
SENATE BILL 5090

State of Washington

69th Legislature

2025 Regular Session

By Senators Lias, Chapman, Dozier, Nobles, Shewmake, and Wellman; by request of Board of Registration for Professional Engineers and Land Surveyors

Prefiled 12/19/24. Read first time 01/13/25. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to updating the professional engineers'
2 registration act, including by removing obsolete language and
3 updating pro tem membership; amending RCW 18.43.030, 18.43.033,
4 18.43.035, 18.43.040, 18.43.050, 18.43.060, 18.43.070, 18.43.080,
5 18.43.130, 18.43.150, 18.43.170, and 18.43.200; and reenacting and
6 amending RCW 18.43.020.

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

8 **Sec. 1.** RCW 18.43.020 and 2019 c 442 s 8 are each reenacted and
9 amended to read as follows:

10 The definitions in this section apply throughout this chapter
11 unless the context clearly requires otherwise.

12 (1) "Board" means the state board of registration for
13 professional engineers and land surveyors, provided for by this
14 chapter.

15 (2) "Director" means the (~~executive~~) director of the Washington
16 state board of registration for professional engineers and land
17 surveyors.

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

20 (4) "Engineer-in-training" means a candidate who: (a) Has
21 satisfied the experience requirements in RCW 18.43.040 for

1 registration; (b) has successfully passed the examination in the
2 fundamental engineering subjects; and (c) is enrolled by the board as
3 an engineer-in-training.

4 (5) "Engineering" means the "practice of engineering" as defined
5 in this section.

6 (6) "Land surveyor" means a professional land surveyor.

7 (7) "Land-surveyor-in-training" means a candidate who: (a) Has
8 satisfied the experience requirements in RCW 18.43.040 for
9 registration; (b) successfully passes the examination in the
10 fundamental land surveying subjects; and (c) is enrolled by the board
11 as a land-surveyor-in-training.

12 (8)(a) "Practice of engineering" means any professional service
13 or creative work requiring engineering education, training, and
14 experience and the application of special knowledge of the
15 mathematical, physical, and engineering sciences to such professional
16 services or creative work as consultation, investigation, evaluation,
17 planning, design, and supervision of construction for the purpose of
18 assuring compliance with specifications and design, in connection
19 with any public or private utilities, structures, buildings,
20 machines, equipment, processes, works, or projects.

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

31 (c) The practice of engineering does not include the work
32 ordinarily performed by persons who operate or maintain machinery or
33 equipment.

34 (9) "Practice of land surveying" means assuming responsible
35 charge of the surveying of land for the establishment of corners,
36 lines, boundaries, and monuments, the laying out and subdivision of
37 land, the defining and locating of corners, lines, boundaries, and
38 monuments of land after they have been established, the survey of
39 land areas for the purpose of determining the topography thereof, the
40 making of topographical delineations and the preparing of maps and

1 accurate records thereof, when the proper performance of such
2 services requires technical knowledge and skill.

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

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

15 (12) "Significant structures" include:

16 (a) Hazardous facilities, defined as: Structures housing,
17 supporting, or containing sufficient quantities of explosive
18 substances to be of danger to the safety of the public if released;

19 (b) Essential facilities that have a ground area of more than
20 five thousand square feet and are more than twenty feet in mean roof
21 height above average ground level. Essential facilities are defined
22 as:

23 (i) Hospitals and other medical facilities having surgery and
24 emergency treatment areas;

25 (ii) Fire and police stations;

26 (iii) Tanks or other structures containing, housing, or
27 supporting water or fire suppression material or equipment required
28 for the protection of essential or hazardous facilities or special
29 occupancy structures;

30 (iv) Emergency vehicle shelters and garages;

31 (v) Structures and equipment in emergency preparedness centers;

32 (vi) Standby power-generating equipment for essential facilities;

33 (vii) Structures and equipment in government communication
34 centers and other facilities requiring emergency response;

35 (viii) Aviation control towers, air traffic control centers, and
36 emergency aircraft hangars; and

37 (ix) Buildings and other structures having critical national
38 defense functions;

39 (c) Structures exceeding one hundred feet in height above average
40 ground level;

1 (d) Buildings that are customarily occupied by human beings and
2 are five stories or more above average ground level;

3 (e) Bridges having a total span of more than two hundred feet and
4 piers having a surface area greater than ten thousand square feet;
5 and

6 (f) Buildings and other structures where more than three hundred
7 people congregate in one area.

