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HOUSE BILL 2354

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State of Washington

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By Representatives Williams and Chase

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Committee on Commerce & Labor.

1 AN ACT Relating to land surveying; amending RCW 18.43.020; and  
2 adding a new section to chapter 18.43 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.43.020 and 1995 c 356 s 1 are each amended to read  
5 as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) ~~((Engineer: The term "engineer" as used in this chapter shall~~  
9 ~~mean a professional engineer as hereinafter defined.~~

10 (2) ~~Professional engineer: The term "professional engineer" within~~  
11 ~~the meaning and intent of this chapter, shall mean a person who, by~~  
12 ~~reason of his or her special knowledge of the mathematical and physical~~  
13 ~~sciences and the principles and methods of engineering analysis and~~  
14 ~~design, acquired by professional education and practical experience, is~~  
15 ~~qualified to practice engineering as hereinafter defined, as attested~~  
16 ~~by his or her legal registration as a professional engineer.~~

17 (3) ~~Engineer in training: The term "engineer in training" as used~~  
18 ~~in this chapter means a candidate who has: (a) Satisfied the~~

1 ~~experience requirements in RCW 18.43.040 for registration; (b)~~  
2 ~~successfully passed the examination in the fundamental engineering~~  
3 ~~subjects; and (c) is enrolled by the board as an engineer in training.~~

4 ~~(4) Engineering: The term "engineering" as used in this chapter~~  
5 ~~shall mean the "practice of engineering" as hereinafter defined.~~

6 ~~(5) Practice of engineering: The term "practice of engineering"~~  
7 ~~within the meaning and intent of this chapter shall mean any~~  
8 ~~professional service or creative work requiring engineering education,~~  
9 ~~training, and experience and the application of special knowledge of~~  
10 ~~the mathematical, physical, and engineering sciences to such~~  
11 ~~professional services or creative work as consultation, investigation,~~  
12 ~~evaluation, planning, design and supervision of construction for the~~  
13 ~~purpose of assuring compliance with specifications and design, in~~  
14 ~~connection with any public or private utilities, structures, buildings,~~  
15 ~~machines, equipment, processes, works, or projects.~~

16 ~~A person shall be construed to practice or offer to practice~~  
17 ~~engineering, within the meaning and intent of this chapter, who~~  
18 ~~practices any branch of the profession of engineering; or who, by~~  
19 ~~verbal claim, sign, advertisement, letterhead, card, or in any other~~  
20 ~~way represents himself or herself to be a professional engineer, or~~  
21 ~~through the use of some other title implies that he or she is a~~  
22 ~~professional engineer; or who holds himself or herself out as able to~~  
23 ~~perform, or who does perform, any engineering service or work or any~~  
24 ~~other professional service designated by the practitioner or recognized~~  
25 ~~by educational authorities as engineering.~~

26 ~~The practice of engineering shall not include the work ordinarily~~  
27 ~~performed by persons who operate or maintain machinery or equipment.~~

28 ~~(6) Land surveyor: The term "land surveyor" as used in this~~  
29 ~~chapter shall mean a professional land surveyor.~~

30 ~~(7) Professional land surveyor: The term "professional land~~  
31 ~~surveyor" as used in this chapter means a person who, by reason of his~~  
32 ~~or her special knowledge of the mathematical and physical sciences and~~  
33 ~~principles and practices of land surveying, which is acquired by~~  
34 ~~professional education and practical experience, is qualified to~~  
35 ~~practice land surveying and as attested to by his or her legal~~  
36 ~~registration as a professional land surveyor.~~

37 ~~(8) Land surveyor in training: The term "land surveyor in~~  
38 ~~training" as used in this chapter means a candidate who: (a) Has~~

1 satisfied the experience requirements in RCW 18.43.040 for  
2 registration; (b) successfully passes the examination in the  
3 fundamental land surveying subjects; and (c) is enrolled by the board  
4 as a land surveyor in training.

5 (9) Practice of land surveying: The term "practice of land  
6 surveying" within the meaning and intent of this chapter, shall mean  
7 assuming responsible charge of the surveying of land for the  
8 establishment of corners, lines, boundaries, and monuments, the laying  
9 out and subdivision of land, the defining and locating of corners,  
10 lines, boundaries and monuments of land after they have been  
11 established, the survey of land areas for the purpose of determining  
12 the topography thereof, the making of topographical delineations and  
13 the preparing of maps and accurate records thereof, when the proper  
14 performance of such services requires technical knowledge and skill.

15 (10) Board: The term) "Board" ((as used in this chapter shall))  
16 means the state board of registration for professional engineers and  
17 land surveyors, provided for by this chapter.

18 (2) "Engineer" means a professional engineer as defined in this  
19 section.

