent's last renewal application on or about January 5, 2009, as late renewal for the 2008 renewal period. Respondent's registration to practice as an engineer, lapsed on about December 31, 2010.

2.

On or about January 1, 2015, Respondent's registration was deemed administratively revoked. O.C.G.A. § 43-15-17 (b).

3.

Respondent continues to practice as a traffic engineering consultant after Respondent's license was administratively revoked.

4.

Respondent operates through Respondent's limited liability company, Marc R. Acampora, PE, LLC. Marc R. Acampora, PE, LLC has not been issued a Certificate of Authorization by the Board.

5.

On or about February 22, 2016, Respondent submitted an application for reinstatement. Respondent's registration has not, as of the present date, been reinstated. Under Board Policy 07-02, applicants seeking reinstatement after administrative revocation are required to pass the Principles and Practice of Engineering examination prior to the registration reinstatement. Because Respondent failed to comply with the requirement, the Board voted to deny reinstatement in 2016.

6.

Respondent requested a review of the Board's decision by the Governor of the State of Georgia, pursuant to the Governor's authority under the Georgia Professional Regulation Reform Act, O.C.G.A. § 43-1C-1, *et. seq.* On May 25, 2018, the Governor approved the Board's actions in this matter.

7.

Respondent currently advertises that Respondent is a professional engineer on LinkedIn.com and continues to practice engineering in the State of Georgia. Respondent remains unregistered to practice engineering in the State of Georgia.

8.

On about June 24, 2020, the Board docketed a Final Decision imposing a Cease and Desist Order upon Respondent, based on Respondent's previous unlicensed activity.

9.

On or about September 28, 2020, Respondent prepared a Traffic Impact Study for C. R. The study was submitted to Gwinnett County, Georgia. The purpose of the study was to determine existing traffic operating conditions in the vicinity of the proposed residential development, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the projected traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

10.

On or about May 24, 2021, Respondent prepared a Left Turn Lane Analysis to determine if a northbound exclusive turn lane should be constructed on a road at the access to a proposed self-storage facility. The analysis was submitted to Paulding County, Georgia. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

11.

On or about February 7, 2022, Respondent prepared a Traffic Access Study for a proposed subdivision overlook. The study was submitted to Paulding County, Georgia. The study was conducted to determine if a northbound exclusive left turn lane or a southbound exclusive right turn lane should be constructed at the access to a proposed residential subdivision. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

12.

On or about May 11, 2022, Respondent prepared a Traffic Impact Study to assess the traffic impact of a proposed residential subdivision for G. C. L. The study was submitted to Paulding County, Georgia. The purpose of this study was to determine existing traffic operating

conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

13.

On or about August 22, 2022, Respondent prepared a Traffic Impact Study to assess the traffic impact of a proposed residential townhome development with an adjacent small retail parcel for E. E G. I. The study was submitted to Paulding County, Georgia. The purpose of this study was to determine existing traffic operating conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

14.

On or about September 14, 2022, Respondent prepared a Traffic Impact Study for G. E. I. The study was submitted to the City of Adairsville, Georgia. The study assessed the traffic impact of a proposed industrial development. The purpose of the study was to determine existing traffic operating conditions in the vicinity of the proposed industrial development, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the projected traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

15.

On or about October 4, 2022, Respondent prepared an Intersection Control Evaluation, which was submitted to Gwinnett County, Georgia. It evaluates access to a proposed apartment development. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

16.

On or about October 24, 2022, Respondent prepared an Intersection Control Evaluation, which was submitted to Paulding County, Georgia. The evaluation was prepared to assess a proposed convenience store with gasoline pumps. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

17.

On or about October 24, 2022, Respondent prepared a Traffic Impact Study assessing the traffic impact of a proposed convenience store with gasoline pumps for L. D. and H. D. The study was submitted to Paulding County. The purpose of the study was to determine existing traffic operating conditions in the vicinity of the proposed development, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

18.

On or about January 12, 2023, Respondent revised an Intersection Control Evaluation previously submitted to Gwinnett County, Georgia on October 4, 2022. The revised memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

19.

On or about March 6, 2023, Respondent submitted a Traffic Impact Study for G. E. I. The study was submitted to Hall County, Georgia. The study assessed the traffic impact of a proposed residential subdivision. The purpose of the study was to determine existing traffic operating conditions in the vicinity of the proposed subdivision, project future traffic volumes, assess the impact of the subject development, then develop conclusions and recommendations to mitigate the project traffic impact and ensure safe and efficient existing and future traffic conditions in the vicinity of the project. However, the Transportation Project Manager/Planner from Bartow County, Georgia alerted the county administrator that respondent, acting as P.E. has a lapsed license and thus the study cannot be commented on until it is stamped by a licensed engineer. The memorandum's letterhead reads "Marc R. Acampora, PE, LLC, Traffic Engineering."

20.

The above discussed records indicate at least ten (10) instances in which Respondent engaged in the unauthorized practice of engineering in the State of Georgia, after having been ordered to cease and desist from doing so.

21.

Respondent neither admits nor denies the above findings of fact, but Respondent waives any further findings of fact with respect to this matter.

CONCLUSIONS OF LAW

Under O.C.G.A. T. 43, Ch. 15 and § 43-1-19, the Georgia Professional Engineers and Land Surveyors Board is authorized to discipline Respondent's license to practice as a professional engineer for the conduct stated above. Respondent waives any further conclusions of law with respect to this matter.

ORDER

The Board having considered the particular facts and circumstances of this case, it is hereby ORDERED, and Respondent hereby AGREES as follows:

1.

Respondent shall submit to the Board a fine in the amount of **Ten-Thousand Dollars ($10,000.00)** for violations of a Cease and Desist Order. Such fine shall be payable within sixty (60) days from the effective date of this Public Consent Order. Payment shall be in the form of a cashier's check or money order made payable to the Georgia Professional Engineers and Land Surveyors Board and sent to: Georgia Professional Engineers and Land Surveyors Board, Attention: Executive Director, 237 Coliseum Drive, Macon, Georgia 31217. Respondent's failure to pay the fine by the sixtieth day shall subject Respondent's license to further disciplinary action, including revocation.

2.

Respondent shall immediately dissolve Respondent's limited liability company, Marc R. Acampora, PE, LLC. Furthermore, Respondent shall not create, register, or otherwise own or operate any other business entity engaged in the practice of professional engineering, including, but not limited to, traffic engineering, unless and until Respondent becomes licensed as a professional engineer and comes into full compliance with the law.

3.

Respondent shall not hold himself out as a professional engineer, "PE," traffic engineer, or traffic engineering consultant in any way, including, but not limited to, letterheads, business cards, drawings, advertisements, social media, and any other written or verbal form or forum, unless and until Respondent becomes licensed as a professional engineer and comes into full compliance with the law.

4.

Once Respondent has satisfied all terms outlined in this Public Consent Order, Respondent may have the opportunity to submit an application by examination for the Board's consideration.

5.

Approval of this Public Consent Order by the Georgia Professional Engineers and Land Surveyors Board shall in no way be construed as condoning Respondent's conduct, and shall not be construed as a waiver of any of the lawful rights possessed by the Board, except that the Board hereby foregoes its right to pursue additional claims against Respondent for any violations of the Cease and Desist Order which may predate the docket date of this Public Consent Order. This Public Consent Order shall not become effective until approved and docketed by the Georgia Professional Engineers and Land Surveyors Board.

6.

Respondent acknowledges that Respondent has read this Public Consent Order and understands its contents. Respondent understands that Respondent has a right to a hearing in this matter, and Respondent freely, knowingly, and voluntarily waives such right by entering into this Public Consent Order. Respondent understands that this Public Consent Order will not become effective until approved and docketed by the Georgia Professional Engineers and Land Surveyors Board. Respondent further understands and agrees that the Board shall have the authority to review the investigative file and all relevant evidence in considering this Public Consent Order. Respondent further understands that this Public Consent Order, once approved, shall constitute a public record of the Board. Respondent further understands that if this Public Consent Order is not approved, it shall not constitute an admission against interest in this proceeding or prejudice the ability of the Board to adjudicate this matter. Respondent consents to the terms and sanctions contained herein.

(signatures appear on the following page)

Approved, this 15th day of February, 2024.

GEORGIA PROFESSIONAL ENGINEERS AND LAND SURVEYORS BOARD

BY: _____
TAYLOR WRIGHT, PE
President

ATTEST: _____
DARREN MICKLER
Executive Director

(BOARD SEAL)

CONSENTED TO:

_____
MARC RAYMOND ACAMPORA
Respondent

AS TO SIGNATURE OF RESPONDENT
Sworn to and subscribed before me
this 13 day of February, 2024.

_____
NOTARY PUBLIC
My commission expires: 08/22/2027

Dexter Leon Mitchell NOTARY PUBLIC Clayton COUNTY EXPIRES GEORGIA 8/22/27