



Practice Committee Meeting

August 6, 2025 | 11:15 a.m.

Virtually via Microsoft Teams:

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Meeting ID: 272 179 607 064 9

Passcode: Nn7W2aY9

Or call in (audio only)

[\(833\) 322-1218,805703713#](#) US, Olympia

Phone Conference ID: 805 703 713#

In person:

BRPELS Office

601 11th Ave SE Suite 201

Olympia, WA 98501

Committee:

Mike Harney, PE, Chair

Matthew Rasmussen, PE, PLS

Maureen Jackson, PE

Support staff:

Ken Fuller, PE, Director

Kristina Horton, PLS, Deputy Director

Mackenzie Wherrett, Executive Assistant

Bryce Dickison, Administrative Assistant

Randy Garcia, Investigations & Compliance Manager

Jill Short, Investigations & Compliance Manager

Shanan Gillespie, Regulatory Program Manager

Vonna Cramer, Licensing Lead

Kevin Ballard, Internal Control Manager

Discussion topics

- Complaints Summary (*JS*)
- Administrative Closures Report (*JS*)
- Compliance Report/Noncompliance Report (*JS*)
- Changes to RCW 18.43 Language (*SG/EQC*)
- Review of WAC 196-09-050 draft language (*SG*)
- Licensing Reports – Review and Possible Changes (*VC*)

Strategic Planning Items

- None at this time.

Complaints Summary
August 2025
(As of July 30, 2025)

Engineering: 3 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
2025-06-2581	Unlicensed practice	Admin Review
2025-06-2584	Improper title use	Admin Review
2025-07-2834	Unprofessional conduct	Admin Review

Surveying: 2 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
2025-06-2387	Erroneous Survey	Admin Review
2025-06-2527	Unprofessional conduct	Investigation

On-site Septic System Designing: 2 complaint(s)

COMPLAINT NUMBER	ALLEGATIONS	STATUS
2025-06-2220	Unprofessional conduct	Investigation
2025-06-2278	Unprofessional conduct	Investigation

TOTAL: 7

Administrative Closure Recommendations

August 2025

(As of July 30, 2025)

Engineering: 3 Closed

2025-03-1058-00ENG - A complaint was received from a licensed professional engineer (PE) against another PE. The complainant had an oral agreement with respondent for a Traffic Impact Analysis (TIA) for a multi-unit residential project owned and designed by the complainant. The complainant alleges the TIA provided by respondent was conducted passively with many simple mistakes that required much of the complainant's time and effort to communicate, reiterate project information, and quality control. The complainant also alleges she responded to traffic related comments from the City and believes the respondent's firm lacks the capability to provide Traffic Study services independently.

A response was received from respondent who stated he completed the first submittal of the TIA and delivered to the complainant who submitted the work to the City for permitting of the project. The City sent review comments back which the respondent responded to and submitted those to the complainant in addition to an invoice for additional work to complement his original work scope. The complainant paid only a portion of the new invoice stating that is what another firm had quoted her for the TIA and comments (the other quote minus original payment). The respondent stated that the complainant refused to pay anything more and he refused to precede with additional services without payment. The respondent also commented that if the complainant had made changes to the resubmittal, it is without his knowledge and approval.

An interview with complainant was conducted who indicated the respondent completed the review comments from the City's first review and it was to her for approval. The complainant stated she made changes to the submittal and stamped the submittal adjacent to the respondent's stamp which was accepted by the City pending payment of fees and a temporary permit was issued. The complainant, in a follow up email, retracted her statement that she revised and stamped the second round of the TIA and submitted it with only the respondents stamp and signature.

Reviewing the response and the information submitted by the complainant, the respondent performed the services he agreed to in the oral contact, which leads to a contract dispute and not in our jurisdiction.

The Board Director reviewed the final copy of the TIA report and the investigation file and found there was no evidence of violation of RCW or WAC by the respondent. However, reviewing the file submitted by the complainant with the TIA, which is missing the respondent's stamp or preliminary stamp, Remedial counseling was conducted with the respondent for not following WAC 196-23-020.

