



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (4/25/96)

Agency:
Dept. of Licensing, Board of Engineers/Land Surveyors

- Permanent Rule**
- Emergency Rule**
- Expedited Repeal**

(1) Date of adoption: May 3, 1996

(2) Purpose:
Implement changes to RCW 18.43 by the 1995 Legislature (Chapter 356, Laws of 1995).

(3) Citation of existing rules affected by this order:

Repealed:
Amended: Chapter 196-16 WAC Registered Professional Land Surveyors
 Chapter 196-20 WAC Engineers-In-Training
Suspended:

(4) Statutory authority for adoption:

Other authority: RCW 18.43.035

PERMANENT RULE ONLY

Adopted under notice filed as WSR 96-07-052 on March 13, 1996 (date).
 Describe any changes other than editing from proposed to adopted version:
 Edited WAC 196-20-010

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
<input type="checkbox"/> 31 days after filing
<input checked="" type="checkbox"/> Other (specify) <u>7/1/96</u> * | Emergency Rules
<input type="checkbox"/> Immediately
<input type="checkbox"/> 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 Rathbun

SIGNATURE

TITLE Executive Director

DATE 5/13/96

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON
FILED

MAY 14 1996

TIME: 4:09
 WSR: 96-07-0860 AN PNL

**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Federal statute:	New	_____	Amended	_____	Repealed	_____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	<u>3</u>	Amended	<u>7</u>	Repealed	<u>1</u>

WAC 196-21 is a new rule

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

New _____ Amended _____ Repealed _____

The number of sections adopted on the agency's own initiative:

New _____ Amended _____ Repealed _____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New 3 Amended 7 Repealed 1

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	_____

AMENDATORY SECTION (Amending Order PM 820, filed 2/10/89)

WAC 196-16-007 Applications. All applications must be completed on forms provided by the board and filed with the ~~((registrar))~~ executive director at the board's ~~((official))~~ address. The deadline for ~~((receipt of a))~~ properly completed applications accompanied by the ~~((required application fee))~~ appropriate fee and charge as listed in WAC 196-26-020 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.))~~ Late applications ~~((received after the deadline will be held for consideration))~~ will be considered 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))~~

Once an application has been approved, no further application is required. An applicant who has taken an examination and failed or ~~((these))~~ 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))~~ for an examination but did not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 is required to reschedule for an examination.

AMENDATORY SECTION (Amending Order PM 606, filed 6/4/87)

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.~~

~~((1))~~ The law requires eight years of experience in land surveying work of a character satisfactory to the board and passing the fundamentals-of-land surveying examination to be eligible for the professional land surveyor examination. The eight years of experience must be completed sixty days prior to the date of the examination.

The board shall evaluate all experience, which includes education, on a case-by-case basis and approve such experience as

appropriate. The board will use the following criteria in evaluating an applicant's experience record.

(1) Education experience will be based on transcripts. Therefore, any transcripts not previously sent to the board's office should be submitted for maximum experience credit. Education may be approved as experience based on the following:

(a) Graduation with a baccalaureate degree in ((a)) land surveying from an approved curriculum ((of four years or more approved by the accreditation board for engineering and technology or approved by the board is)) shall be equivalent to four years of ((the)) required experience.

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

(3) 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)) (b) Graduation with an associate degree in land surveying from an approved curriculum shall be equivalent to two years of required experience.

(c) Each year completed of an approved curriculum without graduation shall be granted up to a year of required experience.

(d) A maximum of one year may be granted for postgraduate college courses approved by the board. Postgraduate education will count toward the eight years of required experience as described in subsection (2) of this section.

(e) Any other education will be taken into account and evaluated on its merits.

(f) Experience gained between semesters or quarters or during summers while enrolled in an approved curriculum will be considered as part of the educational process. The board grants one year of experience for a year of approved education including any associated work experience within that year.

(2) In evaluating work experience, the board will be looking for eight years of broad based, progressive field and office experience in surveying work under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice land surveying, a minimum of four years of which shall be in a position of making independent judgments and decisions under the general guidance and direct supervision of an authorized

professional experience as provided for in subsections (1)(d) and (3) of this section. This latter experience shall not be limited to, but must include the following:

- (a) Applying state, federal and case law;
- (b) Exercising sound judgment when making independent decisions regarding complex boundary, topographic, horizontal and vertical control, and mapping issues;
- (c) Field identification and evaluation of boundary evidence, including monumentation, and the ability to use that evidence for boundary determination;
- (d) Conducting research;
- (e) Preparing and analyzing complex property descriptions; and
- (f) Interacting with clients and the public in conformance with chapter 196-27 WAC.

The board may grant partial credit for experience that does not fully meet the requirements in (a) through (f) of this subsection.

(3) Teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of two years.

(4) In evaluating combined education and experience the board will be looking at transcripts and work experience to determine knowledge in subsection (2)(a) through (f) of this section.

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

(7) An applicant meeting the requirements for six years of experience before the effective date of the law change on July 1, 1996, may be approved by the board to take the examination based on the rules in effect on January 1, 1996. This subsection expires on July 1, 1999.

AMENDATORY SECTION (Amending WSR 93-01-081, filed 12/15/92, effective 1/15/93)

WAC 196-16-020 Examinations. (1) ((The licensing examination is given in three parts; fundamentals)) To become licensed as a professional land surveyor the candidate must pass the fundamentals-of-land surveying examination, principles and practice examination, and law and ethics examination. A candidate must pass the fundamentals-of-land surveying examination before taking the principles and practice examination except a candidate approved under the six-year requirement in accordance with WAC 196-16-010(7) may elect to take the principles and practice and fundamentals examinations on two consecutive days. The fundamentals and principles and practice ((exams are each one day in length))

examinations are given at times and places designated by the board. The schedule of future examinations and an examination syllabus may be obtained from the board office. The law and ethics exam is a take-home examination((-

~~(a) The fundamentals of land surveying examination shall test knowledge areas including, but not limited to, the following: Mathematics, measurement techniques, field techniques, computation techniques, and record sources. The principles and practice examination shall test knowledge areas including, but not limited to, the following: Washington state law and judicial decisions, public land system, property descriptions, surveying principles procedures and standards, geometries, error analysis together with ethics and professional conduct. Copies of the examination matrices are available from the board office upon request.~~

~~(b) A candidate may elect to sit for the fundamentals and principles and practice examinations on two consecutive days or they may sit for the fundamentals only, and take the principles and practice at a subsequent examination. The law exam shall be taken after the principles and practice exam.~~

~~(c) A candidate failing any one of the three parts of this examination must only repeat the part(s) failed.~~

~~(d) A candidate must pass all three parts of the examination to become licensed as a professional land surveyor.~~

~~(2) Applicants for a professional land surveyor (PLS) license, either by examination or comity, must take and pass the law portion of the examination effective as follows:~~

Examination

~~Starting with the April 16, 1993, examination, and continuing with future licensing examinations, PLS applicants being examined for initial licensure shall also take the law exam. Initial licensure, in the context of this section, means licensure for an applicant who has not previously obtained a professional license under chapter 18.43 RCW in the state of Washington.~~

Comity

~~Any applicant for licensure by comity whose application is postmarked on or after April 1, 1993, shall take the law examination.~~

~~(a) The law examination will cover the following sections of statute and administrative code:~~

~~Chapter 18.43 RCW;
Chapter 196 04 WAC;
Chapter 196 08 WAC;
Chapter 196 12 WAC;
Chapter 196 16 WAC;
Chapter 196 20 WAC;
Chapter 196 24 WAC;
Chapter 196 26 WAC;
Chapter 196 27 WAC.~~

~~(b) The law examination is multiple choice format and will be administered as a "take home" exam.~~

~~(c) Candidates failing the law examination may retake the examination upon notice that they did not pass)) covering chapter 18.43 RCW and Title 196 WAC. If one of these examinations is failed, only that examination must be retaken.~~

WAC 196-16-031 Comity--Registration of applicants qualified in other jurisdictions. (1) Applicants for registration as a land surveyor by comity ((will be exempt from the full sixteen hour fundamentals and principles and practice examinations administered by this board provided)) must meet the following criteria:

~~((1) That)) (a) The applicant's qualifications meet the requirements of chapter 18.43 RCW and ((the rules established by the board)) this chapter;~~

~~((2) That the applicant has been qualified by a written sixteen hour examination determined by the board to be equivalent to the exam administered in Washington; and~~

~~(3) That)) (b) The applicant is in good standing with the licensing agency in ((said)) a state, territory, possession, district, or foreign country. Good standing shall be defined as a currently valid license in the jurisdiction of original registration or the jurisdiction of most recent practice, if different from the jurisdiction of original registration.~~

~~((All candidates will be required to pass written examinations as prescribed by the board. The examinations shall test knowledge areas as described in WAC 196-16-020.)) (c) The applicant has been qualified by a written examination determined by the board to adequately test the fundamentals and principles and practice of land surveying and whose experience includes WAC 196-16-010 (2)(a) through (f).~~

(2) The applicant will be required to pass examinations to demonstrate competency in land surveying issues important to Washington, and law and ethics. Comity applicants will not be required to take the fundamentals-of-land surveying and full principles and practice examinations administered by the board.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-16-005 Definitions.

AMENDATORY SECTION (Amending Order PM 738, filed 5/27/88)

WAC 196-20-010 Applications. All applications must be completed on forms provided by the board and filed with the ~~((registrar))~~ executive director at the board's ~~((official))~~ address. The deadline for properly completed applications accompanied by the ~~((statutory fee))~~ appropriate fee and charge as listed in WAC 196-26-020 is four months prior to the date of the examination. Late applications ~~((received after the deadline))~~ will be ~~((held for consideration))~~ considered for a later examination.

~~((Official transcripts of college record, if not attached to the application, shall be forwarded to the board office as soon as they are available.))~~ All applicants should submit transcripts of degrees attained or college courses taken in order to obtain maximum experience credit except, applicants enrolled in a school or college having achieved senior standing in a baccalaureate curriculum in engineering approved by the board will be eligible to take the fundamentals-of-engineering examination without submitting college transcripts.

Once an application has been approved, no further application is required. An applicant who has taken an examination and failed or who qualified for an examination but did not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 shall be submitted to the board's office.

AMENDATORY SECTION (Amending Order PM 606, filed 6/4/87)

WAC 196-20-020 Experience. The law requires the completion of four years of experience or having achieved senior standing in a school or college approved by the board prior to taking the ~~((engineer in training))~~ fundamentals-of-engineering examination. If the applicant has achieved senior standing, that standing must be certified by said school or college. The four years may be gained as: Four years of approved education; four years of experience approved by the board; four years of combined education and experience. The experience to qualify for the fundamentals-of-engineering examination must be completed sixty days prior to the date of the examination.

The board shall evaluate all experience on a case-by-case basis and approve such experience as appropriate. Partial credit may be granted for experience and/or education that does not fully meet the requirements. The board will use the following criteria ~~((will be used))~~ in evaluating an applicant's 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~~) broad based progressive experience in the fundamental knowledge of engineering ((work)) theory and practice, of a character acceptable to the board, under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice engineering 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 PM 606, filed 6/4/87)

WAC 196-20-030 Examinations. (1) The (~~engineer in-training~~) fundamentals-of-engineering 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 and an examination syllabus 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 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~~) (2) An applicant passing the fundamentals-of-engineering examination will be enrolled as an engineer((s))-in-training pursuant to RCW 18.43.020(3). (~~An applicant must be enrolled as an E.I.T. before applying for the second stage or branch examination.~~)

Chapter 196-21 WAC

LAND SURVEYORS-IN-TRAINING

NEW SECTION

WAC 196-21-010 Applications. All applications must be completed on forms provided by the board and filed with the executive director at the board's address. The deadline for properly completed applications accompanied by the appropriate fee and charge as listed in WAC 196-26-020 is four months prior to the date of examination. Late applications will be considered for a later examination.

All applicants should submit transcripts of degrees attained or college courses taken in order to obtain maximum experience credit except, applicants enrolled in a school or college that have achieved senior standing in a baccalaureate curriculum in land surveying approved by the board will be eligible to take the fundamentals-of-land surveying examination without submitting college transcripts.

Once an application has been approved, no further application is required. An applicant who has taken an examination and failed or who qualified for an examination but did not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 shall be submitted to the board's office.

NEW SECTION

WAC 196-21-020 Experience. The law requires completing four years of experience or having achieved senior standing in a school or college approved by the board prior to taking the fundamentals-of-land surveying examination. If the applicant has achieved senior standing, that status must be certified by said school or college. The four years may be gained as: Four years of approved education; four years of experience approved by the board; four years of combined education and experience. The experience to qualify for the fundamentals-of-land surveying examination must be completed sixty days prior to the date of the examination.

The board shall evaluate all experience, which includes education, on a case-by-case basis and approve such experience as appropriate. The board will use the following criteria in evaluating an applicant's experience record.

(1) Education may be approved as experience based on the following:

(a) Graduation with a baccalaureate degree in land surveying from an approved curriculum shall be equivalent to four years of required experience.

(b) Graduation with an associate degree in land surveying from an approved curriculum shall be equivalent to two years of required experience.

(c) Each year completed of an approved curriculum without graduation shall be granted up to a year of required experience.

(d) A maximum of one year may be granted for postgraduate college courses approved by the board.

(e) Any other education will be taken into account and evaluated on its merits.

(f) Experience gained between semesters or quarters or during summers while enrolled in an approved curriculum will be considered as part of the educational process. The board grants one year of experience for a year of approved education including any associated work experience within that year.

(2) In evaluating four years of work experience, the board will be looking for broad based, progressive experience in the fundamental knowledge of surveying theory and practice under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice land surveying. This experience shall not be limited to, but must include the following:

(a) Performing complex survey calculations;

(b) Conducting boundary and corner research;

(c) Preparing and using property descriptions;

(d) Understanding and applying fundamental boundary and topographic principles;

(e) Making and/or analyzing horizontal and vertical control measurements; and

(f) Being skilled in survey equipment care and usage.

The board may grant partial credit for experience that does not fully meet the requirements in (a) through (f) of this subsection.

(3) In evaluating the four years of combined education and experience the board will be looking at transcripts and work experience to determine knowledge in subsection (2) (a) through (f) of this section.

(4) In the judgment of the board, the applicant must have demonstrated increased levels of responsibility and a continuous gain in experience and knowledge such that at the time of being approved for the fundamentals-of-land surveying examination, the applicant is capable of making independent judgments and decisions under the general guidance and direct supervision of an authorized professional.

NEW SECTION

WAC 196-21-030 Examinations. (1) The fundamentals-of-land surveying examination is given at times and places designated by

the board. The schedule of future examinations and an examination syllabus may be obtained from the board office.

(2) An applicant passing the fundamentals-of-land surveying examination will be enrolled as a land surveyor-in-training pursuant to RCW 18.43.020(8).