

Engineer required. All projects require engineering unless exempt

32 §1255. EXEMPTIONS

The following persons are exempt from this chapter: [1991, c. 442, §1 (AMD) .]

1. Limited practice by nonresident. A person not a resident of and not having established a place of business in this State, practicing or offering to practice the profession of engineering when such practice does not exceed more than 30 consecutive days in any calendar year, if the person is legally qualified by licensure to practice the profession in that person's own state or country in which the requirements and qualifications for licensure are not lower than those specified in this chapter. To practice under this section, the person must apply in writing and receive authorization;

[2005, c. 315, §5 (AMD) .]

2. Nonresident becoming resident. A person not a resident of and not having established a place of business in this State, or who has become a resident of this State, practicing or offering to practice in the State for more than 30 days in any calendar year the profession of engineering, and having filed with the board an application for a license and having paid the fee required by this chapter. The exemption continues only for such time as the board requires for the consideration of the application for licensure, if the person is legally qualified to practice the profession of engineering in the state or country of residence in which the requirements and qualifications for obtaining a license are not lower than those specified in this chapter.

A person must apply in writing and receive authorization in order to practice pursuant to the provisions of this subsection;

[2005, c. 315, §6 (AMD) .]

3. Certain employees. An employee or a subordinate of a person holding a license under this chapter, or an employee of a person exempted from licensure by subsections 1 and 2, provided that the practice does not include responsible charge or design or supervision by the employee or subordinate;

[2005, c. 315, §7 (AMD) .]

4. United States Government employees. Officers and employees of the Government of the United States while engaged within this State in the practice of the profession of engineering for said government.

5. Interstate commerce corporation employees. An officer or employee of a corporation engaged in interstate commerce as defined in the Act of Congress entitled "An Act to Regulate Commerce" approved February 4, 1887, as amended, or in interstate communication as defined in the Act of Congress entitled "Communications Act of 1934" approved June 9, 1934, while working solely as an employee of such corporation. An officer or employee of such corporation customarily in responsible charge of the engineering work of such corporation within this State must be a licensee under this chapter;

[2005, c. 315, §8 (AMD) .]

6. Subsurface sewage disposal. Persons who have been licensed by the Department of Health and Human Services pursuant to Title 22, section 42, subsection 3-A, solely for the purpose of work relating to subsurface sewage disposal systems. This exemption does not apply to the board's power to license or to revoke, suspend or refuse to renew the license of any licensee;

[2007, c. 379, §1 (AMD) .]

7. Person who performs work on certain vessels. A person who performs work only on vessels under 200 feet long; and

[2007, c. 379, §2 (AMD) .]

8. Persons engaged in design of minor construction. Persons engaged in the design of the following minor construction do not need to provide stamped and sealed plans and specifications unless specifically required by the code enforcement officer.

- A. Detached one-family or 2-family residences; [2007, c. 379, §3 (NEW) .]
- B. Farm buildings with an overall floor plan not exceeding 3,000 square feet; [2007, c. 379, §3 (NEW) .]
- C. Single bathroom additions or renovations in an existing building if there is no impact on the building's compliance with the National Fire Protection Association Life Safety Code adopted by the Department of Public Safety, Office of the State Fire Marshal; [2007, c. 379, §3 (NEW) .]
- D. Revisions or additions to plumbing systems costing up to \$10,000 if the work has no impact on the building's compliance with the National Fire Protection Association Life Safety Code adopted by the Department of Public Safety, Office of the State Fire Marshal and does not involve roof drains; [2007, c. 379, §3 (NEW) .]
- E. Revisions to existing heating, ventilation and air conditioning systems and design of new heating, ventilation and air conditioning systems if the work has no impact on the building's compliance with the National Fire Protection Association Life Safety Code adopted by the Department of Public Safety, Office of the State Fire Marshal requirements and the project does not include more than one heating, ventilation and air conditioning unit with a maximum cooling capacity of 5 tons or heating capacity of 200,000 BTUs; [2007, c. 379, §3 (NEW) .]
- F. Revisions or additions to structural systems costing up to \$10,000 if the design is in accordance with the tables provided in the International Building Code; and [2007, c. 379, §3 (NEW) .]
- G. Revisions or additions to electrical systems costing up to \$10,000 if the work has no impact on the building's compliance with the National Fire Protection Association Life Safety Code adopted by the Department of Public Safety, Office of the State Fire Marshal. [2007, c. 379, §3 (NEW) .]

All the work that is done under these exemptions must be in accordance with the licensing requirements of the trade involved, including, but not limited to, all construction industry design standards such as the National Fire Protection Association standards, state and municipal building and energy codes, the State Fire Marshal's requirements and ASHRAE Standard 62 and ASHRAE Standard 90.

[2007, c. 379, §3 (NEW) .]

SECTION HISTORY

1975, c. 760, §5 (AMD). 1991, c. 442, §§1,2 (AMD). 1995, c. 355, §§2,3 (AMD). 1999, c. 186, §§1,2 (AMD). 2003, c. 34, §1 (AMD). 2003, c. 689, §B6 (REV). 2005, c. 315, §§5-9 (AMD). 2007, c. 379, §§1-3 (AMD).

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