

WSR 24-01-093
PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

[Filed December 18, 2023, 10:25 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-14-025.

Title of Rule and Other Identifying Information: Chapter 196-21 WAC, Land surveyors-in-training.

Hearing Location(s): On January 31, 2024, at 1 p.m., at Board of Registration for Professional Engineers and Land Surveyors (board) Office, 605 11th Avenue S.E., Suite 201, Olympia, WA 98501; or WebEx meeting. The board is holding this hearing in person at the board's offices in Olympia.

The public may also virtually participate in the hearing by accessing the hearing link on the board's rule-making page <https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity>.

Date of Intended Adoption: February 22, 2024.

Submit Written Comments to: Shanan Gillespie, P.O. Box 9025, Olympia, WA 98507-9025, email Shanan.Gillespie@brpels.wa.gov.

Assistance for Persons with Disabilities: Contact Mackenzie Wherrett, phone 360-968-4813, TTY 711 or 1-800-835-5388, email Mackenzie.Wherrett@brpels.wa.gov.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Minor housekeeping changes were made to the existing language to help clarify requirements to take the fundamentals of land surveying examination. Existing language was amended to allow individuals to get certified as a land surveyor-in-training, regardless of where they took the NCEES fundamentals-of-land-surveying (FLS) examination, as long as requirements are met.

Reasons Supporting Proposal: Changing the certification language allows individuals that took and passed the NCEES FLS examination in other states the opportunity to get land surveyor-in-training certification in Washington if requirements are met.

Statutory Authority for Adoption: RCW 18.43.035.

Statute Being Implemented: RCW 18.43.040.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Board of registration for professional engineers and land surveyors, governmental.

Name of Agency Personnel Responsible for Drafting: Shanan Gillespie, 605 11th Avenue S.E., Suite 201, Olympia, WA 98501, 360-664-1570; Implementation and Enforcement: Ken Fuller, 605 11th Avenue S.E., Suite 201, Olympia, WA 98501, 360-968-4805.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The board is not one of the agencies to which RCW 34.05.328 applies pursuant to RCW 34.05.328 (5) (a).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; and rules adopt, amend, or repeal a procedure, practice, or require-

ment relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: RCW 34.05.310 (4)(d) applies because amendments clarify language without changing its effect: WAC 196-21-005, 196-21-010, and 196-21-025.

RCW 34.05.310 (4)(g) applies because amendments are regarding process requirements for applying to an agency or a license or permit: WAC 196-21-005, 196-21-010, 195-21-025, and 196-21-040.

Scope of exemption for rule proposal:

Is fully exempt.

December 18, 2023

Ken Fuller

Director

OTS-5098.1

AMENDATORY SECTION (Amending WSR 04-04-001, filed 1/21/04, effective 2/21/04)

WAC 196-21-005 Declaration and purpose. This chapter contains rules and procedures for applications, eligibility ~~((and))~~ to take the fundamentals of land surveying examination((s)), and to ((be enrolled as)) apply for a land surveyor((s))-in-training certificate.

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

WAC 196-21-010 Eligibility and applications. Eligibility for taking the fundamentals of land surveying exam requires completion and verification of four years of experience. These four years can be achieved through board approved education; board approved practical experience or a combination of both. All applications must be completed in accordance with instructions provided by the board. Once an applicant is notified of board approval to sit for the fundamentals of surveying examination ~~((he or she))~~ they will be instructed to ~~((register directly))~~ schedule their examination with the National Council of Examiners for Engineering and Surveying (NCEES) ~~((for admittance to the examination))~~.

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

WAC 196-21-025 Educational experience. All applicants are required to have original transcripts submitted to the board ~~((by the school registrar in order))~~ to obtain maximum educational experience credit. Applicants enrolled in a school or college that have achieved

senior standing in a baccalaureate curriculum in land surveying approved by the board are eligible to take the fundamentals-of-land surveying examination (~~((without having college transcripts submitted))~~).

Qualifying educational experience may be:

(1) A baccalaureate degree in land surveying from a board approved curriculum for up to four years; or

(2) An associate degree in land surveying from a board approved curriculum for up to two years; or

(3) Each year of qualifying board approved coursework in land surveying, without a degree, that will be evaluated for relevancy and equivalency to a structured curriculum for up to one year;

(4) A postgraduate degree approved by the board for up to one year.

AMENDATORY SECTION (Amending WSR 14-07-106, filed 3/19/14, effective 4/19/14)

WAC 196-21-040 (~~((How do I obtain))~~) **Obtaining certification as a land surveyor-in-training in Washington(?)**. To obtain certification as a land surveyor-in-training in Washington ((is only available to those applicants who designate Washington as their practice state when registering to take)) you must pass the fundamentals of surveying exam and ((who also pass the fundamentals of surveying exam. Those that meet the above conditions must)) submit an application ((for certification as a land surveyor-in-training)) to the board showing you meet the requirements listed in WAC 196-21-020 and 196-21-025.

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-21-030 Fundamentals-of-land surveying examination.