



RULE-MAKING ORDER
(RCW 34.05.360)

CR-103 (10/1/89)

Agency: BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Permanent Rule
 Emergency Rule

(1) Date of adoption: December 4, 1992

(2) Purpose: To clarify existing language and provide new language requiring that engineers and land surveyors take an examination over Chapter 18.43 RCW and Chapter 196 WAC.

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

Repealed:
Amended: WAC 196-12-030, 196-12-050, 196-16-020, 196-16-031, 196-24-030, 196-24-050
Suspended: and WAC 196-24-105

(4) Authority for adoption:
Statute: RCW 18.43.035
Other Authority:

(5.1) **PERMANENT RULE ONLY**

Pursuant to notice filed as WSR 92-21-104^{MS} on October 21, 1992 (date).
Describe any changes other than editing from proposed to adopted version:

No Changes

(5.2) **EMERGENCY RULE ONLY**

Pursuant to 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 **Emergency Rules**

31 days after filing Immediately
 Other (specify) _____ * Later (specify) _____

* (If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

CODE REVISER USE ONLY

1992
9:16
93 01-081

NAME (TYPE OR PRINT)
Alan E. Rathbun, PE

SIGNATURE

DATE
12/8/92

Executive Director

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

WAC 196-12-030 Examinations. (1) The examination is given in ~~((two))~~ three parts; fundamentals of engineering (EIT), branch (PE), and law. All examinations are given with open book unless otherwise specified by the board.

For the specific branch of engineering in which the applicant desires to qualify, and for the times and places of such examinations, see WAC 196-24-050.

(2) The following rules shall apply:

(a) Applicants must be enrolled as an engineer-in-training ~~((and are required))~~ in order to take the branch examination ~~((in the specific branch of engineering under which they desire to qualify)).~~

(b) Applicants ~~((who are))~~ enrolled as an EIT((s)) in any other state((s)), territory, or possession of the United States, the District of Columbia, or a foreign country by virtue of a written examination comparable to that given by the state of Washington ((may)) will be exempt from taking the ~~((first stage of the))~~ fundamentals of engineering examination.

(c) All qualified applicants are required to take the examination in the specific branch of engineering in which they desire to become registered.

(d) All three parts of the examination must be passed to become licensed as a professional engineer. Except for candidates who have been approved to waive the fundamentals and engineering exam under WAC 196-12-050 (2); those candidates must write only the branch and law exams.

(3) Applicants for a professional engineer (PE) 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, PE 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 4 WAC;

Chapter 196-26 WAC;

Chapter 196-27 WAC.

(b) The examination is multiple choice format and will be administered as a "take-home" exam. The law exam shall be taken after the branch exam.

(c) A candidate failing the law examination may retake the examination upon notice that they did not pass.

AMENDATORY SECTION (Amending WSR 92-01-101, filed 12/17/91, effective 1/17/92)

WAC 196-12-050 Evaluation of candidates for engineering licenses. (1) A candidate who is enrolled as an E.I.T. is required to write (~~only~~) both the examination in the branch approved by the board and the law examination to obtain licensure.

(2) Candidates who have had at least twelve years of experience satisfactory to the board and hold a baccalaureate degree in an approved engineering curriculum may request that the fundamental examination be waived and that they be permitted to write the branch and law examinations only.

(3) A professional land surveyor seeking registration as a professional engineer should refer to WAC 196-12-020.

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

WAC 196-16-020 Examinations. (1) The licensing examination (~~(s are)~~) is given in (~~(two)~~) three parts (~~(:- (1))~~); fundamentals (~~(and (2))~~), principles and practice, (~~(each of one day's duration)~~) and law. The fundamentals and principles and practice exams are each one day in length. The law 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, geometrics, 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 (~~(in)~~) on two consecutive days or they may sit for (~~(one part of one examination and the other part)~~) 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 (~~(either the fundamentals or principles and practice and passing the other has)~~) any one of the three parts of this examination must only (~~(to)~~) 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 5 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.

AMENDATORY SECTION (Amending WSR 91-23-111, filed 11/20/91, effective 12/21/91)

WAC 196-16-031 Comity. Applicants for registration as a land surveyor by comity will be exempt from the full sixteen-hour (~~written~~) fundamentals and principles and practice examinations administered by this board provided:

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

(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 the applicant is in good standing with the licensing agency in said 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 ((a)) written examinations as prescribed by the board. The examinations shall test knowledge areas as described in WAC 196-16-020.

AMENDATORY SECTION (Amending WSR 91-23-111, filed 11/20/91, effective 12/21/91)

WAC 196-24-030 Comity. The board for professional engineers and land surveyors may, upon application, and payment of a fee, issue a certificate of registration (~~(without further examination)~~) as a professional engineer or a professional land surveyor to any person who holds a certificate of registration issued to the applicant following examination by proper authority, of any state, territory or possession of the United States, the District of Columbia, or of any foreign country, provided the following conditions are met:

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

(2) That the applicant is in good standing with the licensing agency in said 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; (~~and~~)

(3) That the certificate of registration has been granted on the basis of examinations equivalent to those given by the state of Washington;

(4) That engineers pass the law examination as prescribed in WAC 196-12-030(3); and

(5) That land surveyors pass the law examination and a written examination as prescribed in WAC 196-16-020 and 196-16-031.

WAC 196-24-050 Examinations. (1) The regular branches of engineering in which certificates of registration are presently issued are: Aeronautical, agricultural, chemical, civil, control systems, electrical, fire protection, industrial, logging, manufacturing, mechanical, metallurgical, mining, naval architecture and marine engineering, nuclear, and petroleum. The branch of structural engineering is a specialized branch. An applicant for structural engineer is required to hold a current registration in the state of Washington, in one of the regular branches. Applicants shall have a minimum of ten years of professional engineering experience (two years in addition to the statutory eight-year requirement) at least two years of which must be structural engineering.

The examination in structural engineering shall be sixteen hours long.

Certificates of registration shall also be issued in land surveying.

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

(2) Applicants for registration by comity who have been issued certificates of registration without examination or by examination not equivalent to exams given in Washington, or do not have a certificate of registration shall be required to sit for an examination.

(a) The examination will be in a branch of engineering selected from the list of regular branches given in subsection (1) of this section.

The board must approve of the branch selected before an exam can be administered.

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

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

(3) One designation as professional engineer and/or land surveyor will be issued by comity. Each added designation requires a new application. Any additional branch designations will be authorized after the applicant has passed an 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.

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

(5) Applicants for a professional engineer or professional land surveyor 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, 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. This exam is prescribed in WAC 196-12-030 for engineers and WAC 196-16-020 for land surveyors.

AMENDATORY SECTION (Amending WSR 92-15-139, filed 7/22/92, effective 8/22/92)

WAC 196-24-105 Examination review. The following conditions shall apply to all examinations administered by the board((+)) except the law examination. The law exam may not be reviewed.

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 Examiners for Engineering and Surveying.

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 of up to ninety days as prescribed by the board. Examinees shall review their examinations only during the prescribed time period. Examinees who fail to review their exam during the prescribed time will not be scheduled for an examination review. 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 except where persons with disability require assistance, and that need is conveyed to staff when the exam review appointment is made.

(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.