

(2) The following sections or paragraphs within sections of the act relate to employment and will be covered by the dispute mechanisms:

- (a) RCW 74.21.030 (17) and (18);
- (b) RCW 74.21.070 (1)(o);
- (c) RCW 74.21.120; and
- (d) RCW 74.21.130.

(3) The department will accept a written complaint from an employee or former employee, or employer who feels harmed by a decision relating to sections:

- (a) RCW 74.21.030(17) (definition of subsidized employment);
- (b) RCW 74.21.030(18) (definition of unsubsidized employment);
- (c) RCW 74.21.070 (1)(0) [74.21.070 (1)(o)] (executive committee's responsibilities (subsidized employment));
- (d) RCW 74.21.120 (limitations subsidized and unsubsidized employment positions); or
- (e) RCW 74.21.130 (compensation for enrollees).

(4) The complaints must be submitted to the department within 30 days of the date that the individual discovers or is informed of an alleged dispute.

(5) The department will investigate complaints or disputes. The assistant commissioner for FIP or a designee shall submit a finding and an order within 45 working days of receipt of the complaint or within 30 days of the end of the investigation, whichever is later.

(6) The order shall provide an opportunity for the employer or other persons or entities to rectify the situation and shall state the actions to be taken by the department, if any. The department's actions may include, but are not limited to, removing the enrollee from the place of employment, establishing an overpayment for the amount of the subsidy, removal of the employer from involvement in the program for a specified period of time, or a prohibition of future referrals or placements with the employer.

(7) The order shall also include the effective date of implementation and methods for extending that date. At the discretion of the assistant commissioner, the order may be made effective the date of delivery or of mailing, be retroactive, or remedial in nature. An appeal of the decision does not in itself delay implementation of the order.

(8) Any party aggrieved by the decision of the assistant commissioner for FIP may request a hearing within 30 days of the finding or order. The hearing will be held pursuant to chapters 34.04 and 34.12 RCW.

(9) Following the issuance of a decision by the office of administrative hearings, an aggrieved party may file a petition for review with the commissioner of employment security in accordance with chapter 50.32 RCW.

[Statutory Authority: Chapter 74.21 RCW, RCW 50.12.010 and 51.12.040. 88-12-051 (Order 5-88), § 192-42-080, filed 5/31/88, effective 7/1/88.]

Title 196 WAC

PROFESSIONAL ENGINEERS AND LAND SURVEYORS, BOARD OF REGISTRATION FOR

Chapters

196-04	Organization and jurisdiction.
196-08	Practice and procedure.
196-12	Registered professional engineers.
196-16	Registered professional land surveyors.
196-20	Engineers-in-training.
196-24	General.
196-26	Registered professional engineers and land surveyors fees.
196-27	Rules of professional conduct.

Chapter 196-04 WAC

ORGANIZATION AND JURISDICTION

WAC

196-04-025	Board of registration for professional engineers and land surveyors—Powers and duties.
196-04-030	Chief executive of the board of registration for professional engineers and land surveyors—Duties, qualifications.

WAC 196-04-025 Board of registration for professional engineers and land surveyors—Powers and duties. Pursuant to RCW 18.43.035, the board of registration for professional engineers and land surveyors shall have the following powers and duties incidental to its regulation of professional engineers, engineers-in-training, and professional land surveyors. Such powers shall include, but not be necessarily limited to, the following:

(1) The board shall have the exclusive power to hire its registrar, subject to the provisions of chapter 41.06 RCW. The board shall also have the exclusive power to review the performance of its registrar, subject to the provisions of chapter 41.06 RCW, on a regular basis, but in any event at least once every twelve months.

(2) The board or its registrar shall hire, subject to the provisions of chapter 41.06 RCW, such other employees as may be necessary to carry out its responsibilities under the law.

(3) The board and its registrar shall prepare its operating budget in a manner consistent with state law and any applicable rules, procedures, and guidelines from the office of financial management. Consistent with rules, policies, and/or guidelines of the office of financial management, the board shall also oversee the spending of budgeted funds for budgeted board tasks.

(4) The board shall determine the physical location of its files, papers, records, and other equipment used by the board to implement its responsibilities under chapter 18.43 RCW.

(5) The board shall determine the appropriate form and content of all forms and correspondence used by the board, pursuant to its duties under chapter 18.43 RCW.

(6) The board shall be responsible for all aspects of any examination which the board is required or authorized to administer under chapter 18.43 RCW.

(7) The board may designate an official mailing address for official correspondence directed to the board, its registrar, or any other board employee.

(8) The board may contract with the department of licensing for any services required to be provided by the board under chapter 18.43 RCW.

