



Practice Committee Meeting February 12, 2025 | 2:45 p.m.

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Meeting ID: 261 803 212 230

Passcode: 5YH2xp3F

In person:

Radisson Hotel SeaTac

Orcas Room

18118 International Blvd

Seattle, WA 98188

Dial-in by phone

[+1 564-999-2000,,978230656#](#) United States,

Olympia

[\(833\) 322-1218,,978230656#](#) United States (Toll-free)

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Phone conference ID: 978 230 656#

Committee: Doug Hendrickson, PE, Chair
Aaron Blaisdell, PLS
Dave Peden, PE, SE

Support staff: Ken Fuller, PE, Director
Kristina Horton, PLS, Deputy Director
Jill Short, Investigations & Compliance Manager
Shanan Gillespie, Regulatory Program Manager

Discussion topics

- Complaints Summary (JS)
- Administrative Closures Report (JS)
- Compliance Report/Noncompliance Report (JS)
- RCW 18.43 Language (DH/SG)
- Handling Common Trend in Complaints: Professional Conduct/Ethic Requirements (DH/JS)
- BAP Updates (Ticket Book) (JS)
- UW Engineering Pathway Project as Commissioned by the State Transportation Committee (KF)

Previous Action Items

- Staff will make the recommended changes to RCW 18.43 and bring back to the PC at their February meeting.

Strategic Planning Items

- None at this time.

Complaints Summary
February 2025
(As of February 7, 2025)

Engineering: 5 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
2024-12-3465	Services pd for. No work done, no communication	Investigation
2024-12-3466	Possible unlicensed practice	Investigation
2024-12-3615	Unprofessional conduct. No communication	Investigation
2024-12-3683	Unprofessional conduct	Admin Review
2025-01-0225	Unprofessional conduct	Intake

Surveying: 4 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
2024-12-3629	Erroneous survey	Intake
2025-01-0187	Unprofessional conduct	Admin Review
2025-01-0359	Erroneous survey	Intake
2025-02-0417	Unprofessional conduct	Intake

On-site Septic System Designing: 0 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
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TOTAL: 9

Administrative Closure Recommendations
February 2025
(As of February 7, 2025)

Engineering: 1 Closed

2024-12-3466-00ENG – A complaint was received alleging the respondent is engaging in unlicensed practice of engineering.

The respondent coauthored a report on cost-effective utility scale energy storage systems (lithium batteries). The respondent used the title Professional Engineer in his signature block. There was no stamp/seal on the report nor stamped designs. A phone interview was conducted with the respondent. It was revealed the respondent does not practice engineering services in WA and is licensed engineer in Canada. Respondent indicated it was an error on his part for using the word “Professional” and assured staff he would not use the title in the future.

