

HOUSE BILL REPORT

HB 1285

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to regulating engineers and land surveyors.

Brief Description: Regulating engineers and land surveyors.

Sponsors: Representatives McMorris, Honeyford and Conway; by request of Department of Licensing.

Brief History:

Committee Activity:

Commerce & Labor: 2/3/97, 2/6/97 [DP].

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: Do pass. Signed by 9 members: Representatives McMorris, Chairman; Honeyford, Vice Chairman; Conway, Ranking Minority Member; Wood, Assistant Ranking Minority Member; Boldt; Clements; Cole; Hatfield and Lisk.

Staff: Selwyn Walters (786-7117).

Background: The state Board of Registration for Professional Engineers and Land Surveyors regulates persons and business entities involved in the practice of engineering and land surveying, or both. The Governor appoints the seven-member board for five-year staggered terms. The responsibilities of the board include establishing requirements for registering engineers, engineers-in-training, land surveyors, and land surveyors-in-training. The board issues certificates of authorization to business entities performing engineering services, investigates complaints against registered engineers and land surveyors, and revokes or suspends the registration of an engineer or land surveyor under certain conditions. Any person may file a complaint with the secretary of the board.

The board permits the practice of engineering by a corporation, provided the corporation obtains a certificate of authorization from the board. The practice of land surveying by a corporation is not regulated.

Regulation of corporations: The board requires a corporation to file an application, corporate resolution, and an affidavit before issuing a certificate of authorization. In evaluating the application, the board reviews the corporation's

- by laws;
- engineering experience;
- certified financial statement;
- professional records of registered engineers; and
- ability to provide engineering services in the public interest.

In its application, the corporation must designate a registered engineer in responsible charge— of each project and each major branch of the corporation's engineering activities. After favorable consideration of the application, the board issues a certificate of authorization specifying the major branches of engineering for which the corporation has designated a person in responsible charge. Plans, specifications, and reports must be prepared under the responsible charge of a registered engineer.

The board regulates professional engineering corporations. The board issues a certificate of authorization to an engineering professional service corporation based only on a review of each engineer's professional record.

Regulation of partnerships: In engineering firms that are partnerships, a majority of partners must be engineers, land surveyors, or architects with one partner being a registered professional engineer or land surveyor. In an application for a certificate of authorization, the partnership must designate a person in charge of the partnership's practice of engineering. The designated person must meet the same qualifications as a person designated by a corporation.

Summary of Bill: The board chair may appoint, with the approval of the director, up to two temporary members to the state Board of Registration for Professional Engineers and Land Surveyors for no more than 180 days. Written complaints are filed with the board, and the board may initiate investigations on its own.

The application requirements for a certificate of authorization by an engineering corporation are clarified and revised. The board may allow the practice of land surveying by a corporation. In considering the corporation's application for a certificate of authorization, the board is required to consider

- whether the designated engineer or land surveyor has a current Washington registration
- whether the corporation is a Washington corporation and holds a Unified Business Identifier number
- whether the corporation has the ability and competence to furnish engineering and land surveying services in the public interest.

The requirement is deleted that the certificate of authorization must specify the major branches of engineering of which the corporation has designated a person in charge. Plans, specifications, and reports must be prepared under the direct supervision of a registered engineer or land surveyor.

Engineering and land surveying professional service corporations are exempted from applying for certificates of authorization. After July 1, 1998, the board will not regulate partnerships.

The practice of engineering by limited liability corporations is regulated by the board in the same manner as corporations.

Appropriation: None.

Fiscal Note: Requested on January 29, 1997.

Effective Date: The bill takes effect on July 1, 1998.

Testimony For: Streamlines and provides consistent regulation of business entities providing engineering and land surveying services by eliminating unnecessary application requirements. Policy and disciplinary matters are growing in complexity, and issues are often outside the technical expertise of the present board. The two temporary members will bring needed expertise to the board when required.

Testimony Against: None.

Testified: Alan Rathburn, Executive Director, Board of Registration for Professional Engineers and Land Surveyors.