



**Special Board Meeting**  
**December 12, 2024**  
**Addendum to Board Packet**

The Special Board Meeting agenda and other meeting materials can be found on the [BRPELS' website](#).



STATE OF WASHINGTON  
**BOARD OF REGISTRATION FOR PROFESSIONAL  
ENGINEERS AND LAND SURVEYORS**  
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**Washington Administrative Code  
Notice of Permanent Rules for WAC 196-09, 196-23,  
196-33-400, 196-34-115**

The Administrative Procedure Act (RCW 34.05.325(6)) requires agencies to complete a concise explanatory statement before filing adopted rules with the Code Reviser's Office. This statement must be provided to anyone who gave comments about the proposed rulemaking.

The Board received a petition for expedited rulemaking to update pronouns in various WACs. A CR105 (Expedited Rulemaking form) was filed, and parties notified. Objections to the use of expedited rulemaking and amending the language were received. A CR102 (Proposed Rulemaking form) was filed and a public hearing was held on November 20, 2024.

**Adoption of:** WAC 196-09 Board practices and procedures.  
WAC 196-23 Stamping and seals.  
WAC 196-33-400 Seals and stamps.  
WAC 196-34-115 Qualifying activities.

**Effective date:** These rule changes will become effective 31 days after filing (approximately January 18, 2025).

**Summary of public comments received on this proposal and the agency's response to those comments:**

I disagree that this change is grammatically correct and believe it will create much confusion regarding who is professionally responsible for engineering work. As an example WAC 196-23-010 is clearly intended to address an individual's use of engineering seals and requires a specific individual to maintain control of his or her seal. To change this language to "they, them, themselves" implies there is more than just one individual who is responsible for maintaining control of seals, which is clearly not the intent of the board.

This amendment diminishes individual responsibility. "They" is easily confused with a group responsibility rather than an individual's responsibility. The law needs to be clear, and individuals have a right to be identified in the law.

The proposed language is confusing and entirely unnecessary. The language can certainly be revised to avoid confusing the singular with the plural if the board so chooses.

I recognize that BRPELS is attempting to mainstream the pronouns from he/she and her/him, but there are better ways to do so. The easiest of which is simply rewriting the sentences such that the pronouns are replaced with "the individual or entity" or "requestor" as appropriate.

**Response:**

Thank you for your participation in the rulemaking process. The Board has considered the comments received and has revised some of the proposed language. (See below).

**Comment:**

I am strongly in favor of updating the relevant WAC sections to eliminate binary language and provide professional inclusivity.

**Response:**

Thank you for your time and support of the proposal.

**Changes made to the proposed WAC because of public comment:**

WAC 196-23-010 & WAC 196-33-400. Sentence now reads "It is the responsibility of each licensee to maintain control over the use of their stamp/seal."

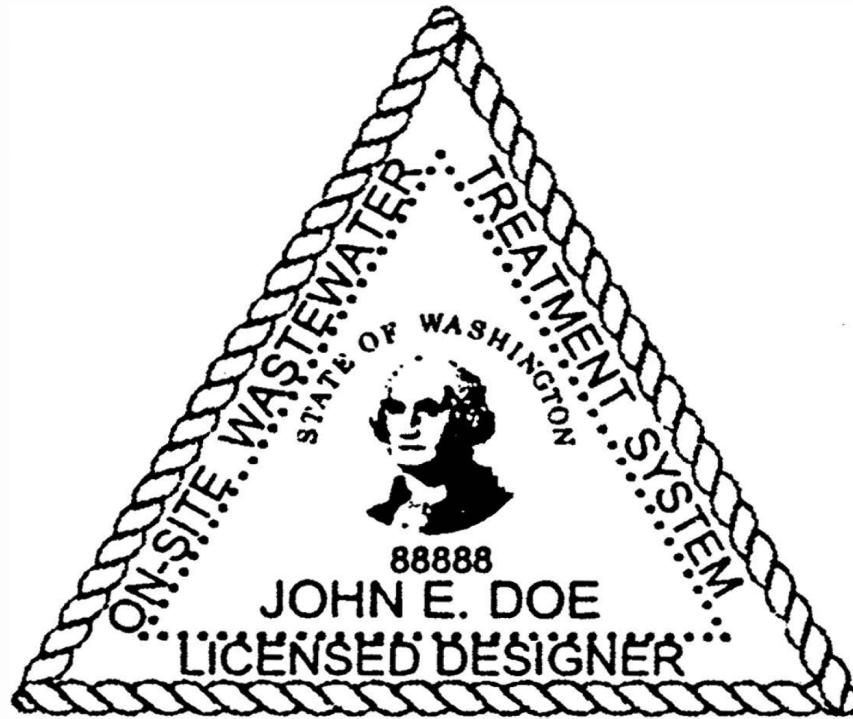
WAC 196-23-040 - Removed proposed "their." Now reads "when representing licensing credentials"

