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Idaho Laws and Rules for Engineers

by

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Course Outline:

Idaho Code
Idaho Code 54-12
Idaho Administrative Code
IDAPA 24.32.01
State Board
Practice of Professional Engineering
Responsible Charge
Professions and Branches
Structural Engineering
Incidental Survey Work
Professional Conduct
Sign and Seal Requirements
Continuing Education
Helpful References
Examination



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Idaho Code

State laws are enacted by the Idaho State Legislature, made up of the Senate and House of Representatives. When a bill has passed in both chambers, 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.



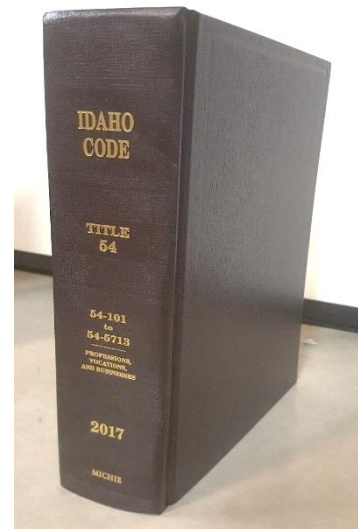
Passed bills from each legislative session are published in Session Laws which is an unannotated and difficult to utilize. Laws are also added to the Idaho Code in the appropriate locations with annotations, such as notes, cross-references, and legislative history. The Idaho Code is the official organized collection of state laws

The Idaho Code contains 74 titles covering a variety of subjects. The title and chapter for engineering is under the following organization:

- Title 54: PROFESSIONS, VOCATIONS, AND BUSINESSES
 - Chapter 12: ENGINEERS AND SURVEYORS

The chapter can be cited as Idaho Code 54-22.

Also, of relevance is Idaho Code 67-2320 entitled “Professional service contracts with design professionals, construction managers, and professional land surveyors.” This statute contains policies for public agencies to secure contracts for engineering services. Fees that exceed \$50,000 generally need to be solicited, scored, ranked, and selected based on qualifications instead of price.



See the “Helpful Resources” section for the website addresses with the latest laws, rules, and Board information. The laws and rules in this course are current as of October 2024.



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Idaho Code 54-12

The law dedicated to the practice of engineering is Idaho Code 54-12. It contains general requirements for engineers and surveyors. It also gives authority to the Idaho Board of Professional Engineers and Professional Land Surveyors to enact the laws and manage licensing. The following is the contents of Idaho Code 54-12, with **bold** sections being of particular importance for practicing professional engineers.

Chapter 12 ENGINEERS AND SURVEYORS

| | |
|----------------|---|
| 54-1201 | DECLARATION OF POLICY. |
| 54-1202 | DEFINITIONS. |
| 54-1203 | IDAHO BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS. |
| 54-1204 | QUALIFICATION OF MEMBERS OF BOARD. |
| 54-1205 | COMPENSATION AND EXPENSES OF BOARD MEMBERS. |
| 54-1206 | REMOVAL OF BOARD MEMBERS AND FILLING VACANCIES. |
| 54-1207 | BOARD — ORGANIZATION AND MEETINGS. |
| 54-1208 | BOARD — POWERS. |
| 54-1209 | RECEIPTS AND DISBURSEMENTS — OCCUPATIONAL LICENSES FUND. |
| 54-1210 | RECORDS AND REPORTS. |
| 54-1211 | ROSTER. |
| 54-1212 | GENERAL REQUIREMENTS FOR EXAMINATION AND LICENSE. |
| 54-1213 | APPLICATIONS AND FEES. |
| 54-1214 | EXAMINATIONS. |
| 54-1215 | LICENSE — SEALS — INTERN CERTIFICATES. |
| 54-1216 | EXPIRATIONS AND RENEWALS — FEES. |
| 54-1218 | PUBLIC WORKS. |
| 54-1219 | COMITY LICENSURE — FEE. |
| 54-1220 | DISCIPLINARY ACTION — PROCEDURES. |
| 54-1221 | REISSUANCE OF WALL LICENSES AND CERTIFICATES. |
| 54-1222 | VIOLATIONS AND PENALTIES — PROSECUTION OF OFFENSES. |
| 54-1223 | SAVING CLAUSE — EXEMPTIONS. |
| 54-1225 | APPEALS. |
| 54-1226 | SEPARABILITY. |
| 54-1227 | SURVEYS — AUTHORITY AND DUTIES OF PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL ENGINEERS. |
| 54-1228 | ADMINISTERING AND CERTIFICATION OF OATHS — AUTHORITY OF PROFESSIONAL LAND SURVEYORS. |
| 54-1229 | LEGAL SURVEY OF LAND. |
| 54-1230 | LAND SURVEYING — RIGHT OF ENTRY. |



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54-1234

MONUMENTATION — PENALTY AND LIABILITY FOR
DEFACING.

54-1235

PRACTICE BY A BUSINESS ENTITY.

54-1236

EXCLUSIVE JURISDICTION OF THE STATE — RESTRICTION
ON REQUIREMENT FOR ADDITIONAL LICENSES OR FEES.



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Idaho Administrative Code

State laws are often high-level and lack details required for implementation. The Idaho Legislature delegates state agencies to manage the implementation of laws and to create rules and regulations that complement the laws. The compilation of agency regulations is called the Idaho Administrative Code, which is made up of 61 Idaho Administrative Procedures Acts and cited as IDAPA. These regulations are enforceable just like state laws.



The 61 ADAPA Titles are for different departments, divisions, districts, boards, councils, and commissions. Professional engineering is under the following organization:

- ADAPA Title 24: Division of Occupational and Professional Licenses
 - Rule 24.32.01: Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

The board can make edits to the regulations in rule IDAPA 24.32.01, provided they don't contradict state laws.

Note that there is a separate rule and separate board for architects, landscape architects and geologists.



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IDAPA 24.32.01

The following are the contents of IDAPA 24.32.01 with important sections in **bold** being of particular importance for practicing professional engineers.

IDAPA 24.32.01. Rules of the Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

§ 24.32.01.000 - LEGAL AUTHORITY

§ 24.32.01.001 - SCOPE

§ 24.32.01.002. - 009 - RESERVED

§ 24.32.01.010 - DEFINITIONS

Subchapter A - RULES OF PROCEDURE

§ 24.32.01.011 - FEES

§ 24.32.01.012 - SEALS

§ 24.32.01.013. - 015 - RESERVED

§ 24.32.01.016 - APPLICATION FOR LICENSURE OR CERTIFICATION

§ 24.32.01.017 - EXAMINATIONS AND EDUCATION

§ 24.32.01.018 - REEXAMINATIONS

§ 24.32.01.019 - LICENSEES OR CERTIFICATE HOLDERS OF OTHER STATES,
BOARDS, AND COUNTRIES

§ 24.32.01.020 - DISCONTINUED, RETIRED, AND EXPIRED LICENSES AND
CERTIFICATES

§ 24.32.01.021. - 022 - RESERVED

§ 24.32.01.023 - PROFESSIONAL ENGINEER LICENSURE FOR FACULTY
APPLICANTS

§ 24.32.01.024. - 099 - RESERVED

Subchapter B - RULES OF PROFESSIONAL RESPONSIBILITY

§ 24.32.01.100 - RESPONSIBILITY TO THE PUBLIC

§ 24.32.01.101 - COMPETENCY FOR ASSIGNMENTS

§ 24.32.01.102 - RESERVED

§ 24.32.01.103 - CONFLICT OF INTEREST

§ 24.32.01.104 - SOLICITATION OF WORK

§ 24.32.01.105 - IMPROPER CONDUCT

§ 24.32.01.106. - 199 - RESERVED



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Subchapter C - RULES OF CONTINUING PROFESSIONAL DEVELOPMENT

§ 24.32.01.200 - REQUIREMENTS

§ 24.32.01.201 - USE OF NCEES MODEL CPC STANDARD

§ 24.32.01.202. - 299 - RESERVED

Subchapter D - RULES FOR CORNER PERPETUATION AND FILING

§ 24.32.01.300 - FORM

§ 24.32.01.301 - COMPLETION OF FORM

§ 24.32.01.302 - CONTENTS ON THE FORM

§ 24.32.01.303. - 399 - RESERVED

Subchapter E - RULES FOR COORDINATE SYSTEM OF LAND DESCRIPTION

§ 24.32.01.400 - STATE PLANE COORDINATES

§ 24.32.01.401. - 999 – RESERVED



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State Board

The state agency for professional engineering is the *Idaho Board of Professional Engineers and Land Surveyors*, hereafter referred to as the Board.

The Board is part of the Division of Occupational and Professional Licenses.



The Board oversees over 8,000 professional engineers. The board is given authority to manage and further regulate professional engineering. The Board can make modifications to IDAPA 24.32.01.

The board website (<https://dopl.idaho.gov/engineering>) contains the following topic pages:

- Apply for or Renew a License
- Search for a License
- File a Complaint Against a Licensee
- Statutes, Rules and Guidance
- Military Service Members & Spouses
- National Exam
- Continuing Professional Development (CPD)
- Newsletters
- FAQ

STATE OF IDAHO
BOARD OF LICENSURE OF PROFESSIONAL ENGINEERS AND
PROFESSIONAL LAND SURVEYORS



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Practice of Professional Engineering

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

Idaho Code 54-12

54-1202. Definitions.

As used in this chapter, unless the context or subject matter requires otherwise:

(1) "Authoritative" means certified by a professional land surveyor in accordance with established principles of professional land surveying when used to describe products, processes, applications or data resulting from the practice of professional land surveying.

...

(3) "Board" means the Idaho board of licensure of professional engineers and professional land surveyors, hereinafter provided by this chapter.

(4) "Business entity" means a corporation, professional corporation, limited liability company, professional limited liability company, general partnership, limited partnership, limited liability partnership, professional limited liability partnership or any other form of business except a sole proprietorship.

(5) "Consulting engineer" means a professional engineer whose principal occupation is the independent practice of professional engineering; whose livelihood is obtained by offering engineering services to the public; who is devoid of public, commercial and product affiliation that might tend to infer a conflict of interest; and who is cognizant of his public and legal responsibilities and is capable of discharging them.

(6) "Engineer" means a person who is qualified to practice engineering by reason of his special knowledge and use of mathematical, physical and engineering sciences, and the principles and methods of engineering analysis and design, acquired by professional education and engineering experience.

