

CS FOR HOUSE BILL NO. 46(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY THE HOUSE STATE AFFAIRS COMMITTEE

Offered: 3/27/95

Referred: Rules

Sponsor(s): REPRESENTATIVE GREEN

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the practice of architecture, engineering, and land surveying."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 *** Section 1.** AS 08.48.221 is amended to read:

4 Sec. 08.48.221. SEALS. Each registrant may obtain a seal of the design
5 authorized by the board, bearing the registrant's name, registration number, and the
6 legend, "Registered Professional Architect," "Registered Professional Engineer," or
7 "Registered Professional Land Surveyor," as appropriate. **When a registrant issues**
8 **final drawings, specifications, surveys, plats, plates, reports, or similar documents,**
9 **the registrant shall sign the documents and stamp the documents with the seal.**

10 [FINAL DRAWINGS, SPECIFICATIONS, SURVEYS, PLATS, PLATES, REPORTS
11 AND OTHER SIMILAR DOCUMENTS SHALL, WHEN ISSUED, BE SIGNED AND
12 STAMPED WITH THE SEAL.] The board shall adopt regulations governing the use
13 of seals by the registrant. An architect, engineer, or land surveyor may not affix or
14 permit a seal and signature to be affixed to an instrument after the expiration of a
15 certificate or for the purpose of aiding or abetting another person to evade or attempt

1 to evade a provision of this chapter. The registrant, by affixing the registrant's seal to
2 final drawings, specifications, surveys, plats, plates, reports, and other similar
3 documents, and signing them, certifies that these documents were prepared by or under
4 the registrant's direct supervision, unless the registrant certifies on the face of the
5 document to the extent of the registrant's responsibility.

6 * **Sec. 2.** AS 08.48.281 is amended to read:

7 Sec. 08.48.281. PROHIBITED PRACTICE. A person may not practice or
8 offer to practice the profession of architecture, engineering, or land surveying in the
9 state, or use in connection with the person's name or otherwise assume or advertise a
10 title or description tending to convey the impression that the person is an [A
11 REGISTERED] architect, an engineer, or a land surveyor, unless the person has been
12 registered under the provisions of this chapter or is a person to whom these provisions
13 do not apply, or, in the case of a corporation, unless it has been authorized under this
14 chapter.

15 * **Sec. 3.** AS 08.48.331 is amended to read:

16 Sec. 08.48.331. EXEMPTIONS. This chapter does not apply to

17 (1) a contractor performing work designed by a professional architect
18 or engineer or the supervision of the construction of the work as a supervisor or
19 superintendent for a contractor;

20 (2) workers in building trades crafts, superintendents, supervisors, or
21 inspectors in the performance of their customary duties;

22 (3) an officer or employee of the United States government practicing
23 architecture, engineering, or land surveying as required by the person's official
24 capacity;

25 (4) an employee or a subordinate of a person registered under this
26 chapter if the work or service is done under the direct supervision of a person
27 registered under this chapter;

28 (5) associates, consultants, or specialists retained by a registered
29 individual, a partnership of registered individuals, or a corporation authorized to
30 practice architecture, engineering, or land surveying under this chapter, in the
31 performance of professional services if responsible charge of the work remains with

1 the individual, the partnership, or a designated representative of the corporation;

2 (6) a person preparing drawings or specifications for

3 (A) a building for the person's own use and occupancy as a
4 single family residence;

5 (B) farm or ranch buildings, unless the public health, safety, or
6 welfare is involved;

7 (C) a building that is intended to be used only as a residence
8 by not more than four families and that is not more than two stories high;

9 (D) a garage, workshop, or similar building that contains less
10 than 2,000 square feet of floor space to be used for a private noncommercial
11 purpose;

12 (7) a specialty contractor licensed under AS 08.18 while engaged in the
13 business of construction contracting or designing systems for work within the specialty
14 to be performed or supervised by the specialty contractor, or a contractor preparing
15 shop or field drawings for work that the specialty contractor has contracted to perform;

16 (8) a person furnishing drawings, specifications, instruments of service,
17 or other data for alterations or repairs to a building that do not change or affect the
18 structural system or the safety of the building, or that do not affect the public health,
19 safety, or welfare;

20 (9) a person who is employed by a postsecondary educational
21 institution to teach engineering, architectural, or land surveying courses; in this
22 paragraph, "postsecondary educational institution" has the meaning given in
23 AS 14.48.210;

24 (10) an officer or employee of an individual, firm, partnership,
25 association, utility, or corporation, who practices engineering involved in the
26 operation of the employer's business only, and further provided that neither the
27 employee nor the employer offers engineering services to the public; exclusions
28 under this paragraph do not apply to buildings or structures whose primary use
29 is public occupancy.