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**HOUSE BILL NO. 1974**

Offered January 13, 2021

Prefiled January 11, 2021

*A BILL to amend and reenact § 54.1-402 of the Code of Virginia, relating to professional regulation; exemptions from license requirements for architects and professional engineers; onsite sewage systems receiving residential wastewater.*

\_\_\_\_\_  
Patron—Rush (By Request)

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Referred to Committee on General Laws

**Be it enacted by the General Assembly of Virginia:****1. That § 54.1-402 of the Code of Virginia is amended and reenacted as follows:****§ 54.1-402. Further exemptions from license requirements for architects, professional engineers, and land surveyors.**

A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents and designs for the following, provided any such plans, specifications, documents or designs bear the name and address of the author and his occupation:

1. Single- and two-family homes, townhouses and multifamily dwellings, excluding electrical and mechanical systems, not exceeding three stories; ~~or~~

2. All farm structures used primarily in the production, handling or storage of agricultural products or implements, including, but not limited to, structures used for the handling, processing, housing or storage of crops, feeds, supplies, equipment, animals or poultry; ~~or~~

3. Buildings and structures classified with respect to use as business (Use Group B) and mercantile (Use Group M), as provided in the Uniform Statewide Building Code and churches with an occupant load of 100 or less, excluding electrical and mechanical systems, where such building or structure does not exceed 5,000 square feet in total net floor area, or three stories; ~~or~~

4. Buildings and structures classified with respect to use as factory and industrial (Use Group F) and storage (Use Group S) as provided in the Uniform Statewide Building Code, excluding electrical and mechanical systems, where such building or structure does not exceed 15,000 square feet in total net floor area, or three stories; ~~or~~

5. Additions, remodeling or interior design without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard; ~~or~~

6. Electric installations which comply with all applicable codes and which do not exceed 600 volts and 800 amps, where work is designed and performed under the direct supervision of a person licensed as a master's level electrician or Class A electrical contractor by written examination, and where such installation is not contained in any structure exceeding three stories or located in any of the following categories:

a. Use Group A-1 theaters which exceed assembly of 100 persons;

b. Use Group A-4, except churches; *or*

c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; ~~or~~

7. Plumbing and mechanical systems using packaged mechanical equipment, such as equipment of catalogued standard design which has been coordinated and tested by the manufacturer, which comply with all applicable codes. These mechanical systems shall not exceed gauge pressures of 125 pounds per square inch, other than refrigeration, or temperatures other than flue gas of 300 degrees F (150 degrees C) where such work is designed and performed under the direct supervision of a person licensed as a master's level plumber, master's level heating, air conditioning and ventilating worker, or Class A contractor in those specialties by written examination. In addition, such installation may not be contained in any structure exceeding three stories or located in any structure which is defined as to its use in any of the following categories:

a. Use Group A-1 theaters which exceed assembly of 100 persons;

b. Use Group A-4, except churches;

c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; ~~or~~

8. The preparation of shop drawings, field drawings and specifications for components by a contractor who will supervise the installation and where the shop drawings and specifications (i) will be reviewed by the licensed professional engineer or architect responsible for the project or (ii) are

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59 otherwise exempted; or

60 9. Buildings, structures, or electrical and mechanical installations which are not otherwise exempted  
61 but which are of standard design, provided they bear the certification of a professional engineer or  
62 architect registered or licensed in another state, and provided that the design is adapted for the specific  
63 location and for conformity with local codes, ordinances and regulations, and is so certified by a  
64 professional engineer or architect licensed in Virginia; or

65 10. Construction by a state agency or political subdivision not exceeding \$75,000 in value keyed to  
66 the January 1, 1991, Consumer Price Index (CPI) and not otherwise requiring a licensed architect,  
67 engineer, or land surveyor by an adopted code and maintenance by that state agency or political  
68 subdivision of water distribution, sewage collection, storm drainage systems, sidewalks, streets, curbs,  
69 gutters, culverts, and other facilities normally and customarily constructed and maintained by the public  
70 works department of the state agency or political subdivision; or

71 11. Conventional and alternative onsite sewage systems receiving residential wastewater, under the  
72 authority of Chapter 6 (§ 32.1-163 *et seq.*) of Title 32.1, designed by a licensed onsite soil evaluator,  
73 which utilize ~~packaged equipment~~, such as equipment of catalogued standard design that has been  
74 coordinated and tested by the manufacturer; and complies with all applicable codes, provided (i) ~~that~~ the  
75 flow is less than ~~4,000~~ 1,200 gallons per day; and (ii) if a pump is included, (a) it shall not include  
76 multiple downhill runs and must terminate at a positive elevational change; (b) the discharge end is open  
77 and not pressurized; (c) the static head does not exceed 50 feet; and (d) the force main length does not  
78 exceed 500 feet.

79 B. No person shall be exempt from licensure as an architect or engineer who engages in the  
80 preparation of plans, specifications, documents or designs for:

81 1. Any unique design of structural elements for floors, walls, roofs or foundations; or

82 2. Any building or structure classified with respect to its use as high hazard (Use Group H).

83 C. Persons utilizing photogrammetric methods or similar remote sensing technology shall not be  
84 required to be licensed as a land surveyor pursuant to subsection B of § 54.1-404 or § 54.1-406 to: (i)  
85 determine topography or contours, or to depict physical improvements, provided such maps or other  
86 documents shall not be used for the design, modification, or construction of improvements to real  
87 property or for flood plain determination, or (ii) graphically show existing property lines and boundaries  
88 on maps or other documents provided such depicted property lines and boundaries shall only be used for  
89 general information.

90 Any determination of topography or contours, or depiction of physical improvements, utilizing  
91 photogrammetric methods or similar remote sensing technology by persons not licensed as a land  
92 surveyor pursuant to § 54.1-406 shall not show any property monumentation or property metes and  
93 bounds, nor provide any measurement showing the relationship of any physical improvements to any  
94 property line or boundary.

95 Any person not licensed pursuant to subsection B of § 54.1-404 or § 54.1-406 preparing  
96 documentation pursuant to subsection C of § 54.1-402 shall note the following on such documentation:  
97 "Any determination of topography or contours, or any depiction of physical improvements, property  
98 lines or boundaries is for general information only and shall not be used for the design, modification, or  
99 construction of improvements to real property or for flood plain determination."

100 D. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings  
101 provided in the Uniform Statewide Building Code in effect on July 1, 1982, including any subsequent  
102 amendments.