



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Department of Licensing

- Permanent Rule
- Emergency Rule
- Expedited Rule Making

(1) Date of adoption: ^{24 WAC} May 9, 2002

(2) Purpose: To repeal WAC 196-26 in its entirety and replace it with chapter 196-26A, Registered Professional Engineers and Land Surveyors Fees. The new fee schedule increases many of the application and licensing fees and is completely rewritten to improve clarity and readability. RCW 43.24.086 requires that professional licensing programs collect sufficient revenue to pay for the services provided. Without the fee increase, the Board's dedicated fund balance would decline to a negative balance by the end of the 05-07 biennium. Exam applicants will start paying NCEES directly to take an examination so those charges have been deleted from the fee schedule.

(3) Citation of existing rules affected by this order:
Repealed: WAC 196-26-020 and WAC 196-26-030
Amended:
Suspended:

(4) Statutory authority for adoption: RCW 43.24.086 and RCW 18.43.035
Other Authority:

PERMANENT RULE ONLY (Including Expedited Rule Making)
Adopted under notice filed as WSR 02-08-075 on April 3, 2002
There are no changes from the proposed to the adopted version.

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:

(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
 31 days after filing
 Other (specify) 9/01/02*
Emergency Rules
 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)
Alan E. Rathbun

Signature

Title
Assistant Director, Business and Professions Division
Date
June 13, 2002

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

JUN 17 2002

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02-13-080

TIME _____ PM

(COMPLETE REVERSE SIDE)

**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:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	_____	Amended	_____	Repealed	_____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

New	<u>11</u>	Amended	_____	Repealed	<u>2</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>11</u>	Amended	_____	Repealed	<u>2</u>
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 196-26-020

Engineer and land surveyor fees and charges.

WAC 196-26-030

License renewals.

Chapter 196-26A WAC

PROFESSIONAL ENGINEERS AND LAND SURVEYORS FEES

NEW SECTION

WAC 196-26A-010 State fee authority, applications and payment procedures. The state fees listed in this chapter are adopted by the director of the department of licensing (department) in accordance with RCW 43.24.086. For registration under provisions of chapter 18.43 RCW, the required state fee must accompany all applications. If payment is made by check or money order, the payment should be made payable to the state treasurer. Should an applicant be judged ineligible for examination, the fee shall be retained to cover the costs of processing. An applicant who fails an examination may be scheduled for a retake by paying the required fee within the time frame established by the board of registration for professional engineers and land surveyors (board). Applicants who fail to appear for their scheduled examination will forfeit their fees as determined by the board. Applicants may withdraw from a scheduled examination without forfeiting their fees by submitting a written notice to the board office by the date established by the board.

NEW SECTION

WAC 196-26A-020 Examination vendor, procedures and costs. The board has determined the National Council of Examiners for Engineering and Surveying (NCEES) will administer their examinations on behalf of the board. In addition to state fees, all approved applicants are charged by NCEES for the costs of examinations, exam administration and grading. All these costs must be paid in advance by the applicant to NCEES to reserve a seat at the examination. Applicants who have not paid the required costs will not be admitted to the examination. Applicants who fail to appear for their scheduled examination will forfeit all moneys paid to NCEES. The schedule of the costs charged by NCEES is available from NCEES or the board offices.

NEW SECTION

WAC 196-26A-025 State fees for examinations.

FUNDAMENTAL EXAMINATIONS:

**Fundamentals of
Engineering (FE):**

Application fee (incl. wall
certificate): \$ 30

Processing fee to retake the FE
examination: \$ 20

**Fundamentals of Land
Surveying (FLS):**

Application fee (incl. wall
certificate): \$ 30

Processing fee to retake the
FLS examination: \$ 20

Note: Additional charges to cover costs of NCEES fundamentals examinations, exam administration and grading will be billed by NCEES to approved applicants.

**PROFESSIONAL ENGINEERING
EXAMINATIONS:**

**NCEES Examinations: (All
branches other than board
prepared examinations)**

Application fee (incl. wall
certificate and initial license): \$ 65

Processing fee to retake the
NCEES PE exam: \$ 30

Note: Additional charges to cover costs of NCEES PE examinations, exam administration and grading will be billed by NCEES to approved applicants.

Structural Engineering:

Note: To become licensed in structural engineering a candidate is required to pass sixteen hours of structural examinations when determined eligible under Washington law. The examinations for structural licensing consist of the NCEES Structural II and the Washington Structural III examination. One application is required for structural engineering and when approved a candidate may sit for both examinations when they are offered on successive days.

Application fee (incl. wall
certificate and initial license): \$ 65

Processing fee to retake the
NCEES Structural II or
Washington Structural III
exams: \$ 30

Note: Additional charges to cover costs of NCEES Structural II examination, exam administration and grading will be billed by NCEES to approved applicants.

Structural III examination fee: \$ 300
Examination rescore: \$ 50/item

Forest Engineering:

Application fee (incl. wall
certificate and initial license): \$ 65
Processing fee to retake the
forest engineering
examination: \$ 30
Examination rescore: \$ 50/item

Note: The examination for licensure in forest engineering is a Washington specific examination that is offered in April of the year depending upon applications received. Interested applicants should confirm schedule by contacting the board office.

