

Washington State Board of Registration for Professional Engineers & Land Surveyors

Board Meeting

June 23, 2022

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Board Meeting

Tab 1

Call to Order

- 1.1 Roll Call
- 1.2 Order of Agenda
- 1.3 Approval of April 21, 2022 Meeting Minutes
- 1.4 Review Correspondence & Communications
 - 1.4.1 Schwegel email regarding NCEES Traffic Engineering Licensing Exam
- 1.5 Public Comment Opportunity



STATE OF WASHINGTON

BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**Regular Board Meeting Agenda**

DATE & TIME: June 23, 2022 8:00 a.m.

LOCATION: Spokane Convention Center
334 W Spokane Falls Blvd and or
Room 201ABC
Spokane, WA 99201

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ATTENTION: All meetings are open to the public except when business calls for a Closed Session. During Closed Session all guests will be excused. Start times are subject to change by the Board or Committee Chair.

OPEN SESSION**1. Call to Order**

- 1.1. Roll Call
- 1.2. Order of Agenda
- 1.3. Approval of April 21, 2022 Meeting Minutes
- 1.4. Review Correspondence & Communications
 - 1.4.1. Schwegel email regarding NCEES Traffic Engineering Licensing Exam
- 1.5. Public Comment Opportunity

EXECUTIVE SESSION: The chair will announce the purpose and estimated duration for Executive Session. No formal actions will be taken during Executive Session. Once Executive Session concludes, the Board will take a break to announce and invite visitors to Open Session.

OPEN SESSION RECONVENES**2. Disciplinary Action**

- 2.1. Disciplinary Report

3. Committee Reports

- 3.1. Executive Committee
- 3.2. Practice Committee
- 3.3. Exam Qualifications Committee
- 3.4. Survey Committee
- 3.5. Structural Committee
- 3.6. On-Site Committee

4. New Business

- 4.1. Proposed Language for RCW 18.43.100 (from EQC)
- 4.2. Proposed Language for RCW 18.43 (from PC)
- 4.3. Withdraw of Action Item and CR101 regarding charging for Additional Wall Certificates WAC 196-30 and WAC 196-26A
- 4.4. Approval of Concise Explanatory Statement & Filing of CR103 for WAC 196-12 (from EQC)
- 4.5. Officer Elections

5. Director's Report

- 5.1. Financial Report
- 5.2. Agency Operations
- 5.3. Other Items
 - 5.3.1. Alliance for Responsible Professional Licensing (ARPL) – Universal License Request
 - 5.3.2. Communication & Outreach Project Report

6. Assistant Attorney General's Report

7. Other Business

- 7.1. Additional Public Comment
- 7.2. Upcoming Outreach and Events
- 7.3. Action Items from This Meeting
- 7.4. Agenda Items for Next Meeting

8. Adjourn Meeting



**STATE OF WASHINGTON
BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

SPECIAL BOARD MEETING MINUTES

DATE: April 21, 2022

TIME: 8:00 a.m.

LOCATION: 605 11th Ave SE - Suite 207, Olympia, WA and WebEx

ATTENDANCE:

Board Members

Marjorie Lund, PE, SE, Chair
 Doug Hendrickson, PE, Vice Chair
 Aaron Blaisdell, PLS
 Nirmala Gnanapragasam, Ph.D, PE
 Dave Peden, PE, SE
 Ivan VanDeWege, PE
 James Wengler, PLS, CFedS

Staff Members

Elizabeth Lagerberg, Advising AAG (WebEx)
 Ken Fuller, PE, Director
 Richard Larson, PLS, Deputy Director
 Carmena Moretti, Executive Assistant
 Shanan Gillespie, Regulatory Program Manager
 Jill Short, Investigations & Compliance Manager
 Vonna Cramer, Licensing Lead (WebEx)
 Mackenzie Wherrett, Licensing Specialist
 Nghiem Pham, Licensing Specialist (WebEx)

1. Call to Order at 8:00 a.m.

1.1. Roll Call

Ms. Lund, Board Chair, took roll call.

1.2. Order of Agenda

A motion was made by Mr. Blaisdell, and seconded by Mr. VanDeWege, to accept the agenda. Motion carried.

1.3. Approval of Meeting Minutes

A motion was made by Mr. Wengler, and seconded by Mr. Blaisdell, to accept the March 3, 2022 meeting minutes as written. Motion carried.

1.4. Review Correspondence & Communications

None provided.

1.5. Public Comment Opportunity

None provided.

Executive Session

Ms. Lund, Board Chair, announced that the Board would move into closed to consult with the board attorney, discuss matters related to enforcement and cases in current litigation. It was estimated Executive Session would last from 8:06 until 8:46 a.m. followed by a 10-minute break for meeting participants.

Open Session Reconvened – 8:24 a.m.**2. Disciplinary Action**

2.1. Recommended Case Closure

2020-10-1482-00ENG

Mr. Hendrickson recommended the case be closed.

A motion was made by Ms. Gnanapragasam, and seconded by Mr. Blaisdell, to accept the case manager's recommendation for closure. Motion carried. Mr. Hendrickson abstained.

2.2. Disciplinary Report

Ms. Short provided a summary of the Disciplinary Report that was included in the board packet.

3. Committee Reports

3.1. Executive Committee

Ms. Lund delivered the committee's report.

Discussion Topics

- Financial Report

Mr. Bitar gave an overview of the board's financial report. He reported the agency is in excellent financial condition. He stated that the agency is projected to end the biennium with about \$1.04 million in its operating account and is on track to underspend appropriation by about \$350k.

Mr. Bitar provided a brief overview of the state audit process. He stated that audits are performed by the State Auditor's Office and monies must be appropriated for the audit during the legislative session. State agencies get audited approximately every 4 years. The Board is not being audited this biennium but will probably be audited next biennium.

Mr. Bitar informed the committee that the quarterly invoices from DOL are similar each quarter, and in recent quarters the amount invoiced appears to go down.

Ms. Lund asked about whether insurance had covered the cost of the cyber incident, and how the board will report internal costs, such as employee overtime for payment. Ms. Lagerberg stated insurance covered legal, forensic, call center set-up and operation, and the notifications that were sent to affected individuals. However, it doesn't appear that internal costs, such as overtime, will be covered.

Ms. Lund also requested that Mr. Fuller work with Mr. Bitar on Tenant Insurance & Liability Insurance options and provide them to the committee at its June meeting.

- Director's Report Board/Agency operations

Mr. Fuller informed the committee that Greg Schieferstein has accepted the Communication Consultant 3 position and will officially begin on May 2, 2022. He will attend the April 20th workshop and be introduced to the Board.

Mr. Fuller informed the committee the previous office issues (wi-fi bandwidth, video equipment, etc.) have been resolved. He thanked staff for working with the various outside agencies/vendors to get it completed.

Mr. Fuller informed the committee that he is looking into salary “bumps” and promotions for staff within the next year.

- Review of Strategic Planning Items, workshop planning, communications consultant
The committee discussed the remaining strategic planning items on their list. They will remain informed about any deregulation through NCEES meetings, and other associations. They felt that the agency is moving forward with outreach and education with the hire of Greg. Measuring performance and measuring the licensing system functionality with stakeholder will be on hold until the on-line licensing system issues are resolved.

The committee discussed the workshop items, and Ms. Lund requested that staff have a practice session for the set-up of equipment prior to the workshop.

The communications consultant position was discussed during the Director’s report.

- Review of Western Zone issues for zone meeting
- The committee discussed the Western Zone meeting attendance (Doug Hendrickson, Aaron Blaisdell, Jim Wengler, Dave Peden, Ken Fuller), and the motion from the New Mexico board. No decisions were reached.

Strategic Planning Items

- Remain engaged and informed on deregulation
- Emphasis on outreach and education
- Measure performance and gain stakeholder feedback that is relevant and useful for improving our agency
- Measure the licensing system software functionality from stakeholders

Action Items

- The committee directed staff to start the rulemaking process to change WAC 196-26A Registered professional engineers and land surveyor fees and WAC 196-30 Fees for on-site wastewater treatment designers and inspectors, and to start work with Deloitte and DOL to update the online licensing system.

A motion was made by Mr. VanDeWege, and seconded by Mr. Wengler, to accept the Executive Committee report. Motion carried.

3.2. Practice Committee (PC)

Mr. Hendrickson delivered the committee’s report.

Complaint Summary:

Total Complaints Received	8
Engineering Complaints	7

Surveying Complaints	1
On-Site Designer Complaints	0
Total Administrative Closures	14
Engineering Closures	10
Surveying Closures	4
On-Site Designer Closures	0

Compliance Report:

Mr. Hendrickson reported there are currently 4 individuals on compliance monitoring (Richard Russum, PLS; Russell Bodge; Muhannad Attili, PE; and Ryan Hawkins). Mr. Russum, Mr. Attili, and Mr. Hawkins are in compliance with the terms of their board orders. Mr. Bodge is currently out of compliance with his board order. Mr. Bodge's license is still in suspended status.

Discussion and Action Items:

1. Staff will discuss with Prosecuting AAG about next steps for Mr. Bodge's noncompliance with his board order.
2. The PC reviewed the Concise Explanatory Statement (CES) to the comment received on proposed changes to WAC 196-23. The PC is recommending the Board accept the CES and direct staff to file the CR103.
3. The PC considered unlicensed practice as it relates to RCWs/WACs. At this time there was no recommendation for changes to any WACs to address unlicensed practice/direct supervision. The PC feels it may warrant further review following the Board's direction of RCW 18.43 updates.
4. The PC reviewed the Strategic Planning Goals. The AIA/PE Stamping and green book resolution is still under review by the AAG's office. The PC determined the direction on decoupling exam experience should be closed/removed. There are no current issues of Mobility of licensing for Federal employees/spouses.

Previous/Ongoing Action Items:

1. Assist the AGOs Office on responding to Engineer/Architect stamping issues.
2. Staff continues to search a viable database for questions/answers and is currently exploring SharePoint as an option.

A motion was made by Mr. Wengler, and seconded by Ms. Gnanapragasam, to accept the Practice Committee report with a friendly amendment that the PC would continue to monitor the direction of decoupling and mobility issues. Motion carried.

3.3. Exam Qualifications Committee (EQC)

Mr. VanDeWege delivered the committee's report.

Discussion Topics

- March 2022 PLS state exam cut score
 - Recommendation from Survey Committee to approve cut score 27/40

- March 2022 OS state exam cut score
 - Recommendation from On-Site Ad Hoc Committee to approve cut score 81/100
- FE exam equivalency form (Alternative Pathway form mockup)
 - Mockup form completed
 - To be discussed at the board workshop
- RCW 18.43.040 Registration requirements review
- WAC 196-12 review
 - Was completed last meeting, placed on agenda in error
- NM motion to NCEES WAC
 - To be discussed at the board workshop

A motion was made by Mr. Hendrickson, and seconded by Mr. Peden, to accept the Exam Qualifications Committee report. Motion carried.

3.4. Survey Committee

Mr. Blaisdell delivered the committee's report.

Discussion Topics

- Review and recommendation to EQC: March 2022 4-hour PLS exam results

The committee reviewed the exam result memo. The committee is proposing a cut score of 27/40 to the Exam Qualification Committee for recommendation to the Board. This would result in a 55% pass rate.

Mr. Blaisdell and Mr. Wengler requested staff send them exam candidate comments from the March 2022 exam.

The committee requested staff provide a report on the overall performance of exam questions by the June meeting.

LS exam SME report

Staff reported that they had recently met with the PLS SMEs and had set up meetings with individual exam module question teams. After a lengthy discussion, the committee directed staff to contact the SMEs, cancel the team meetings and try to find a date for a 1-2 day in-person meeting with all SMEs.

- Survey monument protection – email

Review of FYI email in packet.

- 02-14-2022 letter: Recording monument replacement

The committee reviewed a February 14th letter from Pat Beehler, PLS, DNR Public Land Survey Office regarding Recording monument replacement & encroachment. The letter stated that there are previous opinions from the SAB, AAG, and perhaps others on the questions posed in the letter. The committee agreed that the answer to Mr. Beehler's questions 1a-1c could be found as part of DNR's permit process. Mr. Beehler's question 2 could not be answered now. The committee felt that before it could be answered, the Survey Recording Act needs to define some terms.

After further discussion, it was decided to get Ms. Lagerberg's advice on whether the Board can or should respond, absent any previous opinions. Staff was directed to send Ms. Lagerberg the letter and get a response from her prior to the June meeting.

- Application evaluation guidelines review
 - Fundamentals of surveying
 - LS Principles & Practices – Comity in Surveying
 - Memorandum on LS education curriculum
 - NCEES Surveying education standard

The committee reviewed the application evaluation guidelines and provided staff with some edits. Staff will update the documents and send them out to the committee prior to the June meeting.

As a result of the document review, there was a discussion about the board approved survey programs (Clark College and Renton Technical College), and the survey programs at other colleges. There are programs in Bellingham and Yakima that have been looked at by the survey committee, but they have not been approved. The committee would like to have this as a topic item on future agendas.

Strategic Planning Items

- Determine the pathways to state specific PLS exam
- Work with DNR on the Survey Recording Act and associated WACs to determine our regulatory direction for "intelligent interpretation" and other items.

The committee did not review the strategic planning items due to time constraints.

Action Item:

- Staff to send Mr. Blaisdell and Mr. Wengler exam candidate comments from the March 2022 exam.
- Staff to provide a report on the overall performance of exam questions by the June meeting.
- Staff to contact the PLS exam SMEs try to find a date for a 1-2 day in-person meeting in June.
- Staff was directed to send Ms. Lagerberg Mr. Beehler's letter, ask whether the Board can or should respond, absent any previous opinions and get a response from her prior to the June meeting.
- Staff to update the application evaluation guideline docs and send them out to the committee prior to the June meeting.

3.5. Structural Committee

Mr. Peden delivered the committee's report.

Application Review

- Before deciding on the application for SE licensure, the committee directed staff to request applicant provide additional information:
 1. Updated experience of projects completed over the last 6 years.
 2. A new verifier.
 3. Detail a total of the 10 years of progressive experience required to apply for SE endorsement.

Discussion Topic

NCEES proposed computer-based testing for structural exam and turning it into a four-component exam due to conflicts with Pearson VUE exam location hours.

3.6. On-Site Committee

Ms. Gnanapragasam delivered the committee's report.

Discussion Topics

- On-Site Cut score
 - Recommendation to EQC for cut score acceptance
 - Cut score: 81/100
- On-Site Mentoring Program requirements/processes (In RCW?)
 - Discussion tabled until June
- Report out WOSSA meeting
 - Committee members Bob Suggs, Ric Wilkerson & Bill Creveling reported concerns over the one-year requirement for Inspectors to obtain a year prior to taking the exam due to smaller health districts may not having a certified certificate competency holder on staff.
- Inspector verification form
 - Create new inspector experience form based of Ric Wilkerson's edits
 - Updated Designer experience form adding language for direction for those inspectors who are applying for designer licensure
 - Update WAC
- WAC 196-32
 - Updating language

Action Items

- Designer & Inspector pass/fail & reexam statistics over the last 5 years (Ms. Cramer)
- Create new Inspector form (Staff with Ms. Gnanapragasam)
- Update Designer form to add language for inspectors who are applying for designer licensure (Staff)
- WAC 196-32 language (Ms. Gillespie & Ms. Gnanapragasam) to committee for final review. Want stakeholder meeting beforehand to work out language. June is goal.
- Committee members to provide 3 – 5 ideas on the mentoring program for June meeting.

4. New Business

4.1. Rule Making - Concise Explanatory Statement and Filing of the CR103 for WAC 196-23 (from PC)

The Board discussed a proposed rule changes and filing of the CR103 which would make the changes effective at the end of May.

Changes to current rule language provides clarification to land surveyor licensees of what final documents need stamped and removes the requirement of preparing a report each time an engineer reviews a document prepared by another engineer and may lessen the cost to the licensees.

There are two amendments to Chapter 196-23 WAC Stamping and seals:

1. An amendment to WAC 196-23-020(1) which currently contains a list of “final documents” which must contain the seal/stamp under that section. Added to that list is “land descriptions as defined in WAC 332-130-020.”
2. An amendment to WAC 196-23-020(5) to add the language “if required” to clarify that an engineer need not always prepare a report after reviewing another engineer’s work. Whether or not to prepare a report is left to the discretion of the engineer and/or their employer.

A motion was made by Mr. Wengler, and seconded by Mr. Blaisdell, to approve the rule changes and have staff file the CR103. Motion carried.

4.2. Rulemaking – WAC 196-12 Filing of CR102 (from EQC)

Ms. Gillespie explained that a CR102 had been filed and then stakeholder comments were received regarding the exam equivalency language in the license requirement section and the EQC decided the Principle and Practice examination must be administered by NCEES.

A motion was made by Mr. Blaisdell, and seconded by Mr. VanDeWege, to approve the proposed changes to WAC 196-12 with the revision to strike “or its equivalent” in WAC 196-12-014(2)(b)(iv) and for staff to file the CR102. Motion carried.

4.3. RCW 18.43 Actions from Special Work Session

Direction to EQC regarding FE Waiver & RCW 18.43

The board supports having a process to create an exam equivalency for the FE for foreign applicants that are currently licensed outside of Washington State. This would require a WAC change.

The direction from the Board is for the EQC to identify language, requirements, and process necessary to implement a FE waiver for out-of-state applicants that are currently licensed by another jurisdiction outside of the State of Washington and to consider the effect that this process may have on Land Surveyors. This would require an RCW change.

Direction to PC regarding RCW 18.43

General Clean Up

- Clarify that application fees are non-refundable. (RCW 18.43.050)
- Clarify renewal dates (RCW 18.43.080)

Increase allowable pro tem members of the board from 2 to 3 (RCW 18.43.033)

Change board member requirements to being licensed under 18.43 *or* 18.210 – to include the possibility of an On-Site pro tem board member. (RCW 18.43.030)

Clarify the definition and title of Professional Engineer throughout the RCW and to identify and, if appropriate, incorporate a list of titles regulated by BRPELS in applicable WACs using the 'CA language' as an example.

A motion was made by Ms. Gnanapragasam, and seconded by Mr. Hendrickson, to accept the guidance and direction to the ECQ and PC committees based on the outcomes from the April 20th Special Work Session. Motion carried.

4.4. PLS State Exam Cut Scores (from EQC)

A motion was made by Mr. Blaisdell, and seconded by Mr. Wengler, to approve the Exam Qualifications Committee recommendation of a cut score of 27/40 for the April 2022 State Specific PLS Exam. Motion carried.

4.5. On-Site Wastewater State Exam Cut Scores (from EQC)

A motion was made by Mr. Hendrickson, and seconded by Ms. Gnanapragasam, to approve the Exam Qualifications Committee recommendation of a cut score of 81/100 for the April 2022 State Specific On-Site Exam. Motion carried.

4.6. NCEES Western Zone Interim Meeting Votes/Voting Directions

The Board discussed proposed model law from New Mexico and the candidates for Western Zone Vice President.

A motion was made by Mr. VanDeWege, and seconded by Ms. Gnanapragasam, to give the attending delegates the authority to vote on behalf of the Board. Motion carried.

4.7. NCEES Annual Meeting – Funded Delegates

The Board identified Ms. Lund, Mr. Blaisdell, and Mr. Hendrickson as the three funded delegates and Mr. Peden as a funded first-time attendee for the NCEES Annual Meeting in Carlsbad, CA on August 23-26, 2022. The Board may also choose to send other board members at its expense. Mr. Larson will be attending as the Member Board Administration on behalf of Mr. Fuller and Ms. Short will be attending as the Chair of NCEES' Law Enforcement committee.

