
SUBSTITUTE HOUSE BILL 1853

State of Washington 62nd Legislature 2011 Regular Session

By House Business & Financial Services (originally sponsored by Representative Sells)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to modifying the definition of significant
2 structure to allow an engineer to provide structural engineering
3 services on certain structures without being registered as a structural
4 engineer; and amending RCW 18.43.020.

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

6 **Sec. 1.** RCW 18.43.020 and 2007 c 193 s 2 are each amended to read
7 as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Engineer" means a professional engineer as defined in this
11 section.

12 (2) "Professional engineer" means a person who, by reason of his or
13 her special knowledge of the mathematical and physical sciences and the
14 principles and methods of engineering analysis and design, acquired by
15 professional education and practical experience, is qualified to
16 practice engineering as defined in this section, as attested by his or
17 her legal registration as a professional engineer.

18 (3) "Engineer-in-training" means a candidate who: (a) Has
19 satisfied the experience requirements in RCW 18.43.040 for

1 registration; (b) has successfully passed the examination in the
2 fundamental engineering subjects; and (c) is enrolled by the board as
3 an engineer-in-training.

4 (4) "Engineering" means the "practice of engineering" as defined
5 in this section.

6 (5)(a) "Practice of engineering" means any professional service or
7 creative work requiring engineering education, training, and experience
8 and the application of special knowledge of the mathematical, physical,
9 and engineering sciences to such professional services or creative work
10 as consultation, investigation, evaluation, planning, design, and
11 supervision of construction for the purpose of assuring compliance with
12 specifications and design, in connection with any public or private
13 utilities, structures, buildings, machines, equipment, processes,
14 works, or projects.

15 (b) A person shall be construed to practice or offer to practice
16 engineering, within the meaning and intent of this chapter, who
17 practices any branch of the profession of engineering; or who, by
18 verbal claim, sign, advertisement, letterhead, card, or in any other
19 way represents himself or herself to be a professional engineer, or
20 through the use of some other title implies that he or she is a
21 professional engineer; or who holds himself or herself out as able to
22 perform, or who does perform, any engineering service or work or any
23 other professional service designated by the practitioner or recognized
24 by educational authorities as engineering.

25 (c) The practice of engineering does not include the work
26 ordinarily performed by persons who operate or maintain machinery or
27 equipment.

28 (6) "Land surveyor" means a professional land surveyor.

29 (7) "Professional land surveyor" means a person who, by reason of
30 his or her special knowledge of the mathematical and physical sciences
31 and principles and practices of land surveying, which is acquired by
32 professional education and practical experience, is qualified to
33 practice land surveying and as attested to by his or her legal
34 registration as a professional land surveyor.

35 (8) "Land-surveyor-in-training" means a candidate who: (a) Has
36 satisfied the experience requirements in RCW 18.43.040 for
37 registration; (b) successfully passes the examination in the

1 fundamental land surveying subjects; and (c) is enrolled by the board
2 as a land-surveyor-in-training.

3 (9) "Practice of land surveying" means assuming responsible charge
4 of the surveying of land for the establishment of corners, lines,
5 boundaries, and monuments, the laying out and subdivision of land, the
6 defining and locating of corners, lines, boundaries, and monuments of
7 land after they have been established, the survey of land areas for the
8 purpose of determining the topography thereof, the making of
9 topographical delineations and the preparing of maps and accurate
10 records thereof, when the proper performance of such services requires
11 technical knowledge and skill.

12 (10) "Board" means the state board of registration for professional
13 engineers and land surveyors, provided for by this chapter.

14 (11) "Significant structures" include:

15 (a) Hazardous facilities, defined as: Structures housing,
16 supporting, or containing sufficient quantities of explosive substances
17 to be of danger to the safety of the public if released;

18 (b) Essential facilities that have a ground area of more than five
19 thousand square feet and are more than twenty feet in mean roof height
20 above average ground level. Essential facilities are defined as:

21 (i) Hospitals and other medical facilities having surgery and
22 emergency treatment areas;

23 (ii) Fire and police stations;

24 (iii) Tanks or other structures containing, housing, or supporting
25 water or fire suppression material or equipment required for the
26 protection of essential or hazardous facilities or special occupancy
27 structures;

28 (iv) Emergency vehicle shelters and garages;

29 (v) Structures and equipment in emergency preparedness centers;

30 (vi) Standby power-generating equipment for essential facilities;

31 (vii) Structures and equipment in government communication centers
32 and other facilities requiring emergency response;

33 (viii) Aviation control towers, air traffic control centers, and
34 emergency aircraft hangars; and

35 (ix) Buildings and other structures having critical national
36 defense functions;

37 (c)(i) Except as provided in (c)(ii) of this subsection, structures
38 exceeding one hundred feet in height above average ground level;

1 (ii) Telecommunication and broadcast antenna supporting tower
2 structures that are not customarily occupied by human beings and that
3 are located a distance of at least the height of the structure plus one
4 hundred feet from buildings customarily occupied by human beings are
5 not considered significant structures;

6 (d) Buildings that are customarily occupied by human beings and are
7 five stories or more above average ground level;

8 (e) Bridges having a total span of more than two hundred feet and
9 piers having a surface area greater than ten thousand square feet; and

10 (f) Buildings and other structures where more than three hundred
11 people congregate in one area.

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