

## ACT 53

S.B. NO. 2681

A Bill for an Act Relating to Public Works.

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

SECTION 1. Section 464-4, Hawaii Revised Statutes, is amended to read as follows:

**“§464-4 Public works.** ~~[The State and the political subdivisions thereof and the officers thereof, respectively, shall not engage in the construction of any public work involving professional engineering, architecture, or landscape architecture for which the plans, specifications, and estimates have not been made nor supervised by and the construction of which is not observed by a professional engineer, architect, or landscape architect duly licensed hereunder; provided that nothing in this section shall apply to any public work involving professional engineering, architecture, or landscape architecture wherein the expenditure therefor does not exceed the sum of \$15,000.]~~ (a) Notwithstanding any other provision to the contrary, public works projects involving:

(1) Alteration or new construction shall be required to have:

(A) Plans or specifications prepared by or under the supervision of an appropriately licensed professional engineer, architect, or landscape architect. The licensed professional engineer, architect, or landscape architect, as the case may be, shall stamp the plans or specifications, and indicate that the licensee has prepared or supervised the preparation of the plans or specifications; and

- (B) A licensed professional engineer, architect, or landscape architect designated by the State, county, or political subdivision that is undertaking the public works project to observe the alteration or new construction. For the observation of construction of these types of public works projects, the licensed professional engineer, architect, or landscape architect, as the case may be, shall not be required to stamp the plans or specifications.
- (2) Maintenance work shall:
  - (A) Not be required to have plans or specifications prepared by or under the supervision of an appropriately licensed professional engineer, architect, or landscape architect; and
  - (B) Be required to have a licensed professional engineer, architect, or landscape architect designated by the State, county, or political subdivision that is undertaking the public works project to observe the maintenance work. For the observation of construction of this type of public works project, the licensed professional engineer, architect, or landscape architect, as the case may be, shall not be required to stamp the plans or specifications.

(b) All land surveys involving property boundaries for public purposes or plans thereof shall be made or supervised by a licensed<sup>1</sup> surveyor. The licensed land surveyor shall stamp the land surveys or plans, and indicate that the licensee has prepared or supervised the preparation of the land surveys or plans.

(c) For purposes of this section:

“Maintenance” means minor repairs or replacement work which do not affect or involve the structural integrity of the public works project.

“Public works projects” means projects undertaken by the State, counties, or any political subdivisions thereof.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 25, 2002.)

**Note**

1. Prior to amendment “land” appeared here.