

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 655 Session of
2005

INTRODUCED BY MADIGAN, STOUT, O'PAKE, M. WHITE, COSTA, RAFFERTY,
RHOADES, BOSCOLA, D. WHITE, ORIE AND WONDERLING, MAY 26, 2005

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MAY 26, 2005

AN ACT

1 Amending the act of May 23, 1945 (P.L.913, No.367), entitled, as
2 amended, "An act relating to and regulating the practice of
3 the profession of engineering, including civil engineering,
4 mechanical engineering, electrical engineering, mining
5 engineering and chemical engineering, the profession of land
6 surveying and the profession of geology and constituent parts
7 and combinations thereof as herein defined; providing for the
8 licensing and registration of persons practicing said
9 profession, and the certification of engineers-in-training
10 and surveyors-in-training, and the suspension and revocation
11 of said licenses, registrations and certifications for
12 violation of this act; prescribing the powers and duties of
13 the State Registration Board for Professional Engineers, Land
14 Surveyors and Geologists, the Department of State and the
15 courts; prescribing penalties; and repealing existing laws,"
16 providing for the use of the terms "engineer" and
17 "engineering."

18 The General Assembly of the Commonwealth of Pennsylvania
19 hereby enacts as follows:

20 Section 1. Sections 3 and 6 of the act of May 23, 1945
21 (P.L.913, No.367), known as the Engineer, Land Surveyor and
22 Geologist Registration Law, amended December 16, 1992 (P.L.1151,
23 No.151), are amended to read:

24 Section 3. Practice of Engineering, Land Surveying or
25 Geology Without Licensure and Registration Prohibited.--(a) In

1 order to safeguard life, health or property and to promote the
2 general welfare, it is unlawful for any person to practice or to
3 offer to practice engineering in this Commonwealth, unless he is
4 licensed and registered under the laws of this Commonwealth as a
5 professional engineer, for any person to practice or to offer to
6 practice land surveying, unless he is licensed and registered
7 under the laws of this Commonwealth as a professional land
8 surveyor or for any person to practice or to offer to practice
9 geology unless he is licensed and registered under the laws of
10 this Commonwealth as a professional geologist. Individuals
11 licensed as professional engineers, professional land surveyors
12 or registered landscape architects may perform geological work
13 which is incidental to their engineering, surveying or landscape
14 architecture without being licensed as a professional geologist.

15 (b) A person shall be construed to practice or offer to
16 practice engineering, land surveying or geology who practices
17 any branch of the profession of engineering, land surveying or
18 geology; or who, by verbal claim, sign, advertisement,
19 letterhead, card, or in any other way represents himself to be
20 an engineer, land surveyor or geologist, or through the use of
21 some other title implies that he is an engineer, land surveyor
22 or geologist or that he is registered under this act; or who
23 holds himself out as able to perform, or who does perform any
24 engineering, land surveying or geological service or work or any
25 other service designated by the practitioner or recognized as
26 engineering, land surveying or geology.

27 (c) Notwithstanding subsection (b), the title "engineer" may
28 only be used by an individual licensed as a professional
29 engineer unless the individual is one of the following:

30 (1) A locomotive engineer.

1 (2) An operating engineer.

2 (3) An individual who is not offering engineering services
3 or engaged in the practice of engineering as defined in section
4 2(a)(1).

5 Section 6. Practice by Firms and Corporations.--The practice
6 of engineering, of land surveying and of geology being the
7 function of an individual or of individuals working in concerted
8 effort, it shall be unlawful for any firm or corporation to
9 engage in such practice, or to offer to practice, or to assume
10 use or advertise any title or description, including the use of
11 the term "engineer" or "engineering" in its firm or corporate
12 name, conveying the impression that such firm or corporation is
13 engaged in or is offering to practice such profession, unless
14 the directing heads and employes of such firm or corporation in
15 responsible charge of its activities in the practice of such
16 profession are licensed and registered in conformity with the
17 requirements of this act, and whose name, seal and signature,
18 along with the date of signature, shall be stamped on all plans,
19 specifications, plats and reports issued by such firm or
20 corporation.

21 Section 2. This act shall take effect in 60 days.