

State of Washington

Board of Registration for Professional Engineers and Land Surveyors
(name of governing body)

(agency name, if applicable)

Resolution No. _____

Administrative Order No. PM 606

(1) Be it resolved by the Wash. St. Board of Registration for Prof. Engineers and Land Surveyors
acting at Seattle Marriott, 3201 S. 176th Street, Seattle Washington,
(place)

that it does adopt the annexed rules relating to:

Amending WAC 196-12-010, 196-12-020, 196-16-007, 196-16-010, 196-20-020,
196-20-030, 196-24-050, 196-24-085 and 196-27-020

Adding new sections WAC 196-24-100, 196-24-105 and 196-24-110

Repealing WAC 196-24-070 and 196-08-085

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. 8708-052
filed with the code reviser on 4-1-87. These rules shall take effect:
 thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2).
 at a later date, such date being _____

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

We, _____, find that
an emergency exists and that this order is necessary for the preservation of the public health, safety, or general
welfare and that observance of the requirements of notice and opportunity to present views on the proposed action
would be contrary to public interest. A statement of the facts constituting the emergency is:

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but
in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b),
or (c) as appropriate:

(a) This rule is promulgated pursuant to RCW 18.43.035
and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW _____
which directs that the

_____ (agency)
has authority to implement the provisions of

(name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the
_____ (agency)

as authorized in RCW _____

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public
Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW), and the State Register
Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this governing body, is herewith transmitted to
the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

STATE OF WASHINGTON
APPROVED AND ADOPTED MAY 8 19 87
FILED

JUN 4 1987

By Willard R. Notestine
Willard R. Notestine
Registrar

CODE REVISER'S OFFICE
WSR 87-13-005

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-12-010 APPLICATIONS. The deadline for receipt of applications properly filled out and accompanied by the application fee is four months before the date of the examination. Verification of the applicant's claimed experience must be in the board office three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Lack of verification of experience will also cause the application to be held for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the next examination which they intend to take. ~~((An--entire-application-is-not-required-where-an-applicant-has-taken-the-examination-and-failed-or-who-has-filed-and-failed-to-appear-for-the-previous-examination--However,-a-new-application-is--required-every--five-years,-after-board-approval-of-the-initial-application,-to-reactivate-an-application-or-maintain-examination-eligibility-))~~

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-12-020 EXPERIENCE RECORDS. (1) Evaluation of records: The basic requirement for registration as a professional engineer is a specific record of eight years or more of approved experience in engineering work of a professional grade. The provisions of the law are that any experience by college study, as defined below, must be substantiated by an official transcript, the supplying of which is the responsibility of the applicant.

(a) Graduation in an approved engineering college curriculum of four years is equivalent to four years of the required experience.

(b) Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

(c) ~~((Graduation-in-a-curriculum-other-than-engineering--will--be-evaluated-by-the-board-~~

~~(d)--Postgraduate--study-in-engineering-may-be-given-credit-up-to-one-year-~~

~~(e)-Engineering-teaching-of-a-character-satisfactory-to-the-board-may-be-recognized-as-engineering-experience,-up-to-a--maximum--of--two-years-))~~

Graduation in a program in engineering technology approved by the accreditation board for engineering and technology (ABET) is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.

(d) Graduation in a program in engineering technology from a non-ABET approved curricula, however approved by the board, is equivalent to two years of required experience. Satisfactory completion of each year of such a program is equivalent to one-half of one year of experience.

(e) Satisfactory completion of each year of a nonapproved curriculum in engineering may be granted up to a maximum of one-half of one year of experience. Coursework in such a program must be equivalent to that of an approved curriculum to grant maximum experience credit.

(f) Graduation in a curriculum other than engineering will be evaluated by the board.

(g) Postgraduate study in engineering may be given credit up to one year. A postgraduate degree must be obtained to be granted maximum experience credit.

(h) Applicants having degrees from outside the United States or Canada shall be required to have their transcripts evaluated by a transcript evaluation service approved by the board. This evaluation will be performed at the applicant's expense, and the applicant will be responsible for submitting all the necessary information to the

evaluation service. The board shall not take any action on an application until the report from the evaluation service and all other documents are received.

(2) Colleges recognized by the board: All student's credits from curricula approved by the accreditation board for engineering and technology are accepted. In the state of Washington student's credits from other curricula than those approved by the accreditation board for engineering and technology may be accepted at the discretion of the board.

(3) In evaluating the work experience required to qualify for registration, the following criteria will be used:

(a) In the normal educational sequence, experience gained between semesters or quarters will not be considered as professional experience.

(b) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(c) Where a degree is not attained, but at least three years of education in an approved curriculum has been completed prior to a work experience track, the education will be considered in conjunction with the work experience in determining the total years of experience.

