



STATE OF WISCONSIN
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DESIGNERS SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS, AND LAND SURVEYORS
Room 121A, 1400 E. Washington Avenue, Madison
Contact: Berni Mattsson 608-266-2112
October 9, 2012

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a description of the actions and deliberations of the Board.

FULL BOARD MEETING
8:30

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. **Adoption of Agenda (1-2)**
- B. **Approval of Minutes of April 17, 2012 (3-4)**
- C. Secretary Matters
- D. **Executive Director Matters:**
 - 1) Staff Changes
 - 2) Meeting Minutes/Recordings
- E. **08:45 A.M. APPEARANCE – Jeanette Lytle: Discussion of Division of Legal Services and Compliance Policy Regarding Screening (5-7)**
- F. **Discussion and Action Related to Delegating Authority to Board/Department Liaisons (9)**
- G. **Update and Discussion of LRB Draft 11-0257/2 (11-26)**
- H. **Discussion and Action Directing the Development of a Scope Statement for Chapter A-E 5 (27-30)**
- I. **Items Received After Printing of the Agenda:**
 - 1) Introductions, Announcements and Recognition
 - 2) Division of Legal Services and Compliance Matters
 - 3) Presentations of Petition(s) for Summary Suspension
 - 4) Presentation of Proposed Stipulation(s), Final Decision(s) and Order(s) (*Upon Request*)
 - 5) Presentation of Proposed Final Decision and Order(s)
 - 6) Education and Examination Matters
 - 7) Credentialing Matters
 - 8) Class 1 Hearings
 - 9) Practice Questions/Issues
 - 10) Legislation/Administrative Rule Matters

- 11) Liaison/Committee Report(s)
- 12) Informational Item(s)
- 13) Speaking Engagement(s), Travel, or Public Relation Request(s)

J. Informational Item(s)

K. New Business

L. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.)

M. Deliberation of Items Received After Printing of the Agenda:

- 1) Credential Issues
- 2) Application Issues and/or Reviews
- 3) Examination Issues
- 4) Class 1 Hearings
- 5) Professional Assistance Procedure (PAP)
- 6) Monitoring Matters
- 7) Proposed Stipulations, Final Decisions and Orders
- 8) Administrative Warnings
- 9) Review of Administrative Warning
- 10) Orders Fixing Costs/Matters Related to Costs
- 11) Proposed Final Decisions and Orders
- 12) Petitions for Summary Suspension
- 13) Case Closings
- 14) Petitions for Re-hearings
- 15) Appearances from Requests Received or Renewed
- 16) Motions

N. Division of Enforcement:

- 1) Case Status Report
- 2) Case Closings

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

Q. Other Board Business

ADJOURNMENT

**DESIGNER SECTION
EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS
MEETING MINUTES
April 17, 2012**

Present: Mark Cook, Thomas Gasperetti, and James Mickowski

Not Present: Steven Tweed

Staff: Berni Mattsson, Interim Executive Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; and other Department staff

Jim Mickowski, Board Chair, called the meeting to order at 8:38 a.m. A quorum of 3 members was confirmed.

ADOPTION OF AGENDA

MOTION: Tom Gasperetti moved, seconded by Mark Cook, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Tom Gasperetti moved, seconded by Mark Cook, to approve the minutes of October 11, 2011 as published. Motion carried unanimously.

EXECUTIVE DIRECTOR MATTERS

Berni Mattsson introduced herself to the Section. Jim Mickowski appointed Steven Tweed to the screening panel to replace Scott Berg. Jim Mickowski will serve as the professional member on the Rules Committee. Berni conducted the annual policy review and asked the members to submit the signature page from the Board member handbook that was included in the agenda. Mark Cook was introduced as the new member of the Section. All members of the Section introduced themselves.

BOARD DISCUSSION

1. EDUCATION AND EXAMINATION MATTERS

a. Exam Update Including Passage Rate

Aaron Knautz explained that this information was not tracked due to staffing issues. He indicated that the exam was updated in November and as a result, they will be tracking this information going forward. Berni Mattsson told the Section that the exam questions are written by professionals that write the code and the only questions that change are those related to items that were changed within the code.

2. PRACTICE QUESTION MATTERS

a. Discussion Related to Definition of Designer

This item was discussed as a part of the discussion related to the item titled "Updated Related to LRB Legislative Draft 11-0257/2."

3. LEGISLATION/ADMINISTRATIVE RULE MATTERS

a. Discussion and Action Related to 2011 SB 453 (2011 Act 146)

Yolanda McGowan explained the legislative changes relative to the Designer Section as a result of the passage of 2011 Act 146.

b. Discussion Related to Potential Revisions to AE-5

Yolanda McGowan indicated that strikethroughs indicate items to be deleted and underlines indicate items to be added.

c. Update Related to LRB Legislative Draft 11-0257/2

It was noted that this legislation needs a sponsor in order to move it forward. The Section will seek assistance from Greg Gasper to move this project forward. The Section would like three possible sponsors. The Section will provide comments to Berni relative to their sponsor choice. Jim Mickowski will contact associations, share the draft and seek feedback from interested parties.

MOTION: Mark Cook moved, seconded by Tom Gasperetti, to authorize Jim Mickowski to act on behalf of the Section consistent with the discussion of record related to LRB Legislative Draft 11-0257/2.

CLOSED SESSION

MOTION: Jim Mickowski moved, seconded by Tom Gasperetti, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Mark Cook - yes; Tom Gasperetti - yes; Jim Mickowski - yes. Motion carried unanimously. Open session recessed at 9:52 a.m.

RECONVENE TO OPEN SESSION

MOTION: Mark Cook moved, seconded by Tom Gasperetti, to reconvene in open session at 11:06 a.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION**APPLICATION MATTERS**

MOTION: Jim Mickowski moved, seconded by Mark Cook, to act upon the applications reviewed for today's meeting as noted in the application files. Motion carried unanimously.

PERMIT AS A DESIGNER OF ENGINEERING SYSTEMS**1. By Experience Provision -- ss. 443.07(1)(b), Stats.**

Approved

- | | |
|----------------------|-----------------------|
| 1. Bendtsen, Dan | 5. Kraft, Joseph W |
| 2. Burant, Matthew A | 6. Kramar, Scott T |
| 3. Kennedy, Thomas V | 7. McCarville, Denise |
| 4. Konrardy, Mark A | 8. Rhyner, Kelvin J |

Denied

1. Echeverri, John L (ok to take exam per board)

2. Examination Eligibility

Approved

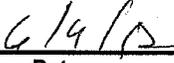
- | | |
|----------------------|---------------------|
| 1. Fox, Maurice S | 4. Meddings, Ken R |
| 2. Kilty, Troy T | 5. Peterson, Jack C |
| 3. Marzetta, Anthony | |

ADJOURNMENT

MOTION: Tom Gasperetti moved, seconded by Jim Mickowski, to adjourn the meeting at 11:06 a.m. Motion carried unanimously.

