

SENATE BILL REPORT

SB 5283

As Amended by House, April 10, 2023

Title: An act relating to the waiver of the fundamentals examination for professional engineer and land surveyor licensing applicants by comity.

Brief Description: Authorizing the state board of registration for professional engineers and land surveyors to waive the fundamentals examination for professional engineer or professional land surveyor comity applicants.

Sponsors: Senator Van De Wege; by request of Board of Registration for Professional Engineers and Land Surveyors.

Brief History:

Committee Activity: Labor & Commerce: 2/02/23, 2/07/23 [DP, w/oRec].

Floor Activity: Passed Senate: 3/7/23, 48-0.

Passed House: 4/10/23, 97-0.

Brief Summary of Bill

- Allows the Board of Registration for Professional Engineers and Land Surveyors to waive the fundamentals examination for out-of-state applicants for a certification of registration as a professional engineer or land surveyor if the applicant has met certain requirements.

SENATE COMMITTEE ON LABOR & COMMERCE

Majority Report: Do pass.

Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña, Vice Chair; King, Ranking Member; MacEwen, Robinson, Schoesler and Stanford.

Minority Report: That it be referred without recommendation.

Signed by Senator Braun.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Susan Jones (786-7404)

Background: Certificate of Registration. The Board of Registration for Professional Engineers and Land Surveyors (Board) must issue a certificate of registration upon payment of a registration fee to any applicant who, in the opinion of the Board, has satisfactorily met all the requirements of the Engineers and Land Surveyors chapter. To register as a professional engineer or professional land surveyor, an applicant must show certain evidence satisfactory to the Board, including years of experience and successful passage of certain examinations. There are two stages of examination. The first stage is a fundamentals examination, which may be given in a college curricula. The second stage is a principals and practice examination.

Registration of Out-of-State Applicants. The Board may, upon application and the payment of a fee, issue a certificate without further examination as a professional engineer or land surveyor to any person who holds a certificate of qualification of registration issued to the applicant following examination by proper authority, of any state or territory or possession of the United States, the District of Columbia, or of any foreign country, provided the applicant's qualifications meet the other requirements of the laws and rules for these professionals; and the applicant is in good standing with the licensing agency in the other state, territory, possession, district, or foreign country. The Board may not waive the fundamentals examination for out-of-state applicants.

Professional Engineer. Professional engineer means a person who, by reason of the person's special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering, as attested by the person's legal registration as a professional engineer.

Practice of engineering means any professional service or creative work requiring engineering education, training, and experience and the application of special knowledge of the mathematical, physical, and engineering sciences to such professional services or creative work as consultation, investigation, evaluation, planning, design, and supervision of construction for the purpose of assuring compliance with specifications and design, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects.

Professional Land Surveyor. Professional land surveyor means a person who, by reason of the person's special knowledge of the mathematical and physical sciences and principles and practices of land surveying, which is acquired by professional education and practical experience, is qualified to practice land surveying and is attested to by the person's legal registration as a professional land surveyor.

Practice of land surveying means assuming responsible charge of the surveying of land for the establishment of corners, lines, boundaries, and monuments; the laying out and

subdivision of land; the defining and locating of corners, lines, boundaries, and monuments of land after they have been established; the survey of land areas for the purpose of determining the topography thereof; the making of topographical delineations; and the preparing of maps and accurate records, when the proper performance of such services requires technical knowledge and skill.

Summary of Bill: Waiver of Fundamentals Exam Allowed for Out-of-State Applicants.
The Board may waive the fundamentals examination for applicants who have passed the National Council for Examiners for Engineering and Surveying principles and practice examination; have met the experience and education requirements established by the Board; and are in good standing with the licensing agency in a state, territory, possession, district, or foreign country.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The board used to waive the fundamentals test before they realized they didn't have the statutory authority to do so. This bill will give them that authority, which will remove a barrier for when people come in from out-of-state. It removes an unnecessary barrier for comity licensing. Comity is related to an out-of-state licensee coming to another state to be licensed.

Persons Testifying: PRO: Senator Kevin Van De Wege, Prime Sponsor; Ken Fuller, Board of Registration for Professional Engineers and Land Surveyors.

Persons Signed In To Testify But Not Testifying: No one.

EFFECT OF HOUSE AMENDMENT(S):

Requires the Board to waive the fundamentals exam for engineer and land surveyor applicants who meet certain requirements, rather than providing the Board permissive authority to waive the exam.