

# HOUSE BILL No. 5858

May 13, 1998, Introduced by Rep. Hammerstrom and referred to the Committee on Commerce.

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 con-  
5 fined 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) IF A PERMIT IS ISSUED IN THE PERSON'S NAME TO PERFORM  
18 THE ACTIVITY, A PERSON LICENSED WHEN THE PERSON IS PLANNING,  
19 DESIGNING, OR DIRECTING THE CONSTRUCTION OF A SINGLE-FAMILY  
20 DETACHED RESIDENTIAL BUILDING, REGARDLESS OF THE BUILDING'S SIZE.

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, REGARD-  
19 LESS OF THE BUILDING'S SIZE, FOR WHICH A PERMIT IS ISSUED TO A  
20 PERSON LICENSED UNDER ARTICLE 24 AS A RESIDENTIAL BUILDER.