**State of Wisconsin
Department of Regulation and Licensing**

AGENDA REQUEST FORM

| | | |
|---|---|---|
| Name and Title of Person Submitting the Request: Jeanette Lytle | | Date When Request Submitted: June 1, 2012 |
| | | Items will be considered late if submitted after 5 p.m. and less than: ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before meeting for all other boards |
| Name of Board, Committee, Council: Design Section | | |
| Board Meeting Date: October 9, 2012 | Attachments: Yes <input checked="" type="checkbox"/> No | How should the item be titled on the agenda page? Discussion of DOE policy regarding screening. |
| Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both | Is an appearance before the Board being scheduled? If yes, by whom? <input checked="" type="checkbox"/> Yes by Chad Koplien <input type="checkbox"/> No | Name of Case Advisor(s), if required: |
| Describe the issue and action the Board should address: DOE will discuss screening policy and answer any questions the board may have regarding screening protocols. | | |
| If this is a "Late Add" provide a justification utilizing the Agenda Request Policy: | | |
| <p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> This form should be attached to any documents submitted to the agenda. Documents submitted to the agenda must be single-sided. Only copies of the original document will be accepted. Provide original documents needing Board Chairperson signature to the Bureau Director or Program Assistant prior to the start of a meeting. | | |
| Authorization: | | |
|  Signature of person making this request | |  Date |
| Supervisor signature (if required) | | Date |
| Bureau Director signature (indicates approval to add late items to agenda) | | Date |

STATE OF WISCONSIN
DEPARTMENT OF SAFETY and PROFESSIONAL SERVICES
DIVISION OF ENFORCEMENT

POLICY/PROCEDURE

Subject: **Administrative Complaint Closures by Division of Enforcement Prior to
Submission to Screening Panel**
Section: **15.0 (Version 3)** Effective Date: **May 4, 2012**

Authorized by the Division Administrator:
Chad Koplien

Intent of Policy: The intent of this policy/procedure is to identify complaints that can be closed by Division of Enforcement staff and attorney supervisors to eliminate the opening of unnecessary complaints, complaints without legal basis or where the complaint can be, or has been addressed by another court, agency, or organization with more direct financial resources, common authority, or jurisdiction.

Procedure: Intake staff shall seek the input of the applicable business/health team attorney supervisor regarding any case of the types listed below. The attorney supervisor will make the decision on whether any of these types of complaints shall be administratively closed on the basis of legal discretion at the intake stage prior to referral to the screening panel. In the event intake staff allows a case which falls into one of the categories below to be referred to screening without consideration for closure, prior to the screening panel date, the prosecuting attorney shall discuss the case with his or her attorney supervisor, and the supervisor shall determine whether the case should be administratively closed and withdrawn from panel consideration.

The following types of complaints shall be vigorously identified by Division staff for potential closure after legal review:

1. Anonymous complaints that are not serious as determined by an objective legal analysis; or lack sufficient evidence to support the allegations (e.g., no information on who, what, where, or when); or present no actual violation; or do not present a clear danger to the public;
2. Complaints of Healthcare fraud, including but not limited to Medicaid and Medicare fraud. These complaints shall be referred to agencies dedicated to investigating these issues (e.g., Department of Justice, Department of Health Services, or Private Insurer Internal Fraud Department), with a request that the agency or private insurer notify DOE of any adjudication of fraud. The Division shall prosecute a fraud complaint, only upon obtaining a certified copy of a judgment of conviction of fraud; an administrative adjudication finding fraud, or civil judgment adjudicating a finding of fraud;
3. Complaints where the incident alleged is older than two years unless the complaint alleges serious physical or financial harm or there is a substantial legal or public interest justification for opening an investigation as determined by an objective legal analysis;

4. Barber or Cosmetology complaints where the incident is older than one year and there is no evidence of bodily harm or serious financial harm as determined by an objective legal analysis;
5. Complaints or notifications of any criminal or municipal arrests, charges or convictions, including operation of a motor vehicle while intoxicated unless the complaint contains evidence of a clear and substantial relationship between the allegations and the practice of the profession;
6. Commission, salary and earnest money disputes or contract disputes between employee and employer;
7. Rudeness on the part of the licensee, with the exception of complaints against funeral directors;
8. Billing disputes or money issues unless there is an adjudication of fraud. The Division shall prosecute a fraud complaint, only upon obtaining a certified copy of a judgment of conviction; an administrative adjudication finding fraud, or civil judgment adjudicating a finding of fraud;
9. Advertising complaints in particular complaints by competitors, where there is no serious harm unless there is an advertized misrepresentation of a credential or specialty or there is other substantial legal or public interest justification for opening an investigation as determined by an objective legal analysis.;
10. Disputes between professionals unless there is evidence of harm to a third party consumer and there is no substantial legal or public interest justification for opening an investigation as determined by an objective legal analysis.;
11. Any complaint where there is adequate alternative redress through other regulatory agencies, authorities, or the courts, unless a certified copy of a judgment of conviction, administrative adjudication or civil judgment all which fully evidence the facts necessary to establish a professional regulatory violation; and
12. Any complaint where there is no allegation of actual physical or financial harm or other substantial legal or public interest justification for opening an investigation as determined by an objective legal analysis.

Any complaint closed administratively, prior to submission to the screening panel, shall contain a statement drafted by the attorney supervisor, stating the basis for the closure. Also, the attorney supervisor should note if the complaint is appropriate for a "letter of education". In such case, the attorney supervisor shall assist intake staff in preparing an appropriate letter of instruction notifying the credential holder of the rule and/or violation at issue, and suggesting professional education to redress the allegation or deficiency. The intake supervisor working with the attorney supervisors shall monitor the number of cases closed under this policy and report these closures quarterly at Division of Enforcement management meetings.

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**State of Wisconsin
Department of Safety and Professional Services**

AGENDA REQUEST FORM

| | | |
|--|---|--|
| Name and Title of Person Submitting the Request: <i>Yolanda McGowan, Legal Counsel</i> | | Date When Request Submitted: |
| | | Items will be considered late if submitted after 5 p.m. and less than: <ul style="list-style-type: none"> ▪ 10 work days before the meeting for Medical Board ▪ 14 work days before meeting for all other boards |
| Name of Board, Committee, Council: <i>All Boards</i> | | |
| Board Meeting Date: | Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | How should the item be titled on the agenda page? Board Discussion Items: Discussion and Action related to Delegating Authority to Board/Department Liaisons |
| Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both | Is an appearance before the Board being scheduled? If yes, by whom and what time? <input type="checkbox"/> Yes by _____ for _____ (name) (time) <input checked="" type="checkbox"/> No | Name of Case Advisor(s), if required: Not Applicable |
| Describe the Issue the Board Should Address: The Board should clarify what legal authority is being delegated to liaison(s) that represent and act on the Board's behalf. The Board should further consider what processes, if any, it will use to ensure that the Board liaison does not exceed the authority granted, and under what circumstances the delegated authority should/could be rescinded. | | |
| Describe the Action Required by the Board to Address This Request: <i>Take any action deemed appropriate following board review and consideration.</i> | | |
| <u>Directions for including supporting documents:</u> 1. This form should be attached to any documents submitted to the agenda. 2. Documents submitted to the agenda must be single-sided. 3. Only copies of the original document will be accepted. 4. Provide original documents needing Board Chairperson signature to the Bureau Director or Program Assistant prior to start of meeting. | | |
| Authorization: | | |
| Signature of person making this request | | Date |
| Supervisor signature (if required) and Division Administrator (if a late item) | | Date |
| Bureau Director signature (indicates approval to add late items to agenda) | | Date |

