

HOUSE BILL REPORT

HB 2602

As Reported by House Committee On:
Commerce & Labor

Title: An act relating to establishing continuing education requirements for engineers.

Brief Description: Establishing continuing education requirements for engineers.

Sponsors: Representatives Moeller and Green.

Brief History:

Committee Activity:

Commerce & Labor: 1/29/10, 2/2/10 [DPS].

Brief Summary of Substitute Bill

- Requires the Department of Licensing to submit recommendations to the Legislature, using the sunrise review criteria, on establishing a continuing education requirement for engineers.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Conway, Chair; Wood, Vice Chair; Condotta, Ranking Minority Member; Chandler, Crouse, Green, Moeller and Williams.

Staff: Alison Hellberg (786-7152).

Background:

Engineers must be registered in order to practice engineering in Washington. The State Board of Registration for Engineers and Land Surveyors (Board), through the Department of Licensing (Department), Business and Professions Division, regulates the practice of engineering. Candidates for registration as an engineer must have graduated from an approved program, have eight years of work experience, and have passed the required examinations.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Legislature may request the Department to conduct a sunrise review of proposals for regulation of professions not currently regulated or for proposals to increase regulation of an already regulated profession. The sunrise review law states legislative intent that a business profession should be regulated only to protect the public interest. Further, a business profession should be regulated or regulation should be increased by the state only when:

- unregulated practice can clearly harm or endanger the health, safety, or welfare of the public, and the potential for the harm is easily recognizable and not remote or dependent upon tenuous argument;
- the public needs and can reasonably be expected to benefit from an assurance of initial and continuing professional ability; and
- the public cannot be effectively protected by other means in a more cost-beneficial manner.

Summary of Substitute Bill:

The Department must submit recommendations to the Legislature on establishing continuing education requirements for engineers using the sunrise review criteria. In developing the recommendations, the Department must consult with registered engineers and other stakeholders. The Department must submit a report detailing its findings and recommendations under this section to the appropriate legislative committees by December 1, 2010.

Substitute Bill Compared to Original Bill:

The continuing professional development requirement is removed. The Department must submit recommendations to the Legislature, using the sunrise review criteria, on establishing a continuing education requirement for engineers.

Appropriation: None.

Fiscal Note: Available. A fiscal note on the substitute bill was requested on February 2, 2010.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) This bill is very important for the health and safety of the public. The goal of licensure is to identify the proper skills and experience and give the public confidence that engineers have met those standards. Engineers need to stay current and the public needs to be assured that they are competent. The mathematics involved in engineering might not change, but regulations, technology, building materials, and environmental requirements are constantly changing.

Washington is one of the few states that do not have continuing education requirements for engineers. Thirty-six other states already have them.

(In support with concerns) Engineers are generally supportive of continuing education, but have concerns related to the content of the education, the hours required, and the verification of completion of the requirement. A sunrise review might be a better idea so engineers can come to the Legislature with a fully vetted bill.

(Opposed) While continuing education for engineers is a good idea, this bill is not the best way to achieve that. Department rules already contain competency requirements for engineers, which includes continuing education. The problem with the bill is the mandatory verification of continuing education requirements.

Engineering is a self-regulating profession with high standards. If engineers do not stay current, they cannot stay in business. Continuing education is not always productive. Sometimes it is just about acquiring hours and not learning anything.

Persons Testifying: (In support) Marcella Boyer and Gordon Dillon, American Society of Civil Engineers.

(In support with concerns) Cliff Webster, Architects and Engineers Legislative Council.

(Opposed) Robert Parnell, Washington Society for Professional Engineers; and James D'Aboy, Cosmopolitan Engineering Group.

Persons Signed In To Testify But Not Testifying: None.