
BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0421.2/26 2nd draft

ATTY/TYPIST: CC:eab

BRIEF DESCRIPTION: Updating the professional engineers' registration act.

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 18.43.100, 18.43.130, 18.43.150, 18.43.170, and 18.43.200; and
6 reenacting and 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 professional land surveyors, provided for
14 by this chapter.

15 (2) "Director" means the ((executive)) director of the Washington
16 state board of registration for professional engineers and
17 professional land 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 ~~((4))~~ (4) "Engineering" means the "practice of engineering" as
5 defined in this section.

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

7 ~~(7))~~ (5) "Land-surveyor-in-training" means a candidate who: (a)
8 Has 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))~~ (6)(a) "Practice of engineering" means any professional
13 service or creative work requiring engineering education, training,
14 and 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))~~ themselves to be a professional
26 engineer, or through the use of some other title implies that ~~((he or~~
27 ~~she is))~~ they are a professional engineer; or who holds ~~((himself or~~
28 ~~herself))~~ themselves out as able to perform, or who does perform, any
29 engineering service or work or any other professional service
30 designated by the practitioner or recognized by educational
31 authorities as engineering.

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

35 ~~((9))~~ (7) "Practice of land surveying" means assuming
36 responsible charge of the surveying of land for the establishment of
37 corners, lines, boundaries, and monuments, the laying out and
38 subdivision of land, the defining and locating of corners, lines,
39 boundaries, and monuments of land after they have been established,
40 the survey of land areas for the purpose of determining the

1 topography thereof, the making of topographical delineations and the
2 preparing of maps and accurate records thereof, when the proper
3 performance of such services requires technical knowledge and skill.

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

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

18 ~~((12))~~ (10) "Significant structures" include:

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

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

26 (i) Hospitals and other medical facilities having surgery and
27 emergency treatment areas;

28 (ii) Fire and police stations;

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

33 (iv) Emergency vehicle shelters and garages;

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

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

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

38 (viii) Aviation control towers, air traffic control centers, and
39 emergency aircraft hangars; and

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

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

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

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

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

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

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

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

Each member of the board shall ~~((be a citizen of the United States and shall))~~ have been a resident of this state for at least

1 five years immediately preceding ~~((his or her))~~ the member's
2 appointment.

3 Each member of the board shall be compensated in accordance with
4 RCW 43.03.240 and, in addition thereto, shall be reimbursed for
5 travel expenses incurred in carrying out the provisions of this
6 chapter in accordance with RCW 43.03.050 and 43.03.060.

7 The governor may remove any member of the board for misconduct,
8 incompetency, or neglect of duty. Vacancies in the membership of the
9 board shall be filled for the unexpired term by appointment by the
10 governor as hereinabove provided.

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

13 ~~Upon request of the board, ((and with approval of the director,~~
14 ~~the board chair shall appoint up to two individuals to serve as pro~~
15 ~~tem members of the board. The appointments are limited, as defined by~~
16 ~~the board chair, for the purpose of participating as a temporary~~
17 ~~member of the board on any combination of one or more committees or~~
18 ~~formal disciplinary hearing panels. An appointed individual must meet~~
19 ~~the same qualifications as a regular member of the board)) the~~
20 director shall select a candidate for a pro tem board member position
21 and upon approval of the board, the board chair shall make the
22 appointment. Up to three individuals may serve as pro tem board
23 members. A pro tem board member will be participating as a temporary
24 member of the board and perform services as needed and determined by
25 the director, including ensuring sufficient case reviewers, forming a
26 quorum at a board meeting, serving on any combination of one or more
27 committees, or participating as needed at formal disciplinary
28 hearings. An appointed individual must be registered under this
29 chapter or licensed under chapter 18.210 RCW for a minimum of five
30 years immediately prior to the appointment. While serving as a board
31 member pro tem, an appointed person has all the powers, duties, and
32 immunities of a regular member of the board and is entitled to the
33 same compensation, including travel expenses, in accordance with RCW
34 18.43.030. A pro tem appointment may not last for more than ~~((one~~
35 ~~hundred eighty))~~ 180 days unless approved by the director.

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

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

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

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

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

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

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

22 ~~((1))~~ The following requirements will be considered as minimum
23 evidence satisfactory to the board that the applicant is qualified
24 for registration as a professional engineer, ~~((engineer-in-training))~~
25 structural engineer, professional land surveyor, engineer-in-
26 training, or land-surveyor-in-training ~~((, respectively:~~

27 ~~((a)(i) As a professional engineer:))~~ .

28 (1) PROFESSIONAL ENGINEER. To be licensed as a professional
29 engineer, an applicant must meet the examination and experience
30 requirements delineated in this subsection (1).

