

Title 196 WAC

LICENSING, DEPARTMENT OF (BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS)

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DISPOSITION OF CHAPTERS FORMERLY CODIFIED IN THIS TITLE		
Chapter 196-04		
ORGANIZATION AND JURISDICTION		
<p>196-04-010</p> <p>196-04-020</p> <p>196-04-025</p> <p>196-04-030</p> <p>196-04-040</p>	<p>196-04-010</p> <p>196-04-020</p> <p>196-04-025</p> <p>196-04-030</p> <p>196-04-040</p>	<p>Marine surveyors. [Order, (codified as WAC 196-04-010), filed 8/20/63.] Repealed by 98-18-046, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 18.43.035.</p> <p>Branch of marine surveyor discontinued. [Order, (codified as WAC 196-04-020), filed 9/30/63.] Repealed by 98-18-046, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 18.43.035.</p> <p>Board of registration for professional engineers and land surveyors—Powers and duties. [Statutory Authority: RCW 18.43.035. 88-12-044 (Order PM 738), § 196-04-025, filed 5/27/88.] Repealed by 98-18-046, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 18.43.035.</p> <p>Chief executive of the board of registration for professional engineers and land surveyors—Duties, qualifications. [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.] Repealed by 98-18-046, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 18.43.035.</p> <p>Assistant registrar for board of registration for professional engineers and land surveyors—Duties, qualifications. [Statutory Authority: RCW 18.43.035. 85-04-030 (Order PL 512), § 196-04-040, filed 1/31/85.] Repealed by 98-18-046, filed 8/28/98, effective 9/28/98. Statutory Authority: RCW 18.43.035.</p>
Chapter 196-08		
PRACTICE AND PROCEDURE		
<p>196-08-010</p> <p>196-08-030</p> <p>196-08-040</p> <p>196-08-050</p>	<p>196-08-010</p> <p>196-08-030</p> <p>196-08-040</p> <p>196-08-050</p>	<p>Appearance and practice before agency—Who may appear. [Rule.08.010, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.</p> <p>Appearance and practice before agency—Solicitation of business unethical. [Rule .08.030, filed 7/6/60.] Repealed by 90-05-071, filed 2/21/90, effective 3/24/90. Statutory Authority: RCW 18.43.035.</p> <p>Appearance and practice before agency—Standards of ethical conduct. [Rule.08.040, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.</p> <p>Appearance and practice before agency—Appearance by former employee of agency or former member of attorney general's staff. [Rule.08.050, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.</p>

- 196-08-250 Depositions and interrogatories in contested cases—Officer before whom taken. [Rule.08.250, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-260 Depositions and interrogatories in contested cases—Authorization. [Rule.08.260, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-270 Depositions and interrogatories in contested cases—Protection of parties and deponents. [Rule.08.270, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-280 Depositions and interrogatories in contested cases—Oral examination and cross-examination. [Rule.08.280, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-290 Depositions and interrogatories in contested cases—Recordation. [Rule.08.290, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-300 Depositions and interrogatories in contested cases—Signing attestation and return. [Rule.08.300, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-310 Depositions and interrogatories in contested cases—Use and effect. [Rule.08.310, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-320 Depositions and interrogatories in contested cases—Fees of officers and deponents. [Rule.08.320, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-330 Depositions and interrogatories in contested cases—Submission of interrogatories. [Rule.08.330, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-340 Depositions and interrogatories in contested cases—Interrogation. [Rule.08.340, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-350 Depositions and interrogatories in contested cases—Attestation and return. [Rule.08.350, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-360 Depositions and interrogatories in contested cases—Provisions of deposition rule. [Rule.08.360, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-370 Official notice—Matters of law. [Rule.08.370, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-380 Official notice—Material facts. [Rule.08.380, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-390 Presumptions. [Rule.08.390, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-400 Stipulations and admissions of record. [Rule.08.400, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-410 Form and content of decisions in contested cases. [Rule.08.410, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-420 Definition of issues before hearing. [Rule.08.420, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-430 Prehearing conference rule—Authorized. [Rule.08.430, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-440 Prehearing conference rule—Record of conference action. [Rule.08.440, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-450 Submission of documentary evidence in advance. [Rule.08.450, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-460 Excerpts from documentary evidence. [Rule.08.460, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-470 Expert or opinion testimony and testimony based on economic and statistical data—Number and qualifications of witnesses. [Rule.08.470, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-480 Expert or opinion testimony and testimony based on economic and statistical data—Written sworn statements. [Rule.08.480, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-490 Expert or opinion testimony and testimony based on economic and statistical data—Supporting data. [Rule.08.490, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-500 Expert or opinion testimony and testimony based on economic and statistical data—Effect of noncompliance with WAC 196-08-470 or 196-08-480. [Rule.08.500, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-510 Continuances. [Rule.08.510, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-520 Rules of evidence—Admissibility criteria. [Rule.08.520, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-530 Rules of evidence—Tentative admission—Exclusion—Discontinuance—Objections. [Rule.08.530, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-540 Petitions for rule making, amendment or repeal—Who may petition. [Rule.08.540, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-550 Petitions for rule making, amendment or repeal—Requirements. [Rule.08.550, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-560 Petitions for rule making, amendment or repeal—Agency must consider. [Rule.08.560, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-570 Petitions for rule making, amendment or repeal—Notice of disposition. [Rule.08.570, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-580 Declaratory rulings. [Rule.08.580, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-08-590 Forms. [Rule.08.590, filed 7/6/60.] Repealed by 98-12-045, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.

Reviser's note: Later promulgation, see chapter 196-09 WAC.

Chapter 196-28 NONRESIDENTS

- 196-28-010 Information required of nonresidents intending to practice thirty days or less in calendar year. [Rules, filed 4/19/66.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.

Chapter 196-09 WAC PRACTICE AND PROCEDURE (Formerly chapter 196-08 WAC)

WAC

- 196-09-010 Declaration of purpose.
196-09-020 Adjudicative proceedings.

WAC 196-09-010 Declaration of purpose. This chapter contains rules and procedures for all adjudicative proceedings held by the board in executing its responsibilities under chapter 18.43 RCW. This chapter replaces all rules previously codified in chapter 196-08 WAC.

[Statutory Authority: RCW 18.43.035. 98-12-045, § 196-09-010, filed 5/29/98, effective 7/1/98.]

WAC 196-09-020 Adjudicative proceedings. Chapters 34.05 RCW and 10-08 WAC apply to all adjudicative proceedings. The procedures described in Washington superior court civil rules 26 through 32, 34, 36 and 37 also apply.

[Statutory Authority: RCW 18.43.035. 98-12-045, § 196-09-020, filed 5/29/98, effective 7/1/98.]

Chapter 196-12 WAC

REGISTERED PROFESSIONAL ENGINEERS

WAC

196-12-010	Applications.
196-12-020	Experience records.
196-12-030	Examinations.
196-12-045	Comity registration of applicants qualified in other jurisdictions.
196-12-050	Waiving the fundamentals-of-engineering examination.

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-12-031	Examinations—Modification of examination times. [Filed 12/13/67.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-040	Reports. [Rule ID, filed 12/26/62.] Decodified as omitted from comprehensive refile of rule dated 11/15/65 and 8/4/64.
196-12-060	Persons enrolled as E.I.T.s. [Statutory Authority: RCW 18.43.035. 84-04-027 (Order PL 454), § 196-12-060, filed 1/25/84; 82-01-064 (Order 81-10), § 196-12-060, filed 12/18/81; Order PL 224, § 196-12-060, filed 11/5/75; Order 11, § 196-12-060, filed 9/12/68; Rule IIE, filed 11/15/65, 8/4/64; Rule IF, filed 12/26/62.] Repealed by 98-12-052, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
196-12-070	Fees. [Order PL 224, § 196-12-070, filed 11/5/75; Order PL 181, § 196-12-070, filed 1/28/75; Order 11, § 196-12-070, filed 9/12/68; Rule IIF, filed 11/15/65; 8/4/64; Rule IG, filed 12/26/62.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-075	Renewal of licenses. [Order PL 224, § 196-12-075, filed 11/5/75; Order PL 181, § 196-12-075, filed 1/28/75; Order PL 176, § 196-12-075, filed 10/15/74.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-080	Branches of registration. [Order PL-129, § 196-12-080, filed 7/27/72; Order PL-115, § 196-12-080, filed 11/24/71; Order 11, § 196-12-080, filed 9/12/68; Rule IG, filed 11/15/65, 8/4/64; Rule IH, filed 12/26/62.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-12-085	Corporation or joint stock associations. [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.] Repealed by 98-12-052, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
196-12-090	Correspondence. [Order PL-115, § 196-12-090, filed 11/24/71; Order 11, § 196-12-090, filed 9/12/68.] Repealed by Order PL 181, filed 1/28/75.