(d) Engineering teaching of a character satisfactory to the board may be recognized as professional level experience up to a maximum of two years.

(e) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(f) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(4) An applicant must have passed the first stage of the examination and be enrolled as an E.I.T. in accordance with WAC 196-12-050 before applying for the second stage or branch examination.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-16-007 APPLICATIONS. The deadline for receipt of a properly completed application accompanied by the required application fee is four months prior to the date of the examination. Response from applicant's references must be in hand three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Late responses from references will also cause the application to be held for consideration for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the examination which they intend to take. ((A new application is not required where an applicant has taken the previous examination and failed or has filed and failed to appear for the previous examination; however, a new complete application is required every five years after approval by the board until registration in Washington state is obtained.))

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-16-010 EXPERIENCE RECORDS. The first requirement of the law for registration as a professional land surveyor is a minimum of six years of approved professional experience in land surveying. One year of the required experience must be in responsible charge of boundary surveying in the field and one year must be in a supervisory capacity in the office, which includes but is not limited to preparation of legal descriptions and record documents, survey and description research, computations and client/public contact. ((The provisions of the law are that:))

(1) Graduation in a ((recognized)) land surveying curriculum of four years or more ((from a college recognized)) approved by the accreditation board for engineering and technology or approved by the board is equivalent to four years of the required experience.

(2) Satisfactory completion of each year of such ((recognized course)) approved curriculum is equivalent to one year of experience.

(3) ((Graduation in any curriculum not recognized in (1) or (2) above will be evaluated by the board. It is the responsibility of the applicant to see that the board is furnished an official transcript of his college record when education is claimed as experience.

(4) Teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of one year.

(5) Construction staking shall not be applicable toward the required six years of experience.

(6) A registered professional engineer who applies to be examined to become registered as a land surveyor must meet the requirements stated within this section.)) Satisfactory completion of each year of a nonapproved land surveying curriculum may be granted up to a maximum of one-half of one year of experience. Course work in such a curriculum must be equivalent to that of an approved curriculum to grant maximum experience credit.

(4) The normal educational sequence experience gained between semesters or quarters will not be considered as professional experience.

(5) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(6) Land surveying teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of one year.

(7) Construction staking shall not be applicable toward the required six years of experience.

(8) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(9) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(10) A registered professional engineer who applies to be examined to become registered as a land surveyor must meet the requirements stated within this section.

AMENDATORY SECTION (Amending Rule IB, filed 8/4/64)

WAC 196-20-020 EXPERIENCE. The law requires the completion of four years of experience prior to taking the engineer-in-training examination. ~~((This requirement may be fulfilled in either of two ways:))~~ The following criteria will be used in evaluating education and/or work experience.

(1) Graduation in an approved engineering curriculum of four years or more from a school or college recognized by the board, is equivalent to the four-year experience requirement.

(2) Four years or more of professional level experience in engineering work, of a character acceptable to the board, is equivalent to the four-year experience requirement.

(3) The criteria established in WAC 196-12-020 will be used to evaluate the applicant's education and/or work experience.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-20-030 EXAMINATIONS. (1) The engineer-in-training examination is given twice each year at times and places as will from time to time be designated by the board. The schedule of future examinations may be obtained from the board office. The examination is of one day's duration and consists of two sessions, one in the morning and one in the afternoon. It covers mathematics, physical sciences, and other general engineering related subjects.

(2) Persons who may normally expect to graduate ~~((within three months after a))~~ prior to the next regularly scheduled E.I.T. examination may sit for that examination. In cases where college graduation is claimed an applicant who passes the examination will not be enrolled as an E.I.T. until an official college transcript showing completion of the four-year requirement is filed with the board office.

(3) Those who pass this examination will be enrolled as engineers-in-training ~~((and are excused from taking the engineering fundamentals examination; the E.I.T. passing grade will not be weighted in the professional examination but will be qualifying only)).~~ An applicant must be enrolled as an E.I.T. before applying for the second stage or branch examination.

~~((4) All examinations will be given with open book unless otherwise specified by the board.))~~

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-24-050 EXAMINATIONS. (1) The branches in which certificates of registration are presently issued are: Aeronautical, agricultural, ceramic, chemical, civil, electrical, fire protection, industrial, logging, mechanical, metallurgical, mining, naval architecture and marine engineering, and nuclear. The branches of sanitary and structural engineering are considered to be specialized branches. An applicant for any specialized branch is required to hold a current registration in the state of Washington, in one of the regular branches. Applicants shall have not less than two years of professional experience in the additional branch in which the applicant seeks registration, over and above the requirements for professional registration (statutory eight years).

