

CS FOR HOUSE BILL NO. 167(RLS)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - FIRST SESSION

BY THE HOUSE RULES COMMITTEE

Offered: 4/9/13

Referred: Today's Calendar

Sponsor(s): HOUSE LABOR AND COMMERCE COMMITTEE

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the regulation of architects, engineers, land surveyors, and**
2 **landscape architects."**

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

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

5 **Sec. 08.48.221. Seals.** Each registrant may obtain a seal of the design
6 authorized by the board, bearing the registrant's name, registration number, and the
7 legend [,] "Registered Professional Architect," "Registered Professional Engineer,"
8 "Registered Professional Land Surveyor," or "Registered Professional Landscape
9 Architect," as appropriate. When a registrant issues final drawings, specifications,
10 surveys, plats, plates, reports, or similar documents, the registrant shall [SIGN THE
11 DOCUMENTS AND] stamp the documents with the seal and sign the seal. The
12 board shall adopt regulations governing the use of seals by the registrant. An architect,
13 engineer, land surveyor, or landscape architect may not affix or permit a seal and
14 signature to be affixed to an instrument after the expiration of a certificate or for the

purpose of aiding or abetting another person to evade or attempt to evade a provision of this chapter. The registrant, by affixing the registrant's seal to final drawings, specifications, surveys, plats, plates, reports, or [AND OTHER] similar documents, and by signing the seal [THEM], certifies that the [THESE] documents were prepared by or under the registrant's direct supervision, are within the registrant's field of practice, or constitute design work of minor importance [UNLESS THE REGISTRANT CERTIFIES ON THE FACE OF THE DOCUMENT TO THE EXTENT OF THE REGISTRANT'S RESPONSIBILITY].

* **Sec. 2.** AS 08.48.221 is amended by adding a new subsection to read:

(b) Final drawings, specifications, surveys, plats, plates, reports, or similar documents containing the work of multiple fields of practice shall be sealed and signed by a registrant in each field of practice covered by the document. The registrant shall certify on the face of the document the extent of the registrant's responsibility for all work prepared under the registrant's seal. When certifying design work of minor importance, the registrant shall identify that work on the document near the registrant's seal and take responsibility for all work prepared under the registrant's seal.

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

Sec. 08.48.331. Exemptions. (a) This chapter does not apply to

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

(2) workers in building trades crafts, earthwork, grounds keeping, or nursery operations, and superintendents, supervisors, or inspectors in the performance of their customary duties;

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

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

(5) associates, consultants, or specialists retained by a registered

individual, a partnership of registered individuals, a corporation, a limited liability company, or a limited liability partnership authorized to practice architecture, engineering, land surveying, or landscape architecture under this chapter, in the performance of professional services if responsible charge of the work remains with the individual, the partnership, or a designated representative of the corporation, limited liability company, or limited liability partnership;

(6) a person preparing drawings or specifications for

(A) a building for the person's own use and occupancy as a single family residence and related site work for that building;

(B) farm or ranch buildings and their grounds unless the public health, safety, or welfare is involved;

(C) a building that is intended to be used only as a residence by not more than

(i) four families and that is not more than two stories high and the grounds of the building; or

(ii) two families and that is not more than three stories high and the grounds of the building, if the building is located in a municipality that has adopted a building or residential code that applies to the building and if the building complies with the building or residential code;

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

(7) a specialty contractor licensed under AS 08.18 while engaged in the business of construction contracting [OR DESIGNING SYSTEMS] for work **designed by an architect, engineer, or landscape architect that is** within the specialty to be performed or supervised by the specialty contractor, or a contractor preparing shop or field drawings for work that the specialty contractor has contracted to perform;

(8) a person furnishing drawings, specifications, instruments of service, or other data for alterations or repairs to a building or its grounds that do not

1 change or affect the structural system or the safety of the building, or that do not affect
2 the public health, safety, or welfare;

3 (9) a person who is employed by a postsecondary educational
4 institution to teach engineering, architectural, or landscape architectural courses; in
5 this paragraph, "postsecondary educational institution" has the meaning given in
6 AS 14.48.210;

7 (10) an officer or employee of an individual, firm, partnership,
8 association, utility, corporation, limited liability company, or limited liability
9 partnership, who practices engineering, **architecture, land surveying, or landscape**
10 **architecture** involved in the operation of the employer's business only, and further
11 provided that neither the employee nor the employer offers engineering, **architecture,**
12 **land surveying, or landscape architecture** services to the public; exclusions under
13 this paragraph do not apply to buildings or structures whose primary use is public
14 occupancy;

15 (11) a person while involved in revegetation, restoration, reclamation,
16 rehabilitation, or erosion control for disturbed land **that the board determines does**
17 **not affect the public health, safety, or welfare;**

18 (12) a person while maintaining or directing the placement of plant
19 material **that the board determines does not affect the public health, safety, or**
20 **welfare;**

21 (13) an employee, officer, or agent of a regulatory agency of the state
22 or a municipality when reviewing drawings and specifications for compliance with the
23 building codes of the state or a municipality if the drawings and specifications have
24 been **sealed** [SIGNED] and **signed** [SEALED] by **an architect, engineer, land**
25 **surveyor, or landscape architect** [A PROFESSIONAL ARCHITECT OR
26 PROFESSIONAL ENGINEER] or the preparation of the drawings and specifications
27 is exempt under this section from the requirements of this chapter; in this paragraph,
28 "building codes" includes codes relating to building, mechanical, plumbing, electrical,
29 [AND] fire **safety** standards, **and zoning;**

30 (14) a person who is designing fire detection or suppression systems
31 and is authorized by the Department of Public Safety to design fire detection or

1 suppression systems.

2 (b) The requirement to be registered as a landscape architect under this chapter
3 only applies to a person who practices an aspect of landscape architecture that the
4 board has determined affects the public health, [OR] safety, or welfare.

5 * **Sec. 4.** AS 08.48.341 is amended by adding new paragraphs to read:

6 (21) "design of minor importance" means a design that is incidental to
7 the discipline of a registrant and is within the discipline of the registrant, but does not
8 include comprehensive design services of any particular building type, structure,
9 building system, engineering system, or site development;

10 (22) "shop drawing" or "field drawing" means a drawing prepared by a
11 contractor, subcontractor, or vendor that shows how a particular aspect of the work is
12 to be fabricated and installed and demonstrates how an aspect of the work will satisfy
13 the requirements of the construction document, but does not include a final drawing,
14 specification, survey, plat, plate, report, or other similar document.