WAC 196-12-010 Applications. A professional engineer (PE) applicant must have passed the first stage examination (the fundamentals-of-engineering (FE) examination) and be enrolled as an engineer-in-training (EIT), or qualify to waive the FE examination in accordance with WAC 196-12-050, before he or she can take the second stage (PE) examination. If the applicant has at least eight years of qualifying engineering experience, the PE examination may be applied for at the same time that he or she applies for the FE examination. The PE application may also be submitted before the

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results of the FE examination have been received, provided the application is submitted at least four months before the second stage examination date.

All applications must be completed on forms provided by the board and filed with the executive director at the board's address. The deadline for properly completed applications accompanied by the appropriate fee and charge as listed in WAC 196-26-020 is four months prior to the date of the examination. Late applications will be considered for a later examination. Supporting documents such as college transcripts and experience verification forms must be submitted in a timely manner in order for the board to meet examination preparation deadlines. An applicant will be notified what documents are missing, and a date set by the board by which those documents must be received. Failure to have the missing documents sent to the board by the defined deadline will result in the applicant being delayed until a later examination.

To reschedule the taking of an examination, a written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 is required at least three months prior to the examination date. Once an application has been approved, no further application is required.

[Statutory Authority: RCW 18.43.035. 98-12-052, § 196-12-010, filed 5/29/98, effective 7/1/98; 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. The law requires eight years of experience in engineering work of a character satisfactory to the board and passing the fundamentals-of-engineering examination to be eligible for the second stage (PE) engineer examination. These eight years must be of broad based, progressive experience to include gaining knowledge and comprehension of engineering subjects and applying engineering principles. The eight years of experience must be completed sixty days prior to the date of the examination.

The board shall evaluate all experience, which includes education, on a case-by-case basis and approve such experience as appropriate. The board will use the following criteria in evaluating an applicant's experience record:

(1) Education experience will be based on transcripts. Therefore, any transcripts not previously sent to the board's office should be submitted for maximum experience credit. Education may be approved as experience based on the following:

(a) Graduation with a baccalaureate degree in engineering approved by the engineer accreditation commission (EAC) of the accreditation board for engineering and technology (ABET) shall be equivalent to four years of required experience. Satisfactory completion of each year of such an approved engineering curriculum is equivalent to one year of experience.

(b) Graduation with a baccalaureate degree in a program in engineering technology approved by the technology accreditation commission (TAC) of the accreditation board

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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.

(c) Graduation in an approved four year non-ABET accredited engineering curriculum will be given a maximum of three years of experience.

(d) A maximum of one year may be granted for post-graduate engineering courses approved by the board for those applicants having earned degrees in accordance with (a), (b) or (c) of this subsection.

(e) A nonengineering bachelor of science program can be given a maximum of two years of experience. If the degree is followed by a master of science in engineering from a school that has an ABET accredited undergraduate program in the same discipline as the master's degree, a maximum of four years of experience may be granted for this combination of education.

(f) Graduation with an associate degree in engineering from an approved curriculum may be equivalent of up to two years of required experience.

(g) Education gained in a piecemeal fashion over time where no degree is conferred will be granted up to a maximum of two years of experience. For the purpose of this subsection, education in a "piecemeal fashion" means: One or two classes taken at a time, often at different schools; seminars; workshops; and classes taken through industry and the military. In order to determine the appropriate amount of experience, this type of education will be compared to college coursework in a baccalaureate of engineering technology degree program.

(h) The board may approve engineering degree programs from other countries.

(i) A number of foreign degree programs are included in mutual recognition agreements entered into by ABET with other accrediting authorities. Applicants with a degree from one of these programs will be evaluated in accordance with (a) and (b) of this subsection. A list of those approved mutual recognition degree programs is maintained in the board office.

(ii) Applicants having engineering degrees from programs in countries that are not on the mutual recognition list will 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 necessary information to the evaluation service. If the evaluation service says that the foreign degree is equivalent to an ABET accredited degree, experience will be granted in accordance with (a) or (b) of this subsection. If the evaluation says that the foreign degree is not equivalent to an ABET accredited degree, then a maximum of three years of experience may be granted in accordance with (c) of this subsection.

(iii) An applicant with an undergraduate foreign degree from a program that is not on the mutual recognition list, can waive the requirement for a degree evaluation if they have a master of science in engineering from a school that has an ABET accredited undergraduate engineering degree program in the same discipline as the master's degree. A maximum of

four years of experience can be granted for this combination of education.

(i) Any other education will be taken into account and evaluated on its merits.

(j) Work experience gained between semesters or quarters or during summers while enrolled in an approved curriculum will be considered as part of the educational process. The board grants one year of experience for a year of approved education including any associated work experience within that year.

(2) Work experience will be approved based on a demonstration of competency and progressive responsibility in the analysis, synthesis and evaluation of engineering concepts and data, under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice engineering. Under the general guidance and direct supervision of an authorized professional, the applicant must be in a position of making independent judgments and decisions in the following experience areas:

- (a) Formulating conclusions and recommendations;
- (b) Identifying design and/or project objectives;
- (c) Identifying possible alternative methods and concepts;
- (d) Defining performance specifications and functional requirements;
- (e) Solving engineering problems;
- (f) Interacting with professionals from other areas of practice;
- (g) Effectively communicating recommendations and conclusions;
- (h) Demonstrating an understanding and concern for energy/environmental considerations, and sustainability of resources.

(3) The branch of structural engineering requires specialized work experience to protect the public safety. To be eligible to take the structural principle and practice examination, an applicant must have eight years of progressive responsibility in structural engineering experience documented in the application in accordance with subsection (2) of this section. This experience must be supervised by a licensed professional engineer in the branch of structural engineering or a licensed professional engineer with significant structural engineering work experience. Up to five years of this experience may be gained through education in accordance with subsection (1) of this section. In order to be granted the fifth year, a postgraduate degree in engineering with a concentration of structural courses must be obtained from a school that has an ABET accredited undergraduate program in engineering.

(4) Engineering teaching character may be considered satisfactory experience up to a maximum of two years.

(5) Applied research is considered satisfactory experience when it meets the following conditions:

(a) The research must be conducted under the guidance or supervision of a licensed engineer. For the purposes of this subsection, guidance or supervision means being cognizant of all applicable aspects of the work and a reviewer of all applicable reporting documentation.

(b) The principle result(s) of the research are in a published report or a recognized engineering journal article in

which the applicant is the first author or the work is adequately documented and available to the board upon request.

(6) For military engineering experience to be considered acceptable, it should be similar to engineering experience that would be gained in a nonmilitary environment as defined in subsection (2) of this section, and such experience must be verified.

(7) Any work experience gained without the supervision of a professional engineer authorized to practice under chapter 18.43 RCW or an individual authorized by another statute to practice engineering, or any work experience gained in any other situation which violates the provisions of chapter 18.43 RCW or Title 196 WAC will not be counted toward the statutory experience requirement.

[Statutory Authority: RCW 18.43.035, 98-12-052, § 196-12-020, filed 5/29/98, effective 7/1/98; 92-01-101, § 196-12-020, filed 12/17/91, effective 1/17/92; 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 196-12-030 Examinations. (1) Except as provided in WAC 196-12-050, to become licensed as a professional engineer the candidate must pass two stages of examination. The first stage is the fundamentals-of-engineering examination. The second stage examination consists of multiple parts including the principles and practice (branch) examination and law and ethics examination. The law and ethics exam is a take-home examination covering chapter 18.43 RCW and Title 196 WAC. The fundamentals-of-engineering examination must be passed, or waived in accordance with WAC 196-12-050, before taking the second stage examination.

Examinations are given at times and places designated by the board. The schedule of future examinations and examination syllabi may be obtained from the board office. Examinees will 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. If one examination part is failed, only that examination part must be retaken.

(2) If a professional engineer holding a current registration in the state of Washington wants to become licensed in multiple branches of engineering, an additional principle and practice examination must be taken in each branch.

(3) The branch of structural engineering requires a more exhaustive principle and practice examination to protect the public safety. In addition to the stage 1 fundamentals-of-engineering examination, to become licensed as a professional engineer in the branch of structural engineering, the candidate must pass the stage 2 examination comprised of all parts of the principles and practice of structural engineering examination, including a demonstration of competency in structural engineering issues important to Washington state, and the law and ethics examination.

