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LOUISIANA PROFESSIONAL ENGINEERING AND LAND SURVEYING BOARD

August 3, 2022

Office of the State Fire Marshal
Fire Marshal Daniel H. Wallis
8181 Independence Boulevard
Baton Rouge, LA 70806

Re: Incidental Practice of Engineering by an Architect

Dear Mr. Wallis:

We would like to make you aware of a new Louisiana law which became effective on August 1, 2022. This new state law (**Act 145 of 2022**), a copy of which is attached, regulates the incidental practice of engineering by an architect. The law recognizes that architects have a right to engage in **certain** activities that fall within the definition of the practice of engineering, but only to the extent such activities are **necessarily incidental** to the architect's practice of architecture.

Incidental engineering work by an architect is limited to **minor mechanical, electrical, or civil-structural engineering work necessarily incidental** to the architect's practice of architecture and must be of a **secondary nature and substantially less in scope and magnitude** when compared to the architectural portion of the work.

Incidental engineering work by an architect includes additions, renovations, or alterations that **do not require significant adjustments to the engineering calculations** for the changes to the engineering systems or components **and** must satisfy both of the following conditions for new construction or additions:

- For **new construction**, the total proposed occupant load for the new construction must not exceed 299 individuals for assembly occupancy and 49 individuals for all other occupancies.
- For **additions**, the total proposed occupant load for the addition must not exceed 299 individuals for assembly occupancy and 49 individuals for all other occupancies.

The occupant load is defined and determined by the method set forth in the currently enforced building code.

If you have any questions about this new state law, please feel free to contact us.

Sincerely

Donna Sentell
Executive Director

2022 Regular Session

ACT No. 145

HOUSE BILL NO. 305

BY REPRESENTATIVE GADBERRY

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AN ACT

To enact R.S. 37:701(I), relative to the Louisiana Professional Engineering and Land Surveying Board; to provide for the incidental practice of engineering by architects; to provide for the scope of practice for architects engaging in incidental engineering work; to provide for certain conditions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 37:701(I) is hereby enacted to read as follows:

§701. Public and private work; application of provisions

* * *

I. An architect as defined in R.S. 37:141(B)(1) has a right to engage in certain activities that fall within the definition of the practice of engineering as defined in R.S. 37:682, but only to the extent such activities are necessarily incidental to the architect's practice of architecture as defined in R.S. 37:141(B)(3). Such incidental engineering work is limited to minor mechanical, electrical, or civil-structural engineering work necessarily incidental to the architect's practice of architecture. The incidental engineering work shall be of a secondary nature and shall be substantially less in scope and magnitude when compared to the architectural portion of the work. Incidental engineering work includes additions, renovations, or alterations that do not require significant adjustments to the engineering calculations for the changes to the engineering systems or components. The incidental engineering work shall be safely and competently performed by the architect without jeopardizing the life, health, property, or welfare of the public. The incidental

1 engineering work shall also satisfy all of the following conditions for new
2 construction or additions:

3 (1) For new construction, the total proposed occupant load for the new
4 construction shall not exceed two hundred ninety-nine individuals for assembly
5 occupancy and forty-nine individuals for all other occupancies. The occupant load
6 shall be defined and determined by the method set forth in the currently enforced
7 building code.

8 (2) For additions, the total proposed occupant load for the addition shall not
9 exceed two hundred ninety-nine individuals for assembly occupancy and forty-nine
10 individuals for all other occupancies. The occupant load shall be defined and
11 determined by the method set forth in the currently enforced building code.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____