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2011 BILL

1 **AN ACT** *to repeal* 443.07 (2) and 443.07 (4); *to renumber and amend* 443.13
2 and 443.18 (1) (a); *to amend* 15.405 (2) (intro.), 15.405 (2) (a), 15.405 (2) (b),
3 440.03 (13) (b) 22., 440.08 (2) (a) 14., 440.08 (2) (a) 27., chapter 443 (title), 443.01
4 (3), 443.07 (title), 443.07 (3), 443.07 (5), 443.08 (title), (1), (2), (3) (a), (4), (5) and
5 (6), 443.13 (title), 443.16, 443.17, 443.18 (2) (a), 443.18 (3) and 703.11 (2) (b); *to*
6 *repeal and recreate* 443.07 (1); and *to create* 443.01 (1m) and 443.01 (5m)
7 of the statutes; **relating to:** regulation of designers of engineered systems.

Analysis by the Legislative Reference Bureau

This bill makes a number of changes to the laws governing designers of engineered systems, regulated under current law by the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Land Surveyors (examining board) in the Department of Safety and Professional Services (department). This bill changes the name of the regulated person from designer or designer of engineering systems to designer of engineered systems, and defines a designer of engineered systems as a person who engages in or holds himself or herself out as capable of engaging in the practice of design of engineered systems. The bill defines the practice of design of engineered systems as the performance of any professional service requiring the application of engineering principals and data, in any of several fields and subfields, to the public welfare or to the safeguarding of life,

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health, or property in connection with any public or private utility, structure, project, plant, building, machine, equipment, process, or works. The definition includes the following fields and subfields: the field of heating, ventilation, and air conditioning systems; the field of electrical systems; the field of fire protection systems; the field of plumbing systems; and the subfield of private sewage systems in the field of plumbing systems.

Under current law, an applicant for a permit as a designer of engineering systems must submit evidence to the examining board that the individual has a record of experience of either eight years if the experience is in specialized engineering work and the individual has completed a written examination or 12 years if the individual is at least 35 years of age and the individual was actively engaged in the state in the preparation of plans, specifications, designs, or layouts in certain specified fields. Current law also authorizes the examining board to grant the holder of a master plumber's license a permit as a designer of plumbing systems. Current law requires the examining board to restrict the holder of a permit to the specific field or subfield for which the permit holder has experience.

This bill authorizes the examining board to grant a permit to an individual with a specific record of experience of at least eight years who has successfully completed a written examination in the field or subfield for which the permit is sought. An applicant who has completed or graduated from an engineering technology program or an apprenticeship program approved by the examining board may receive one year of credit towards the experience requirement for each year of training or apprenticeship, up to four years. An applicant who has completed or graduated from a program other than an engineering technology program may receive one year of credit towards the experience requirement for each year of training, up to two years. An applicant who has completed work in the practice of design of engineered systems under the direct supervision of a registered architect, registered professional engineer, permitted designer of engineered systems, or other individual who holds a credential in the same field or subfield as the applicant may receive up to one year of credit towards the experience requirement for each year of supervised work. The bill eliminates the examining board's authority to grant a permit to an individual who holds a master plumber's license.

Current law permits employees of a firm, partnership, or corporation to engage in the practice of architecture or professional engineering pertaining to the internal operations of the firm, partnership, or corporation but only if the practice of architecture or professional engineering is performed under the direct supervision of architects or engineers either registered or exempt from registration under current law. Current law also prohibits a person from engaging in the practice of architecture, landscape architecture, or professional engineering under any name other than the name under which the person was originally licensed or registered if the examining board finds that the changed name operates to unfairly compete with another practitioner or mislead the public as to the identity of the person. Current law prohibits a registered architect, landscape architect, or professional engineer from impressing his or her seal or sign on a document if the document was not prepared under the direction or control of the person and from engaging in other

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actions that would result in the unauthorized practice of architecture, landscape architecture, or professional engineering. Finally, current law permits the examining board to investigate the unauthorized practice of architecture, landscape architecture, or professional engineering, and requires the imposition of fines of not less than \$100 nor more than \$500, or imprisonment, or both upon a person who engages in prohibited activities. This bill makes each of these provisions applicable to designers of engineered systems and the practice of design of engineered systems. The bill also changes the minimum fine to \$500 and the maximum fine to \$5,000 and makes the imposition of a fine, or imprisonment, or both, discretionary, rather than mandatory.

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

1 **SECTION 1.** 15.405 (2) (intro.) of the statutes, as affected by 2011 Wisconsin Act
2 32, is amended to read:

3 15.405 (2) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
4 PROFESSIONAL ENGINEERS, DESIGNERS OF ENGINEERED SYSTEMS, AND LAND SURVEYORS.
5 (intro.) There is created an examining board of architects, landscape architects,
6 professional engineers, designers of engineered systems, and land surveyors in the
7 department of safety and professional services. Any professional member appointed
8 to the examining board shall be registered to practice architecture, landscape
9 architecture, professional engineering, the design of engineering engineered
10 systems, or land surveying under ch. 443. The examining board shall consist of the
11 following members appointed for 4-year terms: 3 architects, 3 landscape architects,
12 3 professional engineers, 3 designers of engineered systems, 3 land surveyors, and
13 10 public members.

14 **SECTION 2.** 15.405 (2) (a) of the statutes is amended to read:

15 15.405 (2) (a) In operation, the examining board shall be divided into an
16 architect section, a landscape architect section, an engineer section, a designer of
17 engineered systems section, and a land surveyor section. Each section shall consist

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1 of the 3 members of the named profession appointed to the examining board and 2
2 public members appointed to the section. The examining board shall elect its own
3 officers, and shall meet at least twice annually.

4 **SECTION 3.** 15.405 (2) (b) of the statutes is amended to read:

5 15.405 (2) (b) All matters pertaining to passing upon the qualifications of
6 applicants for and the granting or revocation of registration, and all other matters
7 of interest to either the architect, landscape architect, engineer, designer of
8 engineered system, or land surveyor section shall be acted upon solely by the
9 interested section.

10 **SECTION 4.** 440.03 (13) (b) 22. of the statutes is amended to read:

11 440.03 (13) (b) 22. Designer of engineering engineered systems.

