



2009 ASSEMBLY BILL 288

June 2, 2009 – Introduced by Representatives MOLEPSKE JR., GOTTLIEB, TOWNSEND, ZEPNICK, A. OTT, JORGENSEN, KERKMAN, DANOU, PETROWSKI and GUNDERSON, cosponsored by Senators PLALE and TAYLOR. Referred to Committee on Labor.

1 **AN ACT to repeal** 443.04 (1) (c), 443.04 (1) (d), 443.04 (2) and 443.09 (6); **to**
2 **renumber and amend** 443.04 (1) (intro.), 443.04 (1) (a) and 443.04 (1) (b); **to**
3 **amend** 443.09 (4) and 443.09 (5); and **to create** 443.04 (2m) (b) of the statutes;
4 **relating to:** education and work experience requirements for registration as
5 a professional engineer and examinations for professional engineering
6 credentials.

Analysis by the Legislative Reference Bureau

Generally, under current law, no person may practice professional engineering in this state or convey the impression that the person is a professional engineer unless the person is registered with the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors (examining board). Currently, an applicant for registration as a professional engineer must submit satisfactory evidence of one of the following: 1) graduation from an engineering course of not less than four years plus a record of four or more years of experience indicating the applicant is competent to be placed in charge of engineering work, 2) a record of eight or more years of experience indicating the applicant is competent to be placed in charge of engineering work, 3) a record of 12 or more years of experience indicating the applicant is competent to practice engineering, or 4) graduation from an engineering course of not less than four years and eight years of experience indicating the applicant is competent to practice

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engineering. Current law provides that graduation from an engineering course at a school approved by the examining board is equivalent to four years of experience, that each year of engineering study completed at such a school is equivalent to one year of experience, and that graduation from an engineering course at a school not approved by the examining board is equivalent to two years of experience.

Under this bill, an applicant for registration as a professional engineer must submit satisfactory evidence of either of the following: 1) graduation from an approved engineering course of not less than four years and a record of four or more years of experience indicating the applicant is competent to be placed in charge of engineering work, or 2) graduation from an approved engineering course of not less than two years and a record of six or more years of experience indicating the applicant is competent to be placed in charge of engineering work.

Currently, an applicant may not be registered as a professional engineer unless the applicant passes an examination that includes questions on the design needs of people with physical disabilities and the relevant statutes and codes, except that an applicant who applies on the basis of graduation from an engineering course of not less than four years and eight years of experience is not required to pass an examination. Under the bill, all applicants are required to pass an examination, but the examination is not required to include questions on the design needs of people with disabilities or the relevant statutes or codes.

Current law requires the examining board to make an applicant's examination papers available to the applicant for review for one year after the examination. Also under current law, an applicant may request a review of the applicant's examination, and the examining board must provide the reasons for a failing grade. The bill deletes the retention and review requirements.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 443.04 (1) (intro.) of the statutes is renumbered 443.04 (intro.) and
2 amended to read:

3 **443.04 Registration requirements for professional engineers.** (intro.)

4 An applicant for registration as a professional engineer shall submit satisfactory
5 evidence to the examining board of ~~one~~ all of the following:

6 **SECTION 2.** 443.04 (1) (a) of the statutes is renumbered 443.04 (1m) and
7 amended to read:

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1 443.04 (1m) A diploma of graduation, or a certificate, from an engineering
2 school or college approved by the examining board as of satisfactory standing in an
3 engineering course of not less than 4 years, ~~together with an additional 4 years of~~
4 ~~experience in engineering work of a character satisfactory to the examining board~~
5 ~~and indicating that the applicant is competent to be placed in responsible charge of~~
6 ~~engineering work~~ or a diploma of graduation or degree from a technical college in an
7 engineering-related course of study of not less than 2 years.

8 **SECTION 3.** 443.04 (1) (b) of the statutes is renumbered 443.04 (2m) (a) and
9 amended to read:

10 443.04 (2m) (a) ~~A~~ For an applicant possessing a diploma or certificate from
11 a course of study of not less than 4 years as specified in sub. (1m), a specific record
12 of 8 4 or more years of experience in engineering work of a character satisfactory to
13 the examining board and indicating that the applicant is competent to be placed in
14 responsible charge of engineering work.

15 **SECTION 4.** 443.04 (1) (c) of the statutes is repealed.

16 **SECTION 5.** 443.04 (1) (d) of the statutes is repealed.

17 **SECTION 6.** 443.04 (2) of the statutes is repealed.

18 **SECTION 7.** 443.04 (2m) (b) of the statutes is created to read:

19 443.04 (2m) (b) For an applicant possessing a diploma or degree from a course
20 of study of not less than 2 years as specified in sub. (1m), a specific record of 6 or more
21 years of experience in engineering work of a character satisfactory to the examining
22 board and indicating that the applicant is competent to be placed in responsible
23 charge of engineering work.

24 **SECTION 8.** 443.09 (4) of the statutes is amended to read:

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1 443.09 (4) Written or written and oral examinations shall be required of every
2 applicant for registration as an architect or a professional engineer ~~except an~~
3 ~~applicant who satisfies s. 443.04 (1) (d). Except as provided in sub. (5), only one form~~
4 ~~of examination may be required for all applicants.~~ The examination shall be
5 reasonably related to the skills likely to be needed by an applicant practicing the
6 profession at the time of examination and seek to determine the applicant's
7 preparedness to exercise such skills. ~~Failure to pass an examination under this~~
8 ~~section or under any order of the examining board shall not be a bar to registration~~
9 ~~under s. 443.04 (1) (d).~~

10 **SECTION 9.** 443.09 (5) of the statutes is amended to read:

11 443.09 (5) Written or written and oral examinations shall be held at such time
12 and place as the examining board determines. The scope of the examinations and
13 the methods of procedure shall be prescribed by the examining board with special
14 reference to the applicant's ability to design and supervise architectural, landscape
15 architectural, or engineering work, which shall promote the public welfare and
16 ensure the safety of life, health, and property. ~~The architect and professional~~
17 ~~engineering examination or examinations shall include questions which require~~
18 ~~applicants to demonstrate knowledge of the design needs of people with physical~~
19 ~~disabilities and of the relevant statutes and codes. Such questions shall be developed~~
20 ~~by the examining board in consultation with the department of commerce. The~~
21 ~~examination for candidates under s. 443.04 (1) (c) shall be the principles and practice~~
22 ~~examination which requires the applicant to demonstrate the ability to apply~~
23 ~~engineering principles and judgment to problems in general engineering disciplines~~
24 ~~and to demonstrate knowledge of the design needs of people with physical disabilities~~
25 ~~and the relevant statutes, rules and regulations. A candidate failing an examination~~

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1 may, upon application and payment of the required reexamination fee, be examined
2 again by the examining board. No restrictions may be placed on the number of times
3 an unsuccessful candidate may be reexamined, except that after failure of 3
4 reexaminations, the examining board may require a one-year waiting period before
5 further reexamination.

6 **SECTION 10.** 443.09 (6) of the statutes is repealed.

7 **SECTION 11. Initial applicability.**

8 (1) This act first applies to applications for registration as a professional
9 engineer that are filed on the effective date of this subsection.

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(END)