8 **Sec. 2.** RCW 18.43.030 and 2011 c 336 s 481 are each amended to
9 read as follows:

10 A state board of registration for professional engineers and land
11 surveyors is hereby created which shall exercise all of the powers
12 and perform all of the duties conferred upon it by this chapter.
13 (~~After July 9, 1986, the~~) The board shall consist of seven members,
14 who shall be appointed by the governor and shall have the
15 qualifications as hereinafter required. (~~The terms of board members~~
16 ~~in office on June 11, 1986, shall not be affected. The first~~
17 ~~additional member shall be appointed for a four-year term and the~~
18 ~~second additional member shall be appointed for a three-year term.~~)
19 On the expiration of the term of any member, the governor shall
20 appoint a successor for a term of five years to take the place of the
21 member whose term on said board is about to expire. However, no
22 member shall serve more than two consecutive terms on the board. Each
23 member shall hold office until the expiration of the term for which
24 such member is appointed or until a successor qualified as described
25 in this chapter shall have been duly appointed (~~and shall have~~
26 ~~qualified~~).

27 Five members of the board shall be registered professional
28 engineers licensed under the provisions of this chapter. Two members
29 shall be registered professional land surveyors licensed under this
30 chapter. Each of the members of the board shall have been actively
31 engaged in the practice of engineering or land surveying for at least
32 (~~ten~~) 10 years subsequent to registration, five of which shall have
33 been immediately prior to their appointment to the board.

34 Each member of the board shall be a citizen of the United States
35 and shall have been a resident of this state for at least five years
36 immediately preceding his or her appointment.

37 Each member of the board shall be compensated in accordance with
38 RCW 43.03.240 and, in addition thereto, shall be reimbursed for

1 travel expenses incurred in carrying out the provisions of this
2 chapter in accordance with RCW 43.03.050 and 43.03.060.

3 The governor may remove any member of the board for misconduct,
4 incompetency, or neglect of duty. Vacancies in the membership of the
5 board shall be filled for the unexpired term by appointment by the
6 governor as hereinabove provided.

7 **Sec. 3.** RCW 18.43.033 and 1997 c 247 s 1 are each amended to
8 read as follows:

9 Upon request of the board, (~~and with approval of the director,~~
10 ~~the board chair shall appoint up to two individuals to serve as pro~~
11 ~~tem members of the board. The appointments are limited, as defined by~~
12 ~~the board chair, for the purpose of participating as a temporary~~
13 ~~member of the board on any combination of one or more committees or~~
14 ~~formal disciplinary hearing panels. An appointed individual must meet~~
15 ~~the same qualifications as a regular member of the board)) the
16 director shall select a candidate for a pro tem board member position
17 and upon approval of the board, the board chair shall make the
18 appointment. Up to three individuals may serve as pro tem board
19 members. A pro tem board member will be participating as a temporary
20 member of the board and perform services as needed and determined by
21 the director, including ensuring sufficient case reviewers, forming a
22 quorum at a board meeting, serving on any combination of one or more
23 committees, or participating as needed at formal disciplinary
24 hearings. An appointed individual must be registered under this
25 chapter or licensed under chapter 18.210 RCW for a minimum of five
26 years immediately prior to the appointment. While serving as a board
27 member pro tem, an appointed person has all the powers, duties, and
28 immunities of a regular member of the board and is entitled to the
29 same compensation, including travel expenses, in accordance with RCW
30 18.43.030. A pro tem appointment may not last for more than (~~one~~
31 ~~hundred eighty~~) 180 days unless approved by the director.~~

32 **Sec. 4.** RCW 18.43.035 and 2020 c 47 s 1 are each amended to read
33 as follows:

34 (1) The board may adopt and amend bylaws establishing its
35 organization and method of operation, including but not limited to
36 meetings, maintenance of books and records, publication of reports,
37 code of ethics, and rosters, and adoption and use of a seal.

1 (2) Four members of the board shall constitute a quorum for the
2 conduct of any business of the board.

3 (3) The board shall appoint its director, who must hold a valid
4 Washington license as a professional engineer or professional land
5 surveyor.

6 (4) The board may employ such persons as are necessary to carry
7 out its duties under this chapter.

8 (5) It may adopt rules reasonably necessary to administer the
9 provisions of this chapter. The board shall submit to the governor
10 periodic reports as may be required. A roster, showing the names and
11 (~~places of business~~) mailing addresses of all registered
12 professional engineers and land surveyors may be published for
13 distribution, upon request, to professional engineers and land
14 surveyors registered under this chapter and to the public.

15 **Sec. 5.** RCW 18.43.040 and 2007 c 193 s 1 are each amended to
16 read as follows:

17 (1) The following will be considered as minimum evidence
18 satisfactory to the board that the applicant is qualified for
19 registration as a professional engineer, engineer-in-training,
20 professional land surveyor, or land-surveyor-in-training,
21 respectively:

22 (a) (i) As a professional engineer: A specific record of eight
23 years or more of experience in engineering work of a character
24 satisfactory to the board and indicating that the applicant is
25 competent to practice engineering; and successfully passing a written
26 or oral examination, or both, in engineering as prescribed by the
27 board.

