

ASSEMBLY BILL

No. 969

Introduced by Assembly Member Cardenas

February 27, 1997

An act to amend Section 130 of, and to repeal and add Chapter 7 (commencing with Section 6700) of Division 3 of, the Business and Professions Code, relating to professional engineers.

LEGISLATIVE COUNSEL'S DIGEST

AB 969, as introduced, Cardenas. Professional engineers.

(1) The Professional Engineers Act provides for the registration of persons practicing engineering in this state, either in a public or private capacity, with the State Board of Registration for Professional Engineers and Land Surveyors, in accordance with certain requirements.

This bill would repeal and reenact this act and, among other things, would revise provisions relating to the practice of engineering, examination and testing of applicants, licensure and certification of engineers, renewal of licenses, organizational filings with the board by engineering entities, administrative discipline, fees, and the receipt and disposition of board revenue, as specified. The bill would also require a professional engineer, on behalf of a public agency, to inspect, or be in responsible charge of the inspection of, an infrastructure project. The imposition of this new requirement on local agencies would create a state-mandated local program.

The act imposes various civil and criminal penalties on individuals for failure to comply with certain requirements under the act. By revising these requirements, this bill would create new crimes and change the definition of existing crimes under the act, thereby imposing a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 130 of the Business and
- 2 Professions Code is amended to read:
- 3 130. (a) Notwithstanding any other provision of law,
- 4 the term of office of any member of an agency designated
- 5 in subdivision (b) shall be for a term of four years expiring
- 6 on June 1.
- 7 (b) Subdivision (a) applies to the following boards or
- 8 committees:
- 9 (1) Medical Board of California.
- 10 (2) California Board of Podiatric Medicine.
- 11 (3) Physical Therapy Examining Committee.
- 12 (4) Board of Registered Nursing.



- 1 (5) Board of Vocational Nurse and Psychiatric
- 2 Technician Examiners of the State of California.
- 3 (6) State Board of Optometry.
- 4 (7) California State Board of Pharmacy.
- 5 (8) Veterinary Medical Board.
- 6 (9) California Board of Architectural Examiners.
- 7 (10) California State Board of Landscape Architects.
- 8 (11) State Board of Barbering and Cosmetology.
- 9 (12) ~~State Board of Registration for Professional~~
- 10 ~~Engineers and Land Surveyors.~~
- 11 ~~(13) Contractors' State License Board.~~
- 12 ~~(14)~~
- 13 (13) State Board of Guide Dogs for the Blind.
- 14 ~~(15)~~
- 15 (14) State Board of Funeral Directors and Embalmers.
- 16 ~~(16)~~
- 17 (15) Board of Behavioral Science Examiners.
- 18 ~~(17)~~
- 19 (16) Structural Pest Control Board.
- 20 ~~(18)~~
- 21 (17) Cemetery Board.
- 22 ~~(19)~~
- 23 (18) Bureau of Electronic and Appliance Repair
- 24 Advisory Board.
- 25 ~~(20)~~
- 26 (19) Court Reporters Board of California.
- 27 ~~(21)~~
- 28 (20) State Board of Registration for Geologists and
- 29 Geophysicists.
- 30 ~~(22)~~
- 31 (21) State Athletic Commission.
- 32 ~~(23)~~
- 33 (22) Osteopathic Medical Board of California.
- 34 ~~(24)~~
- 35 (23) The Respiratory Care Board of California.
- 36 ~~(25)~~
- 37 (24) The Acupuncture Examining Committee.
- 38 ~~(26)~~
- 39 (25) The Board of Psychology.



1 SEC. 2. Chapter 7 (commencing with Section 6700)
2 of Division 3 of the Business and Professions Code is
3 repealed.

4 SEC. 3. Chapter 7 (commencing with Section 6700)
5 is added to Division 3 of the Business and Professions
6 Code, to read:

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CHAPTER 7. PROFESSIONAL ENGINEERS ACT

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Article 1. General Provisions

12 6700. This chapter shall be known, and may be cited,
13 as the Professional Engineers Act.

14 6700.2. (a) The Legislature finds and declares that
15 the practice of engineering in this state shall be regulated
16 pursuant to this chapter in order to promote the general
17 welfare and to protect the life, health, and safety of the
18 public.

19 (b) The Legislature further finds and declares that the
20 granting of the right to perform the practice of
21 engineering is a privilege.

22 6700.5. It is presumed that a person named on a
23 certificate of licensure is a professional engineer if his or
24 her license is not expired, suspended, or revoked.

25 6700.7. (a) A professional engineer who provides
26 inspection services of a structure for its structural
27 integrity, or of its nonstructural elements affecting life
28 and safety, at the scene of, or arising from, a declared
29 national, state, or local emergency caused by a disaster, is
30 not liable in negligence for any personal injury, wrongful
31 death, or property damage caused by the professional
32 engineer's inspection if the structure is used for human
33 habitation, or is owned by a public entity, and if the
34 inspection was performed in accordance with all of the
35 following conditions:

36 (1) As a volunteer.

37 (2) Without compensation, or expectation of
38 compensation.



1 (3) At the request of a public official, public safety
2 officer, or city or county building inspector acting in an
3 official capacity.

4 (4) In good faith, even if negligently performed.

5 (b) The immunity provided by subdivision (a) applies
6 only to an inspection that is made within 30 days of the
7 disaster.

8 (c) Subdivision (a) does not provide immunity for
9 gross negligence or willful misconduct.

10 (d) As used in subdivision (a):

11 (1) "Public safety officer" has the same meaning as
12 defined in Section 3301 of the Government Code.

13 (2) "Public official" means a state or local officer.

14 6701. Any reference in any other law or regulation to
15 a licensed or registered engineer, or to a licensed or
16 registered civil engineer, electrical engineer, or
17 mechanical engineer, shall be deemed to refer to a
18 professional engineer, or to a professional engineer
19 authorized to practice civil engineering, electrical
20 engineering, or mechanical engineering, as the case may
21 be.

22 6701.2. With respect to certificates of registration
23 issued prior to January 1, 1998:

24 (a) If the certificate states that the person named on
25 the certificate is registered as a professional engineer in
26 a particular discipline of engineering, that person is a
27 professional engineer authorized to practice that
28 particular discipline of engineering.

29 (b) If the certificate states that the person named on
30 the certificate is registered as a particular discipline
31 engineer, such as a civil engineer, electrical engineer, or
32 mechanical engineer, that person is a professional
33 engineer authorized to practice the discipline of
34 engineering specified on the certificate.

35 6701.5. The reenactment of this chapter by the
36 Legislature during the 1997–98 Regular Session shall have
37 no effect on any order, rule, or regulation, of the board in
38 effect prior to the date of reenactment, unless the order,
39 rule, or regulation is inconsistent with this chapter, in



1 which case, this chapter shall take precedence over any
2 inconsistent order, rule, or regulation.

3 6705. Unless the context requires otherwise, the
4 definitions set forth in this article govern the construction
5 of this chapter.

6 6705.3. “Authority” means the licensure of a
7 professional engineer authorized to practice civil
8 engineering as a geotechnical engineer or structural
9 engineer.

10 6705.6. “Board” means the State Board for
11 Professional Engineers and Land Surveyors.

12 6706. “Certificate” means a certificate of licensure or
13 a certificate of authority that is issued to a professional
14 engineer pursuant to this chapter.

15 6706.3. “Certificate of authority” means the
16 certificate issued by the board to represent the licensure
17 of the person named on the certificate as a geotechnical
18 engineer or structural engineer.

19 6706.6. “Certificate of licensure” means the
20 certificate issued by the board to represent the licensure
21 of the person named on the certificate as a professional
22 engineer, including a certificate of registration issued
23 prior to January 1, 1998.

24 6707. “Civil engineering works” means fixed works
25 for irrigation, drainage, waterpower, water supply, flood
26 control, inland waterways, harbors, municipal
27 improvements, railroads, highways, tunnels, airports and
28 airways, purification of water, sewerage, refuse disposal,
29 foundations, grading, framed and homogeneous
30 structures, buildings, or bridges.

31 6707.3. (a) “Engineer-in-training” means a person
32 who holds an engineer-in-training certificate issued
33 pursuant to this chapter or issued by another state.

34 (b) “Engineer-in-training” also includes a person who
35 holds an engineer intern certificate issued by another
36 state.

37 6707.6. “Engineering documents” means, but is not
38 limited to, plans, specifications, calculations, estimates,
39 plats, reports, and related documents.



1 6708. (a) “Engineering entity” means all of the
2 following:

3 (1) A firm.

4 (2) A partnership.

5 (3) An association.

6 (4) A corporation.

7 (5) A professional engineer who individually offers to
8 perform, or is performing, the practice of engineering in
9 either of the following cases:

10 (A) Under a name that is not his or her personal name
11 pursuant to his or her individual file with the board.

12 (B) Under his or her personal name pursuant to his or
13 her board individual file with the board, but employing
14 one or more professional engineers in responsible charge.

15 (b) For purposes of paragraph (5) of subdivision (a),
16 neither of the following shall be considered the nonuse of
17 the personal name of a professional engineer pursuant to
18 the record filed with the board:

19 (1) The use of only the last name, or the first and last
20 names, of the professional engineer.

21 (2) The nonuse of a middle initial or middle name, or
22 the use of a middle initial in lieu of a middle name, of the
23 professional engineer.

24 6708.3. “Engineering surveying” means all of the
25 following:

26 (a) Locating, relocating, establishing, reestablishing,
27 or retracing the alignment or elevation for civil
28 engineering works.

29 (b) Determining the configuration or contour of the
30 surface of the earth, or the position of fixed objects
31 thereon or related thereto, by means of measuring lines
32 and angles and by applying the principles of
33 trigonometry or photogrammetry.

34 (c) Creating, preparing, or modifying electronic or
35 computerized data in the performance of the activities
36 specified in subdivisions (a) and (b).

37 6708.6. “Executive officer” means the executive
38 officer of the board.

39 6709. “Fund” means the Professional Engineers and
40 Land Surveyors Fund.



1 6709.3. “Geotechnical engineering” means the
2 investigation and engineering evaluation of (a) earth
3 materials, including, but not limited to, soil, rock,
4 groundwater, and manmade material, and (b) the
5 interaction of earth materials with earth retention
6 systems, structural foundations, and other civil
7 engineering works, by the application of the principles of
8 soil mechanics and earth sciences, the application of
9 which requires a knowledge of engineering laws,
10 formulas, construction techniques, and performance
11 evaluation of civil engineering works influenced by earth
12 materials.

13 6709.6. “Infrastructure” means the facilities and
14 systems for the following purposes that support the
15 functioning and development of the community,
16 including, but not limited to, communication, flood
17 control, public utilities, transportation, waste treatment,
18 disposal, and storage, and water treatment, distribution,
19 and storage.

20 6710. “Pocket certificate” means a wallet-sized
21 certificate issued to a licensee showing all of the following
22 information:

- 23 (a) Name of the licensee.
- 24 (b) His or her address.
- 25 (c) His or her license number.
- 26 (d) The expiration date of the license.
- 27 (e) His or her title for (1) the discipline of engineering
28 in which he or she is authorized to practice, or (2) the
29 authority, under the license number.

30 6710.3. “Practice of engineering” means both of the
31 following with respect to the disciplines of engineering in
32 which the board, pursuant to Section 6720.7, is currently
33 examining applicants for authorization to practice:

- 34 (a) Any engineering service, including, but not
35 limited to, consultation, designing and planning, research
36 and development, investigation, testing, and evaluation,
37 construction and production, operation and organization,
38 and economic analysis, that requires engineering
39 education, training, and experience in order to be able to
40 apply mathematical, scientific, and engineering



1 principles with commensurate judgment to competently
2 perform that service with respect to, but not limited to,
3 facilities, systems, processes, materials, and products.

4 (b) The coordination of any of the services specified in
5 subdivision (a).

6 6710.6. “Professional engineer” means a person who
7 holds a license and a certificate of licensure pursuant to
8 this chapter that is not expired, suspended, or revoked.

9 6711. “License” means the authorization granted by
10 the board to a person to be any of the following:

11 (a) A professional engineer.

12 (b) A geotechnical engineer or a structural engineer.

13 (c) A consulting engineer pursuant to Section 6731.3.

14 6711.3. “Licensee” means a person who holds a
15 license even if the license is expired, suspended, or
16 revoked.

