

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-THREE

S.P. 161 - L.D. 354

An Act to Amend the Laws Regarding the Use of Licensed Professional Engineers on Certain Public Works Projects

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

Sec. 1. 32 MRSA §1254, as amended by PL 2019, c. 375, §3, is repealed and the following enacted in its place:

§1254. Public works

1. Requirement for licensed professional engineer; exception. When any department of this State or any of this State's political subdivisions or any county, city, town, township or plantation engages in construction of a public works project that involves professional engineering, the services of a licensed professional engineer must be used in the public works project unless:

A. An authorized representative of the department of this State or any of this State's political subdivisions or any county, city, town, township or plantation engaged in the construction of a public works project issues a written determination that the life, health and property of the public will be adequately protected without the services of a licensed professional engineer; and

B. The contemplated expenditure for the completed project does not exceed \$250,000.

For purposes of this subsection, the Director of the Bureau of General Services within the Department of Administrative and Financial Services is the authorized representative of a department of this State engaged in public works projects that constitute public improvements under Title 5, chapter 153.

2. Continuing authority to require licensed professional engineer. Subsection 1 may not be construed to limit the authority of a department of this State or any of this State's political subdivisions or any county, city, town, township or plantation to require the services of a licensed professional engineer for any public works project.