4.8. Changes to Open Public Meetings Act (OPMA)

Ms. Lagerberg led a discussion on recent changes to the Open Public Meetings Act and agreed clarify and send additional information to board members and staff.

4.9. Communication & Outreach Budget Allocation

A motion was made by Mr. Hendrickson, and seconded by Mr. VanDeWege, to allocate an initial annual budget of \$75K to develop the communication and outreach program. Motion carried.

5. Director's Report

5.1. Financial Report

Mr. Fuller referred board members to Mr. Bitar's financial report and asked if there were any questions. A full synopsis was given in the Executive Committee report in agenda item 3.1.

5.2. Agency Operations

5.2.1. Staffing

Mr. Fuller informed the Board that Mr. Larson is working on potential promotions for BRPELS' licensing staff.

Greg Schieferstein was hired for the CC3 position and will start on May 1st. He was introduced to board members at yesterday's Special Work Session.

Governor Inslee signed a budget with funds for salary increases for state employees.

Mr. Fuller stated he's working on getting a performance process set up and that he's particularly interested finding personal developments opportunities for staff, including involving board members.

5.2.2. In-person future meetings

The next board meeting will be held Thursday, June 23rd in Spokane. The committees will meet virtually beforehand and have shorter one-hour in person meetings on Wednesday, June 22nd.

Due to NCEES annual meeting travel and busy schedules, the board meeting on Thursday, August 11th will be held in SeaTac and later in the day to allow for same day travel.

5.3. Other Items

Mr. Fuller stated that the agency is currently applying for Cyber Security insurance that's paid for by an appropriation through legislation. He is also looking into renter's and liability insurance for the office.

Ms. Lund appointed Mr. VanDeWege and Mr. Blaisdell to be the nominating committee for officer elections and the next board meeting.

6. Assistant Attorney General's Report

Ms. Lagerberg notified the Board that there still hasn't been a decision on the Tappel case and that she's currently working on the response to the DNR letter. She's also been working with Mr. Fuller on streamlining the complaint process and options for handling smaller violations without issuing statement of charges.

Mr. Blaisdell asked if the Board's prosecuting attorney, currently Mr. Pitel, could come to a future meeting so board members can ask questions and discuss whether case manager recommendations are clear and concise enough and whether board orders are written in a way that holds up as they progress through the legal system. Ms. Lagerberg agreed to check with Mr. Pitel about providing training for the Board.

Mr. Wengler asked for an update on a Letter of Education template to encourage compliance without formal charges. Ms. Lagerberg stated that as long as sanctions aren't being issued, there shouldn't be a problem with telling someone what the Board sees as needing to improve.

Ms. Lagerberg asked Ms. Short to send a copy of the draft template so she can discuss with Mr. Pitel.

7. Other Business

7.1. Additional Public Comment

None Provided

7.2. Upcoming Outreach and Events

June 13th – PLS SME Meeting

7.3. Action Items from This Meeting

Board staff reviewed the Rolling Action Items List and added the following items from this meeting:

1. Ms. Lagerberg will clarify changes to OPMA and send information to board members and staff.
2. Ms. Lagerberg will check with Mr. Pitel regarding facilitating a training with the Board.
3. Ms. Short will send Ms. Lagerberg a template for a Letter of Education so she can discuss with Mr. Pitel.
4. Ms. Lagerberg will meet with Mr. Blaisdell and Mr. Wengler to discuss response to DNR letter.
5. Ms. Moretti will add an AGO category to the Action Item List.

7.4. Agenda Items for Next/Upcoming Meetings

1. Possible Training with Board's Prosecuting Attorney
2. Officer Elections

8. Adjourn Meeting

A motion was made by Mr. VanDeWege, and seconded by Mr. Wengler, to adjourn the meeting at 12:19 p.m. Motion carried.

Next Meeting: June 23, 2022 – Board Meeting – Spokane & WebEx

Respectfully submitted

Ken Fuller, PE, Director

From: David Schwegel <DSchwegel@phelpsengineering.net>
Sent: Monday, June 13, 2022 8:59 AM
To: Fuller, Ken (BRPELS) <Ken.Fuller@brpels.wa.gov>
Subject: Re: Shared Voicemail (BRPELS Engineers AA (BRPELS))

Thank you, Ken:

Ask of Washington State BRPELS:

Letter of Support to NCEES for a Traffic Licensing Exam

I will check the Washington State BRPELS Board Meeting schedule to find out when the next BRPELS Meeting takes place, and to determine how to get such an item on the agenda.

I'm following this same procedure with nine other states.

These potential states include the following:

1. Arizona
2. California
3. Colorado
4. Florida
5. Massachusetts
6. Nevada
7. New York
8. Oregon
9. Texas

For each Board, I will explain what an NCEES Licensing Exam in Traffic Engineering would mean for them.

For Washington, it would mean an increase of professionals, who have specialized in Traffic Engineering throughout their careers, who otherwise are "barred" from the "Professional Engineers Table", to address the following "Grand Challenges":

1. Cascadia High-Speed Ground Transportation System (>= 250 mph) (likely Magnetic Levitation) (Eugene OR - Portland OR - Olympia WA - Tacoma WA - Seattle/Bellevue WA - Everett WA - Bellingham WA - Surrey BC - Vancouver BC) for \$42 billion, carrying the passenger equivalent of a 12-lane freeway with airports at either end and generating \$355 billion in economic returns vs. \$108 billion just to add one northbound and one southbound freeway lane along that same Cascadia Innovation Corridor that would only fill up with traffic once built: Do not be discouraged by California's "Colossal Failure" to get their High-Speed Rail System "up and running" by 2020, as the "root cause" of California's "colossal

failure” is California’s “two-tiered” licensing system where “Supervising Civil Engineering Egos” squelching “Sound Traffic Engineering Judgment” is “Business as Usual”. Washington needs to be aware of how California’s “two-tiered” licensing system is putting in jeopardy funding for major and “desperately needed” infrastructure projects in Washington per Former US Congressman Jeff Denham (R-Turlock, California) at a California High-Speed Rail Congressional Field Hearing in Sacramento in August 2018. Google “California Legislative Council for Professional Engineers” for more information on the California Board’s efforts to elevate the Title Acts to Regulated Practice that dates back to 2002 pursuant to a very comprehensive Institute of Social Research Study (ISR Study) out of California State University Sacramento (CSUS) and the ongoing “squelching” by the American Council of Engineering Companies (ACEC), American Society of Civil Engineers (ASCE), and the Professional Engineers in California Government (PECG). The ISR Study dated November 2002 concluded that all Title Acts in California must be upgraded to Regulated Practice. The California Board for Professional Engineers, Land Surveyors, and Geologists adopted the recommendations of the ISR Study immediately.

2. Seattle’s population (800,000, up from 750,000 just two years ago) is projected to surpass that of San Francisco (850,000 down from 893,000 just two years ago) soon. The population of the Greater Seattle/Tacoma Metropolitan area is larger than all but two of the consolidated metropolitan areas in California (Los Angeles, San Francisco). Seattle is regarded by many Traffic Engineering professionals as the most challenge city for Traffic Engineering in the nation (ahead of San Francisco and New York) due to the steep hills, large water bodies, and narrow transportation right of ways, along with the nation’s most comprehensive ferry system. Addressing Seattle’s severe traffic congestion challenges (by some measures, ranked worse than Los Angeles and San Francisco) entails top-notch traffic engineering innovations in lane management on roadways, making light rail work on a floating bridge even though it had never been done anywhere else in the world, and investing tens of billions of dollars at light rail and ultra high-speed ground transportation systems (verses hundreds of billions of dollars at roadway expansion and addition projects that will only “undo themselves” through “induced travel demand”).

Thank you.

David Schwegel
Washington PE License No. 40894
425-466-5677

Sent from my iPhone

Board Meeting

Tab 2

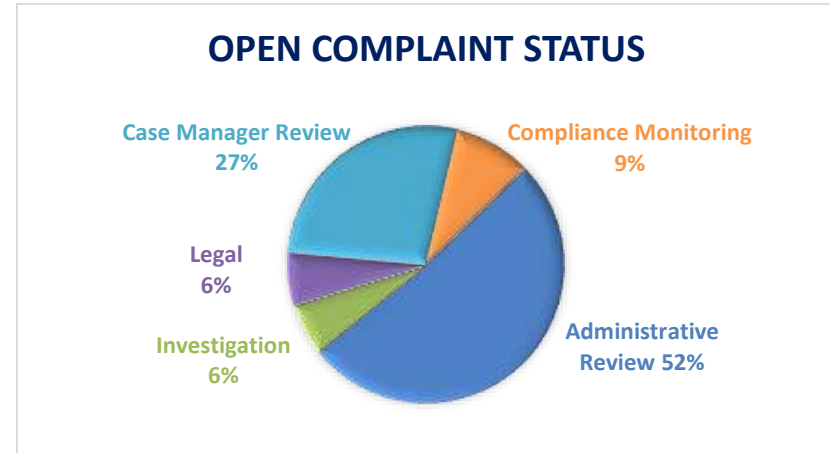
Disciplinary Activity

2.1 Disciplinary Report

Board of Registration for Professional Engineers Land Surveyors Disciplinary Report - June 2022

Open Case Status

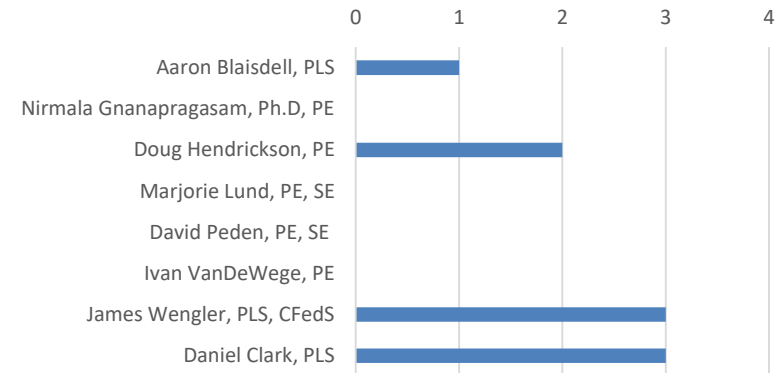
Status	Program Type			Total
	Engineers	Land Surveyors	OSW	
Administrative Review	10	7	0	17
Intake	0	0	0	0
Investigation	1	1	0	2
Legal	0	2	0	2
Case Manager Review	1	8	0	9
Compliance Monitoring	2	1	0	3
Total	14	19	0	33



