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# Michigan Laws and Rules for Engineers

by

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Michigan Laws and Rules for Engineers  
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Course Outline:

Michigan Laws  
MCL 339.20  
Michigan Administrative Code  
MAC R339.16  
State Board  
Practice of Professional Engineering  
Sign and Seal Requirements  
Continuing Education  
Helpful References  
Examination



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## **Michigan Laws**

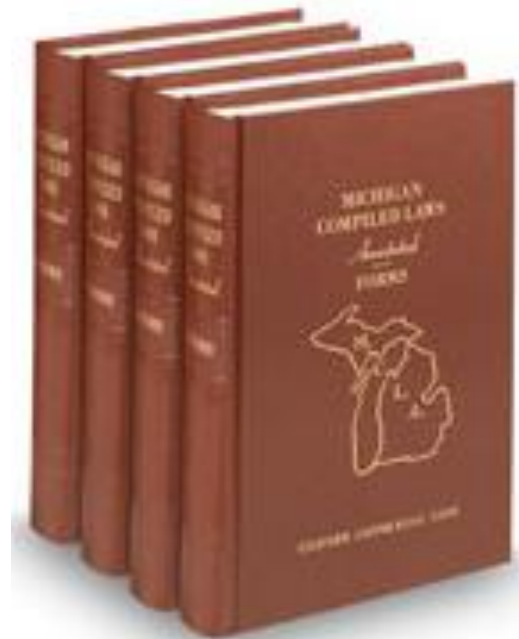
State laws are enacted by the Michigan Legislature, made up of the State Senate and House of Representatives. When a bill has passed in both houses, it is transmitted to the Governor for signature and then becomes law. If the Governor vetoes the bill, the Legislature must override a veto with a two-thirds vote in both the Senate and the House of Representatives for the bill to become law.

After a bill is passed as law, it becomes a Public Act and is assigned an act number. These acts are referred to as “laws”. An act is first published as a slip law, then as a session law, and finally as a codified law (organized with chapter and section numbers).

The collection of codified law is called the Michigan Compiled Laws (MCL) or Michigan Compiled Laws Annotated (MCLA).

The act related to architects, professional engineers, and professional surveyors was first passed in 1980 as Act 299. It is codified under Chapter 339 entitled “Occupational Code”, then under Article 20. There are a total of 29 Articles covering different occupations.

See the “Helpful Resources” section for the websites to view the latest laws, rules, and the Board website.





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**MCL 339.20**

The act dedicated to the practice of engineering in Michigan is the Act of 1980, which is codified in the Michigan Compiled Laws (MCL) as Chapter 339, Article 20. In this course, the act is referred to as MCL 339.20.

MCL 339.20 contains general requirements for architects, professional engineers, and land surveyors. It also gives authority to the Michigan State Board of Professional Engineers (Board) to manage licensing and professional conduct.

The following are all the sections of MCL 339.20, with bold items being of particular importance for practicing professional engineers.

- 339.2001**     **Definitions.**
- 339.2002     Boards of architects, professional engineers, and professional surveyors; creation; membership; terms; resignation, disability, or removal for cause.
- 339.2003     Joint meetings of boards.
- 339.2004     Architect, professional engineer, and professional surveyor; licensing requirements.
- 339.2005     Repealed.
- 339.2006     Maintenance of court action; allegation and proof of licensure; failure to make restitution.
- 339.2007**     **Seal; signature.**
- 339.2008**     **Sealing documents requiring governmental agency approval or record; projects involving overlapping of architecture and engineering professions; sealing documents not prepared by licensee prohibited.**
- 339.2009**     **Renewal of license; continuing education.**
- 339.2010**     **Firm; practice of architecture, professional engineering, or professional surveying; approval of nonlicensed principal and principal's firm; report; person in responsible charge at each place of business; exception.**
- 339.2011**     **Construction of public work involving architecture or professional engineering; requirements; exception.**
- 339.2012     Persons exempted.
- 339.2013     Issuing license to person holding certificate of qualification or registration of another state or national council; equivalency; temporary license prohibited; review of application of individual seeking relicensure or reinstatement.
- 339.2014**     **Prohibited conduct; penalties.**



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**Michigan Administrative Code**

State laws are often high-level and lack details required for implementation. The Legislature delegates state agencies to manage the implementation of laws and to create rules and regulations that complement the laws. The compilation of agency rules is called the Michigan Administrative Rules or Michigan Administrative Code (MAC). These codes are enforceable just like state laws. MAC citations have an R (rules) in front of the section number to distinguish them from MCL (laws).

MAC is grouped into different departments of government. Professional engineering is under the Department of Licensing and Regulatory Affairs, then under the Bureau of Professional Licensing.

Chapter 339, Article 16 (MAC R339.16) is entitled "Professional Engineers". This article contains important requirements to guide the regular practice of engineering.



There are separate articles for architects and surveyors, unlike MCL 339.20 which has them combined.



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**MAC R339.16**

The following are all the sections of Chapter 339, Article 16 of the Michigan Code, written as MAC R339.16, with bold items being of particular importance for practicing professional engineers.

Part 1 - GENERAL PROVISIONS

**§ R. 339.16001 – Definitions**

Part 2 - LICENSURE

§ R. 339.16021 - Educational requirements

§ R. 339.16022 - Professional engineering experience; credit for work experience; credit for educational experience

§ R. 339.16023 - Rescinded

§ R. 339.16024 - Rescinded

§ R. 339.16025 - Relicensure requirements

§ R. 339.16026 - Examination requirements

Part 3 - STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

**§ R. 339.16031 - Professional conduct; requirements; restrictions**

**§ R. 339.16032 - Professional engineer seal**

Part 4 - LICENSE RENEWAL AND CONTINUING EDUCATION

**§ R. 339.16040 - Continuing education required for renewal; certification of compliance; document retention; continuing education waiver**

**§ R. 339.16041 - Acceptable continuing education; limitations**



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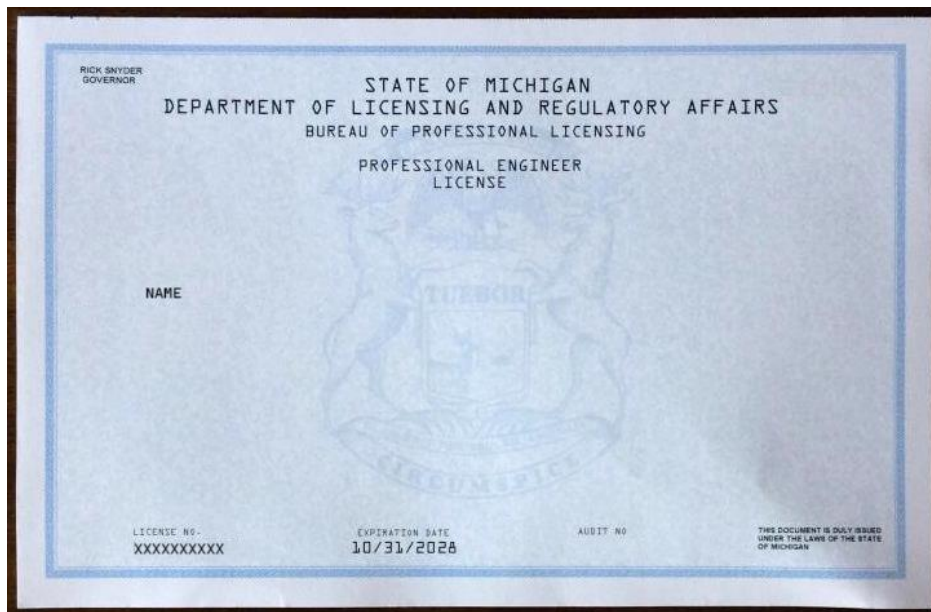
**State Board**

The state agency for professional engineering is the “Michigan State Board for Professional Engineers” hereafter referred to as the Board. The Board oversees over 20,000 licensed professional engineers in Michigan. The board is given authority to manage and further regulate professional engineering. The Board can make modifications to MAC R339.16. There is a “Professional Engineers Rules Committee Work Group” that holds public meetings to gain input on potential rule changes.

The board falls under the *Bureau of Professional Licensing* which is part of the Department of Licensing and Regulatory Affairs (LARA).



An example certificate issued by the board is shown below.





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**Practice of Professional Engineering**

Definition

The following is a copy-paste of the relevant laws and regulations that define the practice of professional engineering:

MCL 339.20

**339.2001 Definitions.**

...

(g) "Practice of professional engineering" means professional services, such as consultation, investigation, evaluation, planning, design, or review of material and completed phases of work in construction, alteration, or repair in connection with a public or private utility, structure, building, machine, equipment, process, work, or project, if the professional service requires the application of engineering principles or data.

...

(i) "Professional engineer" means a person who, by reason of knowledge of mathematics, the physical sciences, and the principles of engineering, acquired by professional education and practical experience, is qualified to engage in the practice of professional engineering.

...

(k) "Services" means professional service offered or provided by an architect in the practice of architecture, a professional engineer in the practice of professional engineering, or a professional surveyor in the practice of professional surveying.





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Responsible Charge

Professional engineering work must have a professional engineers in “responsible charge” of each portion of the design. This phrase is defined below and in a National Society of Professional Engineers (NSPE) reference document.

MCL 339.20

**339.2001 Definitions.**

...

(d) "Person in responsible charge" means a person licensed under this article who determines technical questions of design and policy; advises the client; supervises and is in responsible charge of the work of subordinates; is the person whose professional skill and judgment are embodied in the plans, designs, plats, surveys, and advice involved in the services; and who supervises the review of material and completed phases of construction.

**339.2008 Sealing documents requiring governmental agency approval or record; projects involving overlapping of architecture and engineering professions; sealing documents not prepared by licensee prohibited.**

...

(3) A licensee shall not seal a plan, drawing, map, plat, report, specification, or other document that is not prepared by the licensee or under the supervision of the licensee as the person in responsible charge.

MAC R339.16

**R 339.16031 Professional conduct; requirements; restrictions.**

...

(2) A licensee shall do all the following:

(a) If the licensee is the individual in responsible charge, the licensee shall notify the licensee’s employer or client, and any other appropriate authority, when the licensee’s judgment is overruled under circumstances that endanger life or property.

(b) If the licensee is not the individual in responsible charge, the licensee shall notify the individual in responsible charge when the licensee’s judgment is overruled under circumstances that endanger life or property.



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NSPE Position Statement No. 10-1778

- Defines “**responsible charge**” as the direct control and personal supervision of engineering work.
- The professional engineer in **responsible charge** is actively engaged in the engineering process, from conception to completion.
- Engineering decisions must be personally made by the professional engineer or by others over which the professional engineer provides supervisory direction and control authority.
- Reviewing drawings or documents after their completion without involvement in the design and development process appears not to satisfy the definition of **responsible charge**.

Architects and Surveyors

There are separate and distinct licenses for professional engineers, professional architects, and professional land surveyors. A professional engineer is not to practice land surveying or architecture unless they are licensed in those fields (dual-licensed). In projects with overlapping architectural and engineering design work, an engineer may provide architectural services if they are “incidental” to the larger engineering work.

MCL 339.20

**339.2008.**

...

(2) If the overlapping of the professions of architecture and engineering is involved in a project, a licensed architect or licensed professional engineer who seals the plans, drawings, specifications, and reports may perform services in the field of the other practice if the services are incidental to the architectural or engineering project as a whole.



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Disciplines and Fields

The State of Michigan does not have a separate licensure for structural engineering or any other discipline/branch. Engineering discipline names are NOT listed on seals or certificates. Engineers are to only take on assignments in which they are qualified by education or experience.

MAC R339.16

**R 339.16031 Professional conduct; requirements; restrictions.**

...