Surveying: 0 Closed

On-site: 0 Closed

TOTAL: 1

<p>Morta, Steven, PE 2023-02-0191-00ENG</p> <p>Stipulated Findings of Fact, Conclusion of Law, and Agreed Order</p> <p>Signed 8/3/2023 Effective 8/3/2023</p>	<p>Respondent's license to practice is suspended for two years and respondent is assessed a fine in the amount of \$5K. The license suspension and fine are stayed contingent upon compliance with the following:</p> <p>Respondent will no longer design buildings or other structures that require the preparation of structural construction documents and/or calculations without a peer review of the work.</p> <p>Respondent will enter into a peer review contract agreement for the two-year stayed suspension. The contract will be executed within 30 days of the signed AO and a copy of the finalized contract will be provided to the Board. The contract will include a requirement for a quarterly report, from the peer reviewer to the Board. The report will include project-specific summaries clearly detailing the work reviewed and the progress made by Respondent.</p> <p>During the two-year stayed suspension, Respondent will submit, to the peer reviewer, all structural engineering designs for peer review and successfully respond to peer review comments.</p> <p>During the two-year stayed suspension, Respondent will provide to the Board, monthly, a listing of and status of projects under design which include preparation of structural construction documents and/or calculations.</p>	<p>Due 9/3/2023</p> <p>12/2023 03/2024 06/2024 09/2024 12/2024 03/2025 06/2025 09/2025</p> <p>Due 09/2023 10/2023 11/2023 12/2023 01/2024 02/2024 03/2024 04/2024 05/2024 06/2024</p>	<p>8/31/2023 Rec'd a copy of peer review contract between Respondent and Patricia Rogers, PE of MET Engineering, PLLC.</p> <p>9/27/2023 Report rec'd from Respondent with list of projects.</p> <p>9/29/2023 Rec'd peer reviewer report.</p> <p>10/31/2023 Report rec'd from Respondent with list of projects.</p> <p>10/31/2023 Rec'd peer reviewer report.</p> <p>11/22/2023 Rec'd peer reviewer report.</p> <p>12/2/2023 Rec'd peer reviewer report.</p>
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		07/2024 08/2024 09/2024 10/2024 11/2024 12/2024 01/2025 02/2025 03/2025 04/2025 05/2025 06/2025 07/2025 08/2025	1/1/2024 Rec'd respondent's list of projects. 1/31/2024 Rec'd respondent's list of projects. 2/29/2024 Rec'd respondent's list of projects. 3/31/2024 Rec'd respondent's list of projects. 3/31/2024 Rec'd peer reviewer report. 4/30/24 Rec'd respondent's list of projects. 5/30/24 Rec'd respondent's list of projects. 6/28/24 Rec'd respondent's list of projects. 6/28/24 Rec'd peer reviewer report. 7/30/24 Rec'd respondent's list of projects. 8/29/24 Rec'd respondent's list of projects 09/30/24 Rec'd respondent's list of projects. 10/1/24 Rec'd peer reviewer report. 10/30/24 Rec'd respondent's list of projects. 12/2/24 Rec'd respondent's list of projects. 1/1/25 Rec'd respondent's list of projects. 1/30/25 Rec'd respondent's list of projects. 1/31/25 Rec'd peer reviewer report.
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<p>Rogers, Robert, PLS 2022-06-0883-00LSV</p> <p>Stipulated Findings of Fact, Conclusion of Law, and Agreed Order</p> <p>Signed 10/17/2024 Effective 10/17/2024</p>	<p>Respondent's license to practice is suspended for minimum of one year. Suspension is stayed contingent upon:</p> <p>Within 90 days of the agreed order the respondent will pay a fine in the amount of \$5000.</p> <p>Within ninety (90) days of the effective date of this AGREED ORDER, Respondent will provide a corrected record of survey for Board review for Parcels #0319201022 & #0319201015 located in Spanaway, WA. The corrected record of survey will comply with RCW 58.09.060(a), (e) and WAC 332-130- 030(2) and (3)(a). Once said survey is approved to meet standards, the Respondent will file the Amended Record of Survey with the appropriate county auditor's office.</p>	<p>Due 1/17/25</p> <p>Due 1/17/25</p>	<p>Received 10/29/24.</p> <p>12/19/24 Rec'd AROS from respondent.</p> <p>1/9/25 Emailed respondent – AROS still does not meet requirements.</p> <p>1/17/25 Rec'd AROS – changes approved. Resp instructed to file AROS.</p>
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<p>Kent Huxel 2023-01-0098-00LSV</p> <p>Agreed Findings of Fact, Conclusion of Law, and Order to Permanently Cease and Desist</p> <p>Signed 10/17/2024 Effective 10/17/2024</p>	<p>Mr. Huxel agrees he will not seek licensure as a professional land surveyor, professional engineer, or on-site septic system designer for TEN (10) years from the date an Agreed Order is signed by the Board.</p> <p>Mr. Huxel agrees he will not own or operate a land surveying, engineering, or on-site septic system design business for TEN (10) years from the date an Agreed Order is signed by the Board.</p> <p>Mr. Huxel agrees he will not advertise to provide services requiring BRPELS licensure until properly licensed under Chapter 18.43 RCW.</p> <p>Mr. Huxel agrees his experience previous to and through the date the Board signs the Agreed Order will not count towards licensure requirements. Otherwise, any education must be approved and accepted by the Board. RCW 18.43.040, including his education previous to and through the date the Board signs the Agreed Order.</p> <p>Mr. Huxel, agrees that, after the TEN (10) year prohibition on license application, when he applies for licensure, he will apply with a National Council of Examiners for Engineering and Surveying (NCEES) record and comply with all other NCEES requirements. BRPELS will notify NCEES of Mr. Huxel's TEN (10) year exam and license prohibition.</p> <p>Mr. Huxel agrees to be subject to compliance monitoring by a peer reviewer, approved by BRPELS, for the first two (2) years after he is licensed. Mr. Huxel would be responsible for all costs related to the peer review, and all</p>	<p>\$5000 fine due 10/17/2025</p>	<p>1/30/25 – Currently in compliance.</p>
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	<p>work by the peer reviewer must be completed pursuant to a contract. The signed contract will be provided to the Board and a progress report from the peer reviewer will be sent to the Board on a quarterly basis.</p> <p>Mr. Huxel agrees to pay a \$5,000 fine related to the Current Case (Case No. 2023-01-0098-00LSV). This fine must be paid within 12 months from the date an Agreed Order is signed by the Board. Fines shall be paid by Cashier Check or Money Orders payable to Board of Registration for Professional Engineers and Land Surveyors (BRPELS), must have Case No. 2023-01-0098-00LSV written on the payment instrument.</p> <p>BRPELS will suspend the \$30,000 fine imposed in Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV for TEN (10) years from the date an Agreed Order is signed by the Board. After 10 years, if the Board has not issued a Final Order against Mr. Huxel evidencing additional violations under BRPELS jurisdiction, and Mr. Huxel has otherwise complied with the terms and conditions from the Current Case and the Agreed Order, BRPELS will permanently waive the entire \$30,000 fine from Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV.</p> <p>BRPELS agrees not to pursue a Civil Action against Mr. Huxel with respect to Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV so long as Mr. Huxel complies with the terms and conditions of the Agreed Order.</p> <p>4.10 BRPELS agrees not to refer Cases 2021-08-2070-00LSV and 2022-10-1445-00LSV</p>		