[Statutory Authority: RCW 18.43.035. 88-12-044 (Order PM 738), § 196-04-025, filed 5/27/88.]

WAC 196-04-030 Chief executive of the board of registration for professional engineers and land surveyors--Duties, qualifications. (1) The chief executive of the staff of the board of registration for professional engineers and land surveyors, referred to in this chapter as the "registrar," shall have the following duties:

(a) Setting policy, supervising and directing all work related activities of board employees including but not limited to clerical work of receiving and processing applications, complaints, investigations and general correspondence;

(b) Reviewing the performance of all board employees, who shall be under the direction and control of the registrar. Such review shall be in accordance with the provisions of chapter 41.06 RCW, and any rules adopted thereto, and shall be performed on a regular basis, but at least once every year;

(c) Overseeing the examination and grading process, including personnel and site selection;

(d) Directing investigations of violations or alleged violations of all laws applicable to the practice of professional engineering and land surveying;

(e) Directing the preparation of the board's budget and the monitoring of expenditures;

(f) Scheduling, preparation and minute-keeping of board meetings;

(g) Maintaining liaison with other state board of engineering examiners in order to be conversant with the laws, policies and procedures of other states, so as to facilitate reciprocity provisions of chapter 18.43 RCW;

(h) Performing other duties, as may from time to time be required;

(i) Making the initial review of all applications, renewals, and other general correspondence received by the board; and

(j) Performing duties requested by the board.

(2) The registrar of the state board of registration for professional engineers and land surveyors shall possess the following minimum qualifications:

(a) Said registrar shall hold a valid registration, issued pursuant to chapter 18.43 RCW, as a professional engineer in the state of Washington.

(b) Said registrar shall possess at least three years of supervisory experience satisfactory to the board.

(3) Said registrar shall report solely and directly to the board; and all board employees shall report solely to the registrar of the board.

[Statutory Authority: RCW 18.43.035. 88-12-044 (Order PM 738), § 196-04-030, filed 5/27/88; 85-04-030 (Order PL 512), § 196-04-030, filed 1/31/85.]

Chapter 196-08 WAC

PRACTICE AND PROCEDURE

WAC

196-08-085 Repealed.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-08-085 Hearings on charges to be heard within three months. [Statutory Authority: RCW 18.43.035. 84-04-027 (Order PL 454), § 196-08-085, filed 1/25/84; Rule .08.081, filed 7/6/60.] Repealed by 87-13-005 (Order PM 606), filed 6/4/87. Statutory Authority: RCW 18.43.035.

WAC 196-08-085 Repealed. See Disposition Table at beginning of this chapter.

Chapter 196-12 WAC

REGISTERED PROFESSIONAL ENGINEERS

WAC

196-12-010 Applications.
196-12-020 Experience records.
196-12-085 Corporation or joint stock associations.

WAC 196-12-010 Applications. All applications shall be sent to the registrar of the board, at the board's official address, on forms provided by the board. The deadline for receipt of applications properly filled out and accompanied by the application fee is four months before the date of the examination. Verification of the applicant's claimed experience must be in the board office three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Lack of verification of experience will also cause the application to be held for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the next examination which they intend to take.

[Statutory Authority: RCW 18.43.035. 88-12-044 (Order PM 738), § 196-12-010, filed 5/27/88; 87-13-005 (Order PM 606), § 196-12-010, filed 6/4/87; 84-04-027 (Order PL 454), § 196-12-010, filed 1/25/84; 82-01-064 (Order 81-10), § 196-12-010, filed 12/18/81; Order PL 224, § 196-12-010, filed 11/5/75; Order PL-129, § 196-12-010, filed 7/27/72; Order 11, § 196-12-010, filed 9/12/68; Rule IIA, filed 11/15/65; Rule IIA, filed 8/4/64; Rule IA, filed 12/26/62.]

WAC 196-12-020 Experience records. (1) Evaluation of records: The basic requirement for registration as a professional engineer is a specific record of eight years or more of approved experience in engineering work of a professional grade. The provisions of the law are that any experience by college study, as defined below, must be substantiated by an official transcript, the supplying of which is the responsibility of the applicant.

(a) Graduation in an approved engineering college curriculum of four years is equivalent to four years of the required experience.

(b) Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

(c) Graduation in a program in engineering technology approved by the accreditation board for engineering and technology (ABET) is equivalent to three years of required experience. Satisfactory completion of each year of such an approved program is equivalent to three-fourths of one year of experience.

(d) Graduation in a program in engineering technology from a non-ABET approved curricula, however approved by the board, is equivalent to two years of required experience. Satisfactory completion of each year of such a program is equivalent to one-half of one year of experience.

