



# PROPOSED RULE MAKING

## CR-102 (December 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: May 03, 2022

TIME: 2:26 PM

WSR 22-10-087

**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 20-16-107 ; 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 196-12 Registered professional engineers.

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
June 8, 2022	1:00 pm	Board of Registration for Professional Engineers and Land Surveyors Off Pice 605 11 <sup>th</sup> Ave SE Suite 201 Olympia WA 98501  <b>OR</b>  <b>Join WebEx meeting</b> Meeting number (access code): 2467 858 4208 Meeting password: diYfpGWP622  <b>Join by phone</b> +1-415-655-0001 US Toll +1-206-207-1700 United States Toll (Seattle)	The Board of Registration for Professional Engineers and Land Surveyors will be holding this hearing in-person at the Board's offices in Olympia.  The public may also participate in the hearing virtually by accessing the hearing link on the Board's rulemaking page: <a href="https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity">https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity</a> or calling the phone number provided.

**Date of intended adoption:** June 23, 2022 (Note: This is **NOT** the **effective** date)

### Submit written comments to:

Name: Shanán Gillespie

Address: PO Box 9025 Olympia WA 98507-9025

Email: [Shanan.Gillespie@brpels.wa.gov](mailto:Shanan.Gillespie@brpels.wa.gov)

Fax:

Other:

By (date) June 8, 2022

### Assistance for persons with disabilities:

Contact Shanan Gillespie

Phone: 360-664-1570

Fax:

TTY: 711 or 1-800-833-5388

Email: [Shanan.Gillespie@brpels.wa.gov](mailto:Shanan.Gillespie@brpels.wa.gov)

Other:

By (date) June 1, 2022

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** Changes to WAC 196-12 Professional Engineers, are necessary due to updates to RCW 18.43 in 2019, and to clarify the processes and requirements for licensure as a professional engineer in Washington. This rule change will impact all applicants applying for licensure as a Professional Engineer or Structural Engineer in Washington, but they will have no additional costs to implement and comply.

**Reasons supporting proposal:** The amendments, and new sections, better define the requirements for licensure, the different ways an applicant can apply for licensure, and allows more flexibility to the Board to consider different types of education and experience that do not follow the "normal" path to licensure.

**Statutory authority for adoption:** RCW 18.43.035

**Statute being implemented:** RCW 18.43.040

**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:**

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

**Name of agency personnel responsible for:**

	Name	Office Location	Phone
Drafting:	Shanan Gillespie	605 11 <sup>th</sup> Ave SE Ste 201 Olympia WA 98501	360-664-1570
Implementation:	Ken Fuller	605 11 <sup>th</sup> Ave SE Ste 201 Olympia WA 98501	360-968-4805
Enforcement:	Ken Fuller	605 11 <sup>th</sup> Ave SE Ste 201 Olympia WA 98501	360-968-4805

**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 Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). 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)(e)  
(Dictated by statute)

RCW 34.05.310 (4)(c)  
(Incorporation by reference)

RCW 34.05.310 (4)(f)  
(Set or adjust fees)

RCW 34.05.310 (4)(d)  
(Correct or clarify language)

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 \_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If 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 analysis showing how costs were calculated. \_\_\_\_\_

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert 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: May 3, 2022

Name: Ken Fuller

Title: Director

Signature:

