



PROFESSIONAL ENGINEERING INSPECTIONS, INC.

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Julie Lyle, P.E.

John Lyle, P.E.

"Education, Experience, Quality"

February 18, 2019

Re: Senate Bill 168 regarding Licensed Professional Engineers

We are Professional Engineering Inspections and we are Licensed Professional Engineers that perform residential home inspections in addition to a number of other inspection services on both residential and commercial buildings. We have satisfactorily performed thousands of home inspections. Professional Engineering Inspections employs Julie Lyle P.E. and John Lyle P.E. Julie Lyle P.E. has been licensed with the Kansas State Board of Technical Professions since April 1993 and John Lyle P.E. has been licensed with the Board since February 1996. We have both been regulated by the Kansas State Board of Technical Professions since obtaining our licenses.

Licensed Professional Engineers are and have been allowed to perform home inspections and are regulated by the Kansas State Board of Technical Professions when performing such inspections. During the previous legislative process, it was decided that Licensed Engineers would not be required to register with the Kansas Home Inspection Registration Board.

After creation of the Kansas Home Inspection Registration Board, the Kansas Home Inspection Registration Board sent out an opinion letter to the real estate community that Licensed Professional Engineers could not perform home inspections without being registered with the Kansas Home Inspection Registration Board. This opinion was in direct contradiction with the wording and intent of the legislation. This position was not communicated directly to our company but was just sent directly to the real estate community. As a result, our home inspection business was seriously affected by the actions taken by the officers of the Kansas Home Inspection Registration Board.

On June 3, 2010, in response to the action taken by the Kansas Home Inspection Registration Board, the Office of the Attorney General provided a letter that stated:

"The scope of practice of a professional engineer is defined, in part as: Any service... The act of an individual licensed as a professional engineer providing services to identify material defects in a residential dwelling clearly falls within this definition. Therefore, as long as a professional engineer is providing the services identified above, the engineer is not required to be registered with the Board." The "Board" meaning the Kansas Home Inspection Registration Board.

It is our request that once again, Licensed Professional Engineers be allowed to perform home inspections in accordance with their clearly defined scope of practice and as regulated by the Kansas State Board of Technical Professions and not be required to be registered and regulated by two separate state boards. Such will also prevent the conflict of two laws where one law permits Licensed Professional Engineers to perform home inspections and another law says that they cannot perform home inspections unless they are registered with the Home Inspectors Board.

We specifically request that Section 12 be clarified of any ambiguity that would imply that Licensed Professional Engineers have to be registered as a Home Inspector under Senate Bill 168 in order to perform a home inspection. We also request that Section 14 be clarified such that Licensed Professional Engineers may

present themselves as a home inspector, use titles that identify them as a home inspector, and perform a home inspection without being registered as a home Inspector under Senate Bill 168.

Sincerely,
Professional Engineering Inspections, Inc.
by: John Lyle, P.E.
its: Vice President