(e) Satisfactory completion of each year of a nonapproved curriculum in engineering may be granted up to a maximum of one-half of one year of experience. Coursework in such a program must be equivalent to that of an approved curriculum to grant maximum experience credit.

(f) Graduation in a curriculum other than engineering will be evaluated by the board.

(g) Postgraduate study in engineering may be given credit up to one year. A postgraduate degree must be obtained to be granted maximum experience credit.

(h) Applicants having degrees from outside the United States or Canada shall be required to have their transcripts evaluated by a transcript evaluation service approved by the board. This evaluation will be performed at the applicant's expense, and the applicant will be responsible for submitting all the necessary information to the evaluation service. The board shall not take any action on an application until the report from the evaluation service and all other documents are received.

(2) Colleges recognized by the board: All student's credits from curricula approved by the accreditation board for engineering and technology are accepted. In the state of Washington student's credits from other curricula than those approved by the accreditation board for engineering and technology may be accepted at the discretion of the board.

(3) In evaluating the work experience required to qualify for registration, the following criteria will be used:

(a) In the normal educational sequence, experience gained between semesters or quarters will not be considered as professional experience.

(b) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(c) Where a degree is not attained, but at least three years of education in an approved curriculum has been completed prior to a work experience track, the education will be considered in conjunction with the work experience in determining the total years of experience.

(d) Engineering teaching of a character satisfactory to the board may be recognized as professional level experience up to a maximum of two years.

(e) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(f) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(4) An applicant must have passed the first stage of the examination and be enrolled as an E.I.T. in accordance with WAC 196-12-050 before applying for the second stage or branch examination.

[Statutory Authority: RCW 18.43.035, 87-13-005 (Order PM 606), § 196-12-020, filed 6/4/87; 84-04-027 (Order PL 454), § 196-12-020, filed 1/25/84; 82-01-064 (Order 81-10), § 196-12-020, filed 12/18/81; Order PL-115, § 196-12-020, filed 11/24/71; Rule IIB, filed 11/15/65; Rule IIB, filed 5/26/65; Rule IIB, filed 8/4/64; Rule IB, filed 12/26/62.]

WAC 196-12-085 Corporation or joint stock associations. Corporations or joint stock associations shall file with the registrar at the board's official address:

(1) A letter of application containing a brief statement of the corporation's origin, activities, and principals. Said letter should also state the type, or types, of engineering practiced, or to be practiced by such corporation. Type or types are limited to the branches currently being issued by the board. Application shall be signed and attested by a corporate officer.

(2) The application for certificate of authorization shall state the experience of the corporation, if any, in furnishing engineering services during the preceding five year period and state the experience of the corporation, if any, in the furnishing of all feasibility and advisory studies made within the state of Washington.

(3) A certified copy of a resolution of the board of directors of the corporation which shall designate a person holding a certificate of registration under this chapter as responsible for the practice of engineering by said corporation in this state and shall provide that full authority to make all final engineering decisions on behalf of said corporation with respect to work performed by the corporation in this state shall be granted and delegated by the board of directors to the person so designated in said resolution: *Provided*, That the filing of such resolution shall not relieve the corporation of any responsibility or liability imposed upon it by law or by contract. The designated engineer responsible for the practice of engineering by said corporation shall be a full-time employee of the corporation. Full-time employee is defined as an individual whose main place of business and major income is derived from said corporation. No individual will be the designated engineer at

more than one place of business or one company at any one time.

(4) A designation in writing setting forth the name or names of a person or persons holding certificates of registration under this chapter who shall be in responsible charge of each project and each major branch of the engineering activities in which the corporation shall specialize in this state. The engineers in charge of major branch or project shall be full-time employees of the corporation. Full-time employee is defined as an individual whose main place of business and major income is derived from said corporation. No individual will be an engineer in charge of branch or project at more than one place of business or company at any one time. In the event there shall be a change in the person or persons in responsible charge of any project or major branch of the engineering activities, such changes shall be designated in writing and filed with the board within thirty days after the effective date of such changes.

(5) A certified copy of the section of the bylaws of the corporation containing provisions that all engineering decisions pertaining to any project or engineering activities in this state shall be made by the designated engineer in responsible charge named in the resolution of the board of directors.

(6) A current certified financial statement accurately reflecting the financial condition of the corporation. Certification shall be by an officer of the corporation or a public accountant.

(7) The professional records of the designated person or persons under subsection (3) of this section who shall be in responsible charge of all the engineering activities of the corporation.

(8) A copy of the articles of incorporation as filed with the secretary of state for the state of Washington and bearing his acceptance stamp.

(9) A copy of the corporation bylaws and any revisions to the bylaws, that may affect the ability of the designated engineer to make all engineering decisions as set forth in subsection (5) of this section.