Case Manager Review

Case Manager	Program Type		Total
	Engineers	Land Surveyors	
Aaron Blaisdell, PLS		1	1
Nirmala Gnanapragasam, Ph.D, PE	0	0	0
Doug Hendrickson, PE	2	0	2
Marjorie Lund, PE, SE	0	0	0
David Peden, PE, SE	0	0	0
Ivan VanDeWege, PE	0	0	0
James Wengler, PLS, CFedS	0	3	3
Daniel Clark, PLS	0	3	3
Total	2	7	9

Case Manager Open Complaints



Administrative Review

Board Staff	Engineers	Land Surveyors	OSW	Total
Ken Fuller, PE	10	0	0	10
Rich Larson, PLS	0	7	0	7
Total	10	7	0	17

Board Meeting

Tab 3

Committee Reports

- 3.1 Executive Committee
- 3.2 Practice Committee
- 3.3 Exam/Qualifications Committee
- 3.4 Survey Committee
- 3.5 Structural Committee
- 3.6 On-Site Committee

Board Meeting

Tab 4

New Business

- 4.1. Proposed Language for RCW 18.43.100 (from EQC)
- 4.2. Proposed Language for RCW 18.43 (from PC)
- 4.3. Withdraw of Action Item and CR101 regarding charging for Additional Wall Certificates WAC 196-30 and WAC 196-26A
- 4.4. Approval of Concise Explanatory Statement & Filing of CR103 for WAC 196-12 (from EQC)
- 4.5. Officer Elections

RCW 18.43.100**Registration of out-of-state applicants.**

The board may, upon application and the payment of a fee determined by the board, issue a certificate ~~without further examination~~ as a professional engineer or 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, provided: (1) That the applicant's qualifications meet the requirements of the chapter and the rules established by the board, ~~and~~ (2) the board may waive the fundamentals examination requirement if that the applicant has passed the NCEES principles and practice examination and has met the experience and education requirements established by the board in rule, and (3) that the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country.

RCW 18.43.010

General provisions.

In order to safeguard life, health, and property, and to promote the public welfare, any person in either public or private capacity practicing or offering to practice engineering or land surveying, shall hereafter ~~be required to submit evidence that he or she is qualified so to practice and shall be registered as hereinafter provided; and it shall be unlawful for any person to practice or to offer to practice in this state, engineering or land surveying, as defined in the provisions of this chapter, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description tending to convey the impression that he or she is a professional engineer or a land surveyor, unless such a person has been be~~ duly registered and meet the standards of practice as provided under the provisions of this chapter.

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New RCW 18.43.015

Use of Engineering and Surveying Titles

Only persons registered under the provisions of this chapter shall be entitled to take and use privileged titles in connection with ~~his or her~~their name or advertisement conveying registration as a professional engineer or land surveyor.

These privileged titles, or combination or abbreviations thereof, include the use of the titles "professional engineer," "licensed engineer," "registered engineer," "structural engineer," "professional land surveyor," "licensed land surveyor," "registered land surveyor," ~~a title that conveys authority over professional practice~~ and those branch titles of engineering under which the board has specifically registered an individual under the provisions of this chapter and in rule.

The terms "engineer" or "surveyor" when not used in association with a privileged title shall not be construed to represent the practice, or the offer to practice, engineering or land surveying under the provisions of this chapter.

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- Commented [GS(4R3)]: PC meeting 6/15/2022 – edit to include "licensed land surveyor"
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For Board discussion under "new business"

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RCW 18.43.020

Definitions.

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

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

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

(3) ~~"Engineer," as used in this chapter, means an individual qualified and registered to practice engineering professional engineer~~ as defined in this section.

(4) "Engineer-in-training" means a candidate who: (a) Has satisfied the experience requirements in RCW [18.43.040](#) for registration; (b) has successfully passed the examination in the fundamental engineering subjects; and (c) is enrolled by the board as an engineer-in-training.

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

(6) "Land surveyor," ~~as used in this chapter, means a-an individual qualified and registered to practice professional land surveyorsurveying as defined in this section.~~

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

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

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

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

(9) "Practice of land surveying" means assuming responsible charge of the surveying of land for the establishment of corners, lines, boundaries, and monuments, the laying out and subdivision of land, the defining and locating of corners, lines, boundaries, and monuments of land after they have been established, the survey of land areas for the purpose of determining the topography thereof, the making of topographical delineations and the preparing of maps and accurate records thereof, when the proper performance of such services requires technical knowledge and skill.

(10) "Professional engineer" means a person who, by reason of his or her special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and

practical experience, is qualified to practice engineering as defined in this section, as attested by his or her legal registration as a professional engineer.

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

(12) "Significant structures" include:

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

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

Essential facilities are defined as:

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

(ii) Fire and police stations;

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

(iv) Emergency vehicle shelters and garages;

(v) Structures and equipment in emergency preparedness centers;

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

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

(viii) Aviation control towers, air traffic control centers, and 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.

RCW 18.43.030

Board of registration—Members—Terms—Qualifications—

Compensation and travel expenses.

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A state board of registration for professional engineers and 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, t~~he 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 section, 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 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 five years immediately preceding his or her appointment.

Each member of the board shall be compensated in accordance with RCW [43.03.240](#) and, in addition thereto, shall be reimbursed for travel expenses incurred in carrying out the provisions of this chapter in accordance with RCW [43.03.050](#) and [43.03.060](#).

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

RCW 18.43.033

Pro tem board members – Limits – Duties

Upon request of the board, ~~and with approval of the director, the board chair~~ shall appoint up to ~~two~~ three individuals to serve as pro tem members of the board. ~~The appointments are limited, as defined by the board chair, for the purpose of participating as a temporary member of the board on any combination of one or more committees or formal disciplinary hearing panels.~~ An appointed individual must ~~meet the same qualifications as a regular member of the board~~ be licensed under chapter 18.43 RCW or chapter 18.210 RCW. While serving as a board member pro tem, an appointed person has ~~all the powers, duties, and the~~ immunities of a regular member of the board

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and is entitled to the same compensation, including travel expenses, in accordance with RCW [18.43.030](#). A pro tem appointment may not last for more than one hundred eighty days unless approved by the director.

RCW [18.43.035](#)

Bylaws—Employees—Rules—Periodic reports and roster.

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

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

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

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

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

RCW [18.43.040](#)

Registration requirements.

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

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

(ii) Graduation in an approved engineering curriculum of four years or more from a school or college approved by the board ~~as of satisfactory standing~~ shall be considered equivalent to four years of such required experience. The satisfactory completion of each year of such an approved engineering course without graduation shall be considered as equivalent to a year of such required experience. Graduation in a curriculum other than engineering from a school or college approved by the board shall be considered as ~~equivalent up~~ to two years of such required experience. However, no applicant shall receive credit for more than four years of experience because of

undergraduate educational qualifications. The board may, at its discretion, give credit as experience not in excess of one year, for satisfactory postgraduate study in engineering.

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

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

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

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

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

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

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

(ii) Graduation from a school or college approved by the board as of satisfactory standing, including the completion of an approved course in surveying, shall be

considered equivalent to four years of the required experience. Postgraduate college courses approved by the board shall be considered for up to one additional year of the required experience.

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

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

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

(2) No person shall be eligible for registration as a professional engineer, engineer-in-training, professional land surveyor, or land-surveyor-in-training, who is not of good character and reputation.

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

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

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

RCW [18.43.050](#)

Application—Registration fees.

Application for registration shall be on forms prescribed by the board and furnished by the director, ~~shall contain statements made under oath~~, showing the applicant's education and detail summary of his or her technical work and shall contain

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verification of the technical work from professional engineers [and/or professional land surveyors](#) that supervised the applicant's technical work and have personal knowledge of the applicant's engineering [and/or land surveying](#) experience.

The registration fee for professional engineers shall be determined by the board, which shall accompany the application and shall include the cost of [examination application processing](#) and issuance of certificate. The fee for engineer-in-training shall be determined by the board, which shall accompany the application and shall include the cost of [examination application processing](#) and issuance of certificate.

The registration fee for professional land surveyors shall be determined by the board, which shall accompany the application and shall include the cost of [application processing examination](#) and issuance of certificate. The fee for land-surveyor-in-training shall be determined by the board, which shall accompany the application and shall include the cost of [application processing examination](#) and issuance of certificate.

[All registration fees are non-refundable.](#) Should the board find an applicant ineligible for registration, the registration fee shall be retained as an application fee.

RCW [18.43.060](#)

Examinations.

When oral or written examinations are required, they shall be held at such time and place as the board shall determine. If examinations are required on fundamental engineering subjects (such as ordinarily given in college curricula) the applicant shall be permitted to take this part of the professional examination prior to his or her completion of the requisite years of experience in engineering work. The board shall issue to each applicant upon successfully passing the examination in fundamental engineering subjects a certificate stating that the applicant has passed the examination in fundamental engineering subjects and that his or her name has been recorded as an engineer-in-training.

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

RCW [18.43.070](#)

Certificates and seals.

The board shall issue a certificate of registration upon payment of a registration fee as provided for in this chapter, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter. In case of a registered engineer,

the certificate shall authorize the practice of "professional engineering" and specify the branch or branches in which specialized, and in case of a registered land surveyor, the certificate shall authorize the practice of "land surveying."

