

Pass - 9

99LSO-0505

9

HOUSE BILL

0232

HOUSE BILL 0232

HBC232 Surveyors and engineers-licensing.

AN ACT relating to professional engineers and land surveyors; renaming the state board of registration for professional engineers and professional land surveyors as the Wyoming board of examiners for engineering and surveying; substituting the term license requirement for the term registration requirement; conforming provisions accordingly; providing definitions; modifying intern and professional license qualifications; expanding practice by corporations to partnerships and limited liability companies; specifying application to existing registered practitioners; and providing for an effective date.

Introduced by:

Don Koss

HOUSE ACTION ON HOUSE BILL

1/21 ☒ Introduced
Aye ___ No ___ Ex ___ Ab ___
☒ Read First Time and Ref. to
Committee No. 09
☐ Failed Introduction
Aye ___ No ___ Ex ___ Ab ___
1/28 Returned from Committee No. 09
with Recommendation:
☐ Do Pass; ☒ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
1/ Re-referred to Committee No. ___
1/ Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
2/3 Considered in Comm. of Whole
☒ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
2/4 Read Second Time
☐ Amended
☒ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
2/5 Read Third Time
☒ Amended
☒ Passed ☐ Failed
Aye 18 No 11 Ex 01 Ab 0
☐ Held for Reconsideration
1/ Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
1/ Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
1/ Sent to Senate (No Amendments)
2/5 Sent to LSO for Engrossing
2/5 ENGROSSED
2/5 Sent to Senate

SENATE ACTION ON HOUSE BILL

2/13 Received. Read First Time.
Referred to Committee No. 9
2/23 Returned from Committee No. 1
with Recommendation:
☐ Do Pass; ☒ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
1/ Re-referred to Committee No. ___
1/ Returned from Committee No. ___
with Recommendation:
☐ Do Pass; ☐ Amend & Do
Pass; ☐ Do Not Pass;
☐ W/O Recomm; ☐ Re-Refer to
Committee No. ___
2/23 Considered in Comm. of Whole
☒ Amended
☒ Recommended Do Pass
☐ Failed Comm. of Whole
☐ Indefinitely Postponed
☐ Other: ___
2/24 Read Second Time
☒ Amended
☐ Do Pass
☐ Do Not Pass
☐ Accelerated to 3rd Rdg.
3/1 Read Third Time
☒ Amended
☒ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
☐ Held for Reconsideration
1/ Motion to Reconsider
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
1/ Third Reading Vote
(On Reconsideration)
☐ Passed ☐ Failed
Aye ___ No ___ Ex ___ Ab ___
3/1 Sent to House
3/1 Sent for Enrolling
HEA No. 118
3/2 Signed by Speaker
3/2 Signed by President
3/4 Approved by Governor
Chapter No. 100

NOTES: ADDITIONAL HOUSE / SENATE ACTION

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This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

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This image shows a single page of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or printed text on the page.

AMENDMENT LIST

DATE 2-3-99 BILL NO. HB 232 Circle One: COW 2nd 3rd

HB 232 H5001/AC

H5001.1/A

H5001.2/

AMENDMENT LIST

DATE 2-4-99 BILL NO. HB 232 Circle One: COW 2nd 3rd

H 2001/W

AMENDMENT LIST

DATE 2-5-99 BILL NO. H/B 232 Circle One: COW 2nd 3rd

H3001/A

H3002/A

AMENDMENT LIST

DATE 2-25-99 BILL NO. HB 232 Circle One: COW 2nd 3rd

SS001 / A E Hanks

AMENDMENT LIST

DATE 2-26-99

BILL NO. HB 232

Circle One: COW

2nd

3rd

S2001/AE

Km2

AMENDMENT LIST

DATE 3-1-99 BILL NO. H.R. 232 Circle One: COW 2nd 3rd

53001/A E Kunz

53002/A E Cathcart

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
GENERAL SESSION
1999

SEQUENCE : 4435

MARCH 1 1999

BILL : HB0232
AMENDMENT:

3:12 PM

MOVED BY : REP. STAFFORD
TITLE1 : MESSAGE NO. 438
TITLE2 :
ACTION : CONCUR IN AMENDMENTS OF OPPOSITE HOUSE

SECONDED BY:

ANDERSON, J....	A	NAGEL.....	A
ANDERSON, R....	A	NELSON.....	N
BADGETT.....	A	NICHOLAS.....	N
BAKER.....	N	OSBORN.....	N
BERRY.....	A	PARADY.....	A
BOSWELL.....	N	PASENEAUX.....	N
BURNS.....	N	PHILP.....	N
CASADY.....	X	RARDIN.....	N
CHILDERS.....	A	REESE.....	A
COHEE.....	A	ROBINSON.....	A
DEEGAN.....	A	ROSE, J.....	N
DIERCKS.....	A	ROSE, T.....	A
ESQUIBEL.....	A	ROSS.....	A
EYRE.....	A	ROUNDS.....	A
FLEMING.....	A	RYCKMAN.....	N
HAGEMAN.....	N	SAMUELSON.....	A
HESSENTHALER...	N	SHIVLER.....	N
HINES.....	N	SIMONS.....	N
HUCKFELDT.....	N	SIMPSON.....	A
ILLOWAY.....	A	SMITH.....	N
JOHNSON, L....	A	STAFFORD.....	N
JOHNSON, W....	A	TANNER.....	N
LANDON.....	N	TEMPEST.....	A
LAW.....	A	TIPTON.....	A
LUTHI.....	N	TOMASSI.....	A
MCGRAW.....	A	WASSERBURGER...	A
MCMURTREY.....	N	WILLFORD.....	A
MCOMIE.....	N	WOSTENBERG.....	N
MEULI.....	A	ZANETTI.....	A
MORGAN.....	N	BEBOUT, MR SPKR	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 33
NOES : 26
EXCUSED : 0
ABSENT : 1
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

55TH WYOMING STATE LEGISLATURE
GENERAL SESSION 1999

SENATE

SEQUENCE : 439

MARCH 1 1999

BILL : HB0232
AMENDMENT:

12:06 PM

MOVED BY :
TITLE1 :
TITLE2 :
ACTION : THIRD READING

SECONDED BY:

BARTON.....	N
BOGGS.....	A
CASE.....	N
CATHCART.....	A
COE.....	A
DECARIA.....	A
DEVIN.....	A
ERB.....	A
GEIS.....	N
GOODENOUGH.....	N
HANES.....	A
HARRIS.....	A
HAWKS.....	A
HINCHEY.....	A
JOB.....	N
KINNISON.....	N
KUNZ.....	A
LARSON.....	A
MASSIE.....	A
MEIER.....	N
MILLER.....	N
MOCKLER.....	A
PECK.....	N
ROBERTS.....	N
SCHIFFER.....	N
SCOTT.....	N
SESSIONS.....	A
VASEY.....	A
YOUNGBAUER.....	A
PRES.TWIFORD...	N

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 17
NOES : 13
EXCUSED : 0
ABSENT : 0
CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

FIFTY-FIFTH WYOMING STATE LEGISLATURE
HOUSE OF REPRESENTATIVES
GENERAL SESSION
1999

SEQUENCE : 4205

FEBRUARY 5 1999

BILL : HB0232

9:53 AM

AMENDMENT:

MOVED BY :

SECONDED BY:

TITLE1 :

TITLE2 :

ACTION : THIRD READING REGULAR

ANDERSON, J....	A	NAGEL.....	A
ANDERSON, R....	A	NELSON.....	A
BADGETT.....	A	NICHOLAS.....	A
BAKER.....	N	OSBORN.....	A
BERRY.....	N	PARADY.....	A
BOSWELL.....	N	PASENEAUX.....	A
BURNS.....	A	PHILP.....	N
CASADY.....	E	RARDIN.....	N
CHILDERS.....	A	REESE.....	A
COHEE.....	A	ROBINSON.....	A
DEEGAN.....	A	ROSE, J.....	A
DIERCKS.....	A	ROSE, T.....	A
ESQUIBEL.....	A	ROSS.....	A
EYRE.....	A	ROUNDS.....	A
FLEMING.....	N	RYCKMAN.....	A
HAGEMAN.....	A	SAMUELSON.....	A
HESSENTHALER...	N	SHIVLER.....	A
HINES.....	A	SIMONS.....	N
HUCKFELDT.....	A	SIMPSON.....	A
ILLOWAY.....	A	SMITH.....	A
JOHNSON, L.....	N	STAFFORD.....	A
JOHNSON, W.....	A	TANNER.....	A
LANDON.....	A	TEMPEST.....	A
LAW.....	A	TIPTON.....	A
LUTHI.....	A	TOMASSI.....	A
MCGRAW.....	N	WASSERBURGER...	A
MCMURTREY.....	A	WILLFORD.....	A
MCOMIE.....	A	WOSTENBERG.....	N
MEULI.....	A	ZANETTI.....	A
MORGAN.....	A	BEBOUT, MR SPKR	A

VOTE REQ: MAJORITY OF MEMBERSHIP REQUIRED

AYES : 48

NOES : 11

EXCUSED : 1

ABSENT : 0

CONFLICT: 0

A=AYE N=NO E=EXCUSED
X=ABSENT C=CONFLICT

THE LEGISLATURE OF THE STATE OF WYOMING

House of Representatives

Cheyenne, January 28, 1999
9:11am

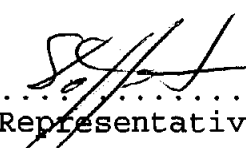
Mr. Speaker:

Your

Committee No. 9 on MINERALS, BUSINESS & ECONOMIC DEVELOPMENT to whom was referred**HB0232** respectfully reports same back to the House with the recommendation that it**DO PASS with the following amendment(s): (SEE SCHEDULE A)**

	AYES	NOES	ABSENT	EXCUSED	CONFLICT
DIERCKS	X				
ESQUIBEL	X				
CHILDERS	X				
ILLOWAY	X				
STAFFORD	X				
BURNS	X				
WOSTENBERG	X				
TANNER	X				
EYRE				X	

AYES = 8
 NOES = 0
 ABSENT = 0
 EXCUSED = 1
 CONFLICT = 0
 TOTAL = 9



 Representative Bill Stafford, Chairman

BILL JACKET

SCHEDULE A

1 Page 1-line 5 After "surveying" delete balance of the line
2 and insert "substituting the term license
3 requirement for the term registration
4 requirement;".
5
6 Page 2-line 10 After "(iii)" insert "and by creating new
7 subsections (b) and (c)".
8
9 Page 29-After line 3 Insert:
10
11 "(b) Nothing in this act shall be construed:
12
13 (i) As curtailing or extending the rights of any other
14 legally recognized profession;
15
16 (ii) To prevent the independent employment of a
17 registered professional architect for any statutorially defined
18 or regulated professional architectural service in connection
19 with any building or building project.
20
21 (c) This act in no way supersedes, overrides or amends the
22 provisions of chapter 4 of this title regarding the registration
23 of architects and the regulation of the practice of
24 architecture.". STAFFORD, CHAIRMAN
25

C.

#1 Initial-4
A 1 ✓ Page 1-line 5

After "surveying" delete balance of the line and insert "substituting the term license requirement for the term registration requirement;".

2
3
4
5
6 Page 2-line 10

After "(iii)" insert "and by creating new subsections (b) and (c)".

7
8
9 Page 29-After line 3 Insert:

10
11 "(b) Nothing in this act shall be construed:

F 12
13 (i) As curtailing or extending the rights of any other
14 legally recognized profession;

15
16 (ii) To prevent the independent employment of a
17 registered professional architect for any statutorially defined
18 or regulated professional architectural service in connection
19 with any building or building project.

#2 Initial-4
5-28
20
21 (c) This act in no way supersedes, overrides or amends the
22 provisions of chapter 4 of this title regarding the registration
23 of architects and the regulation of the practice of
24 architecture.". STAFFORD, CHAIRMAN
25

1 ✓ Page 1-line 5 After "surveying" delete balance of the line
2 and insert "substituting the term license
3 requirement for the term registration
4 requirement;". STAFFORD, CHAIRMAN
5

(DIVIDED AMENDMENT)

1 Page 2-line 10 After "(iii)" insert "and by creating new
2 subsections (b) and (c)".
3

4 Page 29-After line 3 Insert:
5

6 "(b) Nothing in this act shall be construed:
7

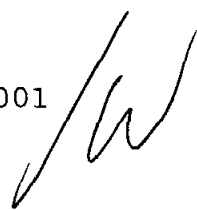
8 (i) As curtailing or extending the rights of any other
9 legally recognized profession;
10

11 (ii) To prevent the independent employment of a
12 registered professional architect for any statutorially defined
13 or regulated professional architectural service in connection
14 with any building or building project.
15

16 (c) This act in no way supersedes, overrides or amends the
17 provisions of chapter 4 of this title regarding the registration
18 of architects and the regulation of the practice of
19 architecture.". STAFFORD, CHAIRMAN

C

HB0232H2001



- 1
- 2 Page 1-line 15 After "(a)(i)" insert ", (ii) and (iv)".
- 3
- 4 Page 3-lines 16 through 25 Delete entirely.
- 5
- 6 Page 4-lines 1 through 25 Delete entirely.
- 7
- 8 Page 5-lines 1 through 12 Delete entirely. PHILP

C

- 1
2 ✓ Page 2-line 3 After "(b) (intro), (iii)" delete balance of
3 line insert ", (v) and by creating new
4 paragraph (vi),".
5
6 ✓ Page 14-line 13 Strike "or".
7
8 ✓ Page 14-line 17 Strike "." insert "; or".
9
10 ✓ Page 14-After line 17 Insert:
11
12 "(vi) Have eight (8) years of combined office and
13 field experience in land surveying, of which two (2) years shall
14 have been in charge of land surveying projects under the
15 supervision of a licensed land surveyor, and at least twenty (20)
16 credit hours of surveying technology classes approved by the
17 board."
18
19 ✓ Page 34-After line 9 Insert:
20
21 "Section 4. W.S. 33-29-125(b) (iv) is repealed."
22
23 ✓ Page 34-line 11 Delete "Section 4" insert "Section 5". LUTHI

A

C

- 1
- 2 ✓ Page 2-line 10 / After "(iii)" insert and "and by creating new
- 3 paragraph (iv)".
- 4
- 5 ✓ Page 29-line 3 / Strike "." insert ";".
- 6
- 7 ✓ Page 29-After line 3 / Insert:
- 8
- 9 "(iv) A person on his private property for his
- 10 exclusive use, except as provided under W.S. 33-29-139. This
- 11 exemption shall not apply to boundary surveys or boundary
- 12 definition." ROSS, PHILP

5

Stafford
SENATE
WYOMING STATE LEGISLATURE

Message No. 438

CONCURRENCE REQUESTED *A*

Mr. Speaker:

March 1, 1999

H.B. No. 0232 Surveyors and engineers-licensing.

The House Bill listed above passed on third reading in an amended form as follows by the vote indicated.

HB0232S2001/AE

[TO ENGROSSED COPY]

Page 1-line 15	Before "through" insert "and (ii), (iv)".
Page 1-line 16	After "(vi)" delete "," insert "and"; after "(viii)," delete balance of line.
Page 1-line 17	Delete line through "(xi)".
Page 3-lines 17 through 25	Delete.
Page 4-lines 1 through 25	Delete.
Page 5-lines 1 through 13	Delete.
Page 6-lines 21 through 25	Delete and renumber.
Page 7-lines 2 through 11	Delete and renumber. KUNZ, HINCHEY

HB0232S3001/AE

[TO ENGROSSED COPY]

Page 2-line 1	After "(h)" delete balance of line.
Page 2-line 2	Delete "(j)".
Page 11-lines 9 through 11	Delete.
Page 31-lines 5 through 7	Reinsert stricken language.
Page 31-line 8	Reinsert stricken language through stricken "film".

Page 31-lines 9 and 10 Delete all new language. KUNZ

HB0232S3002/AE

[TO ENGROSSED COPY]

- Page 30-line 1 Before "offers" insert "or"; strike "or"; strike "any".
- Page 30-line 2 Strike "implication holds" insert "implying or holding"; strike "qualified" insert "licensed".
- Page 30-line 7 Strike "an" insert "a".
- Page 30-line 8 Before "engineer" insert "licensed"; before "land" insert "licensed"; strike "or is qualified to practice as".
- Page 30-line 9 Strike "such,".
- Page 30-line 12 After "of" insert "licensed"; after "or" insert "licensed". CATHCART

HB0232SS001/AE

[TO ENGROSSED COPY]

- Page 2-line 1 After "(x)" insert "and by creating a new paragraph (xii)".
- Page 2-line 3 Before "(v)" delete "," insert "and"; after "(v)" delete "and" insert ",".
- Page 2-line 4 Delete line through "(vi),".
- Page 2-line 8 Delete "through" insert ", (ii) and".
- Page 2-line 11 After "(iv)" insert "and by creating new subsections (b) and (c)".
- Page 9-line 21 Reinsert stricken language.
- Page 9-line 22 Reinsert stricken "(\$200.00)".
- Page 9-line 23 Delete "under W.S. 33-1-201" insert "exclusive of late charges".
- Page 9-after line 23 Insert and renumber:

"(xii) Determine and collect reasonable examination and reexamination fees not to exceed three hundred dollars (\$300.00) each."

- Page 12-line 18 Delete "(a)"; reinsert stricken language.
- Page 12-line 19 Reinsert stricken language.
- Page 12-line 20 After stricken "registration" insert "license"; reinsert stricken "and shall comply with all".

Page 12-line 21 Reinsert stricken language; delete new language.

Page 12-lines 22 through 25 Delete.

Page 13-lines 1 through 13 Delete.

Page 14-line 20 Delete new language; reinsert stricken ".".

Page 14-lines 22 through 25 Delete.

Page 15-lines 1 and 2 Delete.

Page 18-line 11 After "(a)" insert "An application for professional engineer and land surveyor shall be considered as two (2) applications.".

Page 18-line 13 Reinsert stricken "not to exceed the following."; delete "pursuant to W.S.".

Page 18-lines 14 and 15 Delete.

Page 18-after line 15 Insert and renumber:

"(iv) Determine and collect reasonable license and renewal fees not to exceed two hundred dollars (\$200.00) exclusive of late charges;

(v) Determine and collect reasonable examination and reexamination fees not to exceed three hundred dollars (\$300.00) each."

Page 22-lines 1 through 7 Delete.

Page 22-line 22 After "document" insert "within the scope of the licensee's employment".

Page 23-line 21 Before "disciplinary" insert "final".

Page 29-after line 19 Insert:

"(b) Nothing in this act shall be construed:

(i) As curtailing or extending the rights of any other legally recognized profession;


(ii) To prevent the independent employment of a registered professional architect for any statutorily defined or regulated professional architectural service in connection with any building or building project.

(c) This act shall not supersede, override or amend the provisions of chapter 4 of this title regarding the registration of architects and the regulation of the practice of architecture."

Page 34-line 13 Before "and" insert ", 33-29-132(a)(iii)". HAWKS, CHAIRMAN

Ayes 17 Noes 13 Excused 0 Absent 0

Sincerely,

A handwritten signature in black ink, appearing to read "Liv C. Hanes". The signature is fluid and cursive, with a large initial "L" and a stylized "H".

Liv C. Hanes
Senate Chief Clerk

Bill Jacket Attached

THE LEGISLATURE OF THE STATE OF WYOMING

Senate

Cheyenne, February 19, 1999

Mr. President:

Your
 Committee No. 9 on MINERALS, BUSINESS & ECONOMIC DEVELOPMENT to whom was
 referred
 HB0232ENG respectfully reports same back to the Senate with the
 recommendation that it
 DO PASS with the following amendment(s): (SEE SCHEDULE A)

	AYES	NOES	ABSENT	EXCUSED	CONFLICT
DECARIA	X				
ERB	X				
HAWKS	X				
KUNZ	X				
VASEY	X				

AYES = 5
 NOES = 0
 ABSENT = 0
 EXCUSED = 0
 CONFLICT = 0
 TOTAL = 5

.....
 Senator Bill Hawks, Chairman

BILL JACKET

Schedule A

HB0232SS001

1 [TO ENGROSSED COPY]
2
3 Page 2-line 1 After "(x)" insert "and by creating a new
4 paragraph (xii)".
5
6 Page 2-line 3 Before "(v)" delete "," insert "and"; after
7 "(v)" delete "and" insert ",".
8
9 Page 2-line 4 Delete line through "(vi),".
10
11 Page 2-line 8 Delete "through" insert ", (ii) and".
12
13 Page 2-line 11 After "(iv)" insert "and by creating new
14 subsections (b) and (c)".
15
16 Page 9-line 21 Reinsert stricken language.
17
18 Page 9-line 22 Reinsert stricken "(\$200.00)".
19
20 Page 9-line 23 Delete "under W.S. 33-1-201" insert
21 "exclusive of late charges".
22
23 Page 9-after line 23 Insert and renumber:
24
25 "(xii) Determine and collect reasonable examination
26 and reexamination fees not to exceed three hundred dollars
27 (\$300.00) each.".
28
29 Page 12-line 18 Delete "(a)"; reinsert stricken language.
30
31 Page 12-line 19 Reinsert stricken language.
32
33 Page 12-line 20 After stricken "registration" insert
34 "license"; reinsert stricken "and shall
35 comply with all".
36
37 Page 12-line 21 Reinsert stricken language; delete new
38 language.
39
40 Page 12-lines 22 through 25 Delete.
41
42 Page 13-lines 1 through 13 Delete.
43
44 Page 14-line 20 Delete new language; reinsert stricken ".".
45
46 Page 14-lines 22 through 25 Delete.
47

1 Page 15-lines 1 and 2 Delete.
2
3 Page 18-line 11 After "(a)" insert "An application for
4 professional engineer and land surveyor shall
5 be considered as two (2) applications.".
6
7 Page 18-line 13 Reinsert stricken "not to exceed the
8 following:"; delete "pursuant to W.S.".
9
10 Page 18-lines 14 and 15 Delete.
11
12 Page 18-after line 15 Insert and renumber:
13
14 "(iv) Determine and collect reasonable license and
15 renewal fees not to exceed two hundred dollars (\$200.00)
16 exclusive of late charges;
17
18 (v) Determine and collect reasonable examination and
19 reexamination fees not to exceed three hundred dollars (\$300.00)
20 each.".
21
22 Page 22-lines 1 through 7 Delete.
23
24 Page 22-line 22 After "document" insert "within the scope of
25 the licensee's employment".
26
27 Page 23-line 21 Before "disciplinary" insert "final".
28
29 Page 29-after line 19 Insert:
30
31 "(b) Nothing in this act shall be construed:
32
33 (i) As curtailing or extending the rights of any other
34 legally recognized profession;
35
36 (ii) To prevent the independent employment of a
37 registered professional architect for any statutorily defined or
38 regulated professional architectural service in connection with
39 any building or building project.
40
41 (c) This act shall not supersede, override or amend the
42 provisions of chapter 4 of this title regarding the registration
43 of architects and the regulation of the practice of
44 architecture.".
45
46 Page 34-line 13 Before "and" insert ", 33-29-132(a)(iii)".
47 HAWKS, CHAIRMAN

MB

1 [TO ENGROSSED COPY]
2
3 ✓ Page 2-line 1 After "(x)" insert "and by creating a new paragraph (xii)". ✓
4
5
6 ✓ Page 2-line 3 Before "(v)" delete "," insert "and"; after "(v)" delete "and" insert ",". ✓
7
8
9 ✓ Page 2-line 4 Delete line through "(vi),". ✓
10
11 ✓ Page 2-line 8 Delete "through" insert ", (ii) and". ✓
12
13 ✓ Page 2-line 11 After "(iv)" insert "and by creating new subsections (b) and (c)". ✓
14
15
16 ✓ Page 9-line 21 Reinsert stricken language. ✓
17
18 ✓ Page 9-line 22 Reinsert stricken "(\$200.00)". ✓
19
20 ✓ Page 9-line 23 Delete "under W.S. 33-1-201" insert "exclusive of late charges". ✓
21
22
23 ✓ Page 9-after line 23 Insert and renumber: ✓
24
25 "xii) Determine and collect reasonable examination
26 and reexamination fees not to exceed three hundred dollars
27 (\$300.00) each.". ✓
28
29 ✓ Page 12-line 18 Delete "(a)"; reinsert stricken language. ✓
30
31 ✓ Page 12-line 19 Reinsert stricken language. ✓
32
33 ✓ Page 12-line 20 After stricken "registration" insert "license"; reinsert stricken "and shall comply with all". ✓
34
35
36
37 ✓ Page 12-line 21 Reinsert stricken language; delete new language. ✓
38
39
40 ✓ Page 12-lines 22 through 25 Delete. ✓
41
42 ✓ Page 13-lines 1 through 13 Delete. ✓
43
44 ✓ Page 14-line 20 Delete new language; reinsert stricken ".". ✓
45
46 ✓ Page 14-lines 22 through 25 Delete. ✓
47