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	for criminal prosecution as allowed by RCW 18.235.170, RCW 18.43.110, and RCW 18.43.120, so long as Mr. Huxel complies with the terms and conditions of the Agreed Order.		
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<p>Ryan Hawkins 2021-09-2283-00ENG</p> <p>Agreed Findings of Fact, Conclusions of Law, and Order to Permanently Cease and Desist</p> <p>Signed 3/14/2022 Effective 3/14/2022</p>	<p>Respondent shall permanently cease and desist from offering to practice professional engineering in the State of Washington.</p> <ol style="list-style-type: none">1. Shall not represent himself or his business to current or potential clients or the public, as being able to provide and/or perform professional engineering services in the State of Washington;2. Shall not distribute to any client or public agency any document, including but not limited to: letterhead, business cards, maps, or website references, which show either the firm, its officer and/or employees as having been involved or offer professional engineering activities;3. Respondent shall destroy any seal bearing his name as a professional engineer and provide satisfactory proof of such destruction to the Board within 30 days of the entry of this Agreed Order;4. Within one hundred and twenty (120) days of the effective date of this AGREED ORDER Respondent shall pay a fine to the Board, by check or money order, in the amount of thirty thousand dollars (\$30,000.00 (U.S.));5. Within sixty (60) days of the effective date of this AGREED ORDER Respondent shall create a list of clients, individuals, or entities for whom he is, or has in the past, provided any services that constitute professional engineering services and shall	<p>Due 4/14/2022</p> <p>Due 7/14/2022</p>	<p>4/11/2022 Rec'd proof of destroyed stamp/seal.</p> <p>5/13/2022 Rec'd list of clients and proof of notification to those clients.</p>
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	<p>notify all clients, individuals, or entities identified that he is not, and was not, a registered professional engineer and Respondent shall provide the Board (1) a copy of the list he has assembled and (2) proof of notification for all clients, individuals, or entities on the list;</p> <p>6. Respondent shall never apply to take the Professional Engineer Exam and shall never apply for licensure as a Professional Engineer in the State of Washington;</p> <p>7. Respondent shall not own, operate, manage, control, or possess an equity interest in any firm, organization, or entity offering professional engineering services in the State of Washington, with the exception of publicly traded companies.</p>	<p>Due 5/14/2022</p>	<p>7/8/2022 Emailed fine payment reminder to respondent.</p> <p>7/15/2022 Rec'd email from respondent stating he was unable to make the total \$30K payment at this time. He suggested a reduction in the fine amount or a payment plan. I emailed back stating if he made a good faith effort and paid the \$5K (as he suggested) and a written proposed payment plan or another option I would bring it before the PC for approval and then present to Board for agreement.</p> <p>8/11/2022 Board agreed staff would work with Mr. Hawkins on a fine payment plan.</p> <p>8/19/2022 Staff spoke to Mr. Hawkins about a payment plan for the \$30K fine. He is going to think about it and email me a proposal.</p> <p>9/16/2022 Emailed Mr. Hawkins about his proposal. No response.</p> <p>10/5/2022 Emailed Mr. Hawkins again about proposal. No response as of 10/6/2022.</p> <p>11/9/2022 Emailed Mr. Hawkins with final payment notice. Response required by 11/23/2022. No response. Will move forward with non-compliance action (collection agency).</p> <p>1/6/23 Working with Ms. Wherrett on obtaining a contract with a collection agency.</p> <p>4/13/23 Email notice sent to Mr. Hawkins informing him in 30 days he will be sent to collections if the fine of \$30K is not paid or if we do not rec'd payment arrangement request.</p> <p>4/27/23 AAG to pursue civil action.</p> <p>7/6/23 Turned Mr. Hawkins over to collection agency.</p> <p>11/17/23 No updates at this time.</p> <p>No new information.</p> <p>8/5/24-Collection Agency report – no money rec'd for fine.</p> <p>10/4/24 – Collection Agency report – no money rec'd for fine. No fine money rec'd and no new information.</p>
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<p>Bodge, Russell S. 2018-08-0008-00ENG</p> <p>Stipulated Findings of Fact, Conclusions of Law and Agreed</p> <p>Signed 2/13/2020 Effective 2/14/2020</p>	<p>Resp license is suspended for 5 years. Suspension will commence on the date the DSHS 8/29/17 order is lifted. Suspension will be stayed conditionally based on the following:</p> <ol style="list-style-type: none"> 1. Within 90 days respondent will provide a list of projects he has worked on since the DSHS order of suspension on 8/29/17. The list will include identifying information for each project including the type of project, location, approx. dates or times worked, date completed, dates signed & executed, and whether the projects were directly supervised by another PE. If so, identify the supervising PE. 2. Resp will provide a letter from his brother verifying his direct supervision of resp, detailing how he provides such direct supervision, and detailing a list of projects on which he has directly supervised resp since the DSHS order. 3. Upon DSHS order being lifted, resp will follow the license renewal process to renew his PE license in effect at the time of renewal. 4. Within 90 days of DSHS order being lifted respondent will: <ol style="list-style-type: none"> a. Provide a letter detailing how he came into compliance and how he plans to proceed in compliance with all laws/rules. b. Provide 4 references to the board. Two will be clients, two will be PE references. c. Take and pass the law review exam. d. Bring his license & COA into compliance 	<p>5/13/2020 10/6/2020</p> <p>5/13/2020</p> <p>?</p> <p>?</p>	<p>Nothing received from respondent at this time.</p> <p>Left a message for him to call me.</p> <p>Emailed respondent 8/26/2020 notifying him he is out of compliance.</p> <p>Rec'd list of projects.</p> <p>Mr. Fuller is working on this requirement with respondent.</p> <p>Respondent is working with DSHS. No lifting order rec'd from DSHS as of yet.</p> <p>Mr. Fuller attempted to contact Mr. Bodge. Mr. Bodge's phone number is no longer in service. Mr. Fuller spoke with Mr. Bodge's brother who stated he is not supervising Mr. Bodge's work.</p> <p>Contact has been made with the county Mr. Bodge worked in and company he was working for to ensure he is not working without a license. No evidence of that has been found at this time.</p> <p>Mr. Bodge's cell phone number is no longer in service.</p> <p>6/23/2021 Ms. Short sent an email asking for current phone number. No response.</p> <p>7/28/2021 Ms. Short sent a certified letter asking for update on compliance and current contact information.</p> <p>No new information.</p>
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BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0108.2/25 2nd draft

