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# A BILL FOR AN ACT

RELATING TO THE STATE BOARD OF PROFESSIONAL ENGINEERS,  
ARCHITECTS, SURVEYORS AND LANDSCAPE ARCHITECTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 464-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4           "Board" means the state board of professional engineers,  
5 architects, surveyors, and landscape architects established  
6 pursuant to section 464-6."

7           SECTION 2. Section 464-9, Hawaii Revised Statutes, is  
8 amended to read as follows:

9           "**§464-9 Applications for and certificates of licensure;**  
10 **renewal; fees; continuing education.** (a) Application for  
11 licensure shall be made upon a form prescribed by the board and  
12 shall be signed by the applicant. With each application there  
13 shall be paid to the board a nonrefundable application fee.

14           For each examination, or repetition thereof in whole or in  
15 part as shall be limited or permitted by the rules of the board,  
16 the candidate shall pay to the board an examination fee;



1 provided that where the candidate is eligible to take only that  
2 part of the examination pertaining to engineering fundamentals  
3 the candidate shall pay the appropriate fee. The fee paid shall  
4 not be refundable; provided that if a candidate, after having  
5 paid the fee, is unable for any reason beyond the candidate's  
6 control to participate in the examination, the board may extend  
7 the time of the candidate's participation to the next regular  
8 examination date and credit the candidate the amount of the fee  
9 paid.

10 (b) Upon qualifying for licensure, the applicant shall pay  
11 a license fee, and upon receipt thereof by the board shall  
12 thereupon be licensed as a professional engineer, architect,  
13 land surveyor, or landscape architect, and shall receive a  
14 certificate thereof from the board signed by the chairperson.  
15 Every person licensed who, as an individual or as a member of a  
16 firm or corporation, conducts an office or other place of  
17 business for the practice of the profession shall display the  
18 original certificate in a conspicuous manner, in the principal  
19 office or place of business.

20 (c) If the board denies an application for licensure, the  
21 board shall furnish the applicant with a written notice of



1 denial accompanied by a written explanation describing the  
2 reasons for the denial.

3        [~~e~~] (d) Every license expires on April 30 of each even-  
4 numbered year following its issuance and becomes invalid after  
5 that date unless renewed. At least one month in advance of the  
6 date of expiration of the license, a notice shall be mailed to  
7 every person licensed under this section informing them of the  
8 date of expiration and the amount required for the renewal.  
9 Licenses that have expired for failure to pay renewal fees on or  
10 before the date required in this subsection may be restored  
11 within two years of the expiration date upon payment of a fee  
12 for each renewal. Any person who fails to restore the person's  
13 license within two years of the date of its expiration shall  
14 reapply for licensure as a new applicant and meet the  
15 requirements in effect at that time.

16        [~~d~~] (e) The board shall require continuing education to  
17 renew a license for architects effective as of the renewal date  
18 for a license expiring on April 30, 2008, and for every biennial  
19 renewal period thereafter. All continuing education courses  
20 shall be relevant to public protection subjects and shall be



1 approved by the board as provided in the board's rules; provided  
2 that:

3 (1) Architects initially licensed in the first year of the  
4 biennium shall have completed eight continuing  
5 education credit hours;

6 (2) Architects initially licensed in the second year of  
7 the biennium shall not be required to complete any  
8 continuing education credit hours;

9 (3) All other architects shall have completed sixteen  
10 continuing education credit hours;

11 (4) The board shall randomly audit an architect's  
12 continuing education courses, and shall establish  
13 guidelines for random audits in rules adopted in  
14 accordance with chapter 91;

15 (5) An architect whose license is not renewed because of  
16 failure to comply with the continuing education  
17 requirement shall have two years from the expiration  
18 date of the license to restore the license by  
19 complying with all applicable continuing professional  
20 education requirements and paying the appropriate  
21 renewal and penalty fees. After the two-year



1 restoration period, the licensee shall be required to  
2 apply as a new applicant, and meet the requirements in  
3 effect at that time; and

4 (6) An architect licensee shall not be subject to the  
5 continuing education requirement if the architect  
6 otherwise meets all other renewal requirements and:

7 (A) Is a member of the armed forces, National Guard,  
8 or a reserve component on active duty and  
9 deployed during a state or national crisis as  
10 "state or national crisis" is defined in chapter  
11 436B;

12 (B) Is ill or disabled for a significant period of  
13 time as documented by a licensed physician, and  
14 is unable to meet the continuing education  
15 requirements of this subsection;

16 (C) Can demonstrate undue hardship that prevented the  
17 licensee from meeting the continuing education  
18 requirements of this subsection; or

19 (D) Is retired from the practice of architecture and  
20 is no longer performing or providing  
21 architectural services;



1 provided that any exemption from the continuing education  
2 requirements shall be subject to the board's approval."

3 SECTION 3. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "B. B. B.", written over a horizontal line.

# S.B. NO. 1523

**Report Title:**

State Board of Professional Engineers, Architects, Surveyors and Landscape Architects; Application for Licensure; Denial; Written Notice

**Description:**

Requires the State Board of Professional Engineers, Architects, Surveyors and Landscape Architects to, upon its denial of an application for licensure, provide the applicant with a written notice of denial accompanied by a written explanation describing the reasons for the board's denial.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

