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Mississippi Laws and Rules for Engineers

by

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Mississippi Laws and Rules for Engineers
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Course Outline:

Mississippi Code
Miss. Code Ann. 73-13
Mississippi Administrative Code
30 Miss. Code R. 901
State Board
Practice of Professional Engineering
Responsible Charge
Engineering Disciplines
Professional Conduct
Sign and Seal Requirements
Continuing Education
Helpful References
Examination

Mississippi Laws and Rules for Engineers
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Mississippi Code

State laws are enacted by the Mississippi 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 are not yet integrated into existing laws and difficult to utilize. Next, the laws are added to the *Mississippi Code* (also called Mississippi Code of 1972) in the appropriate locations with numbering, formatting, and replaced or repealed statutes removed. Annotations are also added such as notes and references, with the resulting publication called the *Mississippi Code Annotated*, which is the official codified and annotated collection of state laws. It is commonly cited as Miss. Code Ann.

The Miss. Code Ann. contains 99 titles. Title 73, Chapter 13 (cited as Miss. Code Ann. 73-13) has laws with relevance to engineering. The organization is as follows:

Miss. Code Ann.

- Title 73: Professions and Vocations
 - Chapter 13: Engineers and Land Surveyors
 - Sections 1 to 45: Engineers
 - Section 71 to 105: Land Surveyors

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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Miss. Code Ann. 73-13

The law dedicated to the practice of engineering is Miss. Code Ann. 73-13. It contains general requirements for engineers and surveyors. It also gives authority to the *Mississippi Board of Licensure for Professional Engineers and Surveyors* (Board) to enact the laws and manage licensing. The following is the contents of Miss. Code Ann. 73-13, with **bold** sections being of particular importance for practicing professional engineers.

73-13 Engineers and Land Surveyors

Engineers

73-13-1 - Engineer must be registered; use of words "graduate engineer."

73-13-3 - Definitions

73-13-5 - Appointment of board

73-13-7 - Qualifications of board

73-13-9 - Compensation of the board

73-13-11 - Removal of board; vacancies

73-13-13 - Meetings of board; election of officers; quorum

73-13-15 - Rules and regulations; seal; powers

73-13-17 - Money received by board to be deposited in special fund; regulation of fund; audit; surety required of executive director and secretary; employees

73-13-19 - Records and reports

73-13-21 - Roster to be prepared; separate listing upon retirement

73-13-23 - Qualifications for registration

73-13-25 - Application for registration; fees

73-13-27 - Examination

73-13-29 - Certificate of registration

73-13-31 - Certificate of registration; expiration

73-13-33 - Rights and privileges

73-13-35 - Persons holding certificate from a national body or other state

73-13-37 - Disciplinary actions; hearing; subpoenas; statement of charges; transcripts; witnesses; right to counsel; penalties; probation; reissuance of certificate of registration; appeals

73-13-39 - Unlawful acts and penalties

73-13-41 - Applicability

73-13-43 - Corporations or partnerships

73-13-45 - Public works



Mississippi Laws and Rules for Engineers
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Land Surveyors

- 73-13-71 - Definitions
- 73-13-73 - Persons practicing land surveying required to register
- 73-13-75 - Granting further powers to state board of registration for professional engineers and land surveyors
- 73-13-77 - Qualifications of applicant as land surveyor or land surveyor-in-training
- 73-13-79 - Application and registration fees
- 73-13-81 - Examinations
- 73-13-83 - Certificates; seals
- 73-13-85 - Expiration and renewals
- 73-13-87 - Acceptance of certificates from other states, territories, and countries
- 73-13-89 - Disciplinary actions
- 73-13-93 - Appeals
- 73-13-95 - Violations and penalties
- 73-13-97 - Application of Sections 73-13-71 through 73-13-105
- 73-13-103 - Immunity of land surveyors from criminal liability for trespass
- 73-13-105 - Professional land surveying firm; requirement that firm have at least one registered professional land surveyor as principal officer or partner



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Mississippi Administrative Code

State laws are often high-level and lack details required for implementation. The Mississippi 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 *Mississippi Administrative Code* or *Code of Mississippi Rules*, often abbreviated as Miss. Code R. The regulations are enforceable just like state laws.



The Miss. Code R. is grouped by titles for major topics and then parts for different agencies (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering is covered under Title 30, Part 901, cited as 30 Miss. Code R. 901. The organization is as follows:

Miss. Code R.

- Title 30: Professions and Occupations
 - Part 901: Rules and Regulations of the Mississippi Board of Licensure for Professional Engineers and Surveyors

There are separate agencies/boards for architects, landscape architects, geologists, and other professions.



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30 Miss. Code R. 901

The following are the contents of 30 Miss. Code R. 901 with important sections in **bold** being of particular importance for practicing professional engineers.

Part 901: Rules and Regulations of the Mississippi Board of Licensure for Professional Engineers and Surveyors

Chapter 1 - Organization, Purpose, and Operation of the Board

Chapter 2 - Definitions

Chapter 3 - Applications

Chapter 4 - Comity Licensure

Chapter 5 - Fees

Chapter 6 - Roster

Chapter 7 - Retired Licensees

Chapter 8 - Curricula Approved by the Board

Chapter 9 - Experience

Chapter 10 - References

Chapter 11 - Examinations

Chapter 12 - Classifications

Chapter 13 - Licensure or Enrollment

Chapter 14 - Seals

Chapter 15 - Expirations and Renewals

Chapter 16 - Certificate of Authority; Use of Terms

Chapter 17 - Code of Professional Conduct

Chapter 18 - Disciplinary Actions

Chapter 19 - Reinstatement of Licensure or Certification After Revocation

Chapter 20 - Severability

Chapter 21 - Standards of Practice for Surveying

Chapter 22 - Changes or Amendments to Rules

Chapter 23 - Continuing Professional Competency



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State Board

The state agency for professional engineering is the *Mississippi Board of Licensure for Professional Engineers and Surveyors* (PEPLS), herein referred to as the Board.

The Board oversees over 12,000 professional engineers. The board is given authority to manage and further regulate professional engineering. The Board can make modifications to 30 Miss. Code R. 901.



Board Website

The board website contains the following relevant topic pages:

- Board Meeting Dates & Minutes
- Board Positions / Opinions / Communications
- Building Official's Guide to Architecture and Engineering Requirements
- Board Disciplinary Actions
- Recent Board News
- Board Newsletters
- Laws, Rules & Requirements
- Licensure Law
- Continuing Education
- The Complaint Process
- Licensure Renewals
- Seals & Signatures
- Update Your Contact Information
- Community & Advocacy
- Engineer Spotlight
- Resources
- Acronyms
- Frequently Asked Questions
- Resources for Engineers & Surveyors

<https://www.pepls.ms.gov/site-map>



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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:

Miss. Code Ann. 73-13

Section 73-13-1 - Engineer must be registered; use of words "graduate engineer."

In order to safeguard life, health, and property, and to promote the public welfare, any person or firm in either public or private capacity practicing or offering to practice engineering shall hereafter be required to submit evidence that the person or firm is qualified so to practice engineering and shall be licensed as hereinafter provided; and it shall be unlawful for any person or firm to practice or to offer to practice in this state, engineering, as defined in the provisions of Sections 73-13-1 through 73-13-45, or to use in connection with his name or otherwise assume, use, or advertise any title or description tending to convey the impression that he is a professional engineer, unless such person has been duly licensed under the provisions of Sections 73-13-1 through 73-13-45. There is specifically reserved to engineering graduates of all universities and colleges accredited by a regional accrediting body that is recognized by the United States Department of Education, the right to disclose any college degrees received by such individuals and use the words "graduate engineer" on his stationery, business cards and personal communications of any character.

Section 73-13-3 - Definitions

The term "engineer" as used in Sections 73-13-1 through 73-13-45 shall mean a professional engineer as hereinafter defined.

The term "professional engineer" within the meaning and intent of Sections 73-13-1 through 73-13-45 shall mean a person who has met the qualifications as required under Section 73-13-23(1) and who has been issued a certificate of registration as a professional engineer.

The term "engineer intern" as used in Sections 73-13-1 through 73-13-45 shall mean a candidate for licensure as a professional engineer who has met the qualifications



Mississippi Laws and Rules for Engineers
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as required under Section 73-13-23(2) and who has been issued a certificate of enrollment as an engineer intern.

The term "practice of engineering" within the meaning and intent of Sections 73-13-1 through 73-13-45 shall mean any service or creative work the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, expert technical testimony, evaluation, planning, design, and design coordination of engineering works and systems, planning the use of land, air and water, performing engineering surveys and studies, and the review of construction for the purpose of monitoring compliance with drawings and specifications, any of which embraces such engineering services or work, either public or private, in connection with any utilities, water resources, structures, buildings, machines, equipment, processes, work systems, projects, communication systems, transportation systems, industrial or consumer products or equipment of control systems; or engineering services or work of a communications, mechanical, electrical, hydraulic, pneumatic, chemical, geotechnical (including geology and geohydrology incidental to the practice of engineering), geological, environmental, or thermal nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the planning, progress and completion of any engineering services.

Design coordination includes the review and coordination of those technical submissions prepared by others, including as appropriate and without limitation, consulting engineers, surveyors, architects, landscape architects and other professionals working under direction of the engineer.

The term "firm," as used in Sections 73-13-1 through 73-13-45, shall mean a business entity that offers the professional engineering or surveying services to the public of its licensed personnel who are either employees, officers, directors, partners, members or managers. A business entity may be formed as either:

- (a) A professional service corporation;
 - (b) A corporation;
 - (c) A partnership, including limited partnerships and limited liability partnerships;
- or
- (d) A limited liability company.



Mississippi Laws and Rules for Engineers
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Prior to any contract for or the provision of professional engineering or surveying services in this jurisdiction, a firm shall obtain a certificate of authority under Section 73-13-43 or Section 73-13-105 of this chapter. A sole proprietorship, owned and operated by a licensee under this chapter is not required to obtain a certificate of authority under Section 73-13-43 or Section 73-13-105. A professional association of licensed professional engineers or professional surveyors is not required to obtain a certificate of authority under Section 73-13-43 or Section 73-13-105. Both the licensed sole proprietor and the licensees within a professional association shall maintain their individual licenses in active status and only offer the professional services for which they are licensed and qualified to provide.

Engineering surveys include all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects but exclude the practice of surveying as defined in Section 73-13-71(4).

A person or firm shall be construed to practice or offer to practice engineering within the meaning and intent of Sections 73-13-1 through 73-13-45, who practices any branch of the profession of engineering; or provides, 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 who holds himself out as able to perform or provide, or who does perform any engineering service or work or any other professional service designated by the practitioner or recognized by educational authorities as engineering.

The term "board" as used in Sections 73-13-1 through 73-13-45 shall mean the Board of Licensure for Professional Engineers and Surveyors provided for by said sections.

Section 73-13-29 - Certificate of registration

The board shall issue a certificate of licensure upon payment of licensure fee as provided for in Sections 73-13-1 through 73-13-45, to any applicant who, in the opinion of the board, has satisfactorily met all the requirements of said sections. In the case of a licensed engineer, the certificate shall authorize the "practice of engineering." In the case of an engineer intern, the certificate shall state that the



Mississippi Laws and Rules for Engineers
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applicant has successfully passed the examination in fundamental engineering subjects required by the board and has been enrolled as an "engineer intern." Certificates shall show the full name, shall have a serial number, and shall be signed by the president and the secretary of the board under seal of the board.

The issuance of a certificate of licensure by this board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer while the said certificate remains unrevoked or unexpired.

Before engaging in the practice of the profession, each licensee hereunder shall upon licensure obtain a seal of the design authorized by the board, bearing the licensee's name and the legend " licensed professional engineer." Plans, specifications and reports prepared by a licensee shall be stamped with the seal by the licensee during the life of the licensee's certificate, but it shall be unlawful for anyone to stamp or seal any documents with the seal after the certificate of the licensee named thereon is expired or revoked, or while the certificate is suspended. It shall be unlawful for anyone other than the licensee to whom the seal has been issued to stamp or seal any document utilizing such seal.

Section 73-13-41 - Applicability

(1) Sections 73-13-1 through 73-13-45 shall not be construed to prevent or to affect:

(a) The practice of any other legally recognized profession or trade, such as:

- (i) engineers employed by contractors to supervise work on which a licensed engineer is engaged;
- (ii) architects who are registered under the provisions of Chapter 1 of this title;
- and
- (iii) the practice of geology as regulated pursuant to Title 73, Chapter 63;

(b) The work of an employee or a subordinate of a person holding a certificate of licensure under Sections 73-13-1 through 73-13-45, provided such work does not include final designs or decisions and is done under the responsibility, checking and supervision of a person holding a certificate of licensure under Sections 73-13-1 through 73-13-45;



Mississippi Laws and Rules for Engineers
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(c) The practice of officers and employees of the government of the United States while engaged within this state in the practice of engineering for said government;

(d) The performance of engineering services by any regular full-time employee of a manufacturing, research and development, railroad or other industrial corporation, provided:

(i) Such services are rendered on or in connection with existing fixed works, equipment, systems, processes or facilities owned, operated, or leased by such corporation and/or its affiliates;

(ii) Such services are not rendered to third parties;

(iii) Such services do not consist of original plant design, original system design, or original process design, other than routine system extensions that do not compromise the integrity of the original design;

(iv) Such services comply with all requirements specified by the employee's company or corporation;

(v) All fixed works, equipment, systems, processes or facilities modified by such services undergo a safety review that confirms:

1. the construction and equipment is in accordance with design specifications; and

2. safety, operating, maintenance and emergency procedures are in place to safeguard life, health and property;

(vi) Such services are not required to be performed, approved or certified by a professional engineer pursuant to law or regulation, whether federal, state or local, other than Sections 73-13-1 through 73-13-45 hereof or any applicable rules or regulations promulgated by the Mississippi Board of Licensure for Professional Engineers and Surveyors;

It is further stated that this subsection (d) is intended to codify the policy and practices of the board on July 1, 1999, and that any ambiguities in this subsection should be construed in accordance with this intent;

(e) The performance of engineering services with respect to utility facilities by any public utility subject to regulation by the Mississippi Public Service Commission, the Federal Communications Commission, the Federal Energy Regulatory Commission, or the Nuclear Regulatory Commission, including its parents, affiliates, subsidiaries; or by the officers and regular full-time employees of any such public utility, including its parents, affiliates or subsidiaries, provided that they are engaged solely and exclusively in performing service for such public utility and/or its parents, affiliates or



Mississippi Laws and Rules for Engineers
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subsidiaries, and as long as such services comply with all standard operating procedures and requirements specified by the employee's company or corporation. This exemption shall not extend to:

- (i) the practice of engineering performed by public utilities or their officers or employees when such services are rendered to nonaffiliated third parties in exchange for compensation other than that received from their employer, or the use of any name, title or words which tend to convey the impression that a nonregistrant is offering engineering services to the public; and
- (ii) services which are required to be performed, approved or certified by a professional engineer pursuant to law or regulation whether federal, state or local, other than Sections 73-13-1 through 73-13-45 hereof or any applicable rules or regulations promulgated by the Mississippi Board of Licensure for Professional Engineers and Surveyors;

It is further stated that this subsection (e) is intended to codify the policy and practices of the board on July 1, 1999, and that any ambiguities in this subsection should be construed in accordance with this intent;

(f) The practice of engineering shall not include the work ordinarily performed by persons who operate or maintain machinery, equipment, water plants, power generation, utility transmission, utility distribution facilities, sewage plants and solid waste disposal facilities; or

(g) Activities conducted during the course of, or in anticipation of, litigation including, but not exclusively: analyzing, evaluating, consulting, reconstructing, testing, responding to the opinions and testing conducted by others, and offering expert testimony. However, this exemption shall not apply in legal proceedings where the subject matter of the litigation or claim is nonforensic engineering activity legally required to be performed under a Mississippi engineer's license.

(2) In addition to the exemptions provided in subsection (1), there is hereby granted and reserved to the board the authority to exempt from Sections 73-13-1 through 73-13-45 by regulation specific engineering tasks or functions performed by regular full-time employees of manufacturing, public utility, research and development, railroad or other industrial corporations rendered in the course and scope of their employment, on a case by case basis, if, in the opinion of the board, the public health and welfare is not endangered nor the engineering profession diminished.



Mississippi Laws and Rules for Engineers
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Section 73-13-43 - Corporations or partnerships

As of January 1, 2005, no corporation, firm or partnership may engage in the practice of professional engineering in this state unless it has been issued a certificate of authority by the board. In order to qualify for a certificate of authority, a corporation, firm or partnership must have at least one (1) Mississippi-licensed professional engineer as a principal officer, partner or designated principal engineer of the firm who has management responsibility for such practice and who makes significant technical and/or contractual judgments on behalf of the firm which would affect the firm's professional reputation and liability.

The board shall have the authority to promulgate rules and regulations setting procedures, standards and other requirements for issuing and maintaining a certificate of authority for corporations, firms or partnerships practicing engineering in the State of Mississippi.

Applications for a certificate of authority shall be on the forms prescribed and furnished by the board, and provide all the information required by said board. The board shall establish a fee for the certificate of authority application, not to exceed Two Hundred Fifty Dollars (\$250.00) for a one-year certificate or Four Hundred Dollars (\$400.00) for a two-year certificate. Any corporation, firm or partnership having the necessary qualifications as prescribed herein and the rules and regulations of the board shall be issued a certificate of authority for said corporation, firm or partnership to practice engineering and to contract and collect fees for furnishing this service.

Each certificate of authorization will expire on December 31 of the end of the renewal period year. It shall be the duty of the board to notify every corporation, firm or partnership holding a certificate of authority under Sections 73-13-1 through 73-13-45 of the date of the expiration of the certificate and the amount of the fee that shall be required for its renewal for one (1) year or two (2) years. The renewal fee shall not exceed One Hundred Fifty Dollars (\$150.00) for one (1) year or Three Hundred Dollars (\$300.00) for two (2) years; penalties for late renewal shall be ten percent (10%) per month that payment is delayed. Additionally, if any of the information on the initial or any subsequent renewal application changes for the corporation, firm or partnership, said corporation, firm or partnership shall notify the board in the form and manner prescribed by the board within thirty (30) days of the change.



Mississippi Laws and Rules for Engineers
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Effective January 1, 2005, the Secretary of State shall not issue a certificate of incorporation, licensure or authorization to an applicant or licensure as a foreign firm to a corporation, firm or partnership which includes in its name, or among the objectives for which it is established, any of the words, "engineer," "engineering," or any modification or derivation thereof, unless the board has issued for said applicant a certificate of authority or a letter indicating the eligibility of such applicant to receive such a certificate. The corporation, firm or partnership applying shall supply such certificate or letter from the board with its application for incorporation, licensure or authorization to the Secretary of State.

An engineer who renders occasional, part-time or consulting engineering services to or for a corporation, firm or partnership may not, for the purposes of this section, be designated as being responsible for the professional activities of the firm.

No such corporation, firm or partnership shall be relieved of responsibility for the conduct or acts of its agents, employees, officers, partners, members or managers by reason of its compliance with the provisions of this section. No individual practicing engineering under this chapter shall be relieved of responsibility for engineering services performed by reason of employment or other relationship with a firm holding an authorization certificate.