- (c) Participate in phases of a project in which the licensee is competent.
- (d) Undertake assignments in which the licensee is qualified by education or experience in the specific technical field or fields involved.

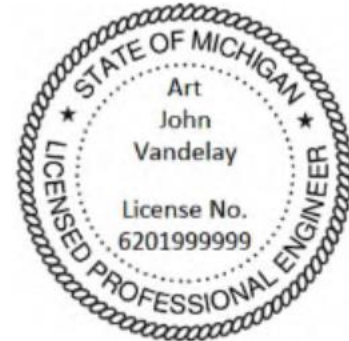


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### **Sign and Seal Requirements**

Michigan engineering seal and signature requirements are found in MCL 339.2007 and MAC R339.16032. Here are highlights that may differ from requirements in other states:

- Typical seal features are shown on right
- No diameter requirement but should be legible
- No signature location requirement
  - Can sign next to or over the seal
- Signing with the date or expiration number are NOT required; only a signature is needed
- Acceptable forms of signatures:
  - Hand signed with impressed or ink/printed seal
  - Digital/electronic signature
    - Electronic seal image
    - Electronic signature
    - 3<sup>rd</sup> party verification & qualified electronic signature (QES) NOT required



### **Laws and Regulations**

The following is a copy-paste of the relevant laws and regulations:

#### **MCL 339.20**

#### **339.2007 Seal; signature.**

Sec. 2007.

(1) When he or she is licensed, a licensee shall obtain or adopt a seal, in a form authorized by the appropriate board, that bears the licensee's name and the legend indicating either "licensed architect", "licensed professional engineer", or "licensed professional surveyor". However, a seal that exists on September 1, 1992 and bears the legend "registered architect", "registered professional engineer", "registered land surveyor", or "licensed land surveyor" is acceptable if a seal is required under state law.

(2) A licensee shall apply his or her seal and signature to a plan, specification, plat, or report that is issued by the licensee and filed with a public authority. If the license of the licensee named on a document has expired or is suspended or revoked, a person shall not apply the licensee's seal or signature to the document unless the license is renewed, reinstated, or reissued.



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(3) As used in this section and section 2008:

(a) "Electronic seal" means a seal created by electronic or optical means and affixed electronically to a document or electronic document.

(b) "Electronic signature" means a signature created by electronic or optical means and affixed electronically to a document or electronic document with intent to sign the document.

(c) "Seal" includes an electronic seal.

(d) "Signature" includes an electronic signature.

**339.2008 Sealing documents requiring governmental agency approval or record; projects involving overlapping of architecture and engineering professions; sealing documents not prepared by licensee prohibited.**

Sec. 2008.

(1) A plan, plat, drawing, map, and the title sheet of specifications, an addendum, bulletin, or report or, if a bound copy is submitted, the index sheets of a plan, specification, or report, if prepared by a licensee and required to be submitted to a governmental agency for approval or record, shall carry the embossed, printed, or electronic seal of the person in responsible charge.

(2) If the overlapping of the professions of architecture and engineering is involved in a project, a licensed architect or licensed professional engineer who seals the plans, drawings, specifications, and reports may perform services in the field of the other practice if the services are incidental to the architectural or engineering project as a whole.

(3) A licensee shall not seal a plan, drawing, map, plat, report, specification, or other document that is not prepared by the licensee or under the supervision of the licensee as the person in responsible charge.



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MAC R339.16

**R 339.16032 Professional engineer seal.**

Rule 32. (1) The seal of a professional engineer must include the licensee's name and full license number, as shown on the licensee's state-issued professional engineer license and indicate "State of Michigan" and "Licensed Professional Engineer" in the legend surrounding the seal. The seal must have a design substantially equivalent to figure 32 below.

(2) A licensee's seal must be used by the licensee whose name appears on the seal for as long as the license is in effect. A licensee is responsible for the security of the licensee's seal.

