

SENATE BILL NO. _____ HOUSE BILL NO. _____

1 A BILL to amend and reenact § 54.1-402 of the Code of Virginia, relating to exemptions from license
2 requirements for onsite soil evaluators.

3 **Be it enacted by the General Assembly of Virginia:**

4 **1. That § 54.1-402 of the Code of Virginia is amended and reenacted as follows:**

5 § 54.1-402. Further exemptions from license requirements for architects, professional engineers,
6 and land surveyors.

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

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

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

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

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

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

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

- 31 a. Use Group A-1 theaters which exceed assembly of 100 persons;
- 32 b. Use Group A-4 except churches;
- 33 c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support
34 systems; or

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

- 44 a. Use Group A-1 theaters which exceed assembly of 100 persons;
- 45 b. Use Group A-4 except churches;
- 46 c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support
47 systems; or

48 8. The preparation of shop drawings, field drawings and specifications for components by a
49 contractor who will supervise the installation and where the shop drawings and specifications (i) will be

50 reviewed by the licensed professional engineer or architect responsible for the project or (ii) are
51 otherwise exempted; or

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

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

63 11. Conventional and alternative onsite sewage systems receiving residential wastewater, under
64 the authority of Chapter 6 of Title 32.1, designed by a licensed onsite soil evaluator, which utilize
65 packaged equipment, such as equipment of catalogued standard design that has been coordinated and
66 tested by the manufacturer, and complies with all applicable codes, provided (i) the flow is less than 100
67 gallons per day; and (ii) if a pump is included, (a)it shall not include multiple downhill runs and must
68 terminate at a positive elevational change; (b) the discharge end is open and not pressurized;(c) the static
69 head does not exceed 50 feet; and (d)the force main length does not exceed 500 feet.

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

- 72 1. Any unique design of structural elements for floors, walls, roofs or foundations; or
- 73 2. Any building or structure classified with respect to its use as high hazard (Use Group H).

74 C. Persons utilizing photogrammetric methods or similar remote sensing technology shall not be
75 required to be licensed as a land surveyor pursuant to subsection B of § 54.1-404 or 54.1-406 to: (i)
76 determine topography or contours, or to depict physical improvements, provided such maps or other

77 documents shall not be used for the design, modification, or construction of improvements to real
78 property or for flood plain determination, or (ii) graphically show existing property lines and boundaries
79 on maps or other documents provided such depicted property lines and boundaries shall only be used for
80 general information.

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

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

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

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