(7) "Engineer intern" means a person who has been duly certified as an engineer intern as provided in this chapter.

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(10) "Professional engineer" means a person who has been duly licensed as a professional engineer by the board under this chapter.

(11) "Professional engineering" and "practice of professional engineering" mean any service or creative work offered to or performed for the public for any project physically located in this state, such as consultation, investigation, evaluation, planning, designing, design coordination, teaching upper division engineering design subjects, and responsible charge of observation of construction in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects, or to certify elevation information, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such service requires the application of engineering principles and data. A person shall be construed to practice or offer to practice professional engineering within the meaning and intent of this chapter who practices or offers to practice any of the branches of the profession of engineering for the public for any project physically located in this state or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way, represents himself to be a professional engineer or through the use of some other title implies that he is a professional engineer or that he is licensed under this chapter or holds himself out as able to perform or who does perform for the public for any project physically located in this state any engineering service or work or any other service designated by the practitioner that is the practice of professional engineering.

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(14) "Public" means any person, firm, corporation, partnership, company, government agency, institution or any other entity recognized by law.

...

(16) "Retired professional engineer" or "retired professional land surveyor" means a professional licensed under this chapter who chooses to place his license in retired status indicating he is no longer practicing or offering to practice professional engineering or professional land surveying.

(17) "Rules of professional responsibility" means those rules, if any, promulgated by the board, as authorized by the Idaho Code.

(18) "Standard design plan" means a building, structure, equipment or facility that is intended to be constructed or sited at multiple locations and for which some or all of the plans must be prepared by a professional engineer.



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54-1218. Public works.

(1) It shall be unlawful for this state, or for any county, city, school district, irrigation district, drainage district, highway district, or other subdivision of the state having power to levy taxes or assessments against property situated therein, to engage in the construction of any public works when the public health or safety is involved unless the plans and specifications and estimates have been prepared by, and the construction reviewed by, a professional engineer.

(2) The provisions of this section shall not apply to public construction, reconstruction, maintenance and repair work that is governed by chapter 12, title 42, Idaho Code; or public work that is insignificant, that is projects of less than ten thousand dollars (\$10,000) in total cost, performed by employees of the public agency and performed in accordance with standards for such work that have been certified by a professional engineer and duly adopted by the public agency's governing body including, but not limited to, the Idaho standards for public works construction and any supplements thereto, and only if a professional engineer determines that such public construction, reconstruction, maintenance and repair work does not represent a material risk to public health or safety.

IDAPA 24.32.01

Section 24.32.01.010 - DEFINITIONS

The following terms are used as defined below:

01.Certificate Holder. Any person holding a current certificate as an Engineer Intern or a Land Surveyor Intern or a business entity (which is also herein referred to as a "person") holding a current certificate of authorization, which has been duly issued by the Board.

02.Deceit. To intentionally misrepresent a material matter, or intentionally omit to disclose a known material matter.

03.Incompetence. Failure to meet the standard of care.



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04.Licensee. Any person holding a current license as a Professional Engineer, a Professional Land Surveyor, or a combination thereof, which has been duly issued by the Board.

05.Misconduct. A violation or attempt to violate these rules or statutes applicable to the practice of engineering or surveying, or to knowingly assist or induce another to do so, or do so through the acts of another; a finding of guilt of commitment of a felony or a plea of guilty to a felony; commit fraud or deceit; failure to respond within twenty (20) days of an inquiry from the Board or its representative, unless such time is extended by the Board for justifiable cause; state or imply an ability to influence improperly a government agency or official.



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Responsible Charge

Engineering design work must be prepared under the supervision of a professional engineer with “responsible charge”, as described in the rules copied below. A typical project has multiple engineers in responsible charge, one for each design discipline (civil, structural, mechanical, electrical, etc.). The term “responsible charge” can also refer to a principle engineer in charge of a branch of services within an engineering firm.

Idaho Code 54-12

54-1202. Definitions.

(15) "Responsible charge" means the control and direction of engineering work, or the control and direction of land surveying work, requiring initiative, professional skill, independent judgment and professional knowledge of the content of relevant documents during their preparation. Except as allowed under section 54-1223, Idaho Code, reviewing, or reviewing and correcting, documents after they have been prepared by others does not constitute the exercise of responsible charge.

54-1223. Saving clause — Exemptions.

(5) A professional engineer licensed in Idaho may review the work of a professional engineer who is licensed in another jurisdiction of the United States or a foreign country on a project that is a site adaptation of a standard design plan to determine that the standard design plan meets the standard of care and is applicable to the intended circumstance, with or without modification. The Idaho professional engineer shall demonstrate responsible charge, as defined in this chapter, by performing professional services related to his assignment including developing or obtaining a complete design record with design criteria and calculations, performing necessary code research and developing any necessary and appropriate changes to the standard design plan necessary to properly apply the standard design to the intended circumstance. The nonprofessional services, such as drafting, need not be redone by the Idaho professional engineer, but must clearly and accurately reflect the Idaho professional engineer’s work. The burden is on the Idaho professional engineer to show such compliance. The Idaho professional engineer shall have control of and responsibility for the entire work product, shall seal, sign and date it as required in this chapter, and shall be in possession of all original documents or certified copies of documents related to the professional engineer’s work for the project.