ATTY/TYPIST: CC:jlb

BRIEF DESCRIPTION: Updating the professional engineers' registration act.

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

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

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

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" means a 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" means a professional land surveyor 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 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.

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

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

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

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

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

Upon request of the board, ~~((and with approval of the director, the board chair shall appoint up to two 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))~~ the director shall select a candidate for a pro tem board member position and upon approval of the board, the board chair shall make the appointment. Up to three individuals may serve as pro tem board members. A pro tem board member will be participating as a temporary member of the board and perform services as needed and determined by the director, including ensuring sufficient case reviewers, forming

a quorum at a board meeting, serving on any combination of one or more committees, or participating as needed at formal disciplinary hearings. An appointed individual must be registered under this chapter or licensed under chapter 18.210 RCW for a minimum of five years immediately prior to the appointment. While serving as a board member pro tem, an appointed person has all the powers, duties, and immunities of a regular member of the board 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~~) 180 days unless approved by the director.

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

(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~~) mailing addresses of all registered professional engineers and professional land surveyors may be published for distribution, upon request, to professional engineers and professional land surveyors registered under this chapter and to the public.

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

(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 professional 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.

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

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 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 (~~examination~~) application processing 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 (~~examination~~) application processing and issuance of certificate.

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

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

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 or land surveying subjects a certificate stating that the applicant has passed the examination in fundamental (~~engineering~~) subjects and that (~~his or her~~) the applicant's name has been recorded as an engineer-in-training or land surveyor-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~~) to 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.

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

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 professional 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 professional 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 of a registered professional engineer or a registered professional land surveyor, 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." 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.