28 (ii) Graduation in an approved engineering curriculum of four
29 years or more from a school or college approved by the board (~~as of~~
30 ~~satisfactory standing~~) shall be considered equivalent to four years
31 of such required experience. The satisfactory completion of each year
32 of such an approved engineering course without graduation shall be
33 considered as equivalent to a year of such required experience.
34 Graduation in a curriculum other than engineering from a school or
35 college approved by the board shall be considered as (~~equivalent~~)
36 up to two years of such required experience. However, no applicant
37 shall receive credit for more than four years of experience because
38 of undergraduate educational qualifications. The board may, at its

1 discretion, give credit as experience not in excess of one year, for
2 satisfactory postgraduate study in engineering.

3 (iii) Structural engineering is recognized as a specialized
4 branch of professional engineering. To receive a certificate of
5 registration in structural engineering, an applicant must hold a
6 current registration in this state in engineering and have at least
7 two years of structural engineering experience, of a character
8 satisfactory to the board, in addition to the eight years' experience
9 required for registration as a professional engineer. An applicant
10 for registration as a structural engineer must also pass an
11 additional examination as prescribed by the board.

12 (iv) An engineer must be registered as a structural engineer in
13 order to provide structural engineering services for significant
14 structures. ~~((The board may waive the requirements of this subsection~~
15 ~~(1)(a)(iv) until December 31, 2010, if:~~

16 ~~(A) On January 1, 2007, the engineer is registered with the board~~
17 ~~as a professional engineer; and~~

18 ~~(B) Within two years of January 1, 2007, the engineer~~
19 ~~demonstrates to the satisfaction of the board that the engineer has~~
20 ~~sufficient experience in the duties typically provided by a~~
21 ~~professional structural engineer regarding significant structures.))~~

22 (b) (i) As an engineer-in-training: An applicant for registration
23 as a professional engineer shall take the prescribed examination in
24 two stages. The first stage of the examination may be taken upon
25 submission of his or her application for registration as an engineer-
26 in-training and payment of the application fee prescribed in RCW
27 18.43.050 at any time after the applicant has completed four years of
28 the required engineering experience, as defined in this section, or
29 has achieved senior standing in a school or college approved by the
30 board. The first stage of the examination shall test the applicant's
31 knowledge of appropriate fundamentals of engineering subjects,
32 including mathematics and the basic sciences.

33 (ii) At any time after the completion of the required eight years
34 of engineering experience, as defined in this section, the applicant
35 may take the second stage of the examination upon submission of an
36 application for registration and payment of the application fee
37 prescribed in RCW 18.43.050. This stage of the examination shall test
38 the applicant's ability, upon the basis of his or her greater
39 experience, to apply his or her knowledge and experience in the field
40 of his or her specific training and qualifications.

1 (c) (i) As a professional land surveyor: A specific record of
2 eight years or more of experience in land surveying work of a
3 character satisfactory to the board and indicating that the applicant
4 is competent to practice land surveying, and successfully passing a
5 written or oral examination, or both, in surveying as prescribed by
6 the board.

7 (ii) Graduation from a school or college approved by the board as
8 of satisfactory standing, including the completion of an approved
9 course in surveying, shall be considered equivalent to four years of
10 the required experience. Postgraduate college courses approved by the
11 board shall be considered for up to one additional year of the
12 required experience.

13 (d) (i) As a land-surveyor-in-training: An applicant for
14 registration as a professional land surveyor shall take the
15 prescribed examination in two stages. The first stage of the
16 examination may be taken upon submission of his or her application
17 for registration as a land-surveyor-in-training and payment of the
18 application fee prescribed in RCW 18.43.050 at any time after the
19 applicant has completed four years of the required land surveying
20 experience, as defined in this section, or has achieved senior
21 standing in a school or college approved by the board. The first
22 stage of the examination shall test the applicant's knowledge of
23 appropriate fundamentals of land surveying subjects, including
24 mathematics and the basic sciences.

25 (ii) At any time after the completion of the required eight years
26 of land surveying experience, as defined in this section, the
27 applicant may take the second stage of the examination upon
28 submission of an application for registration and payment of the
29 application fee prescribed in RCW 18.43.050. This stage of the
30 examination shall test the applicant's ability, upon the basis of
31 greater experience, to apply knowledge and experience in the field of
32 land surveying.