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(6) In the event a licensee in responsible charge of a project leaves employment, is transferred, is promoted, becomes incapacitated, dies or is otherwise not available to seal, sign and date final documents, the duty of responsible charge of the project shall be accomplished by the successor licensee by becoming familiar with and reviewing, in detail, and retaining the project documents to date. Subsequent work on the project must clearly and accurately reflect the successor licensee's responsible charge. The successor licensee shall seal, sign and date all work product in conformance with section 54-1215, Idaho Code.

IDAPA 24.32.01

Section 24.32.01.101 - COMPETENCY FOR ASSIGNMENTS

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03. Use of Seal on Documents. A Licensee must affix his signature and seal only to plans or documents prepared under his responsible charge.

NSPE

Responsible charge is also defined in a National Society of Professional Engineers (NSPE) reference document, and copied below for convenience.

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**.



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Professions and Branches

There are separate and distinct licenses for the following professions regulated by the same board:

- Professional Engineer
- Professional Land Surveyor

The engineers area of practice (a.k.a. branch or discipline), as identified through NCEES examination and registration, is stated on the license after “especially qualified in ____”. There are no engineering branches identified on seals.

Professional engineers should only undertake assignments when qualified by education or experience in the technical fields involved. A Licensee who is the prime professional for an engineering project may accept an assignment outside their field of competence, but those services are restricted to phases of the project in which the Licensee is qualified.

IDAPA 24.32.01

Section 24.32.01.101 - COMPETENCY FOR ASSIGNMENTS

01. Assignments in Field of Competence. A Licensee must undertake to perform assignments only when qualified by education or experience in the specific technical field involved, however, a Licensee, as the prime professional, may accept an assignment requiring education or experience outside of his own field of competence, but his services are restricted to those phases of the project in which the Licensee is qualified. All other phases of such project must be performed by qualified associates, consultants or employees. For projects encompassing one (1) or more disciplines beyond the Licensee's competence, a Licensee may sign and seal the cover sheet for the total project only when the Licensee has first determined that all elements of the project have been prepared, signed and sealed by others who are competent, licensed and qualified to perform such services.

02. Aiding and Abetting an Unlicensed Person. A Licensee or Certificate Holder must avoid actions and procedures which, in effect, amount to aiding and abetting an unlicensed person to practice engineering or land surveying.



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Structural Engineering

Idaho does not license a separate profession for structural engineering. Structural is one of many branches/disciplines within professional engineering. Per the below FAQ response from the Board, a P.E. with civil designation that has competence in structural work can perform structural engineering services.

[Board FAQ \(https://dopl.idaho.gov/ipels/ipels-faq/\)](https://dopl.idaho.gov/ipels/ipels-faq/)

Structural Engineering FAQ

Q: If I want to practice structural engineering, what qualifications do I need to have?

A: IDAPA 24.32.01.101, Rules of Professional Responsibility, Section 101, states in pertinent part:

“01. Assignments In Field Of Competence. A Licensee shall undertake to perform assignments only when qualified by education or experience in the specific technical field involved, however, a Licensee, as the prime professional, may accept an assignment requiring education or experience outside of his own field of competence, but his services are restricted to those phases of the project in which the Licensee is qualified. All other phases of such project shall be performed by qualified associates, consultants or employees. For projects encompassing one (1) or more disciplines beyond the Licensee’s competence, a Licensee may sign and seal the cover sheet for the total project only when the Licensee has first determined that all elements of the project have been prepared, signed and sealed by others who are competent, licensed and qualified to perform such services.”

So a civil engineer who is competent in structural engineering may practice structural engineering.

If the engineer wants to be especially qualified in structural engineering, like being especially qualified in the other disciplines, an engineer would have to take and pass the NCEES Structural Exam. Then their license would say “especially qualified in Structural Engineering” and they would be so listed in our Roster.



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Incidental Survey Work

Professional engineers can perform land survey work that is incidental to the practice of engineering, under the following conditions.

Idaho Code 54-12

54-1227. Surveys — Authority and duties of professional land surveyors and professional engineers.

(1) Every licensed professional land surveyor is hereby authorized to make land surveys and it shall be the duty of each licensed professional land surveyor, whenever making any professional boundary land survey as defined in section 54-1202, Idaho Code, that is not preliminary in nature, to set permanent and reliable magnetically detectable monuments at all unmonumented corners field-located, the minimum size of which shall be one-half (1/2) inch in least dimension and two (2) feet long iron or steel rod, or a metallic post or pipe one (1) inch in least dimension and two (2) feet long with minimum wall thickness of nominal one-eighth (1/8) inch, or other more substantial monuments designed specifically for use as a survey monument. Such monuments must be substantially in the ground, stable, and permanently marked with the license number of the professional land surveyor responsible for placing the monument.

(2) Where special circumstances preclude use of such monuments, the professional land surveyor must place an alternate, stable, permanent monument that is magnetically detectable and marked with the license number of the professional land surveyor placing the monument.

(3) Where the corner position cannot be monumented due to special circumstances, the professional land surveyor must establish reference monuments or a witness corner and mark them as such.