2025-05-2037-00ENG - A complaint was received from a licensed professional engineer (PE) against another PE. The complainant alleges upon his departure from his previous company; the respondent was hired to take over the engineering services on completed and partially finished

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projects. The complainant alleges the respondent used portions of his structural sheets on his own engineering documents without conducting the underlying engineering work himself and without permission.

A response was received from the respondent indicating his company is the official engineer of record of the project as indicated in the approved final plans from the city. The respondent provided structural drawings which were reviewed by the Board's Director who determined the permitted and approved design is independent of the complainant's work. The Director is recommending administrative closure as the evidence does not support the complainant's opinion.

2025-06-2584-00ENG - A complaint was received against a licensed Professional Engineer (PE) alleging he is falsely representing himself as a Structural Engineer (SE) on his company's website.

A response was received from respondent who indicated that he does not have a Washington State SE license and that he would clarify on his website which states he is properly licensed as an SE.

The Board's Director conducted a phone interview with the respondent. The respondent indicated he would speak to their office admin to remove the SE title from his website profile. The Director recommended closure with no further action.

Surveying: 3 Closed

2024-09-2423-00LSV - A complaint was received alleging that the respondent performed two erroneous surveys and failed to file them with the county as defined in RCW 58.09. The complainant also indicated the respondent's erroneous survey led to the destruction of his fence, and the disturbance of a monument.

A response was received from respondent who indicated on October 2023 he conducted the first boundary line survey and located a rebar with a cap from "Company A" at the NE boundary corner. In June 2024 the respondent conducted a boundary line survey on the parcel to the north and observed a new fence was installed along the easterly line.

An interview was conducted with the Board's Deputy director and respondent who indicated the fence builder may have disturbed "Company A's" marker as it was rotated by 60 degrees when he visited the site to complete topographic survey work on the southerly pa. The complainant hired another surveyor who found the same marker as the respondent but erroneously labeled it as a cap from "Company B" and the fence was confirmed by the other surveyor to be built as an extension of the existing fence.

Based on interviews with the respondent and the surveyor for the parcel to the east, the situation outlined in the complaint regarding the fence and property corner location was found to be non-existent. The other surveyor talked to his client (the complainant) and explained this and that the issue was resolved.

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During the course of the investigation, the respondent did admit to not recording the initial survey (southerly parcel) but did record the survey of the northerly parcel. During remedial counseling with the Deputy Director, the respondent came to the conclusion that the survey of the southerly parcel did NOT meet the requirements of RCW 58.09.090 “When record of survey not required”. He subsequently recorded the survey of the southerly parcel.

A remedial counseling between the Deputy Director and respondent regarding RCW 58.09 and WAC 332-130 was conducted.

2025-04-1118-00LSV - A complaint was received alleging that the respondent who is a city employee, has not followed WAC 332-120 and RCW 58.09 relative to filing DNR Monument Removal and Closeout permits for the monuments destroyed and reset by the city’s construction activities.

A response was received from respondent who stated that through misunderstanding and miscommunication between city departments he was not completing monuments permits. The respondent stated the city design team has developed a workflow that includes survey control base maps and monument preservation steps prompting proper submission to the Department of Natural Resources (DNR). The respondent stated city staff are all aware of monument preservation and all projects are now required to have a DNR Permit submitted, and a Record of Survey filed at the close of each project documenting the monuments reset and brought to the surface.

An interview was conducted with the respondent who indicated that the DNR permits, and therefore preservation of survey monuments, was not being done per a directive from his department’s head (a Professional Engineer). A discussion was conducted between BRPELS’ Director, Deputy Director, and the respondent’s department head regarding compliance with WAC 332-120 and RCW 58.09. A copy of the “2022 Monument destruction letter” from BRPELS was provided to the respondent and his department head.

The Deputy Director also interviewed the complainant, a fellow city employee, to gauge current compliance with WAC 332-120 “Survey Monuments – Removal or Destruction”. He said that compliance with said WAC is now happening, and processes are in place to ensure future compliance.

2025-04-1429-00LSV – A Board generated complaint was opened based on an email inquiry alleging an aerial analytics company was creating topographic maps for an engineering company. The inquiry noted that the company may be offering land surveying services without a license. The company website contained language that indicated it offered land surveying services

Board staff interviewed the engineering company involved, and it was confirmed the unlicensed company had a contract with a licensed professional land surveyor (PLS) when a PLS was required.

The PLS was interviewed and counseled on ensuring any land surveying work done for the unlicensed company was done properly, i.e., the company obtain a certificate of authorization (COA) with the board, or the client pays the PLS directly for any land surveying services. The

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PLS stated he would contact the company and make sure the work was performed correctly in the future.

The unlicensed company was contacted. The owner was informed that they can only offer land surveying services legally with a COA, or they should not offer the services on their website. The company updated their website and no longer offers those services.

On-site: 0 Closed

TOTAL: 6

<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. 2/28/25 Rec'd respondent's list of projects. 3/30/25 Rec'd respondent's list of projects. 4/2/25 Rec'd peer reviewer report. 4/29/25 Rec'd respondent's list of projects. 5/30/25 Rec'd respondent's list of projects.
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			6/30/25 Rec'd respondent's list of projects. 6/30/25 Rec'd peer reviewer report.
Rogers, Robert, PLS 2022-06-0883-00LSV Stipulated Findings of Fact, Conclusion of Law, and Agreed Order Signed 10/17/2024 Effective 10/17/2024	Respondent's license to practice is suspended for minimum of one year. Suspension is stayed contingent upon: Within 90 days of the agreed order the respondent will pay a fine in the amount of \$5000. 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.	Due 1/17/25 Due 1/17/25	Received 10/29/24. 12/19/24 Rec'd AROS from respondent. 1/9/25 Emailed respondent – AROS still does not meet requirements. 1/17/25 Rec'd AROS – changes approved. Resp instructed to file AROS.

<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.		
Riipinen, Jared, PLS 2024-09-2412-00LSV 2024-04-0720-00LSV 2024-05-1121-00LSV 2023-04-0553-00LSV 2024-02-0420-00LSV Findings of Fact, Conclusion of Law, and Default Order Signed 02/13/2025 Effective 02/13/2025	Respondent's license to practice is suspended for 10 years: During the ten-year suspension, Respondent will not own or operate a land surveying, engineering, or on-site septic system design business. During the ten-year suspension, Respondent will not advertise or offer to provide land surveying services. Following the ten-year suspension, should the Respondent desire to reinstate his license, he will reapply for reinstatement and take and pass the Law and Ethics Exam.	Due 02/13/35	No request for an appeal was received by the respondent.

Chapter 18.43 Proposed Legislative Amendments – 2026

Stakeholder comments & meeting attendance

Comment:

I have been registered as a Professional Civil Engineer in Washington since 1988. I am simply replying to your team's proposed updates because I wanted to give you and your team positive feedback for the work you do. Hopefully you get a lot of feedback, but just in case you don't, I wanted to state that I agree with each of the proposed amendments and I appreciate the work you do.

Comment:

My comment on the RCW change is essentially just typos. I appreciate the transition from "his or her" to "their", and there are 3 more instances that don't seem to have been changed yet. There's one each on pages 3, 9 and 10.

Comment:

I am writing to say that I support the following amendment:

Amending RCW 18.43.040 to allow the Board to decouple the experience requirement for licensure from the requirements for taking the principles & practices (PE or PLS) examinations. Experience requirements would still have to be met before applicants could apply for a license.

I hope you will consider coupling the SE as well in the future.

Comment:

After reading the proposed rule changes, it is very disappointing that the requirements are being diluted in terms of education and experience. There are way to many changes to quote here, but it is sad and will eventually harm to the Canons engineers are required to uphold.

This legislation appears to be more for inclusiveness rather than responsibility to the profession. This should be reviewed again and modified and consultation with ASPE and other state boards should be done before moving forward.

Comment:

Thanks for the proposed updates. The all look reasonable to me.

Comment:

After a quick review of the changes, I have only one comment.

Board Members must be Citizens of the U.S. I can't imagine why this amendment is being proposed!

Comment:

I hesitated sending these, however, now consider it necessary.

