

---

SENATE BILL 5381

---

State of Washington

58th Legislature

2003 Regular Session

By Senators Sheahan, Fraser, Honeyford, Franklin, Swecker, McCaslin and Hale

Read first time 01/23/2003. Referred to Committee on Commerce & Trade.

1 AN ACT Relating to hydrogeology; amending RCW 18.220.010; providing  
2 an effective date; and declaring an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 18.220.010 and 2000 c 253 s 3 are each amended to read  
5 as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Board" means the geologist licensing board.

9 (2) "Department" means the department of licensing.

10 (3) "Director" means the director of the department of licensing.

11 (4) "Engineering geologist" means a geologist who, by reason of his  
12 or her knowledge of engineering geology, acquired by education and  
13 practical experience, is qualified to engage in the practice of  
14 engineering geology, has met the qualifications in engineering geology  
15 established under this chapter, and has been issued a license in  
16 engineering geology by the board.

17 (5) "Engineering geology" means a specialty of geology affecting  
18 the planning, design, operation, and maintenance of engineering works

1 and other human activities where geological factors and conditions  
2 impact the public welfare or the safeguarding of life, health,  
3 property, and the environment.

4 (6) "Geologist" means a person who, by reason of his or her  
5 knowledge of geology, mathematics, the environment, and the supporting  
6 physical and life sciences, acquired by education and practical  
7 experience, has met the qualifications established under this chapter,  
8 and has been issued a certificate of licensing as a geologist by the  
9 board.

10 (7) "Geology" means the science that includes: Treatment of the  
11 earth and its origin and history, in general; the investigation of the  
12 earth's constituent rocks, minerals, solids, fluids, including surface  
13 and underground waters, gases, and other materials; and the study of  
14 the natural agents, forces, and processes that cause changes in the  
15 earth.

16 (8) "Hydrogeology" means a science that involves the study of the  
17 waters of the earth, including the study of the occurrence,  
18 circulation, distribution, chemistry, remediation, or quality of water  
19 or its role as a natural agent that causes changes in the earth, and  
20 the investigation and collection of data concerning waters in the  
21 atmosphere or on the surface or in the interior of the earth, including  
22 data regarding the interaction of water with other gases, solids, or  
23 fluids.

24 (9) "Licensed specialty geologist" means a licensed geologist who  
25 has met the qualifications in a specialty of geology established under  
26 this chapter and has been issued a license in that specialty by the  
27 board.

28 (10) "Practice of engineering geology" means performance of  
29 geological service or work including but not limited to consultation,  
30 investigation, evaluation, planning, geological mapping, and inspection  
31 of geological work, and the responsible supervision thereof, the  
32 performance of which is related to public welfare or the safeguarding  
33 of life, health, property, and the environment, except as otherwise  
34 specifically provided by this chapter, and includes but is not limited  
35 to the commonly recognized geological practices of construction  
36 geology, environmental geology, and urban geology.

37 (11) "Practice of geology" means performance of geological service  
38 or work including but not limited to collection of geological data,

1 consultation, investigation, evaluation, interpreting, planning,  
2 geological mapping, or inspection relating to a service or work that  
3 applies to geology, and the responsible supervision thereof, the  
4 performance of which is related to public welfare or the safeguarding  
5 of life, health, property, and the environment, except as otherwise  
6 specifically provided by this chapter.

7 (12) "Practice of geology for others" includes, but is not limited  
8 to:

9 (a) The preparation of geologic reports, documents, or exhibits by  
10 any commission, board, department, district, or division of the state  
11 or any political subdivision thereof or of any county, city, or other  
12 public body, or by the employees or staff members of the commission,  
13 board, department, district, or division of the state or any political  
14 subdivision thereof or of any county, city, or other public body when  
15 the reports, documents, or exhibits are disseminated or made available  
16 to the public in such a manner that the public may reasonably be  
17 expected to rely thereon or be affected thereby; and

18 (b) The performance of geological services by any individual, firm,  
19 partnership, corporation, or other association or by the employees or  
20 staff members thereof, whether or not the principal business of the  
21 organization is the practice of geology, which the geological reports,  
22 documents, or exhibits constituting the practice of geology are  
23 disseminated or made available to the public or any individual or  
24 organization in such a manner that the public or individual or  
25 combination of individuals may reasonably be expected to rely thereon  
26 or be affected thereby.

27 However, geological reports, documents, or exhibits that are  
28 prepared by the employees or staff members of any individual, firm,  
29 partnership, corporation, or other association or commission, board,  
30 department, district, or division of the state or any political  
31 subdivision thereof or any county, city, or other public body that are  
32 for use solely within such organizations are considered in-house  
33 reports, documents, or exhibits and are not the practice of geology for  
34 others unless or until the reports are disseminated or made available  
35 as set forth in (a) or (b) of this subsection.

36 (13) "Practice of hydrogeology" means the performance of or offer  
37 to perform any hydrogeologic service or work in which the public  
38 welfare or the safeguarding of life, health, environment, or property

1 is concerned or involved. This includes the collection of geological  
2 data, and consultation, investigation, evaluation, interpretation,  
3 planning, or inspection relating to a service or work that applies  
4 hydrogeology.

5 (14) "Responsible charge" means the exercise of fully independent  
6 control and direction of geological work or the supervision of such  
7 work, and being fully responsible, answerable, accountable, or liable  
8 for the results.

9 (15) "Specialty" means a branch of geology that has been recognized  
10 under this chapter for the purposes of licensure. Engineering geology  
11 ~~((is))~~ and hydrogeology are considered to be ~~((a specialty))~~  
12 specialties of geology.

13 (16) "Subordinate" means any person who assists in the practice of  
14 geology by a licensed geologist or an exempt person, without assuming  
15 the responsible charge of the work.

16 NEW SECTION. Sec. 2. This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and takes effect  
19 July 1, 2003.

--- END ---