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

The issuance of a certificate of registration by the board shall be prima facie evidence that the person named therein is entitled to all the rights ~~and~~ privileges ~~and~~ titles of a ~~registered~~ professional engineer or a ~~registered professional~~ land surveyor, ~~as registered under the provisions of this chapter~~, while the said certificate remains unrevoked and unexpired.

Each registrant hereunder shall upon registration obtain a seal of the design authorized by the board, bearing the registrant's name and the legend "registered professional engineer," ~~or~~ "registered ~~professional~~ land surveyor," "~~structural engineer,~~" ~~or "licensed designer." in accord with 18.210.400 RCW.~~ Plans, specifications, plats, and reports prepared by the registrant shall be signed, dated, and stamped with said seal or facsimile thereof. Such signature and stamping shall constitute a certification by the registrant that the same was prepared by or under his or her direct supervision and that to his or her knowledge and belief the same was prepared in accordance with the requirements of the statute. It shall be unlawful for anyone to stamp or seal any document with said seal or facsimile thereof after the certificate of registrant named thereon has expired or been revoked, unless said certificate shall have been renewed or reissued.

RCW 18.43.075

Retired status certificate.

The board may adopt rules under this section authorizing a retired status certificate. An individual certificated under this chapter who has reached the age of sixty-five years and has retired from the active practice of engineering and land surveying may, upon application and at the discretion of the board, be exempted from payment of annual renewal fees thereafter.

RCW 18.43.080

Expiration and renewals of certificates—Fees—Continuing professional development.

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(1) Certificates of registration, and certificates of authorization ~~and renewals thereof, shall expire on the last day of the month of December following their issuance or renewal and shall become invalid on that date unless renewed~~ issued under this chapter are valid for a period of time as established by the board. It shall be the duty of the board to notify every person, firm, or corporation registered under this chapter of the date of the expiration of his or her certificate and the amount of the renewal. ~~fee that shall be required for its renewal for one year. Such notice shall be mailed at least thirty days before the end of December of each year. Renewal may be effected during the month of December by the payment of a fee determined by the board.~~ In case any professional engineer and/or land surveyor registered under this chapter ~~shall fail~~ fails to pay the renewal fee ~~hereinabove provided for,~~ within ninety days ~~following the expiration date, 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 board may not renew a certificate of registration for a land surveyor unless the registrant verifies to the board that he or she has completed at least fifteen 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.~~

RCW 18.43.100

Registration of out-of-state applicants.

The board may, upon application and the payment of a fee determined by the board, issue a certificate without further examination as a professional engineer or 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, provided: (1) That the applicant's qualifications meet the requirements of the chapter and the rules established by the board, and (2) that the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country.

RCW 18.43.105

Disciplinary action—Prohibited conduct, acts, conditions.

In addition to the unprofessional conduct described in RCW 18.235.130, the board may take disciplinary action for the following conduct, acts, or conditions:

- (1) Offering to pay, paying or accepting, either directly or indirectly, any substantial gift, bribe, or other consideration to influence the award of professional work;
- (2) Being willfully untruthful or deceptive in any professional report, statement or testimony;

- (3) Attempting to injure falsely or maliciously, directly or indirectly, the professional reputation, prospects or business of anyone;
- (4) Failure to state separately or to charge separately for professional engineering services or land surveying where other services or work are also being performed in connection with the engineering services;
- (5) Violation of any provisions of this chapter;
- (6) Conflict of interest—Having a financial interest in bidding for or performance of a contract to supply labor or materials for or to construct a project for which employed or retained as an engineer except with the consent of the client or employer after disclosure of such facts; or allowing an interest in any business to affect a decision regarding engineering work for which retained, employed, or called upon to perform;
- (7) Nondisclosure—Failure to promptly disclose to a client or employer any interest in a business which may compete with or affect the business of the client or employer;
- (8) Unfair competition—Reducing a fee quoted for prospective employment or retainer as an engineer after being informed of the fee quoted by another engineer for the same employment or retainer;
- (9) Improper advertising—Soliciting retainer or employment by advertisement which is undignified, self-laudatory, false or misleading, or which makes or invites comparison between the advertiser and other engineers;
- (10) Committing any other act, or failing to act, which act or failure are customarily regarded as being contrary to the accepted professional conduct or standard generally expected of those practicing professional engineering or land surveying.

RCW 18.43.110

Discipline of registrant—Board's power—Unprofessional conduct—Reissuance of certificate of registration.

The board shall have the exclusive power to discipline the registrant and sanction the certificate of registration of any registrant.

Any person may file a complaint alleging unprofessional conduct, as set out in RCW 18.43.105, against any registrant. The complaint shall be in writing and shall be sworn to in writing by the person making the allegation. A registrant against whom a complaint was made must be immediately informed of such complaint by the board.

The board, for reasons it deems sufficient, may reissue a certificate of registration to any person whose certificate has been revoked or suspended, providing a majority of the board vote in favor of such issuance. A new certificate of registration to replace any certificate revoked, lost, destroyed, or mutilated may be issued, subject to the rules of the board, and a charge determined by the board shall be made for such issuance.

In addition to the imposition of disciplinary action under RCW [18.235.110](#) and [18.43.105](#), the board may refer violations of this chapter to the appropriate prosecuting attorney for charges under RCW [18.43.120](#).

RCW [18.43.120](#)

Violations and penalties.

Any person who shall practice, or offer to practice, engineering or land surveying in this state without being registered in accordance with the provisions of the chapter, or any person presenting or attempting to use as his or her own the certificate of registration or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of registration, or any person who shall falsely impersonate any other registrant, or any person who shall attempt to use the expired or revoked certificate of registration, or any person who shall violate any of the provisions of this chapter shall be guilty of a gross misdemeanor.

It shall be the duty of all officers of the state or any political subdivision thereof, to enforce the provisions of this chapter. The attorney general shall act as legal adviser of the board, and render such legal assistance as may be necessary in carrying out the provisions of this chapter.

RCW [18.43.130](#)

Excepted services—Fees.

This chapter shall not be construed to prevent or affect:

- (1) The practice of any other legally recognized profession or trade; or
- (2) The practice of a person not a resident and having no established place of business in this state, practicing or offering to practice herein the profession of engineering or land surveying, when such practice does not exceed in the aggregate more than thirty days in any calendar year: PROVIDED, Such person has been determined by the board to be legally qualified by registration to practice the said profession in his or her own state or country in which the requirements and qualifications for obtaining a certificate of registration are not lower than those specified in this chapter. The person shall request such a determination by completing an application prescribed by the board and accompanied by a fee determined by the board. Upon approval of the application, the board shall issue a permit authorizing temporary practice; or
- (3) The practice of a person not a resident and having no established place of business in this state, or who has recently become a resident thereof, practicing or offering to practice herein for more than thirty days in any calendar year the profession of engineering or land surveying, if he or she shall have filed with the board an application for a certificate of registration and shall have paid the fee required by this

chapter: PROVIDED, That such person is legally qualified by registration to practice engineering or land surveying in his or her own state or country in which the requirements and qualifications of obtaining a certificate of registration are not lower than those specified in this chapter. Such practice shall continue only for such time as the board requires for the consideration of the application for registration; or

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

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

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

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

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

(a) The corporation 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 such corporation is qualified in accordance with this chapter to practice engineering or land surveying, or both, in this state;

(b) For engineering, the corporation has filed with the board a certified copy of a resolution of the board of directors of the corporation that shall designate a person holding a certificate of registration under this chapter as responsible for the practice of engineering by the corporation in this state and shall provide that full authority to make all final engineering decisions on behalf of the corporation with respect to work performed by the corporation in this state shall be granted and delegated by the board of directors to the person so designated in the resolution. For land surveying, the corporation has filed with the board a certified copy of a resolution of the board of directors of the corporation which shall designate a person holding a certificate of registration under this chapter as responsible for the practice of land surveying by the

corporation in this state and shall provide full authority to make all final land surveying decisions on behalf of the corporation with respect to work performed by the corporation in this state be granted and delegated by the board of directors to the person so designated in the resolution. If a corporation offers both engineering and land surveying services, the board of directors shall designate both a licensed engineer and a licensed land surveyor. If a person is licensed in both engineering and land surveying, the person may be designated for both professions. The resolution shall further state that the bylaws of the corporation shall be amended to include the following provision:

"The designated engineer or land surveyor, respectively, named in the resolution as being in responsible charge, or an engineer or land surveyor under the designated engineer or 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 corporation of any responsibility or liability imposed upon it by law or by contract;

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

(d) Upon the filing with the board the application for certificate for authorization, certified copy of resolution and an affidavit, and the designation of a designated engineer or designated land surveyor, or both, specified in (b) of this subsection, the board shall issue to the corporation a certificate of authorization to practice engineering or land surveying, or both, in this state upon a determination by the board that:

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

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

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

(iv) The corporation is registered with the department of revenue pursuant to RCW [82.32.030](#).

The board may exercise its discretion to take any of the actions under RCW [18.235.110](#) or this chapter with respect to a certificate of authorization issued to a corporation if the board finds that any of the officers, directors, incorporators, or the stockholders holding a majority of stock of such corporation has engaged in

unprofessional conduct as defined in RCW [18.43.105](#) or [18.235.130](#) or has been found personally responsible for unprofessional conduct under (f) and (g) of this subsection.

(e) ~~Engineers-Professional engineers~~ or [professional](#) land surveyors organized as a professional service corporation under chapter [18.100](#) RCW are exempt from applying for a certificate of authorization under this chapter.

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

(g) Any corporation that is certified under this chapter is subject to the authority of the board as provided in RCW [18.43.035](#), [18.43.105](#), [18.43.110](#), [18.43.120](#), and chapter [18.235](#) RCW.

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

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

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

(a) 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) 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 engineer or land surveyor, respectively, named in the resolution as being in responsible charge, or an engineer or land surveyor under the designated engineer or 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.

(c) The designated engineer for the limited liability company must hold a current professional engineer license issued by this state.

