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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2408

Session of  
1986

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INTRODUCED BY GEIST, HALUSKA, PETRONE, J. L. WRIGHT, DISTLER,  
FATTAH, HERMAN, JOHNSON, LINTON, AFFLERBACH, ROBBINS, FOX,  
COLAFELLA AND TRELLO, APRIL 22, 1986

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REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, APRIL 22, 1986

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AN ACT

1 Relating to the observation of manufacture or construction by  
2 certain licensees; and providing for approval by licensees of  
3 changes in documents and for responsibility in connection  
4 therewith.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby enacts as follows:

7 Section 1. Definitions.

8 The following words and phrases when used in this act shall  
9 have the meanings given to them in this section unless the  
10 context clearly indicates otherwise:

11 "Document." Drawings, specifications, plans, plates and  
12 reports prepared in connection with the design and construction  
13 of a structure or group of structures, including public and  
14 private buildings, and the utilization of space within and  
15 surrounding such structures, and those prepared in connection  
16 with the design and manufacture of machines, equipment or for  
17 utilization in processes or systems.

18 "Licensee." An architect licensed under the act of December

1 14, 1982 (P.L.1227, No.281), known as the Architects Licensure  
2 Law, a professional engineer or professional land surveyor  
3 licensed under act of May 23, 1945 (P.L.913, No.367), known as  
4 the Professional Engineers Registration Law, or a landscape  
5 architect licensed under the act of January 24, 1966 (1965  
6 P.L.1527, No.535), known as the Landscape Architects'  
7 Registration Law.

8 "Seal." The seal, stamp or facsimile thereof which a  
9 licensee is required by law to affix or impress on all documents  
10 prepared by the licensee or under the licensee's supervision.

11 Section 2. Observation of manufacture or construction.

12 Affixing or impressing a seal on documents shall not impose a  
13 legal duty or responsibility upon the licensee so affixing the  
14 seal to observe the construction or manufacture which is the  
15 subject of the documents. This section shall not, however,  
16 preclude a licensee from entering into a contractual agreement  
17 which includes the provision of manufacture or construction  
18 observation services.

19 Section 3. Subsequent changes.

20 Notwithstanding any other provision of law, a licensee who  
21 affixes or impresses a seal to documents shall not be  
22 responsible for damage caused by subsequent changes to or use of  
23 those documents where the subsequent changes or uses, including  
24 changes or uses made by the Commonwealth or any political  
25 subdivision or agency or authority thereof, are not authorized  
26 or approved by the licensee who originally affixed or impressed  
27 a seal on the documents.

28 Section 4. Applicability.

29 This act shall apply to any claims made after the effective  
30 date with respect to documents to which a seal has been or will

1 be affixed or impressed whether before or after the effective  
2 date.

3 Section 5. Effective date.

4 This act shall take effect immediately.