The examination in structural engineering shall be of two days duration. Examination in sanitary engineering shall be of one day duration.

Certificates of registration will also be issued in land surveying.

All examinations are given at times and places as will be designated by the board. The schedule of future examinations may be obtained from the board office.

(2) Applicants for registration by reciprocity from states, territories, districts, or countries who have been issued certificates of registration without examination or in instances where such governmental body does not grant certificates of registration to regularly qualified registrants of the state of Washington will be required to sit for an examination to test the skill, knowledge, and other professional attributes of the applicant.

(a) The examination will be given in the branch chosen by the applicant from the list of regular branches given by this board.

(b) Such examinations are given after the board has approved the applicant's request.

(c) In cases where an applicant is issued a certificate of registration by his governmental body in a branch not included in the list of regular branches (subsection (1) of this section) the board will examine such an applicant in a regular branch of his choice, presumably the one closest to his specialty.

(3) One designation as professional engineer and/or land surveyor will be issued by reciprocity. Each added designation requires a new application. ~~((All-added-branches-will-be-authorized-by-passing-a-regular-examination,--except--applicants-who-may-be-granted-registration))~~ Any additional branch designations will be authorized after the applicant has passed a regular examination in the branch, except that applicants may be granted registration in the additional branch without further examination provided they have successfully passed an examination equivalent to that given in the state of Washington, in a state, territory, possession, district, or country, which grants like reciprocity to the state of Washington registrants.

(4) All examinations ~~((are))~~ will be given with open book unless otherwise specified by the board.

AMENDATORY SECTION (Amending Order 81-10, filed 12/18/81)

WAC 196-24-085 INFORMATION REQUIRED OF NONRESIDENTS INTENDING TO PRACTICE THIRTY DAYS OR LESS IN A CALENDAR YEAR. Every nonresident engineer ~~((or--land--surveyor))~~ who intends to conduct professional practice under the exemption of subsection (2) of RCW 18.43.130, shall furnish the board, prior to the commencement of such work with the following information:

- (1) Name and place of his residence.
- (2) Jurisdiction where currently registered.
- (3) Imprint of professional seal.

(4) Dates work is to be started and terminated in the state of Washington.

(5) Name and address of client.

(6) Type, location of job and regulating authority (if applicable). Nonresident land surveyors will not be allowed to practice in Washington unless licensed under the provisions of chapter 18.43 RCW.

NEW SECTION

WAC 196-24-100 MEETINGS AND OFFICERS. The Washington state board of registration for professional engineers and land surveyors shall hold its regular public meeting annually in June. Special public meetings may be held at such times and places as the board may deem necessary. Public notice of all public meetings shall be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.

At the regular annual meeting the board shall elect a chairman and vice-chairman to hold office for one year commencing July 9. The registrar of the board shall serve as secretary. A vacancy in any office shall be filled for the remainder of the term by special election at the next special public meeting.

NEW SECTION

WAC 196-24-105 EXAMINATION REVIEW. The following conditions shall apply to all examinations administered by the board:

First time examinees shall not be allowed to view any examination material prior to taking the examination other than syllabi available to the public or sample examination booklets published by the National Council of Engineering Examiners.

Examinees who achieve a passing score will not be permitted to review their examination.

Failing examinees may review their examination (test booklet, answer sheet or solution pamphlet and answer key) during a period up to ninety days from the date of the examination result letter. This review shall be under the following conditions:

(1) An examinee shall be able to review his/her examination one time only. This review shall be arranged in advance by appointment with office staff.

(2) All examination reviews shall be conducted in the presence of a member of the office staff. No one may accompany the examinee during the examination review.

(3) In regard to any examinations consisting of machine scored answer sheets, the examinee shall be allowed to review a copy of his/her answer sheet.

(4) Note taking shall be limited to examination scoring and general problem subject matter. No detailed notes depicting any portion of an examination question or solution will be permitted.

(5) Board of registration staff shall supply the examinee with writing materials for taking notes.

(6) All notes must be reviewed by board staff prior to the examinee leaving the office.

(7) All examination appeals shall be conducted in conformance with the policies and procedures adopted by the board. Any questions pertaining to an appeal of examination scoring shall be directed to supervisory staff.

NEW SECTION

WAC 196-24-110 LAND SURVEYING STANDARDS. Failure by any registrant to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the Survey standards, chapter 332-130 WAC shall be considered misconduct or malpractice as defined by RCW 18.43.105(11).

The following standards shall also apply:

(1) The monumentation, posting, and/or the marking of a boundary line between two existing corner monuments constitutes the "practice of land surveying" as defined in chapter 18.43 RCW and chapter 196-16 WAC, and consequently requires said work to be performed under the direct supervision of a registered professional land surveyor.