The designated land surveyor for the limited liability company must hold a current professional land surveyor license issued by this state.

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

If there is a change in the designated engineer or designated land surveyor, the limited liability company shall notify the board in writing within thirty days after the effective date of the change. If the limited liability company changes its name, the company shall submit to the board a copy of the certificate of amendment filed with the secretary of state's office.

(d) Upon the filing with the board the application for certificate of authorization, a certified copy of the resolution, and an affidavit from the designated engineer or the designated land surveyor, or both, specified in (b) and (c) of this subsection, the board shall issue to the limited liability company a certificate of authorization to practice engineering or land surveying, or both, in this state upon determination by the board that:

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

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

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

(iv) The limited liability company is registered with the department of revenue pursuant to RCW [82.32.030](#).

The board may exercise its discretion to take any of the actions under RCW [18.235.110](#) and [18.43.105](#) with respect to a certificate of authorization issued to a limited liability company if the board finds that any of the managers or members holding

a majority interest in the limited liability company has engaged in unprofessional conduct as defined in RCW [18.43.105](#) or [18.235.130](#) or has been found personally responsible for unprofessional conduct under the provisions of (f) and (g) of this subsection.

(e) ~~Profession e~~Engineers or [professional](#) land surveyors organized as a professional limited liability company are exempt from applying for a certificate of authorization under this chapter.

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

(g) A limited liability company that is certified under this chapter is subject to the authority of the board as provided in RCW [18.43.035](#), [18.43.105](#), [18.43.110](#), [18.43.120](#), and chapter [18.235](#) RCW.

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

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

RCW [18.43.150](#)

Fees—Duty of board to set—Disposition.

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

RCW [18.43.170](#)

**Registration suspension—Noncompliance with support order—
Reissuance.**

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

RCW [18.43.180](#)

Uniform regulation of business and professions act.

The uniform regulation of business and professions act, chapter [18.235](#) RCW, governs unlicensed practice, the issuance and denial of licenses, and the discipline of licensees under this chapter.

RCW [18.43.190](#)

Military training or experience.

An applicant with military training or experience satisfies the training or experience requirements of this chapter unless the board determines that the military training or experience is not substantially equivalent to the standards of this state.

RCW [18.43.200](#)

Agreement with department of licensing.

The department of licensing, through an interagency agreement with the board, ~~must~~ provide specified technical services to the board. ~~The initial interagency agreement must be for a term of three years and may be renewed by mutual agreement between the department of licensing and the board.~~

Commented [GS(13)]: 6/15/22 – PC removed last sentence.

RCW [18.43.900](#)

Short title.

This chapter shall be known and may be cited as the "Professional Engineers' Registration Act"

Board Meeting

Tab 5

Director's Report

- 5.1 Financial Report
- 5.2 Agency Operations
- 5.3 Other Items
 - 5.3.1 Alliance for Responsible Professional Licensing (ARPL) – Universal License Request
 - 5.3.2 Communication & Outreach Project Report

From: Bitar, Paul (DES) <paul.bitar@des.wa.gov>
Sent: Tuesday, May 31, 2022 3:49 PM
To: Fuller, Ken (BRPELS) <Ken.Fuller@brpels.wa.gov>
Cc: Moretti, Carmena (BRPELS) <Carmena.Moretti@brpels.wa.gov>
Subject: April 2022 Financial Status

Hi Ken,

I have attached BORPELS' April 2022 financial status and projection reports. The information in the reports shows that **BORPELS is in excellent financial condition**. At this time, I project the agency will end the biennium with about \$1.33 million in its operating account. Additionally, the agency is on track to underspend its appropriation by \$452k.

REVENUE

April 2022 licensing revenue was very strong; the agency generated \$165k in revenue during the month. Total fund 024 revenue this biennium (period of July 2021 – April 2022) was \$1.76 million. This is about 8% more than the revenue generated during the same period last biennium. Due to the fact that revenue has continued to exceed expectations each month, I increased total projected revenue for the biennium by 5%.

EXPENSES

Most expenses this biennium have been lower than planned. Attorney General (ATG) expenses have been considerably lower, so I reduced the projection for ATG expenses by 25%.

The projection does not take into account the possible purchase of BORPELS' office space, but I will add this cost if the agency moves forward with the purchase.

Let me know if you have any questions.

Thanks,

Paul Bitar

Senior Financial Consultant
Small Agency Financial Services
Washington State Department of Enterprise Services
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**Board of Registration for Professional Engineers and Land Surveyors
Biennium 21-23 Projections
Fund 024 - Operating Account**

Revenue Category	Biennium 21-23	Actual	Projected														Projected	Projected
	Revenue Allotments	Revenues through FM10 Apr-2022	FM 11	FM 12	FM 13	FM 14	FM 15	FM 16	FM 17	FM 18	FM 19	FM 20	FM 21	FM 22	FM 23	FM 24	Revenue Total	Variance
			May-2022	Jun-2022	Jul-2022	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023		
Licenses and Fees	3,900,000	1,756,242	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	4,095,000	195,000
Fines, Forfeits and Seizures		500															500	500
Recov of Prior Expend Authority Expendit		122															122	122
Cash Over and Short		489															489	489
Total Revenue	3,900,000	1,757,353	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	167,054	4,096,111	196,111

Expenses Category	Biennium 21-23	Actual	Projected														Projected	Projected
	Expense Allotments	Expenses through FM10 Apr-2022	FM 11	FM 12	FM 13	FM 14	FM 15	FM 16	FM 17	FM 18	FM 19	FM 20	FM 21	FM 22	FM 23	FM 24	Expenditure Total	Variance
			May-2022	Jun-2022	Jul-2022	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023		
Salaries and Wages	1,454,529	537,138	57,945	57,945	59,781	59,781	59,781	59,781	59,781	59,781	59,781	59,781	59,963	59,963	59,963	59,963	1,371,129	83,400
Employee Benefits	511,755	173,388	18,883	18,883	20,629	20,629	20,629	20,629	20,629	20,629	20,629	20,629	20,660	20,660	20,660	20,660	458,826	52,929
Goods and Other Services	2,049,716	587,783	68,617	222,601	66,617	62,866	62,866	65,581	62,866	62,866	65,581	62,866	65,581	62,866	137,866		1,720,292	329,424
Travel	126,000	10,538	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997		94,500	31,500
Capital Outlays	48,000	77,224	0	0	0	0	0	0	0	0	0	0	0	0	16,000		93,224	(45,224)
Sum:	4,190,000	1,386,071	151,442	305,426	153,025	149,274	149,274	151,989	149,274	149,274	151,989	149,274	149,486	152,201	149,486	240,486	3,737,971	452,029

Operating Transfers	Biennium 21-23	Actual	Projected														Projected	Projected
	Operating Transfers	Operating transfers through FM10 Apr-2022	FM 11	FM 12	FM 13	FM 14	FM 15	FM 16	FM 17	FM 18	FM 19	FM 20	FM 21	FM 22	FM 23	FM 24	Op. Trans. Total	Variance
			May-2022	Jun-2022	Jul-2022	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023		
Operating Transfer In		30,131															30,131	(30,131)
Total Net Operating Transfers	0	30,131	0	0	0	0	0	0	0	0	0	0	0	0	0	0	30,131	(30,131)

Fund Balance Projection	Biennium 21-23	Actual	Projected														Projected	Projected	
	Rev Allotments - Exp Allotments	Rev - Exp through FM10 Apr-2022	FM 11	FM 12	FM 13	FM 14	FM 15	FM 16	FM 17	FM 18	FM 19	FM 20	FM 21	FM 22	FM 23	FM 24	end of BI 21-23	Variance	
			May-2022	Jun-2022	Jul-2022	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023			
Net Income (Loss)	BI 21-23 Beginning Balance	(290,000)	401,413	15,612	(138,372)	14,029	17,780	17,780	15,065	17,780	17,780	15,065	17,780	17,568	14,853	17,568	(73,432)	388,270	678,270
\$	939,391	649,391	1,340,804	1,356,416	1,218,043	1,232,073	1,249,853	1,267,634	1,282,699	1,300,479	1,318,260	1,333,325	1,351,106	1,368,673	1,383,526	1,401,094	1,327,661	1,327,661	<-- Ending Fund Balance (projected)

