
REGISTRAR OF CONTRACTORS

THE FOLLOWING EXCERPTS FROM THE ARIZONA REVISED STATUTES ARE LAWS AFFECTING OF ARIZONA INITIATED AND SECURED FOR OUR INDUSTRY. FOR FURTHER DETAILS REGARDING LAWS IN THE STATE OF ARIZONA, GO TO [HTTP://WWW.AZLEG.GOV](http://www.azleg.gov)

TITLE 32, CHAPTER 10 CONTRACTORS

32-1121. PERSONS NOT REQUIRED TO BE LICENSED; PENALTIES

This chapter shall not be construed to apply to: ...

7. Architects or engineers who are engaging in their professional practice as defined in chapter 1 of this title and who hire or offer to hire the services of a contractor for preconstruction activities relating to investigation and discovery including:

(a) Subsurface utility location and designation services.

(b) Potholing.

(c) Drilling for any of the following:

(i) Soil samples.

(ii) Rock samples.

(iii) Pavement samples.

(d) Locating existing features of a building or structure including existing electrical, mechanical, plumbing and structural members.

32-1159. INDEMNITY AGREEMENTS IN CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS VOID; DEFINITIONS

A. A covenant, clause or understanding in, collateral to or affecting a construction contract or architect-engineer professional service contract that purports to indemnify, to hold harmless or to defend the promisee from or against liability for loss or damage resulting from the sole negligence of the promisee or the promisee's agents, employees or indemnitee is against the public policy of this state and is void.

B. Notwithstanding subsection A, a contractor who is responsible for the performance of a construction contract may fully indemnify a person for whose account the construction contract is not being performed and who, as an accommodation, enters into an agreement with the contractor that permits the contractor to enter on or adjacent to its property to perform the construction contract for others.

C. This section applies to all contracts entered into between private parties. This section does not apply to:

1. Agreements to which this state or a political subdivision of this state is a party, including intergovernmental agreements and agreements governed by sections 34-226 and 41-2586.

2. Agreements entered into by agricultural improvement districts under title 48, chapter 17.

D. In this section:

1. "Architect-engineer professional service contract" means a written or oral agreement relating to the design, design-build, construction administration, study, evaluation or other professional

services furnished in connection with any actual or proposed construction, alteration, repair, maintenance, moving, demolition or excavation of any structure, street or roadway, appurtenance or other development or improvement to land.

2. "Construction contract" means a written or oral agreement relating to the construction, alteration, repair, maintenance, moving, demolition or excavation or other development or improvement to land.