
DIGEST

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HB 546 Original

2023 Regular Session

Pressly

Abstract: Clarifies whether a person may use the term of engineer, engineering, or practice of engineering.

Present law requires that any individual practicing or offering to practice professional engineering or professional land surveying, shall be required to submit evidence that he is qualified to do so. No person shall practice or offer to practice in this state engineering or land surveying or to use in connection with his name or otherwise assume, use, or advertise any title or description that conveys the impression that he is a professional engineer or a professional land surveyor, unless they has been licensed.

Proposed law retains present law and requires that a person shall not be in violation of present law solely by the use of the word "engineer" or "engineering" in a name, job title, personnel classification, business title, verbal claim, sign, advertisement, letterhead, card, or any other similar description or use.

Present law provides that a person shall be construed to practice or offer to practice engineering: who practices in any discipline of the profession of engineering; or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer; or who represents himself as able to perform; or who does perform any engineering service or work or any other professional service designated by the practitioner or recognized by educational authorities as engineering. The practice of engineering shall not include the work ordinarily performed by a person who himself operates or maintains machinery or equipment.

Proposed law retains present law and includes that a person shall not be construed to be practicing or offering to practice engineering or otherwise fall under the definition of "practice of engineering" as defined in present law solely by the use of the word "engineer" or "engineering" in a name, job title, personnel classification, business title, verbal claim, sign, advertisement, letterhead, card, or any other similar use.

Present law states that the board shall have the power to take enforcement action against a person for the use of the words "engineer" or "engineering" or "land surveyor" or "land surveying" or any modification or derivative thereof in its name or form of business or activity except as licensed.

Proposed law retains present law and includes that the board shall not have the power to take any enforcement action against any nonlicensee or noncertificate holder solely for using the words "engineer" or "engineering" in a name, job title, personnel classification, business title, verbal claim,

sign, advertisement, letterhead, card, or any other similar description or use, so long as nonlicense holder or noncertificate holder does not practice or offer to practice engineering.

(Amends R.S. 37:681, 682(13)(b), and 700(A)(7))