If you have any questions, please contact Shanan Gillespie, Board Rules Coordinator, at (360) 664-1570 or e-mail at [Shanan.Gillespie@brpels.wa.gov](mailto:Shanan.Gillespie@brpels.wa.gov).

AMENDATORY SECTION (Amending WSR 18-22-076, filed 11/2/18, effective 12/3/18)

**WAC 196-33-400 Seals and stamps.** All individuals licensed in accordance with chapter 18.210 RCW shall procure a seal/stamp that conforms to the design as authorized by the board. It is the responsibility of each licensee to maintain control over the use of (~~his/her~~) their stamp/seal. The impression or image of the seal/stamp shall conform to the below-illustrated design and be of a size that assures full legibility of the following required information:

- (1) State of Washington;
- (2) Licensed on-site wastewater treatment system designer;
- (3) License number;
- (4) Licensee's name as shown on license.



[Statutory Authority: RCW 18.43.035, 18.210.050, and 18.210.060. WSR 18-22-076, § 196-33-400, filed 11/2/18, effective 12/3/18. Statutory Authority: RCW 18.210.050, 18.210.060. WSR 01-11-102, § 196-33-400, filed 5/21/01, effective 6/21/01.]

AMENDATORY SECTION (Amending WSR 08-10-009, filed 4/24/08, effective 7/1/08)

**WAC 196-23-010 Seals.** All individuals licensed in accordance with chapter 18.43 RCW must utilize a seal/stamp that conforms to the design as authorized by the board. It is the responsibility of each licensee to maintain control over the use of (~~his/her~~) their stamp/seal. The impression or image of the seal/stamp must conform to the below-illustrated design and be of a size that assures full legibility of the following required information:

- (1) State of Washington;
- (2) Registered professional engineer or registered professional land surveyor;
- (3) Certificate number;
- (4) Licensee's name as shown on wall certificate.



[Statutory Authority: RCW 18.43.035. WSR 08-10-009, § 196-23-010,

filed 4/24/08, effective 7/1/08; WSR 06-22-036, § 196-23-010, filed

10/25/06, effective 11/25/06; WSR 99-15-058, § 196-23-010, filed 7/15/99, effective 8/15/99.]

AMENDATORY SECTION (Amending WSR 06-22-035, filed 10/25/06, effective 11/25/06)

**WAC 196-23-040 Use of the title S.E.** Only professional engineers who have completed the state of Washington's requirements for licensure in structural engineering are permitted to use the title of S.E. when representing (~~his or her~~) licensing credentials, as in, *James Smith, P.E., S.E.* Use of the title S.E. by any individual who is not licensed in structural engineering as provided in chapter 18.43 RCW, is subject to disciplinary action by the board in accordance with chapter 18.43 RCW and/or chapter 18.235 RCW.

[Statutory Authority: RCW 18.43.035. WSR 06-22-035, § 196-23-040, filed 10/25/06, effective 11/25/06.]