



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Licensing

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: June 22, 1999

(2) Purpose: Amend the rule to clarify and describe the appropriate document that a corporation or limited liability company must submit to the Board yearly to renew their certificate of authority to practice engineering and/or land surveying in the state.

(3) Citation of existing rules affected by this order: WAC 196-25-040

Repealed:  
Amended: 1  
Suspended:

(4) Statutory authority for adoption: RCW 18.43.035

Other Authority:

### PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 99-10-080 on May 4, 1999 (date).

Describe any changes other than editing from proposed to adopted version: None

### EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

### EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- Yes
  - No
- If Yes, explain:

(6) Effective date of rule:

Permanent Rules  
or Expedited Repeal

Emergency Rules

- 31 days after filing
- Other (specify) \_\_\_\_\_\*
- Immediately
- Later (specify) . . . . .

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

George A. Twiss

Signature

Title

Executive Director

Date

July 15, 1999

CODE REVISER USE ONLY

Stamp: RECEIVED DEPARTMENT OF LICENSING

Handwritten: 4:39

Handwritten: 99-15-057

Small circular stamp: (RM)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

**The number of sections adopted in order to comply with:**

<b>Federal statute:</b>	New	.....	Amended	.....	Repealed	.....
<b>Federal rules or standards:</b>	New	.....	Amended	.....	Repealed	.....
<b>Recently enacted state statutes:</b>	New	.....	Amended	.....	Repealed	.....

**The number of sections adopted at the request of nongovernmental entity:**

New	.....	Amended	.....	Repealed	.....
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**The number of sections adopted in the agency's own initiative:**

New		Amended	1	Repealed	
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**The number of sections adopted in order to clarify, streamline, or reform agency procedures:**

New		Amended	1	Repealed	
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**The number of sections adopted using:**

<b>Negotiated rule making:</b>	New	.....	Amended	.....	Repealed	.....
<b>Pilot rule making:</b>	New	.....	Amended	.....	Repealed	.....
<b>Other alternative rule making:</b>	New	.....	Amended	.....	Repealed	.....

AMENDATORY SECTION (Amending WSR 98-12-053, filed 5/29/98, effective 7/1/98)

**WAC 196-25-040 Provisions pertaining to both corporations and limited liability companies.** (1) If the business offers both engineering and land surveying services, there must be a designee for each profession. If a person is licensed in both engineering and land surveying, that person may be designated for both professions.

(2) An affidavit must be signed by the designee(s) stating that he or she knows they have been designated by the business as being responsible for the engineering and/or land surveying activities in the state of Washington.

(3) The designated engineer and/or designated land surveyor must be an employee of the business.

(4) No person may be the designated engineer or designated land surveyor at more than one business at any one time.

(5) If there is a change in the designee(s), the business must notify the board in writing within thirty days of the effective date of the change and submit a new affidavit.

(6) If the business changes its name, the business must submit a copy of its amended certificate of authority or amended certificate of incorporation (for corporations) or a copy of the certificate of amendment (for LLC's), as filed with the secretary of state within thirty days of the filing.

(7) At the time of renewal, ~~((a copy of the business' business license must be submitted to insure that the company is registered with the secretary of state and has a current uniform business identification (UBI) number))~~ the corporation or limited liability company must submit a copy of the document issued to their company by the state of Washington master license service which states that the corporation or limited liability company has been "renewed by the authority of the secretary of state" and shows a current expiration date.

(8) The filing of the resolution shall not relieve the business of any responsibility or liability imposed upon it by law or by contract. Any business that is certified under chapter 18.43 RCW and this chapter is subject to the authority of the board as provided in RCW 18.43.035, 18.43.105, 18.43.110, and 18.43.120.