(4) Except for the law and ethics examination, an exam part may be reviewed if it is failed. Examinees who achieve a passing score will not be permitted to review their examination. The purpose of examination review is to permit the

examinee an opportunity to review his or her exam in order to identify areas of poor performance. This is not an opportunity to take notes for future reference.

Failing examinees may review their examination (test booklet, answer sheet and/or solution pamphlet and answer key) during a period of time prescribed by the board. Examinees who fail to review their exam during the prescribed time will not be scheduled for an examination review. The examination review guidelines are as follows:

(a) An examinee can review his or her examination one time only. An appointment for this review must be arranged in advance with board staff.

(b) All examination reviews will be in the presence of a member of board staff. No one may accompany the examinee during the examination review, except where persons with disability require assistance. In that case, the need for assistance must be conveyed to staff when the review appointment is made.

(c) For examinations having machine scored answer sheets, the examinee will be allowed to review a copy of his or her answer sheet, not the original.

(d) Each reviewer will be given a review sheet that they can take with them following the review. This review sheet will include the problem number, problem subject matter, score achieved for each problem and total score. Reviewers will not be permitted to add further information to the review sheet.

(e) Scratch paper and writing instruments will be provided during the examination review. However, scratch paper may not be removed from the review area.

(5) Individuals may appeal to have their examination rescored only at the time they review their exam. Multiple choice questions are not appealable. Essay (free response) type questions may be appealed if the reviewer can demonstrate, in writing, sufficient technical justification that their solution deserves reconsideration.

The required fee for rescoring must be paid at the time the rescore request is made. The results of the rescore are final and no additional administrative appeals are available.

[Statutory Authority: RCW 18.43.035, 98-12-052, § 196-12-030, filed 5/29/98, effective 7/1/98; 93-01-081, § 196-12-030, filed 12/15/92, effective 1/15/93; 84-04-027 (Order PL 454), § 196-12-030, filed 1/25/84; 82-01-064 (Order 81-10), § 196-12-030, filed 12/18/81; Order PL-129, § 196-12-030, filed 7/27/72; Order PL-115, § 196-12-030, filed 11/24/71; Order 11, § 196-12-030, filed 9/12/68; Rule IIC, filed 11/15/65, 8/4/64; Rule IC, filed 12/26/62.]

WAC 196-12-045 Comity registration of applicants qualified in other jurisdictions. (1) Applicants for registration as a professional engineer by comity must meet the following criteria:

(a) The applicant must complete an application on forms provided by the board and filed with the executive director at the board's address accompanied by the appropriate fee and charge pursuant to WAC 196-26-020.

(b) The applicant's qualifications must meet the requirements of chapter 18.43 RCW and this chapter.

(c) The applicant is in good standing with the licensing agency in a 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 juris-

diction of most recent practice if different from the jurisdiction of original registration.

(d) The applicant has been qualified by written examinations determined by the board to adequately test the fundamentals and principles and practice of engineering.

(2) The applicant will be required to pass the law and ethics examination and may be required to take and pass state specific examinations to demonstrate competency in issues specific to Washington.

(3) The original application for comity may be for multiple branches of engineering provided that the applicant has passed an examination in each branch equivalent to the examination given in the state of Washington. Licenses will be issued only in the branches of engineering offered by the board. Additional branches may be added at a later time; however, this will require submitting a new application and fee.

[Statutory Authority: RCW 18.43.035. 98-12-052, § 196-12-045, filed 5/29/98, effective 7/1/98.]

WAC 196-12-050 Waiving the fundamentals-of-engineering examination. An applicant who has at least twelve years of experience satisfactory to the board as identified in WAC 196-12-020(2) after obtaining a baccalaureate degree in an approved engineering curriculum as defined in WAC 196-12-020 (1)(a) and (h)(i) and (ii), may request that the stage 1 fundamentals-of-engineering (FE) examination be waived and that permission be granted to take the stage 2 examination (principles and practice and law and ethics) only: *Provided*, That the applicant has not failed the FE examination within the last ten years.

The opportunity to waive the stage 1 examination is based on the premise that the demonstration of a solid experience record is a better measure of engineering competency than the passage of the stage 1 examination at this point in the applicant's career. It is the board's discretion, based on information provided in the application, as to whether to grant a waiver.

Teaching experience is not limited to two years for the purposes of qualifying for this waiver.

The applicant should take note that a license granted based on waiving the fundamentals exam may not be accepted by other licensing jurisdictions.

[Statutory Authority: RCW 18.43.035. 98-12-052, § 196-12-050, filed 5/29/98, effective 7/1/98; 93-01-081, § 196-12-050, filed 12/15/92, effective 1/15/93; 92-01-101, § 196-12-050, filed 12/17/91, effective 1/17/92; 84-04-027 (Order PL 454), § 196-12-050, filed 1/25/84; 82-01-064 (Order 81-10), § 196-12-050, filed 12/18/81; Order PL 181, § 196-12-050, filed 1/28/75; Order PL-121, § 196-12-050, filed 5/3/72; Order ELS 7001, § 196-12-050, filed 5/18/70; Order 11, § 196-12-050, filed 9/12/68; Rule IID, filed 11/15/65, 8/4/64; Rule IE, filed 12/26/62.]

Chapter 196-16 WAC

REGISTERED PROFESSIONAL LAND SURVEYORS

WAC

196-16-007	Applications.
196-16-010	Experience records.
196-16-020	Examinations.
196-16-031	Comity—Registration of applicants qualified in other jurisdictions.

[Title 196 WAC—p. 6]

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-16-005	Definitions. [Statutory Authority: RCW 18.43.035. 82-01-064 (Order 81-10), § 196-16-005, filed 12/18/81; Rule III (part), filed 11/15/65; Rule III (part), filed 8/4/64.] Repealed by 96-11-086, filed 5/14/96, effective 7/1/96. Statutory Authority: RCW 18.43.035.
196-16-030	Reports. [Rule IIC, filed 12/26/62.] Decodified as omitted from comprehensive refiling of rules dated 11/15/65 and 8/4/64.
196-16-040	Evaluation of candidates for land surveyor licenses. [Rule IID, filed 12/26/62.] Decodified as omitted from comprehensive refiling of rules dated 11/15/65 and 8/4/64. See WAC 196-16-010 and 196-16-020.
196-16-050	Fees. [Order PL 224, § 196-16-050, filed 11/5/75; Order PL 181, § 196-16-050, filed 1/28/75; Rule IIID, filed 11/15/65; Rule IIID, filed 8/4/64; Rule IIE, filed 12/26/62.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-16-055	Renewal of licenses. [Order PL 224, § 196-16-055, filed 11/5/75; Order PL 181, § 196-16-055, filed 1/28/75; Order PL 176, § 196-16-055, filed 10/15/74.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-16-060	Correspondence. [Order PL-115, § 196-16-060, filed 11/24/71.] Repealed by Order PL 181, filed 1/28/75.

WAC 196-16-007 Applications. All applications must be completed on forms provided by the board and filed with the executive director at the board's address. The deadline for properly completed applications accompanied by the appropriate fee and charge as listed in WAC 196-26-020 is four months prior to the date of the examination. Late applications will be considered for a later examination.

Once an application has been approved, no further application is required. An applicant who has taken an examination and failed or who qualified for an examination but did not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 is required to reschedule for an examination.

[Statutory Authority: RCW 18.43.035. 96-11-086, § 196-16-007, filed 5/14/96, effective 7/1/96; 89-05-021 (Order PM 820), § 196-16-007, filed 2/10/89; 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 law requires eight years of experience in land surveying work of a character satisfactory to the board and passing the fundamentals-of-land surveying examination to be eligible for the professional land surveyor examination. The eight years of experience must be completed sixty days prior to the date of the examination.

The board shall evaluate all experience, which includes education, on a case-by-case basis and approve such experience as appropriate. The board will use the following criteria in evaluating an applicant's experience record.

(1) Education experience will be based on transcripts. Therefore, any transcripts not previously sent to the board's office should be submitted for maximum experience credit. Education may be approved as experience based on the following:

(1999 Ed.)

(a) Graduation with a baccalaureate degree in land surveying from an approved curriculum shall be equivalent to four years of required experience.

(b) Graduation with an associate degree in land surveying from an approved curriculum shall be equivalent to two years of required experience.

(c) Each year completed of an approved curriculum without graduation shall be granted up to a year of required experience.

(d) A maximum of one year may be granted for postgraduate college courses approved by the board. Postgraduate education will count toward the eight years of required experience as described in subsection (2) of this section.

