

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 165

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO ENGINEERS AND SURVEYORS; AMENDING SECTION 54-1222, IDAHO CODE, TO PROVIDE A CODE REFERENCE, TO PROVIDE THAT CERTAIN PERSONS WHO EMPLOY UNLICENSED ENGINEERS OR LAND SURVEYORS SHALL BE GUILTY OF A MISDEMEANOR, TO PROVIDE AN EXEMPTION AND TO MAKE A TECHNICAL CORRECTION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 54-1222, Idaho Code, be, and the same is hereby amended to read as follows:

54-1222. VIOLATIONS AND PENALTIES -- PROSECUTION OF OFFENSES. Any person who shall practice, or offer to practice, as defined in section 54-1202, Idaho Code, professional engineering or professional land surveying in this state without being licensed in accordance with the provisions of this chapter, or any person who by verbal claim, sign, advertisement, letterhead or card or in any other way represents that such person employs professional engineers or professional land surveyors when such persons are not licensed under the provisions of this chapter, or any person presenting or attempting to use as his own the license or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a license or certificate, or any person who shall falsely impersonate any other licensee of like or different name, or any person who shall attempt to use an expired or revoked license or practice at any time during a period the board has suspended or revoked his license, or any person who shall violate any of the provisions of this chapter, shall be guilty of a misdemeanor. The provisions of this section shall not apply to a surveyor or engineer who is not licensed in accordance with the provisions of this chapter, or to the person who employs such a nonlicensed surveyor or engineer, when hired to testify or serve as a consultant as to a legal action or other proceeding in the state of Idaho.

Legal counsel selected by the board, or the attorney general of this state or anyone designated by him, may act as legal advisor of the board. It shall be the duty of the attorney general of this state to enforce the provisions of this chapter relating to unlicensed practice and to prosecute any unlicensed person violating the same. The attorney general shall be reimbursed by the board for any fees and expenses incurred by the attorney general in representing the board or prosecuting unlicensed persons.