

July 9, 2021

The Honorable Bob Ferguson
Attorney General of the State of Washington
P.O. Box 40100
Olympia, WA 98504-0100

Dear Attorney General Ferguson,

On behalf of the American Institute of Architects Washington Council (AIA|WA), we are writing in response to Opinion Docket No. 21-06-02 and the following questions:

1. *When would a complete set of design documents created by an engineer for a non-agriculture and non-residential building that exceeds four thousand square feet amount to the practice of engineering as authorized in 18.43 RCW?*
2. *If the complete set of design documents is considered the practice of engineering as authorized by 18.43 RCW, would those documents fall under the exemption to architectural licensing provided in RCW 18.08.410(1)?*

In response to the first question, engineers are not legally authorized to produce a “complete set of design documents” for a structure, as the definition of the practice of engineering in RCW 18.43 does not include work that is architectural in nature. Engineers would be authorized to create a complete set of design documents only if the work does not require the practice of architecture or if the work is exempted under RCW 18.08.410(1).

Engineers are not trained, tested, or accredited to the practice of architecture under RCW 18.43 or RCW 18.08. Nor are engineers required to fulfill continuing education requirements to maintain their licenses. Each of these is required for architects to prepare design documents for those structures not exempt from the application of the Architects’ Practice Act as identified in RCW 18.08.410(1).

The respective areas of design expertise, education, and training for engineers and architects are separate and distinct. Compare WAC 308-12-205 (architect qualifications for licensure) with WAC 196-12-010 (engineering qualifications for licensure) and note the continuing education requirement for architects at WAC 308-12-250 and 260. The biennial requirement for 16 hours of education on public health, safety, and welfare required of architects in WAC 196-12-260 (b)(i) is indicative of the unique licensing and education requirements for architects.

In response to the second question, RCW 18.08.410(1) is not an exemption intended to allow engineers to practice architecture but rather intended to prevent any application of the Architect’s Practice Act from limiting the practice of engineering. Design documents that require an architect’s stamp in turn require ongoing architectural education and experience. Unless they are currently exempted under RCW 18.08.410(1), such documents should not receive an exemption just because an engineer desires to submit them without an architect’s stamp.

In short, we maintain that, under state statute, an engineer is prohibited from authorizing a “complete set of design documents” that includes architectural design work for a structure outside of the exemptions under RCW 18.08.410(1).

Should you have any questions, please contact us at either of the phone numbers below. Thank you.

Sincerely,

A stylized, handwritten signature in black ink, consisting of a large, sweeping loop on the left and a series of vertical strokes on the right.

Carl Dominquez
President, AIA Washington Council
206-948-2571

A handwritten signature in black ink, featuring a large, ornate initial 'T' followed by a cursive name.

Tammie Sueirro
Executive Director, AIA Washington
Council
206-683-4484