

**NOTICE OF PROPOSED CHANGES TO ENGINEERING EDUCATION AND WORK
EXPERIENCE REQUIREMENTS, APPLICATION FOR REGISTRATION AS A
STRUCTURAL ENGINEER, SEAL, USE OF SEALS, AND DEFINING THE TERM
SIGNIFICANT STRUCTURE IN THE REGULATIONS OF THE STATE BOARD OF
REGISTRATION FOR ARCHITECTS, ENGINEERS, AND LAND SURVEYORS**

BRIEF DESCRIPTION: The State Board of Registration for Architects, Engineers, and Land Surveyors proposes to update regulations by adding requirements for eligibility for the structural engineering examination, changes to the regulations relating to application for registration as a structural engineer including authorized seal and structural engineer seal on certain plans, and defining the term significant structure.

The State Board of Registration for Architects, Engineers, and Land Surveyors (Board) proposes to adopt regulation changes in Title 12, Chapter 36, of the Alaska Administrative Code, dealing with engineering education and work experience requirements, application for registration as a structural engineer, seal, use of seals, and definitions, including the following:

1. **12 AAC 36.063, Engineering education and work experience requirements**, is proposed to be changed to add specific requirements for structural engineer.
2. **12 AAC 36.108, Application for registration as a structural engineer**, is a proposed new section that establishes application for registration as a structural engineer.
3. **12 AAC 36.180, Seal**, is proposed to be changed to add a structural engineer seal.
4. **12 AAC 36.185, Use of seals**, is proposed to be changed to add the requirements for a structural engineer seal on certain plans.
5. **12 AAC 36.990, Definitions**, is proposed to be changed to further define terms used in 12 AAC 36.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jun Maiquis, Regulations Specialist, Division of Corporations, Business and Professional Licensing, P.O. Box 110806, Juneau, AK 99811-0806. Additionally, the Board will accept comments by facsimile at (907) 465-2974, and by electronic mail at jun.maiquis@alaska.gov. Comments may also be submitted through the Alaska Online Public Notice System by accessing this notice on the system at <http://notice.alaska.gov/178698>, and using the comment link. **The comments must be received not later than 4:30 p.m. on January 12, 2016.**

Oral comments relevant to the proposed actions, including the potential costs to private persons of complying with the proposed action, may also be given at hearings to be held during the following Board meeting dates and places:

November 5, 2015 meeting at the Atwood Building, 550 W. 7th Avenue, 1st Floor, Conference Room 104, Anchorage, Alaska. **Written comments will not be accepted at the hearing.** The hearing will begin at 1:15 p.m. and will end when those who have signed up before 1:15 p.m. to give oral testimony have had the opportunity to give oral comments.

February 10, 2016 meeting at the State Office Building, 333 Willoughby Avenue, 9th Floor, Conference Room C, Juneau, Alaska. **Written comments will not be accepted at the hearing.** The hearing will begin at 1:15 p.m. and will end when those who have signed up before 1:15 p.m. to give oral testimony have had the opportunity to give oral comments.

The chair of the Board may limit each participant's length of oral testimony to a time limit, determined by the chair before the hearing begins, to allow enough time for all those present and

**Chapter 36. State Board of Registration for Architects,
Engineers, and Land Surveyors.**

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not underlined.)

The introductory language of 12 AAC 36.063(a) is amended to read:

(a) To be eligible for a professional engineering examination **other than the structural engineering examination**, an applicant must

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12 AAC 36.063 is amended by adding a new subsection to read:

(k) To be eligible for the structural engineering examination, an applicant must

- (1) be currently licensed as a professional engineer in this state; and
- (2) have at least two years of progressive structural experience, in addition to the eight years of education and work experience or both that are equivalent to the requirements set out in the applicable table of education and work experience requirements for a professional engineering examination in this section. (Eff. 9/30/78, Register 67; am 6/29/84, Register 90; am 8/13/87, Register 103; am 6/3/89, Register 110; am 3/16/96, Register 137; am 7/26/97, Register 143; am 8/26/98, Register 147; am 11/20/99, Register 152; am 3/8/2001, Register 157; am 6/13/2003, Register 166; am 7/22/2004, Register 171; am 9/11/2004, Register 171; am 10/29/2009, Registered 192; am ___/___/___, Register ___)

Authority: AS 08.48.101 AS 08.48.171 AS 08.48.181

12 AAC 36 is amended by adding a new section to read:

12 AAC 36.108. Application for registration as a structural engineer. (a) A person who holds a current certificate of registration as an engineer in the state on ___/___/_____ (*fill in effective date of regulation*) may apply under this section for a certificate of registration as a structural engineer by meeting the requirements of this section.

(b) An application for registration as a structural engineer under this section must be submitted on or before July 31, 2017 (*or to be determined upon adoption*).

(c) An applicant for structural engineering registration under this section must submit

(1) a typewritten application on a form prescribed by the board, including the references required under AS 08.48.201;

(2) the application and registration fees established in 12 AAC 02.110;

(3) verification that the applicant has, within the 120 months immediately before the date of the application, at least 24 months of responsible charge experience in structural engineering;

(4) the plans or other documents required under (e) of this section; and

(5) the letters of reference required under (d) and (e) of this section.

(d) An applicant applying for structural engineering registration under this section must provide two letters of reference verifying the applicant's responsible charge experience required under (c)(3) of this section. The letters of reference must meet the requirements of (f) and (g) of this section.

(e) An applicant applying for structural engineering registration under this section must provide complete structural plans or other documents of at least two completed significant structures, as defined in 12 AAC 36.990, demonstrating the engineering abilities of the applicant

in structural engineering. The plans or other documents must be signed, sealed, and dated, and must include necessary calculations and other applicable supporting documents. The plans or other documents must have been dated within the 120 months immediately before the date of application for structural engineering registration under this section. The plans or other documents submitted under this subsection must be on a disk or thumb drive accompanied by a letter of reference for each project attesting to the applicant's competence on the project. The letters of reference must meet the requirements of (f) and (g) of this section.

(f) Except as provided in (g) of this section, the letters of reference required under (d) and (e) of this section must be signed and sealed by an engineer who was registered as a professional engineer in a state, territory, or possession of the United States, the District of Columbia, or a foreign country at the time of the responsible charge experience or when the plans or other documents were signed and sealed, and either

(1) was registered as a structural engineer; or

(2) if the licensing jurisdiction did not register structural engineers during the period of the experience or when the plans or other documents were signed and sealed, designed significant structures under another professional engineering license.

(g) If an engineer provides a reference letter under (d) or (e) of this section without a seal, the applicant must provide a statement from the engineer certifying that the engineer held a current registration as an engineer during the period of experience or when the plans or other documents were signed and sealed, and the engineer's state of registration, registration number, and branch of engineering.

(h) If requested by the board, the applicant must be available for an interview with the board.

(i) The board may consult subject matter experts in the branch of engineering for which the applicant seeks registration to assist the board in evaluating the application.

(j) Nothing in this section prevents a registrant from applying under this chapter for a certificate of registration by examination or comity in structural engineering.

(k) To remain current, an additional certificate of registration issued under this section must be renewed as provided in AS 08.48.231. (Eff. ___/___/___, Register ___)

Authority: AS 08.48.101 AS 08.48.201 AS 08.48.231

12 AAC 36.180(b) is amended to read:

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[SE – STRUCTURAL ENGINEER]

12 AAC 36.180 is amended by adding a new subsection to read:

(e) The seal authorized for use by structural engineers is of the following design or a substantially similar electronic or digital representation of the design:



The seal must reflect the branch identification authorized by the board. This identification is to be placed below the registrant's name and preceding the registrant's number on the seal. (Eff.

5/23/74, Register 50; am 9/30/78, Register 67; am 10/20/90, Register 116; am 11/13/99, Register 152; am 1/20/2002, Register 161; am 3/11/2012, Register 201; am ___/___/____, Register ____)

Authority: AS 08.48.101 AS 08.48.221

12 AAC 36.185 is amended by adding new subsections to read:

(g) The registrant shall include on all documents that are required to be signed and sealed its

(1) business name, physical address, and phone number;

(2) project name or identification;

(3) project address/location; and

(4) certificate of authorization number issued to the corporation, limited liability company, or limited liability partnership to practice architecture, engineering, land surveying, or landscape architecture, if applicable.

(h) On documents where multiple entities that are authorized to practice architecture, engineering, land surveying, or landscape architecture are indicated, the registrant shall clearly identify the sole proprietor, partnership, corporation, limited liability company, or limited liability partnership, or other authorized entity responsible for the work.

(i) Drawings, engineering surveys, reports, and construction documents regarding the structural systems of a significant structure, as defined in 12 AAC 36.990, must be sealed by a registered structural engineer. (Eff. 5/30/82, Register 82; am 8/29/87, Register 103; am 11/13/99, Register 152; am 6/13/2003, Register 166; am 6/11/2005, Register 174; am 7/13/2011, Register 199; am ___/___/____, Register ____)

Authority: AS 08.48.101 AS 08.48.111 AS 08.48.221

12 AAC 36.990(a)(4) is amended to read:

(4) "civil engineering" means the branch of professional engineering that embraces studies and activities relating to research, design, and construction of fixed works **other than significant structures**, for irrigation, drainage, waterpower, water supply and treatment, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, sewerage, refuse disposal, foundations, structures, and bridges, and the organizational and economic aspects of these studies and activities;

12 AAC 36.990(a) is amended by adding a new paragraph to read:

(44) "significant structure" means:

(A) hazardous facilities, defined as: structure housing, supporting, or containing sufficient quantities of toxic or explosive substance to be of danger to the safety of the public if released;

(B) special occupancy structures, defined as:

(i) building and other structures whose primary occupancy is public assembly with an occupant load greater than 300;

(ii) buildings and other structures containing elementary school, secondary school, or day care facility with an occupant load greater than 250;

(iii) buildings and other structures containing adult education facilities, such as colleges and universities, with an occupant load greater than 500;

(iv) medical facilities with 50 or more resident, incapacitated patients;

(v) jails and detention facilities; and

(vi) all buildings or structures with an occupant load greater than 5,000;

(C) essential facilities that have a ground area of more than 4,000 square feet and are more than 20 feet in mean roof height above average ground level; essential facilities are defined as:

(i) hospitals and other medical facilities having surgery and emergency treatment areas;

(ii) fire and police stations;

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

(iv) emergency vehicle shelters and garages;

(v) structures and equipment in emergency preparedness centers;

(vi) standby power-generating equipment for essential facilities;

(vii) structures and equipment in government communication centers and other facilities requiring emergency response;

(viii) aviation control towers, air traffic control centers, and emergency aircraft hangars; and

(ix) buildings and other structures having critical national defense functions;

(D) structures exceeding 100 feet in height above average ground level;

(E) buildings that are customarily occupied by human beings and are four

stories or 45 feet or more above average ground level; and

(F) bridges having a total span of more than 200 feet and piers having a surface area greater than 10,000 square feet.

(Eff. 5/23/74, Register 50; am 9/30/78, Register 67; am 6/29/84, Register 90; am 8/29/87, Register 103; am 10/20/90, Register 116; am 3/16/96, Register 137; am 7/26/97, Register 143; am 8/26/98, Register 147; am 11/13/99, Register 152; am 3/9/2001, Register 157; am 1/26/2012, Register 201; am 3/11/2012, Register 201; am 10/4/2015, Register 216; am ___/___/___, Register ___)

Authority: AS 08.48.101 AS 08.48.181 AS 08.48.331
 AS 08.48.171 AS 08.48.191