33 (iii) The first stage shall be successfully completed before the
34 second stage may be attempted. (~~Applicants who have been approved by~~
35 ~~the board to take the examination based on the requirement for six~~
36 ~~years of experience under this section before July 1, 1996, are~~
37 ~~eligible to sit for the examination.))~~

38 (2) No person shall be eligible for registration as a
39 professional engineer, engineer-in-training, professional land

1 surveyor, or land-surveyor-in-training, who is not of good character
2 and reputation.

3 (3) Teaching, of a character satisfactory to the board shall be
4 considered as experience not in excess of two years for the
5 appropriate profession.

6 (4) The mere execution, as a contractor, of work designed by a
7 professional engineer, or the supervision of the construction of such
8 work as a foreman or superintendent shall not be deemed to be
9 practice of engineering.

10 (5) Any person having the necessary qualifications prescribed in
11 this chapter to entitle him or her to registration shall be eligible
12 for such registration although the person may not be practicing his
13 or her profession at the time of making his or her application.

14 **Sec. 6.** RCW 18.43.050 and 2019 c 442 s 5 are each amended to
15 read as follows:

16 Application for registration shall be on forms prescribed by the
17 board and furnished by the director, shall contain statements made
18 under oath, showing the applicant's education and detail summary of
19 his or her technical work, and shall contain verification of the
20 technical work from professional engineers and/or professional land
21 surveyors that supervised the applicant's technical work and have
22 personal knowledge of the applicant's engineering and/or land
23 surveying experience.

24 The registration fee for professional engineers shall be
25 determined by the board, which shall accompany the application and
26 shall include the cost of (~~examination~~) application processing and
27 issuance of certificate. The fee for engineer-in-training shall be
28 determined by the board, which shall accompany the application and
29 shall include the cost of (~~examination~~) application processing and
30 issuance of certificate.

31 The registration fee for professional land surveyors shall be
32 determined by the board, which shall accompany the application and
33 shall include the cost of (~~examination~~) application processing and
34 issuance of certificate. The fee for land-surveyor-in-training shall
35 be determined by the board, which shall accompany the application and
36 shall include the cost of (~~examination~~) application processing and
37 issuance of certificate.

1 All registration fees are nonrefundable. Should the board find an
2 applicant ineligible for registration, the registration fee shall be
3 retained as an application fee.

4 **Sec. 7.** RCW 18.43.060 and 2019 c 442 s 9 are each amended to
5 read as follows:

6 When oral or written examinations are required, they shall be
7 held at such time and place as the board shall determine. If
8 examinations are required on fundamental engineering subjects (such
9 as ordinarily given in college curricula) the applicant shall be
10 permitted to take this part of the professional examination prior to
11 his or her completion of the requisite years of experience in
12 engineering work. The board shall issue to each applicant upon
13 successfully passing the examination in fundamental engineering or
14 land surveying subjects a certificate stating that the applicant has
15 passed the examination in fundamental (~~(engineering)~~) subjects and
16 that (~~(his or her)~~) the applicant's name has been recorded as an
17 engineer-in-training or land surveyor-in-training.

18 The scope of the examination and the methods of procedure shall
19 be prescribed by the board with special reference to the applicant's
20 ability to design and supervise engineering works (~~(so as to insure)~~)
21 to ensure the safety of life, health, and property. Examinations
22 shall be given for the purpose of determining the qualifications of
23 applicants for registration separately in engineering and in land
24 surveying. A candidate failing an examination may apply for
25 reexamination. Subsequent examinations will be granted upon payment
26 of a fee to be determined by the board.

27 **Sec. 8.** RCW 18.43.070 and 2019 c 442 s 10 are each amended to
28 read as follows:

29 The board shall issue a certificate of registration upon payment
30 of a registration fee as provided for in this chapter, to any
31 applicant who, in the opinion of the board, has satisfactorily met
32 all the requirements of this chapter. In case of a registered
33 engineer, the certificate shall authorize the practice of
34 "professional engineering" and specify the branch or branches in
35 which specialized, and in case of a registered land surveyor, the
36 certificate shall authorize the practice of "land surveying."

37 In case of engineer-in-training, the certificate shall state that
38 the applicant has successfully passed the examination in fundamental

1 engineering subjects required by the board and has been enrolled as
2 an "engineer-in-training." In case of land-surveyor-in-training, the
3 certificate shall state that the applicant has successfully passed
4 the examination in fundamental surveying subjects required by the
5 board and has been enrolled as a "land-surveyor-in-training." All
6 certificates of registration shall show the full name of the
7 registrant, shall have a serial number, and shall be signed by the
8 chair and the (~~secretary of the board and by the~~) director.