FIGURE 32





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### **Continuing Education**

Per MAC R339.16, the following continuing professional competency is required every 2-year renewal period, where a PDH is a professional development hour, also referred to as a continuing education hour in the MAC:

- Total 30 PDH
- Minimum 2 PDH in ethics as it relates to professional engineering
- The Board does NOT pre-approve providers or specific courses
- Courses cannot have substantially the same content as a previously earned course during the same renewal period
- A maximum of 4 PDH for studying articles related to professional engineering
- A maximum of 12 PDH can be earned in any 24-hour period
- There is no provision for carrying forward extra PDH to the next renewal period
- Retain PDH records for 4 years
- Renews based on original date of licensure

### **Laws and Regulations**

Here is a copy-paste of the relevant laws and regulations:

#### **MCL 339.20**

#### **339.2009 Renewal of license; continuing education.**

(1) Beginning the license cycle after the effective date of the rules promulgated under subsection (2), a demonstration of the completion of a program of continuing education shall be required for renewal of a license issued under this article.

(2) The department shall, by rule, establish a program of continuing education for all licensees under this article.



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MAC R339.16

**R 339.16040 Continuing education required for renewal; certification of compliance; document retention; continuing education waiver.**

Rule 40. (1) An applicant for license renewal who has been licensed during the 2-year period immediately before the expiration date of the license shall obtain not less than 30 hours of continuing education in activities approved under R 339.16041, during the 2-year period immediately before the expiration date of the license. Of the 30 hours, not less than 2 hours of continuing education must be earned in ethics, as it relates to professional engineering.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.16041.

(3) A licensee shall maintain documentation of satisfying the requirements of this rule and R 339.16041 for a period of 4 years after the date of filing the application for license renewal.

(4) A licensee is subject to an audit under this part and may have to provide documentation as described by R 339.16041 on request of the department.

(5) The department must receive a request for a waiver of continuing education requirements for the board's consideration not less than 30 days before the last regularly scheduled board meeting before the expiration date of the license.

**R 339.16041 Acceptable continuing education; limitations.**

Rule 41. (1) The department shall grant credit for in-person or online continuing education hours that satisfy the requirements in the following chart:





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Activity Code	Activity and Proof Required	Number of Continuing Education Hours Granted for Activity
(a)	<p>Completing a continuing education program or activity related to professional engineering that is approved or offered for continuing education credit by any of the following:</p> <ul style="list-style-type: none"> <li>- Another state's board of engineers.</li> <li>- A professional engineering association, organization, or society.</li> <li>- NCEES.</li> <li>- ABET.</li> </ul> <p>If audited, a licensee shall provide documentation or a certificate of completion showing the licensee's name, total continuing education credits earned, sponsor name and contact information, program title, and the date the program was held or completed.</p>	<p>The number of continuing education hours approved by the approving entity are granted for this activity.</p>
(b)	<p>Passing an academic course related to professional engineering offered by a college or university that offers a baccalaureate degree or higher in an engineering program that is accredited by EAC/ABET or CEAB.</p> <p>If audited, a licensee shall provide a copy of the transcript showing the number of credit hours of the academic courses related to professional engineering.</p>	<p>Fifteen continuing education hours are granted for each semester credit or 10 continuing education hours are granted for each quarter credit.</p>
(c)	<p>Attending a seminar, in-house course, workshop, or professional or technical presentation related to professional engineering.</p> <p>If audited, the licensee shall provide a copy of the presentation notice or advertisement showing the date of the presentation, the licensee's name listed as a presenter or attendee, and the name of the organization that approved or offered the</p>	<p>One continuing education hour is granted for every 50 minutes attending the activity.</p>