(10) In the case of change or increase in the engineers named as being in responsible charge (subsection (3) of this section), a certified copy of a resolution of the board of directors of the corporation which shall designate said person or persons shall be filed with the board within thirty days after the effective date of such changes. The professional history of newly named engineers will also be required.

(11) Application fee as determined by the director of the department of licensing.

[Statutory Authority: RCW 18.43.035. 88-12-044 (Order PM 738), § 196-12-085, filed 5/27/88; 84-04-027 (Order PL 454), § 196-12-085, filed 1/25/84; 82-01-064 (Order 81-10), § 196-12-085, filed 12/18/81; Order PL 181, § 196-12-085, filed 1/28/75; Order PL-115, § 196-12-085, filed 11/24/71.]

Chapter 196-16 WAC

REGISTERED PROFESSIONAL LAND SURVEYORS

WAC

196-16-007 Applications.

196-16-010 Experience records.

WAC 196-16-007 Applications. All applications must be filed with the registrar at the board's official address. The deadline for receipt of a properly completed application accompanied by the required application fee is four months prior to the date of the examination. Response from applicant's references must be in hand three months before the date of the examination. Applications received after the deadline will be held for consideration for a later examination. Late responses from references will also cause the application to be held for consideration for a later examination. Those who have previously taken the examination and failed or those who qualified and did not appear for the examination are required to notify the board office in writing three months before the examination which they intend to take. A new application is not required where an applicant has taken the previous examination and failed or has filed and failed to appear for the previous examination. However, a new complete application is required every five years after approval by the board until registration in Washington state is obtained.

[Statutory Authority: RCW 18.43.035. 88-12-044 (Order PM 738), § 196-16-007, filed 5/27/88; 87-13-005 (Order PM 606), § 196-16-007, filed 6/4/87; 84-04-027 (Order PL 454), § 196-16-007, filed 1/25/84; 82-01-064 (Order 81-10), § 196-16-007, filed 12/18/81; Order PL 224, § 196-16-007, filed 11/5/75; Order PL-129, § 196-16-007, filed 7/27/72; Order PL-115, § 196-16-007, filed 11/24/71; Rule IIIA, filed 11/15/65; Rule IIIA, filed 8/4/64.]

WAC 196-16-010 Experience records. The first requirement of the law for registration as a professional land surveyor is a minimum of six years of approved professional experience in land surveying. One year of the required experience must be in responsible charge of boundary surveying in the field and one year must be in a supervisory capacity in the office, which includes but is not limited to preparation of legal descriptions and record documents, survey and description research, computations and client/public contact.

(1) Graduation in a land surveying curriculum of four years or more approved by the accreditation board for engineering and technology or approved by the board is equivalent to four years of the required experience.

(2) Satisfactory completion of each year of such approved curriculum is equivalent to one year of experience.

(3) Satisfactory completion of each year of a nonapproved land surveying curriculum may be granted up to a maximum of one-half of one year of experience. Course work in such a curriculum must be equivalent to that of an approved curriculum to grant maximum experience credit.

(4) The normal educational sequence experience gained between semesters or quarters will not be considered as professional experience.

(5) In situations where the experience/educational track is intermixed with a degree attained late in the sequence, educational achievement will not be counted in addition to work experience in determining total experience. However, professional work experience will not

necessarily be considered as starting subsequent to graduation but will be evaluated in total with consideration given to progression in level of technical complexity and responsibility.

(6) Land surveying teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of one year.

(7) Construction staking shall not be applicable toward the required six years of experience.

(8) Any work experience gained in a situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be credited towards the statutory experience requirement.

(9) The statutory experience requirement to qualify for examination must be completed sixty days prior to the date of examination. Furthermore, the applicant is to provide the necessary verification of said experience up to the sixty-day limit.

(10) A registered professional engineer who applies to be examined to become registered as a land surveyor must meet the requirements stated within this section.

[Statutory Authority: RCW 18.43.035, 87-13-005 (Order PM 606), § 196-16-010, filed 6/4/87; 84-04-027 (Order PL 454), § 196-16-010, filed 1/25/84; 82-01-064 (Order 81-10), § 196-16-010, filed 12/18/81; Order PL-115, § 196-16-010, filed 11/24/71; Rule IIIB, filed 11/15/65; Rule IIIB, filed 8/4/64; Rule IIA, filed 12/26/62.]

Chapter 196-20 WAC ENGINEERS-IN-TRAINING

WAC

196-20-010	Applications.
196-20-020	Experience.
196-20-030	Examinations.

WAC 196-20-010 Applications. All applications must be filed with the registrar at the board's official address. The deadline for properly completed applications accompanied by the statutory fee is four months prior to the date of the examination. Applications received after the deadline will be held for consideration for a later examination.