(4) Any found nonmagnetically detectable monument must be remonumented with a magnetically detectable monument compliant with subsections (1) through (3) of this section.

(5) Professional engineers qualified and duly licensed pursuant to this chapter may also perform those other surveys necessary and incidental to their work.



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Professional Conduct

The following laws and rules help define proper professional conduct.

IDAPA 24.32.01

Section 24.32.01.100 - RESPONSIBILITY TO THE PUBLIC

01.Primary Obligation. All Licensees and Certificate Holders must at all times recognize their primary obligation is to protect the safety, health and welfare of the public in the performance of their professional duties.

02.Standard of Care. Each Licensee and Certificate Holder must exercise such care, skill and diligence as others in that profession ordinarily exercise under like circumstances.

03.Professional Judgment. If any Licensee's or Certificate Holder's professional judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, the Licensee or Certificate Holder must inform the employer or client of the possible consequences and, where appropriate, notify the Board or such other authority of the situation.

04.Obligation to Communicate Discovery of Discrepancy. Except as provided in the Idaho Rules of Civil Procedure 26(b)(4)(B), if a Licensee or Certificate Holder, during the course of his work, discovers a material discrepancy, error, or omission in the work of another Licensee or Certificate Holder, which may impact the health, property and welfare of the public, the discoverer must make a reasonable effort to inform the Licensee or Certificate Holder whose work is believed to contain the discrepancy, error or omission. Such communication must reference specific codes, standards or physical laws which are believed to be violated and identification of documents which are believed to contain the discrepancies. The Licensee or Certificate Holder whose work is believed to contain the discrepancy must respond within twenty (20) calendar days to any question about his work raised by another Licensee or Certificate Holder. In the event a response is not received within twenty (20) days, the discoverer must notify the Licensee or Certificate Holder in writing, who has another twenty (20) days to respond. Failure to respond (with supportable evidence) on the part of the Licensee or Certificate Holder whose work is believed to



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contain the discrepancy is considered a violation of these rules and may subject the Licensee or Certificate Holder to disciplinary action by the Board. The discoverer must notify the Board in the event a response that does not answer the concerns of the discoverer is not obtained within the second twenty (20) days. A Licensee or Certificate Holder is exempt from this requirement if their client is an attorney and they are being treated as an expert witness. In this case, the Idaho Rules of Civil Procedure apply.

05.Obligation to Comply with Rules of Continuing Professional Development. All Licensees must comply with the continuing professional development requirements contained in these rules.

06.Obligation to Affected Landowners. Land surveyors have a duty to set monuments at the corners of their client's property boundaries in compliance with 54-1227, Idaho Code. Per Subsection 100.04 above, land surveyors also have a duty to notify other licensees of a material discrepancy prior to setting monuments that represent a material discrepancy with a prior survey. If a monument is to be set at a location that represents a material discrepancy with an existing monument at any corner of record, land surveyors must also notify in writing all affected adjoining land owners and the Board prior to setting the new monument.

Section 24.32.01.101 - COMPETENCY FOR ASSIGNMENTS

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02.Aiding and Abetting an Unlicensed Person. A Licensee or Certificate Holder must avoid actions and procedures which, in effect, amount to aiding and abetting an unlicensed person to practice engineering or land surveying.

Section 24.32.01.103 - CONFLICT OF INTEREST

01.Conflict of Interest to Be Avoided. Each Licensee or Certificate Holder must conscientiously avoid conflict of interest with an employer or client, and, when unavoidable, must forthwith disclose the circumstances in writing to the employer or client. In addition, the Licensee or Certificate Holder must promptly inform the employer or client in writing of any business association, interests, or circumstances which could influence a Licensee's or Certificate Holder's judgment or quality of service, or jeopardize the clients' interests.



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02. Compensations From Multiple Parties on the Same Project. A Licensee or Certificate Holder may accept compensation, financial or otherwise, from more than one (1) party for services on the same project, or for services pertaining to the same project, provided the circumstances are fully disclosed, in writing, in advance and agreed to by all interested parties.

03. Solicitation From Material or Equipment Suppliers. A Licensee or Certificate Holder may not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying or recommending the products of said suppliers, except with full disclosure as outlined in Subsection 103.02.

04. Gratuities. A Licensee or Certificate Holder may not solicit or accept gratuities, gifts, travel, lodging, loans, entertainment or other favors directly or indirectly, from contractors, their agents or other third parties dealing with a client or employer in connection with work for which the Licensee or Certificate Holder is responsible, which can be construed to be an effort to improperly influence the Licensee's or Certificate Holder's professional judgment. Minor expenditures such as advertising trinkets, novelties and meals are excluded. Neither may a Licensee or Certificate Holder make any such improper offer.

05. Solicitation From Agencies. A Licensee, a Certificate Holder or a representative thereof may not solicit or accept a contract from a governmental authority on which an existing officer, director, employee, member, partner, or sole proprietor of his organization serves as a member of the elected or appointed policy and governing body of such governmental authority or serves as a member of an entity of such governmental authority having the right to contract or recommend a contract for the services of a Licensee or a Certificate Holder.

06. Professional Services Decisions of Agencies. A Licensee, Certificate Holder or representative thereof serving as a member of the governing body of a governmental authority, whether elected or appointed, or an advisor or consultant to a governmental Board, commission or department may at all times be subject to the statutory provisions concerning ethics in government, Section 74-401, Idaho Code, et seq. A violation of the "Ethics in Government Act of 2015" will be considered a violation of these rules.