Section 73-13-45 - Public works

(1)

(a) Neither the state, nor any of its political subdivisions, such as a county, city or town, shall award construction contracts of any public work involving the practice of engineering or architecture unless the plans, specifications and estimates have been prepared and such work supervised by a registered professional engineer or architect; however, nothing in this subsection shall be held to apply to such public work in which the expenditure does not exceed One Hundred Thousand Dollars (\$100,000.00).

(b) The state and any of its political subdivisions, such as a county, city or town, may engage in construction of public buildings involving the practice of engineering or architecture and using political subdivision workforces without the supervision of a licensed professional engineer or architect, provided that the total cost of the public building does not exceed One Hundred Fifty Thousand Dollars (\$150,000.00). This



Mississippi Laws and Rules for Engineers
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paragraph (1) (b) shall not supersede any rules and regulations promulgated by the State Department of Health and the Department of Environmental Quality.

(2)

(a) In the awarding of public contracts for professional engineering services, preference shall be given to resident professional engineers over those nonresident professional engineers domiciled in a state having laws which grant a preference to the professional engineers who are residents of that state. Nonresident professional engineers shall be awarded Mississippi public contracts only on the same basis as the nonresident professional's state awards contracts to Mississippi professional engineers under similar circumstances. When a nonresident professional engineer submits a proposal for a public project, he shall attach thereto a copy of his resident state's current statute, resolution, policy, procedure or executive order pertaining to such state's treatment of nonresident professional engineers. Resident professional engineers actually domiciled in Mississippi, be they corporate, individuals or partnerships, shall be granted preference over nonresidents in the awarding of contracts in the same manner and to the same extent as provided by the laws of the state of domicile of the nonresident. As used in this section, the term "resident professional engineer" includes a nonresident person, firm or corporation that has been qualified to do business in this state and has maintained a permanent full-time office in the State of Mississippi for not less than two (2) years prior to submitting a proposal for a public project, and the subsidiaries and affiliates of such a person, firm or corporation.

(b) The provisions of this subsection shall not apply to any contract for any project upon which federal funds would be withheld because of the preference requirements of this subsection.

(c) Any contract, agreement or arrangement for professional engineering services negotiated, made or entered into, directly or indirectly, by the state, counties, municipalities or any political subdivision thereof, or by any special districts, which is in any way in violation of the provisions of this subsection is hereby declared to be void as contrary to the public policy of this state and shall not be given effect or enforced by any court of this state or by any of its officers or employees.

(d) Nothing in this subsection shall affect the validity of any contract in existence prior to July 1, 1989.



Mississippi Laws and Rules for Engineers
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(e) For purposes of this section, the term "professional engineering services" means those within the scope of the practice of professional engineering as defined by Sections 73-13-1 through 73-13-45, or those performed by any registered professional engineer in connection with professional employment or practice.

30 Miss. Code R. 901

Rule 30-901-1.1 - Purpose

The Mississippi State Board of Licensure for Professional Engineers and Surveyors was created to ensure the safeguarding of life, health and property and to promote the public welfare.

Rule 30-901-1.2 - Authorization to achieve the purpose

Current Mississippi Law provides a means for achieving the purpose through:

1. the establishment of minimum qualifications for entry into the professions of Engineering and Surveying;
2. authorizing power to adopt and amend all Rules and Regulations of procedure necessary for the proper performance of the Board's duties; and
3. granting further power and authority to protect the public from the attempts of incompetent or unscrupulous persons to practice the professions of Engineering and Surveying, through provisions which enable swift and effective disciplinary actions.

Rule 30-901-2.4 - Consultation, Investigation and Evaluation

The terms "consultation, investigation and evaluation" as used in the definition of the practice of engineering set forth in the Law, shall include, but are not limited to the following:

1. services involving the selection of proper tests to be performed for the purpose of developing design criteria;
2. forensic engineering services;
3. services for the purpose of determining causes of failures; and
4. analyses to provide recommendations for materials to be used in design, or judgment which relates to the acceptability of construction.



Mississippi Laws and Rules for Engineers
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Rule 30-901-12.1 - Classifications of Licensure or Enrollment

Applicants shall be licensed as "Professional Engineers" or "Professional Surveyors" or enrolled as "Engineer Interns" or "Surveyor Interns."

Rule 30-901-17.9 - Current mailing address is required

A licensee shall notify the Board in writing by mail, fax, or email within 30 days of any change in the licensee's mailing address of record.



Mississippi Laws and Rules for Engineers
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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.).

30 Miss. Code R. 901

Rule 30-901-2.8 - Supervision

The terms "under his direction"..., "under the direction" and the terms "under his direct supervision" and "under his responsible supervisory control" will be construed by this Board to mean that the professional engineer or professional surveyor providing such supervision shall have made the decision on technical matters of policy and design and shall have exercised his professional judgment in all engineering and surveying matters that are embodied in the design and the plans, specifications, or other documents involved in the work. The term "supervision of construction" as it relates to an engineer shall mean the general oversight of an engineering project as it relates to the implementation of a design during construction. By applying his seal or signature to the final documents he signifies that he has complied with the requirements of these definitions, these Rules and Regulations, and applicable state Law and that he accepts responsibility therefore.

Rule 30-901-2.9 - Responsible Charge

The term "responsible charge" shall mean direct control and personal supervision of engineering work or surveying work done by oneself or by others over which the professional engineer or surveyor exercises supervisory authority under an employer-employee relationship.



Mississippi Laws and Rules for Engineers
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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**.



Mississippi Laws and Rules for Engineers
A SunCam online continuing education course

Engineering Disciplines

An engineers area of practice (a.k.a. area of competency or discipline) is typically identified through NCEES examination. However, the board does not make designations for disciplines. There is no “structural engineer” designation. There are no engineering branches identified on seals.

Professional engineers should only undertake assignments when qualified by education or experience in the specific discipline involved.

30 Miss. Code R. 901

Rule 30-901-12.2 - Disciplines of Engineering

Mississippi Law makes no specific designations as to the disciplines of engineering practice for which Certificates of Licensure as Professional Engineer are issued; however, the Code of Professional Conduct provides that a professional engineer shall practice only in the disciplines in which he is qualified by education and/or experience.

Rule 30-901-17.2 - Competency for Assignments

1. The licensee shall undertake to perform assignments only when qualified by education or experience in the specific discipline involved. The licensee may accept an assignment requiring education or experience outside his area of competence, but only to the extent that his services are restricted to those phases of the project in which he is qualified. All other phases of such projects shall be performed by licensees who may be associates, consultants or employees, qualified in the specific disciplines involved.
2. The licensee shall avoid actions and procedures which, in fact, amount to aiding and abetting an unlicensed person to practice the professions.
3.
 - a. The Professional Engineer shall not affix his signature and/or seal and/or title block to any plan or document unless said plan or document was prepared by him, prepared under his direct supervisory control, or reviewed by him in sufficient depth to fully coordinate and assume responsibility for plans prepared by another licensed Professional Engineer.