17 6711.6. (a) “Responsible charge” means the
18 independent control and direction, by the use of
19 initiative, professional skill, and independent judgment,
20 in the practice of engineering.

21 (b) “Responsible charge” does not refer to the
22 concept of financial liability.

23 6712. “Seal” means stamp also.

24 6712.3. (a) “Supervision of construction” means the
25 periodic observation of materials and completed work to
26 determine general compliance with plans, specifications,
27 and design and planning concepts with respect to civil
28 engineering works.

29 (b) “Supervision of construction” does not include
30 responsibility for the superintendence of construction
31 processes, methods, and means, site conditions,
32 operations, equipment, personnel, or the maintenance of
33 a safe place to work or any safety in, on, or about the site
34 of construction.

35 (c) For purposes of subdivision (a), “periodic
36 observation” means visits by a professional engineer, or
37 his or her subordinate, to the site of construction.

38 6712.6. “Subordinate” means a person who assists,
39 without assuming responsible charge, a professional
40 engineer in the practice of engineering.



Article 2. Board

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3 6715. (a) The State Board of Registration for
4 Professional Engineers and Land Surveyors is continued
5 in existence as the State Board for Professional Engineers
6 and Land Surveyors in the Department of Consumer
7 Affairs.

8 (b) Any reference in any law or regulation to the State
9 Board of Registration for Professional Engineers and
10 Land Surveyors shall be deemed to refer to the State
11 Board for Professional Engineers and Land Surveyors.

12 (c) This section shall become inoperative on July 1,
13 1998, and, as of January 1, 1999, is repealed, unless, later
14 enacted statute, which becomes effective on or before,
15 January 1, 1999, deletes or extends the dates on which it
16 becomes inoperative and is repealed.

17 6715.2. The board consists of 13 members as follows:

18 (a) Five professional engineers.

19 (b) One land surveyor licensed pursuant to the
20 Professional Land Surveyors' Act (Chapter 15
21 (commencing with Section 8700)).

22 (c) Seven public members.

23 6715.5. The board shall be appointed as follows:

24 (a) The Governor shall appoint the following
25 members:

26 (1) Five professional engineers.

27 (2) One licensed land surveyor.

28 (3) Five public members.

29 (b) The Senate Committee on Rules shall appoint one
30 public member.

31 (c) The Speaker of the Assembly shall appoint one
32 public member.

33 6715.7. A member shall meet all of the following
34 requirements:

35 (a) Be a citizen of the United States.

36 (b) Be at least 30 years of age.

37 (c) Be a resident of this state for at least five years
38 immediately prior to appointment.

39 6716. A person who is a professional engineer, and a
40 land surveyor licensed pursuant to the Professional Land



1 Surveyors' Act (Chapter 15 (commencing with Section
2 8700)), may fill only one of the appointments specified in
3 subdivision (a) of Section 6715.2 or the appointment
4 specified in subdivision (b) of that section.

5 6716.2. (a) Of the five professional engineers, one
6 professional engineer shall be authorized, pursuant to his
7 or her certificate of licensure, to practice each of the
8 following disciplines of engineering:

9 (1) Civil engineering.

10 (2) Electrical engineering.

11 (3) Mechanical engineering.

12 (4) Civil engineering and is licensed as a structural
13 engineer.

14 (5) Any other discipline of engineering.

15 (b) In the case of a professional engineer who is
16 authorized to practice two or more disciplines of
17 engineering or is licensed as a structural engineer, the
18 professional engineer may fill only one of the above
19 appointments.

20 6716.5. (a) A professional engineer, or the land
21 surveyor licensed pursuant to the Professional Land
22 Surveyors' Act (Chapter 15 (commencing with Section
23 8700)), shall have not less than 12 years of professional
24 experience and be of good standing in the profession.

25 (b) For purposes of subdivision (a), "professional
26 experience" means experience in the practice of
27 engineering or land surveying, as the case may be,
28 acquired after being licensed or registered as a
29 professional engineer or licensed as a land surveyor in this
30 state or any other state.

31 (c) With respect to the 12 years of professional
32 experience required pursuant to subdivision (a), not less
33 than six years of that experience shall have been acquired
34 in this state immediately preceding the appointment
35 while being licensed as a professional engineer or as a land
36 surveyor in this state.

37 6716.7. A public member shall not be, or have been,
38 either of the following:

39 (a) Licensed or registered as a professional engineer
40 in this state or any other state.



1 (b) Licensed as a land surveyor in this state or any
2 other state.

3 6717. (a) Except as provided in subdivision (b), the
4 term of appointment is four years, expiring on June 30 of
5 the fourth year following the year in which the previous
6 term expired.

7 (b) The term of appointment to fill a vacancy is for the
8 remainder of the unexpired term, with the appointment
9 to be made by the appointing power for that vacancy.

10 6717.2. (a) Except as provided in Section 105.5, a
11 member shall not serve more than two consecutive
12 four-year terms.

13 (b) For purposes of subdivision (a), serving three
14 years or more of a term shall be deemed service for a
15 four-year term.

16 6717.5. The members serving on December 31, 1997,
17 shall continue to serve until the June 30 following the
18 expiration of the members' present terms pursuant to
19 former Section 6712, as enacted by Section 3.5 of Chapter
20 732 of the Statutes of 1985.

21 6717.7. The Governor may remove any member for
22 misconduct, incompetence, or neglect of duty.

23 6718. Each member shall receive the per diem and
24 expenses as provided in Section 103.

25 6718.2. The board shall hold not less than four regular
26 meetings annually. The board shall hold special meetings
27 pursuant to its rules and regulations.

28 6718.5. A majority of the board, at a board meeting,
29 constitutes a quorum.

30 6718.7. The vote required to authorize the board to
31 take any action is a majority of the members present at a
32 board meeting.

33 6719. The board shall adopt regulations pursuant to
34 the rule making provisions of the Administrative
35 Procedure Act (Chapter 3.5 (commencing with Section
36 11340) of Part 1 of Division 3 of Title 2 of the Government
37 Code) to carry out the powers granted to, and the duties
38 imposed upon, the board by this chapter and any other
39 provision of law.



1 6719.2. (a) The board shall appoint an executive
2 officer who shall serve at the pleasure of the board.

3 (b) The executive officer shall receive a salary to be
4 fixed and determined by the board with the approval of
5 the Department of Personnel Administration.

6 (c) This section shall become inoperative on July 1,
7 1998, and, as of January 1, 1999, is repealed, unless a later
8 enacted statute, which becomes effective on or before
9 January 1, 1999, deletes or extends the dates on which it
10 becomes inoperative and is repealed.

11 6719.5. The executive officer shall administer the
12 affairs of the board as directed by the board and shall
13 direct the staff of the board.

14 6719.7. (a) The board may expressly delegate to the
15 executive officer any of its duties unless it is required
16 specifically by law to perform that duty.

17 (b) The executive officer may delegate to the
18 members of the staff of the board any duty delegated to
19 him or her unless the executive officer is required
20 specifically by the board to perform the delegated duty
21 personally.

22 6720. The executive office shall keep a record of both
23 of the following:

24 (a) Applications submitted to the board.

25 (b) Action taken by the board on the applications.

26 6720.2. (a) The executive officer shall do all of the
27 following:

28 (1) Prepare each even-numbered year a roster
29 showing the names and addresses of all professional
30 engineers, including geotechnical and structural
31 engineers, and the names and addresses of those
32 engineers with an expired license.

33 (2) File a copy of the roster with the Secretary of State.

34 (3) Make copies of the roster available at a price fixed
35 by the board.

36 (b) The roster is a public record.

37 6720.5. Any member of the board or the executive
38 officer may administer oaths and may take testimony and
39 evidence regarding any matter within the jurisdiction of
40 the board.



1 6720.7. (a) Civil engineering, electrical engineering,
2 and mechanical engineering are disciplines of
3 engineering in which applicants may apply for
4 authorization to practice, and an applicant shall pass the
5 appropriate principles and practice examination in order
6 to be so authorized.

7 (b) The board, by regulation, shall specify the other
8 disciplines of engineering in which applicants may apply
9 for authorization to practice, and the principles and
10 practice examination to be passed in order to be so
11 authorized.

12 6721. In exercising its discretion pursuant to
13 subdivision (b) of Section 6720.7, the board shall take into
14 consideration, but not be limited to, all of the following:

15 (a) The number of applicants who annually have
16 taken, or the estimated number of applicants who
17 annually would take, the examination for that discipline
18 of engineering.

19 (b) Whether there is a national examination available
20 for that discipline of engineering.

21 (c) The number of postsecondary educational
22 institutions that offer a curriculum approved by the board
23 in that discipline of engineering.

24 (d) Whether the purpose of this chapter would be
25 enhanced by examination in that discipline of
26 engineering.

27 6721.2. (a) The board, by regulation, may adopt a
28 continuing professional development program as a
29 means to enhance public protection by requiring that
30 professional engineers continuously maintain and
31 upgrade their knowledge, skills, and abilities.

32 (b) For the renewal of licenses, the board, by
33 regulation, may require the professional engineer to
34 comply with the program.

35 6721.5. The board, by regulation, may adopt a code of
36 professional practice to maintain a high standard of
37 integrity in the engineering profession, taking into
38 consideration the codes of professional practice adopted
39 by national engineering societies.



1 6721.7. The board shall adopt an official seal and shall
2 affix it on all of the following:

- 3 (a) Engineer-in-training certificates.
- 4 (b) Certificates of licensure.
- 5 (c) Certificates of authority.
- 6 (d) Pocket certificates.

7 6722. The board may appoint technical advisory
8 committees consisting of not more than five members,
9 who shall serve at the pleasure of the board, to advise and
10 assist the board with respect to any of the following:

- 11 (a) Review and verification of applications submitted
12 to the board.
- 13 (b) Evaluation and investigation of alleged violations
14 of this chapter and of any provision of Division 1
15 (commencing with Section 100) and Division 1.5
16 (commencing with Section 475) under which the board
17 may act.
- 18 (c) Adoption of regulations, policies, and procedures
19 of the board.
- 20 (d) Any other matter assigned by the board.

21 6722.2. A member of a technical advisory committee
22 shall be a professional engineer with experience in the
23 subject matter that is within the jurisdiction of the
24 committee.

25 6722.5. The board may appoint special committees
26 consisting of board members, professional engineers, or
27 other persons, or any combination thereof, to investigate
28 matters regarding the practice or regulation of the
29 practice of engineering and submit reports on their
30 findings and recommendations to the board.

31 6722.7. A person who is not a board member, and is
32 appointed to serve on a committee pursuant to Section
33 6722 or 6722.5, shall serve without compensation, but shall
34 receive the per diem and expenses as provided in Section
35 103.

36 6723. A person who is not a board member, and is
37 appointed to serve on a committee pursuant to Section
38 6722 or 6722.5, has the same immunity as a public
39 employee pursuant to Article 3 (commencing with



1 Section 820) of Chapter 1 of Part 2 of Division 3.6 of Title
2 1 of the Government Code.

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Article 3. Practice

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6 6725. Except as otherwise provided in this chapter,
7 only a person who is a professional engineer shall
8 perform, or offer to perform, the practice of engineering,
9 regardless of whether that practice is in the private or
10 public sector.

11 6725.3. (a) Unless not required to be licensed
12 pursuant to any other provision of this chapter, a person
13 who is not a professional engineer, but who was
14 performing lawfully the practice of engineering on
15 December 31, 1997, in a discipline of engineering, other
16 than civil engineering, electrical engineering, or
17 mechanical engineering, may continue to practice that
18 discipline of engineering.

19 (b) A person performing the practice of engineering
20 pursuant to subdivision (a) is subject to the jurisdiction of
21 the board as if the person were a professional engineer.
22 However, the person may not be disciplined for
23 practicing in that discipline of engineering without being
24 a professional engineer.

25 (c) This section shall remain in effect only until
26 January 1, 2000, and as of that date is repealed, unless a
27 later statute that is enacted before January 1, 2000, deletes
28 or extends that date.

29 6725.6. A person who is not a professional engineer
30 and was in charge of engineering for an agency or
31 department of the state, or of a city or county, on January
32 1, 1985, and is serving continuously thereafter in that
33 capacity, is not required to be licensed pursuant to this
34 chapter.

35 6726. Subject to Sections 6726.3 and 6729.3, a
36 professional engineer may provide engineering services
37 in connection with, or supplementary to, any discipline of
38 engineering in which the professional engineer is
39 authorized to practice pursuant to his or her certificate of
40 licensure.