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07.Unfair Advantage of Position and Work Outside Regular Employment. When a Licensee or an individual Certificate Holder is employed in a full time position, the person may not use the advantages of the position to compete unfairly with other professionals and may not accept professional employment outside of that person's regular work or interest without the knowledge of and written permission or authorization from that person's employer.

Section 24.32.01.104 - SOLICITATION OF WORK

01.Commissions. A Licensee or Certificate Holder may not pay or offer to pay, either directly or indirectly, any commission, gift or other valuable consideration in an effort to secure work, except to bona fide employees or bona fide established business enterprises retained by a Licensee or Certificate Holder for the purpose of securing business or employment.

02.Representation of Qualifications. A Licensee or Certificate Holder may not falsify or permit misrepresentation of his or his associates' academic or professional qualifications, and may not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment may not misrepresent pertinent facts concerning employers, employees, associates, joint-venturers or his or their past accomplishments with the intent and purpose of enhancing qualifications for the work. The Licensee or Certificate Holder may not indulge in publicity that is misleading.

03.Assignment on Which Others Are Employed. A Licensee or Certificate Holder may not knowingly seek or accept employment for professional services for an assignment that another Licensee or Certificate Holder is employed, or contracted to perform without the currently employed or contracted entity being informed in writing.

04.Contingency Fee Contracts. A Licensee or Certificate Holder may not accept an agreement, contract, or commission for professional services on a "contingency basis" that may compromise his professional judgment and may not accept an agreement, contract or commission for professional services that includes provisions wherein the payment of fee involved is contingent on a "favorable" conclusion, recommendation or judgment.



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05. Selection on the Basis of Qualifications. On selections for professional engineering and land surveying services that are required pursuant to Section 67-2320, Idaho Code, a licensee or certificate holder, in response to solicitations described in Section 67-2320, Idaho Code, may not submit information that constitutes a bid for services requested either as a consultant or subconsultant.

Section 24.32.01.105 - IMPROPER CONDUCT

01. Fraudulent or Dishonest Enterprises. A Licensee or Certificate Holder may not knowingly associate with, or permit the use of his name or the firm name in a business venture by any person or firm that it is known to be, or there is reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

02. Confidentiality. Licensees or Certificate Holders may not reveal confidential facts, data or information obtained in a professional capacity without prior written consent of the client or employer except as authorized or required by law.

03. Actions by Other Jurisdictions. The surrender, revocation, suspension or denial of a license to practice Professional Engineering or Professional Land Surveying, as an individual or through a business entity, in another jurisdiction, for reasons or causes which the Board finds would constitute a violation of the Idaho laws regulating the practice of Engineering and Land Surveying, or any code or rules promulgated by the Board, is sufficient cause after a hearing for disciplinary action as provided in Title 54 Chapter 12, Idaho Code.



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Sign and Seal Requirements

Engineering seal and signature requirements are found in Idaho Code 54-1215 and IDAPA 24.32.01.012. Here are highlights that may differ from requirements in other states:

- Seal outer diameter to be minimum 1.5".
- Sign and date adjacent or over the seal.
- For multipage specifications and reports, it is acceptable to only seal the cover or title page.
- Photocopies, scans, and printouts of sealed documents are acceptable provided the seal, signature and date are reproduced.
- Copies of electronic documents may be issued with the licensee’s seal and a notice that the original document is on file with the licensee’s signature and the date. The words "Original Signed By:" and "Date Original Signed:" shall be placed adjacent to or across the seal on the electronic original. The storage location of the original document shall also be provided.
- In 2022, rules for digital signatures were removed from IDAPA 24.32.01. Check with the board for latest guidance regarding digital/electronic signatures.



Laws and Rules

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

Idaho Code 54-12

54-1215. License — Seals — Intern certificates.

...

(3) Except for engineering faculty holding a restricted license pursuant to section 54-1214(5), Idaho Code, each licensee hereunder shall, upon licensure, obtain a seal, the use and design of which are described in this section. It shall be unlawful for any person to affix or to permit his seal and signature to be affixed to any documents after the license of the licensee named thereon has expired or has been retired, suspended, or revoked, unless said license shall have been renewed, reinstated, or reissued, or for the purpose of aiding or abetting any other person to evade or attempt to evade any portion of this chapter.



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- (a) The seal may be a rubber stamp, crimp or electronically generated image. Whenever the seal is applied, the licensee's signature and date shall be included adjacent to or across the seal.
- (b) The seal, signature and date shall be placed on all final specifications, land surveys, reports, plats, drawings, plans, design information and calculations whenever presented to a client or any public or governmental agency. Any such document presented to a client or public or governmental agency that is not final and does not contain a seal, signature and date shall be clearly marked as "draft," "not for construction" or with similar words to distinguish the document from a final document. In the event the final work product is preliminary in nature or contains the word "preliminary," such as a "preliminary engineering report," the final work product shall be sealed, signed and dated as a final document if the document is intended to be relied upon to make policy decisions important to the life, health, property, or fiscal interest of the public.
- (c) The seal and signature of the licensee and date shall be placed on all original documents in such a manner that such seal, signature and date are reproduced when the original document is copied. The application of the licensee's seal and signature and the date shall constitute certification that the work thereon was done by him or under his responsible charge. Each plan or drawing sheet shall be sealed and signed and dated by the licensee or licensees responsible for each sheet. In the case of a business entity, each plan or drawing sheet shall be sealed and signed and dated by the licensee or licensees involved. Copies of electronically produced documents, listed in paragraph (b) of this subsection, distributed for informational uses such as for bidding purposes or working copies, may be issued with the licensee's seal and a notice that the original document is on file with the licensee's signature and the date. The words "Original Signed By:" and "Date Original Signed:" shall be placed adjacent to or across the seal on the electronic original. The storage location of the original document shall also be provided. Only the title page of reports, specifications and like documents need bear the seal and signature of the licensee and the date.
- (d) The seal and signature shall be used by licensees only when the work being stamped was under the licensee's responsible charge.
- (e) The design of the seal shall be as determined by the board.



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IDAPA 24.32.01

Section 24.32.01.012 - SEALS

01. Official Seal of Board. The official seal of this Board consists of the seal of the state of Idaho, surrounded with the words "Board of Professional Engineers and Professional Land Surveyors" and "State of Idaho."

02. Standard Seals for Engineers and Land Surveyors. The Board adopts standard seals for use by licensed professional engineers and professional land surveyors as prescribed by Section 54-1215, Idaho Code. Seals prepared and approved prior to July 1, 2008 are valid for continued use.

03. Seal for Professional Engineer/Land Surveyor. Engineers obtaining licensure as land surveyors under the changes to Section 54-1217, Idaho Code, by the 1978 Legislature use the seal showing licensure as a Professional Engineer and Land Surveyor as adopted by the Board. Seals prepared and approved prior to July 1, 2008 are valid for continued use.



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Continuing Education

Per IDAPA 24.32.01.2, the following continuing professional competency is required every 2-year renewal period, where a PDH is a professional development hour:

- Total 30 PDH
- The Board does NOT pre-approve providers or specific courses
- Course requirements, per NCEES Model Rule 240.30:
 - Objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice
- Maximum of 2 PDH per year for Professional Society Membership
- Maximum of 30 PDH can carry forward to the next period
- Retain PDH records for minimum 6 years
- Renewal date is licensee's birthday, in odd years for those born in an odd year, and even years for those born in even years

Laws and Rules

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

Idaho Code 54-12

54-1216. Expirations and renewals — Fees.

(1) Each licensee or intern shall apply for renewal by the licensee's birthday in even-numbered state of Idaho fiscal years for those born in even-numbered calendar years and in odd-numbered state of Idaho fiscal years for those born in odd-numbered calendar years, and shall become invalid on that date unless renewed.

IDAPA 24.32.01

Section 24.32.01.200 - REQUIREMENTS

The purpose of the continuing professional development requirement is to demonstrate a continuing level of competency of licensees. Every licensee shall meet fifteen (15) PDH units per year or thirty (30) PDH units per biennium of continuing professional development as a condition for licensure renewal.



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Section 24.32.01.201 - USE OF NCEES MODEL CPC STANDARD

Licensees must comply with the National Council of Examiners for Engineering and Surveying (NCEES) Continuing Professional Competency (CPC) renewal standard as identified in the latest version of the NCEES Model Rule 240.30, and further described in the NCEES Continuing Professional Competency Guidelines. This standard is found at <https://ncees.org/wp-content/uploads/CPC-Guidelines-2017-final.pdf> and is subject to the following exceptions:

01.Excess Continuing Education. A licensee may carry forward up to thirty (30) hours of excess continuing education per renewal period.

02.Professional Society Membership. Membership in a professional society will count as one (1) PDH per year, for a maximum of two (2) PDH per profession per year.



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NCEES Model Rule

Below is section 240.30 in the Model Rule, version January 2024, as referenced in IDAPA 24.32.01.201.

240.30 Continuing Professional Competency

The purpose of the continuing professional competency requirement is to demonstrate a continuing level of competency of licensees.

A. Introduction

Every licensee shall meet the continuing professional competency requirements of these regulations for professional development as a condition for licensure renewal.

B. Definitions

Terms used in this section are defined as follows:

1. Professional Development Hour (PDH)—One contact hour (nominal) of instruction or presentation. The PDH is the common denominator for other units of credit.
 - a. The term “contact hour” is defined as a minimum of 50 minutes of course/activity.
 - b. The total number of hours allowed for a course/activity cannot exceed the actual number of clock hours.
2. Ethics/Business-Related Course or Activity—A qualifying course or activity with content areas related to (1) the awareness of ethical concerns and conflicts; (2) an enhanced familiarity with the codes of conduct; (3) an understanding of standards of practice or care; (4) project management and risk-assessment management; or (5) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the licensee’s field and methods of practice.
3. Continuing Education Unit (CEU)—Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 contact hours in an approved continuing education course.
4. College Semester/Quarter Hour—Credit for course in ABET-accredited programs or other related college course approved in accordance with subsection E of this section.
5. Course/Activity—Any qualifying course or activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee’s field of practice. Regular duties are not considered qualified activities.
6. Dual Licensee—An individual who is licensed as both a professional engineer and a professional surveyor