(e) Any other education will be taken into account and evaluated on its merits.

(f) Experience gained between semesters or quarters or during summers while enrolled in an approved curriculum will be considered as part of the educational process. The board grants one year of experience for a year of approved education including any associated work experience within that year.

(2) In evaluating work experience, the board will be looking for eight years of broad based, progressive field and office experience in surveying work under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice land surveying, a minimum of four years of which shall be in a position of making independent judgments and decisions under the general guidance and direct supervision of an authorized professional except as provided for in subsections (1)(d) and (3) of this section. This latter experience shall not be limited to, but must include the following:

(a) Applying state, federal and case law;

(b) Exercising sound judgment when making independent decisions regarding complex boundary, topographic, horizontal and vertical control, and mapping issues;

(c) Field identification and evaluation of boundary evidence, including monumentation, and the ability to use that evidence for boundary determination;

(d) Conducting research;

(e) Preparing and analyzing complex property descriptions; and

(f) Interacting with clients and the public in conformance with chapter 196-27 WAC.

The board may grant partial credit for experience that does not fully meet the requirements in (a) through (f) of this subsection.

(3) Teaching of a character satisfactory to the board may be recognized as surveying experience up to a maximum of two years.

(4) In evaluating combined education and experience the board will be looking at transcripts and work experience to determine knowledge in subsection (2)(a) through (f) of this section.

(5) 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 experience requirement.

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

(7) An applicant meeting the requirements for six years of experience before the effective date of the law change on July 1, 1996, may be approved by the board to take the examination based on the rules in effect on January 1, 1996. This subsection expires on July 1, 1999.

[Statutory Authority: RCW 18.43.035, 96-11-086, § 196-16-010, filed 5/14/96, effective 7/1/96; 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.]

WAC 196-16-020 Examinations. (1) To become licensed as a professional land surveyor the candidate must pass the fundamentals-of-land surveying examination, principles and practice examination, and law and ethics examination. A candidate must pass the fundamentals-of-land surveying examination before taking the principles and practice examination except a candidate approved under the six-year requirement in accordance with WAC 196-16-010(7) may elect to take the principles and practice and fundamentals examinations on two consecutive days. The fundamentals and principles and practice examinations are given at times and places designated by the board. The schedule of future examinations and an examination syllabus may be obtained from the board office. The law and ethics exam is a take-home examination covering chapter 18.43 RCW and Title 196 WAC. If one of these examinations is failed, only that examination must be retaken.

[Statutory Authority: RCW 18.43.035, 96-11-086, § 196-16-020, filed 5/14/96, effective 7/1/96; 93-01-081, § 196-16-020, filed 12/15/92, effective 1/15/93; 89-05-021 (Order PM 820), § 196-16-020, filed 2/10/89; 84-04-027 (Order PL 454), § 196-16-020, filed 1/25/84; 82-01-064 (Order 81-10), § 196-16-020, filed 12/18/81; Order PL-121, § 196-16-020, filed 5/3/72; Order PL-115, § 196-16-020, filed 11/24/71; Rule IIIC, filed 11/15/65; Rule IIIC, filed 8/4/64; Rules IIB and IID (part), filed 12/26/62.]

WAC 196-16-031 Comity—Registration of applicants qualified in other jurisdictions. (1) Applicants for registration as a land surveyor by comity must meet the following criteria:

(a) The applicant's qualifications meet the requirements of chapter 18.43 RCW and this chapter;

(b) The applicant is in good standing with the licensing agency in a 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.

(c) The applicant has been qualified by a written examination determined by the board to adequately test the fundamentals and principles and practice of land surveying and whose experience includes WAC 196-16-010 (2)(a) through (f).

(2) The applicant will be required to pass examinations to demonstrate competency in land surveying issues important to Washington, and law and ethics. Comity applicants will not be required to take the fundamentals-of-land surveying and full principles and practice examinations administered by the board.

[Statutory Authority: RCW 18.43.035, 96-11-086, § 196-16-031, filed 5/14/96, effective 7/1/96; 93-01-081, § 196-16-031, filed 12/15/92, effective

1/15/93; 91-23-111, § 196-16-031, filed 11/20/91, effective 12/21/91; 89-05-021 (Order PM 820), § 196-16-031, filed 2/10/89; 84-04-027 (Order PL 454), § 196-16-031, filed 1/25/84; 82-01-064 (Order 81-10), § 196-16-031, filed 12/18/81; Order PL-115, § 196-16-031, filed 11/24/71.]

Chapter 196-20 WAC ENGINEERS-IN-TRAINING

WAC

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

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-20-040	Fees. [Order PL 224, § 196-20-040, filed 11/5/75; Order PL-115, § 196-20-040, filed 11/24/71; Rule ID, filed 8/4/64; Rule IIID, filed 12/26/62.] Repealed by 82-01-064 (Order 81-10), filed 12/18/81. Statutory Authority: RCW 18.43.035.
196-20-050	Correspondence. [Order PL-115, § 196-20-050, filed 11/24/71.] Repealed by Order PL 181, filed 1/28/75.

WAC 196-20-010 Applications. All applications must be completed on forms provided by the board and filed with the executive director at the board's address. The deadline for properly completed applications accompanied by the appropriate fee and charge as listed in WAC 196-26-020 is four months prior to the date of the examination. Late applications will be considered for a later examination.

All applicants should submit transcripts of degrees attained or college courses taken in order to obtain maximum experience credit except, applicants enrolled in a school or college having achieved senior standing in a baccalaureate curriculum in engineering approved by the board will be eligible to take the fundamentals-of-engineering examination without submitting college transcripts.

Once an application has been approved, no further application is required. An applicant who has taken an examination and failed or who qualified for an examination but did not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 shall be submitted to the board's office.

[Statutory Authority: RCW 18.43.035. 96-11-086, § 196-20-010, filed 5/14/96, effective 7/1/96; 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 or having achieved senior standing in a school or college approved by the board prior to taking the fundamentals-of-engineering examination. If the applicant has achieved senior standing, that standing must be certified by said school or college. The four years may be gained as: Four years of approved education; four years of experience approved by the board; four years of combined education and experience. The experience to qualify for the fundamentals-of-engineering examination must be completed sixty days prior to the date of the examination.

[Title 196 WAC—p. 8]

The board shall evaluate all experience on a case-by-case basis and approve such experience as appropriate. Partial credit may be granted for experience and/or education that does not fully meet the requirements. The board will use the following criteria in evaluating an applicant's education and 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 broad based progressive experience in the fundamental knowledge of engineering theory and practice, of a character acceptable to the board, under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice engineering 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. 96-11-086, § 196-20-020, filed 5/14/96, effective 7/1/96; 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 fundamentals-of-engineering examination is given at times and places designated by the board. The schedule of future examinations and an examination syllabus may be obtained from the board office.

(2) An applicant passing the fundamentals-of-engineering examination will be enrolled as an engineer-in-training pursuant to RCW 18.43.020(3).

[Statutory Authority: RCW 18.43.035. 96-11-086, § 196-20-030, filed 5/14/96, effective 7/1/96; 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 196-21 WAC LAND SURVEYORS-IN-TRAINING

WAC

196-21-010	Applications.
196-21-020	Experience.
196-21-030	Examinations.

WAC 196-21-010 Applications. All applications must be completed on forms provided by the board and filed with the executive director at the board's address. The deadline for properly completed applications accompanied by the appropriate fee and charge as listed in WAC 196-26-020 is four months prior to the date of examination. Late applications will be considered for a later examination.

All applicants should submit transcripts of degrees attained or college courses taken in order to obtain maximum experience credit except, applicants enrolled in a school or college that have achieved senior standing in a baccalaureate curriculum in land surveying approved by the board will be eligible to take the fundamentals-of-land surveying examination without submitting college transcripts.

Once an application has been approved, no further application is required. An applicant who has taken an examination and failed or who qualified for an examination but did

not take it shall request to take or retake the examination at least three months prior to the examination date. A written request accompanied by the applicable fee and charge as listed in WAC 196-26-020 shall be submitted to the board's office.

[Statutory Authority: RCW 18.43.035. 96-11-086, § 196-21-010, filed 5/14/96, effective 7/1/96.]

WAC 196-21-020 Experience. The law requires completing four years of experience or having achieved senior standing in a school or college approved by the board prior to taking the fundamentals-of-land surveying examination. If the applicant has achieved senior standing, that status must be certified by said school or college. The four years may be gained as: Four years of approved education; four years of experience approved by the board; four years of combined education and experience. The experience to qualify for the fundamentals-of-land surveying examination must be completed sixty days prior to the date of the examination.

