

House Engrossed

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 71

HOUSE BILL 2225

AN ACT

AMENDING SECTION 32-145, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 32-151 AND 32-152; RELATING TO ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, HOME INSPECTORS, LANDSCAPE ARCHITECTS AND SURVEYORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-145, Arizona Revised Statutes, is amended to
3 read:

4 32-145. Violations; classification

5 Any person who commits any of the following acts is guilty of a class 2
6 misdemeanor:

7 1. Practices, offers to practice or by any implication holds himself
8 out as qualified to practice any board regulated profession or occupation if
9 the person is not registered or certified as provided by this chapter.

10 2. Advertises or displays any card, sign or other device that may
11 indicate to the public that the person is certified or registered or is
12 qualified to practice any board regulated profession or occupation if the
13 person is not certified or registered as provided by this chapter.

14 3. Uses "certified", "professional certified", "professional", "PE",
15 "registered", "registered professional" or "professional registered" in
16 conjunction with any board regulated profession or occupation if the person
17 is not certified or registered as provided by this chapter.

18 4. Uses a certification or certificate of registration of another, or
19 uses an expired or revoked certification or certificate of registration.

20 5. Presents false evidence to the board with the intent to obtain a
21 certification or a certificate of registration.

22 6. Otherwise violates any provision of this chapter.

23 Sec. 2. Title 32, chapter 1, article 3, Arizona Revised Statutes, is
24 amended by adding sections 32-151 and 32-152, to read:

25 32-151. Certify; certification

26 THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A PERSON OR FIRM
27 THAT IS REGISTERED OR CERTIFIED BY THE BOARD IS AN EXPRESSION OF PROFESSIONAL
28 OPINION REGARDING FACTS OR FINDINGS THAT ARE THE SUBJECT OF THE CERTIFICATION
29 AND DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.

30 32-152. As built plans; definition

31 A. IF A PERSON OR FIRM THAT IS REGISTERED OR CERTIFIED BY THE BOARD IS
32 REQUIRED TO PROVIDE AS BUILT PLANS FOR IMPROVEMENTS OR GRADING, AND THE PLANS
33 SHOW CHANGES DURING THE CONSTRUCTION PROCESS, THE FOLLOWING APPLY:

34 1. IF THE REGISTERED OR CERTIFIED PROFESSIONAL PROVIDED CONSTRUCTION
35 PHASE SERVICES ON THE PROJECT THAT INCLUDE SUPERVISION OF THE CONSTRUCTION OF
36 ENGINEERING STRUCTURES, THE PLANS SHALL BE BASED ON FIELD OBSERVATIONS OF THE
37 REGISTERED OR CERTIFIED PROFESSIONAL OR THE PROFESSIONAL'S AGENTS AND
38 INFORMATION RECEIVED FROM THE PROJECT OWNER, PROJECT CONTRACTORS AND PUBLIC
39 AGENCIES.

40 2. IF THE REGISTERED OR CERTIFIED PROFESSIONAL DID NOT PROVIDE
41 CONSTRUCTION PHASE SERVICES ON THE PROJECT THAT INCLUDE SUPERVISION OF THE
42 CONSTRUCTION OF ENGINEERING STRUCTURES, THE PLANS SHALL BE BASED ON
43 INFORMATION RECEIVED FROM THE PROJECT OWNER, PROJECT CONTRACTORS AND PUBLIC
44 AGENCIES, BUT NEED NOT BE BASED ON A FIELD VERIFICATION OR INVESTIGATION OF

1 THE IMPROVEMENTS OR GRADES UNLESS THE REGISTERED OR CERTIFIED PROFESSIONAL IS
2 ENGAGED TO PROVIDE THE FIELD VERIFICATION SERVICES.

3 3. THE REGISTERED OR CERTIFIED PROFESSIONAL SHALL NOT BE REQUIRED TO
4 INCLUDE A CERTIFICATE OR STATEMENT ON AS BUILT PLANS THAT IS INCONSISTENT
5 WITH OR VARIES FROM THE PROVISIONS OF THIS SECTION.

6 B. FOR THE PURPOSES OF THIS SECTION, "AS BUILT PLANS" MEANS PLANS THAT
7 DOCUMENT THE REGISTERED OR CERTIFIED PROFESSIONAL'S FINAL PLANS AND THAT
8 INCLUDE ALL CHANGES MADE TO THE PLANS IN THE ACTUAL PROJECT CONSTRUCTION. AS
9 BUILT PLANS INCLUDE AS CONSTRUCTED PLANS AND RECORD PLANS.

APPROVED BY THE GOVERNOR APRIL 13, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2005.

Passed the House February 21, 2005

Passed the Senate April 7, 2005

by the following vote: 59 Ayes,

by the following vote: 27 Ayes,

0 Nays, 1 Not Voting

2 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
11th day of April, 2005

at 4:23 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 13 day of

April, 2005,

at 9:25 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 13 day of April, 2005,

at 11:04 o'clock A. M.

[Signature]
Secretary of State