

A RESOLUTION

24-121

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

June 1, 2021

To declare the existence of an emergency with respect to the need to amend D.C. Official Code § 47-2853.133 to re-establish an exemption for engaging in engineering work without a license for employees and consultants of the District government and independent agencies who are under the supervision of a professional engineer.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Engineering Licensure Emergency Declaration Resolution of 2021”.

Sec. 2. (a) D.C. Official Code § 47-2853.133 provides that no person may engage in the practice of engineering or use the title “engineer” unless that person is licensed to practice engineering.

(b) Employees and consultants of the District government and independent agencies were exempted from this requirement until 2017, when the Professional Engineers Licensure and Regulation Clarification Amendment Act of 2016, effective April 15, 2017 (D.C. Law 21-272; 64 DCR 946), repealed that exemption.

(c) Independent agencies have been working to become compliant with the law, but licensure requirements that include obtaining an undergraduate engineering degree and passing the verification of the fundamentals examination necessitate additional time, particularly for current employees of these agencies who cannot easily transition to different roles or be removed from projects to accommodate the time necessary to complete these licensure requirements.

(d) The Department of Consumer and Regulatory Affairs has indicated that it will start penalizing individuals at independent agencies who are not in compliance with D.C. Official Code § 47-2853.133 on August 1, 2021. This could adversely affect agencies that still have dozens of employees doing engineering work who have yet to complete all the requirements necessary to get a professional engineering license.

(e) To ensure that the operations of government or independent agencies are not negatively affected by this looming enforcement action, it is necessary to temporarily re-establish the exemption to licensure requirements for agency employees who may need to engage in engineering work while under the supervision of a professional engineer who can

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verify that the employee's work is in compliance with all applicable laws and rules of the District.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that Engineering Licensure Emergency Amendment Act of 2021 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.