

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1603

By: Haste

AS INTRODUCED

An Act relating to engineering and land surveying; amending 59 O.S. 2021, Section 475.22, which relates to exceptions; adding exceptions; updating statutory reference; updating statutory language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2021, Section 475.22, is amended to read as follows:

Section 475.22. Section 475.1 et seq. of this title shall not be construed to prevent:

1. Other professions. The practice of any other legally recognized profession;

2. Temporary license:

a. Professional engineer. The practice or offer to practice engineering by a person not a resident of or having no established place of business in this state is allowed; provided, such person is legally qualified by licensure to practice engineering, as defined in

1 Section 475.2 of this title, in the applicant's
2 resident state or jurisdiction and who has made
3 application for licensure to ~~this Board~~ the State
4 Board of Licensure for Professional Engineers and Land
5 Surveyors. Such person shall make application for
6 temporary license to the Board, in a manner prescribed
7 by the Board. After payment of a temporary license
8 fee, a written license may be granted to perform a
9 particular job for a definite period of time, to
10 expire at the earliest issuance of a professional
11 engineering license by ~~this~~ the Board. Further, such
12 person shall not have been disciplined in any
13 jurisdiction by a ~~Board~~ board of licensure for
14 engineering, land surveying or architecture, and shall
15 not have been convicted in any jurisdiction of a
16 felony. Further, such person shall submit a complete
17 permanent professional engineer application to the
18 Board within thirty (30) days of the date of issuance
19 of the temporary license with all required properly
20 completed forms and fees. Failure to submit a
21 permanent professional engineer application for Board
22 consideration within the designated thirty-day time
23 period may be considered a violation of Section 475.1
24 et seq. of this title and Board rules. No right to

1 practice engineering shall accrue to such applicant by
2 reason of a temporary license for any works not set
3 forth in the license, and

4 b. Professional land surveyor. The practice of land
5 surveying under a temporary permit by a person
6 licensed as a professional land surveyor in another
7 state is not considered to be in the best interest of
8 the public and therefore shall not be granted;

9 3. Employees and subordinates. The work of an employee or a
10 subordinate of a person holding a certificate of licensure under
11 Section 475.1 et seq. of this title, or an employee of a person
12 practicing lawfully under paragraph 2 of this section is allowed;
13 provided, such work does not include final engineering or land
14 surveying designs or decisions and is done under the direct
15 supervision of and verified by a person holding a certificate of
16 licensure under Section 475.1 et seq. of this title or a person
17 practicing lawfully under paragraph 2 of this section;

18 4. Material takeoff. Providing a list of material derived from
19 measuring and interpreting a set of blueprints or plans, otherwise
20 known as a "material takeoff" or advising a person on such a
21 ~~"material takeoff"~~ material takeoff shall not constitute the
22 practice of engineering; ~~and~~

23 5. A person shall not be construed to practice or offer to
24 practice land surveying, within the meaning and intent of Section

1 475.1 et seq. of this title, who merely acts as an agent of a
2 purchaser of land surveying services. Agents of a purchaser of land
3 surveying services include, but are not limited to, real estate
4 agents and brokers, title companies, attorneys providing title
5 examination services, and persons who or firms that coordinate the
6 acquisition and use of land surveying services. The coordination of
7 land surveying services includes, but is not limited to, sales and
8 marketing of services, discussion of requirements of land surveys,
9 contracting to furnish land surveys, review of land surveys, the
10 requesting of revisions of land surveys, and making any and all
11 modifications to surveys with the written consent of the
12 professional land surveyor, and furnishing final revised copies to
13 the professional land surveyor showing all revisions, the
14 distribution of land surveys and receiving payment for such
15 services. These actions do not constitute the practice of land
16 surveying, and do not violate any part of Sections 475.1 through
17 475.22a of this title or the bylaws and rules of the Board; and

18 6. A construction company providing highway services under
19 contract with the Department of Transportation or the Oklahoma
20 Turnpike Authority.

21 SECTION 2. This act shall become effective November 1, 2024.

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