

HOUSE BILL No. 5908

June 4, 1998, Introduced by Reps. Profit and Hammerstrom and referred to the Committee on Regulatory Affairs.

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 2012 and 2014 (MCL 339.2012 and 339.2014),
as amended by 1992 PA 103.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2012. The following persons are exempt from the
2 requirements of this article:

3 (a) A professional engineer employed by a railroad or other
4 interstate corporation, whose employment and practice is confined
5 to the property of the corporation.

6 (b) A designer of a manufactured product, if the manufac-
7 turer of the product assumes responsibility for the quality of
8 the product.

9 (c) An owner doing architectural, engineering, or surveying
10 work upon or in connection with the construction of a building on

1 the owner's property for the owner's own use to which employees
2 and the public are not generally to have access.

3 (d) A person not licensed under this article who is plan-
4 ning, designing, or directing the construction of a ~~residence~~
5 RESIDENTIAL building not exceeding 3,500 square feet in calcu-
6 lated floor area. As used in this subdivision and section
7 2014(e), "calculated floor area" means that portion of the total
8 gross area, measured to the outside surfaces of exterior walls
9 intended to be habitable, including a heater or utility room, but
10 not including a crawl space; an unfinished and nonhabitable por-
11 tion of a basement or attic; or a garage, open porch, balcony,
12 terrace, or court.

13 (e) A person who is licensed to engage in the practice of
14 architecture, professional engineering, or professional surveying
15 in another state while temporarily in this state to present a
16 proposal for services.

17 (F) A PERSON LICENSED UNDER ARTICLE 24 WHO IS ENGAGED IN
18 PLANNING, DESIGNING, OR DIRECTING THE CONSTRUCTION OF A
19 SINGLE-FAMILY DETACHED RESIDENTIAL BUILDING OF ANY SIZE ONLY IF
20 THE BUILDING PERMIT IS ISSUED IN THE NAME OF THAT LICENSEE.

21 Sec. 2014. A person WHO COMMITS 1 OR MORE OF THE FOLLOWING
22 is subject to the penalties set forth in article 6: ~~who commits~~
23 ~~1 of the following:~~

24 (a) Uses the term "architect", "professional engineer",
25 "land surveyor", "professional surveyor", or a similar term in
26 connection with the person's name unless the person is licensed
27 in the appropriate practice under this article.

1 (b) ~~Presenting or attempting~~ PRESENTS OR ATTEMPTS to use
2 as the person's own the license or seal of another.

3 (c) ~~Attempting~~ ATTEMPTS to use an expired, suspended, or
4 revoked license.

5 (d) ~~Using~~ USES the words "architecture", "professional
6 engineering", "land surveying", "professional surveying", or a
7 similar term in a firm name without authorization by the appro-
8 priate board.

9 (e) ~~Submitting~~ SUBMITS to a public official of this state
10 or a political subdivision of this state for approval, a permit
11 or a plan for filing as a public record, a specification, a
12 report, or a land survey ~~which~~ THAT does not bear 1 or more
13 seals of a licensee as required by this article. This subdivi-
14 sion does not apply to ~~a~~ THE FOLLOWING:

15 (i) A public work costing less than \$15,000.00. ~~or a~~

16 (ii) A residential building containing not more than 3,500
17 square feet of calculated floor area.

18 (iii) A SINGLE-FAMILY DETACHED RESIDENTIAL BUILDING OF ANY
19 SIZE ONLY IF THE BUILDING PERMIT IS ISSUED TO A PERSON LICENSED
20 UNDER ARTICLE 24.