

Superseded 5/9/2017

58-22-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Board" means the Professional Engineers and Professional Land Surveyors Licensing Board created in Section 58-22-201.
- (2) "Building" means a structure which has human occupancy or habitation as its principal purpose, and includes the structural, mechanical, and electrical systems, utility services, and other facilities required for the building, and is otherwise governed by the State Construction Code or an approved code under Title 15A, State Construction and Fire Codes Act.
- (3) "Complete construction plans" means a final set of plans, specifications, and reports for a building or structure that normally includes:
 - (a) floor plans;
 - (b) elevations;
 - (c) site plans;
 - (d) foundation, structural, and framing detail;
 - (e) electrical, mechanical, and plumbing design;
 - (f) information required by the energy code;
 - (g) specifications and related calculations as appropriate; and
 - (h) all other documents required to obtain a building permit.
- (4) "EAC/ABET" means the Engineering Accreditation Commission/Accreditation Board for Engineering and Technology.
- (5) "Fund" means the Professional Engineer, Professional Structural Engineer, and Professional Land Surveyor Education and Enforcement Fund created in Section 58-22-103.
- (6) "NCEES" means the National Council of Examiners for Engineering and Surveying.
- (7) "Principal" means a licensed professional engineer, professional structural engineer, or professional land surveyor having responsible charge of an organization's professional engineering, professional structural engineering, or professional land surveying practice.
- (8) "Professional engineer" means a person licensed under this chapter as a professional engineer.
- (9)
 - (a) "Professional engineering or the practice of engineering" means a service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to the service or creative work as consultation, investigation, evaluation, planning, design, and design coordination of engineering works and systems, planning the use of land and water, facility programming, performing engineering surveys and studies, and the review of construction for the purpose of monitoring compliance with drawings and specifications; any of which embraces these services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic, or thermal nature, and including other professional services as may be necessary to the planning, progress, and completion of any engineering services.
 - (b) The practice of professional engineering does not include the practice of architecture as defined in Section 58-3a-102, but a licensed professional engineer may perform architecture work as is incidental to the practice of engineering.
- (10) "Professional engineering intern" means a person who:
 - (a) has completed the education requirements to become a professional engineer;
 - (b) has passed the fundamentals of engineering examination; and

- (c) is engaged in obtaining the four years of qualifying experience for licensure under the direct supervision of a licensed professional engineer.
- (11) "Professional land surveying or the practice of land surveying" means a service or work, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the relevant requirements of law for adequate evidence to the act of measuring and locating lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes, for the monumenting or locating of property boundaries or points controlling boundaries, and for the platting and layout of lands and subdivisions of lands, including the topography, alignment and grades of streets, and for the preparation and perpetuation of maps, record plats, field notes records, and property descriptions that represent these surveys and other duties as sound surveying practices could direct.
- (12) "Professional land surveyor" means an individual licensed under this chapter as a professional land surveyor.
- (13) "Professional structural engineer" means a person licensed under this chapter as a professional structural engineer.
- (14) "Professional structural engineering or the practice of structural engineering" means a service or creative work in the following areas, and may be further defined by rule by the division in collaboration with the board:
 - (a) providing structural engineering services for significant structures including:
 - (i) buildings and other structures representing a substantial hazard to human life, which include:
 - (A) buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300;
 - (B) buildings and other structures with elementary school, secondary school, or day care facilities with an occupant load greater than 250;
 - (C) buildings and other structures with an occupant load greater than 500 for colleges or adult education facilities;
 - (D) health care facilities with an occupant load of 50 or more resident patients, but not having surgery or emergency treatment facilities;
 - (E) jails and detention facilities with a gross area greater than 3,000 square feet; or
 - (F) an occupancy with an occupant load greater than 5,000;
 - (ii) buildings and other structures designated as essential facilities, including:
 - (A) hospitals and other health care facilities having surgery or emergency treatment facilities with a gross area greater than 3,000 square feet;
 - (B) fire, rescue, and police stations and emergency vehicle garages with a mean height greater than 24 feet or a gross area greater than 5,000 square feet;
 - (C) designated earthquake, hurricane, or other emergency shelters with a gross area greater than 3,000 square feet;
 - (D) designated emergency preparedness, communication, and operation centers and other buildings required for emergency response with a mean height more than 24 feet or a gross area greater than 5,000 square feet;
 - (E) power-generating stations and other public utility facilities required as emergency backup facilities with a gross area greater than 3,000 square feet;
 - (F) structures with a mean height more than 24 feet or a gross area greater than 5,000 square feet containing highly toxic materials as defined by the division by rule, where the quantity of the material exceeds the maximum allowable quantities set by the division by rule; and

- (G) aviation control towers, air traffic control centers, and emergency aircraft hangars at commercial service and cargo air services airports as defined by the Federal Aviation Administration with a mean height greater than 35 feet or a gross area greater than 20,000 square feet; and
- (iii) buildings and other structures requiring special consideration, including:
 - (A) structures or buildings that are:
 - (I) normally occupied by human beings; and
 - (II) five stories or more in height; or
 - (III) that have an average roof height more than 60 feet above the average ground level measured at the perimeter of the structure; or
 - (B) all buildings over 200,000 aggregate gross square feet in area; and
- (b) includes the definition of professional engineering or the practice of professional engineering as provided in Subsection (9).
- (15) "Structure" means that which is built or constructed, an edifice or building of any kind, or a piece of work artificially built up or composed of parts joined together in a definite manner, and as otherwise governed by the State Construction Code or an approved code under Title 15A, State Construction and Fire Codes Act.
- (16) "Supervision of an employee, subordinate, associate, or drafter of a licensee" means that a licensed professional engineer, professional structural engineer, or professional land surveyor is responsible for and personally reviews, corrects when necessary, and approves work performed by an employee, subordinate, associate, or drafter under the direction of the licensee, and may be further defined by rule by the division in collaboration with the board.
- (17) "TAC/ABET" means the Technology Accreditation Commission/Accreditation Board for Engineering and Technology.
- (18) "Unlawful conduct" is defined in Sections 58-1-501 and 58-22-501.
- (19) "Unprofessional conduct" as defined in Section 58-1-501 may be further defined by rule by the division in collaboration with the board.