1 6726.3. (a) A professional engineer shall perform the
2 practice of engineering only in the area of competence of
3 the professional engineer.

4 (b) The board shall determine the competence of a
5 professional engineer on the basis of the education,
6 examination, training, and experience of the professional
7 engineer to perform the engineering services provided.

8 6726.6. (a) For each discipline of engineering that
9 the board offers a principles and practice examination,
10 the board, by regulation, shall define that discipline,
11 taking into consideration the duties and tasks identified
12 in the test plan adopted for the most recent examination
13 for that discipline and the duties and tasks performed by
14 professional engineers authorized to practice that
15 discipline.

16 (b) The definition of a discipline of engineering
17 adopted by the board pursuant to subdivision (a) further
18 defines the term “practice of engineering,” as defined in
19 Section 6710.3.

20 6727. (a) Notwithstanding Section 6725.6, a
21 professional engineer for a public agency shall check, or
22 be in responsible charge of checking, the engineering
23 documents that are required to be prepared by, or under
24 the responsible charge of, a professional engineer for a
25 project if those engineering documents are required to be
26 submitted to the public agency for review and approval
27 as to the documents’ code compliance.

28 (b) Subdivision (a) does not apply to a project whose
29 engineering documents are not required to be prepared
30 by, or to be prepared under, the responsible charge of a
31 professional engineer.

32 (c) Subdivision (a) does not apply to engineering
33 documents prepared for a project of that approving
34 public agency.

35 6727.3. A professional engineer, on behalf of a public
36 agency, shall perform the inspection, or be in responsible
37 charge of the inspection, of the construction of an
38 infrastructure project.

39 6727.6. (a) A pre-engineered component to be used
40 in a civil engineering work is an element, system, or



1 facility that is not designed by a person licensed as a
2 professional engineer in this state, but is designed by a
3 person licensed or registered as a professional engineer in
4 the state where the component was manufactured.

5 (b) The pre-engineered component may be used in
6 this state only if the plans for the component and the
7 other related engineering documents are first reviewed,
8 and signed and sealed, by a person licensed as a
9 professional engineer in this state.

10 6728. (a) If a remodeling project, including, but not
11 limited to, the remodeling of a store front, interior
12 alterations, or the installation of fixtures, furniture,
13 cabinets, or equipment, involves a structural addition or
14 structural alteration to a building, a professional engineer
15 authorized in civil engineering shall determine whether
16 the addition or alteration affects the structural integrity
17 of the building or any of its structural elements.

18 (b) If the preliminary investigation indicates that the
19 structural addition or structural alteration affects the
20 structural integrity of the building, or any or its structural
21 elements, a professional engineer authorized in civil
22 engineering shall prepare the necessary engineering
23 documents for the structural portion of the addition or
24 alteration.

25 6728.3. A professional engineer may practice land
26 surveying, as defined in Section 8726, if the professional
27 engineer was granted registration as a civil engineer prior
28 to January 1, 1982.

29 6728.6. In addition to the professional engineers
30 specified in Section 6728.3, a professional engineer
31 authorized to practice civil engineering after January 1,
32 1982, may perform engineering surveying.

33 6729. With respect to a professional engineer who is
34 authorized to practice civil engineering, but is not
35 authorized to practice land surveying:

36 (a) The professional engineer may offer to provide
37 land surveying services incidental to his or her civil
38 engineering practice if those services are performed by,
39 or under the direction of, a land surveyor licensed
40 pursuant to the Professional Land Surveyors' Act



1 (Chapter 15 (commencing with Section 8700)) or a
2 professional engineer who is authorized to practice land
3 surveying.

4 (b) The professional engineer may manage or
5 conduct, as a manager, proprietor, or agent, a civil
6 engineering practice that offers to practice or provide
7 incidental land surveying services as specified in
8 subdivision (a).

9 6729.3. (a) A professional engineer may not perform,
10 or offer to perform, geotechnical engineering or
11 structural engineering unless the professional engineer is
12 authorized to practice civil engineering.

13 (b) For purposes of this section, “structural
14 engineering” means ____.

15 6729.6. A professional engineer may provide, or offer
16 to provide, construction project management services,
17 including, but not limited to, construction project design
18 review and evaluation, construction mobilization and
19 supervision, bid evaluation, project scheduling,
20 cost-benefit analysis, claims review and negotiation, and
21 general management and administration of a
22 construction project.

23 6730. If a professional engineer provides construction
24 project management services pursuant to Section 6729.6,
25 the professional engineer is responsible for only the
26 services the professional engineer contracted to provide.

27 6730.3. (a) No person, other than a professional
28 engineer, may use any of the following titles:

29 (1) Consulting engineer.

30 (2) Licensed engineer.

31 (3) Professional engineer.

32 (4) Registered engineer.

33 (5) Project engineer.

34 (6) Resident engineer.

35 (7) (A) The appropriate title for any discipline of
36 engineering in which a professional engineer may be
37 authorized to practice by the board.

38 (B) The appropriate title is the name of that discipline
39 of engineering with the dropping of “ing” from
40 engineering.



1 (b) A professional engineer may not use any title
2 pursuant to paragraph (7) of subdivision (a) unless the
3 professional engineer is authorized to practice the
4 appropriate discipline of engineering.

5 (c) Except as provided in this section, no person shall
6 use any abbreviation, word, or phrase, or any
7 combination thereof, to state or imply that the person is
8 authorized to use any of the titles specified in, or specified
9 pursuant to, subdivision (a).

10 6730.6. (a) Notwithstanding Section 6730.3, the title
11 that a professional engineer may use when authorized to
12 practice a particular discipline of engineering, as
13 determined pursuant to paragraph (7) of subdivision (a)
14 of that section, except for the title of “civil engineer,” may
15 be used by any person who is not required to be licensed
16 pursuant to this chapter only when providing
17 engineering services to exempt industries as specified in
18 Section 6737.3 or when soliciting to provide those
19 engineering services.

20 (b) If the person uses the title in any document to
21 solicit to provide, or in any engineering document
22 prepared in performing, engineering services as
23 specified in Section 6737.3, the document shall not state
24 or imply, in any manner, either of the following:

25 (1) The person is a professional engineer.

26 (2) The person is otherwise authorized to use the title
27 except in the limited circumstances authorized by this
28 section.

29 (c) The authorization of subdivision (a) with respect
30 to the use of titles does not apply to those providing
31 engineering services for the preparation of engineering
32 documents as specified in Section 6737.6.

33 6731. (a) No person shall use the title of “structural
34 engineer,” or “soil engineer,” “soils engineer,” or
35 “geotechnical engineer,” unless that person holds a
36 license pursuant to Section 6754 or 6753.2, respectively.

37 (b) Except as provided in subdivision (a), no person
38 shall use any abbreviation, word, or phrase, or any
39 combination thereof, to state or imply that the person is



1 authorized to use any of the titles specified in subdivision
2 (a).

3 6731.3. (a) The board has issued certificates
4 authorizing the use of the title “consulting engineer” to
5 applicants who met the requirements of one of the
6 following statutory provisions:

7 (1) Chapter 933 of the Statutes of 1963, Chapter 1455
8 of the Statutes of 1965, or Chapter 1049 of the Statutes of
9 1968.

10 (2) Former Section 6732.2, as enacted by Chapter 888
11 of the Statutes of 1970.

12 (b) Notwithstanding Section 6730.3, a person who was
13 issued a certificate pursuant to a statutory provision
14 specified in subdivision (a) may continue to use the title
15 “consulting engineer.”

16 (c) A certificate issued to a person pursuant to
17 paragraph (2) of subdivision (a) is valid only as long as the
18 photogrammetric surveyor certificate issued to the
19 person pursuant to the Professional Land Surveyors’ Act
20 (Chapter 15 (commencing with Section 8700)) is valid.

21 (d) A person who was issued a certificate pursuant to
22 a statutory provision specified in subdivision (a) shall
23 return the certificate to the board within 30 days after the
24 person no longer remains in practice.

25 (e) Article 5 (commencing with Section 6765), Article
26 6 (commencing with Section 6770), Article 7
27 (commencing with Section 6780), Article 8
28 (commencing with Section 6785), and Article 9
29 (commencing with Section 6795) apply to all persons
30 authorized to use the title of “consulting engineer,” and
31 their certificates issued, pursuant to a statutory provision
32 specified in subdivision (a).

33 6731.6. The use of the word “certify” or
34 “certification” by a professional engineer in the practice
35 of engineering or land surveying, as defined in Section
36 8726, is an expression of professional opinion regarding
37 those facts or findings that are the subject of the
38 certification and is not a warranty or guarantee, either
39 express or implied.



1 6732. No person, other than the professional
2 engineer, may use any seal of the professional engineer
3 authorized pursuant to this chapter on any engineering
4 document.

5 6732.3. If a license of a licensee is expired, suspended,
6 or revoked, the licensee may not use the seal for that
7 license unless the license is renewed or reinstated.

8 6732.6. (a) A professional engineer shall sign and
9 seal, and indicate the expiration date of his or her license
10 on, the engineering documents that the professional
11 engineer prepared, or had responsible charge of
12 preparing, to indicate his or her responsibility for them.

13 (b) If the engineering documents have multiple pages
14 or sheets, the signature and seal, with the expiration date
15 of the license, are required to appear only on the originals
16 of the plans and plats and on the original title sheet of the
17 other types of engineering documents.

18 6733. Notwithstanding Section 6732.6, a professional
19 engineer who signs or seals engineering documents is not
20 responsible for any damage caused by any subsequent
21 changes to, or uses of, the engineering documents,
22 including changes or uses made by a state or local agency,
23 if those changes or uses are not authorized or approved
24 by the professional engineer.

25 6733.3. A professional engineer who signs or seals
26 engineering documents does not have a legal duty or
27 responsibility for supervision of construction of the
28 project that is the subject matter of those engineering
29 documents, unless the professional engineer has entered
30 into a contract, and is allowed, to perform that
31 supervision.

32 6733.6. (a) If a professional engineer is required to
33 provide as built plans or record plans for an improvement
34 or grading project and the plans show changes during the
35 construction process, all of the following apply:

36 (1) If the professional engineer provided supervision
37 of construction of the project, the plans shall be based
38 upon the field observations of the professional engineer,
39 or of his or her subordinates, and the information



1 received from the project owner, project contractors, and
2 public agencies.

3 (2) If the professional engineer did not provide
4 supervision of construction of the project, the plans shall
5 be based on the information received from the project
6 owner, project contractors, and public agencies, but need
7 not be based upon a field verification or investigation of
8 the project, unless the professional engineer is engaged
9 to provide field verification services.

10 (3) The professional engineer is not required to
11 include a certificate or statement on as built plans or
12 record plans on a basis that is different from that specified
13 in paragraph (1) or (2).

14 (b) It is the intent of this section to encourage the
15 practice of having professional engineers perform the
16 supervision of construction, as defined in Section 6712.3.

17 6734. With respect to the following reference in any
18 local agency ordinance, building code, regulation, or
19 policy, this chapter does not require:

20 (a) “Soil engineer,” “soils engineer,” or “geotechnical
21 engineer” to mean a person licensed as a geotechnical
22 engineer pursuant to Section 6753.2.

23 (b) “Soil engineering,” “soils engineering,” or
24 “geotechnical engineering” to mean activities required
25 to be performed by a person licensed as a geotechnical
26 engineer pursuant to Section 6753.2.

27 6734.3. A subordinate is not required to be a
28 professional engineer.

29 6734.6. Federal officers and employees, in the scope
30 of their service with the federal government, are not
31 required to be licensed pursuant to this chapter.

32 6735. A person who holds a certificate issued pursuant
33 to the Architects Practice Act (Chapter 3 (commencing
34 with Section 5500)) is not required to be licensed
35 pursuant to this chapter in order to practice architecture.

36 6735.3. A person who holds a license issued pursuant
37 to the Professional Land Surveyors’ Act (Chapter 15
38 (commencing with Section 8700)) is not required to be
39 licensed pursuant to this chapter in order to practice land
40 surveying, as defined in Section 8726.



1 6735.6. A contractor who holds a license issued
2 pursuant to the Contractors' State License Law (Chapter
3 9 (commencing with Section 7000)) is not required to be
4 licensed pursuant to this chapter in order to offer to
5 perform, or to perform, electrical or mechanical
6 engineering services if the services are performed on
7 behalf of the contractor by, or under the responsible
8 charge of, a professional engineer authorized to practice
9 electrical engineering or mechanical engineering, as the
10 case may be.

11 6736. A contractor who holds a license in the
12 appropriate classification issued pursuant to the
13 Contractors' State License Law (Chapter 9
14 (commencing with Section 7000)) is not required to be
15 licensed pursuant to this chapter when doing either or
16 both of the following in connection with electrical, fire
17 protection, or mechanical systems or facilities the
18 contractor has contracted to construct:

19 (a) Design those systems or facilities in accordance
20 with applicable construction codes and standards.

21 (b) Prepare electrical, fire protection, or mechanical
22 shop or field drawings for those systems or facilities.

23 6736.3. A person is not required to be licensed
24 pursuant to this chapter upon meeting all of the following
25 requirements:

26 (a) Is a nonresident of this state.

27 (b) Is authorized by another state to perform the
28 practice of engineering.

29 (c) Does not maintain a place of business in this state.

30 (d) Offers to perform the practice of engineering
31 outside of this state, and the engineering services
32 contracted for is not for facilities located, or to be located,
33 in this state.

34 6736.6. Neither of the following is required to be
35 licensed pursuant to this chapter in order to make a
36 financial appraisal and valuation of real estate:

37 (a) A person holding a license issued pursuant to the
38 Real Estate Law (Part 1 (commencing with Section
39 10000) of Division 4) while acting in the capacity of a real
40 estate salesperson or a real estate broker.



1 (b) A person holding a certificate or license issued
2 pursuant to the Real Estate Appraisers' Licensing and
3 Certification Law (Part 3 (commencing with Section
4 11300) of Division 4) as a state certified real estate
5 appraiser or a state licensed real estate appraiser,
6 respectively.

7 6737. (a) A person is not required to be licensed
8 pursuant to this chapter in order to prepare engineering
9 documents for any of the following woodframe buildings:

10 (1) Single-family dwellings that are not more than two
11 stories and basement in height.

12 (2) (A) Multiple dwellings of not than four dwelling
13 units that are not more than two stories and basement in
14 height.

15 (B) Subparagraph (A) does not authorize a person
16 who does not hold a certificate issued pursuant to the
17 Architects Practice Act (Chapter 3 (commencing with
18 Section 5500)), or who is not a professional engineer
19 authorized to practice civil engineering, to design
20 multiple clusters of up to four dwelling units each to form
21 apartment or condominium complexes where the total
22 exceeds four units on any lawfully divided parcel.

23 (3) Agricultural and ranch buildings, unless the
24 building official having jurisdiction deems that undue risk
25 to the public health, safety, or welfare is involved.

26 (4) Garages, or other structures appurtenant to
27 buildings described in paragraphs (1), (2), and (3), that
28 are not more than two stories and basement in height.

29 (b) If any portion of a building exempted from this
30 chapter by subdivision (a) is not in substantial
31 compliance with the conventional framing requirements
32 for woodframe construction specified in Title 24 of the
33 California Code of Regulations, or tables of limitation for
34 woodframe construction in the applicable building code
35 adopted by the local jurisdiction or the state, the building
36 official having jurisdiction shall require that a person who
37 holds a certificate issued pursuant to the Architects
38 Practice Act, or a professional engineer authorized to
39 practice civil engineering, to prepare, or be in



1 responsible charge of the preparation of, the engineering
2 documents for that portion of the building.

3 6737.3. (a) An employee of, or an independent
4 contractor to, a manufacturing, mining, public utility,
5 research and development, or other industrial
6 corporation is not required to be licensed pursuant to this
7 chapter in order to perform the practice of engineering
8 with respect to the products, systems, or services of the
9 corporation or any of its affiliates.

10 (b) For purposes of subdivision (a):

11 (1) “Product” does not include manufactured
12 housing.

13 (2) “Service” does not include consulting engineering
14 services to other entities or persons.

15 (c) Subdivision (a) does not apply to either of the
16 following:

17 (1) Engineering services for civil engineering works.

18 (2) Independent contractors working on
19 communication lines and equipment of a telegraph
20 corporation, as defined by Section 236 of the Public
21 Utilities Code, or a telephone corporation, as defined by
22 Section 234 of the Public Utilities Code.

23 6737.6. Notwithstanding Section 6737.3, professional
24 engineers authorized to practice the appropriate
25 disciplines of engineering shall prepare the engineering
26 documents in the planning, designing, construction,
27 operation, or maintenance of a nuclear powerplant.

28 6738. This chapter does not preclude a person or an
29 entity in a business other than the practice of engineering
30 from employing, or contracting with, professional
31 engineers to perform engineering services that are
32 incidental to the business of that person or entity, as the
33 case may be.

34 6738.3. (a) A professional engineer granted retired
35 status pursuant to Section 6754.2 by the board shall not
36 perform, or offer to perform, the practice of engineering,
37 but, notwithstanding Sections 6730.3 and 6731, may
38 continue to use any title the professional engineer was
39 authorized to use prior to being granted retired status
40 with the term “retired” before or after the title.



1 (b) Subdivision (a) does not apply to a professional
2 engineer who is authorized to return to the practice of
3 engineering from retired status.

4
5 Article 4. Licensure
6

7 6745. An applicant shall submit the required
8 application form, with all statements in the application
9 form made under penalty of perjury, and pay the
10 appropriate application fee, to the board upon applying
11 for any of the following:

12 (a) Licensure as a professional engineer or, if a
13 professional engineer, authorization to practice a second
14 or subsequent discipline of engineering.

15 (b) Licensure as a geotechnical engineer or structural
16 engineer.

17 (c) Temporary authorization.

18 (d) Certification as an engineer-in-training.

19 (e) Retired status.

20 (f) Return to the practice of engineering from retired
21 status.

22 (g) Replacement license and certificate of practice.

23 (h) Duplicate certificate.

24 6745.2. An applicant applying for purposes of
25 subdivision (a) of Section 6745 shall specify the discipline
26 of engineering in which the applicant desires
27 authorization to practice.

28 6745.5. An applicant shall submit an application form,
29 and pay the appropriate application fee, in both of the
30 following cases:

31 (a) Each discipline of engineering in which the
32 applicant seeks authorization to practice.

33 (b) Each authority in which the applicant seeks to be
34 licensed.

35 6745.7. An applicant failing an examination may be
36 reexamined upon submission of a reapplication, with all
37 statements in the reapplication form made under penalty
38 of perjury, and pay the appropriate reapplication fee, to
39 the board.

1 6746. An applicant for certification as an
2 engineer-in-training shall meet both of the following
3 requirements:

4 (a) He or she has committed no act or crime that is a
5 ground for denial of a license under Section 480.

6 (b) He or she has done one of the following:

7 (1) Completed satisfactorily three or more years of
8 full-time study in an engineering curriculum approved
9 by the board.

10 (2) Graduated with a baccalaureate degree in either
11 of the following:

12 (A) An engineering curriculum not approved by the
13 board.

14 (B) An engineering technology curriculum approved
15 by the board.

16 (3) Graduated with a master's or doctoral degree in an
17 engineering curriculum approved by the board at either
18 the graduate or undergraduate level and with a
19 baccalaureate degree in a nonengineering curriculum.

20 (4) Completed three or more years of full-time
21 engineering work experience approved by the board.

22 6746.2. (a) The board shall grant certification as an
23 engineer-in-training, and an engineer-in-training
24 certificate, to an applicant for that certification if the
25 applicant meets the requirements of Section 6746 and
26 passes the examination on fundamentals of engineering.

27 (b) Neither the certification nor the
28 engineer-in-training certificate granted to a person as an
29 engineer-in-training shall grant that person any rights or
30 privileges of a professional engineer.

31 (c) The engineer-in-training certificate shall be valid
32 until the person named on the certificate is granted
33 licensure as a professional engineer pursuant to this
34 article.

35 6746.5. The examination on fundamentals of
36 engineering shall test the applicant's knowledge of
37 appropriate fundamental engineering subjects, including
38 mathematics and the basic sciences.

39 6746.7. An applicant for licensure as a professional
40 engineer shall meet all of the following requirements:



1 (a) He or she has committed no act or crime that is a
2 ground for denial of a license under Section 480.

3 (b) He or she submits evidence of eight or more years
4 of qualifying experience.

5 (c) He or she has been certified as an
6 engineer-in-training by the board or by another state by
7 passing an examination on fundamentals of engineering
8 prepared by the National Council of Examiners for
9 Engineering and Surveying.

10 6746.8. (a) Notwithstanding subdivision (b) of
11 Section 6746.7, an applicant to take a principles and
12 practice examination before January 1, 1999, for licensure
13 as a professional engineer, shall have not less than six
14 years of qualifying experience.

15 (b) This section shall remain operative only until
16 January 1, 1999, and as of January 1, 2000, is repealed,
17 unless a later enacted statute, that is enacted before
18 January 1, 2000, deletes or extends that date.

19 6746.9. (a) Notwithstanding subdivision (b) of
20 Section 6746.7, an applicant to take a principles and
21 practice examination on or after January 1, 1999, but
22 before January 1, 2000, for licensure as a professional
23 engineer, shall not have less than seven years of qualifying
24 experience, except as provided in subdivision (b).

25 (b) Notwithstanding subdivision (a), an applicant
26 who the board determined prior to January 1, 1999, was
27 eligible to take a principles and practice examination in
28 a specific discipline of engineering prior to that date shall
29 remain eligible to take the examination in that discipline
30 even though the applicant does not have seven years of
31 qualifying experience.

32 (c) This section shall remain operative only until
33 January 1, 2000, and as of January 1, 2001, is repealed,
34 unless a later enacted statute, that is enacted before
35 January 1, 2001, deletes or extends that date.

36 6747. (a) Notwithstanding subdivision (b) of Section
37 6748.7, an applicant to take a principles and practice
38 examination in a specific discipline of engineering on or
39 after January 1, 2000, for licensure as a professional
40 engineer, but who the board determined, prior to that



1 date, was eligible to take the examination in that
2 discipline prior to that date, shall remain eligible to take
3 the examination in that discipline after that date if the
4 applicant has not less than seven years of qualifying
5 experience.

6 (b) This section shall remain in effect only until
7 January 1, 2001, and as of that date is repealed, unless a
8 later enacted statute, that is enacted before January 1,
9 2001, deletes or extends that date.

10 6747.2. (a) The board shall grant an exemption from
11 the requirement of subdivision (c) of Section 6746.7 on
12 the basis of any of the following, if the applicant:

13 (1) Possesses an earned doctorate in a discipline of
14 engineering from a postsecondary educational institution
15 where the undergraduate or graduate curriculum for that
16 discipline is approved by the board.

17 (2) Is serving in a tenure-track position as an assistant
18 professor or higher in an engineering curriculum
19 approved by the board.

20 (b) This section does not apply to an applicant to take
21 any principles and practice examination to be given on or
22 after January 1, 2000, for licensure as a professional
23 engineer.

24 (c) This section shall remain in effect only until
25 January 1, 2003, and as of that date is repealed, unless a
26 later statute that is enacted before January 1, 2003, deletes
27 or extends that date.

28 6747.5. To an applicant for licensure as a professional
29 engineer, the board shall grant a license, and a certificate
30 of licensure, as a professional engineer authorized to
31 practice the discipline of engineering in which the
32 applicant was examined, if the applicant meets the
33 requirements of Section 6746.7 and passes all of the
34 following examinations:

35 (a) The examination on the principles and practice of
36 engineering for that discipline of engineering.

37 (b) The examination on this chapter, and the
38 regulations of the board regarding the practice of
39 engineering.

40 (c) Additional examinations as follows:



1 (1) When applying for authorization to practice civil
2 engineering, the examinations on engineering surveying
3 principles and on seismic principles.

4 (2) When applying for authorization to practice a
5 discipline of engineering other than civil engineering,
6 the examination on seismic requirements for the
7 installation of nonstructural elements in a structure if the
8 board adopts a regulation to this effect pursuant to
9 Section 6752.5.

10 6747.7. In determining the amount of qualifying
11 experience to be granted an applicant for purposes of
12 subdivision (b) of Section 6746.7, on the basis of the
13 educational achievement of the applicant at the
14 undergraduate level, the board shall take, if applicable,
15 one of the following actions:

16 (a) Shall grant four years for a baccalaureate degree in
17 an engineering curriculum approved by the board.

18 (b) May grant two years for a baccalaureate degree in
19 either of the following:

20 (1) An engineering curriculum not approved by the
21 board.