9 The issuance of a certificate of registration by the board shall
10 be prima facie evidence that the person named therein is entitled to
11 all the rights and privileges of a registered professional engineer
12 or a registered land surveyor, while the said certificate remains
13 unrevoked and unexpired.

14 Each registrant hereunder shall upon registration obtain a seal
15 of the design authorized by the board, bearing the registrant's name
16 and the legend "registered professional engineer" or "registered
17 professional land surveyor." Plans, specifications, plats, and
18 reports prepared by the registrant shall be signed, dated, and
19 stamped with said seal or facsimile thereof. Such signature and
20 stamping shall constitute a certification by the registrant that the
21 same was prepared by or under his or her direct supervision and that
22 to his or her knowledge and belief the same was prepared in
23 accordance with the requirements of the statute. It shall be unlawful
24 for anyone to stamp or seal any document with said seal or facsimile
25 thereof after the certificate of registrant named thereon has expired
26 or been revoked, unless said certificate shall have been renewed or
27 reissued.

28 **Sec. 9.** RCW 18.43.080 and 2019 c 442 s 11 are each amended to
29 read as follows:

30 (1) Certificates of registration(~~(r)~~) and certificates of
31 authorization (~~(and renewals thereof, shall expire on the last day of~~
32 ~~the month of December following their issuance or renewal and shall~~
33 ~~become invalid on that date unless renewed)~~) issued under this
34 chapter are valid for a period of time as determined by the board. It
35 shall be the duty of the board to notify every person, firm, or
36 corporation registered under this chapter of the date of the
37 expiration of (~~(his or her)~~) the certificate and the amount of the
38 renewal fee (~~(that shall be required for its renewal for one year.~~
39 ~~Such notice shall be mailed at least thirty days before the end of~~

1 ~~December of each year. Renewal may be effected during the month of~~
2 ~~December by the payment of a fee determined by the board)). In case~~
3 ~~any professional engineer ((and/)) or land surveyor registered under~~
4 ~~this chapter ((shall)) fails to pay the renewal fee ((hereinabove~~
5 ~~provided for, within ninety days from the date when the same shall~~
6 ~~become due, the renewal fee shall be the current)) within 90 days~~
7 ~~following the expiration date, the professional engineer or land~~
8 ~~surveyor must pay the current renewal fee plus an amount equal to one~~
9 ~~year's fee.~~

10 (2) ~~((Beginning July 1, 2007, the))~~ The board may not renew a
11 certificate of registration for a land surveyor unless the registrant
12 verifies to the board that he or she has completed at least
13 ~~((fifteen))~~ 15 hours of continuing professional development per year
14 of the registration period. ~~((By July 1, 2006, the board shall adopt~~
15 ~~rules governing continuing professional development for land~~
16 ~~surveyors that are generally patterned after the model rules of the~~
17 ~~national council of examiners for engineering and surveying.))~~

18 **Sec. 10.** RCW 18.43.130 and 2019 c 442 s 3 are each amended to
19 read as follows:

20 This chapter shall not be construed to prevent or affect:

21 (1) The practice of any other legally recognized profession or
22 trade; ~~((or))~~

23 (2) The practice of a person not a resident and having no
24 established place of business in this state, practicing or offering
25 to practice herein the profession of engineering or land surveying,
26 when such practice does not exceed in the aggregate more than
27 ~~((thirty))~~ 30 days in any calendar year: PROVIDED, Such person has
28 been determined by the board to be legally qualified by registration
29 to practice the said profession in his or her own state or country in
30 which the requirements and qualifications for obtaining a certificate
31 of registration are not lower than those specified in this chapter.
32 The person shall request such a determination by completing an
33 application prescribed by the board and accompanied by a fee
34 determined by the board. Upon approval of the application, the board
35 shall issue a permit authorizing temporary practice; ~~((or))~~

36 (3) The practice of a person not a resident and having no
37 established place of business in this state, or who has recently
38 become a resident thereof, practicing or offering to practice herein
39 for more than ~~((thirty))~~ 30 days in any calendar year the profession

1 of engineering or land surveying, if he or she shall have filed with
2 the board an application for a certificate of registration and shall
3 have paid the fee required by this chapter: PROVIDED, That such
4 person is legally qualified by registration to practice engineering
5 or land surveying in his or her own state or country in which the
6 requirements and qualifications of obtaining a certificate of
7 registration are not lower than those specified in this chapter. Such
8 practice shall continue only for such time as the board requires for
9 the consideration of the application for registration; ((~~or~~))

10 (4) The work of an employee or a subordinate of a person holding
11 a certificate of registration under this chapter, or an employee of a
12 person practicing lawfully under provisions of this section:
13 PROVIDED, That such work does not include final design or decisions
14 and is done under the direct responsibility, checking, and
15 supervision of a person holding a certificate of registration under
16 this chapter or a person practicing lawfully under the provisions of
17 this section; ((~~or~~))

18 (5) The work of a person rendering engineering or land surveying
19 services to a corporation, as an employee of such corporation, when
20 such services are rendered in carrying on the general business of the
21 corporation and such general business does not consist, either wholly
22 or in part, of the rendering of engineering services to the general
23 public: PROVIDED, That such corporation employs at least one person
24 holding a certificate of registration under this chapter or
25 practicing lawfully under the provisions of this chapter; ((~~or~~))

26 (6) The practice of officers or employees of the government of
27 the United States while engaged within the state in the practice of
28 the profession of engineering or land surveying for the government of
29 the United States; ((~~or~~))

30 (7) Nonresident engineers employed for the purpose of making
31 engineering examinations; ((~~or~~))

32 (8) (a) The practice of engineering or land surveying, or both, in
33 this state by a corporation (~~(or joint stock association)~~): PROVIDED,
34 That

35 ((~~(a)~~)) (i) The corporation has filed with the board an
36 application for certificate of authorization upon a form to be
37 prescribed by the board and containing information required to enable
38 the board to determine whether such corporation is qualified in
39 accordance with this chapter to practice engineering or land
40 surveying, or both, in this state;

1 (~~(b)~~) (ii) For engineering, the corporation has filed with the
2 board a certified copy of a resolution of the board of directors of
3 the corporation that shall designate a person holding a certificate
4 of registration under this chapter as responsible for the practice of
5 engineering by the corporation in this state and shall provide that
6 full authority to make all final engineering decisions on behalf of
7 the corporation with respect to work performed by the corporation in
8 this state shall be granted and delegated by the board of directors
9 to the person so designated in the resolution. For land surveying,
10 the corporation has filed with the board a certified copy of a
11 resolution of the board of directors of the corporation which shall
12 designate a person holding a certificate of registration under this
13 chapter as responsible for the practice of land surveying by the
14 corporation in this state and shall provide full authority to make
15 all final land surveying decisions on behalf of the corporation with
16 respect to work performed by the corporation in this state be granted
17 and delegated by the board of directors to the person so designated
18 in the resolution. If a corporation offers both engineering and land
19 surveying services, the board of directors shall designate both a
20 licensed engineer and a licensed land surveyor. If a person is
21 licensed in both engineering and land surveying, the person may be
22 designated for both professions. The resolution shall further state
23 that the bylaws of the corporation shall be amended to include the
24 following provision: "The designated engineer or land surveyor,
25 respectively, named in the resolution as being in responsible charge,
26 or an engineer or land surveyor under the designated engineer or land
27 surveyor's direct supervision, shall make all engineering or land
28 surveying decisions pertaining to engineering or land surveying
29 activities in the state of Washington." However, the filing of the
30 resolution shall not relieve the corporation of any responsibility or
31 liability imposed upon it by law or by contract;

32 (~~(c)~~) (iii) If there is a change in the designated engineer or
33 designated land surveyor, the corporation shall notify the board in
34 writing within (~~(thirty)~~) 30 days after the effective date of the
35 change. If the corporation changes its name, the corporation shall
36 submit a copy of its amended certificate of authority or amended
37 certificate of incorporation as filed with the secretary of state
38 within (~~(thirty)~~) 30 days of the filing;

39 (~~(d)~~) (iv) Upon the filing with the board the application for
40 certificate for authorization, certified copy of resolution and an

1 affidavit, and the designation of a designated engineer or designated
2 land surveyor, or both, specified in ~~((b))~~ (a)(ii) of this
3 subsection, the board shall issue to the corporation a certificate of
4 authorization to practice engineering or land surveying, or both, in
5 this state upon a determination by the board that:

6 ~~((i))~~ (A) The designated engineer or designated land surveyor,
7 or both, hold a certificate of registration in this state in
8 accordance with this chapter and the certificate is in force;

9 ~~((ii))~~ (B) The designated engineer or designated land surveyor,
10 or both, are not designated in responsible charge for another
11 corporation or a limited liability company;

12 ~~((iii))~~ (C) The corporation is licensed with the secretary of
13 state and holds a current unified business identification number and
14 the board determines, based on evaluating the findings and
15 information in this section, that the applicant corporation possesses
16 the ability and competence to furnish engineering or land surveying
17 services, or both, in the public interest; and

18 ~~((iv))~~ (D) The corporation is registered with the department of
19 revenue pursuant to RCW 82.32.030.