(2) The field survey work performed to accomplish the monumentation, posting, and marking of a boundary line between two existing corner monuments shall meet the minimum standards imposed by chapter 332-130 WAC.

(3) The monumentation, posting, and/or marking of a boundary line between two existing corner monuments involves a determination of the accuracy and validity of the existing monuments by the use of standard survey methods and professional judgment.

(4) The monumentation, posting, and marking of a boundary line between two existing corner monuments shall require the filing of a record of survey according to chapter 58.09 RCW unless both corners satisfy one or both of the following requirements:

(a) The corner(s) are shown as being established on a properly recorded or filed survey according to chapter 58.09 RCW and are accurately and correctly shown thereon.

(b) The corner(s) are described correctly, accurately, and properly on a land corner record according to chapter 58.09 RCW if their establishment was by a method not requiring the filing of a record of survey.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-24-070 CORRESPONDENCE.

AMENDATORY SECTION (Amending Order PL 454, filed 1/25/84)

WAC 196-27-020 FUNDAMENTAL CANONS AND GUIDELINES FOR PROFESSIONAL PRACTICE. (1) Registrants shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.

(a) Registrants shall recognize that the lives, safety, health and welfare of the general public are dependent upon engineering/land surveying judgments, decisions, and practices incorporated into structures, machines, products, processes, and devices.

(b) Registrants shall approve or seal only those design documents, prepared by them or under their direct supervision, which are determined to be safe for public health and welfare in conformity with accepted standards.

(c) Registrants whose professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered shall inform their clients or employers of the possible consequences.

(d) Registrants who have knowledge or reason to believe that another person or firm may be in violation of any of the provisions of chapter 18.43 RCW or these rules of professional conduct shall present such information to the board in writing and shall cooperate with the board in furnishing such further information or assistance as may be required.

(2) Registrants shall perform services only in areas of their competence.

(a) Registrants shall undertake to perform assignments only when qualified by education or experience in the technical field of engineering or land surveying involved.

(b) Registrants may accept an assignment requiring education or experience outside their own fields of competence, provided their services are restricted to those phases of the project in which they are qualified. All other phases of such project shall be performed by qualified associates, consultants or employees.

(c) Registrants shall not affix their signatures or seals to any plan or document dealing with subject matter in which they lack competence by virtue of education or experience or to any such plan or document not prepared under their supervisory control.

(3) Registrants shall issue public statements only in an objective and truthful manner.

(a) Registrants should endeavor to extend the public knowledge of engineering or land surveying and shall not participate in the dissemination of untrue, unfair, or exaggerated statements regarding said professions.

(b) Registrants shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.

(c) Registrants when serving as expert witness, shall express an engineering or land surveying opinion only when it is founded upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.

(d) Registrants shall issue no statements, criticisms, or arguments on engineering or land surveying matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.

(4) Registrants shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

(a) Registrants shall avoid all known or potential conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interest, or circumstances which could influence their judgment or the quality of their services.

(b) Registrants shall not accept compensation from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed to, by all interested parties.

(c) Registrants shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible.

(d) Registrants in public service as members, advisors, or employees of a governmental body or department shall not participate in considerations or actions with respect to services solicited or provided by them or their organization in private or public engineering/land surveying practice.

(e) Registrants shall advise their employers or clients when, as a result of their studies, they believe a project will not be successful.

(f) Registrants shall not use confidential information coming to them in the course of their assignments as a means of making personal profit if such action is adverse to the interests of their clients, employers or the public.

(g) Registrants shall not accept professional employment outside of their regular work or interest without the knowledge of their employers.

(5) Registrants shall build their professional reputation on the merit of their services and shall not compete unfairly with others.

(a) Registrants shall not give, solicit or receive either directly or indirectly, any commission, political contribution, or a gift or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(b) Registrants should negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

(c) Registrants shall not request, propose or accept professional commissions on a contingent basis under circumstances in which their professional judgments may be compromised.

(d) Registrants shall not falsify or permit misrepresentation of their academic or professional qualifications or experience.

(e) Registrants may advertise professional services in a way that does not contain self-laudatory or misleading language.

(f) Registrants shall not participate in a selection process or be employed in an assignment where said selection was awarded by a process determined to be in violation of chapter 39.80 RCW.

(6) Registrants shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those individuals under their supervision.

(7) Registrants shall respond to any legal request for information by the board and/or appear before the board in the time frame established by the board or their staff designee.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-08-085 HEARINGS ON CHARGES TO BE HEARD WITHIN THREE MONTHS.