12 **SECTION 5.** 440.08 (2) (a) 14. of the statutes is amended to read:

13 440.08 (2) (a) 14. Architectural, professional engineering, or engineering
14 designer of engineered systems firm, partnership, or corporation: February 1 of each
15 even-numbered year.

16 **SECTION 6.** 440.08 (2) (a) 27. of the statutes is amended to read:

17 440.08 (2) (a) 27. Designer of engineering engineered systems: February 1 of
18 each even-numbered year.

19 **SECTION 7.** Chapter 443 (title) of the statutes is amended to read:

20 **CHAPTER 443**
21 **EXAMINING BOARD OF ARCHITECTS,**
22 **LANDSCAPE ARCHITECTS,**
23 **PROFESSIONAL ENGINEERS,**
24 **DESIGNERS OF ENGINEERED SYSTEMS,**
25 **AND LAND SURVEYORS**

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1 **SECTION 8.** 443.01 (1m) of the statutes is created to read:

2 443.01 **(1m)** “Designer of engineered systems” means a person who engages in
3 or holds himself or herself out as capable of engaging in the practice of design of
4 engineered systems.

5 **SECTION 9.** 443.01 (3) of the statutes is amended to read:

6 443.01 **(3)** “Examining board” means the examining board of architects,
7 landscape architects, professional engineers, designers of engineered systems, and
8 land surveyors.

9 **SECTION 10.** 443.01 (5m) of the statutes is created to read:

10 443.01 **(5m)** (a) “Practice of design of engineered systems” means the
11 performance of any professional service requiring the application of engineering
12 principals and data, in any field or subfield identified in par. (b), to the public welfare
13 or the safeguarding of life, health, or property in connection with any public or
14 private utility, structure, project, plant, building, machine, equipment, process, or
15 works. In this paragraph, “professional service” includes consultation,
16 investigation, evaluation, planning, design, alteration, operation, and the
17 responsible supervision of construction.

18 (b) The “practice of design of engineered systems” is limited to the following
19 fields and subfield:

- 20 1. The field of heating, ventilation, and air conditioning systems.
- 21 2. The field of electrical systems.
- 22 3. The field of fire protection systems.
- 23 4. The field of plumbing systems.
- 24 5. The subfield of private sewage systems in the field of plumbing systems.

25 **SECTION 11.** 443.07 (title) of the statutes is amended to read:

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1 **443.07** (title) **Permit requirements: designers of engineering**
2 **engineered systems.**

3 **SECTION 12.** 443.07 (1) of the statutes is repealed and recreated to read:

4 **443.07 (1)** The examining board may grant a permit as a designer of engineered
5 systems under sub. (3) to an individual who applies to the examining board on a form
6 prepared by the examining board and submits the applicable fees under s. 440.05 (1)
7 together with evidence satisfactory to the examining board that the individual has
8 all of the following:

9 (a) A specific record of at least 8 years of experience in the field or subfield of
10 the practice of design of engineered systems in which the permit is being sought. The
11 examining board may award an applicant credit toward the experience required
12 under this paragraph for any of the following for which the examining board
13 determines the applicant has provided sufficient evidence:

14 1. The successful completion of or graduation from an engineering technology
15 program or apprenticeship program approved by the examining board. The
16 examining board may award up to one year of credit for each year of training or
17 apprenticeship, but may not award more than a total of 4 years of credit under this
18 subdivision.

19 2. The successful completion of or graduation from a program other than a
20 program in engineering technology. The examining board may award up to one year
21 of credit for each year of training, but may not award more than a total of 2 years of
22 credit under this subdivision.

23 3. Work in the practice of design of engineered systems under the direct
24 supervision of a registered architect or registered professional engineer, of an
25 individual who holds a permit as a designer of engineered systems in the same field

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1 or subfield as the applicant, or of an individual who holds a credential issued by the
2 department of safety and professional services or by the department of workforce
3 development in the same field or subfield as the applicant. The examining board may
4 award up to one year of credit for each year of work in the practice of design of
5 engineered systems under this subdivision.

6 (b) Successfully completed a written examination in the field or subfield of the
7 practice of design of engineered systems in which the permit is being sought.

8 **SECTION 13.** 443.07 (2) of the statutes is repealed.

9 **SECTION 14.** 443.07 (3) of the statutes is amended to read:

10 443.07 (3) Permits The examining board shall be granted, designated and
11 limited to the fields and subfields of technology as are determined by the examining
12 board and recognized in engineering design practice grant permits under this section
13 in the field or subfield in which an applicant has submitted evidence of training and
14 for which the applicant has applied under sub. (1). Any person holding a permit may
15 prepare plans and specifications and perform consultation, investigation, and
16 evaluation in connection with the making of plans and specifications, within the
17 scope of the permit, notwithstanding that such activity constitutes the practice of
18 architecture or professional engineering under this chapter.

19 **SECTION 15.** 443.07 (4) of the statutes is repealed.

20 **SECTION 16.** 443.07 (5) of the statutes is amended to read:

21 443.07 (5) The A permit granted under sub. (3) shall, on its face, restrict the
22 holder thereof to the specific field and subfields or subfield of designing the practice
23 of design of engineered systems, identified under s. 443.01 (5m) (b), in which the
24 permittee acquired his or her experience in designing and for which the permittee
25 applied under sub. (1). If a person is qualified in more than one type of designing,

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1 persons field or subfield of the practice of design of engineered systems, the
2 examining board may receive permits grant to the person a permit to engage in the
3 practice of design of engineered systems for more than one each field or subfield of
4 designing as may be determined by the examining board for which the person is
5 qualified under sub. (1).

6 **SECTION 17.** 443.08 (title), (1), (2), (3) (a), (4), (5) and (6) of the statutes are
7 amended to read:

8 **443.08 (title) Registration or permit requirement: firms, partnerships,**
9 **and corporations. (1)** The practice of architecture ~~or~~, professional engineering,
10 or design of engineered systems pertaining to the internal operations of a firm,
11 partnership, or corporation may be performed by employees if, in the case of
12 architects and professional engineers, the architectural or professional engineering
13 services are performed practice of architecture or professional engineering is
14 engaged in by or under the direct supervision of architects or professional engineers
15 registered under this chapter, or persons exempt from registration under s. 443.14,
16 or, in the case of designers of engineered systems, the practice of design of engineered
17 systems is engaged in by or under the direct supervision of designers of engineered
18 systems granted a permit under this chapter. Registered or exempt architectural
19 architects or professional engineering ~~employees~~ engineers or designers of
20 engineered systems holding a permit under this chapter may provide architectural
21 ~~or professional engineering data used in connection with the practice of architecture,~~
22 professional engineering, or design of engineered systems with respect to the
23 manufacture, sale, and utilization of the products of the firm, partnership, or
24 corporation to other registered or exempt architects or professional engineers or

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1 other designers of engineered systems holding a permit under this chapter,
2 respectively.

3 **(2)** The practice of or the offer to engage in the practice of architecture,
4 professional engineering, or ~~designing~~ design of engineered systems by individual
5 architects, professional engineers, or designers of engineered systems registered or
6 granted a permit under this chapter, through a firm, partnership, or corporation as
7 principals, officers, employees, or agents, is permitted subject to this chapter, if all
8 personnel who practice or offer to practice in its behalf as architects, professional
9 engineers, or designers of engineered systems are registered or granted a permit
10 under this chapter and if the firm, partnership, or corporation has been issued a
11 certificate of authorization under sub. (3).

12 **(3)** (a) A firm, partnership, or corporation desiring a certificate of authorization
13 shall submit an application to the department on forms provided by the department,
14 listing the names and addresses of all officers and directors, and all individuals in
15 its employment registered or granted a permit to engage in the practice of
16 architecture, professional engineering, or ~~designing~~ design of engineered systems in
17 this state who will be in responsible charge of the practice of architecture,
18 professional engineering, or ~~designing~~ being practiced design of engineered systems
19 in this state through the firm, partnership, or corporation, and other relevant
20 information required by the examining board. A similar type of form shall also
21 accompany the renewal fee. If there is a change in any of these persons, the change
22 shall be reported on the same type of form, and filed with the department within 30
23 days after the effective date of the change. The examining board shall grant a
24 certificate of authorization to a firm, partnership, or corporation complying with this
25 subsection upon payment of the initial credential fee determined by the department

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1 under s. 440.03 (9) (a). This subsection does not apply to firms, partnerships, or
2 corporations exempt under s. 443.14 (3) or (5).

3 (4) (a) No firm, partnership, or corporation may be relieved of responsibility for
4 the conduct or acts of its agents, employees, or officers by reason of its compliance
5 with this chapter, nor may any individual ~~practicing~~ engaged in the practice of
6 architecture, landscape architecture, professional engineering, or designing the
7 design of engineered systems be relieved of responsibility for architectural,
8 ~~landscape architectural, professional engineering or designing services performed~~
9 services performed in connection with the practice of architecture, landscape
10 architecture, professional engineering, or design of engineered systems by reason of
11 his or her employment or relationship with the firm, partnership, or corporation.

12 (b) All final drawings, specifications, plans, reports, or other architectural,
13 ~~engineering or designing~~ papers or documents ~~involving~~ involved in the practice of
14 architecture, professional engineering, or ~~designing~~ design of engineered systems,
15 or landscape architectural papers or documents prepared by a landscape architect
16 registered under this chapter, prepared for the use of a firm, partnership, or
17 corporation, for delivery by it to any person or for public record within the state shall
18 be dated and bear the signature and seal of the architect, landscape architect,
19 professional engineer, or designer of engineered systems who was in responsible
20 charge of their preparation. This paragraph does not apply to persons exempt under
21 s. 443.14 (3), (4), or (5).

22 (5) No firm, partnership, or corporation may engage in the practice of or offer
23 to engage in the practice of architecture, professional engineering, or ~~designing~~
24 design of engineered systems in this state, or use in connection with its name or
25 otherwise assume, use, or advertise any title or description tending to convey the

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1 impression that it is engaged in the practice of architecture, professional
2 engineering, or ~~designing~~ design of engineered systems, nor may it advertise or offer
3 to furnish an ~~architectural, professional engineering or designing~~ service in
4 connection with the practice of architecture, professional engineering, or design of
5 engineered systems, unless the firm, partnership, or corporation has complied with
6 this chapter.

7 (6) Any firm, partnership, or corporation using the word “engineering” or any
8 of its derivatives in its name prior to April 24, 1964, shall be permitted to continue
9 to do so and shall be permitted to use such word in any new firm, partnership, or
10 corporation formed as a result of a reorganization of the firm, partnership, or
11 corporation, if the firm, partnership, or corporation does not engage in the practice
12 of or offer to engage in the practice of architecture, professional engineering, or
13 ~~designing~~ design of engineered systems unless it complies with all other applicable
14 provisions of this chapter.

15 **SECTION 18.** 443.13 (title) of the statutes is amended to read:

16 **443.13** (title) **Disciplinary proceedings against designers of**
17 **engineering engineered systems.**

18 **SECTION 19.** 443.13 of the statutes is renumbered 443.13 (1) (intro.) and
19 amended to read:

20 443.13 (1) (intro.) The Subject to the rules promulgated under s. 440.03 (1), the
21 examining board may make investigations and conduct hearings and may deny,
22 limit, suspend, or revoke a permit granted to a designer of engineered systems or
23 reprimand the permittee if it finds that an applicant for a permit or the permittee
24 is guilty of fraud has been adjudicated mentally incompetent by a court of competent
25 jurisdiction or has done any of the following:

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1 (a) Engaged in fraud or deceit in obtaining the permit, ~~gross.~~

2 (b) Engaged in the practice of design of engineered systems with gross
3 negligence, incompetency or misconduct in practice, ~~signing.~~

4 (c) Signed documents not prepared by the permittee or under the permittee's
5 control, ~~knowingly aiding or abetting.~~

6 (d) Knowingly aided or abetted the unauthorized designing practice of
7 engineering design of engineered systems as ~~stated in s. 443.07 (3)~~ by persons a
8 person not granted permits a permit under this chapter ~~or conviction of a felony,~~
9 ~~subject.~~

10 (e) Subject to ss. 111.321, 111.322, and 111.335, ~~or adjudication of mental~~
11 ~~incompetency by a court of competent jurisdiction. If, after a hearing conducted~~
12 ~~under the rules promulgated under s. 440.03 (1) before the designers' section of the~~
13 ~~examining board, two-thirds of the members of the section vote in favor of sustaining~~
14 ~~the charges, the examining board shall reprimand the permittee or limit, suspend~~
15 ~~or revoke the permit. The action been convicted of a felony.~~

16 (2) The actions of the examining board ~~is~~ under sub. (1) are subject to review
17 under ch. 227.

18 **SECTION 20.** 443.16 of the statutes is amended to read:

19 **443.16 Change of name.** No person may engage in the practice of
20 architecture, landscape architecture, ~~or professional engineering, or design of~~
21 engineered systems in this state under any other given name or any other surname
22 than that under which the person was originally licensed, or granted a permit, or
23 registered to practice in this or any other state, in any instance in which the
24 examining board, after a hearing, finds that practicing under the changed name
25 operates to unfairly compete with another practitioner or to mislead the public as to

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1 identity or to otherwise result in detriment to the profession or the public. This
2 section does not apply to a change of name resulting from marriage or divorce.

3 **SECTION 21.** 443.17 of the statutes is amended to read:

4 **443.17 Seal or stamp; aiding unauthorized practice.** No person who is
5 registered under this chapter to engage in the practice of architecture, landscape
6 architecture, or professional engineering, and no person who holds a permit under
7 this chapter to engage in the practice of design of engineered systems may impress
8 his or her seal or stamp upon documents which have not been prepared by the person
9 or under his or her direction and control, knowingly permit his or her seal or stamp
10 to be used by any other person, or in any other manner knowingly aid or abet the
11 unauthorized practice of architecture ~~or~~, professional engineering, or design of
12 engineered systems, or the unauthorized use of the title “landscape architect” by
13 persons not authorized under this chapter.

14 **SECTION 22.** 443.18 (1) (a) of the statutes is renumbered 443.18 (1) (a) (intro.)
15 and amended to read:

16 443.18 (1) (a) (intro.) Any person who ~~practices~~ does any of the following may
17 be fined not less than \$500 nor more than \$5,000 or imprisoned for not more than 3
18 months or both:

19 1. Engages in the practice of or offers to engage in the practice of architecture,
20 landscape architecture, ~~or~~ professional engineering, or design of engineered systems
21 in this state, or who uses the term “architect,” “landscape architect,” ~~or~~ “professional
22 engineer” engineer,” or “designer of engineered systems” as part of the person’s
23 business name or title, except as provided in s. 443.08 (6), or in any way represents
24 himself or herself as an architect, a landscape architect, ~~or~~ a professional engineer,
25 or a designer of engineered systems unless the person is registered, holds a permit

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1 issued under, or is exempted in accordance with this chapter, or unless the person
2 is the holder of an unexpired permit issued under s. 443.10 (1) (d), ~~or any person~~
3 presenting.

4 3. Presents or attempting attempts to use as his or her own the certificate of
5 registration or permit of another, ~~or any person who gives~~.

6 4. Gives any false or forged evidence of any kind to the examining board or to
7 any member of the examining board ~~in obtaining~~ to obtain a certificate of
8 registration, ~~or any person who falsely impersonates~~ permit.

9 5. Impersonates any other registrant or permittee of like or different name, ~~or~~
10 ~~any person who attempts~~.

11 6. Attempts to use an expired or revoked certificate of registration, ~~or violates~~
12 permit.

13 7. Violates any of the provisions of this section, ~~may be fined not less than \$100~~
14 ~~nor more than \$500 or imprisoned for not more than 3 months or both~~.

15 **SECTION 23.** 443.18 (2) (a) of the statutes is amended to read:

16 443.18 (2) (a) If it appears upon complaint to the examining board by any
17 person, or is known to the examining board, that any person who is ~~neither~~ not
18 registered ~~nor~~ under this chapter, does not hold a permit under s. 443.07, is not
19 exempt under this chapter ~~nor the holder of, and does not hold~~ an unexpired permit
20 under s. 443.10 (1) (d) is ~~practicing~~ engaging in the practice of or offering to engage
21 in the practice of, or is about to engage in the practice of or to offer to engage in the
22 practice of, architecture, landscape architecture, ~~or~~ professional engineering, or
23 design of engineered systems in this state, the examining board or the attorney
24 general or the district attorney of the proper county may investigate and may, in
25 addition to any other remedies, bring action in the name and on behalf of this state

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1 against any such person to enjoin the person from ~~practicing~~ engaging in the practice
2 of or offering to engage in the practice of architecture, landscape architecture, or
3 professional engineering, or design of engineered systems.

4 **SECTION 24.** 443.18 (3) of the statutes is amended to read:

5 443.18 (3) PENALTIES; LAW ENFORCEMENT. Any person who violates this chapter
6 shall may be fined not more than \$500 \$5,000 or imprisoned not more than 3 months
7 or both.

8 **SECTION 25.** 703.11 (2) (b) of the statutes is amended to read:

9 703.11 (2) (b) A survey of the property described in the declaration complying
10 with minimum standards for property surveys adopted by the examining board of
11 architects, landscape architects, professional engineers, designers of engineered
12 systems, and land surveyors and showing the location of any unit or building located
13 or to be located on the property.

14 **SECTION 26. Nonstatutory provisions.**

15 (1) Notwithstanding section 440.08 (2) (a) 27. of the statutes, as affected by this
16 act, the department of safety and professional services shall renew a permit for
17 designing engineering systems that was granted under section 443.07 of the statutes
18 before the effective date of this subsection as though it were a permit to engage in
19 the practice of design of engineered systems granted under section 443.07 of the
20 statutes, as affected by this act, and shall, on the face of the renewed permit, restrict
21 the holder to the fields or subfields of the practice of design of engineered systems,
22 as specified under section 443.01 (5m) (b) of the statutes, as created by this act, that
23 correlate, as determined by the department of safety and professional services, to the
24 fields or subfields of designing that were specified on the face of the permit for
25 designing engineering systems.

chapter A–E 5 was created effective March 1, 1987.

Chapter A-E 5 DESIGNER OF ENGINEERED SYSTEMS

A–E 5.01 Authority and purpose. The rules in this chapter are adopted under authority in ss. 15.08 (5) (b), 227.11 and

443.07, Stats. The purpose of rules in this chapter is to interpret

basic experience and examination requirements for obtaining a ~~designer permit~~ [Designer of Engineered Systems registration](#) as specified in s. 443.07, Stats.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87.

A–E 5.02 Application for [permitRegistration](#). Any applicant who files an application but who does not comply with a request for

information related to the application within one year from the date of the request shall file a new application and fee.

Note: Applications are available [online at www.drl.wi.gov](http://www.drl.wi.gov) or upon request to the board office located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. Register, January, 1999, No. 517, eff. 2–1–99.

A–E 5.03 General experience requirement. (1) GENERAL.

An applicant’s experience shall demonstrate that the applicant has a working knowledge of all of the following:

- (a) Basic mathematics, physics and mechanics.
- (b) Materials and structures.
- (c) Administrative codes and other relevant Wisconsin law.
- (d) Graphic techniques, including drafting and sketching.

(2) AREAS OF EXPERIENCE. To qualify as satisfactory experience in the design of engineering systems under s. 443.07, Stats., the experience of an applicant for a permit shall be substantially in the field or subfield for which the applicant has applied. Fields

and subfield are described in s. A–E 5.06. The experience shall be in areas of design practice designated under subs. (3) and (4), or

other areas which, in the opinion of the board, provide the applicant with knowledge or practice at least equivalent to that which is generally acquired by experience in the areas listed. An applicant

need not have experience in all areas of practice listed under subs. (3) and (4). However, all applicants shall have experience in those areas listed in sub. (3) (a) and (b). Academic coursework which provides the applicant with knowledge and skills in some

of the areas of practice listed under subs. (3) and (4) may be claimed as equivalent to experience.

(3) REQUIRED AREAS OF EXPERIENCE. All applicants shall have experience in the following areas:

- (a) *Research and development.* 1. Problem identification, including consideration of alternative approaches to problem

solving.

2. Planning, including selecting a theoretical or experimental approach.

3. Execution of plan, including completing design calculations.

4. Interpreting and reporting results.

(b) *Design.* 1. Definition of safety, health and environmental constraints.