The board shall evaluate all experience, which includes education, on a case-by-case basis and approve such experience as appropriate. The board will use the following criteria in evaluating an applicant's experience record.

(1) Education may be approved as experience based on the following:

(a) Graduation with a baccalaureate degree in land surveying from an approved curriculum shall be equivalent to four years of required experience.

(b) Graduation with an associate degree in land surveying from an approved curriculum shall be equivalent to two years of required experience.

(c) Each year completed of an approved curriculum without graduation shall be granted up to a year of required experience.

(d) A maximum of one year may be granted for post-graduate college courses approved by the board.

(e) Any other education will be taken into account and evaluated on its merits.

(f) Experience gained between semesters or quarters or during summers while enrolled in an approved curriculum will be considered as part of the educational process. The board grants one year of experience for a year of approved education including any associated work experience within that year.

(2) In evaluating four years of work experience, the board will be looking for broad based, progressive experience in the fundamental knowledge of surveying theory and practice under the direct supervision of a person authorized by chapter 18.43 RCW or other applicable statute to practice land surveying. This experience shall not be limited to, but must include the following:

(a) Performing complex survey calculations;

(b) Conducting boundary and corner research;

(c) Preparing and using property descriptions;

(d) Understanding and applying fundamental boundary and topographic principles;

(e) Making and/or analyzing horizontal and vertical control measurements; and

(f) Being skilled in survey equipment care and usage.

(1999 Ed.)

The board may grant partial credit for experience that does not fully meet the requirements in (a) through (f) of this subsection.

(3) In evaluating the four years of combined education and experience the board will be looking at transcripts and work experience to determine knowledge in subsection (2)(a) through (f) of this section.

(4) In the judgment of the board, the applicant must have demonstrated increased levels of responsibility and a continuous gain in experience and knowledge such that at the time of being approved for the fundamentals-of-land surveying examination, the applicant is capable of making independent judgments and decisions under the general guidance and direct supervision of an authorized professional.

[Statutory Authority: RCW 18.43.035. 96-11-086, § 196-21-020, filed 5/14/96, effective 7/1/96.]

WAC 196-21-030 Examinations. (1) The fundamentals-of-land surveying examination is given at times and places designated by the board. The schedule of future examinations and an examination syllabus may be obtained from the board office.

(2) An applicant passing the fundamentals-of-land surveying examination will be enrolled as a land surveyor-in-training pursuant to RCW 18.43.020(8).

[Statutory Authority: RCW 18.43.035. 96-11-086, § 196-21-030, filed 5/14/96, effective 7/1/96.]

Chapter 196-24 WAC

GENERAL

WAC

196-24-041	Brief adjudicative proceedings—Denials based on failure to meet prerequisites for licensure, temporary permit, or examination.
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DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

196-24-010,	196-24-020 [Rules IVA, IVB, filed 12/26/62.] Superseded by rules filed 8/4/64. See WAC 196-24-030 et seq.
196-24-030	Comity. [Statutory Authority: RCW 18.43.035. 93-01-081, § 196-24-030, filed 12/15/92, effective 1/15/93; 91-23-111, § 196-24-030, filed 11/20/91, effective 12/21/91; 90-21-035, § 196-24-030, filed 10/10/90, effective 11/10/90; 84-04-027 (Order PL 454), § 196-24-030, filed 1/25/84; 82-01-064 (Order 81-10), § 196-24-030, filed 12/18/81; Order PL 224, § 196-24-030, filed 11/5/75; Order PL 181, § 196-24-030, filed 1/28/75; Rule IVA, filed 8/4/64.] Repealed by 98-12-052, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
196-24-040	Applications. [Statutory Authority: RCW 18.43.035. 84-04-027 (Order PL 454), § 196-24-040, filed 1/25/84; 82-01-064 (Order 81-10), § 196-24-040, filed 12/18/81;

- Order PL 224, § 196-24-040, filed 11/5/75; Rule IVB, filed 8/4/64.] Repealed by 98-12-052, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 196-24-050 Examinations. [Statutory Authority: RCW 18.43.035. 93-01-081, § 196-24-050, filed 12/15/92, effective 1/15/93; 92-09-089, § 196-24-050, filed 4/17/92, effective 5/18/92; 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.] Repealed by 98-12-052, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 18.43.035.
- 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 196-24-041 Brief adjudicative proceedings—Denials based on failure to meet prerequisites for licensure, temporary permit, or examination. The board adopts RCW 34.05.482 and 34.05.485 through 34.05.494 for adjudicative proceedings requested by applicants who are denied a license, temporary permit, or opportunity to take an examination under chapter 18.43 RCW and chapters 196-12, 196-16, and 196-20 WAC, because of failure to meet the prerequisites for said license, temporary permit, or examination. The sole issue at the adjudicative proceeding shall be whether the applicant meets the prerequisites for the license, temporary permit, or examination.

[Statutory Authority: RCW 18.43.035. 93-13-064, § 196-24-041, filed 6/17/93, effective 7/18/93.]

WAC 196-24-058 Retired status certificate of registration. In accordance with RCW 18.43.075, any individual who has been issued a certificate of registration, in accordance with chapter 18.43 RCW, as a professional engineer or professional land surveyor, having reached at least the age of sixty-five and having discontinued active practice as an engineer and/or land surveyor, may be eligible to obtain a "retired certificate of registration." If granted, further certificate of registration renewal fees are waived. For the purpose of this provision, "active practice" is defined as exercising direct supervision and control over the development and production of an engineering or land surveying document as provided in WAC 196-24-097 and/or any related activities pertaining to the offer of and/or the providing of professional engineering or land surveying services as defined in RCW 18.43.020.

(1) Applications. Those persons wishing to obtain the status of a retired registration shall complete an application on a form as provided by the board. Applications shall be sent to the executive director at the address of the board. Upon receipt of said application and, if deemed eligible by the board, the retired status would become effective on the first scheduled renewal date of the certificate of registration that occurs on or after the applicant reaches the age of sixty-five. It shall not be necessary that an expired certificate of registration be renewed to be eligible for this status. The board will not provide refund of renewal fees if the application for "retired" status is made and granted before the date of expiration of the certificate of registration.

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(2) Privileges. In addition to the waiver of the renewal fee, a retired registrant is permitted to:

(a) Retain the board issued wall certificate of registration;

(b) Use the title professional engineer (PE) or professional land surveyor (PLS), provided that it is supplemented by the term retired, or the abbreviation "ret";

(c) Work as an engineer or land surveyor in a volunteer capacity, provided that the retired registrant does not create an engineering or land surveying document, and does not use their seal, except as provided for in (d) of this subsection;

(d) Provide experience verifications and references for persons seeking registration under chapter 18.43 RCW. If using their professional seal the retired registrant may place the word "retired" in the space designated for the date of expiration;

(e) Serve in an instructional capacity on engineering and/or land surveying topics;

(f) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to engineering or land surveying work performed by the registrant before they were granted a retired registration;

(g) Serve in a function that supports the principles of registration and/or promotes the professions of engineering and land surveying, such as members of commissions, boards or committees;

(h) Serve in an engineering or land surveying capacity as a "good samaritan," as set forth in RCW 38.52.195 and 38.52.1951, provided said work is otherwise performed in accordance with chapter 18.43 RCW.

(3) Restrictions. A retired registrant is not permitted to:

(a) Perform any engineering or land surveying activity, as provided for in RCW 18.43.020, unless said activity is under the direct supervision of a Washington state professional engineer or professional land surveyor who has a valid/active registration in the records of the board;

(b) Act as the designated engineer or the engineer in responsible charge for a Washington engineering corporation or Washington engineering partnership;

(c) Apply their professional engineers or land surveyors seal, as provided for in chapter 196-24 WAC, to any plan, specification, plat or report, except as provided for in subsection (2)(d) of this section.

(4) Certificate of registration reinstatement. A retired registrant, upon written request to the board and payment of the current renewal fee, may resume active engineering or land surveying practice. At that time the retired registrant shall be removed from retired status and placed on valid/active status in the records of the board. All rights and responsibilities of a valid/active registration will be in effect. At the date of expiration of the reinstated certificate of registration, the registrant may elect to either continue active registration or may again apply for retired registration in accordance with the provisions of this chapter.