1. Board Members must be Citizens of the U.S.!
2. I noted that, in several places, "His / Her" has been replaced with "Their". This is grammatically incorrect and is contextually absurd! "His / Her" are singular, possessive pronouns, "they" is plural. This also applies to the "themselves" and "they are" replacements.
3. I do not agree with the reduction of education requirements for engineers. As a matter of fact I would modify the original requirement of "approved engineering curriculum" to include ABET accreditation; i.e., "ABET accredited engineering curriculum". It might also be appropriate to require literacy in English! I have been an Engineer for 58 years, now retired, and it has been an increasingly difficult to find qualified engineers who are capable of literate communication, written or verbal!

Do not allow the ethics and standards of our Profession to be subverted by the Politics of the National Socialists (aka Democrats)!

Comment:

I have read through the proposed language changes and agree with everything except for (2) issues.

1. The citizenship clause that was removed and which allows non-citizens to be on members of the board of engineers. I believe strongly that board members shall be a citizen of the United States and have been a resident of the state for at least five years.
2. While this is not a part of the proposed amendments I think it is important to mention. In my opinion, the experience requirement for structural engineering licensure is too short. I believe that requirement should be increased to (4) years.

Comment:

RCW 18.43.020 Definitions

(3) To Remain "As Is". No modification required.

(6) to Remain "As Is". No modification required.

RCW 18.43.030

Strongly "Disagree". U.S. Citizenship shall be required for all Members of the Board.

RCW 18.43.060 Examinations

A Candidate Failing an Exam may apply for reexamination at the next scheduled examination date.

Comment:

The board member requirement to be a US citizen or a lawful permanent resident should remain in place. A professional engineer is a skilled profession that serves and protects the safety and welfare of its community and country.

Comment:

I have reviewed the amendments and am hereby requesting that the Board reconsider the proposed language in RCW 18.43.030 as follows:

All Washington State Board members that govern us United States citizens within the State of Washington **shall be citizens** of the United States.

It is by no means appropriate for a citizen of another country to govern the professional practices of us citizens here in the United States of America!

Let me know if you have any questions.

Stakeholder meetings

July 22, 2025 WSPE Stakeholder meeting

Attendance:

Board members & staff:

Doug Henderickson, PE
Ken Fuller, PE
Kris Horton, PLS
Shanan Gillespie
Greg Schieferstein

Public

Bill Dunbar
Ken McGowan
Jeff Dagle
Barbara Philipp
Ted Taylor

July 23, 2025 Stakeholder meeting

Attendance:

Board members & staff:

Doug Henderickson, PE
Ken Fuller, PE
Kris Horton, PLS
Shanan Gillespie
Bryce Dickison
Greg Schieferstein
Jill Short
Randy Garcia
Kevin Ballard

Public

Vickie Kobayashi
Dwight Gray
Jeremy Metzler
Anonymous
Bill (no last name)
Erica Fot
Benjamin Anstey

July 24, 2025 Stakeholder meeting

Attendance:

<u>Board members & staff</u>	<u>Public</u>
Doug Henderickson, PE	None
Marjorie Lund, PE, SE	
Ken Fuller, PE	
Kris Horton, PLS	
Shanan Gillespie	
Bryce Dickison	
Greg Schieferstein	

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" means a professional engineer as defined in this section.~~ RESERVED

(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.~~ RESERVED

(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~~ himself or herself themselves to be a professional engineer, or through the use of some other title implies that ~~he or she is~~ they are a professional engineer; or who holds ~~himself or herself~~ himself or herself themselves 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~~their 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~~their legal registration as a professional engineer.

(11) "Professional land surveyor" means a person who, by reason of ~~his or her~~their 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~~their 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.

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.

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 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.

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))~~ 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.

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~~structural engineer~~, professional land surveyor, engineer-in-training, or land-surveyor-in-training, ~~respectively~~:

~~(a)(i) As a (1) professional~~ Professional engineer ~~:- To be licensed as a professional engineer, an applicant must meet the following requirements:~~

(a) Examination requirements: An applicant must have received passing scores on examinations required by the board which include:

(i) A board approved examination on the fundamentals of engineering which tests the applicant's knowledge of appropriate fundamentals of engineering subjects, including mathematics and the basic sciences.