Official transcripts of college record, if not attached to the application, shall be forwarded to the board office as soon as they are available.

[Statutory Authority: RCW 18.43.035, 88-12-044 (Order PM 738), § 196-20-010, filed 5/27/88; 84-04-027 (Order PL 454), § 196-20-010, filed 1/25/84; 82-01-064 (Order 81-10), § 196-20-010, filed 12/18/81; Order PL 224, § 196-20-010, filed 11/5/75; Order PL-129, § 196-20-010, filed 7/27/72; Rule IA, filed 8/4/64; Rule IIIA, filed 12/26/62.]

WAC 196-20-020 Experience. The law requires the completion of four years of experience prior to taking the engineer-in-training examination. The following criteria will be used in evaluating education and/or work experience.

(1) Graduation in an approved engineering curriculum of four years or more from a school or college recognized by the board, is equivalent to the four-year experience requirement.

(2) Four years or more of professional level experience in engineering work, of a character acceptable to the board, is equivalent to the four-year experience requirement.

(3) The criteria established in WAC 196-12-020 will be used to evaluate the applicant's education and/or work experience.

[Statutory Authority: RCW 18.43.035, 87-13-005 (Order PM 606), § 196-20-020, filed 6/4/87; Rule IB, filed 8/4/64; Rule IIIB, filed 12/26/62.]

WAC 196-20-030 Examinations. (1) The engineer-in-training examination is given twice each year at times and places as will from time to time be designated by the board. The schedule of future examinations may be obtained from the board office. The examination is of one day's duration and consists of two sessions, one in the morning and one in the afternoon. It covers mathematics, physical sciences, and other general engineering related subjects.

(2) Persons who may normally expect to graduate prior to the next regularly scheduled E.I.T. examination may sit for that examination. In cases where college graduation is claimed an applicant who passes the examination will not be enrolled as an E.I.T. until an official college transcript showing completion of the four-year requirement is filed with the board office.

(3) Those who pass this examination will be enrolled as engineers-in-training. An applicant must be enrolled as an E.I.T. before applying for the second stage or branch examination.

[Statutory Authority: RCW 18.43.035, 87-13-005 (Order PM 606), § 196-20-030, filed 6/4/87; 84-04-027 (Order PL 454), § 196-20-030, filed 1/25/84; 82-01-064 (Order 81-10), § 196-20-030, filed 12/18/81; Order PL 181, § 196-20-030, filed 1/28/75; Order PL-129, § 196-20-030, filed 7/27/72; Order PL-115, § 196-20-030, filed 11/24/71; Rule IC, filed 8/4/64; Rule IIIC, filed 12/26/62.]

Chapter 196-24 WAC GENERAL

WAC

196-24-050	Examinations.
196-24-070	Repealed.
196-24-085	Information required of nonresidents intending to practice thirty days or less in a calendar year.
196-24-100	Meetings and officers.
196-24-105	Examination review.
196-24-110	Land surveying standards.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-24-070 Correspondence. [Statutory Authority: RCW 18.43.035, 82-01-064 (Order 81-10), § 196-24-070, filed 12/18/81; Order PL 181, § 196-24-070, filed 1/28/75; Order PL-115, § 196-24-070, filed 11/24/71; Rule IVE, filed 8/4/64.] Repealed by 87-13-005 (Order PM 606), filed 6/4/87. Statutory Authority: RCW 18.43.035.

WAC 196-24-050 Examinations. (1) The branches in which certificates of registration are presently issued are: Aeronautical, agricultural, ceramic, chemical, civil,

electrical, fire protection, industrial, logging, mechanical, metallurgical, mining, naval architecture and marine engineering, and nuclear. The branches of sanitary and structural engineering are considered to be specialized branches. An applicant for any specialized branch is required to hold a current registration in the state of Washington, in one of the regular branches. Applicants shall have not less than two years of professional experience in the additional branch in which the applicant seeks registration, over and above the requirements for professional registration (statutory eight years).

The examination in structural engineering shall be of two days duration. Examination in sanitary engineering shall be of one day duration.

Certificates of registration will also be issued in land surveying.

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

(2) Applicants for registration by reciprocity from states, territories, districts, or countries who have been issued certificates of registration without examination or in instances where such governmental body does not grant certificates of registration to regularly qualified registrants of the state of Washington will be required to sit for an examination to test the skill, knowledge, and other professional attributes of the applicant.

(a) The examination will be given in the branch chosen by the applicant from the list of regular branches given by this board.