(5) Exemptions. Under no circumstances shall a registrant be eligible for a retired registration if their certificate of registration has been revoked, surrendered or in any way permanently terminated by the board under RCW 18.43.110. Registrants who are suspended from practice and/or who are subject to terms of a board order at the time they reach age

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sixty-five shall not be eligible for a retired registration until such time that the board has removed the restricting conditions.

(6) Penalties for noncompliance. Any violations of this section shall be considered "misconduct and/or malpractice" as defined in RCW 18.43.105. Such violations are subject to penalties as provided for in RCW 18.43.110 and 18.43.120.

[Statutory Authority: RCW 18.43.035 and 18.43.075. 96-11-085, § 196-24-058, filed 5/14/96, effective 7/1/96.]

WAC 196-24-060 Renewals. (1) The director of the department of licensing has determined that all licenses for individuals registered as a professional engineer and/or professional land surveyor shall expire on the licensee's birth date. Renewals for individuals shall be issued for a two-year period. It shall be the licensee's responsibility to submit payment of the prescribed renewal fee to the department of licensing on or before the date of expiration.

(2) Effective with renewals due on July 1, 1991, and continuing through those due on June 30, 1992, the renewal period for engineers and land surveyors will be converted from one to two years. This conversion will be accomplished as follows:

(a) Current licensees as of July 1, 1991, with a birth date which is an even number shall initially renew for one year. All subsequent renewals shall be for a two-year period.

(b) Current licensees as of July 1, 1991, with a birth date which is an odd number shall initially renew for a two-year period. All subsequent renewals shall be for a two-year period.

(3) The initial license issued to an individual shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure. All subsequent renewals shall be for a two-year period.

(4) Before the expiration date of the individual's license the director of the department of licensing shall mail a notice for renewal of license to the last known address of every person holding a current license. The licensee must return such notice along with current renewal fees prior to the expiration of said license. Regardless of whether a renewal notice is received by the licensee, said license shall become invalid if the required fee is not paid by the date of expiration. If the licensee fails to pay the prescribed renewal fees within ninety days after the expiration date of the license, then the renewal fee will be the current fee plus an amount equal to one year's renewal fee.

(5) The renewal fee for engineers, land surveyors, engineering corporations and engineering partnerships are determined by the director of the department of licensing.

[Statutory Authority: RCW 18.43.035. 91-11-075, § 196-24-060, filed 5/20/91, effective 6/20/91; 90-21-034, § 196-24-060, filed 10/10/90, effective 11/10/90; 82-01-064 (Order 81-10), § 196-24-060, filed 12/18/81; Order PL 224, § 196-24-060, filed 11/5/75; Order PL 181, § 196-24-060, filed 1/28/75; Rule 1VD, filed 8/4/64.]

WAC 196-24-080 Fees. All checks or money orders shall be made payable to the state treasurer. Registration: The application must be accompanied with a registration fee. Should the board find the applicant ineligible for examination

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or licensure by comity the registration fee shall be retained as an application fee. An applicant who fails an examination may be scheduled for reexamination by paying the required exam fee, submitted within a time frame defined by the board. Applicants who fail to appear for an examination, for which they are scheduled, will forfeit their examination fee and/or their privilege to be reexamined without an additional fee. Applicants may withdraw from a scheduled examination without penalty by submitting a written notice to the board office no later than six weeks prior to the date of examination.

[Statutory Authority: RCW 18.43.035. 91-23-111, § 196-24-080, filed 11/20/91, effective 12/21/91; 89-05-021 (Order PM 820), § 196-24-080, filed 2/10/89; 84-04-027 (Order PL 454), § 196-24-080, filed 1/25/84; 82-01-064 (Order 81-10), § 196-24-080, filed 12/18/81.]

WAC 196-24-085 Temporary permits—Information required of nonresidents intending to practice thirty days or less in a calendar year. Nonresident land surveyors will not be allowed to practice in Washington unless licensed under the provisions of chapter 18.43 RCW. Every nonresident engineer who intends to conduct professional practice under the exemption of subsection (2) of RCW 18.43.130, shall furnish the board, a minimum of three months prior to the commencement of such work with the following information:

(1) A properly completed application as prescribed by the board.

(2) Jurisdiction where currently registered.

(3) Imprint of professional seal.

(4) Dates work is to be started and terminated in the state of Washington. If the time differential between the starting and terminating date is in excess of thirty days in any calendar year, applicant must specify the days (totalling no more than thirty) on which the practice of engineering is to be performed in Washington.

(5) Name and address of client.

(6) Description and location (address) of project and regulating authority (if applicable).

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

Upon approval of the information submitted, the board shall issue a permit to the nonresident engineer for the temporary practice of engineering in Washington.

Plans, specifications, and reports prepared by the nonresident engineer shall be signed, dated, and stamped with their professional seal. A copy of the permit issued by this board shall be attached to the engineering documents submitted for approval or building permit.

The exemption contained in RCW 18.43.130(2) shall only apply to individuals. Corporations and partnerships shall not practice in Washington unless authorized to do so under RCW 18.43.130 (8) and (9).

[Statutory Authority: RCW 18.43.035. 89-05-021 (Order PM 820), § 196-24-085, filed 2/10/89; 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 196-24-090 Branch offices. (1) A branch office of an engineering or land surveying firm shall be defined as an office established to solicit and/or provide engineering and/or land surveying services. A resident professional engineer/land surveyor shall be defined as a person holding a

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valid certificate of registration in this state and who maintains said branch office as his normal place of business. A professional engineer or professional land surveyor may be the resident licensee at only one place of business at any given time.

(2) Each branch office of an engineering firm shall have a resident professional engineer in responsible charge. Each branch office of a surveying firm shall have a resident professional land surveyor in responsible charge.

(3) Branch office restrictions shall not apply to project offices. A project office shall be defined as an office established to provide:

(a) Supervision for construction of a project designed elsewhere.

(b) Supervision of or providing a convenient work place for a specific land surveying or engineering project.

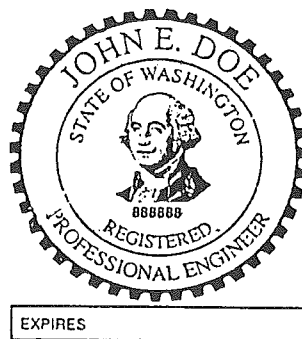
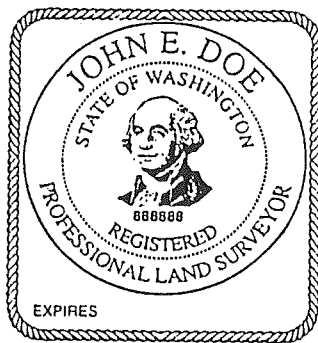
[Statutory Authority: RCW 18.43.035. 90-05-071, § 196-24-090, filed 2/21/90, effective 3/24/90; 82-01-064 (Order 81-10), § 196-24-090, filed 12/18/81.]

WAC 196-24-092 Offer to practice. The offer to practice engineering or land surveying services shall include, but not be limited to, identification of the scope of work and/or estimated cost of said services. Said offer to practice shall be performed by or under the direct supervision of a licensee qualified to offer said services under the provisions of chapter 18.43 RCW.

[Statutory Authority: RCW 18.43.035. 90-05-071, § 196-24-092, filed 2/21/90, effective 3/24/90.]

WAC 196-24-095 Seals. The design and format of the seal and or stamp authorized by the board will conform to the following examples:

Embossing seals or rubber stamps are equally acceptable. The impression or image of the seal/stamp shall be no smaller than one and three-quarter inches and no larger than two inches. The seal/stamp shall contain the following minimum information:



- State of Washington
- Registered professional engineer or registered professional land surveyor
- Certificate number
- Registrant's name as shown on wall certificate

Other than described and illustrated herein, no other form or format for professional seals/stamps is authorized by the board. All seals/stamps shall conform to this design and format by no later than April 1, 1992. When a registrant places a seal on a document, the registrant must: Sign in permanent ink across the face of said seal, place date that signa-

ture was applied immediately adjacent to said signature and indicate date of license expiration. Engineers or land surveyors shall not affix their signature and seal to any engineering or land surveying plan or document dealing with subject matter outside their field of competence nor to any plan or document not prepared under their direct supervision.

"Under direct supervision" shall be construed to mean that the registrant who provide(s) such supervision, and who intends to affix his or her signature and seal, shall have exercised his or her professional judgment by way of regular participation in developing the engineering and/or land surveying matters that are embodied in the plans, designs, specifications or other documents involved in the work.

[Statutory Authority: RCW 18.43.035. 91-11-099, § 196-24-095, filed 5/22/91, effective 6/22/91; 82-01-064 (Order 81-10), § 196-24-095, filed 12/18/81.]