22 (2) An engineering technology curriculum approved
23 by the board.

24 (c) May grant, subject to subdivisions (a) and (b), not
25 more than one-half year for each year of satisfactory
26 completion of undergraduate study in an engineering
27 curriculum. For purposes of this subdivision, a year of
28 study is at least 32 semester units or 48 quarter units.

29 6748. For the educational achievement of an
30 applicant at the graduate level in an engineering
31 curriculum approved by the board at either the graduate
32 or undergraduate level, the board shall grant the
33 applicant, for purposes of subdivision (b) of Section
34 6746.7, the amount of qualifying experience specified in
35 the following applicable subdivisions in lieu of the
36 amount specified in Section 6747.7:

37 (a) Five years, for a master's or a doctoral degree with
38 a baccalaureate degree in an engineering curriculum
39 approved by the board.



1 (b) Four years, for a master's degree with a
2 baccalaureate degree in an engineering curriculum not
3 approved by the board.

4 (c) Not more than three years, for a master's degree
5 with a baccalaureate degree in a nonengineering
6 curriculum.

7 (d) Five years, for a master's and a doctoral degree
8 with a baccalaureate degree in an engineering
9 curriculum not approved by the board.

10 6748.2. For purposes of subdivision (b) of Section
11 6746.7, the board may grant up to one year of qualifying
12 experience for teaching engineering courses that meet
13 both of the following requirements:

14 (a) The engineering courses were taught at not lower
15 than the junior year level at a postsecondary educational
16 institution.

17 (b) The courses were in an engineering curriculum
18 approved by the board.

19 6748.5. For purposes of subdivision (b) of Section
20 6746.7, the board may not grant more than a total of five
21 years of qualifying experience pursuant to Section 6748.2
22 and Section 6747.7 or 6748.

23 6748.7. (a) An applicant for licensure as a
24 professional engineer shall not have less than eight years
25 minus the years of qualifying experience granted
26 pursuant to Section 6748.2 and Section 6747.7 or 6748,
27 subject to the limitation of Section 6748.5, of qualifying
28 work experience in the practice of engineering.

29 (b) Of the qualifying work experience required
30 pursuant to subdivision (a), the applicant shall have
31 either of the following amount of qualifying work
32 experience, whichever is greater, in the discipline of
33 engineering that the applicant is applying for
34 authorization to practice:

35 (1) Two years.

36 (2) One-half of the required qualifying work
37 experience.

38 6748.8. (a) Notwithstanding Section 6748.7, in the
39 case of an applicant approved by the board to take a
40 principles and practice examination with less than eight



1 years of qualifying experience for licensure as a
2 professional engineer, the applicant shall have both of the
3 following:

4 (1) Either of the following amount of qualifying work
5 experience in the practice of engineering, whichever is
6 the greater:

7 (A) Two years.

8 (B) The number of years of qualifying experience
9 required pursuant to Section 6746.8, 6746.9, or 6747, as the
10 case may be, minus the years of qualifying experience
11 granted pursuant to Section 6748.2 and Section 6747.7 or
12 6748, subject to the limitation of Section 6748.5.

13 (2) Either of the following amount of qualifying work
14 experience, whichever is greater, in the discipline of
15 engineering that the applicant is applying for
16 authorization to practice:

17 (A) Two years.

18 (B) One-half of the required qualifying work
19 experience.

20 (b) This section shall remain in effect only until
21 January 1, 2001, and as of that date is repealed, unless a
22 later enacted statute, that is enacted before January 1,
23 2001, deletes or extends that date.

24 6749. (a) An applicant for licensure as a professional
25 engineer shall have gained the required qualifying work
26 experience under the responsible charge of a person
27 holding a license or registration as a professional engineer
28 granted by any state or country.

29 (b) Notwithstanding subdivision (a), the board shall
30 grant equal credit for qualifying work experience
31 acquired in any of the following situations as with any
32 other comparable qualifying work experience:

33 (1) The armed forces of the United States.

34 (2) Employment with the United States.

35 (3) Employment, except in the discipline of civil
36 engineering, with any other entity whose engineers are
37 not required to be licensed pursuant to this chapter.

38 6749.2. With respect to the qualifying work
39 experience required of a professional engineer applying
40 for authorization to practice a discipline of engineering



1 in which the professional engineer is not authorized to
2 practice, both of the following apply:

3 (a) The professional engineer shall submit evidence of
4 two or more years of qualifying work experience in the
5 discipline of engineering that the professional engineer
6 is applying for authorization to practice.

7 (b) The additional qualifying work experience
8 required pursuant to subdivision (a) shall not have been
9 used previously by the professional engineer in applying
10 for authorization to practice in any other discipline of
11 engineering.

12 6749.5. A professional engineer shall be authorized to
13 practice a second or subsequent discipline of
14 engineering, if the professional engineer passes all of the
15 following examinations:

16 (a) The appropriate examination on the principles
17 and practice of engineering for the second or subsequent
18 discipline of engineering.

19 (b) The examination on this chapter, and the
20 regulations of the board regarding the practice of
21 engineering for the second or subsequent time.

22 (c) Additional examinations as follows:

23 (1) When applying for authorization to practice civil
24 engineering, the examinations on engineering surveying
25 principles and on seismic principles.

26 (2) When applying for authorization to practice a
27 discipline of engineering other than civil engineering,
28 the examination on seismic requirements for the
29 installation of nonstructural elements in a structure if the
30 board adopts a regulation to this effect pursuant to
31 Section 6752.5.

32 6749.7. (a) A professional engineer who has passed all
33 of the required examinations specified in Section 6749.5
34 shall return to the board all prior certificates of licensure
35 issued to the professional engineer, except as provided in
36 subdivision (c).

37 (b) If the professional engineer returns to the board all
38 of the prior certificates of licensure, the board shall issue
39 to the professional engineer a certificate of licensure as a
40 professional engineer that does both of the following:



1 (1) Bears the same number as the certificate of
2 licensure initially issued to the professional engineer,
3 unless the initial certificate was issued to the professional
4 engineer prior to January 1, 1998.

5 (2) States each discipline of engineering in which the
6 professional engineer is authorized to practice and the
7 date of that authorization.

8 (c) (1) If a professional engineer with a certificate of
9 registration issued prior to January 1, 1998, elects to retain
10 that certificate, the board shall issue to the professional
11 engineer a certificate of licensure that states only those
12 disciplines of engineering in which the professional
13 engineer was authorized to practice after that date.

14 (2) The professional engineer shall return to the board
15 any other certificate of licensure issued on or after
16 January 1, 1998.

17 6750. The board may grant licensure, and a certificate
18 of licensure, as a professional engineer to an applicant
19 who meets all of the following requirements:

20 (a) Holds a license or registration as a professional
21 engineer that was granted to the applicant by any state
22 or country and was obtained by passing a written
23 examination equivalent to that required by this chapter
24 and the regulations of the board for the granting of the
25 requested licensure at the time the license or registration
26 of the other state or country was granted.

27 (b) Meets the other requirements set forth in this
28 chapter, and the regulations of the board regarding the
29 granting of the requested licensure.

30 (c) Passes the examination on this chapter, and the
31 regulations of the board regarding the practice of
32 engineering.

33 (d) Passes additional examinations as follows:

34 (1) When applying for authorization to practice civil
35 engineering, the examinations on engineering surveying
36 principles and on seismic principles.

37 (2) When applying for authorization to practice a
38 discipline of engineering other than civil engineering,
39 the examination on seismic requirements for the
40 installation of nonstructural elements in a structure if the



1 board adopts a regulation to this effect pursuant to
2 Section 6752.5.

3 6750.2. (a) Except as provided in subdivision (b), the
4 board shall not grant, pursuant to Section 6750, a license
5 that authorizes an applicant to practice a discipline of
6 engineering unless both of the following requirements
7 are met:

8 (1) The applicant passed a written examination, as
9 specified in subdivision (a) of Section 6750, for that
10 discipline.

11 (2) The board examines applicants on the principles
12 and practice of engineering for that discipline.

13 (b) The board may accept the eight-hour principles
14 and practice examination of the National Council of
15 Examiners for Engineering and Surveying for structural
16 engineering as a principles and practice examination for
17 civil engineering.

18 6750.5. The board shall not require applicants under
19 Section 6750 to meet any requirements that are not
20 required of applicants who are applying for licensure by
21 taking a principles and practice examination given by the
22 board.

23 6750.7. (a) The board may grant a temporary
24 authorization to an applicant to perform the practice of
25 engineering in a particular discipline of engineering for
26 a specific project.

27 (b) The applicant shall meet all of the following
28 requirements:

29 (1) Maintain no place of business in this state.

30 (2) Be authorized to practice in that discipline of
31 engineering in the state or country where the applicant
32 maintains a place of business.

33 (3) Demonstrate, by means of an appearance before
34 the board, satisfactory evidence of competence in that
35 discipline of engineering.

36 (4) Pass the examination on this chapter, and on the
37 regulations of the board regarding the practice of
38 engineering.

39 (c) The temporary authorization shall be valid for the
40 period specified thereon, not to exceed 120 days.



1 6751. The board, by regulation, shall adopt the criteria
2 to approve engineering curricula, and engineering
3 technology curricula, of postsecondary educational
4 institutions.

5 6751.2. The board, by regulation, shall adopt the
6 procedure for the evaluation of the education and
7 engineering work experience of an applicant for the
8 granting of qualifying experience to meet the
9 requirements for both of the following:

10 (a) Licensure as a professional engineer or, if a
11 professional engineer, for authorization to practice a
12 second or subsequent discipline of engineering.

13 (b) Licensure as a geotechnical engineer or structural
14 engineer.

15 6751.5. The examination on the principles and
16 practice of engineering shall test the applicant's ability to
17 apply the applicant's knowledge and experience in the
18 discipline of engineering that the applicant is applying for
19 authorization to practice.

20 6751.7. (a) The examination specified in subdivision
21 (b) of Section 6747.5, subdivision (b) of Section 6749.5,
22 subdivision (c) of Section 6750, and paragraph (4) of
23 subdivision (b) of Section 6750.7 shall test the applicant's
24 knowledge of this chapter, and the regulations of the
25 board regarding the practice of engineering.

26 (b) The board shall prepare, and distribute to
27 applicants for licensure as a professional engineer or, if a
28 professional engineer, authorization to practice a second
29 or subsequent discipline of engineering, all of the
30 following:

31 (1) A copy of this chapter, and the regulations of the
32 board regarding the practice of engineering.

33 (2) A plain language pamphlet explaining this chapter
34 and those regulations.

35 (3) Any additional material that the board deems
36 appropriate.

37 6752. For purposes of paragraph (1) of subdivision (c)
38 of Section 6747.5, paragraph (1) of subdivision (c) of
39 Section 6749.5, and paragraph (1) of subdivision (d) of
40 Section 6750, the examination on engineering surveying



1 principles shall test the applicant's knowledge of
2 engineering surveying principles, including terminology
3 and definitions, limitation of practice, field procedures
4 and operation, surveying calculations, and office
5 procedure.

6 6752.2. For purposes of paragraph (1) of subdivision
7 (c) of Section 6747.5, paragraph (1) of subdivision (c) of
8 Section 6749.5, and paragraph (1) of subdivision (d) of
9 Section 6750, the examination on seismic principles shall
10 test the applicant's knowledge, skill, and ability to
11 implement the seismic design aspects of civil engineering
12 works, including an understanding of the purpose and
13 scope of applicable codes, methods, and analysis
14 necessary to determine the forces in the lateral resisting
15 elements.

16 6752.5. The board, by regulation, may require
17 applicants for authorization to practice a discipline of
18 engineering, other than civil engineering, to pass an
19 examination that tests the applicant's knowledge of
20 seismic requirements for the installation of nonstructural
21 elements in a structure, if the board determines that this
22 knowledge is necessary in that discipline of engineering
23 to minimize earthquake-caused nonstructural damage in
24 a structure.

25 6752.7. An applicant for licensure as a geotechnical
26 engineer shall meet both of the following requirements:

27 (a) He or she is a professional engineer authorized to
28 practice civil engineering.

29 (b) He or she submitted evidence of not less than four
30 years of professional civil engineering experience after
31 the date the applicant was authorized to practice civil
32 engineering, with not less than 50 percent of the annual
33 experience being geotechnical engineering qualifying
34 experience.

35 6753. For purposes of Section 6752.7, "geotechnical
36 engineering qualifying experience" means being in
37 responsible charge of geotechnical engineering projects
38 in at least 50 percent of the major areas of geotechnical
39 engineering, as determined by the board.



1 6753.2. To an applicant for licensure as a geotechnical
2 engineer, the board shall grant a license, and a certificate
3 of authority, as a geotechnical engineer, if the applicant
4 meets both of the following requirements:

5 (a) He or she meets the requirements of Section
6 6752.7.

7 (b) He or she passes the eight-hour examination in
8 geotechnical engineering approved by the board.

9 6753.5. An applicant for licensure as a structural
10 engineer shall meet both of the following requirements:

11 (a) Is a professional engineer authorized to practice
12 civil engineering.

13 (b) Has submitted evidence of not less than three
14 years of structural engineering qualifying experience
15 after the date the applicant was authorized to practice
16 civil engineering.

17 6753.7. (a) For purposes of Section 6753.5,
18 “structural engineering qualifying experience” means
19 being in responsible charge of the design, rehabilitation,
20 and investigation of multi-story buildings or equivalent
21 multi-level structures of steel, concrete, wood, or
22 masonry, or any combination thereof, to resist vertical
23 and lateral loads of a static and dynamic nature in
24 conformance with applicable local, state, and federal
25 code requirements with respect to design loads,
26 materials, and detailing.

27 (b) For purposes of subdivision (a), “structure” means
28 _____.

29 6754. To an applicant for licensure as a structural
30 engineer, the board shall grant a license, and a certificate
31 of authority, as a structural engineer, if the applicant
32 meets both of the following requirements:

33 (a) He or she meets the requirements of Section
34 6753.5.

35 (b) He or she passes the 16-hour examination in
36 structural engineering approved by the board.

37 6754.2. The board shall grant a professional engineer
38 retired status if the professional engineer meets all of the
39 following requirements:



1 (a) Has been a professional engineer for not less than
2 20 years.

3 (b) Is not performing the practice of engineering.

4 (c) Is not on probation or his or her license is not
5 suspended or revoked.

6 (d) Is not delinquent in the payment of the renewal
7 fees for any of his or her license.

8 6754.5. The board shall return a professional engineer
9 on retired status to the practice of engineering if the
10 professional engineer meets both of the following
11 requirements:

12 (a) He or she committed no act or crime that is a
13 ground for the denial of a license on the basis of the
14 grounds specified in Section 480.

15 (b) He or she passes all of the appropriate
16 examinations specified in Section 6747.5.

17 6754.7. With respect to a professional engineer on
18 retired status who is returned to the practice of
19 engineering and who, prior to being granted retired
20 status, was authorized to practice two or more disciplines
21 of engineering, the professional engineer shall return to
22 the board any certificate that states that the professional
23 engineer is authorized to practice in a discipline of
24 engineering in which the professional engineer has not
25 been successfully examined again pursuant to subdivision
26 (b) of Section 6754.5.

27 6755. A professional engineer on retired status who is
28 returned to the practice of engineering shall return to the
29 board any certificate of authority unless the professional
30 engineer again passes the appropriate examination in
31 geotechnical engineering or structural engineering.

32 6755.2. A majority vote of the board is required to
33 grant any of the following to an applicant:

34 (a) Licensure as a professional engineer, or
35 authorization to practice a second or subsequent
36 discipline of engineering, and a certificate of licensure.

37 (b) Licensure as a geotechnical engineer or a
38 structural engineer and a certificate of authority.

39 (c) Temporary authorization.



1 (d) Certification as an engineer-in-training and an
2 engineer-in-training certificate.

3 (e) Retired status.

4 (f) Return to the practice of engineering from retired
5 status.

6 6755.5. (a) A majority of the board may rescind any
7 of its actions taken pursuant to Section 6755.2 if that action
8 was taken by mistake.

9 (b) The board shall revoke the license, temporary
10 authorization, certification, retired status, or return to the
11 practice of engineering from retired status granted to the
12 applicant by mistake, and the applicant shall return to the
13 board any corresponding certificate, including an
14 engineer-in-training certificate, issued to him or her.

15 (c) Offering to perform, or performing, the practice of
16 engineering, or the use of any title, by the applicant on
17 the basis of the action taken by the board by mistake is not
18 a violation of this chapter for purposes of Article 7
19 (commencing with Section 6780) and Article 8
20 (commencing with Section 6785).

21 6755.7. The board shall issue a pocket certificate upon
22 the issuance of a license, authorization to practice a
23 second or subsequent discipline of engineering, or return
24 to the practice of engineering from retired status.

25 6756. With respect to examinations, the board shall do
26 both of the following:

27 (a) Determine the time when, and the place where,
28 examinations are to be held.

29 (b) Adopt the scope of the examinations and the
30 procedures for the administration of examinations.

31 6756.2. (a) The board may deny the application of an
32 applicant for any examination, for a period not to exceed
33 three years, for a violation by the applicant of any of the
34 following:

35 (1) Section 123.

36 (2) Regulations of the board regarding examination
37 procedures.

38 (3) Provisions of the examinee instructions.

39 (4) Provisions of the statement of compliance.



1 (b) In determining the length of the period of denial
2 to the applicant, the board shall consider, but not be
3 limited to, all of the following factors:

4 (1) The conduct that was engaged in by the applicant.

5 (2) Whether the applicant has repeatedly violated the
6 section, the regulations, and the provisions specified in
7 subdivision (a).

8 (3) Whether the applicant has submitted a letter of
9 advisement of his or her understanding of, and intent to
10 comply with, the section, the regulations, and the
11 provisions specified in subdivision (a) when taking any
12 future examination given by the board.

13 (c) For a violation of Section 123, the penalty specified
14 in subdivision (a) is in addition to any other penalties
15 authorized to be imposed, and any damages any costs
16 authorized to be recovered, by other provisions of law for
17 that violation.

18 6756.5. (a) A professional engineer shall obtain a seal
19 or stamp of a design, as specified in the regulations of the
20 board, that bears the professional engineer's name, the
21 number of the license, the legend "professional
22 engineer," and the designation of the discipline of
23 engineering in which the professional engineer is
24 authorized to practice.

25 (b) (1) The seal or stamp may bear the expiration
26 date of the license.

27 (2) If the seal or stamp does not bear the expiration
28 date, the professional engineer shall indicate, on any
29 engineering document on which the seal or stamp is used,
30 the expiration date within the sealed or stamped area.

31 (c) (1) The seal or stamp may bear the designation of
32 all of the disciplines of engineering in which the
33 professional engineer is authorized to practice.

34 (2) If the disciplines of engineering in which the
35 professional engineer is authorized to practice are under
36 different licenses and the seal bears an expiration date,
37 that expiration date shall be the expiration date of the
38 license that will expire first.

39 6756.7. A professional engineer who is authorized to
40 practice civil engineering and is licensed as a



1 geotechnical or structural engineer shall obtain a seal of
2 a design, as specified by the board pursuant to subdivision
3 (a) of Section 6756.5, except that the seal shall bear the
4 term “geotechnical engineering” or “structural
5 engineering,” as the case may be, and the authority
6 license number in place of the term “civil engineering”
7 and the professional engineering license number.

8 6757. (a) The board may grant a replacement
9 license, and a replacement certificate of practice, to
10 replace all of the registrations and certificates of
11 registration of the professional engineer dated prior to
12 January 1, 1998.

13 (b) The initial expiration date of the replacement
14 license is the expiration date of the replaced registration
15 that will expire first.

16 6757.2. The board may issue a duplicate certificate of
17 licensure, certificate of authority, certificate authorizing
18 the use of the title of “consulting engineer,”
19 engineer-in-training certificate, or pocket certificate to
20 replace that certificate if it is lost, destroyed, or mutilated.

21
22 Article 5. Renewal of Licenses
23

24 6765. (a) Upon renewal, a license shall be valid for
25 four years from its previous assigned date of expiration or,
26 in the case of the initial renewal, for four years from the
27 commencement of the first quarter that begins more
28 than 90 days after the board has approved the issuance of
29 the license.

30 (b) Quadrennial renewals of licenses shall be
31 staggered on a monthly basis to even out, to the extent
32 possible, the workload of the board in renewing licenses.

33 6765.2. A licensee shall be responsible for the renewal
34 of his or her license even if the licensee does not receive
35 a renewal notice from the board.

36 6765.5. (a) As a service to licensees, not less than 60
37 days, or more than 90 days, prior to the expiration of a
38 licensee’s license, the board shall mail a renewal notice,
39 that shall include a renewal application, to the licensee at

1 his or her address, as indicated in his or her individual file
2 with the board.

3 (b) If the licensee does not renew a license by the
4 expiration date indicated on the renewal application, the
5 board shall mail a second notice to the licensee.

6 6765.7. The date of renewal of a license by a licensee
7 is either of the following:

8 (a) The postmarked date of the mail sent by the
9 licensee to the board with the renewal application, the
10 renewal fee, and, if applicable, the delinquency fee.

11 (b) The date the licensee, in person, submits to the
12 board the renewal application, the renewal fee, and, if
13 applicable, the delinquency fee.

14 6766. To renew an unexpired license, the licensee, on
15 or before the expiration date, shall return the renewal
16 application, and pay the renewal fee, to the board.

17 6766.2. (a) A license not renewed, on or before its
18 expiration date, shall constitute an expired license except
19 as provided in subdivision (b) of Section 6766.5.

20 (b) Except as provided in subdivision (a) of Section
21 6768.2, an expired license only may be renewed pursuant
22 to Section 6766.5, 6766.7, or 6767, depending on the length
23 of the expiration period.

24 (c) The renewal of an expired license does not extend
25 the renewal period for which the renewal fee is required
26 to be paid, and the expiration date set pursuant to Section
27 6765 for the expired license shall not be affected by the
28 late renewal.

29 6766.5. (a) If the date of renewal of a license is 60 days
30 or less after the expiration date, the licensee may renew
31 the expired license as if the license had not expired by
32 returning the renewal application, and paying the
33 renewal fee, to the board.

34 (b) The license shall be deemed not to be expired
35 during this 60-day period for purposes of this chapter only
36 if the licensee renews the license during the 60-day
37 period.

38 6766.7. If the date of renewal of a license is more than
39 60 days, but less than three years, after the expiration
40 date, the licensee may renew the expired license by



1 returning the renewal application, and paying the
2 renewal fee and the delinquency fee, to the board.

3 6767. If the date of renewal of a license is more than
4 three years after the expiration date, the licensee may
5 renew the license only if the licensee meets all of the
6 following requirements:

7 (a) He or she has committed no act or crime that is a
8 ground for the denial of licensure on the basis of the
9 grounds specified in Section 480.

10 (b) He or she does either of the following, as required
11 by the board:

12 (1) Passes all of the examinations required, as if the
13 licensee were applying for licensure for the first time.

14 (2) Establishes to the satisfaction of the board, with
15 due regard to the protection of the public interest, that
16 the licensee is qualified to perform the practice of
17 engineering, including, but not limited to, passing any of
18 the required examinations.

19 (c) Does either or both of the following, as may be
20 required by the board:

21 (1) Pays the application fee to take any of the required
22 examinations as if applying for licensure for the first time.

23 (2) Pays all of the accrued renewal fees and
24 delinquency fees, if the licensee is not required to take all
25 of the required examinations, as specified in paragraph
26 (1) of subdivision (b).

27 6767.2. The board shall issue to the licensee a pocket
28 certificate when the licensee renews his or her license.

29 6767.5. (a) For purposes of renewing a license
30 pursuant to Section 6767, or reinstating a license pursuant
31 to Section 6768.2, of a licensee authorized to practice two
32 or more disciplines of engineering, the board, in lieu of
33 renewing or reinstating the expired license, may grant to
34 the licensee a new license that does not authorize the
35 licensee to practice all of the disciplines of engineering in
36 which the licensee was authorized previously under the
37 expired license.

38 (b) The certificate for the new license shall be the
39 initially issued certificate for purposes of paragraph (1) of
40 subdivision (b) of Section 6749.7.



1 (c) For purposes of paragraph (1) of subdivision (b)
2 of Section 6767, the required examinations shall include
3 the examination on the principles and practice of
4 engineering in each of those disciplines.

5 6767.7. Section 6767.5 shall not apply to a licensee who
6 is renewing his or her license pursuant to Section 6767 if
7 the license being renewed authorizes the licensee to
8 practice only one discipline of engineering.

9 6768. (a) A suspended license shall be subject to
10 expiration and may be renewed as provided in this article.

11 (b) The renewal of a suspended license, however, shall
12 not authorize the licensee to perform the practice of
13 engineering, or to engage in any other activity or
14 conduct, in violation of the order or judgment that
15 suspended the license.

16 6768.2. (a) A revoked license is subject to expiration
17 as provided in this article and may not be renewed.

18 (b) If the board authorized the reinstatement of a
19 revoked license after it has expired, the licensee, as a
20 condition of reinstatement of his or her revoked license,
21 shall follow the procedure for the renewal of licenses
22 specified in Section 6766.5, 6766.7, or 6767, depending on
23 the length of the expiration period.

24 6768.5. With respect to a licensee whose expired
25 license is renewed or reinstated, all of the following apply:

26 (a) The board shall continue to have jurisdiction over
27 the licensee as if the license had not expired at any time,
28 including the period during which the license was
29 expired.

30 (b) (1) The fact that the engineering services were
31 performed by the licensee during the period that the
32 license had expired, shall not mean that the engineering
33 services were not otherwise lawful and validly
34 performed.

35 (2) Notwithstanding paragraph (1), those
36 engineering services shall not be considered to be
37 lawfully and validly performed for purposes of Article 7
38 (commencing with Section 6780) and Article 8
39 (commencing with Section 6785).



1 (c) The renewal of the license by, or the reinstatement
2 of the license to, the licensee, or the performance of any
3 engineering services by the licensee during the period
4 the license was expired, shall not effect any liability issues
5 with respect to those engineering services.

6
7 Article 6. Engineering Entities
8

9 6770. (a) An engineering entity shall not perform, or
10 offer to perform, the practice of engineering in this state
11 unless it has filed with the board an organization record
12 that includes all the required information.

13 (b) (1) A public entity performing the practice of
14 engineering shall file with the board an organization
15 record that includes all the required information.

16 (2) For purposes of this article, a public entity is also
17 subject to Sections 6770.7, 6771.2, 6771.5, 6771.7, and
18 6773.5.

19 (3) For purposes of this subdivision, “public entity”
20 has the same meaning as defined in Section 811.2 of the
21 Government Code.

22 6770.2. An entity performing the practice of
23 engineering is not required to file an organization record
24 with the board upon meeting all of the following
25 requirements:

26 (a) The entity is a nonresident of the state.

27 (b) The entity is authorized by another state to
28 perform the practice of engineering.

29 (c) The entity does not maintain a place of business in
30 the state.

31 (d) The entity offers to perform in the practice of
32 engineering outside of this state, and the engineering
33 services contracted for is not for facilities located, or to be
34 located, in this state.

35 6770.5. A person, firm, or corporation holding a
36 license issued pursuant to the Real Estate Law (Part 1
37 commencing with Section 10000) of Division 4), while
38 acting in the capacity of a real estate salesperson or a real
39 estate broker, is not required to file an organization

1 record with the board in order to make a financial
2 appraisal and valuation of real estate.

3 6770.7. The organization record filed with the board
4 shall contain, but not be limited to, all of the following
5 information:

- 6 (a) Name of the engineering entity.
- 7 (b) Type of entity and, if a corporation, the date and
8 place of incorporation.
- 9 (c) Location in this state of each office of the entity.
- 10 (d) Name of each officer and director, if any, of the
11 entity.
- 12 (e) Discipline of engineering services to be offered.
- 13 (f) For each professional engineer in responsible
14 charge, all of the following:

- 15 (1) Name.
- 16 (2) Position.
- 17 (3) Professional engineering license number.
- 18 (4) Discipline of engineering in which authorized to
19 practice.
- 20 (5) Authority license number, if applicable.
- 21 (6) Responsible charge in which discipline of
22 engineering services.

23 6771. For purposes of subdivision (c) of Section 6770.7
24 and Section 6773.7, “office” shall not include a temporary
25 field office located on a project construction site.

26 6771.2. Not more than 30 days after the effective date
27 of any change in any of the information required
28 pursuant to Section 6770.7 in the organization record of
29 an engineering entity, the entity shall file an amended
30 organization record with the board that includes all the
31 required information.

32 6771.5. Upon notification from the board that the
33 filing of an organization record, or amended organization
34 record, is required, the board shall impose a penalty,
35 pursuant to subdivision (b), on an engineering entity for
36 failing to file with the board an organization record, or an
37 amended organization record, that includes all the
38 required information.

39 (b) The penalty specified in subdivision (a) shall be
40 fifty dollars (\$50) for each day the record is not filed,



1 commencing 10 days after the postmarked date of the
2 notification sent by the board until the earlier of the
3 following:

4 (1) The postmarked date of the mailing of the record
5 and, if necessary, the penalty paid to the board.

6 (2) The date of receipt of the record and penalty by
7 the board.

8 (c) Except as provided in Section 6780.5, the penalty
9 specified in subdivision (b) shall be the sole penalty for
10 a violation of Section 6770 or 6771.2.

11 6771.7. (a) An engineering entity shall report to the
12 board any settlement, arbitration award, or judgment
13 exceeding five thousand dollars (\$5,000) for deceit, fraud,
14 misrepresentation, breach of contract, negligence, or
15 incompetence, or any combination thereof, within 60
16 days after consent to the settlement, service of the
17 arbitration award, or pronouncement of the judgment, in
18 the practice of engineering against either of the
19 following:

20 (1) The engineering entity.

21 (2) A professional engineer employee of the
22 engineering entity if the amount, or a portion of the
23 amount, imposed pursuant to the settlement, arbitration
24 award, or judgment was paid by, or on behalf of, the
25 engineering entity.

26 (b) For purposes of subdivision (a), settlement does
27 not include a settlement in which there is no expressed
28 admission by the engineering entity or the professional
29 engineer employee that any of the offenses specified in
30 subdivision (a) were committed.

31 6772. (a) For the name, or the last name, of a person
32 to be used in the name of an engineering entity, that
33 person shall be one of the following:

34 (1) A professional engineer.

35 (2) An architect licensed pursuant to the Architects
36 Practice Act (Chapter 3 (commencing with Section
37 5500)).

38 (3) A geologist registered pursuant to the Geologist
39 and Geophysicist Act (Chapter 12.5 (commencing with
40 Section 7800)).



1 (4) A land surveyor licensed pursuant to the
2 Professional Land Surveyors' Act (Chapter 15
3 (commencing with Section 8700)).

4 (b) Notwithstanding subdivision (a), in the case of an
5 out-of-state entity, the name, or the last name, of a person
6 not so licensed or registered in this state may be used if
7 that person is so licensed or registered by the appropriate
8 board of another state.

9 6772.2. An engineering entity may use, in its name,
10 the name of a deceased or retired person if all of the
11 following conditions are satisfied:

12 (a) The person's name had been used in the name of
13 the entity, or a predecessor in interest of the entity, prior
14 to and continuously after the death or retirement of the
15 person.

16 (b) The person had been an owner, a shareholder, an
17 officer, or a director of the entity or a predecessor in
18 interest of the entity.

19 (c) The person had been licensed or registered as a
20 professional engineer, an architect, a geologist, or a land
21 surveyor by the appropriate licensing board of any state.

22 (d) The person has consented to the use of his or her
23 name and does not permit the use of that name in the
24 name of another entity in this state during the period of
25 consent. However, the person, if previously retired, may
26 use his or her name as the name of a new or purchased
27 entity if the person's name used is not identical in every
28 respect to that person's name as used in the previous
29 entity.

30 6772.5. A person's name or last name included in the
31 name of an engineering entity is applicable only to one
32 person, unless the name or last name is repeated.

33 6772.7. An engineering entity may use a fictitious
34 name if it does not conflict with Section 6772 or 6772.2.

35 6773. (a) Notwithstanding Sections 6772 and 6772.2,
36 an engineering entity that was engaged lawfully in the
37 practice of engineering on December 31, 1997, may use
38 the name that it had on that date.

39 (b) A succeeding entity of that entity may also use that
40 name after that date.



1 6773.2. A professional engineer who is an owner, a
2 shareholder, an officer, or a director of an engineering
3 entity shall be in responsible charge of the practice of
4 engineering of the entity.

5 6773.5. The engineering documents provided by an
6 engineering entity shall be prepared by, or be prepared
7 under, the responsible charge of, a professional engineer.

8 6773.7. An engineering entity with an office in this
9 state shall have, at that office, a professional engineer who
10 is physically present on a regular basis and in responsible
11 charge.

12 6774. (a) Any person whose name or last name is
13 used in an advertisement or offer of an engineering
14 entity, but his or her name is not included in the name of
15 the engineering entity, shall be a professional engineer.

16 (b) If the name or last name of a professional engineer
17 is used in an advertisement or offer of an engineering
18 entity, and his or her name or his or her last name is not
19 included in the name of the engineering entity, the
20 engineering entity shall include, in the advertisement or
21 offer, both of the following:

22 (1) The license number of the professional engineer.

23 (2) The discipline of engineering in which the
24 professional engineer is authorized to practice.

25 6774.2. A person who is not a professional engineer
26 may be an owner, a shareholder, an officer, or a director
27 of an engineering entity.

28

29

Article 7. Penal Offenses

30

31 6780. The board shall investigate violations of this
32 chapter, and of any provision of Division 1 (commencing
33 with Section 100) and Division 1.5 (commencing with
34 Section 475) under which the board may act, and the
35 executive officer shall aid the appropriate prosecutorial
36 agency in the prosecution of any person who committed
37 those violations.

38 6780.2. Unless otherwise specified in this chapter, a
39 violation of this chapter is a misdemeanor punishable by
40 a fine of not more than one thousand dollars (\$1,000), or



1 by imprisonment in a county jail for not more than one
2 year, or by both the fine and imprisonment.

3 6780.5. No person shall submit false information to the
4 board, or to any member of the board, or to the executive
5 officer, including, but not limited to, an application, an
6 organization record, or evidence in an investigation.

7 6780.7. No person shall represent himself or herself as
8 a professional engineer, or as a geotechnical engineer or
9 structural engineer, unless the person is a professional
10 engineer, or a geotechnical engineer or structural
11 engineer.

12 6781. No person shall impersonate any of the
13 following:

14 (a) A professional engineer or a geotechnical engineer
15 or structural engineer.

16 (b) Another professional engineer, or another
17 geotechnical engineer or structural engineer, if the
18 person is a professional engineer.

19 (c) A former professional engineer or a former
20 geotechnical engineer or structural engineer.

21 6781.2. No person shall do either of the following:

22 (a) Use the seal of a professional engineer, or a
23 geotechnical engineer or structural engineer, or a former
24 professional engineer, or a former geotechnical engineer
25 or structural engineer, unless the person is a professional
26 engineer, or a geotechnical engineer or structural
27 engineer using his or her own seal.

28 (b) Use anything to impersonate the seals used by
29 professional engineers, geotechnical engineers, or
30 structural engineers.

31 6781.5. No person shall use the title
32 “engineer-in-training” or “engineer intern” or any other
33 similar title, or the abbreviation “EIT” or “EI” or any
34 other similar abbreviation, to represent himself or herself
35 as a professional engineer, or as a geotechnical engineer
36 or structural engineer, or to state or imply the right to
37 perform the practice of engineering.

38 6781.7. No person shall offer to perform, or perform,
39 the practice of engineering under an expired, suspended,
40 or revoked license.



1 6782. (a) No person shall violate Section 119.

2 (b) For purposes of this section, “certificate,” as used
3 in Section 119, also includes an engineer-in-training
4 certificate, a certificate authorizing the use of the title
5 “consulting engineer,” and a certificate of authority.

6 6782.2. No person shall be in responsible charge unless
7 the person is a professional engineer.

8 6782.5. Any person who violates Section 6725, 6730.3,
9 6731, or Sections 6780.7 to 6782.2, inclusive, by offering to
10 perform, or by performing, engineering services for the
11 repair of damage caused by a natural disaster for which
12 a state of emergency is proclaimed by the Governor
13 pursuant to Section 8625 of the Government Code, or for
14 which an emergency or major disaster is declared by the
15 President of the United States, are subject to either of the
16 following fines:

17 (a) A fine of not more than ten thousand dollars
18 (\$10,000) or imprisonment in the state prison for 16
19 months, or for two or three years, or by both the fine and
20 imprisonment.

21 (b) A fine of not more than one thousand dollars
22 (\$1,000), or imprisonment in a county jail for not more
23 than one year, or by both the fine and imprisonment.