Mississippi Laws and Rules for Engineers
A SunCam online continuing education course

b. The Professional Surveyor shall not affix his signature and/or seal and/or title block to any plat or document unless said plat or document was prepared by him, prepared under his direct supervisory control, or reviewed by him in sufficient depth to fully coordinate and assume responsibility for plats or documents prepared by another licensed Professional Surveyor.

4. A Professional Engineer, if properly qualified by training, education and experience, may perform construction management services without obtaining any additional license or certification, provided that the professional engineer does not perform any construction work on the project being managed.

Building Official's Guide to Architecture and Engineering Requirements

Although architecture incidental to an engineering project is allowed, engineers should not represent themselves as architects or their work as architecture. An engineer should perform professional services only when he or she is qualified by education, training and experience in the specific technical areas involved.



Mississippi Laws and Rules for Engineers
A SunCam online continuing education course

Professional Conduct

The following laws and rules help define professional conduct and related requirements.

Miss. Code Ann. 73-13

Section 73-13-37 - Disciplinary actions; hearing; subpoenas; statement of charges; transcripts; witnesses; right to counsel; penalties; probation; reissuance of certificate of registration; appeals

(1) The board, upon satisfactory proof and in accordance with the provisions of this chapter and the implementing regulations of the board pertaining thereto, is authorized to take the disciplinary actions provided for hereinafter against any person or firm practicing engineering or surveying, including nonregistrants, for any of the following reasons:

- (a) Violating any of the provisions of Sections 73-13-1 through 73-13-45 or the implementing bylaws, rules, regulations, or standards of ethics or conduct duly adopted and promulgated by the board pertaining to the practice of engineering;
- (b) Fraud, deceit or misrepresentation in obtaining a certificate of licensure;
- (c) Gross negligence, malpractice or incompetency;
- (d) Any professional misconduct, as defined by the board through bylaws, rules and regulations, and standards of conduct and ethics;
- (e) Practicing or offering to practice engineering on an expired certificate or while under suspension or revocation of certificate unless said suspension or revocation be abated through probation, as provided for hereinafter; or
- (f) Addiction to or dependence on alcohol or other habit-forming drugs or being an habitual user of alcohol, narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effect.

Section 73-13-39 - Unlawful acts and penalties

Any person or firm who shall practice, or offer to practice, engineering in this state without being licensed in accordance with the provisions of Sections 73-13-1 through 73-13-45, or any person presenting or attempting to use as his own the certificate of licensure or seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of licensure, or any person who shall falsely impersonate any other licensee of like or different name, or any person or firm who shall attempt to use an expired or revoked certificate of licensure, or any person or firm who shall violate any of the



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provisions of Sections 73-13-1 through 73-13-45, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not less than One Hundred Dollars (\$100.00), nor more than Five Thousand Dollars (\$5,000.00) in addition to reimbursement of investigative expenses and court costs, or suffer imprisonment for a period not exceeding three (3) months, or both. The criminal penalties provided for in this section may be assessed in addition to those civil penalties provided for in Section 73-13-37.

Unless licensed in accordance with the provisions of Sections 73-13-1 through 73-13-45, no person shall:

- (a) Directly or indirectly employ, use, cause to be used or make use of any of the following terms or any combinations, variations or abbreviations thereof as a professional, business or commercial identification, title, name, representation, claim, asset or means of advantage or benefit: "engineer," "professional engineer," "licensed engineer," "registered engineer," "registered professional engineer," "licensed professional engineer," "engineered," "engineering"; or
- (b) Directly or indirectly employ, use, cause to be used or make use of any letter, abbreviation, word, symbol, slogan, sign or any combinations or variations thereof which in any manner whatsoever tends or is likely to create any impression with the public or any member thereof that any person is qualified or authorized to practice engineering; or
- (c) Receive any fee or compensation or the promise of any fee or compensation for performing, offering or attempting to perform any service, work, act or thing which is any part of the practice of engineering.

Any person, firm, partnership, association or corporation which shall do, offer or attempt to do any one or more of the acts or things set forth in items (a) through (c) of the preceding paragraph shall be conclusively presumed and regarded as engaged in the practice of engineering.

It shall be the duty of all duly constituted officers of the law of this state, or any political subdivision thereof, to enforce the provisions of Sections 73-13-1 through 73-13-45 and to prosecute any persons violating same. Except as otherwise authorized in Section 7-5-39, the Attorney General of the state or his assistant shall act as legal advisor of the board in carrying out the provisions of Sections 73-13-1 through 73-13-45.



Mississippi Laws and Rules for Engineers
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30 Miss. Code R. 901

Rule 30-901-2.5 - Gross Negligence

The term "gross negligence" as used in the Law shall mean the practice of engineering or surveying by a licensee characterized by reckless disregard for the rights, safety, or welfare of others, which could result in injury or damage to life or property or financial loss.

Rule 30-901-2.6 - Incompetency

The term "incompetency" as used in the Law shall mean the practice of engineering or surveying by a licensee who is either incapable of exercising ordinary care and diligence or who lacks the ability and skill necessary to properly perform the duties undertaken.

Rule 30-901-2.7 - Misconduct

The term "misconduct" as used in the Law shall mean the practice of engineering or surveying by a licensee who performs any acts, causes omissions or makes any assertions or representations which are fraudulent, deceitful, or misleading, or which in any manner whatsoever discredits or tends to discredit the profession of engineering or surveying.

Rule 30-901-17.1 - Responsibility to the Public

The licensee shall at all times recognize his primary obligation to protect the safety, health and welfare of the public in the performance of his work. If the licensee's employer or clients overrule his judgment concerning the safety, health and welfare of the public, he shall inform his employer or client of the possible consequences and, where appropriate, notify such other proper authority. It shall be the licensee's duty to report to the Board violations of the Rules and Regulations. Failure to do so may be construed as aiding and abetting the violator. Furthermore, the licensee should remove himself from the situation if, after advising the employer or client, there continues to be a concern regarding the safety, health, and welfare of the public.

Rule 30-901-17.3 - Public Statements

1. The licensee shall be completely objective and truthful in all professional reports, statements or testimony. He shall include all relevant and pertinent information in such reports, statements or testimony.



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2. The licensee, when serving as an expert or technical witness before any court, commission or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his testimony.