WAC 196-24-097 Seal/stamp usage. All individuals registered in accordance with chapter 18.43 RCW shall obtain a seal/stamp of the design as authorized by the board. The use of said seal/stamp shall be in accordance with RCW 18.43.070, WAC 196-24-095, 196-27-020 (1)(b) and (2)(c) and shall further adhere to the following:

(1) Document stamping: Any final document of a technical nature must contain the seal/stamp of the registrant(s) who prepared or directly supervised the work. For the purposes of this section "document" is defined as plans, specifications, plats and reports.

(a) Final documents are those documents that are prepared and distributed for agency reviews and approvals, recording with public officials and/or use for public/private construction.

(b) Preliminary documents are those documents not considered final as defined herein, but are released and/or distributed by or from the registrant(s) control. Preliminary documents must be clearly identified as "PRELIMINARY" or contain such wording so it may be differentiated from a final document.

(c) Preliminary documents may or may not be stamped and signed by the registrant: *Provided*, That the identity of the registrant(s) are clearly shown on said document.

(2) Plan set stamping: Every page of a plan set must contain the seal/stamp of the registrant(s) who prepared or who had direct supervision of the preparation of the work.

(a) Plans/plats containing work prepared under the direct supervision of more than one registrant shall be sealed/stamped by each registrant and shall clearly note the extent of each registrant's responsibility.

(b) Plan/plat sheets containing and/or depicting background and/or supporting information that is duplicated from other plans sheets within the same plan set need only be sealed/stamped by the registrant(s) who prepared or were in direct supervision of that plan sheet.

(c) All design revisions to final plan/plat sheets shall be done in accordance with the provisions of RCW 18.43.070, WAC 196-24-095, 196-27-020 (1)(b) and (2)(c), and shall further be clearly identified on each sheet that is revised with the date the revision was made.

(3) Specification stamping: Specifications that are prepared by or under the direct supervision of a registrant shall

contain the seal/stamp and signature of the registrant. If the specifications prepared by a registrant are a portion of a bound specification document that contains specifications other than that of an engineering or land surveying nature, the registrant need only seal/stamp that portion or portions of the documents for which the registrant is responsible. Nothing herein should be construed to require that each page of an engineering or land surveying specification be sealed/stamped by the registrant.

[Statutory Authority: RCW 18.43.035, 93-13-065, § 196-24-097, filed 6/17/93, effective 7/18/93.]

WAC 196-24-098 Documents prepared by a corporation, organization, or public agency. When a corporation, organization, or public agency performs engineering and/or land surveying services as defined in RCW 18.43.020 and employs individuals registered in accordance with chapter 18.43 RCW, the registrant(s) signing and sealing the plans, specifications, maps and/or reports prepared by said corporation/agency shall do so in accordance with RCW 18.43.070, WAC 196-24-095, 196-27-020 (1)(b) and (2)(c).

[Statutory Authority: RCW 18.43.035, 93-13-066, § 196-24-098, filed 6/17/93, effective 7/18/93.]

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. (1) Except for the law and ethics examination, an exam part may be reviewed if it is failed. Examinees who achieve a passing score will not be permitted to review their examination. The purpose of examination review is to permit the examinee an opportunity to review his or her exam in order to identify areas of poor performance. This is not an opportunity to take notes for future reference.

Failing examinees may review their examination (test booklet, answer sheet or solution pamphlet and answer key) during a period as prescribed by the board. Examinees who fail to review their exam during the prescribed time will not be scheduled for an examination review. The examination review guidelines are as follows:

(a) An examinee shall be able to review his/her examination one time only. This review shall be arranged in advance by appointment with board staff.

(b) All examination reviews shall be conducted in the presence of a member of the board staff. No one may accompany the examinee during the examination review except

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where persons with disability require assistance, and that need is conveyed to staff when the exam review appointment is made.

(c) For examinations having machine scored answer sheets, the examinee shall be allowed to review a copy of his/her answer sheet.

(d) Each reviewer will be given a review sheet that they can take with them following the review. This review sheet will include the problem number, problem subject matter, score achieved for each problem and total score. Reviewers will not be permitted to add further information to this review sheet.

(e) Scratch paper and writing instruments will be provided during the examination review. However, scratch paper may not be removed from the review area.

(2) Individuals may appeal to have their examination rescored only at the time they review their exam. Multiple choice questions are not appealable. Essay (free response) type questions may be appealed if the reviewer can demonstrate, in writing, sufficient technical justification that their solution deserves reconsideration. The required fee for rescoring must be paid at the time the rescore request is made. The results of the rescore are final, and no additional appeals are available.

[Statutory Authority: RCW 18.43.035, 98-12-052, § 196-24-105, filed 5/29/98, effective 7/1/98; 93-01-081, § 196-24-105, filed 12/15/92, effective 1/15/93; 92-15-139, § 196-24-105, filed 7/22/92, effective 8/22/92; 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 196-25 WAC BUSINESS PRACTICES

WAC

196-25-001	Purpose.
196-25-002	Definitions.
196-25-005	Businesses that must be authorized by the board.
196-25-010	Applications.
196-25-020	Corporations or joint stock associations.
196-25-030	Limited liability companies.
196-25-040	Provisions pertaining to both corporations and limited liability companies.

WAC 196-25-001 Purpose. The purpose of this chapter is to implement that part of chapter 18.43 RCW related to corporations and limited liability companies offering engineering and land surveying services, as enacted by the 1997 legislature.

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-001, filed 5/29/98, effective 7/1/98.]

WAC 196-25-002 Definitions. Board. The Washington state board of registration for professional engineers and land surveyors.

Professional engineer. A person registered by the board under chapter 18.43 RCW to practice engineering in this state.

Professional land surveyor. A person registered by the board under chapter 18.43 RCW to practice land surveying in this state.

Business. A corporation, joint stock association or limited liability company that is practicing or offering to practice, engineering or land surveying or both in this state.

Designee. A currently registered professional engineer designated by the business to be in responsible charge of engineering activities for the business in this state, OR, a currently registered professional land surveyor designated by the business to be in responsible charge of land surveying activities for the business in this state.

Certificate of authorization. A certificate issued by the board, pursuant to chapter 18.43 RCW, to a business authorizing it to practice engineering or land surveying or both in this state. (Note: This is a different certificate than the certificate of authorization that may be filed with the secretary of state.)

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-002, filed 5/29/98, effective 7/1/98.]

WAC 196-25-005 Businesses that must be authorized by the board. Except for professional service (PS) corporations and professional service limited liability companies (PLLC's), all corporations, joint stock associations and limited liability companies (LLC's) that offer engineering or land surveying services must apply to the board for a certificate of authorization to practice engineering or land surveying or both in the state of Washington.

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Effective July 1, 1998, engineering partnerships currently registered with the board will no longer be required to pay an annual renewal fee. Also effective July 1, partnerships and limited liability partnerships offering engineering and/or land surveying services will not be required to apply for a certificate of authorization from the board. However, the partnership must employ at least one person currently registered pursuant to chapter 18.43 RCW for each profession for which services are offered.

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-005, filed 5/29/98, effective 7/1/98.]

WAC 196-25-010 Applications. All applications must be completed on forms provided by the board and filed with the executive director at the board's address and be accompanied by the appropriate fee as listed in WAC 196-26-020.

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-010, filed 5/29/98, effective 7/1/98.]

WAC 196-25-020 Corporations or joint stock associations. (1) The following will be submitted with the application for a certificate of authorization: A certified copy of a resolution of the board of directors; identification of the designee(s); an affidavit signed by the designee(s); a copy of the certificate of incorporation or certificate of authorization as filed with the secretary of state; and, a copy of the corporation's current Washington business license.

(2) The resolution of the board of directors of the corporation designating person(s) must also provide full authority to the designee to make all final engineering or land surveying decisions respectfully on behalf of the corporation for work performed by the corporation in this state.

The resolution must further state that the bylaws of the corporation shall be amended in accordance with RCW 18.43.130 (8)(c) pertaining to engineering or land surveying decisions made by the designee.

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-020, filed 5/29/98, effective 7/1/98.]

WAC 196-25-030 Limited liability companies. (1) The following must be submitted with the application for a certificate of authorization: A certified copy of a resolution by the company manager or managers; identification of the designee(s); an affidavit signed by the designee(s); a copy of the certificate of formation as filed with the secretary of state; and, a copy of the company's current business license.

