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S.P. 244

In Senate, February 6, 1997

An Act to Define the Projects That Public Works Departments May Undertake Without Procuring the Services of a Registered Professional Engineer.

Reference to the Committee on Transportation suggested and ordered printed.

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JOY J. O'BRIEN Secretary of the Senate

Presented by Senator MILLS of Somerset.

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §1254 is repealed and the following enacted in its place:

6 <u>§1254. Public works</u>

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8 Any department of this State or any of its political subdivisions or any county, city, town, township or plantation 10 may engage in the following public works without the services of a registered professional engineer if the work is within the 12 scope of what is routinely and customarily performed by the entity responsible and if the work, both as performed and as 14 completed, does not create any undue risk to public safety or welfare:

1.Construction, maintenance and repair.Construction,18maintenance and repair of roads, sidewalks, shoulders, ditches,
culverts, underdrains, small single-story structures and limited20elements of water and sewer systems; and

 22 2. Routine work. Other routine and customary public works construction projects that do not exceed a value of 100 times the
24 State's average weekly wage as determined from year to year by the Department of Labor.

The authority granted by this section does not include authority to design and build highway bridges; electrical, hydraulic or mechanical systems; or other structures and systems that require any significant level of technical competence to address issues of public safety or welfare.

SUMMARY

36 Current law provides that public works departments may engage in construction without using a registered professional engineer as long as the contemplated cost for the project does not exceed \$5,000. This bill changes the law to permit public 40 works departments, without using a registered professional engineer, to engage in maintenance, construction and repair of 42 roads and sidewalks and other routine construction whose costs do not exceed a value of 100 times the State's average weekly wage.