3. The licensee will issue no statements, or criticisms or arguments on matters connected with public policy which are inspired or paid for by an interested party or parties, unless he has prefaced his comment by explicitly identifying himself, by disclosing the identities of the party or parties, on whose behalf he is speaking, and by revealing the existence of any pecuniary interest he may have in the subject matter.

Rule 30-901-17.4 - Conflict of Interest

1. A conflict of interest is avoidable. A licensee shall not represent a client if the licensee's ability to consider, recommend, or carry out a course of action on behalf of the client could be adversely affected by the licensee's responsibilities to another client or to a third person or to the licensee's own interest, or the safety, health and welfare of the public.

2. The licensee shall not accept compensation, directly or indirectly, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed to, and agreed to in writing, by all interested parties.

3. The licensee shall not solicit or accept, directly or indirectly, financial or other valuable considerations from material suppliers, equipment suppliers or any other vendors for specifying or recommending their products.

4. The licensee shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents or other parties dealing with the licensee's client or employer in connection with work for which he is responsible.

5. The licensee shall not solicit or accept a professional services contract which involves a governmental body on which the licensee, a principal, or officer of his organization serves as a member.



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6. When a licensee is employed or otherwise engaged in a full or part-time position, he shall not use the advantages of his position to compete unfairly with other licensees.

7. A licensee serving in any official capacity, either part-time or full-time, as the engineer or surveyor for any county, city or other governmental body, Board or agency, where plans or documents must be submitted to him for review, approval or a recommendation for approval, cannot review, approve or recommend approval of his own plans or documents, or plans or documents prepared by any member of the firm of which he is a member.

Rule 30-901-17.5 - Solicitation of Work

1. The licensee shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, except when the licensee is securing salaried positions through employment agencies.

2. The licensee shall not falsify or permit misrepresentation of his or his associates' academic or professional qualifications. He shall not misrepresent or exaggerate his degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employer, employees, associates, joint venturers or his or their past accomplishments.

3. The licensee shall not indulge in publicity that is misleading or advertise in a self laudatory manner.

4. The licensee shall not supplant, nor attempt to supplant, directly or indirectly, another professional engineer and/or professional surveyor in a particular engineering or surveying project, after contracts have been awarded to such other professional engineer and/or professional surveyor. The furnishing of informative brochures regarding the licensee's firm or employer is not considered an attempt to supplant.

5. A licensee, acting individually or through a firm, association, partnership or corporation shall neither request, propose, or accept an agreement, contract, or commission for professional services on a "contingency basis" under which his



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professional judgment may be compromised or when a contingency provision is used as an inducement to promote or secure an agreement, contract, or commission, either for future commissions or projects, or for performing additional services on the project involved.

6. The Professional Engineer, and the engineering firm, is to seek professional employment based primarily on the qualifications and competencies required for proper accomplishment of the work. This process restricts the Professional Engineer or firm from submitting a price for services until the prospective client has selected that Engineer or firm, based primarily on stated qualifications and competencies, for final contractual negotiations.

Competitive price proposals may not be submitted or solicited for professional services unless all the following restrictions are met:

- a. The prospective client has first sought statements of qualifications from interested licensees, and
- b. Those licensees chosen by the client on the basis of qualifications and competence for proper accomplishment of the work (not to exceed five) have received in writing a comprehensive and specific Scope of Work, and
- c. When the Scope of Work has been prepared, signed and sealed by a licensed Professional Engineer who has attested to the completeness and adequacy of the Scope of Work assuring that it fully identifies and describes the factors affecting the required engineering services, and
- d. Assurances have been given by the prospective client that factors in addition to price were considered in selecting the Professional Engineer, and
- e. Neither the Professional Engineer that sealed the Scope of Work, nor this Professional Engineer's firm, will be allowed to submit a price proposal.

7. The Professional Surveyor, and the surveying firm, is to seek professional employment based primarily on the qualifications and competencies required for proper accomplishment of the work. This process restricts the Professional Surveyor or firm from submitting a price for services until the prospective client has selected that Surveyor or firm, based primarily on stated qualifications and competencies, for final contractual negotiations. Competitive price proposals may not be submitted or solicited for professional surveying services unless all the following restrictions are met:



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- a. The prospective client has first sought statements of qualifications from interested licensees, and
- b. Those licensees chosen by the client on the basis of qualifications and competence for proper accomplishment of the work (not to exceed five) have received in writing a comprehensive and specific Scope of Work prepared by the client or the client's representative that completely describes the factors affecting the required surveying services, and
- c. Assurances have been given by the prospective client that factors in addition to price were considered in selecting the Professional Surveyor.

Rule 30-901-17.6 - Ethics

The licensee shall contribute to the maintenance, integrity, independence and competency of the engineering and/or surveying profession as follows:

1. The licensee shall not violate any provision of Mississippi Law regulating the practice of engineering and surveying;
2. The licensee shall not participate, directly or indirectly, in any plan, scheme or arrangement attempting or having as its purpose the violation of any provision of the Law regulating the practice of engineering and surveying;
3. The licensee shall exercise reasonable care to assure that his partners, associates, and employees do not engage in conduct which, if done by him, would violate any provision of Law regulating the practice of engineering and surveying;
4. The licensee shall not engage in any illegal conduct involving moral turpitude;
5. The licensee shall not engage in any conduct that discredits or tends to discredit the profession of engineering and/or surveying;
6. The licensee shall not permit or allow himself, his professional identification, seal, firm, or business name, or his services to be used or made use of, directly or indirectly, or in any manner whatsoever, so as to make possible or create an opportunity for the unauthorized practice of engineering and/or surveying by any person, firm or corporation in this state;



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7. The licensee shall not perform any acts, allow omissions or make any assertions or representations which are fraudulent, deceitful, or misleading, or which in any manner whatsoever tend to create a misleading impression;
8. The licensee shall not knowingly associate with or permit or allow the use of his name, firm name or professional identification or seal in any business venture, project or enterprise which he knows or has reason to believe is involved in professional practices which violate any provision of the Law regulating the practice of engineering and/or surveying;
9. The licensee shall not knowingly associate with or permit the use of his name, professional identification, seal, firm or business name in connection with any venture or enterprise which he knows, or has reason to believe, involves trade, business or professional practice of a fraudulent, deceitful or dishonest nature;
10. The licensee shall not injure or attempt to injure the professional reputation of another licensee. This shall not relieve a licensee of the obligation to expose unethical or illegal conduct to the proper authorities or preclude an honest appraisal of licensees considered for employment;
11. The licensee shall not aid or abet, directly or indirectly, any nonlicensee in the practice of engineering and/or surveying.
12. The licensee shall be personally and professionally responsible and accountable for the care, custody, control and use of his engineer's and/or surveyor's seal, his professional signature and identification. A seal which has been lost, misplaced or stolen shall, upon discovery of its loss, be reported immediately to the Board, which may invalidate the licensure number of said seal, if it deems this necessary, and issue another licensure number to said licensee.
13. The licensee shall not, directly or indirectly, use or make use of any property, facility or service of any governmental body, agency or department for the benefit of any private business or activity in which the licensee also may be engaged.
14. The licensee shall not, directly or indirectly, use or make use of any property, facility or service of his client or employer for his own benefit.