31 (a) Examination requirements. An applicant must have received
32 passing scores on examinations required by the board in rule.

33 (b) Experience requirements. A specific record of eight years or
34 more of experience in engineering work of a character satisfactory to
35 the board and ~~((indicating))~~ showing that the applicant is competent
36 to practice engineering ~~((; and successfully passing a written or oral~~
37 ~~examination, or both, in engineering as prescribed by the board.~~

38 ~~((ii) Graduation in an approved engineering curriculum of four~~
39 ~~years or more from a school or college approved by the board as of~~

1 ~~satisfactory standing shall be considered equivalent to four years of~~
2 ~~such required experience. The satisfactory completion of each year of~~
3 ~~such an approved engineering course without graduation shall be~~
4 ~~considered as equivalent to a year of such required experience.~~
5 ~~Graduation in a curriculum other than engineering from a school or~~
6 ~~college approved by the board shall be considered as equivalent to~~
7 ~~two years of such required experience. However, no applicant shall~~
8 ~~receive credit for more than four years of experience because of~~
9 ~~undergraduate educational qualifications. The board may, at its~~
10 ~~discretion, give credit as experience not in excess of one year, for~~
11 ~~satisfactory postgraduate study in engineering.~~

12 ~~(iii) Structural engineering is recognized as a specialized~~
13 ~~branch of professional engineering. To receive a certificate of~~
14 ~~registration in structural engineering, an applicant must hold a~~
15 ~~current registration in this state in engineering and have)).~~

16 (i) The experience must be broad based and progressive to include
17 gaining knowledge and comprehension of engineering subjects and
18 applying engineering principles.

19 (ii) Education or teaching at a college or university may
20 constitute a portion of the required experience as follows:

21 (A) An undergraduate degree, or its equivalent, in an engineering
22 program approved by the board will be considered the equivalent of
23 four years of experience;

24 (B) Satisfactory completion of each year of an engineering
25 program may be considered the equivalent of one year of experience at
26 the discretion of the board;

27 (C) An undergraduate degree in a nonengineering program may be
28 considered the equivalent of engineering experience at the discretion
29 of the board;

30 (D) No more than four years of experience may be granted for
31 undergraduate education; and

32 (E) Experience may be granted for teaching and postgraduate
33 education as further defined by, and at the discretion of, the board.

34 (iii) The mere execution, as a contractor, of work designed by a
35 professional engineer, or the supervision of the construction of such
36 work as a foreman or superintendent may not be deemed to be the
37 practice of engineering.

38 (2) STRUCTURAL ENGINEER. Structural engineering is recognized as
39 a specialized branch of professional engineering. A professional
40 engineer must be registered as a structural engineer to provide

1 structural engineering services for significant structures. To become
2 licensed as a structural engineer, an applicant must meet the
3 following requirements:

4 (a) Hold a current registration as a professional engineer in
5 this state;

6 (b) Have at least two years of structural engineering experience,
7 of a character satisfactory to the board, in addition to the eight
8 years' experience required for registration as a professional
9 engineer(. ~~An applicant for registration as a structural engineer~~
10 ~~must also pass an additional examination as prescribed by the board.~~

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

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

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

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

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

14 (c) Pass additional examinations as prescribed by the board.

15 (3) PROFESSIONAL LAND SURVEYOR. To be licensed as a professional
16 land surveyor, an applicant must meet the examination and experience
17 requirements delineated in this subsection (3).

18 (a) Examination requirements. An applicant must have received
19 passing scores on examinations required by the board in rule.

20 (b) Experience requirements. A specific record of eight years or
21 more of experience in land surveying work of a character satisfactory
22 to the board and showing that the applicant is competent to practice
23 land surveying.

24 (i) The experience must be broad based and progressive to include
25 gaining knowledge and comprehension of land surveying subjects and
26 applying land surveying principles.

27 (ii) Education or teaching at a college or university may
28 constitute a portion of the required experience as follows:

29 (A) An undergraduate degree, or its equivalent, in a land
30 surveying program approved by the board is considered the equivalent
31 of four years of experience;

32 (B) Satisfactory completion of each year of a land surveying
33 program may be considered the equivalent of one year of experience at
34 the discretion of the board;

35 (C) An undergraduate degree in a nonland surveying program may be
36 considered the equivalent of land surveying experience at the
37 discretion of the board;

38 (D) No more than four years of experience will be granted for
39 undergraduate education; and

1 (E) Experience may also be granted for teaching and postgraduate
2 education as further defined by, and at the discretion of, the board.

