

(3) To the extent that they give rights to the debtor and impose duties on the secured party, the rules stated in the subsections referred to below may not be waived or varied except as provided with respect to compulsory disposition of collateral (subsection (1) of Section 9-505) and with respect to redemption of collateral (Section 9-506) but the parties may by agreement determine the standards by which the fulfillment of these rights and duties is to be measured if such standards are not manifestly unreasonable:

\* \* \* \* \*

(e) subsection (1) of Section 9-507 which deals with the secured party's liability for failure to comply with this Part [, but the parties may by agreement determine the standards by which the fulfillment of these rights and duties is to be measured if such standards are not manifestly unreasonable].

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Section 6. This act shall take effect at 12:01 A.M. on January 1, 1960. Effective date.

APPROVED—The 16th day of December, A. D. 1959.

DAVID L. LAWRENCE

No. 688

### AN ACT

Amending the act of May 23, 1945 (P. L. 913), entitled "An act relating to and regulating the practice of the profession of engineering; including civil engineering, mechanical engineering, electrical engineering, mining engineering, chemical engineering, surveying and constituent parts and combinations thereof as herein defined; providing for the licensing and registration of persons practicing said profession, and the certification of engineers in training, and the suspension and revocation of said licenses, registrations and certifications for violation of this act; prescribing the powers and duties of the State Registration Board for Professional Engineers, the Department of Public Instruction and the courts; prescribing penalties; and repealing existing laws," authorizing registration of certain qualified persons without examination, and providing for biennial registration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Clause (1) of subsection (b) of section 4, act of May 23, 1945 (P. L. 913), known as the "Professional Engineers Registration Law," is amended to read:

Section 4. General Powers of Board.—The board shall have power—

\* \* \* \* \*

Professional Engineers Registration Law.

Clause (1), subsection (b), section 4, act of May 23, 1945, P. L. 913, amended.

(b) Licensing Professional \*Engineers.—To provide for and to regulate the licensing, and to license to engage in the practice of engineering any person of good character and repute who is a citizen of the United States, or has declared his intention of becoming a citizen thereof, at least twenty-five years of age, and who speaks and writes the English language, if such person either—

(1) Holds an unexpired license or certificate of registration issued to him by proper authority of some other state in which the requirements and qualifications to engage in the practice of engineering [are at least equal to the standards of this Commonwealth.] *were at the time of the initial issuance of such license or certificate of registration at least equal to the then existing standards of this Commonwealth:* Provided, however, That such other state or territory shall similarly license or register professional engineers licensed and registered in this Commonwealth. A person may be licensed under this subdivision without examination.

\* \* \* \* \*

Subsections (g) and (h), section 4, first paragraph, section 8, and sections 9 and 10, amended.

Section 2. Subsections (g) and (h) of section 4, the first paragraph of section 8 and sections 9 and 10 of the act are amended to read:

Section 4. General Powers of Board.—The board shall have power

\* \* \* \* \*

(g) [Annual] *Biennial* Registrations; Fees.—To provide for, regulate and require all persons licensed in accordance with the provisions of this act and all persons licensed and registered under prior laws of this Commonwealth, relating to the licensing of professional engineers and surveyors, to register [annually] *biennially* with the board, to prescribe the form of such registration, and the payment of such [annual] *biennial* registration fee, as shall be fixed according to law, to issue [annual] *biennial* registration to such persons and to suspend or revoke the license or registration of such persons as fail, refuse or neglect to so register, or pay such fee within such time as the board shall prescribe by its rules and regulations, and to reinstate licenses and registrations of persons who shall thereafter pay such registration fees in accordance with the rules and regulations of the board.

(h) Roster of Registrants.—To keep a roster showing the names and addresses of, the places of business of all professional engineers and surveyors licensed under this act, and under prior laws, and registered by the board; which roster shall be published in booklet form by the board [at least once] every two years. Copies of the

\* "Engineers" in original.

roster shall be mailed to each registered person and be furnished to other persons upon request.

\* \* \* \* \*

Section 8. Procedure for the Suspension and Revocation of Licenses and Registrations; Appeals.—Before the license of any licensee, or any registration, or any certification is suspended or revoked by the board, a written copy of the complaint made shall be furnished to the licensee, registrant, or person against whom the same is directed, and an opportunity be afforded him to be heard before the board personally and by counsel. At least ten days' written notice of the time and place of such hearing shall be given the licensee, registrant or person by registered mail addressed to the post office address as shown on the [annual] *biennial* registration, or other record, or information in possession of the board.

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Section 9. Fees.—The fee for an applicant for licensure as a professional engineer or surveyor, including examination, and for examination or certification, or both, as an engineer-in-training, [and for annual registrations as in this act required,] shall be fixed by the department in accordance with existing law. *All persons now qualified and engaged in the practice of engineering and surveying, or who shall hereafter be licensed by the board, shall register, biennially, with the board and pay for each biennial registration a fee of ten dollars (\$10.00).* All fees collected under the provisions of this act shall be received by the department and shall be paid into the State Treasury through the Department of Revenue for the use of the General Fund of the Commonwealth.

Section 10. Status of Existing Licensees and Registrants Preserved.—Any person, licensed or legally authorized to practice as a professional engineer or surveyor in this Commonwealth at the time this act takes effect, shall thereafter continue to possess the same rights and privileges with respect to the practice of engineering or surveying without being required to be licensed anew under the provisions of this act, subject, however, to the power of the board as provided in this act to suspend or revoke the license of any such person for any of the causes set forth in this act, and subject to the power of the board to require any such person to register [annually] *biennially* with the board as provided in this act.

Section 8. This act shall take effect in thirty days.

Effective date.

APPROVED—The 17th day of December, A. D. 1959.

DAVID L. LAWRENCE