

**WSR 25-01-073**  
**PROPOSED RULES**  
**BOARD OF REGISTRATION**  
**FOR PROFESSIONAL ENGINEERS**  
**AND LAND SURVEYORS**

[Filed December 12, 2024, 1:02 p.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 24-19-018.

Title of Rule and Other Identifying Information: Chapter 196-26A WAC, Registered professional engineers and land surveyor fees; and chapter 196-30 WAC, Fees for on-site wastewater treatment designers and inspectors. Language amendments only. No fee amendments.

Hearing Location(s): On January 29, 2025, at 1:30 p.m., at the 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/current-laws-and-rules/rulemaking-activity>.

Date of Intended Adoption: February 13, 2025.

Submit Written Comments to: Shanan Gillespie, P.O. Box 9025, Olympia, WA 98507-9025, email [Shanan.Gillespie@brpels.wa.gov](mailto:Shanan.Gillespie@brpels.wa.gov), beginning January 2, 2025, 7:30 a.m., by January 29, 2025, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Mackenzie Wherrett, phone 360-664-1568, TTY 711, email [Mackenzie.Wherrett@brpels.wa.gov](mailto:Mackenzie.Wherrett@brpels.wa.gov), by January 22, 2025.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amendments are being proposed to correct and clarify language throughout chapter 196-26A WAC. Chapter 196-30 WAC will be repealed due to the large amount of language that is a duplication of language found in chapter 196-26A WAC. Any specific language regarding on-site wastewater treatment system designers will be moved into chapter 196-26A WAC. Language regarding what is required at the time of application and/or renewal is also being clarified.

Reasons Supporting Proposal: Correcting and clarifying current language and repealing duplicative language helps avoid potential conflicts with language that is found in other chapters of WAC 196.

Statutory Authority for Adoption: RCW 18.43.035, 18.210.050, and 18.210.060.

Statute Being Implemented: RCW 18.43.050, 18.43.080, 18.210.140, and 18.210.190.

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., #201, Olympia, WA 98501, 360-664-1570; Implementation and Enforcement: Ken Fuller, 605 11th Avenue S.E., #201, Olympia, WA 98501, 360-664-1575.

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

Explanation of exemptions: RCW 34.05.310 (4)(d) and (g) apply because the language regarding renewal and application processes is being clarified and duplicative language is being repealed.

Scope of exemption for rule proposal:

Is fully exempt.

December 12, 2024

Ken Fuller

Director

## OTS-5891.1

AMENDATORY SECTION (Amending WSR 14-03-029, filed 1/8/14, effective 2/8/14)

**WAC 196-26A-010 State fee authority (~~(, applications)~~) and payment procedures.** The board of registration for professional engineers and land surveyors (board) reviews and approves registration applications (~~(for all examinations)~~) under the provisions of chapters 18.43 and 18.210 RCW. The state fees listed in this chapter are adopted by the (~~(director of the department of licensing (department))~~) board in accordance with RCW (~~(43.24.086)~~) 18.43.050, 18.210.050 and 18.210.140.

The required state fees (~~(as listed in WAC 196-26A-025)~~) must accompany all registration applications. If payment is made by check or money order, the payment should be made payable to (~~(the department of licensing. Should an applicant be judged ineligible for examination,)~~) BRPELS. The fee paid to the (~~(department of licensing shall be retained to cover the costs of processing. An applicant who fails an examination may reapply to the board for examination by paying the required fee and providing any information requested. Applicants who fail to appear for their scheduled examination will forfeit their fees. Applicants may withdraw from an examination without forfeiting their fees by submitting a written notice to the board by the date established by the)~~) board is nonrefundable.

AMENDATORY SECTION (Amending WSR 23-06-073, filed 3/1/23, effective 4/1/23)

**WAC 196-26A-040 Renewals (~~(for professional engineer and professional land surveyor licenses)~~).** (1) Licenses for professional engineers (~~(or)~~), professional land surveyors, on-site wastewater treat-

ment system designers, or certificate of competency holders (inspectors) shall be renewed every two years. The date of expiration shall be the licensee's birthday. The initial license issued to an individual shall expire no earlier than one year after the issue date.

(2) To renew your license, complete an application for renewal, pay the required renewal fee, and provide the information requested in the renewal notice and application form. This information may include email address or other contact information ~~((and information regarding prior unprofessional conduct))~~. In addition, you must disclose any criminal conviction or sanction against you including suspension, revocation, or restriction of your license by a licensing authority in any state, federal, or foreign jurisdiction pursuant to RCW 18.235.110 and 18.235.130. ((Information regarding unprofessional conduct will be evaluated by the board to determine whether it is related to the practice of the applicant's profession.))

(3) For a professional land surveyor the renewal application requires completion of professional development requirements and an attestation by the applicant that they have read chapters 58.09 RCW and 332-130 WAC as part of the renewal process.

(4) For a licensed on-site designer, the renewal application requires completion of professional development requirements as part of the renewal process.

(5) If a completed application for renewal has not been received by the board by the date of expiration (postmarked before the date of expiration if mailed or transacted online before the date of expiration), the license is invalid. ~~((Renewals))~~ Licenses that remain expired over 90 days past the date of expiration require payment of a late fee equivalent to the fee for a one-year renewal in addition to the base renewal fee ~~((,))~~ and completing ~~((of))~~ a renewal application.

~~((5))~~ (6) If your professional engineer or professional land surveyor license has been expired for five or more years, you must submit a renewal application and you will be required to take and receive a passing score on the board's law review examination. In the first year of reactivated practice professional land surveyors may be required by the board to collect an additional 15 professional development hours (PDH).

(7) Any on-site designer license that remains expired for more than two years will be canceled. After cancellation, a new application must be made in accordance with chapter 18.210 RCW to obtain another license.

The licensee is responsible for timely renewal whether or not they ~~((received))~~ receive a renewal notice from the department.

#### REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 196-26A-030	Applications for comity licensure and temporary permits.
WAC 196-26A-050	Application for certificate of authorization.
WAC 196-26A-055	Renewal of certificate of authorization.

OTS-5892.1

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 196-30-030 License renewals.