3 (4) ENGINEER-IN-TRAINING. An applicant who has completed four
4 years of experience of the type outlined in subsection (1)(b) of this
5 section and has received a passing score on a board-approved
6 examination on the fundamentals of engineering may apply for an
7 engineer-in-training certificate from the board.

8 (5) LAND-SURVEYOR-IN-TRAINING. An applicant who has completed
9 four years of experience of the type outlined in subsection (3)(b) of
10 this section and has received a passing score on a board approved
11 examination on the fundamentals of land surveying may apply for a
12 land-surveyor-in-training certificate from the board.

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

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

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

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

36 All registration fees are nonrefundable. Should the board find an
37 applicant ineligible for registration, the registration fee shall be
38 retained as an application fee.

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

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

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

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

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

35 In case of engineer-in-training, the certificate shall state that
36 the applicant has successfully passed the examination in fundamental
37 engineering subjects required by the board and has been enrolled as
38 an "engineer-in-training." In case of land-surveyor-in-training, the
39 certificate shall state that the applicant has successfully passed

1 the examination in fundamental surveying subjects required by the
2 board and has been enrolled as a "land-surveyor-in-training." All
3 certificates of registration shall show the full name of the
4 registrant, shall have a serial number, and shall be signed by the
5 chair and the ~~((secretary of the board and by the))~~ director.

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

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

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

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

chapter shall fail to pay the renewal fee hereinabove provided for, within ninety days from the date when the same shall become due, the renewal fee shall be the current fee plus an amount equal to one year's fee.

~~(2) Beginning July 1, 2007, the))~~. If a completed application for renewal has not been received by the board by the date of expiration, postmarked before the date of expiration if mailed or transacted online before the date of expiration, the license is invalid.

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

Sec. 10. RCW 18.43.100 and 2023 c 274 s 1 are each amended to read as follows:

(1) The board may, upon application and the payment of a fee determined by the board, issue a certificate as a professional engineer or professional land surveyor to any person who holds a certificate of qualification of registration issued to the applicant following examination by proper authority, of any state or territory or possession of the United States, the District of Columbia, or of any foreign country, if: (a) The applicant meets all requirements of this chapter and the rules established by the board ~~((to qualify for such waiver))~~, and (b) the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country.

(2) The board shall waive the fundamentals examination for applicants who ~~((have passed the national council for examiners for engineering and surveying principles and practice examination, have met the experience and education requirements established by the board, and are in good standing with the licensing agency in a state, territory, possession, district, or foreign country))~~ meet the requirements as defined by the board in rule.

1 **Sec. 11.** RCW 18.43.130 and 2019 c 442 s 3 are each amended to
2 read as follows:

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

4 (1) The practice of any other legally recognized profession or
5 trade; ~~((or))~~

6 ~~((The practice of a person not a resident and having no
7 established place of business in this state, practicing or offering
8 to practice herein the profession of engineering or land surveying,
9 when such practice does not exceed in the aggregate more than thirty
10 days in any calendar year: PROVIDED, Such person has been determined
11 by the board to be legally qualified by registration to practice the
12 said profession in his or her own state or country in which the
13 requirements and qualifications for obtaining a certificate of
14 registration are not lower than those specified in this chapter. The
15 person shall request such a determination by completing an
16 application prescribed by the board and accompanied by a fee
17 determined by the board. Upon approval of the application, the board
18 shall issue a permit authorizing temporary practice; or~~

19 ~~(3) The practice of a person not a resident and having no
20 established place of business in this state, or who has recently
21 become a resident thereof, practicing or offering to practice herein
22 for more than thirty days in any calendar year the profession of
23 engineering or land surveying, if he or she shall have filed with the
24 board an application for a certificate of registration and shall have
25 paid the fee required by this chapter: PROVIDED, That such person is
26 legally qualified by registration to practice engineering or land
27 surveying in his or her own state or country in which the
28 requirements and qualifications of obtaining a certificate of
29 registration are not lower than those specified in this chapter. Such
30 practice shall continue only for such time as the board requires for
31 the consideration of the application for registration; or~~

32 ~~(4))~~ The work of an employee or a subordinate of a person
33 holding a certificate of registration under this chapter, or an
34 employee of a person practicing lawfully under provisions of this
35 section: PROVIDED, That such work does not include final design or
36 decisions and is done under the direct responsibility, checking, and
37 supervision of a person holding a certificate of registration under
38 this chapter or a person practicing lawfully under the provisions of
39 this section; ~~((or~~