(2) The resolution by the limited liability company manager or managers designating person(s), must also provide full authority to the designee to make all final engineering or land surveying decisions respectfully on behalf of the company for work performed by the company in the state of Washington. The resolution must further state that the limited liability company agreement shall be amended in accordance with RCW 18.43.130 (10)(b) pertaining to engineering or land surveying decisions made by the designee.

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-030, filed 5/29/98, effective 7/1/98.]

WAC 196-25-040 Provisions pertaining to both corporations and limited liability companies. (1) If the busi-

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ness offers both engineering and land surveying services, there must be a designee for each profession. If a person is licensed in both engineering and land surveying, that person may be designated for both professions.

(2) An affidavit must be signed by the designee(s) stating that he or she knows they have been designated by the business as being responsible for the engineering and/or land surveying activities in the state of Washington.

(3) The designated engineer and/or designated land surveyor must be an employee of the business.

(4) No person may be the designated engineer or designated land surveyor at more than one business at any one time.

(5) If there is a change in the designee(s), the business must notify the board in writing within thirty days of the effective date of the change and submit a new affidavit.

(6) If the business changes its name, the business must submit a copy of its amended certificate of authority or amended certificate of incorporation (for corporations) or a copy of the certificate of amendment (for LLC's), as filed with the secretary of state within thirty days of the filing.

(7) At the time of renewal, a copy of the business' business license must be submitted to insure that the company is registered with the secretary of state and has a current uniform business identification (UBI) number.

(8) The filing of the resolution shall not relieve the business of any responsibility or liability imposed upon it by law or by contract. Any business that is certified under chapter 18.43 RCW and this chapter is subject to the authority of the board as provided in RCW 18.43.035, 18.43.105, 18.43.110, and 18.43.120.

[Statutory Authority: RCW 18.43.035 and 18.43.130, 98-12-053, § 196-25-040, filed 5/29/98, effective 7/1/98.]

Chapter 196-26 WAC

REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS FEES

WAC

196-26-020 Engineer and land surveyor fees and charges.
196-26-030 License renewals.

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 196-26-020 Engineer and land surveyor fees and charges. The following fees and charges shall be assessed by the business and professions division of the department of licensing: Examination charges shall be collected from examination candidates for examinations ordered from the national vendor on their behalf. The charges recovered by the department shall be refunded to the vendor for the costs of purchasing and grading exams.

Title of Fee and/or Charge Amount

Engineers:

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Title of Fee and/or Charge	Amount
Professional engineer application, examination, and certificate (\$ 75 exam charge; \$40 agency fee)	\$ 115.00
Professional engineer examination retake (\$ 75 exam charge; \$30 agency fee)	105.00
Structural engineer application, examination, and certificate (Western states)	175.00
Structural engineer application and examination (NCEES Structural I) (\$75 exam charge; \$30 agency fee)	105.00
Structural engineer application, examination and certificate (NCEES Structural II) (\$150 exam charge; \$55 agency fee)	205.00
Structural engineer examination retake: (NCEES Structural I) (\$75 exam charge; \$30 agency fee)	105.00
(NCEES Structural II) (\$150 exam charge; \$30 agency fee)	180.00
Structural engineer addendum examination (taken after Structural I & II examinations)	50.00
Structural engineer addendum retake examination	50.00
Comity	100.00
Replacement certificate	25.00
Exam (locally prepared) rescore	50.00
Renewal (per year)	50.00
Late renewal penalty	50.00
Duplicate license	15.00
Temporary permit	100.00
Engineer in training:	
Application, examination, and certificate (\$30 exam charge; \$20 agency fee)	50.00
Examination retake (\$30 exam charge; \$20 agency fee)	50.00
Replacement certificate	25.00
Land surveyor:	
Application, examination, and certificate	100.00
PPLS examination retake	60.00
Comity	100.00
Comity exam retake	60.00
PPLS exam rescore	50.00
Renewal (per year)	50.00
Late renewal penalty	50.00
Replacement certificate	25.00

Title of Fee and/or Charge	Amount
Duplicate license	15.00
Land surveyor in training (effective April 1, 1996):	
Application, examination, and certificate (\$ 65 exam charge; \$10 agency fee)	75.00
Examination retake (\$ 65 exam charge; \$10 agency fee)	75.00
Replacement certificate	25.00
Engineer corporation, joint stock association and limited liability company:	
Certificate of authorization	150.00
Renewal (per year)	100.00
Duplicate license	15.00
Replacement certificate	25.00

[Statutory Authority: RCW 43.24.086, 18.43.050, [18.43.]060, [18.43.]080, [18.43.]100, [18.43.]130, [18.43.]160 and 1997 c 247. 98-12-046, § 196-26-020, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 43.24.086, 18.43.050, [18.43.]060, [18.43.]080, [18.43.]100, [18.43.]110, [18.43.]130 and 1995 c 356. 95-23-013, § 196-26-020, filed 11/7/95, effective 1/1/96. Statutory Authority: RCW 43.24.086 and 43.24.140. 93-10-057, § 196-26-020, filed 4/30/93, effective 7/1/93; 91-22-017, § 196-26-020, filed 10/28/91, effective 11/28/91; 91-10-046, § 196-26-020, filed 4/25/91, effective 5/26/91. Statutory Authority: RCW 43.24.086 and 43.24.140. 91-10-046, § 196-26-020, filed 4/25/91, effective 5/26/91. Statutory Authority: RCW 43.24.086 and chapter 18.43 RCW. 90-03-028, § 196-26-020, filed 1/11/90, effective 2/11/90. Statutory Authority: RCW 43.24.086. 87-18-031 (Order PM 667), § 196-26-020, filed 8/27/87.]

WAC 196-26-030 License renewals. The licenses for those individuals registered as a professional engineer and/or a professional land surveyor shall be renewed every two years. The date of renewal shall be the licensee's birth date. Licensees who fail to pay the prescribed renewal fee within ninety days of the license expiration date will be subject to the late payment penalty fee as set forth in WAC 196-24-060.

The initial license issued to an individual shall expire on the licensee's next birth date. However, if the licensee's next birth date is within three months of the initial date of licensure, the original license shall expire on his or her second birth date following original licensure. All subsequent renewals shall be for a two-year period.

The certificates of authorization for corporations, joint stock associations and limited liability companies (LLC) shall be renewed annually. The date of renewal shall be the month and day of receipt of their original license application. Failure to pay the prescribed fee by the date of expiration shall cause the certificate to become invalid.

[Statutory Authority: RCW 43.24.086, 18.43.050, [18.43.]060, [18.43.]080, [18.43.]100, [18.43.]130, [18.43.]160 and 1997 c 247. 98-12-046, § 196-26-030, filed 5/29/98, effective 7/1/98. Statutory Authority: RCW 43.24.086 and 43.24.140. 91-22-017, § 196-26-030, filed 10/28/91, effective 11/28/91; 91-10-046, § 196-26-030, filed 4/25/91, effective 5/26/91. Statutory Authority: RCW 43.24.140. 90-21-033, § 196-26-030, filed 10/10/90, effective 11/10/90.]

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Chapter 196-27 WAC

RULES OF PROFESSIONAL CONDUCT

WAC

196-27-010

Purpose and definitions.

196-27-020

Fundamental canons and guidelines for professional practice.

WAC 196-27-010 Purpose and definitions. (1) In order to safeguard life, health, property and to promote the public welfare, the following rules of professional conduct shall apply to every person holding a certificate of registration together with all corporations, partnerships, or other legal entities authorized to perform engineering or land surveying services under chapter 18.43 RCW.

(2) All persons, corporations, and partnerships registered under the provisions of chapter 18.43 RCW are charged with having knowledge of and being familiar with the provisions of the rules of professional conduct.

(3) Violation of these rules of professional conduct is considered misconduct or malpractice as defined by RCW 18.43.105(11). Registrants found guilty of said misconduct or malpractice are subject to disciplinary powers of the board as provided in RCW 18.43.110.

(4) The word "registrant" in these rules of professional conduct shall mean any person holding a certificate of registration issued by this board.

[Statutory Authority: RCW 18.43.035. 84-04-027 (Order PL 454), § 196-27-010, filed 1/25/84.]

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

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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 [an] 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 offer money, goods or other favors as inducement to receive favorable consideration for a professional assignment. Also, registrants shall not accept money, goods or other favors as inducement to approve, authorize or influence the granting of a professional assignment. This shall not preclude the securing of 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 shall not advertise professional services in a way that is false or misleading as to the qualification, experience, or capability of the registrant.

(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, 90-05-071, § 196-27-020, filed 2/21/90, effective 3/24/90; 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.]