PROFESSIONAL LAND SURVEYING:

Note: The examinations for licensure in professional land surveying include an NCEES PPLS examination, a Washington specific examination and a take-home examination over Washington laws and rules. One application is required and when determined eligible a candidate will sit for the NCEES PPLS examination and the Washington specific examination on the same day.

Application fee (incl. wall
certificate, state exams, and
initial license): \$ 140
Processing and examination
fee to retake the state PLS
exam: \$ 100

Note: Additional charges to cover costs of NCEES LS examination, exam administration and grading will be billed by NCEES to approved applicants.

Processing fee to retake the
NCEES PPLS examination: \$ 30

NEW SECTION

WAC 196-26A-030 Applications for comity licensure and temporary permits. For comity licensure under the provisions of chapter 18.43 RCW, the required state fee must accompany all applications. Payment by check or money order must be made payable to the Washington state treasurer. Should an applicant be judged ineligible for licensure by comity, the fee submitted shall be retained to cover the cost of processing.

A temporary permit to practice in the state of Washington is available to nonresidents for a period of not to exceed thirty days total in any one-year period. Eligible applicants must have a valid license to practice engineering in the United States, have no

outstanding disciplinary actions against their licensure and meet the experience requirements for licensure in Washington. Temporary permits must be issued prior to any authorized practice in Washington.

NEW SECTION

WAC 196-26A-035 State fees for comity licensure and temporary permit applications.

Professional engineering,
comity licensure application: \$ 110

Note: For licensure by comity in structural engineering an applicant must have a current license as a professional engineer, meet the experience requirements established by the board and have passed sixteen hours of rigorous examinations in structural engineering as determined by the board to be equivalent to the examinations required by the Washington board.

Professional engineering,
temporary permit application: \$ 110

Professional land surveying,
comity licensure application: \$ 140

Note: For licensure by comity in land surveying an applicant must meet the experience requirements established by the board and have passed a written examination deemed satisfactory to the board. Eligible applicants are required to pass the Washington specific examination on Washington laws and rules.

NEW SECTION

WAC 196-26A-040 Renewals for professional engineer and professional land surveyor licenses. The date of renewal, renewal interval and renewal fee is established by the director of the department of licensing in accordance with chapter 43.24 RCW. To renew a license, the licensee must:

- (1) Include payment of the renewal fee;
- (2) Include the licensee's Social Security number as provided for by RCW 26.23.150; and
- (3) Include any name/address changes that apply.

If a completed application for renewal has not been received by the department by the date of expiration (postmarked before the date of expiration if mailed or transacted on-line before the date of expiration), the license becomes invalid. Licensees who fail to pay the renewal fee within ninety days of the date of expiration are required to pay an additional penalty fee equivalent to the fee for a one-year renewal. It is the responsibility of each licensee to renew their license in a timely manner regardless of whether they received a renewal notice from the department.

The licenses for individuals registered as professional engineers or professional land surveyors shall be renewed every two years or as otherwise set by the director of the department of licensing. The date of renewal shall be the licensee's date of birth. The initial license issued to an individual shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure.

NEW SECTION

WAC 196-26A-045 Professional engineer, professional land surveyor renewal fees and penalties.

Professional engineer (two years):	\$ 116
Professional land surveyor (two years):	\$ 116
Late renewal penalty (PE and LS only):	\$ 58

NEW SECTION

WAC 196-26A-050 Application for certificate of authorization.

Except for professional service corporations (PS) and professional service limited liability companies (PLLC) as defined by the Washington secretary of state, all corporations, joint stock associations and limited liability companies that offer engineering or land surveying services to the public must obtain a certificate of authorization from the board. Each application must be accompanied by the required state fee made payable to the state treasurer. Should an applicant be judged ineligible for certificate of authority, the fee submitted shall be retained to cover the cost of processing.

NEW SECTION

WAC 196-26A-055 Renewal of certificate of authorization. The date of renewal, renewal interval and renewal fee are established by the director of the department of licensing in accordance with chapter 43.24 RCW. To renew a certificate of authorization, payment of the renewal fee must be received by the department by the date of expiration (postmarked if renewal is mailed by U.S. mail) or the certificate of authorization becomes invalid. The complete renewal must include any changes to: The name of firm, scope of services offered, mailing address of firm and name and address of licensee(s) named in responsible charge for the services provided. A certificate of authorization that is expired is invalid on the date of expiration.

NEW SECTION

WAC 196-26A-060 Certificate of authorization application and renewal fees.

Application fee (incl. wall certificate and initial license):	\$ 150
Renewal fee (one-year):	\$ 110

NEW SECTION

WAC 196-26A-070 Replacement document fees. The department will provide replacement or duplicate certificates or licenses upon written request and payment of the appropriate fee to cover costs of production and mailing.

Duplicate/replacement wall certificate:	\$ 25
Duplicate/replacement license:	\$ 15