

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**Sec. 1. 32 MRSA §1254**, as amended by PL 2019, c. 375, §3, is repealed and the following enacted in its place: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