(ii) A board approved examination on the principles and practice of engineering which tests the applicant's ability to apply knowledge and experience in the engineering field.

(iii) Other examinations as determined by the board.

(b) Experience requirements: A specific record of eight years or more of experience in engineering work of a character satisfactory to the board and indicating showing 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.~~

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

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

(iiA) An undergraduate degree, or its equivalent, Graduation in an approved engineering curriculum program of four years or more from a school or college approved by the board ((as of satisfactory standing)) shall will be considered the equivalent to of four years of such required experience.

(B) The satisfactory Satisfactory completion of each year of such an approved engineering course program without graduation shall may be considered as the equivalent to of one year of such required experience at the discretion of the board.

~~(C) An undergraduate degree in a non-engineering program may Graduation in a curriculum other than engineering from a school or college approved by the board shall be considered as ((equivalent)) the equivalent of up to two years of such required engineering experience at the discretion of the board.~~

~~(D) No However, no applicant shall receive credit for more than four years of experience because of undergraduate educational qualifications will be granted for undergraduate education.~~

~~(E) Experience The board may be granted for teaching and , at its discretion, give credit as experience not in excess of one year, for satisfactory postgraduate study in engineering education as further defined by, and at the discretion of, the board.~~

~~(iii) 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.~~

~~(2) Structural engineer. Structural engineering is recognized as a specialized branch of professional engineering. A professional engineer must be registered as a structural engineer to provide structural engineering services for significant structures. To become licensed as a structural engineer, To receive a certificate of registration in structural engineering, an applicant must meet the following requirements:~~

~~(a) hold Hold a current registration as a professional engineer in this state.~~

~~(b) Have 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.~~

~~(c) 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.

(e)(i)(3) Professional land surveyor. To be licensed as a professional land surveyor, an applicant must meet the following requirements:

(a) Examination requirements: An applicant must have received passing scores on examinations required by the board which include:

(i) A board approved examination on the fundamentals of surveying which tests the applicant's knowledge of appropriate fundamentals of land surveying subjects, including mathematics and the basic sciences.

(ii) A board approved examination on the principles and practice of surveying which tests the applicant's ability to apply knowledge and experience in the land surveying field.

(iii) Other examinations as determined by the board.

(b) Experience requirements. 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 showing~~ 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.~~

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

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

(A) An undergraduate degree, or its equivalent, in a land surveying program Graduation from a school or college approved by the board ~~as of satisfactory standing, including the completion of an approved course in surveying, shall~~will be considered ~~the~~ equivalent ~~to of~~ four years of ~~the required~~ experience.

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

(C) An undergraduate degree in a non-land surveying program may be considered the equivalent of land surveying experience at the discretion of the board.

(D) No more than four years of experience will be granted for undergraduate education.

(E) Experience may also be granted for teaching and post-graduate education as further defined by, and at the discretion of, the board.

~~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) Engineer-in-training: An applicant who has completed four years of experience of the type outlined in (1)(b) of this section and has received a passing score on a board approved examination on the fundamentals of engineering may apply for an engineer-in-training certificate from the board.

~~(5) Land surveyor-in-training: An applicant who has completed four years of experience of the type outlined in (3)(b) of this section and has received a passing score on a board approved examination on the fundamentals of land surveying may apply for a land surveyor-in-training certificate from the board. 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.~~

~~(6) 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 verification of the technical work from professional engineers and/or professional land surveyors as applicable, 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.

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 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.~~

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 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~~their direct supervision and that to ~~his or her~~their 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 18.43.080 Expiration and renewals of certificates-Fees-Continuing professional development.

