

HOUSE BILL REPORT

SSB 5443

As Reported by House Committee On:
Consumer Protection & Business

Title: An act relating to the state board of registration for professional engineers and land surveyors.

Brief Description: Concerning the state board of registration for professional engineers and land surveyors.

Sponsors: Senate Committee on State Government, Tribal Relations & Elections (originally sponsored by Senators Van De Wege and Zeiger).

Brief History:

Committee Activity:

Consumer Protection & Business: 3/19/19, 3/20/19 [DP].

Brief Summary of Substitute Bill

- Removes the Board of Registration for Professional Engineers and Land Surveyors (Board) from the Department of Licensing and establishes it as a separate state agency.
- Grants the Board authority to issue and renew certificates, set fees, and discipline individuals under the Board's jurisdiction.
- Provides that the Executive Director of the Board is appointed by the Governor and must hold a valid Washington license as a professional engineer or land surveyor.

HOUSE COMMITTEE ON CONSUMER PROTECTION & BUSINESS

Majority Report: Do pass. Signed by 13 members: Representatives Kirby, Chair; Reeves, Vice Chair; Vick, Ranking Minority Member; Hoff, Assistant Ranking Minority Member; Barkis, Blake, Dufault, Ryu, Santos, Stanford, Volz, Walen and Ybarra.

Staff: Serena Dolly (786-7150).

Background:

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.

Professional Engineers and Land Surveyors.

The Department of Licensing (DOL) regulates certain businesses and professions. Some businesses and professions, such as cosmetologists and security guards, are under the authority of the Director of the DOL. For others, such as architects and engineers, a board or commission is responsible for regulating the profession.

The Board of Registration for Professional Engineers and Land Surveyors (Board), through the DOL, regulates engineering practices and land surveying. On-site wastewater system designers are also licensed and regulated by the Board. The Board consists of seven members, five professional engineers and two land surveyors, appointed by the Governor.

Uniform Regulation of Business and Professions Act.

In 2002 the Legislature passed the Uniform Regulation of Business and Professions Act (URBPA) to provide standardized disciplinary procedures for various businesses and professions regulated by the DOL. The URBPA governs the unlicensed practice of these professions, the issuance and denial of licenses, and the discipline of individuals who violate the URBPA.

Summary of Bill:

The Board is removed from the DOL and established as a separate agency. The Board, rather than the DOL, must:

- issue and renew certificates of registration and licenses for professional engineers, land surveyors, and on-site wastewater system designers; and
- set fees for applications, examinations, licenses, registrations, and renewals. Fees set by the Board must be at a level adequate to pay the Board's administration costs.

The URBPA is amended to grant the Board, rather than the DOL, jurisdiction over disciplinary matters under its authority.

The Governor must appoint the Executive Director of the Board. The Executive Director must hold a valid Washington license as a professional engineer or professional land surveyor.

The DOL, through an interagency agreement, must provide specified administrative staff support and associated technical services, materials, and equipment to the Board. The initial agreement must be for three years and may be renewed.

References to the Director of the DOL are replaced with references to either the Board or the Executive Director of the Board.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) The Board of Registration for Professional Engineers and Land Surveyors (Board) was established to protect consumers. The Board used to be an independent state agency. This bill would give the Board more autonomy than it has under the Department of Licensing (DOL). It would allow the Board to determine how to effectively regulate the profession and to control how funds are spent. Right now funds are used primarily to address complaints about improper use of a license or unlicensed work. There are many repeat offenders, and more education is needed. The Board would like to conduct outreach to members and the public but is currently not allowed to use funds for outreach efforts. This change would help protect the public. The Board still intends to work with the DOL.

(Opposed) None.

Persons Testifying: Senator Van De Wege, prime sponsor; Cliff Webster, Architects and Engineers Legislative Council; Marjorie Lund, Lund Opsahl LLC; Ken Fuller, Board of Registration for Professional Engineers and Land Surveyors; and Patrick Beehler and Kathryn Schalk, Land Surveyors' Association of Washington.

Persons Signed In To Testify But Not Testifying: None.