

**Testimony of the Board of Professional Engineers, Architects, Surveyors, and
Landscape Architects**

**Before the
House Committee on Consumer Protection & Commerce
Wednesday, March 13, 2024
2:20 p.m.
Conference Room 329 and Videoconference**

**On the following measure:
S.B. 2697, S.D. 1, RELATING TO PROFESSIONAL LICENSURE**

Chair Nakashima and Members of the Committee:

My name is Sheena Choy, and I am the Executive Officer of the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects (Board). The Board appreciates the intent of this bill and offers comments.

The purpose of this bill is to require the Department of Commerce and Consumer Affairs (Department) to revoke the licenses of architects who have been, or caused a government employee to be, convicted of a criminal offense involving the acceptance of a bribe.

The Board offers the following comments:

1. If the intent of the bill is to grant the Board the authority to revoke architect licenses, please note that it already has the authority to do so pursuant to Hawaii Revised Statutes (HRS) section 464-10, which states: "The Board may revoke, suspend, or refuse to renew the license of any licensee for any cause authorized by law, including but not limited to...gross negligence, incompetency, or misconduct in the practice of the profession..." Further, Hawaii Administrative Rules (HAR) section 16-115-10(5) provides that, "misconduct in the practice of the profession of engineering, architecture, land surveying, or landscape architecture means without limitation the following: (5) Misrepresentation, deceit, fraud, gross negligence, and other offenses relating to misconduct of the licensee's practice."
2. The proposed amendments reference the Department, but it is the Board, not the Department, that has the authority to act on licenses.

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3. Singling out architects seems to create an inconsistent standard of conduct since the Board is a multi-disciplinary board (i.e., the Board licenses and regulates professional engineers).

Thank you for the opportunity to testify on this bill.