

2019 -- H 5679 AS AMENDED

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LC001787
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS - ENGINEERS

Introduced By: Representative Brian P. Kennedy

Date Introduced: February 27, 2019

Referred To: House Corporations

(Division of Public Utilities & Carriers)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 5-8-21 of the General Laws in Chapter 5-8 entitled "Engineers" is
2 hereby amended to read as follows:

3 **5-8-21. Exemptions.**

4 This chapter shall not be construed to prevent or to affect:

5 (1) Temporary certificates of registration.

6 (i) Nonresidents. The practice or offer to practice of engineering by a person not a
7 resident of or having no established place of business in this state, when that practice does not
8 exceed in the aggregate more than thirty (30) days in any calendar year; provided, the person is
9 legally qualified by registration to practice engineering, as defined in § 5-8-2(f), in his or her own
10 state or country. The person shall make application to the board, in writing, and after payment of
11 a fee set by the board in an amount not to exceed two hundred dollars (\$200) may be granted a
12 written temporary certificate of registration for a definite period of time to do a specific job;
13 provided, no right to practice engineering accrues to an applicant as to any work not prescribed in
14 the temporary certificate.

15 (ii) Recent arrivals in state. The practice of a person not a resident of and having no
16 established place of business in this state, or who has recently become a resident of the state,
17 practicing or offering to practice engineering in the state for more than thirty (30) days in any
18 calendar year, if he or she has filed with the board an application for a certificate of registration
19 and has paid the fee required by this chapter; provided, that the person is legally qualified by

1 registration to practice engineering in his or her own state or country. That practice shall continue
2 only for the time that the board requires for the consideration of the application for registration.

3 (2) Employees and subordinates. The work of an employee or a subordinate of a person
4 holding a certificate of registration under this chapter, or an employee of a person practicing
5 lawfully under paragraph (1)(ii) of this section; provided, that work does not include final
6 engineering designs or decisions and is done under the direct supervision of or checked by a
7 person holding a certificate of registration under this chapter or a person practicing lawfully under
8 subdivision (1) of this section.

9 (3) Partnership, limited liability partnership, corporate and limited liability company
10 practice. The practice or offer to practice of engineering as defined by this chapter by individual
11 registered professional engineers through a partnership, limited liability partnership, corporation,
12 joint stock company, or limited liability company, or by a partnership, limited liability
13 partnership, corporation, limited liability company, or joint stock company, through individual
14 registered professional engineers as agents, employees, officers, or partners or members or
15 managers, provided, that they are jointly and severally liable for their professional acts; and
16 provided, that all personnel of that partnership, limited liability partnership, joint stock company,
17 corporation or limited liability company who act in its behalf as engineers in the state are
18 registered under this chapter or are persons practicing lawfully or are exempt under subdivision
19 (2) or (3) of this section. Each partnership, limited liability partnership, joint stock company,
20 corporation or limited liability company providing engineering services is jointly and severally
21 liable with the individually registered professional engineers, and all final plans, designs,
22 drawings, specifications, and reports involving engineering judgment and discretion, when issued,
23 shall be dated and bear the seals and signatures of the engineers who prepared them.

24 (4) Federal employees. The practice by officers and employees of the government of the
25 United States while engaged within this state in the practice of engineering for that government;
26 provided, that no right to practice engineering accrues to those persons as to any other
27 engineering work. The rights to registration after leaving government employment shall not be
28 granted except under the provisions established under § 5-8-11.

29 (5) Railroad, telephone, telegraph, and other public utility companies. The practice of
30 engineering, as prescribed in this chapter, by railroad, telephone, telegraph, and other public
31 utility companies, and their officers and employees while engaged in the work of those
32 companies in this state; provided, that the practice is carried on under the responsible charge of an
33 engineer or engineers in this state, or in any other state under requirements equivalent to those
34 prescribed in this chapter; [provided that all plans for natural gas infrastructure, including, but not](#)

1 limited to, repairs, maintenance, and construction, shall be built in accordance with design plans
2 and specifications approved by a Rhode Island registered professional engineer when the work
3 could pose a material risk to public safety; and provided, that no right to practice engineering
4 accrues to any unregistered person as to any other engineering work.

5 (6) Manufacturing corporations. The practice of engineering, as prescribed in this
6 chapter, by manufacturing corporations, and their officers and employees while engaged in
7 manufacturing, research and development activities for those corporations.

8 (7) Research and development corporations. The practice of engineering, as prescribed in
9 this chapter, by research and development corporations, and their officers and employees while
10 engaged in research and development activities for that corporation.

11 (8) Other professions. The practice of architecture, landscape architecture, or land
12 surveying.

13 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would require that plans for natural gas infrastructure be built to a set of design
2 standards approved by a certified engineer when the work could pose a material risk to public
3 safety.

4 This act would take effect upon passage.

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