20 (b) The board may exercise its discretion to take any of the
21 actions under RCW 18.235.110 or this chapter with respect to a
22 certificate of authorization issued to a corporation if the board
23 finds that any of the officers, directors, incorporators, or the
24 stockholders holding a majority of stock of such corporation has
25 engaged in unprofessional conduct as defined in RCW 18.43.105 or
26 18.235.130 or has been found personally responsible for
27 unprofessional conduct under ~~((f) and (g))~~ (d) and (e) of this
28 subsection.

29 ~~((e) Engineers or)~~ (c) Professional engineers or professional
30 land surveyors organized as a professional service corporation under
31 chapter 18.100 RCW are exempt from applying for a certificate of
32 authorization under this chapter.

33 ~~((f))~~ (d) Any corporation authorized to practice engineering or
34 land surveying under this chapter, together with its directors and
35 officers for their own individual acts, are responsible to the same
36 degree as an individual registered engineer or individual registered
37 land surveyor, and must conduct its business without unprofessional
38 conduct in the practice of engineering or the practice of land
39 surveying as defined in this chapter and RCW 18.235.130.

1 ~~((g))~~ (e) Any corporation that is certified under this chapter
2 is subject to the authority of the board as provided in RCW
3 18.43.035, 18.43.105, 18.43.110, 18.43.120, and chapter 18.235 RCW.

4 ~~((h))~~ (f) All plans, specifications, designs, and reports when
5 issued in connection with work performed by a corporation under its
6 certificate of authorization shall be prepared by or under the direct
7 supervision of and shall be signed by and shall be stamped with the
8 official seal of a person holding a certificate of registration under
9 this chapter.

10 ~~((i))~~ (g) For each certificate of authorization issued under
11 this subsection (8) there shall be paid an initial fee determined by
12 the board and an annual renewal fee determined by the board~~((-))~~;

13 (9) The practice of engineering and/or land surveying in this
14 state by a partnership if the partnership employs at least one person
15 holding a valid certificate of registration under this chapter to
16 practice engineering or land surveying, or both~~((-. The board shall
17 not issue certificates of authorization to partnerships after July 1,
18 1998. Partnerships currently registered with the board are not
19 required to pay an annual renewal fee after July 1, 1998.))~~; or

20 (10) (a) The practice of engineering or land surveying, or both,
21 in this state by limited liability companies: Provided, That

22 ~~((a))~~ (i) The limited liability company has filed with the
23 board an application for certificate of authorization upon a form to
24 be prescribed by the board and containing information required to
25 enable the board to determine whether the limited liability company
26 is qualified under this chapter to practice either or both
27 engineering or land surveying in this state.

28 ~~((b))~~ (ii) The limited liability company has filed with the
29 board a certified copy of a resolution by the company manager or
30 managers that shall designate a person holding a certificate of
31 registration under this chapter as being responsible for the practice
32 of engineering or land surveying, or both, by the limited liability
33 company in this state and that the designated person has full
34 authority to make all final engineering or land surveying decisions
35 on behalf of the limited liability company with respect to work
36 performed by the limited liability company in this state. The
37 resolution shall further state that the limited liability company
38 agreement shall be amended to include the following provision: "The
39 designated engineer or land surveyor, respectively, named in the
40 resolution as being in responsible charge, or an engineer or land

1 surveyor under the designated engineer or land surveyor's direct
2 supervision, shall make all engineering or land surveying decisions
3 pertaining to engineering or land surveying activities in the state
4 of Washington." However, the filing of the resolution shall not
5 relieve the limited liability company of responsibility or liability
6 imposed upon it by law or by contract.

7 ~~((e))~~ (iii)(A) The designated engineer for the limited
8 liability company must hold a current professional engineer license
9 issued by this state.

10 (B) The designated land surveyor for the limited liability
11 company must hold a current professional land surveyor license issued
12 by this state.

13 (C) If a person is licensed as both a professional engineer and
14 as a professional land surveyor in this state, then the limited
15 liability company may designate the person as being in responsible
16 charge for both professions.

17 (D) If there is a change in the designated engineer or designated
18 land surveyor, the limited liability company shall notify the board
19 in writing within ~~((thirty))~~ 30 days after the effective date of the
20 change. If the limited liability company changes its name, the
21 company shall submit to the board a copy of the certificate of
22 amendment filed with the secretary of state's office.