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15. The licensee shall not practice or offer to practice engineering and/or surveying in any governmental jurisdiction in which to do so would be in violation of the Laws regulating the practice of professional engineering and/or professional surveying in that jurisdiction.

Rule 30-901-17.7 - Character and Reputation

The licensee shall be responsible for maintaining good character and reputation. Suspension of a certificate of licensure by another jurisdiction, becoming a habitual drunkard, being grossly immoral, or addicted in the use of narcotics, being finally adjudged insane, or incompetent by a court of competent jurisdiction or being convicted of a felony or misdemeanor shall be grounds for a disciplinary hearing which may result in revocation of his certificate of licensure.

Rule 30-901-17.8 - Response to Orders and Communications

A licensee's refusal to accept or receive, or a licensee's failure to timely respond to, (a) an order of the Board or (b) a request in writing from the Executive Director, the Board's attorney or a Board member, provided such request is made within the scope of responsibility of the writer, shall be considered misconduct subject to disciplinary action.

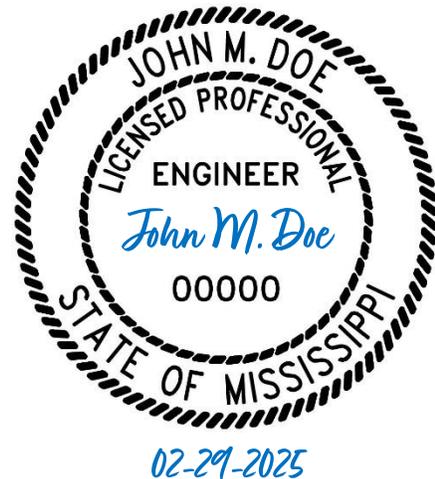


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Sign and Seal Requirements

Engineering seal and signature requirements are found in 30 Miss. Code R. 901-14. Here are highlights that may differ from requirements in other states:

- Seal outer diameter is to be 1 5/8" to 2"
- Signature and date can be over, partially over, or near the seal; ink can be a different color
- For multipage documents, it is acceptable to only sign and seal a cover sheet with an index
- Acceptable forms of signatures:
 - Original (hand) sign and seal (rubber stamp, electronic image, or embossed)
 - Electronic/digital signature requirements:
 - Digital seal image acceptable
 - Licensee is responsible for its use
 - Adobe, Bluebeam, & DocuSign e-signatures appear acceptable



Laws and Rules

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

30 Miss. Code R. 901

Rule 30-901-14.2 - Seal of the Licensee

1. Upon completion of licensure, the licensee will be advised that he shall secure an official seal which shall be applied to engineering drawings, specifications, reports and other engineering or surveying documents prepared by him or under his responsible supervisory control. A copy of the seal imprint shall be furnished to the Board before the certificate of licensure will be released. Failure to provide proof of seal may result in disciplinary action by the Board.

2. The seals to be used by the licensees are to be circular in form and from 1 5/8 to 2 inches in diameter. A copy of the design is included in this publication.

3. Seals obtained prior to the adoption of this rule and which are in conformance with prior Board rules are acceptable.



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4. Rubber stamps, which are identical to the approved seals, in size, design and content may be used by the licensee at his option.

Rule 30-901-14.3 - Seal on Documents

1. The seal, signature and date on a document constitute a certification that the document was prepared by the licensee or under his direct supervision.
2.
 - a. Each sheet of plans, drawings, documents, specifications and reports for engineering practice and of maps, plats, charts shall be signed, sealed and dated by the licensee preparing them, prepared under his direct supervisory control, or reviewed by him in sufficient depth to fully coordinate and assume responsibility for documents prepared by another professional engineer.
 - b. Each sheet of maps, plats, charts, documents, and reports for land surveying practice shall be signed, sealed, and dated by the licensee preparing them or prepared under his direct supervisory control.
3. Where more than one sheet is bound together in one volume, the licensee who prepared such volume, or under whose direction and control such volume was prepared, may sign, seal and date only the title or index sheet, providing that the signed sheet clearly identifies all of the other sheets comprising the bound volume, and provided that any of the other sheets which were prepared by, or under the direction and control of, another licensee, be signed, and/or sealed and dated by said other licensee.
4. Additions, deletions or other revisions affecting public health and safety or state and local codes may be made only if they are subsequently signed, sealed and dated by the licensee who made the revisions or under whose direction and control said revisions were made.

Rule 30-901-14.4 - Prototypical Projects

Documents prepared for projects that are designed by other engineers to be built in various locations with few changes, except site adaptation, may be sealed by a Mississippi licensee under the following conditions:

1. Written permission of the original engineer(s) to adapt the documents.



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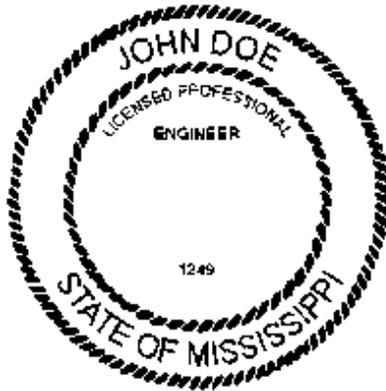
2. Each sheet of plans, drawings, documents, specifications and reports shall be signed, sealed and dated by the engineer who performed the original design and shall also be signed, sealed and dated by the Mississippi licensee who has reviewed the documents in sufficient depth to fully coordinate and assume responsibility.
3. Documentation of all changes made to the original documents.
4. The following written certification shall accompany the seal and signature on each sheet: "I have reviewed this document in sufficient depth to accept full responsibility for its contents and to assure code compliance and coordination.



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Rule 30-901-14.05 - Design of Seal

Rule 14.05 Design of Seal



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Rule 30-901-14.6 - Seal Care and Custody

The licensee shall exercise due and reasonable care in maintaining physical possession of his seal and its use. The licensee shall not willingly allow others to possess his seal or to use his seal.