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

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

(3) One designation as professional engineer and/or land surveyor will be issued by reciprocity. Each added designation requires a new application. Any additional branch designations will be authorized after the applicant has passed a regular 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, in a state, territory, possession, district, or country, which grants like reciprocity to the state of Washington registrants.

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

[Statutory Authority: RCW 18.43.035. 87-13-005 (Order PM 606), § 196-24-050, filed 6/4/87; 84-04-027 (Order PL 454), § 196-24-050, filed 1/25/84; 82-01-064 (Order 81-10), § 196-24-050, filed 12/18/81; Order PL 181, § 196-24-050, filed 1/28/75; Order PL-115, § 196-24-050, filed 11/24/71; Order PL 113, § 196-24-050, filed 8/3/71; Rule IVC, filed 8/4/64.]

WAC 196-24-070 Repealed. See Disposition Table at beginning of this chapter.

WAC 196-24-085 Information required of nonresidents intending to practice thirty days or less in a calendar year. Every nonresident engineer who intends to conduct professional practice under the exemption of subsection (2) of RCW 18.43.130, shall furnish the board, prior to the commencement of such work with the following information:

(1) Name and place of his residence.

(2) Jurisdiction where currently registered.

(3) Imprint of professional seal.

(4) Dates work is to be started and terminated in the state of Washington.

(5) Name and address of client.

(6) Type, location of job and regulating authority (if applicable). Nonresident land surveyors will not be allowed to practice in Washington unless licensed under the provisions of chapter 18.43 RCW.

[Statutory Authority: RCW 18.43.035. 87-13-005 (Order PM 606), § 196-24-085, filed 6/4/87; 82-01-064 (Order 81-10), § 196-24-085, filed 12/18/81.]

WAC 196-24-100 Meetings and officers. The Washington state board of registration for professional engineers and land surveyors shall hold its regular public meeting annually in June. Special public meetings may be held at such times and places as the board may deem necessary. Public notice of all public meetings shall be issued as required by the Open Public Meetings Act, chapter 42.30 RCW.

At the regular annual meeting the board shall elect a chairman and vice-chairman to hold office for one year commencing July 9. The registrar of the board shall serve as secretary. A vacancy in any office shall be filled for the remainder of the term by special election at the next special public meeting.

[Statutory Authority: RCW 18.43.035. 87-13-005 (Order PM 606), § 196-24-100, filed 6/4/87.]

WAC 196-24-105 Examination review. The following conditions shall apply to all examinations administered by the board:

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 Engineering Examiners.

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 up to ninety days from the date of the examination result letter. 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.

(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.

[Statutory Authority: RCW 18.43.035, 87-13-005 (Order PM 606), § 196-24-105, filed 6/4/87.]

WAC 196-24-110 Land surveying standards. Failure by any registrant to comply with the provisions of the Survey Recording Act, chapter 58.09 RCW and the survey standards, chapter 332-130 WAC shall be considered misconduct or malpractice as defined by RCW 18.43.105(11).

The following standards shall also apply:

(1) The monumentation, posting, and/or the marking of a boundary line between two existing corner monuments constitutes the "practice of land surveying" as defined in chapter 18.43 RCW and chapter 196-16 WAC, and consequently requires said work to be performed under the direct supervision of a registered professional land surveyor.

(2) The field survey work performed to accomplish the monumentation, posting, and marking of a boundary line between two existing corner monuments shall meet the minimum standards imposed by chapter 332-130 WAC.

(3) The monumentation, posting, and/or marking of a boundary line between two existing corner monuments involves a determination of the accuracy and validity of the existing monuments by the use of standard survey methods and professional judgment.

(4) The monumentation, posting, and marking of a boundary line between two existing corner monuments shall require the filing of a record of survey according to chapter 58.09 RCW unless both corners satisfy one or both of the following requirements:

(a) The corner(s) are shown as being established on a properly recorded or filed survey according to chapter 58.09 RCW and are accurately and correctly shown thereon.

(b) The corner(s) are described correctly, accurately, and properly on a land corner record according to chapter 58.09 RCW if their establishment was by a method not requiring the filing of a record of survey.

[Statutory Authority: RCW 18.43.035, 87-13-005 (Order PM 606), § 196-24-110, filed 6/4/87.]

**Chapter 196-26 WAC
REGISTERED PROFESSIONAL ENGINEERS AND
LAND SURVEYORS FEES**

WAC
196-26-010 Repealed.
196-26-020 Engineer fees.

**DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS
CHAPTER**

196-26-010 Fees. [Order PL 224, § 196-26-010, filed 11/5/75.]
Repealed by 87-18-031 (Order PM 667), filed
8/27/87. Statutory Authority: RCW 43.24.086.

WAC 196-26-010 Repealed. See Disposition Table at beginning of this chapter.

