



PROPOSED RULE MAKING

CR-102 (June 2024)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 14, 2025

TIME: 10:43 AM

WSR 25-15-067

Agency: Board of Registration for Professional Engineers and Land Surveyors

☒ **Original Notice**

☐ **Supplemental Notice to WSR** _____

☐ **Continuance of WSR** _____

☒ **Preproposal Statement of Inquiry was filed as WSR 25-09-119 ; or**

☐ **Expedited Rule Making--Proposed notice was filed as WSR** _____; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or**

☐ **Proposal is exempt under RCW** _____.

Title of rule and other identifying information: (describe subject) WAC 196-25 Business practices.

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
September 3, 2025	1:00 p.m.	Board of Registration for Professional Engineers and Land Surveyors Office 605 11th Ave SE Suite 201 Olympia WA 98501 OR Virtual: WebEx meeting	The Board of Registration for Professional Engineers and Land Surveyors is holding this hearing in person at the Board's offices in Olympia. The public may also virtually participate in the hearing by accessing the hearing link on the Board's rulemaking page: https://brpels.wa.gov/current-laws-and-rules/rulemaking-activity

Date of intended adoption: October 16, 2025 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name Shanana Gillespie

Address PO Box 9025 Olympia WA 98507-9025

Email Shanana.Gillespie@brpels.wa.gov

Fax

Other

Beginning (date and time) July 23, 2025 7:00 am

By (date and time) September 3, 2025 5:00 pm

Assistance for persons with disabilities:

Contact Mackenzie Wherrett

Phone 360-664-1568

Fax

TTY 711

Email Mackenzie.Wherrett@brpels.wa.gov

Other

By (date) August 25, 2025

Purpose of the proposal and its anticipated effects, including any changes in existing rules: Changes are necessary due to the repeal of application and renewal language from WAC 196-26A earlier in 2025.

Reasons supporting proposal: Changes will clarify requirements for licensure and reflect current licensing processes.

Statutory authority for adoption: RCW 18.43.035

Statute being implemented: RCW 18.43.130

Is rule necessary because of a:

Federal Law?

☐ Yes ☒ No

Federal Court Decision?

☐ Yes ☒ No

State Court Decision?

☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None

Name of proponent: (person or organization) Board of Registration for Professional Engineers and Land Surveyors

Type of proponent: ☐ Private. ☐ Public. ☒ Governmental.

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting	Shanan Gillespie	605 11 th Ave SE Olympia WA 98506	360-664-1570
Implementation	Ken Fuller	605 11 th Ave SE Olympia WA 98506	360-664-1575
Enforcement	Ken Fuller	605 11 th Ave SE Olympia WA 98506	360-664-1575

Is a school district fiscal impact statement required under [RCW 28A.305.135](#)?☐ Yes ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Is a cost-benefit analysis required under [RCW 34.05.328](#)?☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

☒ No: Please explain: The Board of Registration for Professional Engineers and Land Surveyors is not one of the agencies to which RCW 34.05.328 applies pursuant to RCW 34.05.328(5)(a).**Regulatory Fairness Act and Small Business Economic Impact Statement**Note: The [Governor's Office for Regulatory Innovation and Assistance \(ORIA\)](#) provides support in completing this part.**(1) Identification of exemptions:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see [chapter 19.85 RCW](#)). For additional information on exemptions, consult the [exemption guide published by ORIA](#). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.061](#) because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by [RCW 34.05.313](#) before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of [RCW 15.65.570](#)(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(3). Check all that apply:

- ☐ [RCW 34.05.310](#) (4)(b)
(Internal government operations)
- ☐ [RCW 34.05.310](#) (4)(c)
(Incorporation by reference)
- ☐ [RCW 34.05.310](#) (4)(d)
(Correct or clarify language)

- ☒ [RCW 34.05.310](#) (4)(e)
(Dictated by statute)
- ☐ [RCW 34.05.310](#) (4)(f)
(Set or adjust fees)
- ☒ [RCW 34.05.310](#) (4)(g)
(i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under [RCW 19.85.025](#)(4). (Does not affect small businesses).

☐ This rule proposal, or portions of the proposal, is exempt under RCW ____.

Explanation of how the above exemption(s) applies to the proposed rule: The following rules are exempt per RCW 34.05.310(4)(g)(ii) process requirements for applying to an agency for a license or permit, and RCW 34.05.310(4)(e) : WAC 196-25-010 Applications for certificates of authorization, WAC 196-25-045 Changes and renewals. WAC 196-25-045 is exempt per RCW 34.050310(4)(e) rules the content of which is explicitly and specifically dictated by statute.

(2) Scope of exemptions: *Check one.*

- ☒ The rule proposal: Is fully exempt. (*Skip section 3.*) Exemptions identified above apply to all portions of the rule proposal.
- ☐ The rule proposal: Is partially exempt. (*Complete section 3.*) The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using [this template from ORIA](#)):
- ☐ The rule proposal: Is not exempt. (*Complete section 3.*) No exemptions were identified above.

(3) Small business economic impact statement: *Complete this section if any portion is not exempt.*

If any portion of the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

- ☐ No Briefly summarize the agency's minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. _____
- ☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name
Address
Phone
Fax
TTY
Email
Other

Date: 7/14/2025

Name: Ken Fuller

Title: Director

Signature:

