

ACEC Oregon

AMERICAN COUNCIL OF ENGINEERING COMPANIES OF OREGON

"The Engineers"

Testimony Presented to the
House Consumer Protection and Government Efficiency Committee
In Opposition to HB 3326
March 26, 2013

Chair Holvey and members of the Consumer Protection and Government Efficiency Committee, good afternoon and thank you for the opportunity to present my testimony in opposition to HB 3326.

My name is Sue Laszlo and I am the chair of the American Council of Engineering Companies (ACEC) Oregon legislative committee. I am a registered professional engineer, and a Vice President of HDR Engineering Inc. I am past president, and an emeritus member of the Oregon State Board of Engineering Examiners and Land Survey and continue to be active in my profession and community. ACEC Oregon is a professional organization representing more than 110 member firms and 3,500 employees in Oregon. Our members range from small locally owned firms to major companies providing design services to public and private clients across the nation and world.

In summary the problems that we see with this bill are as follows:

- 1) HB 3326 gives the Director of the Oregon Department of Consumer and Business Services complete power to adopt alternative building code requirements if the code is deemed "unclear, duplicative, inadequate or unsuitable". There are no qualifications to location, type of structure or anything else that would keep this entity from amending the code as they saw fit.
- 2) HB 3326 allows a Building Official, Department Employee or Building Inspector to act as a design consultant but then stipulates that if they do so they are not engaged in the practice of Engineering.
- 3) HB 3326 allows the aforementioned public sector employees to charge for these services, as if they were a private consultant. This would be allowed in direct competition with private sector companies without having to carry insurance, business or a Professional Engineering license.

ORS 672.020 states, "(1) In order to safeguard life, health and property, no person shall practice or offer to practice engineering in this state unless the person is registered and has a valid certificate to practice engineering issued under ORS 672.002 to 672.325. (2) Each registered professional engineer shall, upon registration, obtain a seal of the design authorized by the State Board of Examiners for Engineering and Land Surveying. Every final document including drawings, specifications, designs, reports, narratives, maps and plans issued by a registrant shall be stamped with the seal and signed by the registrant.

Our concern is that the bill as written does not protect the public. It allows the building official to take design responsibility and offer it to the public without the benefit of additional education or certification. As engineers, we believe that professional licensure demonstrates the professional competency that the public expects when they procure these services.

Thank you for your consideration.

5319 SW Westgate Drive, Suite 224, Portland, Oregon 97221
phone (503) 292-2348 ♦ fax (503) 292-2410
www.acecOregon.org

Member of the American Council of Engineering Companies, Washington, D.C.