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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 288

01/22/2015 Authored by O'Neill, Daniels and Yarusso

The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy

02/25/2015 Adoption of Report: Amended and re-referred to the Committee on Job Growth and Energy Affordability Policy and Finance

03/09/2015 By motion, recalled and re-referred to the Committee on State Government Finance

1.1 A bill for an act
1.2 relating to professional engineers; clarifying licensing requirements; amending
1.3 Minnesota Statutes 2014, section 326.02, subdivision 3.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2014, section 326.02, subdivision 3, is amended to read:

1.6 Subd. 3. **Practice of professional engineering.** (a) Any person shall be deemed to
1.7 be practicing professional engineering within the meaning of sections 326.02 to 326.15
1.8 who holds out as being able to perform or who does perform any technical professional
1.9 service, such as planning, design or observation of construction for the purpose of
1.10 assuring compliance with specifications and design, in connection with any public or
1.11 private structures, buildings, utilities, machines, equipment, processes, works, or projects
1.12 wherein the public welfare or the safeguarding of life, health, or property is concerned
1.13 or involved, when such professional service requires the application of the principles of
1.14 mathematics and the physical and applied engineering sciences, acquired by education
1.15 or training, and by experience.

1.16 (b) No person other than one licensed under sections 326.02 to 326.15 as a
1.17 professional engineer may:

1.18 (1) use the term "professional engineer";

1.19 (2) use any other abbreviation or term, including the initials "P.E." or "PE" by
1.20 signature, verbal claim, sign, advertisement, letterhead, card, or similar means that would
1.21 lead the public to believe that the person was a professional engineer; or

1.22 (3) use any means or in any other way make a representation that would lead the
1.23 public to believe that the person was a professional engineer.

2.1 (c) A professional engineering license satisfies any requirements by the state
2.2 or its political subdivisions to perform any actions authorized under the professional
2.3 engineering license. A person licensed as a professional engineer under sections 326.02
2.4 to 326.15 shall only be required to obtain a license, certification, or other form of
2.5 approval for a skill or service in addition to a professional engineering license if the
2.6 state or political subdivision has made an affirmative written determination in statute,
2.7 rule, or ordinance that such additional license or certification is necessary to safeguard
2.8 life, health, or property, or promote the public welfare. This section does not preclude
2.9 the state or a political subdivision from including additional requirements when soliciting
2.10 public contracts for engineering services.

2.11 **EFFECTIVE DATE.** This section is effective August 1, 2015, and does not apply
2.12 to practice areas where licenses or certifications are required prior to the effective date.