WAC 196-26-020 Engineer fees. The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Engineers:	
Application fee	\$ 60.00
Examination retake (2nd subsequent or more)	50.00
Reciprocity	50.00
Engineer certificate (initial registration)	15.00
Replacement certificate	15.00
Renewal	40.00
Late renewal penalty	40.00
Duplicate license	15.00
Certification	25.00
Engineer in training:	
Application, examination and certificate	30.00
Examination retake (2nd subsequent or more)	50.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00
Land surveyor:	
Examination and certificate	60.00
Examination retake (2nd subsequent or more)	50.00
Reciprocity	50.00
Renewal	40.00
Late renewal penalty	40.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00
Engineer corporation:	
Certificate of authorization	250.00
Renewal	125.00
Duplicate license	15.00
Replacement certificate	15.00
Certification	25.00
Engineer partnership:	
Certification of authorization	250.00
Renewal	125.00
Replacement certificate	15.00
Duplicate license	15.00
Certification	25.00

[Statutory Authority: RCW 43.24.086, 87-18-031 (Order PM 667), § 196-26-020, filed 8/27/87.]

Chapter 196-27 WAC
RULES OF PROFESSIONAL CONDUCT

WAC
196-27-020 Fundamental canons and guidelines for professional practice.

WAC 196-27-020 Fundamental canons and guidelines for professional practice. (1) Registrants shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.

(a) Registrants shall recognize that the lives, safety, health, and welfare of the general public are dependent upon engineering/land surveying judgments, decisions, and practices incorporated into structures, machines, products, processes, and devices.

(b) Registrants shall approve or seal only those design documents, prepared by them or under their direct supervision, which are determined to be safe for public health and welfare in conformity with accepted standards.

(c) Registrants whose professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered shall inform their clients or employers of the possible consequences.

(d) Registrants who have knowledge or reason to believe that another person or firm may be in violation of any of the provisions of chapter 18.43 RCW or these rules of professional conduct shall present such information to the board in writing and shall cooperate with the board in furnishing such further information or assistance as may be required.

(2) Registrants shall perform services only in areas of their competence.

(a) Registrants shall undertake to perform assignments only when qualified by education or experience in the technical field of engineering or land surveying involved.

(b) Registrants may accept an assignment requiring education or experience outside their own fields of competence, provided their services are restricted to those phases of the project in which they are qualified. All other phases of such project shall be performed by qualified associates, consultants or employees.

(c) Registrants shall not affix their signatures or seals to any plan or document dealing with subject matter in which they lack competence by virtue of education or experience or to any such plan or document not prepared under their supervisory control.

(3) Registrants shall issue public statements only in an objective and truthful manner.

(a) Registrants should endeavor to extend the public knowledge of engineering or land surveying and shall not participate in the dissemination of untrue, unfair, or exaggerated statements regarding said professions.

(b) Registrants shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony.

(c) Registrants when serving as expert witness, shall express and engineering or land surveying opinion only

when it is founded upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.

(d) Registrants shall issue no statements, criticisms, or arguments on engineering or land surveying matters which are inspired or paid for by interested parties, unless they indicate on whose behalf the statements are made.

(4) Registrants shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

(a) Registrants shall avoid all known or potential conflicts of interest with their employers or clients and shall promptly inform their employers or clients of any business association, interest, or circumstances which could influence their judgment or the quality of their services.

(b) Registrants shall not accept compensation from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed to, by all interested parties.

(c) Registrants shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their clients or employers in connection with work for which they are responsible.

(d) Registrants in public service as members, advisors, or employees of a governmental body or department shall not participate in considerations or actions with respect to services solicited or provided by them or their organization in private or public engineering/land surveying practice.

(e) Registrants shall advise their employers or clients when, as a result of their studies, they believe a project will not be successful.

(f) Registrants shall not use confidential information coming to them in the course of their assignments as a means of making personal profit if such action is adverse to the interests of their clients, employers or the public.

(g) Registrants shall not accept professional employment outside of their regular work or interest without the knowledge of their employers.

(5) Registrants shall build their professional reputation on the merit of their services and shall not compete unfairly with others.

(a) Registrants shall not give, solicit or receive either directly or indirectly, any commission, political contribution, or a gift or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(b) Registrants should negotiate contracts for professional services fairly and on the basis of demonstrated competence and qualifications for the type of professional service required.

(c) Registrants shall not request, propose or accept professional commissions on a contingent basis under circumstances in which their professional judgments may be compromised.

(d) Registrants shall not falsify or permit misrepresentation of their academic or professional qualifications or experience.

(e) Registrants may advertise professional services in a way that does not contain self-laudatory or misleading language.