1 ~~(5))~~ (3) The work of a person rendering engineering or land
2 surveying services to a corporation, as an employee of such
3 corporation, when such services are rendered in carrying on the
4 general business of the corporation and such general business does
5 not consist, either wholly or in part, of the rendering of
6 engineering services to the general public: PROVIDED, That such
7 corporation employs at least one person holding a certificate of
8 registration under this chapter or practicing lawfully under the
9 provisions of this chapter; (~~or~~

10 ~~(6))~~ (4) The practice of officers or employees of the government
11 of the United States while engaged within the state in the practice
12 of the profession of engineering or land surveying for the government
13 of the United States; (~~or~~

14 ~~(7))~~ (5) Nonresident engineers employed for the purpose of
15 making engineering examinations; (~~or~~

16 ~~(8))~~ (6)(a) The practice of engineering or land surveying, or
17 both, in this state by a corporation (~~or joint stock association~~):
18 PROVIDED, That

19 (~~(a))~~ (i) The corporation has filed with the board an
20 application for certificate of authorization upon a form to be
21 prescribed by the board and containing information required to enable
22 the board to determine whether such corporation is qualified in
23 accordance with this chapter to practice engineering or land
24 surveying, or both, in this state;

25 (~~(b))~~ (ii) For engineering, the corporation has filed with the
26 board a certified copy of a resolution of the board of directors of
27 the corporation that shall designate a person holding a certificate
28 of registration under this chapter as responsible for the practice of
29 engineering by the corporation in this state and shall provide that
30 full authority to make all final engineering decisions on behalf of
31 the corporation with respect to work performed by the corporation in
32 this state shall be granted and delegated by the board of directors
33 to the person so designated in the resolution. For land surveying,
34 the corporation has filed with the board a certified copy of a
35 resolution of the board of directors of the corporation which shall
36 designate a person holding a certificate of registration under this
37 chapter as responsible for the practice of land surveying by the
38 corporation in this state and shall provide full authority to make
39 all final land surveying decisions on behalf of the corporation with
40 respect to work performed by the corporation in this state be granted

1 and delegated by the board of directors to the person so designated
2 in the resolution. If a corporation offers both engineering and land
3 surveying services, the board of directors shall designate both a
4 licensed professional engineer and a licensed professional land
5 surveyor. If a person is licensed in both engineering and land
6 surveying, the person may be designated for both professions. The
7 resolution shall further state that the bylaws of the corporation
8 shall be amended to include the following provision: "The designated
9 professional engineer or professional land surveyor, respectively,
10 named in the resolution as being in responsible charge, or ~~((a))~~ a
11 professional engineer or professional land surveyor under the
12 designated professional engineer or professional land surveyor's
13 direct supervision, shall make all engineering or land surveying
14 decisions pertaining to engineering or land surveying activities in
15 the state of Washington." However, the filing of the resolution shall
16 not relieve the corporation of any responsibility or liability
17 imposed upon it by law or by contract;

18 ~~((e))~~ (iii) If there is a change in the designated professional
19 engineer or professional designated land surveyor, the corporation
20 shall notify the board in writing within ~~((thirty))~~ 30 days after the
21 effective date of the change. If the corporation changes its name,
22 the corporation shall submit a copy of its amended certificate of
23 authority or amended certificate of incorporation as filed with the
24 secretary of state within ~~((thirty))~~ 30 days of the filing;

25 ~~((d))~~ (iv) Upon the filing with the board the application for
26 certificate for authorization, certified copy of resolution and an
27 affidavit, and the designation of a designated professional engineer
28 or designated professional land surveyor, or both, specified in
29 ~~((b))~~ (a)(ii) of this subsection, the board shall issue to the
30 corporation a certificate of authorization to practice engineering or
31 land surveying, or both, in this state upon a determination by the
32 board that:

33 ~~((i))~~ (A) The designated professional engineer or designated
34 professional land surveyor, or both, hold a certificate of
35 registration in this state in accordance with this chapter and the
36 certificate is in force;

37 ~~((ii))~~ (B) The designated professional engineer or designated
38 professional land surveyor, or both, are not designated in
39 responsible charge for another corporation or a limited liability
40 company;

1 ~~((+iii+))~~ (C) The corporation is licensed with the secretary of
2 state and holds a current unified business identification number and
3 the board determines, based on evaluating the findings and
4 information in this section, that the applicant corporation possesses
5 the ability and competence to furnish engineering or land surveying
6 services, or both, in the public interest; and

7 ~~((+iv+))~~ (D) The corporation is registered with the department of
8 revenue pursuant to RCW 82.32.030.