C. Qualifying Activities

PDHs may be earned as follows:

1. Successful completion of college courses
2. Successful completion of short courses, tutorials, webinars, and distance-education courses offered for documented individual or group study. The method of delivery can be through the following:
 - a. Face-to-face programs or live internet-based programs



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- b. Archived prerecorded programs or archived correspondence programs
- 3. Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions
- 4. Teaching or instructing in 1 through 3 above
- 5. Authoring published papers, articles, books, or accepted licensing examination items
- 6. Active participation in professional or technical societies or in accrediting organizations
- 7. Obtaining a patent
- 8. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K–12 or higher education students

D. Units

The conversion of other units of credit to PDHs is as follows:

- 1. 1 semester hour45 PDHs
- 2. 1 quarter hour 30 PDHs
- 3. 1 continuing education unit 10 PDHs
- 4. 1 hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences.....1 PDH
- 5. For teaching in 1 through 4 above, apply multiple of 2*
- 6. Publications
 - a. Each published peer-reviewed paper or book in the licensee’s area of professional practice 10 PDHs
 - b. Each published paper or article (other than 6.a above) in the licensee’s area of professional practice5 PDHs
- 7. Active participation in professional and technical society (each organization).....2 PDHs
- 8. Each patent 10 PDHs
- 9. Active volunteer participation in standards or code development commissions or technical committees up to 4 PDHs
- 10. 1 hour of outreach activities 1 PDH (not to exceed 3 PDHs)

* Teaching credit is valid only for the first offering or presentation. Full-time faculty may not claim teaching credit associated with their regular duties.

E. Determination of Credit

The board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

- 1. Credit for college or community college approved courses will be based upon course credit established by the college.
 - a. A semester credit hour represents 15 classes with 1 hour of instructional time plus 2 additional hours of student engagement with the subject material through homework, laboratory work, internships, practicums, studio work, or other academic work, resulting in 45 PDHs.
 - b. A quarter credit hour represents 10 classes with 1 hour of instructional time plus 2 additional hours of student engagement with the subject material through homework, laboratory work, internships, practicums, studio work, or other academic work, resulting in 30 PDHs.
- 2. Credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDHs for the actual time of each program.
- 3. Credit determination for activities in subsections D.6 and D.8 is the responsibility of the licensee (subject to review as required by the board).



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4. Credit for activity in subsection D.7, active participation in professional and technical societies (limited to 2 PDHs per organization), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDHs are not earned until the end of each year of service is completed.

F. Recordkeeping

The licensee is responsible for maintaining records to be used to support credits claimed. Records required include, but are not limited to (1) a log showing the type of activity claimed, sponsoring organization, location, duration, instructor's or speaker's name, and PDHs earned; and (2) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

G. Exemptions

A licensee may be exempt from the continuing professional competency requirements for one of the following reasons:

1. New licensees by way of examination or comity shall be exempt for their first renewal period.
2. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining the PDHs required during that renewal period.
3. Licensees experiencing physical disability, illness, or other extenuating circumstances may apply for an exemption or an extension of time to obtain the credits, subject to the review and approval of the board. Supporting documentation must be furnished to the board.
4. Licensees who list their occupation as "Retired" or "Inactive" on the board-approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or surveying services shall be exempt from the PDHs required.

H. Reinstatement

A licensee applying to reinstate a retired or inactive license should obtain all delinquent PDHs. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required. If the applicant is required to retake and pass an NCEES Principles and Practice examination by the board, PDHs may not be required.

I. Requirements for Renewal

To renew a license, an applicant must meet either of the following:

1. The requirements of the NCEES *CPC Standard*
2. The requirements of *[insert jurisdiction name]*

J. Dual Licensees

The number of PDHs required per year shall be as stated in the NCEES *CPC Standard*. At least one-third of the PDHs shall be obtained in each profession.

K. Certification

All renewal applications will require the certification of CPC credits as specified by the board. The licensee must supply sufficient detail and backup documentation with the renewal application, if required, or upon notification of audit.



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Helpful References

Idaho Board of Professional Engineers and Professional Land Surveyors

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| General website: | https://dopl.idaho.gov/onlineservices/ |
| License renewal & Address change: | https://edopl.idaho.gov/OnlineServices/_/ |
| Idaho Code 54-12: | https://legislature.idaho.gov/statutesrules/idstat/Title54/T54CH12/ |
| IDAPA 24.32.01: | https://adminrules.idaho.gov/rules/current/24/243201.pdf |
| FAQ: | https://dopl.idaho.gov/ipels/ipels-faq/ |
| Continuing Professional Development (CPD): | https://dopl.idaho.gov/ipels/ipels-cpd/ |
| Ethics and Professional Practice Manual: | https://dopl.idaho.gov/wp-content/uploads/2023/04/Ethics-and-Professional-Practice-Manual-7-30-2020.pdf |
| Professional Engineering Manual: | https://dopl.idaho.gov/wp-content/uploads/2023/04/Professional-Engineering-Manual-7-30-2020.pdf |
| IPELS Law Book: | https://dopl.idaho.gov/wp-content/uploads/2023/04/ipels-lawbook2022.pdf |