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

(1) Certificates of registration (~~((7))~~) 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 determined 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))~~) the 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 professional land surveyor registered under this chapter (~~((shall))~~) fails to pay the renewal fee (~~((hereinabove provided for, within ninety days from the date when the same shall become due, the renewal fee shall be the current))~~) within 90 days following the expiration date, the professional engineer or professional land surveyor must pay the current renewal fee plus an amount equal to one year's fee.

(2) (~~((Beginning July 1, 2007, the))~~) The board may not renew a certificate of registration for a professional land surveyor unless

the registrant verifies to the board that he or she has completed at least (~~fifteen~~) 15 hours of continuing professional development per year of the registration period. (~~By July 1, 2006, the board shall adopt rules governing continuing professional development for land surveyors that are generally patterned after the model rules of the national council of examiners for engineering and surveying.~~)

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

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~~) 30 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~~) 30 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) (a) The practice of engineering or land surveying, or both, in this state by a corporation ((~~or joint stock association~~)): PROVIDED, That

((~~(a)~~)) (i) 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))~~ (ii) 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 professional engineer and a licensed professional 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 professional engineer or professional land surveyor, respectively, named in the resolution as being in responsible charge, or ~~an~~ a professional engineer or professional land surveyor under the designated professional engineer or professional land surveyor's direct supervision, shall make all engineering or land surveying decisions pertaining to engineering or land surveying activities in the state of Washington." However, the

filing of the resolution shall not relieve the corporation of any responsibility or liability imposed upon it by law or by contract;

~~((e))~~ (iii) If there is a change in the designated professional engineer or designated professional land surveyor, the corporation shall notify the board in writing within ~~((thirty))~~ 30 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))~~ 30 days of the filing;

~~((d))~~ (iv) 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 professional engineer or designated professional land surveyor, or both, specified in ~~((b))~~ (a)(ii) of this subsection, the board shall issue to the corporation a certificate of authorization to practice professional engineering or professional land surveying, or both, in this state upon a determination by the board that:

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

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

~~((iii))~~ (C) 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))~~ (D) The corporation is registered with the department of revenue pursuant to RCW 82.32.030.

(b) 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))~~ (d) and (e) of this subsection.

~~((e) Engineers or)~~ (c) 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))~~ (d) 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 registered professional 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))~~ (e) 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))~~ (f) 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))~~ (g) 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~~((r))~~;

(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.)~~); or

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

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

~~((b))~~ (ii) The limited liability company has filed with the board a certified copy of a resolution by the company manager or managers that shall designate a person holding a certificate of registration under this chapter as being responsible for the practice of engineering or land surveying, or both, by the limited liability company in this state and that the designated person has full authority to make all final engineering or land surveying decisions on behalf of the limited liability company with respect to work performed by the limited liability company in this state. The resolution shall further state that the limited liability company agreement shall be amended to include the following provision: "The designated professional engineer or professional land surveyor, respectively, named in the resolution as being in responsible charge, or ~~a~~ professional engineer or professional land surveyor under the designated professional engineer or professional land surveyor's direct supervision, shall make all engineering or land surveying decisions pertaining to engineering or land surveying activities in the state of Washington." However, the filing of the

resolution shall not relieve the limited liability company of responsibility or liability imposed upon it by law or by contract.

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

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

(C) 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.

(D) If there is a change in the designated professional engineer or designated professional land surveyor, the limited liability company shall notify the board in writing within ~~((thirty))~~ 30 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))~~ (iv) Upon the filing with the board the application for certificate of authorization, a certified copy of the resolution, and an affidavit from the designated professional engineer or the designated professional land surveyor, or both, specified in ~~((b) and (e))~~ (a)(ii) and (iii)(A) 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))~~ (A) The designated professional engineer or designated professional land surveyor, or both, hold a certificate of registration in this state under this chapter and the certificate is in force;

~~((ii))~~ (B) The designated professional engineer or designated professional land surveyor, or both, are not designated in

responsible charge for another limited liability company or a corporation;

~~((+iii))~~ (C) 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))~~ (D) The limited liability company is registered with the department of revenue pursuant to RCW 82.32.030.

(b) 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))~~ (d) and (e) of this subsection.

~~((+e) Engineers or)~~ (c) Professional 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))~~ (d) 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 professional land surveyor, and must conduct their business without unprofessional conduct in the practice of engineering or land surveying, or both.

~~((+g))~~ (e) 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))~~ (f) 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))~~ (g) 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.

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

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'))~~ board's 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.))~~

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

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.

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

The department of licensing, through an interagency agreement with the board, ((~~must~~)) shall 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)~~) as mutually agreed upon by both parties.

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