2. Selection of materials and components.

3. Production of final designs.

4. Preparation of detailed working drawings.

5. Evaluation of design solution for adherence to laws and codes and obtain approval.

(4) OTHER AREAS OF EXPERIENCE. Qualifying experience includes:

(a) *Other design.* 1. Identification of design objectives.

2. Definition of performance specifications and functional requirements, including materials, energy balances, and environmental considerations.

3. Formulation of conceptual design specifications.

4. Definition of physical properties of all key materials.

5. Preparation of designs, layouts, models and systems diagrams.

6. Preparation of supporting technical information.

7. Preparation of bid documents, including conducting a contract evaluation.

8. Preparation of specifications and data sheets.

9. Interaction with [engineers-professionals](#) from other areas of work.

10. Consultation with contractors, suppliers and installers.

11. [InspectionObservation](#) of [purchased-specified](#) equipment and materials for conformity [to the design intent](#). specifications.

(b) *Construction.* 1. Assistance in design implementation during manufacturing or construction.

2. Assistance in design implementation during start up.

3. Revision of design as required including “[as-builtRecord](#)” drawings and specifications.

4. Certification in completing and testing.

5. Provision of field service assistance.

6. Reviewing of completed work.

(c) *Maintenance.* 1. Development of preventive maintenance schedules.

2. Recording of failures, repairs and replacement of equipment.

3. Determination of causes of equipment, structure or schedule failures.

(5) EXPERIENCE LIMITATION. Not more than one year of satisfactory experience may be granted for any calendar year.

History: Cr. Register, February, 1987, No. 374, eff. 3–1–87; am. (2), Register, October, 1991, No. 430, eff. 11–1–91; am. (1) (intro.) to (c), Register, January, 1999, No. 517, eff. 2–1–99.

A–E 5.04 Examination. (1) WRITTEN EXAMINATION FOR

DESIGNER OF ENGINEERING-ENGINEERED SYSTEMS;
SCOPE OF EXAMINATION. (a)

The written examination in each field and subfield shall include questions and problems applying to the following basic content areas:

1. Basic mathematics, physics and mechanics.
2. Materials and structures.
3. Graphic techniques, ~~including drafting and sketching, reading and interpreting blueprints interpretation of construction documents~~ and preparing specifications.
4. Administrative code and other relevant Wisconsin laws.
(b) The examination for registration in the field of electrical systems requires the applicant to demonstrate competency in all of the following:
 1. User requirements for both primary and secondary distribution, illumination, controls and switches and communication systems.
 2. Power, including resistance heating, signals and motors.(c) The examination for registration in the field of fire suppression systems requires the applicant to demonstrate competency in all of the following:
 1. User requirements for fire protection of life and property, life safety requirements, methods of fire prevention, wet and dry standpipes, use of fire retardants and fire proof materials.
 2. Suppression.
 3. Fire characteristics.
 4. Smoke.
 5. Gases.(db) The examination for a permit-registration in the field of heating, ventilating and air conditioning systems requires an applicant to demonstrate competency in all of the following:
 1. User requirements for maintenance of temperature.
 2. Humidity and ventilation systems.
 3. Energy sources.
 4. Heating, ventilating and air conditioning systems, including ducted, piped, unitary, steam and hot water systems.
 5. Manual, electric and pneumatic control systems, including air distribution, heat transfer, energy conservation and air changing systems.(ee) The examination for a permit-registration in the field of plumbing systems requires an applicant to demonstrate competency in all of the following:
 1. User requirements for water supply, drainage and disposal, including private septic-waste treatment systems.
 2. Gaseous distribution systems, including processing piping, oxygen, air and other gases, heating and utilities.(fd) The examination for a permit-registration in the subfield of private sewage systems as defined in s. 145.01 (12), Stats., requires an applicant to demonstrate competency in all of the following:

1. Knowledge of soils;
2. Design of private sewage systems;
3. Applicable administrative code and statutory provisions;
4. Knowledge of applications and reports, including but not limited to soil boring and percolation reports;
5. Mapping skills and interpretation;
6. Knowledge of all systems in the subfield and design of the systems; and
7. Environmental issues.

~~(e) The examination for a permit in the field of electrical systems requires the applicant to demonstrate competency in all of the following:~~

1. ~~User requirements for both primary and secondary distribution, illumination, controls and switches and communication systems.~~
 2. ~~Power, including resistance heating, signals and motors.~~
- ~~(f) The examination for a permit in the field of fire protection systems requires the applicant to demonstrate competency in all of the following:~~
1. ~~User requirements for fire protection of life and property, life safety requirements, methods of fire prevention, wet and dry standpipes, use of fire retardants and fire proof materials.~~
 2. ~~Suppression.~~
 3. ~~Fire characteristics.~~
 4. ~~Smoke.~~
 5. ~~Gases.~~

(2) REQUIREMENTS FOR ENTRANCE TO EXAMINATIONS. To be eligible to take a written examination for a permit-registration as a ~~designer~~ Designer of Engineered Systems, an applicant shall have 7 years of approved experience in specialized engineering design work, up to 4 years of which may be equivalent academic training or apprenticeship as provided in s. 443.07 (2), Stats.

(3) APPLICATION FOR EXAMINATION. An application for examination must be filed with the board no later than 2 months before the scheduled date for the examination.

Note: An otherwise qualified applicant with a disability shall be provided with reasonable accommodations.

(4) EXAMINATION AND REFUND FEES. The fee for a ~~designer~~ Designer of Engineered System examination and the requirements for a refund of fees are specified in s. 440.05, Stats., and ch. RL 4.

(5) TIME, DATE AND SITE OF EXAMINATIONS. The examinations shall be held at a time, date and site specified by the board.

(6) GRADING OF WRITTEN EXAMINATIONS. The passing scores set by the board represent the minimum competency required to

protect public health and safety. An applicant's experience rating is not considered by the board in grading the applicant's written examination.

(7) REEXAMINATION PROCEDURE. An applicant ~~for a designer examination~~ who fails an examination ~~or any part of an examination~~ may retake ~~any part of~~ the examination ~~failed~~ at a regularly-scheduled administration of the examination. ~~If an applicant fails to pass on reexamination of the parts failed, or the current examination parts equivalent to the parts failed, within 4 years from the date of receipt of the results of the first failure of the examination or any part of the examination, the applicant is required to take and pass the entire examination.~~ If the applicant retakes the ~~entire~~ examination, the applicant shall pay the ~~original~~ examination fee under s. 440.05 (1), Stats. ~~The board shall determine which parts of a current examination are equivalent to the examination parts failed by an applicant.~~

Note: A list of all current examination fees may be obtained [online at www.drl.wi.gov](http://www.drl.wi.gov) or at no charge from the Office of Examinations, Department of Regulation and Licensing, 1400 East Washington Avenue, P.O. Box 8935, Madison, WI 53708.