(f) Registrants shall not participate in a selection process or be employed in an assignment where said selection was awarded by a process determined to be in violation of chapter 39.80 RCW.

(6) Registrants shall continue their professional development throughout their careers, and shall provide opportunities for the professional development of those individuals under their supervision.

(7) Registrants shall respond to any legal request for information by the board and/or appear before the board in the time frame established by the board or their staff designee.

[Statutory Authority: RCW 18.43.035. 87-13-005 (Order PM 606), § 196-27-020, filed 6/4/87; 84-04-027 (Order PL 454), § 196-27-020, filed 1/25/84.]

Title 204 WAC EQUIPMENT, COMMISSION ON

Chapters

204-08	Practice and procedure.
204-36	Authorized emergency vehicle permits.
204-38	Flashing amber lamps.
204-40	Green lights on firemen's private cars.
204-50	Ignition interlock breath alcohol devices.
204-65	Display of electronic messages.
204-74	Standards for school bus warning lights.
204-76	Standards for brake systems.
204-80	Standards for headlamp flashing systems.
204-88	Emergency vehicle lighting.
204-90	Minimum requirements for construction and equipment of special motor vehicles.
204-91	Towing businesses.

Chapter 204-08 WAC PRACTICE AND PROCEDURE

WAC

204-08-010	Definition.
204-08-020	Petitions for rule-making amendment or repeal.
204-08-030	Declaratory rulings.
204-08-040	Forms for declaratory rulings.
204-08-050	For promulgation, amendment, or repeal of commission regulations.

WAC 204-08-010 Definition. Whenever used in this title "commission," "commission on equipment," and "state commission on equipment" means the chief of the Washington state patrol.

[Statutory Authority: RCW 46.37.005. 87-16-032 (Order 87-01-ESR), § 204-08-010, filed 7/27/87; 78-08-078 (Order 7760), § 204-08-010, filed 7/27/78; Rule I, filed 3/21/60.]

WAC 204-08-020 Petitions for rule-making amendment or repeal. (1) Any interested person may petition the chief requesting the promulgation, amendment, or repeal of any regulation.

(2) Where the petition requests the promulgation of a regulation, the requested or proposed regulation must be set out in full. The petition must also include all the reasons for the requested regulation together with briefs of any applicable law. Where the petition requests the amendment or repeal of a regulation presently in effect, the regulation or portion of the regulation in question must be set out as well as the suggested amendment form if any. The petition must include all reasons for the requested amendment or repeal of the regulation.

(3) All petitions shall be considered by the chief and he/she may, order a hearing for the further consideration and discussion of the requested promulgation, amendment, repeal, or modification of any regulation.

(4) The chief shall notify the petitioning party within a reasonable time of the disposition, if any, of the petition.

[Statutory Authority: RCW 46.37.005. 88-03-031 (Order 88-01-ESR), § 204-08-020, filed 1/15/88; Rule II, filed 3/21/60.]

WAC 204-08-030 Declaratory rulings. (1) As prescribed in RCW 34.04.080, any interested person may petition the chief for a declaratory ruling. The chief shall consider the petition and within a reasonable length of time shall:

- (a) Issue a nonbinding declaratory ruling; or
- (b) Notify the person that no declaratory ruling is to be issued; or
- (c) Set a reasonable time and place for an oral hearing or the submission of written evidence upon the matter, and give reasonable notification to the person of the time and place for such hearing or submission and of the issues involved.

If a hearing as provided in subsection (c) is conducted, the chief shall within a reasonable time:

- (1) Issue a binding declaratory rule; or
- (2) Issue a nonbinding declaratory rule; or
- (3) Notify the person that no declaratory ruling is to be issued.

[Statutory Authority: RCW 46.37.005. 88-03-031 (Order 88-01-ESR), § 204-08-030, filed 1/15/88; 78-08-078 (Order 7760), § 204-08-030, filed 7/27/78; Rule III, filed 3/21/60.]

WAC 204-08-040 Forms for declaratory rulings. Any interested person petitioning the chief for a declaratory ruling pursuant to RCW 34.04.080, shall generally adhere to the following form for such purpose.

(1) At the top of the page shall appear the wording "Before the chief of the Washington state patrol." On the left side of the page following the foregoing the following caption shall be set out: "In the matter of the petition of (name of petitioning part) for a declaratory ruling." Opposite the foregoing caption shall appear the word "petition."

(2) The body of the petition shall be set out in numbered paragraphs. The first paragraph shall state the name and address of the petitioning party. The second paragraph shall state all rules or statutes that may be brought into issue by the petition. Succeeding paragraphs shall set out the state of facts relied upon in form similar to that applicable to complaints in civil actions