Expenses Detail Category	Biennium 21-23 Expense Allotments	Actual Expenses through FM10 Apr-2022	Projected														Projected	Projected		
			FM 11	FM 12	FM 13	FM 14	FM 15	FM 16	FM 17	FM 18	FM 19	FM 20	FM 21	FM 22	FM 23	FM 24	Expenditure Total	Variance		
			May-2022	Jun-2022	Jul-2022	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023				
Salaries and Wages	1,454,529	537,138	57,945	57,945	59,781	59,781	59,781	59,781	59,781	59,781	59,781	59,781	59,781	59,781	59,963	59,963	59,963	59,963	1,371,129	83,400
A Salaries and Wages	96,000	0																	0	96,000
AA State Classified	1,077,925	414,925	45,667	45,667	47,151	47,151	47,151	47,151	47,151	47,151	47,151	47,151	47,151	47,333	47,333	47,333	47,333	47,333	1,072,800	5,125
AC State Exempt	267,792	108,333	10,833	10,833	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	11,185	264,220	3,572
AE State Special	12,812	5,300	587	587	587	587	587	587	587	587	587	587	587	587	587	587	587	587	13,518	(706)
AU Overtime and Call-Back	8,579	858	858	858	858	858	858	858	858	858	858	858	858	858	858	858	858	858	20,591	(20,591)
Employee Benefits	511,755	173,388.48	18,883	18,883	20,629	20,629	20,629	20,629	20,629	20,629	20,629	20,629	20,629	20,660	20,660	20,660	20,660	20,660	458,826	52,929
B Employee Benefits	45,600	0																	0	45,600
BA Old Age and Survivors Insurance	84,217	32,162	3,539	3,539	3,539	3,539	3,539	3,539	3,539	3,539	3,539	3,539	3,539	3,550	3,550	3,550	3,550	3,550	81,752	2,465
BB Retirement and Pensions	137,937	54,514	5,791	5,791	5,791	5,791	5,791	5,791	5,791	5,791	5,791	5,791	5,791	5,809	5,809	5,809	5,809	5,809	135,660	2,277
BC Medical Aid & Industrial Insurance	8,193	2,987	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	301	7,201	992
BD Health, Life & Disability Insurance	216,108	74,880	8,424	8,424	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	10,170	213,768	2,340
BH Hospital Insurance (Medicare)	19,700	7,522	828	828	828	828	828	828	828	828	828	828	828	830	830	830	830	830	19,122	578
BK Paid Family and Medical Leave		(6)																	(6)	6
BV Shared Leave Provided Annual Leave		1,305																	1,305	(1,305)
BZ Other Employee Benefits		25																	25	(25)
Goods and Other Services	2,049,716	587,783	68,617	222,601	66,617	62,866	62,866	65,581	62,866	62,866	65,581	62,866	62,866	65,581	62,866	65,581	62,866	137,866	1,720,292	329,424
E Goods and Other Services	130,800	0																	0	130,800
EA Supplies and Materials	24,000	6,055	500	500	500	500	500	500	500	500	500	500	500	500	500	500	500	500	13,055	10,945
EB Communications/Telecommunications	19,200	7,443	840	840	840	840	840	840	840	840	840	840	840	840	840	840	840	840	19,200	0
EC Utilities	1,200	0																	0	1,200
ED Rentals and Leases - Land & Buildings	72,000	21,828	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	2,183	52,390	19,610
EE Repairs, Alterations & Maintenance	24,000	24,578	614	614	614	614	614	614	614	614	614	614	614	614	614	614	614	614	33,181	(9,181)
EF Printing and Reproduction	12,000	8,147	815	815	815	815	815	815	815	815	815	815	815	815	815	815	815	815	19,553	(7,553)
EG Employee Prof Dev & Training	24,000	9,315	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	1,049	24,000	0
EH Rental & Leases - Furn & Equipment	12,000	4,637	526	526	526	526	526	526	526	526	526	526	526	526	526	526	526	526	12,000	0
EJ Subscriptions	2,400	0	171	171	171	171	171	171	171	171	171	171	171	171	171	171	171	171	2,400	0
EK Facilities and Services	120,000	47,351	5,239	4,275	4,376	4,340	4,340	4,340	4,340	4,340	4,340	4,340	4,340	4,340	4,340	4,340	4,340	4,340	108,981	11,019
EL Data Processing Services (Interagency)	288,000	23,575	11,611	11,611	13,661	11,611	11,611	13,661	11,611	11,611	13,661	11,611	11,611	13,661	11,611	11,611	11,611	11,611	194,329	93,671
EM Attorney General Services	360,000	111,205	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	11,343	270,000	90,000
EN Personnel Services	26,400	14,574	1,371	1,371	1,587	1,371	1,371	1,587	1,371	1,371	1,587	1,371	1,371	1,587	1,371	1,371	1,371	1,371	34,632	(8,232)
EP Insurance	3,884	1,802	78	78	1,078	78	78	78	78	78	78	78	78	78	78	78	78	78	3,894	(10)
ER Other Contractual Services	471,000	98,538	11,000	166,000	11,397	11,000	11,000	11,397	11,000	11,000	11,397	11,000	11,000	11,397	11,000	86,000			484,126	(13,126)
EW Archives & Records Management Svcs	432	156	52		52			52			52			52					416	16
EY Software Licenses and Maintenance	456,000	208,874	21,033	21,033	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	16,233	445,736	10,264
EZ Other Goods and Services	2,400	(295)	192	192	192	192	192	192	192	192	192	192	192	192	192	192	192	192	2,400	0

Expenses Detail Category	Biennium 21-23		Projected															Projected		
	Expense Allotments	Actual Expenses through FM10 Apr-2022	Projected															Expenditure Total	Variance	
			FM 11 May-2022	FM 12 Jun-2022	FM 13 Jul-2022	FM 14 Aug-2022	FM 15 Sep-2022	FM 16 Oct-2022	FM 17 Nov-2022	FM 18 Dec-2022	FM 19 Jan-2023	FM 20 Feb-2023	FM 21 Mar-2023	FM 22 Apr-2023	FM 23 May-2023	FM 24 Jun-2023				
Travel	126,000	10,538	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	5,997	94,500	31,500	
GA In-State Subsistence & Lodging	36,000	3,694	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	1,665	27,000	9,000	
GB In-State Air Transportation	16,800	2,642	711	711	711	711	711	711	711	711	711	711	711	711	711	711	711	12,600	4,200	
GC Private Automobile Mileage	36,000	1,973	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	1,788	27,000	9,000	
GD Other Travel Expenses	16,800	455	868	868	868	868	868	868	868	868	868	868	868	868	868	868	868	12,600	4,200	
GF Out-Of-State Subsistence & Lodging	7,200	965	317	317	317	317	317	317	317	317	317	317	317	317	317	317	317	5,400	1,800	
GG Out-Of-State Air Transportation	7,200	683	337	337	337	337	337	337	337	337	337	337	337	337	337	337	337	5,400	1,800	
GN Motor Pool Services	6,000	126	312	312	312	312	312	312	312	312	312	312	312	312	312	312	312	4,500	1,500	
Capital Outlays	48,000	77,224	0	0	0	0	0	0	0	0	0	0	0	0	0	0	16,000	93,224	(45,224)	
JA Noncapitalized Assets	24,000	77,224																16,000	93,224	(69,224)
JB Noncapitalized Software	24,000	0																0	24,000	
Total Dollars	4,190,000	1,386,071	151,442	305,426	153,025	149,274	149,274	151,989	149,274	149,274	151,989	149,274	149,486	152,201	149,486	240,486	3,737,971	452,029		

From: Joshua Twitty <jtwitty@ncees.org>
Sent: Thursday, June 16, 2022 10:04 AM
To: Fuller, Ken (BRPELS) <Ken.Fuller@brpels.wa.gov>
Subject: Re: Updates form ARPL for our Board meeting

I have attached a link for our most recent ARPL activities (Particularly in LA) :
<http://www.responsiblelicensing.org/news/>

I am also working on a document that can highlight our ARPL/NCEES efforts this past session and I can give you a breakdown of how we fared against threats to licensure.

Josh Twitty
Advocacy and External Engagement Strategist

NCEES
T: x-5295
ncees.org

From: Fuller, Ken (BRPELS) <Ken.Fuller@brpels.wa.gov>
Date: Thursday, June 16, 2022 at 12:43 PM
To: Joshua Twitty <jtwitty@ncees.org>
Subject: Updates form ARPL for our Board meeting

Hi Joshua,

I would like to add an update form the ARPL and NCEES regarding threats to licensure to our upcoming board meeting. Is there a quick link to this somewhere, I apologize for not knowing how to find this myself. Thank you

Ken Fuller, PE
Director
541.647.7265

NEWS

LOUISIANA VOTERS CONCERNED ABOUT ANTI-LICENSING EFFORT

Louisiana Voters Concerned About Anti-Licensing Effort

New Survey Finds Strong Bipartisan Support for Maintaining Rigorous Professional Licensing Standards

BATON ROUGE – The [Alliance for Responsible Professional Licensing](#) (ARPL) today [announced the results](#) of a survey of Louisiana voters showing they are deeply concerned about anti-licensing proposals being discussed in Baton Rouge during this legislative session. The results also showed widespread public support for maintaining rigorous professional licensing standards for professions that have a clear impact on public health, safety, and welfare.

“An overwhelming, bipartisan majority of Louisiana voters want to protect rigorous professional licensure because it is the best way to safeguard the public’s physical and financial well-being,” said **Ron Gitz, Executive Director of the Society of Louisiana CPAs**. “Lawmakers in Baton Rouge may wish to consider the views of their constituents as they look at lessening professional licensing requirements.”

The bills look to lessen state licensing requirements for professions and occupations in Louisiana. Some bill provisions would mandate that licensing can only be required after public harm has occurred. They would also do away with minimum qualifications for professionals hired to construct public buildings, bridges, financial systems, and other public infrastructures. Proposals also encourage individuals to file lawsuits if they believe there are too many requirements to practice an occupation or profession.

The survey yielded these findings of Louisianans’ views on the role and value of licensing:

- **91%** of Louisiana voters believe it is important that licensing systems keep consumers and the public safe by establishing standards for professions that impact public health and safety.
- **91%** of Louisiana voters believe it is important that licensing systems ensure that competent, qualified professionals are servicing the public.
- **90%** of Louisiana voters say licensing is important to them because it helps consumers identify qualified professionals and access information about the professionals they hire.
- **89%** of Louisiana voters would be “concerned” if Louisiana eliminated minimum qualifications for engineers, architects, landscape architects, surveyors, and CPAs – including 77% of the public who would be “very concerned” if such legislation passed.

The survey also found significant concern on the part of voters about the downstream effects of weakening or eliminating licensing:

- **Two-thirds of voters** (65 percent) oppose legislation filed in Louisiana that would eliminate professional licensing requirements – and the public assurances they provide – and would mandate that licensing can only be required after public harm has occurred in Louisiana.
- **A majority of voters** (54 percent) say it is a “bad idea” to encourage individuals to file lawsuits if they believe there are too many requirements to practice an occupation or profession, which is exactly what the proposed legislation would do.
- **A majority of voters** (55 percent) believe that eliminating licensing would make it harder for Louisiana businesses to know if their employees are qualified, putting them at greater risk and liability for bad work performed by unqualified employees.
- **Two-thirds of voters** (64 percent) believe that eliminating minimum qualifications assured through licensing would put consumers at greater risk of harm from unqualified practitioners in Louisiana.

