

WSR 22-03-101
PROPOSED RULES
BOARD OF REGISTRATION
FOR PROFESSIONAL ENGINEERS
AND LAND SURVEYORS

[Filed January 19, 2022, 11:24 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 20-16-110.

Title of Rule and Other Identifying Information: Chapter 196-23 WAC, Stamping and seals.

Hearing Location(s): On March 16, 2022, at 2:00 p.m., join via WebEx, Meeting number (access code) 2467 463 2744, Meeting password sqSgXc5mm43; join by phone +1-415-655-0001, US Toll +1-206-207-1700 United States Toll (Seattle). In response to the COVID-19 public health emergency, the board of registration for professional engineers and land surveyors will not provide a physical location for this hearing to promote social distancing and the safety of the citizens of Washington state. A virtual public hearing, without a physical space, will be held instead. The public may participate in the hearing by accessing the hearing link on the board's rule-making page <https://brpels.wa.gov/about-us/laws-and-rules/rulemaking-activity> or calling the phone number provided.

Date of Intended Adoption: April 21, 2022.

Submit Written Comments to: Shanana Gillespie, P.O. Box 9025, Olympia, WA 98507-9025, email Shanana.Gillespie@brpels.wa.gov, by March 17, 2022.

Assistance for Persons with Disabilities: Contact Shanana Gillespie, phone 360-664-1570, TTY 711 or 1-800-833-5388, email Shanana.Gillespie@brpels.wa.gov, by March 11, 2022.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Amendments to WAC 196-23-020(1) adds land descriptions as a final document that must contain the seal/stamp, signature, and date of the licensee that prepared that document.

Amendments to WAC 196-23-020(5) allow licensees that review work prepared by another licensee to prepare a report only if required.

Reasons Supporting Proposal: Changes to current rule language provides clarification to land surveyor licensees of what final documents need [to be] stamped and removes the requirement of preparing a report each time an engineer reviews a document prepared by another engineer and may lessen the cost to the licensees.

Statutory Authority for Adoption: RCW 18.43.035.

Statute Being Implemented: RCW 18.43.070.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Board of registration for professional engineers and land surveyors, governmental.

Name of Agency Personnel Responsible for Drafting: Shanana Gillespie, 605 11th Avenue S.E., Suite 201, Olympia, WA 98501, 360-664-1570; Implementation and Enforcement: Ken Fuller, 605 11th Avenue S.E., Suite 201, Olympia, WA 98501, 360-968-4805.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. The board of registration for professional engineers and land surveyors is

not one of the agencies to which RCW 34.05.328 applies pursuant to RCW 34.05.328 (5) (a).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.030 (1) (a).

Explanation of exemptions: Costs are minor and not disproportionate and therefore a small business [economic] impact statement is not necessary under RCW 19.85.030 (1) (a).

January 19, 2022

Ken Fuller

Director

OTS-3111.2

AMENDATORY SECTION (Amending WSR 08-10-009, filed 4/24/08, effective 7/1/08)

WAC 196-23-020 Seal/stamp usage. The use of the seal/stamp must be in accordance with chapter 18.43 RCW or as otherwise described herein:

(1) Final documents are those documents that are prepared and distributed for filing with public officials, use for construction, final agency approvals or use by clients. Any final document must contain the seal/stamp, signature and date of signature of the licensee who prepared or directly supervised the work. For the purpose of this section "document" is defined as plans, specifications, plats, surveys, land descriptions as defined in WAC 332-130-020, reports, and as-built documents prepared by the licensee((, ~~and reports~~)).

(2) Preliminary documents are those documents not considered final as defined herein, but are released or distributed by the licensee. Preliminary documents must be clearly identified as "PRELIMINARY" or contain such wording so it may be differentiated from a final document. Preliminary documents must be stamped, but need not be signed or dated by the licensee.

(3) Plan sets: Every page of a plan set must contain the seal/stamp, signature of the licensee(s) who prepared or who had direct supervision over the preparation of the work, and date of signature.

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

(b) As provided for in subsections (1) and (2) of this section, each page of a plan set must contain the seal/stamp of the licensee who prepared or who had direct supervision over the preparation of the work.

(c) Plan/plat sheets containing and/or depicting background and/or supporting information that is duplicated from other plans need only be sealed/stamped by the licensee(s) who prepared or was in direct supervision of the design. The origin of the background information shall be noted on the plan sheet.

(d) All design revisions to final plan/plat sheets shall clearly identify on each sheet((+)) the revisions made and shall contain the

name and seal of the licensee((~~r~~)) and signature of the licensee with the date the sheet was sealed.

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

(5) Document review: When a licensee is required to review work prepared by another professional engineer or land surveyor, the reviewing licensee shall fully review those documents ((~~and~~)). If required, the licensee shall prepare a report that discusses the findings of the review with any supporting calculations and sketches. The reviewing licensee would then seal/stamp, sign and date the report. The report would make reference to and/or be attached to the subject document(s) reviewed.

[Statutory Authority: RCW 18.43.035. WSR 08-10-009, § 196-23-020, filed 4/24/08, effective 7/1/08; WSR 06-22-036, § 196-23-020, filed 10/25/06, effective 11/25/06; WSR 99-15-055, § 196-23-020, filed 7/15/99, effective 8/15/99.]