24

25 Article 8. Administrative Discipline

26

27 6785. The board may, upon its own motion, or shall
28 upon the filing of a written complaint under the penalty
29 of perjury with the board, investigate any act of a
30 professional engineer in the practice of engineering that
31 is any of the following:

32 (a) Grounds for disciplinary action as specified in this
33 article.

34 (b) Violation of any other provision of this chapter.

35 (c) Violation of any provision of Division 1
36 (commencing with Section 100) and Division 1.5
37 (commencing with Section 475) under which the board
38 may act.



1 6785.2. For any act of a professional engineer in the
2 practice of engineering specified in Section 6785, the
3 board may do any of the following:

4 (a) Reprimand the professional engineer.

5 (b) Place the professional engineer on probation.

6 (c) Suspend, for not more than five years, the license
7 of the professional engineer.

8 (d) Revoke the license of the professional engineer.

9 (e) Issue a citation containing an order of abatement
10 or an order to pay an administrative fine, pursuant to
11 Section 125.9.

12 (f) Take any other action authorized by any other
13 provision of law.

14 6785.5. Any action taken by the board pursuant to
15 subdivision (b), (c), or (d) of Section 6785.2 shall apply
16 to all certificates and licenses of the professional engineer,
17 including any certificate of authority and licensure in an
18 authority.

19 6785.7. (a) With respect to a revoked license, the
20 board, for reasons it deems appropriate, may do any of the
21 following:

22 (1) Reinstate the revoked license.

23 (2) Grant a new license in lieu of the revoked license.

24 (3) Impose conditions on the license that was
25 reinstated or granted.

26 (b) In lieu of reinstating a revoked license as a
27 professional engineer, the board may grant a new license
28 that does not authorize the licensee to practice all of the
29 disciplines of engineering in which the licensee was
30 authorized previously under the revoked license.

31 6786. (a) The fact that the professional engineer has
32 been convicted of a crime substantially related to the
33 qualifications, functions, and duties of a professional
34 engineer shall be grounds for disciplinary action.

35 (b) (1) A plea or a verdict of guilty, or a plea of nolo
36 contendere, is deemed a conviction for purposes of
37 subdivision (a).

38 (2) The certified record of conviction is conclusive
39 evidence of that conviction.



1 (c) The board may suspend or revoke a license, or
2 decline to grant a license, regardless of a subsequent
3 order under Section 1203.4 of the Penal Code, upon the
4 occurrence of any of the following:

5 (1) The time for appeal has elapsed.

6 (2) The judgment of conviction has been affirmed on
7 appeal.

8 (3) An order granting probation is made suspending
9 the imposition of the sentence.

10 6786.2. The fact that the professional engineer has
11 committed deceit, fraud, or misrepresentation in the
12 practice of engineering shall be grounds for disciplinary
13 action.

14 6786.5. The fact that the professional engineer has
15 committed a breach of contract in the practice of
16 engineering shall be grounds for disciplinary action.

17 6786.7. The fact that the professional engineer has
18 committed negligence in the practice of engineering
19 shall be grounds for disciplinary action.

20 6787. The fact that the professional engineer has
21 committed incompetence in the practice of engineering
22 shall be grounds for disciplinary action.

23 6787.2. The fact that the professional engineer has
24 offered to perform, or has performed, the practice of
25 engineering while being an owner, shareholder, officer,
26 or director of an engineering entity during a period that
27 the entity does not have on file with the board an
28 organization record that includes all the required
29 information shall be grounds for disciplinary action.

30 6787.5. The fact that the person has committed deceit,
31 fraud, or misrepresentation in securing any of the
32 following shall be grounds for disciplinary action:

33 (a) Licensure as a professional engineer or
34 authorization to practice a second or subsequent
35 discipline of engineering.

36 (b) Licensure as a geotechnical engineer or structural
37 engineer.

38 (c) Temporary authorization.

39 (d) Authorization to use the title of “consulting
40 engineer” pursuant to Section 6731.3.



1 6787.7. The fact that a professional engineer has
2 committed any of the license offenses specified in Section
3 119 shall be grounds for disciplinary action.

4 6788. (a) The fact that the engineer-in-training is
5 guilty of any of the following shall be grounds for the
6 revocation of his or her certification as an
7 engineer-in-training and his or her engineer-in-training
8 certificate:

9 (1) The license offenses specified in Section 119 with
10 respect to an engineer-in-training certificate.

11 (2) Deceit, fraud, or misrepresentation in securing his
12 or her certification and certificate.

13 (b) In the case of certification by another state, the
14 board may elect not to recognize that certification for
15 purposes of subdivision (c) of Section 6746.7.

16 6788.2. (a) The fact that the professional engineer is
17 impersonating, or using a seal of, another professional
18 engineer or a former professional engineer, shall be
19 grounds for disciplinary action.

20 (b) The prohibition contained in subdivision (a) also
21 applies to the impersonation, and the use of a seal, of a
22 geotechnical engineer or structural engineer or of a
23 former geotechnical engineer or structural engineer.

24 6788.5. The fact that a professional engineer signed
25 and sealed engineering documents that were not
26 prepared by, or under the responsible charge of, the
27 professional engineer shall be grounds for disciplinary
28 action, except with respect to a pre-engineered
29 component pursuant to Section 6727.6.

30 6788.7. The fact that a professional engineer has aided
31 or abetted any person to violate this chapter shall be
32 grounds for disciplinary action.

33 6789. The fact that a professional engineer has
34 violated this chapter shall be grounds for disciplinary
35 action.

36 6789.2. (a) The fact that a professional engineer has
37 failed to report to the board any settlement, arbitration
38 award, or judgment exceeding five thousand dollars
39 (\$5,000) against the professional engineer for deceit,
40 fraud, misrepresentation, breach of contract, negligence,



1 or incompetence, or any combination thereof, in the
2 practice of engineering, within 60 days after consent to
3 the settlement, service of the arbitration award, or
4 pronouncement of the judgment, shall be grounds for
5 disciplinary action.

6 (b) For purposes of subdivision (a), settlement does
7 not include a settlement in which there is no expressed
8 admission by the professional engineer, or the
9 engineering entity employing the professional engineer,
10 that any of the offenses specified in subdivision (a) were
11 committed by the professional engineer.

12 6789.5. A professional engineer need not report any
13 settlement, arbitration award, or judgment pursuant to
14 Section 6789.2 if the amount, or a portion of the amount,
15 imposed pursuant to the settlement, arbitration award, or
16 judgment was paid by, or on behalf of, the engineering
17 entity employing the professional engineer. In that case,
18 the engineering entity shall report the settlement,
19 arbitration award, or judgment, and the name of the
20 professional engineer, pursuant to Section 6771.7.

21 6789.7. For purposes of Sections 6789.2 and 6789.5,
22 “engineering entity” includes a public entity specified in
23 subdivision (b) of Section 6770.

24 6790. The proceedings under this article shall be
25 conducted in accordance with the administrative
26 adjudication provisions of the Administrative Procedure
27 Act (Chapter 4.5 (commencing with Section 11400) and
28 Chapter 5 (commencing with Section 11500) of Part 1 of
29 Division 3 of Title 2 of the Government Code), and the
30 board shall have all the powers granted to an agency in
31 those chapters.

32

33

Article 9. Revenues

34

35 6795. (a) The Professional Engineer’s and Land
36 Surveyor’s Fund is continued in existence as the
37 Professional Engineers and Land Surveyors Fund.

38 (b) Any reference in any law or regulation to the
39 Professional Engineer’s and Land Surveyor’s Fund shall



1 be deemed to refer to the Professional Engineers and
2 Land Surveyors Fund.

3 6795.2. All funds received pursuant to this chapter,
4 and all fines and recovered costs of investigations, shall be
5 deposited in the fund and, upon appropriation by the
6 Legislature, shall be available only for purposes of this
7 chapter.

8 6795.5. The department shall receive and account for
9 all funds received pursuant to this chapter and all fines
10 and recovered costs of investigations. At the end of each
11 month, the department shall report the amount received
12 to the Controller and transfer that amount to the State
13 Treasurer for deposit in the fund.

14 6795.7. With respect to fees imposed for licensure as
15 a professional engineer or, if a professional engineer, for
16 authorization to practice a second or subsequent
17 discipline of engineering, the board shall fix the amount
18 of the fees as follows:

19 (a) Filing an initial application, not more than _
20 dollars (\$_).

21 (b) Notwithstanding subdivision (a), filing an initial
22 application for authorization to practice civil
23 engineering, not more than _ dollars (\$_).

24 (c) Notwithstanding subdivision (a), filing an initial
25 application for authorization to practice a discipline of
26 engineering for which the board has adopted a regulation
27 pursuant to Section 6752.5, not more than _ dollars (\$_).

28 (d) Filing an application for reexamination in a
29 principles and practice examination, the seismic
30 principles examination, the engineering surveying
31 examination, or the nonstructural element installation
32 seismic examination, or any combination thereof, not
33 more than _ dollars (\$_).

34 6796. With respect to fees for licensure as a
35 geotechnical engineer or structural engineer, the board
36 shall fix the amount of the fees as follows:

37 (a) Filing an initial application, not more than _
38 dollars (\$_).

39 (b) Filing an application for reexamination, not more
40 than _ dollars (\$_).



1 6796.2. The board shall fix the amount of the fee for
2 filing an application for temporary authorization as a
3 professional engineer at not more than _ dollars (\$_).

4 6796.5. The board shall fix the amount of the fee for
5 filing an application for certification as an
6 engineer-in-training at not more than _ dollars (\$_).

7 6796.7. The board shall fix the amount of the fee for
8 filing an application for retired status at not more than _
9 dollars (\$_).

10 6797. The board shall fix the amount of the fee for
11 filing an application to return to the practice of
12 engineering from retired status at not more than _
13 dollars (\$_).

14 6797.2. The board shall fix the amount of the fee for
15 filing an application for a replacement licensure and
16 certificate of licensure, other than for a duplicate
17 certificate pursuant to Section 6757.2, at not more than _
18 dollars (\$_).

19 6797.5. The board shall fix the amount of the fee for
20 filing an application pursuant to Section 6757.2 for a
21 duplicate certificate at not more than _ dollars (\$_).

22 6797.7. With respect to fees imposed for the renewal
23 of a license, the board shall fix the amount of the fees as
24 follows:

25 (a) For an unexpired license, not more than _ dollars
26 (\$_).

27 (b) For an expired license, a delinquency fee of 50
28 percent of the fee fixed pursuant to subdivision (a) in
29 addition to the fee fixed pursuant to that subdivision.

30 6798. With respect to appeals and reviews of the
31 results of examinations by applicants, the board shall do
32 all of the following:

33 (a) Impose a fee on applicants who appeal or review
34 the results of their examinations.

35 (b) Fix, by regulation, the fee at an amount to
36 generate sufficient revenues to cover its cost in
37 processing appeals and reviews.

38 (c) Return the fee to an applicant if the appeal results
39 in the applicant passing the examination.



1 6798.2. The board, by regulation, shall fix the fee for
2 any of its documents in an amount to generate sufficient
3 revenues to cover its cost of producing the document.

4 6798.5. The board, pursuant to Section 158, may
5 refund one-half of the application fee paid by an applicant
6 to take an examination if the applicant is found by the
7 board to be unqualified to take that examination.

8 SEC. 4. No reimbursement is required by this act
9 pursuant to Section 6 of Article XIII B of the California
10 Constitution for certain costs that may be incurred by a
11 local agency or school district because in that regard this
12 act creates a new crime or infraction, eliminates a crime
13 or infraction, or changes the penalty for a crime or
14 infraction, within the meaning of Section 17556 of the
15 Government Code, or changes the definition of a crime
16 within the meaning of Section 6 of Article XIII B of the
17 California Constitution.

18 However, notwithstanding Section 17610 of the
19 Government Code, if the Commission on State Mandates
20 determines that this act contains other costs mandated by
21 the state, reimbursement to local agencies and school
22 districts for those costs shall be made pursuant to Part 7
23 (commencing with Section 17500) of Division 4 of Title
24 2 of the Government Code. If the statewide cost of the
25 claim for reimbursement does not exceed one million
26 dollars (\$1,000,000), reimbursement shall be made from
27 the State Mandates Claims Fund.

28 Notwithstanding Section 17580 of the Government
29 Code, unless otherwise specified, the provisions of this act
30 shall become operative on the same date that the act
31 takes effect pursuant to the California Constitution.

