

**WAC 196-27A-030 Explicit acts of misconduct.** In addition to any failure to conform with the requirements of chapter 18.43 or 18.235 RCW, or this chapter, the following acts and any act or condition listed in RCW 18.235.130, are explicitly defined as misconduct in the practice of engineering and/or land surveying.

(1) Aiding or abetting the unsupervised practice of engineering or land surveying in the state by a person or firm that is not registered in accordance with chapter 18.43 RCW, or, aiding or abetting an unlicensed person to practice or operate a business or profession when a license is required.

(2) The practice of engineering or land surveying by a registrant when the registrant's license is retired, expired, suspended or revoked.

(3) Failing to comply with the terms and conditions of an order issued by the board.

(4) Failing to provide relevant information on plans and surveys in a clear manner consistent with prudent practice.

(5) Failing to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the survey standards, chapter 332-130 WAC.

(6) Failing to respond to inquiries from clients, or other professionals regarding conflicts with the registrant's work, opinions or procedures, in a manner that would be expected from a prudent practitioner.

(7) Failing to correct engineering or land surveying documents or drawings known to contain substantive errors.

(8) Failing to notify a client or employer that a project could not, or would not, be completed once that assessment is made.

(9) Modifying another licensee's work without notifying that licensee, and clearly delineating the modifications and sealing and signing the modifications made; EXCEPT where the plans, maps, or documents are modified by the owner to reflect changes over time for their own purposes and are not used for submittals or bid documents.

(10) Offering or accepting money, goods or other favors as inducement to receive favorable consideration for a professional assignment, or as an inducement to approve, authorize or influence the granting of a professional assignment.

(11) Soliciting or accepting gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with clients or employers in connection with work for which the registrant is responsible.

(12) Using privileged information coming to registrants in the course of their assignments as a means of making personal profit beyond their professional compensation.

(13) Requesting, proposing, or accepting professional commissions on a contingent basis under circumstances in which the registrant's integrity may be compromised.

(14) Any act, statement or behavior that harasses, intimidates or retaliates against anyone who has provided information, assistance or testimony in connection with any board inquiry, investigation, hearing or other proceeding.

(15) Willfully attempting to suborn another person to violate the law or administrative code, public policy or their code of professional ethics.

(16) Willfully making false statements or submitting fraudulent documents when reporting the completion of continuing professional development requirements.

(17) Disorderly, discriminatory or abusive behavior or statements which are significantly disruptive to the normal activities of a place of business or public view, where such behavior would give anyone witnessing the act a reasonable belief to be concerned for their safety or well-being.

[Statutory Authority: RCW 18.43.035. WSR 07-07-121, § 196-27A-030, filed 3/20/07, effective 4/20/07; WSR 06-11-120, § 196-27A-030, filed 5/19/06, effective 7/1/06; WSR 02-23-027, § 196-27A-030, filed 11/12/02, effective 12/13/02.]