

BEFORE THE STATE BOARD OF LICENSURE FOR ARCHITECTS,
PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS
STATE OF COLORADO
Case No. 2019-464

CEASE AND DESIST ORDER

IN THE MATTER OF THE UNLICENSED PRACTICE OF ENGINEERING BY ADAM GRAY, MARK TALBOT, CLARK DAVEY, ROBERT DeVINCENZI, DAVID McINTYRE, HERMAN SCHWARZ, AND TERENCE WILLIAMS, dba REDFLEX TRAFFIC SYSTEMS, INC.

Respondent.

To:

ADAM GRAY, MARK TALBOT, CLARK DAVEY, ROBERT DeVINCENZI, DAVID McINTYRE,
HERMAN SCHWARZ, AND TERENCE WILLIAMS dba REDFLEX TRAFFIC SYSTEMS, INC.
5651 WEST TALAVI BOULEVARD, SUITE 200
GLENDALE AZ 85306-1893

The State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors (the "Board"), having reviewed all available information in this matter hereby **ORDERS ADAM GRAY, MARK TALBOT, CLARK DAVEY, ROBERT DE VINCENZI, DAVID MC INTYRE, HERMAN SCHWARZ, AND TERENCE WILLIAMS dba REDFLEX TRAFFIC SYSTEMS, INC.** ("Respondent") TO CEASE AND DESIST THE UNLICENSED PRACTICE OF ENGINEERING.

The Board HEREBY FINDS:


1. The Board has jurisdiction over Respondent and the subject matter herein, and there exists credible evidence that Respondent has acted without the required license to practice engineering, in violation of Section 12-25-105, C.R.S.
2. Respondent is not licensed, and has never been licensed to practice engineering in the State of Colorado, as required by Section 12-25-105, C.R.S.
3. Respondent is not exempt from the licensing requirements of Title 12, Article 25, C.R.S.
4. On or about July 2008, Respondent engaged in the unlicensed practice of engineering when Respondent provided professional services to the City and County of Denver, Colorado. Specifically, Respondent:

- a. Prepared 4 design drawings of "Red Light Photo Enforcement" at the following signalized intersections within the City and County of Denver: Kalamath Street at Sixth Avenue (Drawing No. 3122-103), Lincoln Street at Sixth Avenue/Speer Boulevard (Drawing No. 3122-104), Quebec Street at 36th Avenue (Drawing No. 3122-105) and Speer Boulevard at Eighth Avenue (Drawing No. 3122-106).
 - b. Each drawing included a design layout of the necessary intersection improvements with detailed construction notes identifying the following specific elements required for the installation of a Redflex red light photo system: Camera Enclosures, Flash Units, Metered Cabinet Power Panel, System Wiring and Conductor Cables, Support Poles and Foundations for mounting Redflex equipment, Vehicle Detection Loops, Junction Boxes (Pull Boxes) and Underground Conduits.
 - c. The drawings incorporated 3 design elements: 1) The installation of hardware and wiring associated with the "Redflex System" such as camera enclosures, flash units and power panels; 2) The installation of new infrastructure for mounting Redflex equipment such as support poles and footings, and 3) The installation of new infrastructure to facilitate the wiring of Redflex equipment such as pull boxes and conduits.
 - d. The drawings identified locations for the installation of new poles, footings, conduits, pull boxes and detector loops.
 - e. The drawings included a "Schedule" of poles to be installed at each of the project intersections for attaching Redflex camera enclosures and/or other associated equipment. Drawing 3122-104 specifically included a foundation detail for these support poles.
5. The actions performed by Respondent as set forth in paragraph 4 above, constitute the practice of engineering as defined in Section 12-25-102(10)(b), C.R.S.
6. Based on the above, Respondent is, without the required license, (a) practicing engineering as defined in Section 12-25-102(10)(b), C.R.S.
7. Respondent's conduct constitutes the unlicensed practice of engineering, in violation of Section 12-25-105(2), C.R.S.

THE BOARD HEREBY ORDERS, pursuant to Section 12-25-109(8.2)(a), C.R.S., that Respondent immediately CEASE AND DESIST the practice of engineering in violation of Section 12-25-105, C.R.S.

The foregoing CEASE AND DESIST ORDER is effective this 16th day of August, 2019.

FOR THE STATE BOARD OF LICENSURE FOR
ARCHITECTS, PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS

BY: 
Joyce J. Young
Program Director
1560 Broadway, Suite 1350
Denver, CO 80202

Within ten days after service of this Cease and Desist Order, pursuant to Section 12-25-109(8.2)(b), C.R.S., Respondent may request a hearing on the question of whether such acts or practices are in violation of Title 12, Article 25, C.R.S., have occurred.