20 (3) "Engineering" means the "practice of engineering" as defined in  
21 this section.

22 (4) "Engineer-in-training" means a candidate who: (a) Has  
23 satisfied the experience requirements in RCW 18.43.040 for  
24 registration; (b) successfully passes the examination in the  
25 fundamental engineering subjects; and (c) is enrolled by the board as  
26 an engineer-in-training.

27 (5) "Land surveyor" means a professional land surveyor.

28 (6) "Land-surveyor-in-training" means a candidate who: (a) Has  
29 satisfied the experience requirements in RCW 18.43.040 for  
30 registration; (b) successfully passes the examination in the  
31 fundamental land surveying subjects; and (c) is enrolled by the board  
32 as a land-surveyor-in-training.

33 (7)(a) "Practice of engineering" means any professional service or  
34 creative work requiring engineering education, training, and experience  
35 and the application of special knowledge of the mathematical, physical,  
36 and engineering sciences to such professional services or creative work  
37 as consultation, investigation, evaluation, planning, design, and  
38 supervision of construction for the purpose of ensuring compliance with

1 specifications and design, in connection with any public or private  
2 utilities, structures, buildings, machines, equipment, processes,  
3 works, or projects.

4 (b) A person shall be construed to practice or offer to practice  
5 engineering, within the meaning and intent of this chapter, who  
6 practices any branch of the profession of engineering; or who, by  
7 verbal claim, sign, advertisement, letterhead, card, or in any other  
8 way represents himself or herself to be a professional engineer, or  
9 through the use of some other title implies that he or she is a  
10 professional engineer; or who holds himself or herself out as able to  
11 perform, or who does perform, any engineering service or work or any  
12 other professional service designated by the practitioner or recognized  
13 by educational authorities as engineering.

14 (c) The practice of engineering shall not include the work  
15 ordinarily performed by persons who operate or maintain machinery or  
16 equipment.

17 (8) "Practice of land surveying" means assuming responsible charge  
18 of and providing, or offering to provide, professional services  
19 involving: Acts of consultation; investigations; testimony evaluation;  
20 planning; preparation of descriptions and reports; mapping; assembling  
21 and interpreting gathered measurements; and information related to one  
22 or more of the following:

23 (a) Determining the size, shape, and contour of the earth's  
24 surface, any point on the earth, or the position of fixed objects  
25 thereon by means of measuring;

26 (b) Determining the position of any boundary or nonboundary survey  
27 control monument or reference point thereof, and the setting,  
28 resetting, or replacing of any monument or reference point;

29 (c) Locating, relocating, establishing, laying out, or retracing  
30 any property line, boundary of any tract of land, road, right-of-way,  
31 or easement;

32 (d) Locating, relocating, establishing, or laying out any primary  
33 horizontal or vertical control for construction alignment, or any  
34 survey for determining final as-constructed locations;

35 (e) Making any survey for the subdivision of any real property;

36 (f) Locating, relocating, laying out, or retracing any lines that  
37 restrict the use of real property;

1       (g) Creating or modifying the descriptions of the limits of real  
2 property interests. This subsection (8)(g) is not meant to prevent the  
3 transcription of descriptions of existing parcels or interests; and

4       (h) Creating, preparing, or modifying documents, maps, electronic  
5 data, or computerized data relative to the performance of the  
6 activities in (a) through (g) of this subsection.

7       (9) "Professional engineer" means a person who, by reason of his or  
8 her special knowledge of the mathematical and physical sciences and the  
9 principles and methods of engineering analysis and design, acquired by  
10 professional education and practical experience, is qualified to  
11 practice engineering as defined in this section, as attested to by his  
12 or her legal registration as a professional engineer.

13       (10) "Professional land surveyor" means a person who, by reason of  
14 his or her special knowledge of the mathematical and physical sciences  
15 and principles and practices of land surveying, which is acquired by  
16 professional education and practical experience, is qualified to  
17 practice land surveying and as attested to by his or her legal  
18 registration as a professional land surveyor.

19       (11) "Responsible charge" means the practice of land surveying  
20 performed by the licensee or under the licensee's direct supervision.

21       (12) "Survey" means to determine and delineate the form, extent,  
22 and position of objects and legal boundaries, such as a tract of land,  
23 by taking linear and angular measurements of the earth's surface, and  
24 by applying the principles of geometry and trigonometry.

25       (13) "Surveying" means the practice of land surveying as defined in  
26 this section.

27       NEW SECTION. Sec. 2. A new section is added to chapter 18.43 RCW  
28 to read as follows:

29       The review, approval, or examination by a governmental entity of  
30 survey data, documents prepared, or services performed by a person  
31 authorized to practice land surveying must be by, or under the direct  
32 supervision of, another person authorized to practice land surveying.

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