9 (b) The board may exercise its discretion to take any of the
10 actions under RCW 18.235.110 or this chapter with respect to a
11 certificate of authorization issued to a corporation if the board
12 finds that any of the officers, directors, incorporators, or the
13 stockholders holding a majority of stock of such corporation has
14 engaged in unprofessional conduct as defined in RCW 18.43.105 or
15 18.235.130 or has been found personally responsible for
16 unprofessional conduct under ~~((+f+and+g+))~~ (d) and (e) of this
17 subsection.

18 ~~((+e+Engineers+or+))~~ (c) Professional engineers or professional
19 land surveyors organized as a professional service corporation under
20 chapter 18.100 RCW are exempt from applying for a certificate of
21 authorization under this chapter.

22 ~~((+f+))~~ (d) Any corporation authorized to practice engineering or
23 land surveying under this chapter, together with its directors and
24 officers for their own individual acts, are responsible to the same
25 degree as an individual registered professional engineer or
26 individual registered professional land surveyor, and must conduct
27 its business without unprofessional conduct in the practice of
28 engineering or the practice of land surveying as defined in this
29 chapter and RCW 18.235.130.

30 ~~((+g+))~~ (e) Any corporation that is certified under this chapter
31 is subject to the authority of the board as provided in RCW
32 18.43.035, 18.43.105, 18.43.110, 18.43.120, and chapter 18.235 RCW.

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

39 ~~((+i+))~~ (g) For each certificate of authorization issued under
40 this subsection ~~((+8+))~~ (6) there shall be paid an initial fee

determined by the board and an annual renewal fee determined by the board((~~-~~

~~(9))~~);

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

~~(10))~~; or

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

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

~~((b))~~ (ii) The limited liability company has filed with the board a certified copy of a resolution by the company manager or managers that shall designate a person holding a certificate of registration under this chapter as being responsible for the practice of engineering or land surveying, or both, by the limited liability company in this state and that the designated person has full authority to make all final engineering or land surveying decisions on behalf of the limited liability company with respect to work performed by the limited liability company in this state. The resolution shall further state that the limited liability company agreement shall be amended to include the following provision: "The designated professional engineer or professional land surveyor, respectively, named in the resolution as being in responsible charge, or ~~((an))~~ a professional engineer or professional land surveyor under the designated professional engineer or professional land surveyor's direct supervision, shall make all engineering or land surveying decisions pertaining to engineering or land surveying activities in the state of Washington." However, the filing of the resolution shall not relieve the limited liability company of responsibility or liability imposed upon it by law or by contract.

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

4 (B) The designated professional land surveyor for the limited
5 liability company must hold a current professional land surveyor
6 license issued by this state.

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

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

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

26 ~~((i))~~ (A) The designated professional engineer or designated
27 professional land surveyor, or both, hold a certificate of
28 registration in this state under this chapter and the certificate is
29 in force;

30 ~~((ii))~~ (B) The designated professional engineer or designated
31 professional land surveyor, or both, are not designated in
32 responsible charge for another limited liability company or a
33 corporation;

34 ~~((iii))~~ (C) The limited liability company is licensed with the
35 secretary of state and has a current unified business identification
36 number and that the board determines, based on evaluating the
37 findings and information under this subsection, that the applicant
38 limited liability company possesses the ability and competence to
39 furnish either or both engineering or land surveying services in the
40 public interest; and

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

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

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

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

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

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

33 ~~((i))~~ (g) For each certificate of authorization issued under
34 this subsection ~~((10))~~ (8) there shall be paid an initial fee
35 determined by the board and an annual renewal fee determined by the
36 board.

37 **Sec. 12.** RCW 18.43.150 and 2025 c 424 s 922 are each amended to
38 read as follows:

1 The board shall set fees at a level adequate to pay the costs of
2 administering this chapter. All fees collected under the provisions
3 of RCW 18.43.050, 18.43.060, 18.43.080, 18.43.100, and 18.43.130 and
4 fines collected under RCW 18.43.110 shall be paid into the
5 (~~(professional engineers')~~) board's account, which account is hereby
6 established in the state treasury to be used to carry out the
7 purposes and provisions of RCW 18.43.050, 18.43.060, 18.43.080,
8 18.43.100, 18.43.110, 18.43.120, 18.43.130, and all other duties
9 required for operation and enforcement of this chapter. During the
10 2013-2015, 2015-2017, and 2025-2027 fiscal biennia, the legislature
11 may transfer moneys from the (~~(professional engineers')~~) board's
12 account to the state general fund such amounts as reflect the excess
13 fund balance of the fund.

14 **Sec. 13.** RCW 18.43.170 and 1997 c 58 s 821 are each amended to
15 read as follows:

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

25 **Sec. 14.** RCW 18.43.200 and 2020 c 47 s 2 are each amended to
26 read as follows:

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

--- END ---