(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 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)~~). If a completed application for renewal has not been received by the board by the date of expiration (postmarked before the date of expiration if mailed or transacted online before the date of expiration), the license is invalid. In case any professional engineer ((and/)) or 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 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 they have completed at least ((fifteen)) 15 the required hours of continuing professional development per year of the registration period. (~~(By July 1, 2006, the board shall adopt rules governing continuing professional development for land surveyors that are generally patterned after the model rules of the national council of examiners for engineering and surveying.)~~)

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

(1) The board may, upon application and the payment of a fee determined by the board, issue a certificate as a professional engineer or professional land surveyor to any person who holds a certificate of qualification of registration issued to the applicant following examination by proper

authority, of any state or territory or possession of the United States, the District of Columbia, or of any foreign country, if: (a) The applicant meets all requirements of this chapter and the rules established by the board, ~~to qualify for such waiver,~~ and (b) the applicant is in good standing with the licensing agency in said state, territory, possession, district, or foreign country.

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

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)) 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)~~ (2) 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))

(53) 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))

(64) 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))

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

(86)(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 engineering or 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 (86) there shall be paid an initial fee determined by the board and an annual renewal fee determined by the board~~((:));~~

(97) 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~~

~~(108)~~(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 (c))~~ (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 (~~108~~) 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'))~~ 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.))~~

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 18.43.200 Agreement with department of licensing.

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.

--- END ---

WAC 196-09-050 Brief adjudicative proceedings. (1) The board may conduct brief adjudicative proceedings as provided in RCW 34.05.482 through 34.05.494 of the Administrative Procedure Act.

(2) Brief adjudicative proceedings may ~~only~~ be allowed when a respondent challenges the following categories of board decisions:

(a) A denial of application for licensure, including renewal, reinstatement, or denial of eligibility to take examinations;

(b) A finding that a licensee has failed to meet continuing professional development requirements;

(c) A finding that a licensee has violated the terms of a final order or agreed order issued by the board or the board's designee;

(d) A finding that a person has engaged in false, deceptive, or misleading advertising, or engaged in unlicensed practice.

(e) A finding that a professional land surveyor has violated the provisions of the Survey Recording Act,

chapter 58.09 RCW, the survey standards, chapter 332-130 WAC, and monument destruction, chapter 332-120 WAC.

(f) A finding that a licensee has violated the provisions of chapter 196-23 WAC, stamping and seals, chapter 196-27A WAC, rules of professional conduct, and chapter 196-33 Rules of professional practice for licensees designing on-site wastewater treatment systems.

[Statutory Authority: RCW 18.43.035. WSR 21-22-092, § 196-09-050, filed 11/2/21, effective 12/3/21. Statutory Authority: RCW 46.01.110 and 2018 c 199. WSR 18-21-028, § 196-09-050, filed 10/5/18, effective 11/5/18. Statutory Authority: RCW 18.43.035 and chapter 18.235 RCW. WSR 06-11-121, § 196-09-050, filed 5/19/06, effective 6/19/06. Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-050, filed 1/21/04, effective 2/21/04.]

WAC 196-09-055 Records required for brief adjudicative proceeding. The records for the brief adjudicative proceeding may include, but are not limited to:

(1) License related denials:

(a) All correspondence, including emails, between the applicant or respondent and the board staff regarding an initial

determination including copies of applications, renewal notice(s), denials, or appeals;

(b) All documents received by the board from or on behalf of the applicant, licensee or respondent relating to information, payments, or explanations that have been provided to the board;

(c) Copies of all supplementary information related to application or complaint review by staff or board member;

(d) All documents relied upon by board staff in reaching the initial determination;

(e) Any other information that may be of assistance to the presiding officer in deciding the case.

(2) Determination of compliance with previously issued board order:

(a) The previously issued final order or agreement;