- 1 ✓ Page 15-lines 1 and 2 Delete. ✓
2
3 ✓ Page 18-line 11 After "(a)" insert "An application for professional engineer and land surveyor shall be considered as two (2) applications." ✓
4
5
6
7 ✓ Page 18-line 13 Reinsert stricken "not to exceed the following:"; delete "pursuant to W.S.".
8
9
10 ✓ Page 18-lines 14 and 15 Delete. ✓
11
12 ✓ Page 18-after line 15 Insert and renumber: ✓
13
14 "(iv) Determine and collect reasonable license and renewal fees not to exceed two hundred dollars (\$200.00) exclusive of late charges;
15
16
17
18 (v) Determine and collect reasonable examination and reexamination fees not to exceed three hundred dollars (\$300.00) each." ✓
19
20
21
22 ✓ Page 22-lines 1 through 7 Delete. ✓
23
24 ✓ Page 22-line 22 After "document" insert "within the scope of the licensee's employment". ✓
25
26
27 ✓ Page 23-line 21 Before "disciplinary" insert "final". ✓
28
29 ✓ Page 29-after line 19 Insert:
30
31 "(b) Nothing in this act shall be construed:
32
33 (i) As curtailing or extending the rights of any other legally recognized profession;
34
35
36 (ii) To prevent the independent employment of a registered professional architect for any statutorily defined or regulated professional architectural service in connection with any building or building project. ✓
37
38
39
40
41 (c) This act shall not supersede, override or amend the provisions of chapter 4 of this title regarding the registration of architects and the regulation of the practice of architecture." ✓
42
43
44
45
46 ✓ Page 34-line 13 Before "and" insert ", 33-29-132(a)(iii)". ✓
47 HAWKS, CHAIRMAN
- MQ

- 1 [TO ENGROSSED COPY]
- 2
- 3 ✓ Page 1-line 15 Before "through" insert "and (ii), (iv)". ✓
- 4
- 5 ✓ Page 1-line 16 After "(vi)" delete "," insert "and"; after ✓
- 6 "(viii)," delete balance of line.
- 7
- 8 ✓ Page 1-line 17 Delete line through "(xi),". ✓
- 9
- 10 ✓ Page 3-lines 17 through 25 Delete. ✓
- 11
- 12 ✓ Page 4-lines 1 through 25 Delete. ✓
- 13
- 14 ✓ Page 5-lines 1 through 13 Delete. ✓
- 15
- 16 ✓ Page 6-lines 21 through 25 Delete and renumber. ✓
- 17
- 18 ✓ Page 7-lines 2 through 11 Delete and renumber. ✓ KUNZ, HINCHEY

mb

[TO ENGROSSED COPY]

- 1
- 2
- 3 ✓ Page 2-line 1 After "(h)" delete balance of line. ✓
- 4
- 5 ✓ Page 2-line 2 Delete "(j)". ✓
- 6
- 7 ✓ Page 11-lines 9 through 11 Delete. ✓
- 8
- 9 ✓ Page 31-lines 5 through 7 Reinsert stricken language. ✓
- 10
- 11 ✓ Page 31-line 8 Reinsert stricken language through stricken ✓
- 12 "film".
- 13
- 14 ✓ Page 31-lines 9 and 10 Delete all new language. ✓ KUNZ

JKR

[TO ENGROSSED COPY]

1
2
3 Page 30-line 1 Before "offers" insert "or"; strike "or"; ✓
4 strike "any".
5
6 ✓Page 30-line 2 Strike "implication holds" insert "implying ✓
7 or holding"; strike "qualified" insert
8 "licensed".
9
10 ✓Page 30-line 7 Strike "an" insert "a". ✓
11
12 ✓Page 30-line 8 Before "engineer" insert "licensed"; before
13 "land" insert "licensed"; strike "or is" ✓
14 qualified to practice as".
15
16 ✓Page 30-line 9 Strike "such,". ✓
17
18 ✓Page 30-line 12 After "of" insert "licensed"; after "or" ✓
19 insert "licensed". CATHCART
JMK

HOUSE BILL NO. HB0232

INTRODUCED

Surveyors and engineers-licensing.

Sponsored by: Representative(s) Ross and Senator(s) Hanes

A BILL

for

1 AN ACT relating to professional engineers and land
2 surveyors; renaming the state board of registration for
3 professional engineers and professional land surveyors as
4 the Wyoming board of examiners for engineering and
5 surveying; requiring a license in lieu of registration;
6 conforming provisions accordingly; providing definitions;
7 modifying intern and professional license qualifications;
8 expanding practice by corporations to partnerships and
9 limited liability companies; specifying application to
10 existing registered practitioners; and providing for an
11 effective date.

12

13 *Be It Enacted by the Legislature of the State of Wyoming:*

14

15 **Section 1.** W.S. 24-1-132(d), 33-29-114(a)(i) through
16 (vi), (viii), by creating new paragraphs (ix) and (x) and by
17 renumbering (ix) as (xi), 33-29-115(a)(intro) and (c),
18 33-29-116(b), 33-29-119(c)(intro), (i), (ii), (iii), (vi),

1 (ix), (x), (d) through (h) and by creating a new subsection
2 (j), 33-29-120(a) and (c), 33-29-121, 33-29-124,
3 33-29-125(a)(intro), (iii), (iv), (b)(intro), (iii) and (v),
4 33-29-126(a)(intro), (ii) through (iv), (b)(intro), (ii)
5 through (iv), (c)(ii), (iii) and (d), 33-29-127(a) and (b),
6 33-29-128(a)(intro), 33-29-129, 33-29-130, 33-29-131(a)
7 through (c), 33-29-132(a)(i) through (iv), (b)(intro),
8 (ii)(A) and (C), (iv), (vii), (viii), by creating a new
9 paragraph (ix), (c) and (e), 33-29-134, 33-29-135,
10 33-29-136(a)(ii) and (iii), 33-29-137(a)(i) through (iv),
11 33-29-139(a)(intro), (b) and (c)(intro), 33-29-141(a)(viii)
12 and (ix), 33-29-147 and 33-41-117(a) (iv) are amended to
13 read:

14

15 **24-1-132. Contracts for county bridge work; bids;**
16 **exception.**

17

18 (d) All bridges to be constructed shall be designed by
19 a professional engineer who holds a valid ~~certificate of~~
20 ~~registration granted~~ license issued by the ~~state~~ Wyoming
21 ~~board of examining engineers of the state of Wyoming~~
22 examiners for engineering and surveying. Plans and
23 specifications shall be prepared in accordance with the
24 provisions of W.S. 24-2-106.

25

1 **33-29-114. Definitions.**

2
3 (a) As used in this act:

4
5 (i) "Board" means the ~~state board of registration~~
6 ~~for professional engineers and professional land surveyors~~
7 Wyoming board of examiners for engineering and surveying;
8

9 (ii) "Engineer" means a person who, by reason of
10 special knowledge of the mathematical and physical sciences
11 and the principles and methods of engineering analysis and
12 design, acquired by professional education and practical
13 experience, is qualified to practice engineering as attested
14 by his ~~registration~~ license as a professional engineer;
15

16 (iii) "Practice of engineering" ~~practice~~ means
17 ~~professional service or work requiring engineering~~
18 ~~education, training and experience and the application of~~
19 ~~special knowledge of the mathematical, physical and~~
20 ~~engineering sciences to the professional services or~~
21 ~~creative work as consultation, research investigation,~~
22 ~~teaching, evaluation, planning, surveying practice as~~
23 ~~defined in subparagraphs (vii) (D) and (E) of this~~
24 ~~subsection, design, location, development and review of~~
25 ~~construction for conformance with contract documents and~~

1 ~~design, in connection with any public or private utility,~~
2 ~~structure, building, machine, equipment, process, work or~~
3 ~~project. A person shall be deemed to be practicing or~~
4 ~~offering to practice engineering if he practices any branch~~
5 ~~of the profession of engineering, or by verbal claim, sign,~~
6 ~~advertisement, letterhead, card or any other manner~~
7 ~~represents himself to be a professional engineer, or quotes~~
8 ~~fees for professional engineering services, or executes~~
9 ~~contracts or agreements for professional engineering~~
10 ~~services or holds himself out as able to perform or does~~
11 ~~perform any engineering service recognized by the board as~~
12 engineering; any service or creative work, the adequate
13 performance of which requires engineering education,
14 training and experience in the application of special
15 knowledge of the mathematical, physical and engineering
16 sciences to service or creative work such as consulting,
17 investigating, evaluating, planning, design and design
18 coordination of engineering works and systems, planning the
19 use of land and water, teaching of advanced engineering
20 subjects, performing engineering surveys and studies and the
21 review of construction for the purpose of monitoring
22 compliance with drawings and specifications, including any
23 public or private service or creative work, in connection
24 with any utilities, structures, buildings, machines,
25 equipment, processes, work systems, projects and industrial

1 or consumer products or equipment of a mechanical,
2 electrical, hydraulic, pneumatic or thermal nature, insofar
3 as it involves safeguarding life, health or property, and
4 including other professional services necessary to the
5 planning, progress and completion of any engineering
6 services. A person practices engineering under this act if
7 he practices any branch of the profession of engineering,
8 represents himself verbally, by sign, advertisement,
9 letterhead, card or in any other way, or through the use of
10 some other title, to be a professional engineer or holds
11 himself out as able to perform or performs any engineering
12 service or work;

13
14 (iv) ~~"Engineer-in-training-Engineer intern"~~ means
15 a candidate for ~~registration as a~~ professional engineer
16 license who is a graduate in an approved engineering
17 curriculum of four (4) or more years at a school approved by
18 the board. ~~or, until June 30, 1991, who has eight (8) years~~
19 ~~or more of education or experience in engineering work which~~
20 ~~meets the standards specified by the board.~~ In addition the
21 candidate shall have passed the ~~engineer-in-training~~
22 fundamentals of engineering examination;

23
24 (v) "Land surveyor" means a person who by reason
25 of his knowledge of the mathematical and physical sciences,

1 principles of land surveying and evidence gathering acquired
2 by professional education and practical experience is
3 qualified to practice land surveying as attested by his
4 ~~registration~~-license as a land surveyor;

5
6 (vi) "~~Land surveyor-in-training~~ surveyor intern"
7 means a candidate for ~~registration as a~~ professional land
8 surveyor license who is a graduate of a school and
9 curriculum approved by the board, ~~or who has six (6) to~~
10 ~~eight (8) years or more of education or with~~ experience, ~~or~~
11 ~~both,~~ in land surveying work in a ~~combination which meets~~
12 compliance with standards specified by the board. In
13 addition, the candidate shall have passed the fundamentals
14 of land ~~surveyor-in-training~~ surveying examination;

15
16 (viii) "~~Registrant~~ Licensee" means any person
17 ~~registered~~-licensed with the board under this act;

18
19 (ix) "Design coordination" means the review and
20 coordination of technical submissions prepared by others,
21 including consulting engineers, architects, landscape
22 architects, land surveyors and other professionals working
23 under the direction of the engineer;

1 (x) "Engineering surveys" means all survey
2 activities required to support the sound conception,
3 planning, design, construction, maintenance and operation of
4 engineered projects, excluding the surveying of real
5 property for the establishment of land boundaries,
6 rights-of-way, easements and the dependent or independent
7 surveys or resurveys of the public land survey system;

8
9 ~~(ix)~~ (xi) "This act" means W.S. 33-29-114 through
10 33-29-139.

11
12 **33-29-115. Creation of board.**

13
14 (a) ~~The state board of registration for professional~~
15 ~~engineers and professional land surveyors~~ Wyoming board of
16 examiners for engineering and surveying is created to
17 consist of six (6) members appointed by the governor for a
18 term of four (4) years plus the state engineer who shall
19 serve during his term in office. The board shall be
20 composed of:

21
22 (c) The governor may remove a member of the board as
23 provided in W.S. 9-1-202. Appointment to fill a vacancy
24 caused other than by expiration of term shall be for the
25 unexpired portion of the term. ~~The governor shall appoint~~

1 ~~by July 1, 1987, the professional land surveyor member of~~
2 ~~the board to take office July 1, 1987, and to serve until~~
3 ~~March 31, 1991, and the public member of the board to take~~
4 ~~office on July 1, 1987, and to serve until March 31, 1989.~~
5 ~~Members of the board under the former provisions of W.S.~~
6 ~~33-29-101 shall continue as members of the board under this~~
7 ~~section until expiration of their terms.~~

8

9 **33-29-116. Qualifications of board members.**

10

11 (b) Each member who is an engineer or land surveyor
12 shall have had at least ten (10) years active professional
13 experience as attested by registration and be actively
14 practicing as a licensed professional engineer or land
15 surveyor under this chapter.

16

17 **33-29-119. Powers and duties of board.**

18

19 (c) ~~Powers and duties of~~ The board ~~include the~~
20 ~~following shall:~~

21

22 (i) Adopt an official seal for attestation of
23 ~~certificates of registration~~ licensure and other official
24 papers and documents;

25

1 (ii) Consider and pass upon license applications;
2 ~~for registration;~~

3
4 (iii) Examine, certify, renew and recertify for
5 ~~registration~~ licenses of duly qualified individuals;

6
7 (vi) Determine and administer appropriate
8 disciplinary action against all individuals found guilty by
9 the board of violating this act, ~~or the rules and~~
10 regulations of the board or the Corner Perpetuation and
11 Filing Act;

12
13 (ix) Keep a register which shall show the date of
14 each license application, ~~for registration,~~ the name of the
15 applicant, the practice or branch of practice in which the
16 applicant has applied for ~~registration~~ a license and the
17 disposition of the application;

18
19 (x) Determine and collect reasonable ~~registration~~
20 license and renewal fees ~~not to exceed two hundred dollars~~
21 ~~(\$200.00) each as established by the rules and regulations~~
22 ~~of the board~~ under W.S. 33-1-201;

23
24 (d) The board shall specify on the ~~certificate of~~
25 ~~registration~~ license and renewal card issued to each

1 ~~registered~~licensed engineer the branch of engineering in
2 which the engineer has demonstrated proficiency and
3 authorize him to use the title of ~~registered~~licensed
4 professional engineer. The board shall decide what branches
5 of engineering shall be recognized.

6
7 (e) The board may hold membership in and be
8 represented at national councils or organizations of
9 professions ~~registered~~licensed under this act and may pay
10 the appropriate membership fees. The board may conduct
11 standard examinations on behalf of national councils and may
12 establish fees for those examinations.

13
14 (f) The board may employ persons as it deems necessary
15 to administer and enforce this act including persons paid on
16 a fee basis to prepare and grade examinations given to
17 applicants for ~~registration~~licensure and to fix the fee to
18 be paid for the services. The employees are authorized to
19 prepare, grade and monitor examinations and perform other
20 services the board authorizes and receive payment therefor.

21
22 (g) The board may adopt a nationally recognized code
23 of ethics for the practice of engineering and land surveying
24 for ~~registrants~~licensees.

25

1 (h) The board may require evidence it deems necessary
2 to establish the continuing competency of ~~registrants~~
3 licensees as a condition of renewal of licenses.

4
5 (j) The board may establish by rule and regulation
6 minimum standards of practice for professional land
7 surveyors.

8
9 **33-29-120. Petition for injunction.**

10
11 (a) The district court shall issue an injunction
12 forthwith upon a petition filed as provided in this section
13 to enjoin the practice of engineering or land surveying by
14 any person not ~~registered~~licensed to practice those
15 occupations or who is not exempt under this act from
16 ~~registration~~license requirements.

17
18 (c) In a petition for injunction pursuant to
19 subsection (a) of this section, it shall be sufficient to
20 charge that the respondent on a day certain in a named
21 county engaged in the practice of engineering or land
22 surveying without a ~~registration~~license and without being
23 exempt under this act from ~~registration~~license
24 requirements. No showing of actual damage or injury shall
25 be required.

1

2 **33-29-121. Annual report of board; filing copies of**
3 **lists of licensees.**

4

5 In October of each year the board shall make a report to the
6 governor which shall be accompanied by a copy of the list of
7 ~~registrants~~ licensees. A copy of the list shall also be
8 filed with the secretary of state and with the clerk of each
9 county.

10

11 **33-29-124. Certificate required for the practice of**
12 **engineering or land surveying; prohibition.**

13

14 (a) A person desiring to practice the profession of
15 engineering or land surveying shall first secure a
16 certificate of registration and shall comply with all
17 conditions prescribed in this act. The practice of
18 engineering and land surveying is a privilege which shall be
19 granted by the board pursuant to this act, based on the
20 qualifications of the person as evidenced by certificate of
21 license. In order to safeguard life, health and property and
22 to promote the public welfare, any person, in public or
23 private capacity, desiring to practice or offer to practice
24 professional engineering or land surveying in this state

1 shall be licensed as provided by this act and board rules
2 and regulations.

3
4 (b) No person shall practice or offer to practice
5 professional engineering or land surveying or use in
6 connection with their name or otherwise assume, use or
7 advertise any title or description conveying the impression
8 that the person is a professional engineer or land surveyor
9 unless he is licensed under this act or otherwise exempt
10 under W.S. 33-29-136.

11
12 **33-29-125. Qualifications for intern license.**

13
14 (a) An applicant for ~~in-training registration as an~~
15 engineer intern license shall:

16
17 (iii) ~~Have eight (8) years or more of education~~
18 ~~or experience, or both, in engineering work of a character~~
19 ~~satisfactory to the board. This paragraph is repealed June~~
20 ~~30, 1991; and an advanced degree in an engineering or other~~
21 technical curriculum with content equivalent to programs of
22 the accreditation board for engineering technology-
23 engineering accredited commission approved by the board;

1 (v) Unless exempt under W.S. 33-29-130(c), pass
2 the ~~engineer-in-training~~ fundamentals of engineering
3 examination.

4
5 (b) An applicant for ~~in-training registration as a~~
6 land surveyor intern license shall:

7
8 (iii) Have an associate degree in a surveying
9 technology curriculum approved by the board plus four (4)
10 years of combined office and field experience in land
11 surveying, of which two (2) years shall have been in charge
12 of land surveying projects under the supervision of a
13 ~~registered-licensed~~ land surveyor; or

14
15 (v) Unless exempt under W.S. 33-29-130(c), pass
16 the ~~land surveyor-in-training~~ fundamentals of land surveying
17 examination.

18
19 **33-29-126. Qualifications for professional licensure.**

20
21 (a) An applicant for a professional ~~registration as an~~
22 engineer license shall:

23
24 (ii) ~~Be registered as an engineer-in-training~~
25 Hold a valid engineer intern license;

1

2 (iii) Be actively engaged in education or
3 experience, or both, in professional engineering
4 satisfactory to the board for at least an additional four
5 (4) years beyond that required for ~~registration as an~~
6 ~~engineer-in-training~~ engineer intern license;

7

8 (iv) Unless exempt under W.S. 33-29-130, pass the
9 ~~in-training~~ fundamentals and professional examinations in
10 the discipline in which ~~registration~~ the license is sought.

11

12 (b) An applicant for a professional ~~registration as a~~
13 land surveyor license shall:

14

15 (ii) ~~Be registered as~~ Hold a valid land
16 ~~surveyor-in-training~~ surveyor intern license;

17

18 (iii) Be actively engaged in education and
19 experience, satisfactory to the board, in professional land
20 surveying, for at least an additional four (4) years beyond
21 that required for ~~registration as a~~ land
22 ~~surveyor-in-training~~ surveyor intern license;

23

24 (iv) Unless exempt under W.S. 33-29-130, pass the
25 ~~in-training~~ intern and professional examinations.

1

2 (c) In computing the period of active engagement
3 required under this section:

4

5 (ii) Study satisfactorily completed in a graduate
6 level land surveying curriculum and school approved by the
7 board is considered equivalent to a maximum of one (1) year
8 of active engagement. Each year of full-time employment
9 teaching land surveying or other courses approved by the
10 board as pertinent to the profession in which ~~registration~~
11 the license is sought in a school approved by the board is
12 equivalent to one (1) year of active engagement;

13

14 (iii) Each year of experience shall be of a
15 professional nature under the supervision of a ~~registered~~
16 licensed professional engineer or land surveyor, as
17 appropriate, and of a character satisfactory to the board.

18

19 (d) Experience credited by the board under this
20 section and W.S. 33-29-124, 33-29-125 and 33-29-130 shall be
21 attained under the direct supervision of a professional who
22 is satisfactory to the board and ~~registered~~-licensed in this
23 state, another state or foreign country in the profession in
24 which the applicant is seeking ~~registration~~-the license.

25

1 **33-29-127. Application for licensure.**

2
3 (a) A person desiring to practice engineering or land
4 surveying shall apply for ~~registration~~ a license under this
5 act on a form prescribed by the board, subscribed under oath
6 and accompanied by the application fee. If the evidence
7 submitted satisfies the board that the applicant is fully
8 qualified under W.S. 33-29-126 or 33-29-130 to practice the
9 profession for which ~~registration~~ the license is asked
10 requested, the applicant shall be given a ~~certificate of~~
11 ~~registration~~ license, signed by the president and secretary
12 of the board and attested by the official seal.

13
14 (b) If in the judgment of the board the applicant has
15 not furnished satisfactory evidence of qualifications for
16 ~~registration~~ a license under W.S. 33-29-126 or 33-29-130 the
17 board may require additional data, or may require the
18 applicant to submit to an additional oral or written
19 examination specified by rule and regulation of the board.
20 ~~in its rules and regulations.~~

21
22 **33-29-128. Fees.**

23
24 (a) The board shall publish in its rules a schedule of
25 fees for applications, examinations and other miscellaneous

1 ~~services not to exceed the following:~~ pursuant to W.S.
2 33-1-201. An application for professional engineer and land
3 surveyor shall be considered as two (2) applications.

4

5 **33-29-129. Seals for licensees.**

6

7 (a) The board shall adopt and prescribe seals for use
8 ~~of registrants who hold~~ by persons holding valid
9 ~~certificates~~ licenses issued under this act. Each seal shall
10 bear the name of the ~~registrant~~ licensee, shall state the
11 profession in which he is permitted to practice and, in the
12 case of engineering, the branch or branches of engineering
13 in which he has demonstrated proficiency, and other ~~data~~ the
14 ~~board deems pertinent~~ data.

15

16 (b) Plans, specifications, plats or reports prepared
17 by a ~~registrant~~ licensee or his bona fide employee shall be
18 issued under his seal, with the signature of the licensee,
19 and the date plans were signed, superimposed over the seal.

20

21 (c) It is unlawful for a ~~registrant~~ licensee whose
22 ~~certificate~~ license has expired or has been revoked or
23 suspended to use the seal, or for a ~~registrant~~ licensee to
24 sign, stamp or seal any document not prepared by him or by
25 an employee under his supervision.

1

2 (d) It is unlawful for any ~~nonregistrant~~ person not
3 licensed under this act to cause or permit the illegal use
4 of a ~~registrant's~~ licensee's seal, signature or stamp on any
5 document prepared by the ~~nonregistrant~~ person not licensed.

6

7 **33-29-130. Licensure without examination.**

8

9 (a) The board may ~~register~~ license without examination
10 an applicant for professional engineer who holds a valid
11 ~~certificate of registration~~ license issued by another state
12 or foreign country which has or had requirements for
13 ~~registration substantially similar to those of this state~~
14 licensure which were equivalent or exceeding the
15 requirements of Wyoming at the time the license was granted.

16

17 (b) An applicant for professional ~~registration as a~~
18 land surveyor license who satisfies ~~any one (1) of the~~
19 requirements of subsection (a) of this section shall pass
20 the part of the professional land surveyor examination
21 relating to the surveying methods and legal principles in
22 this state as prescribed by the board in its rules.

23

24 (c) The board may exempt an applicant from the
25 ~~in-training~~ fundamentals examination if he is a graduate of

1 a school and curriculum approved by the board and has been
2 actively engaged in experience in the profession for which
3 ~~registration~~ the license is sought for at least twenty (20)
4 years after graduation.

5
6 **33-29-131. Renewal of license; fees and penalties.**

7
8 (a) The board may establish a staggered system for
9 renewing ~~certificates of registration~~ licenses on a biennial
10 basis.

11
12 (b) ~~Certificates of registration~~ Licenses are invalid
13 after their expiration date unless renewed by payment of the
14 required renewal fee. If the renewal fee is not paid prior
15 to the expiration date, it shall be accompanied by a penalty
16 fee established by the board based on the period of
17 delinquency. ~~but the total fee shall not exceed the amount~~
18 ~~of the registration fee.~~

19
20 (c) The board may cancel a ~~certificate of registration~~
21 license if it has remained invalid for two (2) years and
22 require a new application, accompanied by the application
23 fee for ~~reregistration~~ a license.

1 33-29-132. Revocation of license; penalties; censure;
2 probation; hearing; notice of findings; appeal.

3
4 (a) The board may take the following disciplinary
5 actions, in combination or alternatively:

6
7 (i) Revocation of a ~~certificate of registration~~
8 license;

9
10 (ii) Suspension of a ~~certificate of registration~~
11 license;

12
13 (iii) In addition to other remedies prescribed
14 under this act and in accordance with requirements of the
15 Wyoming Administrative Procedure Act, imposition of an
16 administrative penalty in an amount not to exceed two
17 thousand dollars (\$2,000.00) for each violation of this act
18 or rules promulgated under this act to be credited to the
19 general fund;

20
21 (iv) Imposition of restrictions on the scope of
22 the ~~registrant's~~ licensee's professional practice;

1 (b) The board may take disciplinary action against the
2 holder of a ~~certificate~~license under this act, upon proof
3 satisfactory to the board that the person:

4

5 (ii) Has practiced fraud or misrepresentation:

6

7 (A) In obtaining a ~~certificate~~of
8 ~~qualification~~license, whether in the application or
9 qualification examination;

10

11 (C) In signing any document as a ~~registered~~
12 licensed professional.

13

14 (iv) Has aided or abetted another to evade or
15 violate this act or knowingly combining or conspiring with
16 ~~an unregistered~~a person not licensed under this act, or
17 allowing one's ~~registration~~license to be used by ~~an~~
18 ~~unregistered~~a person not licensed or acting as agent,
19 partner, associate or otherwise, for ~~an unregistered~~the
20 person not licensed with intent to evade or violate this
21 act;

22

23 (vii) Has knowingly engaged in an act which the
24 ~~registrant~~licensee knew was beyond the scope of his
25 professional practice as evidenced by limitations on the

1 ~~registrant's~~ licensee's right to practice, or insufficient
2 education and knowledge, or inability to apply engineering
3 or land surveying principles and skills;

4

5 (viii) Has violated this act, W.S. 33-29-140
6 through 33-29-149 or any provision of the rules or
7 regulations of the board or any order of the board;:-

8

9 (ix) Has had disciplinary action taken against
10 him under a license to practice engineering or land
11 surveying in another jurisdiction, territory or possession
12 of the United States.

13

14 (c) Upon reasonable grounds to believe that a person
15 under the board's authority has committed acts in violation
16 of this act, the board may conduct investigations, hearings
17 and proceedings in accordance with the Wyoming
18 Administrative Procedure Act to determine whether a
19 disciplinary action should be taken against the holder of a
20 ~~certificate~~ the license under this act. The board may issue
21 subpoenas for the attendance of witnesses and the production
22 of books, records, documents and other evidence it deems
23 relevant to an investigation or hearing. A disciplinary
24 action may be informally settled by the board and the holder
25 of a ~~certificate~~ the license under this act who is the

1 subject of the action either before or after initiation of
2 hearing proceedings.

3

4 (e) The board shall immediately notify the clerk of
5 each county in the state and the secretary of state, in the
6 case of a corporation, limited liability company or ~~firm~~
7 partnership, of the suspension or revocation of a
8 ~~certificate-license~~ or of the reissuance of a suspended or
9 revoked ~~certificate-license~~.

10

11 **33-29-134. Practice by corporations, partnership and**
12 **limited liability companies.**

13

14 (a) The practice of or offer to practice professional
15 engineering or professional land surveying by individual
16 ~~registered-licensed~~ professional engineers or individual
17 ~~registered-licensed~~ professional land surveyors, ~~through-as~~
18 a corporation, ~~or by a corporation-partnership or limited~~
19 liability company through individual ~~registered-licensed~~
20 professional engineers or individual ~~registered-licensed~~
21 professional land surveyors, as employees or officers, is
22 permitted subject to the provisions of this act. All
23 personnel of the corporation, partnership or limited
24 liability company who act in its behalf as professional
25 engineers or professional land surveyors in this state ~~must~~

1 shall be ~~registered~~-licensed as provided by this act, or be
2 persons lawfully practicing under the exceptions enumerated
3 in W.S. 33-29-136. The corporation, partnership or limited
4 liability company, except utilities regulated by the Wyoming
5 public service commission, shall apply for and be issued a
6 certificate of authorization by the board as provided by
7 this act. No corporation, partnership or limited liability
8 company shall be relieved of responsibility for the conduct
9 or acts of its employees or officers by reason of its
10 compliance with this act, nor shall any individual
11 practicing professional engineering or professional land
12 surveying be relieved of responsibility for engineering or
13 land surveying services performed by reason of his
14 employment or relationship with the corporation, partnership
15 or limited liability company. All final drawings,
16 specifications, plats, reports, or other engineering or land
17 surveying papers or documents involving the practice of
18 professional engineering or professional land surveying,
19 which are prepared or approved for the use of or for
20 delivery to any person or for public record within this
21 state shall be dated and bear the signature and seal of the
22 professional engineer or professional land surveyor who
23 prepared or approved them.

24

1 (b) A corporation, partnership or limited liability
2 company desiring a certificate of authorization for
3 engineering, for land surveying, or for both, shall file
4 with the board a description of the engineering or land
5 surveying service to be offered or practiced in the state,
6 upon an application form prescribed by the board and the
7 designation required by subsection (c) of this section
8 accompanied by the application fee established by the board
9 under W.S. 33-1-201.

10
11 (c) The corporation, partnership or limited liability
12 company shall file with the board a designation of an
13 individual or individuals duly ~~registered and certified~~
14 licensed to practice professional engineering or
15 professional land surveying in the state who are responsible
16 for or in charge of the practice of professional engineering
17 or land surveying, as applicable, by the corporation,
18 partnership or limited liability company in this state. If
19 there is a change in the individual or individuals
20 responsible or in charge, the changes shall be designated
21 in writing and filed with the board within thirty (30) days
22 after the effective date of the change.

23
24 (d) If all requirements of this act are met, the board
25 shall issue a certificate of authorization for professional

1 engineering, for land surveying or for both, to the
2 corporation, partnership or limited liability company. The
3 board may refuse to issue a certificate if any facts exist
4 which would entitle the board to suspend or revoke an
5 existing certificate.

6
7 (e) A professional engineer or professional land
8 surveyor who renders occasional, part-time or consulting
9 engineering or land surveying services to or for a ~~firm~~
10 corporation, partnership or limited liability company may
11 not be designated as the person in charge for the
12 professional activities of the ~~firm~~ corporation, partnership
13 or limited liability company.

14
15 **33-29-135. Public works.**

16
17 (a) Drawings, plans, specifications and estimates for
18 public works of the state or a political subdivision thereof
19 involving engineering or land surveying, shall be prepared
20 by or under the personal direction of, and the review of
21 construction of the works for the purpose of monitoring
22 compliance with drawings and specifications shall be
23 executed under the direct supervision of a qualified
24 ~~registrant~~ licensee within the category involved.

25

1 (b) Surveys or maps required in connection with land
2 surveying shall be made by or under the personal direction
3 of a qualified ~~registrant~~licensee.

4
5 **33-29-136. Exemptions and limitations.**

6
7 (a) Engineering or land surveying may be practiced
8 without compliance with this act by:

9
10 (ii) An employee of a ~~registrant~~licensee or of a
11 person exempt from ~~registration~~licensing requirements, if
12 the employment does not involve direct responsibility for
13 design, inspection or supervision;

14
15 (iii) Any full-time employee of any corporation,
16 partnership or limited liability company while doing work
17 for that corporation, ~~provided, that partnership or limited~~
18 liability company if all maps, plats, plans or designs filed
19 in any office of public record in the state of Wyoming ~~shall~~
20 ~~be~~are made and certified to by a ~~registered~~licensed
21 professional engineer or professional land surveyor as
22 provided by W.S. 33-29-139. This exemption does not apply
23 to corporations, partnerships or limited liability companies
24 offering their services to the public as professional
25 engineers or professional land surveyors or to corporations,

1 partnerships or limited liability companies engaged in
2 designing and supervising the building of works for public
3 or private interests not their own.

4
5 **33-29-137. Violations.**

6
7 (a) Any person who commits any of the following acts
8 is guilty of a misdemeanor:

9
10 (i) Practices, offers to practice or by any
11 implication holds himself out as qualified to practice as an
12 engineer or land surveyor, who is not ~~registered~~ licensed as
13 provided by this act;

14
15 (ii) Advertises or displays a card, sign or other
16 device which may indicate to the public that he is an
17 engineer or land surveyor, or is qualified to practice as
18 such, who is not ~~registered~~ licensed as provided by this
19 act;

20
21 (iii) Assumes the title of engineer or land
22 surveyor, or uses ~~a certificate of registration~~ the license
23 of another, or uses an expired, suspended or revoked
24 ~~certificate of registration~~ license;

1 (iv) Presents false evidence to the board with
2 the intent to obtain a ~~certificate of registration~~ license;

3

4 33-29-139. Maps, plats, plans or designs for filing to
5 be made and certified by professional engineer or surveyor;
6 exception; size of maps.

7

8 (a) All maps, plats, plans or designs necessary to be
9 filed in the state engineer's office, the office of state
10 lands and investments, all county clerks offices, all city
11 or town offices, or any other office of public record in the
12 state of Wyoming, shall be made and certified by a
13 professional engineer or land surveyor ~~registered~~ licensed
14 under this act. The original ~~must either be drawn in~~
15 ~~waterproof black ink or acetate ink, or be an acceptable~~
16 ~~photographic or other kind of reproduction on good quality~~
17 ~~tracing linen or a polyester base drafting film in a minimum~~
18 ~~thickness of four-thousandths (.004) inch~~ shall comply with
19 minimum standards specified by board rule and regulation.

20 All maps, plats, plans or designs shall conform to one (1)
21 of the following sizes and shall consist of one (1) original
22 drawing together with one (1) print:

23

24 (b) The requirement for certification of maps and
25 plans by a ~~registered~~ licensed professional engineer or land

1 surveyor shall not apply, in the case of applications filed
2 in the state engineer's office, to construct small
3 reservoirs for stock purposes only, fishing preserve waters,
4 wetlands and wildlife propagation where the capacity of ~~such~~
5 the reservoir does not exceed twenty (20) acre feet or
6 twenty (20) feet in fill height, to develop springs for
7 stockwater purposes of up to twenty-five (25) gallons per
8 minute, or for domestic purposes of up to twenty-five (25)
9 gallons per minute diverting from a stream to construct
10 flood water detention dams storing fifty (50) acre feet or
11 less and not to exceed twenty (20) feet in fill height
12 provided the dam has a minimum outlet of eighteen (18)
13 inches diameter and the dead storage does not exceed twenty
14 (20) acre feet.

15

16 (c) The application may be signed by the applicant or
17 an agent acting for him, and may be accompanied by aerial
18 photographs or United States geological survey quadrangle
19 maps of a scale conforming to the requirements of this act
20 with designation thereon of the township, range, section,
21 and section corner or quarter corner, and the location of
22 the installation designated in the quarter section on the
23 photographs or United States geological survey quadrangle
24 maps ~~a description of~~ which shall indicate:

25

1 **33-29-141. Definitions.**

2

3 (a) Except where the context indicates a different
4 meaning, terms used in W.S. 33-29-140 through 33-29-149
5 shall be defined as follows:

6

7 (viii) A "~~registered~~licensed land surveyor" is a
8 surveyor who is ~~registered~~licensed to practice land
9 surveying under W.S. 33-29-114 through 33-29-139, and has a
10 current ~~certificate~~license for that calendar year;

11

12 (ix) The "board" is the ~~state board of~~
13 ~~registration for professional engineers and professional~~
14 ~~land surveyors~~ Wyoming board of examiners for engineering
15 and surveying.

16

17 **33-29-147. Signature on corner record required.**

18

19 No corner record shall be filed unless the same is signed by
20 a ~~registered~~licensed land surveyor, or, in the case of an
21 agency of the United States government or the state of
22 Wyoming, the certificate may be signed by the survey party
23 chief making the survey.

24

25 **33-41-117. Exemptions.**

1

2 (a) The following are exempt from the licensing
3 provisions of this act if they do not use the title of
4 professional geologist or are not directly represented or
5 held out to the public to be legally qualified to engage in
6 the practice of geology before the public:

7

8 (iv) Qualified engineers and land surveyors,
9 ~~registered~~ licensed by the ~~board of registration for~~
10 ~~professional engineers and professional land surveyors~~
11 Wyoming board of examiners for engineering and surveying
12 pursuant to W.S. 33-29-114 through 33-29-139 are exempt from
13 the ~~registration~~ licensing provisions of this act,
14 providing, that no name, title, or words are used which tend
15 to convey the impression that a ~~nonregistered~~ nonlicensed
16 individual is offering to perform services as a professional
17 geologist;

18

19 **Section 2.** W.S. 33-29-125(b)(iv), 33-29-128(a)(i)
20 through (iii), 33-29-131(d) and 33-29-138 are repealed.

21

22 **Section 3.**

23

24 (a) Any individual holding a valid certificate of
25 registration issued prior to July 1, 1999, shall be deemed

1 to be licensed under this act until renewed in accordance
2 with law and rule and regulation of the board of examiners
3 for engineering and surveying.

4

5 (b) Any person serving on the Wyoming board of
6 examiners for engineering and surveying pursuant to an
7 appointment made prior to the effective date of this act is
8 exempt from the licensing requirements imposed under W.S.
9 33-29-116(b).

10

11 **Section 4.** This act is effective July 1, 1999.

12

13

(END)

Surveyors and engineers-
licensing.

99LSO-0505.L1

FISCAL NOTE

No fiscal or personnel impact.

HB 232

HOUSE BILL NO. HB0232

Surveyors and engineers-licensing.

Sponsored by: Representative(s) Ross and Senator(s) Hanes

A BILL

for

1 AN ACT relating to professional engineers and land
2 surveyors; renaming the state board of registration for
3 professional engineers and professional land surveyors as
4 the Wyoming board of examiners for engineering and
5 surveying; substituting the term license requirement for the
6 term registration requirement; conforming provisions
7 accordingly; providing definitions; modifying intern and
8 professional license qualifications; expanding practice by
9 corporations to partnerships and limited liability
10 companies; specifying application to existing registered
11 practitioners; and providing for an effective date.

12

13 *Be It Enacted by the Legislature of the State of Wyoming:*

14

15 **Section 1.** W.S. 24-1-132(d), 33-29-114(a)(i) through
16 (vi), (viii), by creating new paragraphs (ix) and (x) and by
17 renumbering (ix) as (xi), 33-29-115(a)(intro) and (c),
18 33-29-116(b), 33-29-119(c)(intro), (i), (ii), (iii), (vi),

1 (ix), (x), (d) through (h) and by creating a new subsection
2 (j), 33-29-120(a) and (c), 33-29-121, 33-29-124,
3 33-29-125(a)(intro), (iii), (iv), (b)(intro), (iii), (v) and
4 by creating a new paragraph (vi), 33-29-126(a)(intro), (ii)
5 through (iv), (b)(intro), (ii) through (iv), (c)(ii), (iii)
6 and (d), 33-29-127(a) and (b), 33-29-128(a)(intro),
7 33-29-129, 33-29-130, 33-29-131(a) through (c),
8 33-29-132(a)(i) through (iv), (b)(intro), (ii)(A) and (C),
9 (iv), (vii), (viii), by creating a new paragraph (ix), (c)
10 and (e), 33-29-134, 33-29-135, 33-29-136(a)(ii) and (iii)
11 and by creating a new paragraph (iv), 33-29-137(a)(i)
12 through (iv), 33-29-139(a)(intro), (b) and (c)(intro),
13 33-29-141(a)(viii) and (ix), 33-29-147 and 33-41-117(a)
14 (iv) are amended to read:

15

16 24-1-132. Contracts for county bridge work; bids;
17 exception.

18

19 (d) All bridges to be constructed shall be designed by
20 a professional engineer who holds a valid ~~certificate of~~
21 ~~registration granted~~ license issued by the ~~state~~ Wyoming
22 ~~board of examining engineers of the state of Wyoming~~
23 examiners for engineering and surveying. Plans and
24 specifications shall be prepared in accordance with the
25 provisions of W.S. 24-2-106.

1
2 **33-29-114. Definitions.**

3
4 (a) As used in this act:

5
6 (i) "Board" means the ~~state board of registration~~
7 ~~for professional engineers and professional land surveyors~~
8 Wyoming board of examiners for engineering and surveying;

9
10 (ii) "Engineer" means a person who, by reason of
11 special knowledge of the mathematical and physical sciences
12 and the principles and methods of engineering analysis and
13 design, acquired by professional education and practical
14 experience, is qualified to practice engineering as attested
15 by his ~~registration~~ license as a professional engineer;

16
17 (iii) "Practice of engineering" ~~practice~~ means
18 ~~professional service or work requiring engineering~~
19 ~~education, training and experience and the application of~~
20 ~~special knowledge of the mathematical, physical and~~
21 ~~engineering sciences to the professional services or~~
22 ~~creative work as consultation, research investigation,~~
23 ~~teaching, evaluation, planning, surveying practice as~~
24 ~~defined in subparagraphs (vii) (D) and (E) of this~~
25 ~~subsection, design, location, development and review of~~

1 ~~construction for conformance with contract documents and~~
2 ~~design, in connection with any public or private utility,~~
3 ~~structure, building, machine, equipment, process, work or~~
4 ~~project. A person shall be deemed to be practicing or~~
5 ~~offering to practice engineering if he practices any branch~~
6 ~~of the profession of engineering, or by verbal claim, sign,~~
7 ~~advertisement, letterhead, card or any other manner~~
8 ~~represents himself to be a professional engineer, or quotes~~
9 ~~fees for professional engineering services, or executes~~
10 ~~contracts or agreements for professional engineering~~
11 ~~services or holds himself out as able to perform or does~~
12 ~~perform any engineering service recognized by the board as~~
13 engineering; any service or creative work, the adequate
14 performance of which requires engineering education,
15 training and experience in the application of special
16 knowledge of the mathematical, physical and engineering
17 sciences to service or creative work such as consulting,
18 investigating, evaluating, planning, design and design
19 coordination of engineering works and systems, planning the
20 use of land and water, teaching of advanced engineering
21 subjects, performing engineering surveys and studies and the
22 review of construction for the purpose of monitoring
23 compliance with drawings and specifications, including any
24 public or private service or creative work, in connection
25 with any utilities, structures, buildings, machines,

1 equipment, processes, work systems, projects and industrial
2 or consumer products or equipment of a mechanical,
3 electrical, hydraulic, pneumatic or thermal nature, insofar
4 as it involves safeguarding life, health or property, and
5 including other professional services necessary to the
6 planning, progress and completion of any engineering
7 services. A person practices engineering under this act if
8 he practices any branch of the profession of engineering,
9 represents himself verbally, by sign, advertisement,
10 letterhead, card or in any other way, or through the use of
11 some other title, to be a professional engineer or holds
12 himself out as able to perform or performs any engineering
13 service or work;

14

15 (iv) "~~Engineer-in-training~~ Engineer intern" means
16 a candidate for ~~registration as a professional engineer~~
17 license who is a graduate in an approved engineering
18 curriculum of four (4) or more years at a school approved by
19 the board. ~~or, until June 30, 1991, who has eight (8) years~~
20 ~~or more of education or experience in engineering work which~~
21 ~~meets the standards specified by the board.~~ In addition the
22 candidate shall have passed the ~~engineer-in-training~~
23 fundamentals of engineering examination;

24

1 (v) "Land surveyor" means a person who by reason
2 of his knowledge of the mathematical and physical sciences,
3 principles of land surveying and evidence gathering acquired
4 by professional education and practical experience is
5 qualified to practice land surveying as attested by his
6 ~~registration~~ license as a land surveyor;

7
8 (vi) "~~Land surveyor-in-training~~ surveyor intern"
9 means a candidate for ~~registration as a~~ professional land
10 surveyor license who is a graduate of a school and
11 curriculum approved by the board, ~~or who has six (6) to~~
12 ~~eight (8) years or more of education or with~~ experience, ~~or~~
13 ~~both,~~ in land surveying work in ~~a combination which meets~~
14 compliance with standards specified by the board. In
15 addition, the candidate shall have passed the fundamentals
16 of land surveyor-in-training surveying examination;

17
18 (viii) "~~Registrant~~ Licensee" means any person
19 ~~registered~~ licensed with the board under this act;

20
21 (ix) "Design coordination" means the review and
22 coordination of technical submissions prepared by others,
23 including consulting engineers, architects, landscape
24 architects, land surveyors and other professionals working
25 under the direction of the engineer;

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(x) "Engineering surveys" means all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects, excluding the surveying of real property for the establishment of land boundaries, rights-of-way, easements and the dependent or independent surveys or resurveys of the public land survey system;

~~(ix)~~ (xi) "This act" means W.S. 33-29-114 through 33-29-139.

33-29-115. Creation of board.

(a) ~~The state board of registration for professional engineers and professional land surveyors~~ Wyoming board of examiners for engineering and surveying is created to consist of six (6) members appointed by the governor for a term of four (4) years plus the state engineer who shall serve during his term in office. The board shall be composed of:

(c) The governor may remove a member of the board as provided in W.S. 9-1-202. Appointment to fill a vacancy caused other than by expiration of term shall be for the

1 unexpired portion of the term. ~~The governor shall appoint~~
2 ~~by July 1, 1987, the professional land surveyor member of~~
3 ~~the board to take office July 1, 1987, and to serve until~~
4 ~~March 31, 1991, and the public member of the board to take~~
5 ~~office on July 1, 1987, and to serve until March 31, 1989.~~
6 ~~Members of the board under the former provisions of W.S.~~
7 ~~33-29-101 shall continue as members of the board under this~~
8 ~~section until expiration of their terms.~~

9

10 **33-29-116. Qualifications of board members.**

11

12 (b) Each member who is an engineer or land surveyor
13 shall have had at least ten (10) years active professional
14 experience as attested by registration and be actively
15 practicing as a licensed professional engineer or land
16 surveyor under this chapter.

17

18 **33-29-119. Powers and duties of board.**

19

20 (c) ~~Powers and duties of~~ The board include the
21 following shall:

22

23 (i) Adopt an official seal for attestation of
24 ~~certificates of registration~~ licensure and other official
25 papers and documents;

1

2

3

(ii) Consider and pass upon license applications;
~~for registration;~~

4

5

6

(iii) Examine, certify, renew and recertify for
~~registration~~ licenses of duly qualified individuals;

7

8

9

10

11

12

(vi) Determine and administer appropriate
disciplinary action against all individuals found guilty by
the board of violating this act, ~~or the rules and~~
regulations of the board or the Corner Perpetuation and
Filing Act;

13

14

15

16

17

18

19

(ix) Keep a register which shall show the date of
each license application, ~~for registration,~~ the name of the
applicant, the practice or branch of practice in which the
applicant has applied for ~~registration~~ a license and the
disposition of the application;

20

21

22

23

24

(x) Determine and collect reasonable ~~registration~~
license and renewal fees ~~not to exceed two hundred dollars~~
~~(\$200.00) each as established by the rules and regulations~~
~~of the board under W.S. 33-1-201;~~

1 (d) The board shall specify on the ~~certificate of~~
2 ~~registration~~ license and renewal card issued to each
3 ~~registered~~ licensed engineer the branch of engineering in
4 which the engineer has demonstrated proficiency and
5 authorize him to use the title of ~~registered~~ licensed
6 professional engineer. The board shall decide what branches
7 of engineering shall be recognized.

8

9 (e) The board may hold membership in and be
10 represented at national councils or organizations of
11 professions ~~registered~~ licensed under this act and may pay
12 the appropriate membership fees. The board may conduct
13 standard examinations on behalf of national councils and may
14 establish fees for those examinations.

15

16 (f) The board may employ persons as it deems necessary
17 to administer and enforce this act including persons paid on
18 a fee basis to prepare and grade examinations given to
19 applicants for ~~registration~~ licensure and to fix the fee to
20 be paid for the services. The employees are authorized to
21 prepare, grade and monitor examinations and perform other
22 services the board authorizes and receive payment therefor.

23

1 (g) The board may adopt a nationally recognized code
2 of ethics for the practice of engineering and land surveying
3 for ~~registrants~~ licensees.

4

5 (h) The board may require evidence it deems necessary
6 to establish the continuing competency of ~~registrants~~
7 licensees as a condition of renewal of licenses.

8

9 (j) The board may establish by rule and regulation
10 minimum standards of practice for professional land
11 surveyors.

12

13 **33-29-120. Petition for injunction.**

14

15 (a) The district court shall issue an injunction
16 forthwith upon a petition filed as provided in this section
17 to enjoin the practice of engineering or land surveying by
18 any person not ~~registered~~ licensed to practice those
19 occupations or who is not exempt under this act from
20 ~~registration~~ license requirements.

21

22 (c) In a petition for injunction pursuant to
23 subsection (a) of this section, it shall be sufficient to
24 charge that the respondent on a day certain in a named
25 county engaged in the practice of engineering or land

1 surveying without a ~~registration~~license and without being
2 exempt under this act from ~~registration~~license
3 requirements. No showing of actual damage or injury shall
4 be required.

5

6 33-29-121. Annual report of board; filing copies of
7 lists of licensees.

8

9 In October of each year the board shall make a report to the
10 governor which shall be accompanied by a copy of the list of
11 ~~registrants~~licensees. A copy of the list shall also be
12 filed with the secretary of state and with the clerk of each
13 county.

14

15 33-29-124. Certificate required for the practice of
16 engineering or land surveying; prohibition.

17

18 (a) ~~A person desiring to practice the profession of~~
19 ~~engineering or land surveying shall first secure a~~
20 ~~certificate of registration and shall comply with all~~
21 ~~conditions prescribed in this act. The practice of~~
22 engineering and land surveying is a privilege which shall be
23 granted by the board pursuant to this act, based on the
24 qualifications of the person as evidenced by certificate of
25 license. In order to safeguard life, health and property and

1 to promote the public welfare, any person, in public or
2 private capacity, desiring to practice or offer to practice
3 professional engineering or land surveying in this state
4 shall be licensed as provided by this act and board rules
5 and regulations.

6
7 (b) No person shall practice or offer to practice
8 professional engineering or land surveying or use in
9 connection with their name or otherwise assume, use or
10 advertise any title or description conveying the impression
11 that the person is a professional engineer or land surveyor
12 unless he is licensed under this act or otherwise exempt
13 under W.S. 33-29-136.

14
15 **33-29-125. Qualifications for intern license.**

16
17 (a) An applicant for ~~in-training registration as an~~
18 engineer intern license shall:

19
20 (iii) Have eight ~~(8) years or more of education~~
21 ~~or experience, or both, in engineering work of a character~~
22 ~~satisfactory to the board. This paragraph is repealed June~~
23 ~~30, 1991; and~~ an advanced degree in an engineering or other
24 technical curriculum with content equivalent to programs of

1 the accreditation board for engineering technology-
2 engineering accredited commission approved by the board;

3

4 (v) Unless exempt under W.S. 33-29-130(c), pass
5 the ~~engineer-in-training~~ fundamentals of engineering
6 examination.

7

8 (b) An applicant for ~~in-training registration as a~~
9 land surveyor intern license shall:

10

11 (iii) Have an associate degree in a surveying
12 technology curriculum approved by the board plus four (4)
13 years of combined office and field experience in land
14 surveying, of which two (2) years shall have been in charge
15 of land surveying projects under the supervision of a
16 ~~registered-~~ licensed land surveyor; ~~or~~

17

18 (v) Unless exempt under W.S. 33-29-130(c), pass
19 the ~~land surveyor-in-training~~ fundamentals of land surveying
20 examination; ~~or~~

21

22 (vi) Have eight (8) years of combined office and
23 field experience in land surveying, of which two (2) years
24 shall have been in charge of land surveying projects under
25 the supervision of a licensed land surveyor, and at least

1 twenty (20) credit hours of surveying technology classes
2 approved by the board.

3

4 **33-29-126. Qualifications for professional licensure.**

5

6 (a) An applicant for a professional ~~registration as an~~
7 engineer license shall:

8

9 (ii) ~~Be registered as an engineer in training~~
10 Hold a valid engineer intern license;

11

12 (iii) Be actively engaged in education or
13 experience, or both, in professional engineering
14 satisfactory to the board for at least an additional four
15 (4) years beyond that required for ~~registration as an~~
16 ~~engineer in training~~ engineer intern license;

17

18 (iv) Unless exempt under W.S. 33-29-130, pass the
19 ~~in-training~~ fundamentals and professional examinations in
20 the discipline in which ~~registration~~ the license is sought.

21

22 (b) An applicant for a professional ~~registration as a~~
23 land surveyor license shall:

24

1 (ii) ~~Be registered as~~ Hold a valid land
2 ~~surveyor in training~~ surveyor intern license;

3

4 (iii) Be actively engaged in education and
5 experience, satisfactory to the board, in professional land
6 surveying, for at least an additional four (4) years beyond
7 that required for ~~registration as~~ a land
8 ~~surveyor in training~~ surveyor intern license;

9

10 (iv) Unless exempt under W.S. 33-29-130, pass the
11 ~~in training intern~~ and professional examinations.

12

13 (c) In computing the period of active engagement
14 required under this section:

15

16 (ii) Study satisfactorily completed in a graduate
17 level land surveying curriculum and school approved by the
18 board is considered equivalent to a maximum of one (1) year
19 of active engagement. Each year of full-time employment
20 teaching land surveying or other courses approved by the
21 board as pertinent to the profession in which ~~registration~~
22 the license is sought in a school approved by the board is
23 equivalent to one (1) year of active engagement;

24

1 (iii) Each year of experience shall be of a
2 professional nature under the supervision of a ~~registered~~
3 licensed professional engineer or land surveyor, as
4 appropriate, and of a character satisfactory to the board.

5
6 (d) Experience credited by the board under this
7 section and W.S. 33-29-124, 33-29-125 and 33-29-130 shall be
8 attained under the direct supervision of a professional who
9 is satisfactory to the board and ~~registered~~licensed in this
10 state, another state or foreign country in the profession in
11 which the applicant is seeking ~~registration~~the license.

12

13 **33-29-127. Application for licensure.**

14

15 (a) A person desiring to practice engineering or land
16 surveying shall apply for ~~registration~~a license under this
17 act on a form prescribed by the board, subscribed under oath
18 and accompanied by the application fee. If the evidence
19 submitted satisfies the board that the applicant is fully
20 qualified under W.S. 33-29-126 or 33-29-130 to practice the
21 profession for which ~~registration~~the license is asked
22 requested, the applicant shall be given a ~~certificate of~~
23 ~~registration~~license, signed by the president and secretary
24 of the board and attested by the official seal.

25

1 (b) If in the judgment of the board the applicant has
2 not furnished satisfactory evidence of qualifications for
3 ~~registration~~ a license under W.S. 33-29-126 or 33-29-130 the
4 board may require additional data, or may require the
5 applicant to submit to an additional oral or written
6 examination specified by rule and regulation of the board.
7 ~~in its rules and regulations.~~

8

9 **33-29-128. Fees.**

10

11 (a) The board shall publish in its rules a schedule of
12 fees for applications, examinations and other miscellaneous
13 services ~~not to exceed the following:~~ pursuant to W.S.
14 33-1-201. An application for professional engineer and land
15 surveyor shall be considered as two (2) applications.

16

17 **33-29-129. Seals for licensees.**

18

19 (a) The board shall adopt and prescribe seals for use
20 ~~of registrants who hold~~ by persons holding valid
21 ~~certificates~~ licenses issued under this act. Each seal shall
22 bear the name of the ~~registrant~~ licensee, shall state the
23 profession in which he is permitted to practice and, in the
24 case of engineering, the branch or branches of engineering

1 in which he has demonstrated proficiency, and other ~~data the~~
2 ~~board deems~~ pertinent data.

3

4 (b) Plans, specifications, plats or reports prepared
5 by a ~~registrant~~-licensee or his bona fide employee shall be
6 issued under his seal, with the signature of the licensee,
7 and the date plans were signed, superimposed over the seal.

8

9 (c) It is unlawful for a ~~registrant~~-licensee whose
10 ~~certificate~~-license has expired or has been revoked or
11 suspended to use the seal, or for a ~~registrant~~-licensee to
12 sign, stamp or seal any document not prepared by him or by
13 an employee under his supervision.

14

15 (d) It is unlawful for any ~~nonregistrant~~-person not
16 licensed under this act to cause or permit the illegal use
17 of a ~~registrant's~~-licensee's seal, signature or stamp on any
18 document prepared by the ~~nonregistrant~~-person not licensed.

19

20 **33-29-130. Licensure without examination.**

21

22 (a) The board may ~~register~~-license without examination
23 an applicant for professional engineer who holds a valid
24 ~~certificate of registration~~-license issued by another state
25 or foreign country which has or had requirements for

1 ~~registration substantially similar to those of this state~~
2 licensure which were equivalent or exceeding the
3 requirements of Wyoming at the time the license was granted.
4

5 (b) An applicant for professional ~~registration as a~~
6 land surveyor license who satisfies ~~any one (1) of the~~
7 requirements of subsection (a) of this section shall pass
8 the part of the professional land surveyor examination
9 relating to the surveying methods and legal principles in
10 this state as prescribed by the board in its rules.
11

12 (c) The board may exempt an applicant from the
13 ~~in-training fundamentals~~ examination if he is a graduate of
14 a school and curriculum approved by the board and has been
15 actively engaged in experience in the profession for which
16 ~~registration the~~ license is sought for at least twenty (20)
17 years after graduation.
18

19 **33-29-131. Renewal of license; fees and penalties.**
20

21 (a) The board may establish a staggered system for
22 renewing ~~certificates of registration~~ licenses on a biennial
23 basis.
24

1 (b) ~~Certificates of registration~~ Licenses are invalid
2 after their expiration date unless renewed by payment of the
3 required renewal fee. If the renewal fee is not paid prior
4 to the expiration date, it shall be accompanied by a penalty
5 fee established by the board based on the period of
6 delinquency. ~~but the total fee shall not exceed the amount~~
7 ~~of the registration fee.~~

8
9 (c) The board may cancel a ~~certificate of registration~~
10 license if it has remained invalid for two (2) years and
11 require a new application, accompanied by the application
12 fee for ~~reregistration~~ a license.

13
14 33-29-132. Revocation of license; penalties; censure;
15 probation; hearing; notice of findings; appeal.

16
17 (a) The board may take the following disciplinary
18 actions, in combination or alternatively:

19
20 (i) Revocation of a ~~certificate of registration~~
21 license;

22
23 (ii) Suspension of a ~~certificate of registration~~
24 license;

25

1 (iii) In addition to other remedies prescribed
2 under this act and in accordance with requirements of the
3 Wyoming Administrative Procedure Act, imposition of an
4 administrative penalty in an amount not to exceed two
5 thousand dollars (\$2,000.00) for each violation of this act
6 or rules promulgated under this act to be credited to the
7 general fund;

8
9 (iv) Imposition of restrictions on the scope of
10 the ~~registrant's~~ licensee's professional practice;

11
12 (b) The board may take disciplinary action against the
13 holder of a ~~certificate~~ license under this act, upon proof
14 satisfactory to the board that the person:

15
16 (ii) Has practiced fraud or misrepresentation:

17
18 (A) In obtaining a ~~certificate~~ of
19 ~~qualification~~ license, whether in the application or
20 qualification examination;

21
22 (C) In signing any document as a ~~registered~~
23 licensed professional.

24

1 (iv) Has aided or abetted another to evade or
2 violate this act or knowingly combining or conspiring with
3 ~~an unregistered~~ a person not licensed under this act, or
4 allowing one's ~~registration~~ license to be used by an
5 ~~unregistered~~ a person not licensed or acting as agent,
6 partner, associate or otherwise, for ~~an unregistered~~ the
7 person not licensed with intent to evade or violate this
8 act;

9

10 (vii) Has knowingly engaged in an act which the
11 ~~registrant~~ licensee knew was beyond the scope of his
12 professional practice as evidenced by limitations on the
13 ~~registrant's~~ licensee's right to practice, or insufficient
14 education and knowledge, or inability to apply engineering
15 or land surveying principles and skills;

16

17 (viii) Has violated this act, W.S. 33-29-140
18 through 33-29-149 or any provision of the rules or
19 regulations of the board or any order of the board;

20

21 (ix) Has had disciplinary action taken against
22 him under a license to practice engineering or land
23 surveying in another jurisdiction, territory or possession
24 of the United States.

25

1 (c) Upon reasonable grounds to believe that a person
2 under the board's authority has committed acts in violation
3 of this act, the board may conduct investigations, hearings
4 and proceedings in accordance with the Wyoming
5 Administrative Procedure Act to determine whether a
6 disciplinary action should be taken against the holder of a
7 ~~certificate~~the license under this act. The board may issue
8 subpoenas for the attendance of witnesses and the production
9 of books, records, documents and other evidence it deems
10 relevant to an investigation or hearing. A disciplinary
11 action may be informally settled by the board and the holder
12 of a ~~certificate~~the license under this act who is the
13 subject of the action either before or after initiation of
14 hearing proceedings.

15

16 (e) The board shall immediately notify the clerk of
17 each county in the state and the secretary of state, in the
18 case of a corporation, limited liability company or ~~firm~~
19 partnership, of the suspension or revocation of a
20 ~~certificate~~license or of the reissuance of a suspended or
21 revoked ~~certificate~~license.

22

23 **33-29-134. Practice by corporations, partnership and**
24 **limited liability companies.**

25

1 (a) The practice of or offer to practice professional
2 engineering or professional land surveying by individual
3 ~~registered~~ licensed professional engineers or individual
4 ~~registered~~ licensed professional land surveyors, ~~through as~~
5 a corporation, ~~or by a corporation partnership or limited~~
6 liability company through individual ~~registered~~ licensed
7 professional engineers or individual ~~registered~~ licensed
8 professional land surveyors, as employees or officers, is
9 permitted subject to the provisions of this act. All
10 personnel of the corporation, partnership or limited
11 liability company who act in its behalf as professional
12 engineers or professional land surveyors in this state ~~must~~
13 shall be ~~registered~~ licensed as provided by this act, or be
14 persons lawfully practicing under the exceptions enumerated
15 in W.S. 33-29-136. The corporation, partnership or limited
16 liability company, except utilities regulated by the Wyoming
17 public service commission, shall apply for and be issued a
18 certificate of authorization by the board as provided by
19 this act. No corporation, partnership or limited liability
20 company shall be relieved of responsibility for the conduct
21 or acts of its employees or officers by reason of its
22 compliance with this act, nor shall any individual
23 practicing professional engineering or professional land
24 surveying be relieved of responsibility for engineering or
25 land surveying services performed by reason of his

1 employment or relationship with the corporation, partnership
2 or limited liability company. All final drawings,
3 specifications, plats, reports, or other engineering or land
4 surveying papers or documents involving the practice of
5 professional engineering or professional land surveying,
6 which are prepared or approved for the use of or for
7 delivery to any person or for public record within this
8 state shall be dated and bear the signature and seal of the
9 professional engineer or professional land surveyor who
10 prepared or approved them.

11

12 (b) A corporation, partnership or limited liability
13 company desiring a certificate of authorization for
14 engineering, for land surveying, or for both, shall file
15 with the board a description of the engineering or land
16 surveying service to be offered or practiced in the state,
17 upon an application form prescribed by the board and the
18 designation required by subsection (c) of this section
19 accompanied by the application fee established by the board
20 under W.S. 33-1-201.

21

22 (c) The corporation, partnership or limited liability
23 company shall file with the board a designation of an
24 individual or individuals duly ~~registered and certified~~
25 licensed to practice professional engineering or

1 professional land surveying in the state who are responsible
2 for or in charge of the practice of professional engineering
3 or land surveying, as applicable, by the corporation,
4 partnership or limited liability company in this state. If
5 there is a change in the individual or individuals
6 responsible or in charge, the changes shall be designated
7 in writing and filed with the board within thirty (30) days
8 after the effective date of the change.

9

10 (d) If all requirements of this act are met, the board
11 shall issue a certificate of authorization for professional
12 engineering, for land surveying or for both, to the
13 corporation, partnership or limited liability company. The
14 board may refuse to issue a certificate if any facts exist
15 which would entitle the board to suspend or revoke an
16 existing certificate.

17

18 (e) A professional engineer or professional land
19 surveyor who renders occasional, part-time or consulting
20 engineering or land surveying services to or for a ~~firm~~
21 corporation, partnership or limited liability company may
22 not be designated as the person in charge for the
23 professional activities of the ~~firm~~ corporation, partnership
24 or limited liability company.

25

1 **33-29-135. Public works.**

2

3 (a) Drawings, plans, specifications and estimates for
4 public works of the state or a political subdivision thereof
5 involving engineering or land surveying, shall be prepared
6 by or under the personal direction of, and the review of
7 construction of the works for the purpose of monitoring
8 compliance with drawings and specifications shall be
9 executed under the direct supervision of a qualified
10 ~~registrant~~-licensee within the category involved.

11

12 (b) Surveys or maps required in connection with land
13 surveying shall be made by or under the personal direction
14 of a qualified ~~registrant~~-licensee.

15

16 **33-29-136. Exemptions and limitations.**

17

18 (a) Engineering or land surveying may be practiced
19 without compliance with this act by:

20

21 (ii) An employee of a ~~registrant~~-licensee or of a
22 person exempt from ~~registration~~-licensing requirements, if
23 the employment does not involve direct responsibility for
24 design, inspection or supervision;

25

1 (iii) Any full-time employee of any corporation,
2 partnership or limited liability company while doing work
3 for that corporation, ~~provided, that partnership or limited~~
4 liability company if all maps, plats, plans or designs filed
5 in any office of public record in the state of Wyoming ~~shall~~
6 ~~be~~ are made and certified to by a ~~registered~~ licensed
7 professional engineer or professional land surveyor as
8 provided by W.S. 33-29-139. This exemption does not apply
9 to corporations, partnerships or limited liability companies
10 offering their services to the public as professional
11 engineers or professional land surveyors or to corporations,
12 partnerships or limited liability companies engaged in
13 designing and supervising the building of works for public
14 or private interests not their own; -

15

16 (iv) A person on his private property for his
17 exclusive use, except as provided under W.S. 33-29-139.
18 This exemption shall not apply to boundary surveys or
19 boundary definition.

20

21 **33-29-137. Violations.**

22

23 (a) Any person who commits any of the following acts
24 is guilty of a misdemeanor:

25

1 (i) Practices, offers to practice or by any
2 implication holds himself out as qualified to practice as an
3 engineer or land surveyor, who is not ~~registered~~ licensed as
4 provided by this act;

5

6 (ii) Advertises or displays a card, sign or other
7 device which may indicate to the public that he is an
8 engineer or land surveyor, or is qualified to practice as
9 such, who is not ~~registered~~ licensed as provided by this
10 act;

11

12 (iii) Assumes the title of engineer or land
13 surveyor, or uses ~~a certificate of registration~~ the license
14 of another, or uses an expired, suspended or revoked
15 ~~certificate of registration~~ license;

16

17 (iv) Presents false evidence to the board with
18 the intent to obtain a ~~certificate of registration~~ license;

19

20 **33-29-139. Maps, plats, plans or designs for filing to**
21 **be made and certified by professional engineer or surveyor;**
22 **exception; size of maps.**

23

24 (a) All maps, plats, plans or designs necessary to be
25 filed in the state engineer's office, the office of state

1 lands and investments, all county clerks offices, all city
2 or town offices, or any other office of public record in the
3 state of Wyoming, shall be made and certified by a
4 professional engineer or land surveyor ~~registered~~ licensed
5 under this act. The original ~~must either be drawn in~~
6 ~~waterproof black ink or acetate ink, or be an acceptable~~
7 ~~photographic or other kind of reproduction on good quality~~
8 ~~tracing linen or a polyester base drafting film in a minimum~~
9 ~~thickness of four thousandths (.004) inch~~ shall comply with
10 minimum standards specified by board rule and regulation.
11 All maps, plats, plans or designs shall conform to one (1)
12 of the following sizes and shall consist of one (1) original
13 drawing together with one (1) print:

14
15 (b) The requirement for certification of maps and
16 plans by a ~~registered~~ licensed professional engineer or land
17 surveyor shall not apply, in the case of applications filed
18 in the state engineer's office, to construct small
19 reservoirs for stock purposes only, fishing preserve waters,
20 wetlands and wildlife propagation where the capacity of ~~such~~
21 the reservoir does not exceed twenty (20) acre feet or
22 twenty (20) feet in fill height, ~~+~~ to develop springs for
23 stockwater purposes of up to twenty-five (25) gallons per
24 minute, ~~+~~ or for domestic purposes of up to twenty-five (25)
25 gallons per minute diverting from a stream to construct

1 flood water detention dams storing fifty (50) acre feet or
2 less and not to exceed twenty (20) feet in fill height
3 provided the dam has a minimum outlet of eighteen (18)
4 inches diameter and the dead storage does not exceed twenty
5 (20) acre feet.

6

7 (c) The application may be signed by the applicant or
8 an agent acting for him, and may be accompanied by aerial
9 photographs or United States geological survey quadrangle
10 maps of a scale conforming to the requirements of this act
11 with designation thereon of the township, range, section,
12 and section corner or quarter corner, and the location of
13 the installation designated in the quarter section on the
14 photographs or United States geological survey quadrangle
15 maps ~~a description of which shall indicate:~~

16

17 **33-29-141. Definitions.**

18

19 (a) Except where the context indicates a different
20 meaning, terms used in W.S. 33-29-140 through 33-29-149
21 shall be defined as follows:

22

23 (viii) A "~~registered~~ licensed land surveyor" is a
24 surveyor who is ~~registered~~ licensed to practice land

1 surveying under W.S. 33-29-114 through 33-29-139, and has a
2 current ~~certificate~~ license for that calendar year;

3

4 (ix) The "board" is the ~~state board of~~
5 ~~registration for professional engineers and professional~~
6 ~~land surveyors~~ Wyoming board of examiners for engineering
7 and surveying.

8

9 **33-29-147. Signature on corner record required.**

10

11 No corner record shall be filed unless the same is signed by
12 a ~~registered~~ licensed land surveyor, or, in the case of an
13 agency of the United States government or the state of
14 Wyoming, the certificate may be signed by the survey party
15 chief making the survey.

16

17 **33-41-117. Exemptions.**

18

19 (a) The following are exempt from the licensing
20 provisions of this act if they do not use the title of
21 professional geologist or are not directly represented or
22 held out to the public to be legally qualified to engage in
23 the practice of geology before the public:

24

1 (iv) Qualified engineers and land surveyors,
2 ~~registered~~ licensed by the ~~board of registration for~~
3 ~~professional engineers and professional land surveyors~~
4 Wyoming board of examiners for engineering and surveying
5 pursuant to W.S. 33-29-114 through 33-29-139 are exempt from
6 the ~~registration~~ licensing provisions of this act,
7 providing, that no name, title, or words are used which tend
8 to convey the impression that a ~~nonregistered~~ nonlicensed
9 individual is offering to perform services as a professional
10 geologist;

11

12 **Section 2.** W.S. 33-29-125(b) (iv), 33-29-128(a) (i)
13 through (iii), 33-29-131(d) and 33-29-138 are repealed.

14

15 **Section 3.**

16

17 (a) Any individual holding a valid certificate of
18 registration issued prior to July 1, 1999, shall be deemed
19 to be licensed under this act until renewed in accordance
20 with law and rule and regulation of the board of examiners
21 for engineering and surveying.

22

23 (b) Any person serving on the Wyoming board of
24 examiners for engineering and surveying pursuant to an
25 appointment made prior to the effective date of this act is

1 exempt from the licensing requirements imposed under W.S.
2 33-29-116(b).

3

4 **Section 4.** This act is effective July 1, 1999.

5

6

(END)