

ACT 8

H.B. NO. 1897

A Bill for an Act Relating to Regulation of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 464-3, Hawaii Revised Statutes, is amended to read as follows:

“§464-3 Persons exempt from licensure. [The following shall be exempted from this chapter:

(1) Persons practicing professional engineering, architecture, land surveying, or landscape architecture solely as officers or employees of the United States];

(2) Persons practicing professional engineering, architecture, land surveying or landscape architecture solely as officers or employees of the State or any political subdivision thereof on May 2, 1923, and thereafter only until the expiration of the terms of office or employment of such persons.] shall be exempted from the provisions of this chapter.”

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

“§464-7 Powers and duties of board; secretary; records. In addition to any other powers and duties authorized by law, the board may compel the attendance of witnesses upon subpoena, administer oaths, take testimony, and do all other things necessary and proper to carry out this chapter in all matters within its jurisdiction. It shall adopt and have an official seal and adopt, subject to chapter 91 and with the approval of the governor and the director of commerce and consumer affairs, rules for the performance of its duties and the carrying on of its business and the enforcement of this chapter, including, but not limited to, rules which define the branches of engineering in which licensure shall be offered, clarify the qualifications needed for licensure, and set forth practice requirements. It shall have a chairperson,

a vice-chairperson, and a secretary, and a quorum shall consist of not less than six members.

The board shall keep a record of its proceedings and all applicants for licensure as engineers, architects, surveyors, or landscape architects, the date of application, name, [age,] educational and other qualifications, [place of business and residence,] address, whether or not an examination was required, and whether or not the applicant was licensed and a certificate issued to the applicant and the date of the action. The records shall be prima facie evidence of all matters therein contained.”

SECTION 3. Section 464-9, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Every license expires on April 30 of each even-numbered year following its issuance and becomes invalid after that date unless renewed. [The secretary of the board, at] At least one month in advance of the date of expiration of the license, [shall mail] a notice shall be mailed to every person licensed under this section[,] informing them of the date of expiration and the amount required for the renewal. Licenses [which] that have expired for failure to pay renewal fees on or before the date required in this subsection may be restored within two years of the expiration date upon payment of a fee for each renewal. Any person who fails to restore the person’s license within two years of the date of its expiration shall reapply for licensure.”

SECTION 4. Section 464-12, Hawaii Revised Statutes, is amended to read as follows:

“**~~§464-12 Corporations and partnerships.~~** A corporation or copartnership may engage in the practice of professional engineering, architecture, surveying, or landscape architecture in the State[, provided] if the person or persons connected with the corporation or copartnership directly in charge of the professional work is duly licensed [hereunder, and provided further that the name or names of such person or persons has or have been filed with the board by the corporation or copartnership].”

SECTION 5. Section 464-8.5, Hawaii Revised Statutes, is repealed.

SECTION 6. Statutory material to be repealed is bracketed.¹ New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval.

(Approved April 7, 1997.)

Note

1. Edited pursuant to HRS §23G-16.5.