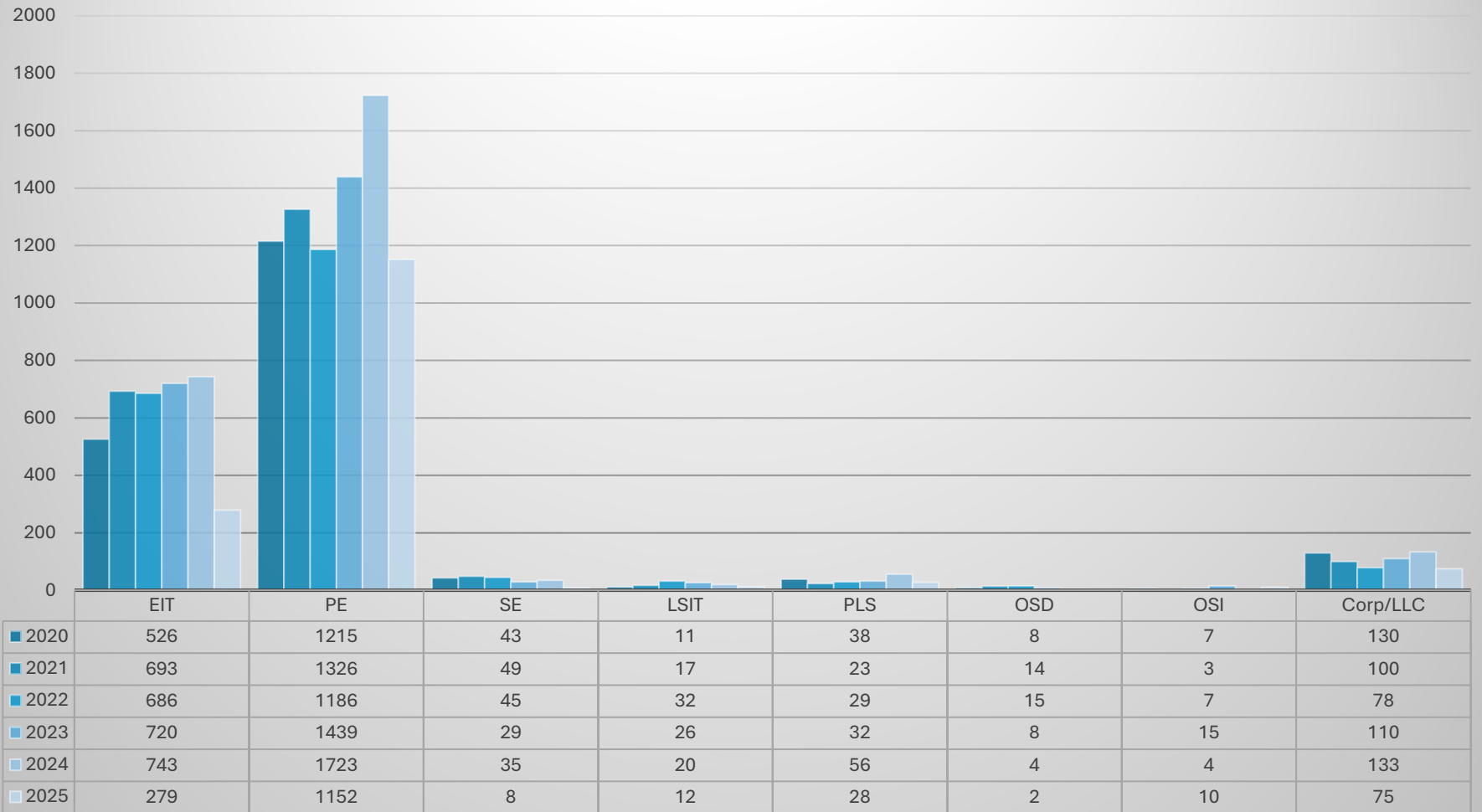
(b) All reports or other documents submitted by, or at the direction of, the license holder, in full or partial fulfillment of the terms of the final order or agreement;

(c) All correspondence between the license holder and the board regarding compliance with the final order or agreement; and

(d) All documents relied upon by the board showing that the license holder has failed to comply with the previously issued final order or agreement.

[Statutory Authority: RCW 18.43.035. WSR 21-22-092, § 196-09-055, filed 11/2/21, effective 12/3/21. Statutory Authority: RCW 46.01.110 and 2018 c 199. WSR 18-21-028, § 196-09-055, filed 10/5/18, effective 11/5/18. Statutory Authority: RCW 18.43.035 and chapter 18.235 RCW. WSR 06-11-121, § 196-09-055, filed 5/19/06, effective 6/19/06. Statutory Authority: Chapters 18.43 and 18.235 RCW. WSR 04-04-001, § 196-09-055, filed 1/21/04, effective 2/21/04.]

Licenses Issued



New Apps Recieved