“Louisiana voters recognize that rigorous professional licensure is the most effective way to protect the public’s overall health, safety, and welfare,” said **David Cox, CEO of the National Council of Examiners for Engineering and Surveying (NCEES)**. “The ideas being talked about in Baton Rouge will harm Louisiana businesses and erode consumer confidence in professions with high public impact. Allowing a flood of confusing, costly new lawsuits is a poor substitute for smart, established professional licensure. Voters understand this and are wary when they hear about such proposals.”

Access the survey’s key findings and executive summary [here](#).

Background:

ARPL is a unique coalition that brings together professional organizations and their licensing boards at a time when there is significant concern over the appropriate level of licensing required by law. The coalition was formed to ensure their voices are heard by policymakers and the public amid the growing debate around licensing. You can learn more about the Alliance and the importance of professional licensing at www.responsiblelicensing.org.

ARPL members include the American Institute of Certified Public Accountants (AICPA), American Society of Civil Engineers (ASCE), the American Society of Landscape Architects (ASLA), the Council of Landscape Architectural Registration Boards (CLARB), National Association of State Boards of Accountancy (NASBA), National Council of Architectural Registration Boards (NCARB), National Society of Professional Engineers (NSPE) and National Council of Examiners for Engineering and Surveying (NCEES).

Advantage, Inc. surveyed 600 Louisiana voters from March 23 to March 28, 2022

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For ARPL media inquiries, please contact Joe Sangiorgio by email at jsangiorgio@craftdc.com or by phone at 1-202-550-2709

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 Alliance for Responsible Professional Licensing

Communication & Outreach Report

6-23-22

Greg Schieferstein

Currently working

- PEAR

Pro-Equity Anti-Racism, or PEAR, is a state initiative and mandate from Governor Inslee, executive order 22-04, to reduce disparities and improve outcomes across state government. That brought creation of the Washington State Office of Equity. Each state agency, big and small, has been asked to form a PEAR group, to help identify and improve *inclusion, diversity* and *equity*. We are forming a PEAR group with Director Ken Fuller, Assistant Director Rich Larson, Communications Manager Greg Schieferstein, Licensing Specialist Mackenzie Wherrett and City of Tacoma Diversity Policy Analyst & Engineering Instructor, Raeshawna Ware. The State encourages smaller agencies to partner with others, so we're joining the Accountancy Board's group. A baseline report is due to the state by September 1st.

- Colleges & Universities

We are working on Outreach and Education with colleges and universities in the state, to educate them on the importance of licensing, for professional engineers, surveyors and on-site wastewater designers. We have compiled a list of all schools, with contact information. We'll work next on an outline of material and plan for visits.

- International Student Assistance

Special focus on connecting with international students, interested in engineering and STEM classes. We are connecting with several programs for international students, to better educate applicants on the importance of licensure.

- Legislative Outreach

The 2023 Legislative session begins Monday, January 9th. In the coming months, we will do an outreach to each senator and representative, encouraging them to contact us with questions, regarding law changes with our agency. We plan both a direct mail postcard and email with our contact information.

- Stakeholders

We are updating a stakeholder list for input, communication and coordination of rule and law changes, with direct mail and email, encouraging them to come directly to us, with questions or comments.

Upcoming Projects

- Website

We are moving ahead with a basic upgrade and later overhaul of our agency's web page, as we have outgrown its functionality and look. First phase, we'll fix some basic problems with our site. Later, we'll conduct an audit, for what works well and what does not. We will use a web designer to aid in visual design, branding, organization, navigation, content, mobile compatibility and interactivity.

- Social media

We plan in the future to use facebook, Twitter and other social media platforms to reach differing groups, who may be less likely to engage in postal, web or email messaging. This is also an opportunity to reach a younger demographic, on the advantages of licensure, what is required, etc. These posts can also be cross posted with the website, for news and information.

- Video/photos

The use of video and photos will enhance our messaging and engagement on web and social. We're working to identify projects that could help support a new webpage and other platforms. This could include videos and pictures supporting the agency, on the web, social, email and print.

Completed items

- PEAR – orientation sessions attended, team assembled and meetings planned
- List complete of Colleges/Universities; including contact info
- Legislative contact list complete; next designing postcard and email

Board Meeting

Tab 6

Assistant Attorney General's Report

Board Meeting

Tab 7

Other Business

- 7.1 Additional Public Comment
- 7.2 Upcoming Outreach and Events
- 7.3 Action Items from this Meeting
- 7.4 Agenda Items for Next Meeting

2022 BRPELS EVENT CALENDAR

January						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

February						
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27	28					

March						
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27	28	29	30	31		
31						

April						
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May						
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29	30	31				

June						
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July						
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August						
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September						
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October						
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30	31					

November						
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27	28	29	30			

December						
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

NCEES	
Western Zone Annual Meeting	Annual Meeting
May 19 - 21 State Line, NV	August 23 - 26 Carlsbad, CA

LSAW
Annual Conference
March 2 - 4 Vancouver, WA

2022 Pacific Northwest ASCE Student Conference
April TBD

Committee & Board Meetings
WA State Specific Exams
NCEES SE Exams
State Holidays

Board of Registration for Professional Engineers and Land Surveyors

Action Item List

Executive Committee

Date Assigned	Action Item	Assigned To	Status
4/12/22	Start the rulemaking process to change WAC 196-26A Registered professional engineers and land surveyor fees and WAC 196-30 Fees for on-site wastewater treatment designers and inspectors, and to start work with Deloitte and DOL to update the online licensing system. At June 15th committee meeting staff requested this be removed as an action item.	Staff	Pending Withdraw
6/15/22	Staff work with Paul Bitar to look at ways to reduce the fund balance.	Mr. Fuller Mr. Larson Ms. Gillespie Mr. Bitar	Pending
6/15/22	Contact NCEES and request motion EPP 12 be taken off the consent agenda	Mr. Fuller	Pending

Exam Qualifications Committee (EQC)

Date Assigned	Action Item	Assigned To	Status
2/17/21	Research options for the Law Review and State Specific exams to be administered through an alternate platform.	Ms. Cramer	In Progress
10/21/21	Review WAC 196-16 and 196-34 and consider adding language to address the issue of reporting PDHs when a newly licensed surveyor is audited within a year of obtaining their license.	Committee	In Progress
12/9/21	Provide documentation to the committee on the mobility agreements (IEA etc.) and Canada licensing process.	Ms. Cramer	Complete

Practice Committee (PC)

Date Assigned	Action Item	Assigned To	Status
2/17/21	Research options for housing a database of FAQs	Staff	In Progress
10/21/21	Review RCW 18.43 and determine next steps to address outcomes from recent litigation concerning the use of the word engineer and the practice of engineering.	Committee	In Progress

Structural Committee

Date Assigned	Action Item	Assigned To	Status
12/9/20	Provide information regarding the SE applications that do not follow normal licensing path for February EQC and SE committee meetings.	Ms. Cramer	In Progress
2/16/21	Provide the number of SE applicants by comity, and the number of applicants with SE exam only at next meeting.	Ms. Cramer	In Progress

Board of Registration for Professional Engineers and Land Surveyors

Action Item List

Survey Committee

Date Assigned	Action Item	Assigned To	Status
10/15/20	Meet with DNR regarding issues affecting the investigation process.	Mr. Wengler Mr. Blaisdell Mr. Larson	In Progress
4/21/21	Provide a summary of what has worked and what hasn't worked during the last few state specific exams, e.g. COVID-19 impacts, security of exams, and grading. Due before the SME meeting in June/July.	Staff	In Progress
12/9/21	Send LS exam question performance report to Mr. Blaisdell and Mr. Wengler for their review.	Staff	In Progress

On-Site Committee

Date Assigned	Action Item	Assigned To	Status
4/12/22	Compile OS Designer & Inspector pass/fail & reexam statistics over the last 5 years.	Ms. Cramer	In Progress
4/12/22	Create new OS Inspector form.	Staff Ms. Gnanapragasam	In Progress
4/12/22	Update OS Designer form – add language for inspectors who are applying for designer licensure.	Staff	In Progress
4/12/22	Hold stakeholder meeting and draft WAC 196-32 language for final committee review.	Ms. Gillespie Ms. Gnanapragasam Mr. Fuller	In Progress
4/12/22	Provide 3 – 5 ideas on the mentoring program for June meeting	Committee Members	In Progress

Board Staff

Date Assigned	Action Item	Assigned To	Status
12/12/19	Write Communication Action Plan for board review.	Mr. Fuller Mr. Schieferstein	In Progress
8/12/21	Prepare a presentation on potential changes to the state specific exams considering NCEES' EPS Committee moving forward with exam modules.	Mr. Fuller Mr. Blaisdell	In Progress
8/12/21	Check with DOL regarding limiting applicant/licenseses' ability to change name in Polaris.	Ms. Cramer	In Progress
3/3/22	Develop a Letter of Education and BAP alternative to present to the Board.	Mr. Fuller	In Progress

Board of Registration for Professional Engineers and Land Surveyors

Action Item List

AGO

Date Assigned	Action Item	Assigned To	Status
4/21/22	Check with Mr. Pitel regarding facilitating a training with the Board.	Ms. Lagerberg	In Progress
4/21/22	Ms. Short will send Ms. Lagerberg the template for a Letter of Education so she can discuss with Mr. Pitel.	Ms. Lagerberg Ms. Short	In Progress
4/21/22	Meet with Mr. Blaisdell and Mr. Wengler regarding response to DNR letter.	Ms. Lagerberg	In Progress
6/15/22	Work with staff and Mr. Pitel to review "Standard of Care" in the industry to outline an objective process of what errors or how many errors may trigger moving forward with formal investigation/statement of charges for presentation at August board meeting.	Ms. Lagerberg Ms. Short Mr. Fuller	Pending
6/15/22	Mr. Fuller and Ms. Lagerberg to provide a response regarding NCEES Annual Meeting motion EPP 12 for the Board to consider at the August Board meeting.	Ms. Lagerberg Mr. Fuller	Pending

Board Meeting

Tab 8

Adjourn Meeting