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	presentation.	
(d)	<p>Teaching, instructing, or presenting on a subject related to professional engineering.</p> <p>If audited, a license shall provide documentation by the college or university confirming the licensee as the teacher, instructor, or presenter of the academic course, the dates of the course or presentation, the number of classroom hours spent teaching, instructing, or presenting, and the course title.</p>	<p>Two continuing education hours are granted for every 50 minutes of teaching, instruction, or presenting.</p> <p>A maximum of 12 continuing education hours are granted for this activity during each renewal period.</p>
(e)	<p>Publication of a peer-reviewed paper, article, or book related to professional engineering.</p> <p>If audited, the licensee shall provide a copy of the publication that identifies the licensee as the author or a publication acceptance letter.</p>	<p>Six continuing education hours are granted for this activity.</p> <p>Credit is not granted for multiple publications of the same peer-review paper, article, or book.</p> <p>A maximum of 18 continuing education hours are granted for this activity during each renewal period.</p>
(f)	<p>Serving as a voting member on a state or national committee, board, council, or association related to professional engineering. To receive credit, a licensee must take part in not less than 50% of the regularly scheduled meetings of the committee, board, council, or association.</p> <p>If audited, a licensee shall provide documentation satisfactory to the department verifying the licensee's participation in not less than 50% of the regularly scheduled meetings of the committee, board, council, or association and provide verification of the licensee's status as a voting member on the committee, board, council, or association.</p>	<p>Three continuing education hours are granted for the year in which the licensee serves as a member.</p> <p>A maximum of 6 continuing education hours are granted for this activity during each renewal period.</p>
(g)	<p>Attending a Michigan board of professional engineers meeting. To receive credit, the licensee shall obtain a form provided by the department from a department</p>	<p>One continuing education hour is granted for each meeting attended.</p>



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	<p>employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department employee for verification.</p> <p>If audited, the licensee shall provide a copy of the form completed, signed, and dated by the department employee who was present at the meeting.</p>	<p>A maximum of 6 continuing education hours are granted for this activity during each renewal period.</p>
(h)	<p>Serving as a school-sponsored mentor to an engineering student in a school-sponsored program. To receive credit, this activity must not be part of the licensee's regular job description.</p> <p>If audited, the licensee shall provide a letter from an authorized official from the school verifying the licensee's role and the number of mentoring hours the licensee provided.</p>	<p>Four continuing education hours are granted for this activity.</p> <p>A maximum of 8 continuing education hours are granted for this activity during each renewal period.</p>
(i)	<p>Participating in a company-sponsored or hosted seminar or training that is designed to enhance professional development in the licensee's area of professional practice.</p> <p>If audited, a licensee shall provide documentation or a certificate of completion issued by the company presenting the seminar or training showing the licensee's name, company name, subject of seminar or training, and the date the seminar or training was held.</p>	<p>One continuing education hour is granted for every 50 minutes of the seminar or training.</p>
(j)	<p>Studying an article related to professional engineering published in a peer-reviewed journal or professional or scientific journal that expands the licensee's knowledge of the professional engineering field.</p> <p>If audited, a licensee shall provide the title and author of the article, publication name of the peer-reviewed journal or professional or scientific journal, and the date, volume, and issue of publication, as applicable, and the date read.</p>	<p>Two continuing education hours are granted for each article studied.</p> <p>A maximum of 4 continuing education hours are granted for this activity during each renewal period.</p>
(k)	<p>Obtaining a patent related to professional engineering.</p>	<p>Ten continuing education hours are granted</p>



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	<p>If audited, a licensee shall provide a copy of the patent grant letters showing the licensee as the author of the patent and the date the patent was issued.</p>	<p>for each patent.                   A maximum of 20 continuing education hours are granted for this activity during each renewal period.</p>
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(2) Continuing education hours are not granted for a program or activity that has substantially the same content of a program or activity for which the applicant has already earned continuing education hours during the renewal period.

(3) Not more than 12 continuing education hours may be earned during a 24-hour period.



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**Helpful References**

Michigan State Registration Board of Professional Engineers

- General website: <https://www.michigan.gov/lara/bureau-list/bpl/occ/prof/engineers>
- License renewal: <https://aca-prod.accela.com/MILARA/Default.aspx>
- MCL 339.20: <https://www.legislature.mi.gov/Home/RenderDoc?objectName=mcl-299-1980-20>
- MAC R339.16: <https://ars.apps.lara.state.mi.us/AdminCode/DownloadAdminCodeFile?FileName=R%20339.16001%20to%20R%20339.16044.pdf&ReturnHTML=True>