(8) EXAMINATION REVIEW. ~~(a) One-year limitation. An applicant for a designer examination may review questions on any part of an examination failed by the applicant within one year from the date of the examination, as specified in s. 443.09 (6), Stats. An applicant may review the examination only once.~~ ~~(b) Review procedure. Failing candidates shall be notified of the procedure to schedule a review of the appropriate examination parts. The applicant may take notes on the examination questions reviewed. No notes may be retained by the applicant following the review. The review may not take place within 30 days prior to a scheduled examination. If the section confirms the failing status following its review, the application shall be deemed incomplete, and the applicant may be reexamined under sub. (7).~~

(9) CHEATING. Any applicant for registration who receives aid or cheats in any other manner in connection with the examination shall be barred from completing the examination or shall not be given a passing grade, or both.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1) (a) (intro.), renum. (1) (d) and (e) to be (1) (e) and (f), cr. (1) (d), Register, October, 1991, No.

430, eff. 11-1-91; am. (7), Register, June, 1994, No. 462, eff. 7-1-94; am. (8) (b), Register, March, 1996, No. 483, eff. 4-1-96; am. (8), Register, October, 1996, No. 490, eff. 11-1-96; am. (1) (a) 1. to 3., (b) (intro.) to 4., (c) (intro.) and 1., (e) (intro.) and 1., (f) (intro.) to 4. and (6), cr. (9), Register, January, 1999, No. 517, eff. 2-1-99.

A-E 5.05 Application contents. An application shall include all of the following:

- (1) Transcripts or apprenticeship records verifying the applicant's education and training.
- (2) References from 3 individuals who have personal knowledge of the applicant's work involving the preparation of plans and specifications, one of whom shall be a registered architect, professional engineer or a designer of engineered systems.
- (3) A chronological history of the applicant's employment.
- (4) Any additional data, exhibits or references showing the extent and quality of the applicant's technological experience that may be required by the Designer of Engineered Systems section.

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (2), Register, October, 1991, No. 430, eff. 11-1-91; am. (1), Register, January, 1993, No. 445, eff. 2-1-93; am. (intro.) to (3), Register, January, 1999, No. 517, eff. 2-1-99.

A-E 5.06 Designer of Engineered Systems permit registration limitations. (1) Design services

which may be performed by designers of engineered systems are the preparation of plans, ~~s and~~ specifications, consultation, investigation and evaluation in ~~connection with the preparation of plans and specifications in those the~~ fields and subfield set forth in sub. (2).

(2) Permits Registration for the design of engineering engineered systems shall be issued in the following fields and subfield:

- (a) ~~(a)~~ The field of heating, ventilation and air conditioning electrical systems.
 - a. Includes design of electrical systems within the constraints of the property line or beyond to the point of connection to a utility provider located in a right-of-way.
 - b. Electrical systems may include, but are not limited to: power, lighting, fire alarm, security, data, grounding, lightning protection, notification, communication and signaling.
- (b) ~~(b)~~ The field of plumbing fire suppression systems.
 - a. Includes design of fire protection, fire suppression or fire extinguishment systems within the constraints of the property line or beyond to the point of connection to a utility provider located in a right-of-way.
 - b. Fire suppression systems may include, but are not limited to: site fire protection means, building fire suppression systems or fire protection systems for specific equipment

but excluding fire alarm systems, power supply, plumbing or other work strictly regulated elsewhere.

(c) (e)-The subfield of private sewage heating, ventilating and air conditioning (HVAC) systems.

- a. Includes design of building heating, ventilating and air conditioning systems within the constraints of the property line or beyond to the point of connection to a utility provider located in a right-of-way.
- b. HVAC systems may include, but are not limited to: any method to heat, cool, ventilate or otherwise control the environmental conditions associated within a defined building, space or process.
- c. Related systems include, but are not limited to: nonpotable water, compressed air, vacuum, natural gas, LP gas and petroleum based systems, among others that are not strictly regulated as plumbing, electrical or fire suppression piping systems.

(d) (d)-The field of electrical-plumbing systems.

- a. Includes design of plumbing and piping systems within the constraints of the property line or beyond to the point of connection to a utility provider located in a right-of-way.
- b. Plumbing systems may include, but are not limited to: site related storm sewer, sanitary sewer, water service, combination fire/water service mains, private on-site wastewater treatment systems (POWTS); building related storm drainage, clearwater drainage, sanitary sewer, gray water, venting, potable water, nonpotable water, multipurpose fire/water system, water treatment, chemical waste systems, swimming pool piping systems, food service piping systems and other building service piping systems not strictly regulated as fire suppression or HVAC.
- c. Related piping systems include, but are not limited to: nonpotable water, site fire protection, turf irrigation, compressed air, vacuum, natural gas, LP gas, laboratory piping systems, medical piping systems and petroleum based systems, among others.

(e) (e)-The plumbing subfield of fire-protection private sewage systems.

- a. Design is limited to private sewage systems and includes design of private on-site wastewater treatment systems (POWTS) within the constraints of the property line or a special purpose district.
- b. Private sewage systems for sewage treatment and disposal may include, and is limited to: the sewer extension from the immediate inside or proposed inside foundation wall of the building to the POWTS septic tank, pump chambers, soil absorption field, an approved alternate sewage system, holding tank, associated

piping, equipment, controls and alarms, but excluding the power supply or work strictly regulated elsewhere as electrical or plumbing systems.

15 ARCHITECTS, ENGINEERS, DESIGNERS AND SURVEYORS **A-E 5.06**

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~~(3) Permit-The designer of engineered systems personal numbers-stamp or seal shall designate the fields or subfield of registration to~~

~~which permits are restricted-~~

~~(4) A designer of engineered systems may not perform design services in those fields~~

~~or subfield for which they do not hold a permit, unless the designer person~~

~~or building involved is exempt under ss. 443.14 and 443.15, Stats.~~

~~(6) (a) A master plumber's license restricted to private sewage systems issued pursuant to s. 145.14, Stats., shall be deemed equivalent to 4 years of approved experience in designing private~~

~~sewage systems. The mathematics and mechanical science portions~~

~~of the examination for the subfield of private sewage systems may be waived for an applicant who holds such license. An~~

~~applicant who does not hold such license shall take the mathematics,~~

~~mechanical science and practice portions of the examination for the subfield of private sewage systems.~~

~~(b) A plumbing design permit in the subfield of private sewage~~

~~systems shall be limited to the design of septic tanks for private~~

~~sewage disposal systems, drain fields designed to serve such septic~~

~~tanks, and the sewer service from the septic tank or sewer extensions from mains to the immediate inside or proposed~~

~~inside foundation wall of the building.~~

History: Cr. Register, February, 1987, No. 374, eff. 3-1-87; am. (1), (2) (intro.),

(a) and (b), (3) and (4), renum. (2) (c) and (d) to be (2) (d) and (e) and am., cr. (2) (c)

and (6), Register, October, 1991, No. 430, eff. 11-1-91; am. (2) (a), (b) and (d), r. (5),

Register, January, 1999, No. 517, eff. 2-1-99.