23 ~~((d))~~ (iv) Upon the filing with the board the application for
24 certificate of authorization, a certified copy of the resolution, and
25 an affidavit from the designated engineer or the designated land
26 surveyor, or both, specified in ~~((b) and (e))~~ (a)(ii) and (iii)(A)
27 of this subsection, the board shall issue to the limited liability
28 company a certificate of authorization to practice engineering or
29 land surveying, or both, in this state upon determination by the
30 board that:

31 ~~((i))~~ (A) The designated engineer or designated land surveyor,
32 or both, hold a certificate of registration in this state under this
33 chapter and the certificate is in force;

34 ~~((ii))~~ (B) The designated engineer or designated land surveyor,
35 or both, are not designated in responsible charge for another limited
36 liability company or a corporation;

37 ~~((iii))~~ (C) The limited liability company is licensed with the
38 secretary of state and has a current unified business identification
39 number and that the board determines, based on evaluating the
40 findings and information under this subsection, that the applicant

1 limited liability company possesses the ability and competence to
2 furnish either or both engineering or land surveying services in the
3 public interest; and

4 ~~((iv))~~ (D) The limited liability company is registered with the
5 department of revenue pursuant to RCW 82.32.030.

6 (b) The board may exercise its discretion to take any of the
7 actions under RCW 18.235.110 and 18.43.105 with respect to a
8 certificate of authorization issued to a limited liability company if
9 the board finds that any of the managers or members holding a
10 majority interest in the limited liability company has engaged in
11 unprofessional conduct as defined in RCW 18.43.105 or 18.235.130 or
12 has been found personally responsible for unprofessional conduct
13 under the provisions of ~~((f) and (g))~~ (d) and (e) of this
14 subsection.

15 ~~((e) Engineers or)~~ (c) Professional engineers or professional
16 land surveyors organized as a professional limited liability company
17 are exempt from applying for a certificate of authorization under
18 this chapter.

19 ~~((f))~~ (d) Any limited liability company authorized to practice
20 engineering or land surveying, or both, under this chapter, together
21 with its manager or managers and members for their own individual
22 acts, are responsible to the same degree as an individual registered
23 engineer or registered land surveyor, and must conduct their business
24 without unprofessional conduct in the practice of engineering or land
25 surveying, or both.

26 ~~((g))~~ (e) A limited liability company that is certified under
27 this chapter is subject to the authority of the board as provided in
28 RCW 18.43.035, 18.43.105, 18.43.110, 18.43.120, and chapter 18.235
29 RCW.

30 ~~((h))~~ (f) All plans, specifications, designs, and reports when
31 issued in connection with work performed by a limited liability
32 company under its certificate of authorization shall be prepared by
33 or under the direct supervision of and shall be signed by and shall
34 be stamped with the official seal of a person holding a certificate
35 of registration under this chapter.

36 ~~((i))~~ (g) For each certificate of authorization issued under
37 this subsection (10) there shall be paid an initial fee determined by
38 the board and an annual renewal fee determined by the board.

1 **Sec. 11.** RCW 18.43.150 and 2019 c 442 s 14 are each amended to
2 read as follows:

3 The board shall set fees at a level adequate to pay the costs of
4 administering this chapter. All fees collected under the provisions
5 of RCW 18.43.050, 18.43.060, 18.43.080, 18.43.100, and 18.43.130 and
6 fines collected under RCW 18.43.110 shall be paid into the
7 (~~professional engineers'~~) board's account, which account is hereby
8 established in the state treasury to be used to carry out the
9 purposes and provisions of RCW 18.43.050, 18.43.060, 18.43.080,
10 18.43.100, 18.43.110, 18.43.120, 18.43.130, and all other duties
11 required for operation and enforcement of this chapter. (~~During the~~
12 ~~2013-2015 and 2015-2017 fiscal biennia, the legislature may transfer~~
13 ~~moneys from the professional engineers' account to the state general~~
14 ~~fund such amounts as reflect the excess fund balance of the fund.))~~)

15 **Sec. 12.** RCW 18.43.170 and 1997 c 58 s 821 are each amended to
16 read as follows:

17 The board shall immediately suspend the registration of a person
18 who has been certified pursuant to RCW 74.20A.320 by the department
19 of social and health services as a person who is not in compliance
20 with a support order (~~or a residential or visitation order~~). If the
21 person has continued to meet all other requirements for
22 (~~membership~~) registration during the suspension, reissuance of the
23 certificate of registration shall be automatic upon the board's
24 receipt of a release issued by the department of social and health
25 services stating that the person is in compliance with the order.

26 **Sec. 13.** RCW 18.43.200 and 2020 c 47 s 2 are each amended to
27 read as follows:

28 The department of licensing, through an interagency agreement
29 with the board, (~~must~~) shall provide specified technical services
30 to the board(~~. The initial interagency agreement must be for a term~~
31 ~~of three years and may be renewed by mutual agreement between the~~
32 ~~department of licensing and the board)~~) as mutually agreed upon by
33 both parties.

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