Board Website

Seals & Signatures

Regardless of the FORMAT of your seal and signature (embossing, rubber-stamp, or digital), the licensee is responsible for the care, custody and use of his/her seal and signature. The licensee may use whatever format works best in his/her practice.

Mississippi does not prohibit or restrict digital seals and signatures. Mississippi does not have rules to dictate WHERE you sign your name (across, under, or next to your seal), nor is there a rule regarding the placement of the date.

Your seal does not have to bear your full legal name; it may bear the name that you normally use everyday in your practice.

All new licensees are required by law and by rule to submit proof of their Mississippi seal to the Board office. Most new licensees simply seal a copy of their licensure letter and mail, fax or email it in. We do not dictate the vendor from whom you purchase your seal.

The seal, signature and date on a document constitute a certification. Generally a document that is not final should not be sealed. However, in the rare circumstance that a preliminary document needs sealing, the licensee should also add bold, clear language that the document is preliminary, not intended to be final, etc.

Finally, please refer to Rule 14 (see Rules and Regulations) for the approved design of the seal and for more information about the use of your seal.

What does a properly executed seal look like? The seal measures 1-1/2" in diameter. The signature of the architect and the date of execution must appear over the seal. The seal measures 1-5/8" - 2" in diameter. The signature of the engineer and the date of execution must appear over, beside or near the seal. Can a licensee



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use an electronic seal? Yes. Regardless of the seal's format, the licensee is responsible for its use.

Building Official's Guide to Architecture and Engineering Requirements

What does a properly executed seal look like?

Engineer: The seal measures 1-5/8" - 2" in diameter. The signature of the engineer and the date of execution must appear over, beside or near the seal.



Can a licensee use an electronic seal?

Yes. Regardless of the seal's format, the licensee is responsible for its use.



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Continuing Education

Per 30 Miss. Code R. 901-23.1, the following continuing professional competency is required every 1-year renewal period, where PDH is a professional development hour:

- 15 PDH in total
- Of those, minimum 1 PDH in ethics every two years
- The Board does NOT pre-approve providers or specific courses
- Course content:
 - Maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice in engineering
- Maximum 15 PDH carried over to next renewal period, except no ethics carryover allowed
- Retain PDH records for minimum 3 years
- Renewal date: December 31 every year

Laws and Rules

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

30 Miss. Code R. 901

Rule 30-901-15.1 - Expiration Date

Certificates of licensure expire on the last day of the month of December.

Rule 30-901-23.1

1. Introduction

- a. The purpose of the continuing professional competency requirement (CPC) is to insure a continuing level of competency of Professional Engineers and/or Professional Surveyors in their respective fields of engineering and/or surveying practice.
- b. Every licensee shall meet the continuing professional competency requirements of these regulations for professional development as a condition for licensee renewal.

2. Definitions - Terms used in this section are defined as follows:

- a. *Professional Development Hour (PDH)* A contact hour (nominal) instruction/or presentation. The common denominator for other units of credit.



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- b. *Continuing Education Unit (CEU)* Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 hours of class in approved continuing education course.
- c. *College/Unit Semester/Quarter Hour Credit* for course in ABET-approved programs or other related college course approved in accordance with article 5 of this rule.
- d. *Course/Activity* Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice in engineering and/or surveying.
- e. *Licensee* A person who is licensed as a Professional Engineer or a Professional Surveyor.
- f. *Dual Licensee* A person who is licensed as both a Professional Engineer and a Professional Surveyor.
- g. *Renewal Period Year* January 1 to December 31 of each year.
- h. *Board* The Board of Licensure for Professional Engineers & Surveyors.

3. Requirements

- a. Every Professional Engineer licensee is required to obtain 15 PDH units during the renewal period year.
- b. Every Professional Surveyor licensee is required to obtain 12 PDH units during the renewal period year.
- c. Dual Licensees - The number of PDH units required shall be 18, at least 1/3 of which shall be obtained in each profession.
- d. As of January 1, 2010, every licensee shall be required to obtain one (1) PDH unit of Ethics training every two years. After 2010, excess ethics PDH may not be carried forward.
- e. Professional Surveyors licensed in Mississippi are required to obtain training in Mississippi Standards of Practice.

Professional Surveyors with five (5) years or less licensure in Mississippi are required to obtain one PDH unit in Mississippi Standards of Practice annually.

Professional Surveyors with more than five (5) years licensure in Mississippi are required to obtain one PDH unit in Mississippi Standards of Practice biennially.



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Courses of surveying standards in other states may not be used to meet this requirement. However, standard courses from other states may be used as a portion of the licensee's remaining PDH.

Excess Mississippi Standards PDH may not be carried forward.

f. If a licensee exceeds the annual requirement in any renewal period, PDH units may be carried forward into the subsequent renewal period as follows: a maximum of 18 PDH units by a Professional Engineer/Professional Surveyor licensee; a maximum of 15 PDH units by a Professional Engineer licensee; a maximum of 12 PDH units by a Professional Surveyor licensee, with the exception of Ethics and Standards of Practice, in which case 3d and 3e will govern. PDH units may be earned as follows:

- (1) Successful completion of college courses.
- (2) Successful completion of continuing education courses.
- (3) Successful completion of correspondence, televised, videotaped, electronic and qualifying short courses/tutorials.
- (4) Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, or conferences.
- (5) Teaching or instructing in (1) through (4) above.
- (6) Authoring published papers, articles, or books.
- (7) Active participation in professional or technical societies, or active participation in educational outreach activities.

4. Units - The conversion of other units of credit to PDH units is as follows:

- | | |
|--|--------|
| a. 1 College or unit semester hour | 15 PDH |
| b. 1 College or unit quarter hour | 10 PDH |
| c. 1 Continuing Education Unit | 10 PDH |
| d. 1 Hour of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions, or conferences | 1 PDH |
| e. For teaching apply multiple of 2* | |
| f. Each published paper, article, or book | 10 PDH |
| g. Active participation in professional and technical society.** (1 PDH per organization with a maximum of 3 PDH.) | 1 PDH |



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- h. Active participation in educational outreach activities (maximum of 3 PDH)
 1 PDH

*Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty.

**Active participation will be defined as each member paying his/her annual dues.

5. 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.

- a. Credit for college or community college approved courses will be based upon course credit established by the college and approved by the Board.
- b. Credit for qualifying seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDH units for the actual time of each program.
- c. Credit determination for activities 4f, publishing paper, article, or book, is the responsibility of the licensee (subject to review as required by the Board), but shall not exceed 10 PDH units per renewal period year.
- d. Credit for activity 4g, active participation in professional societies, limited to 1 PDH per organization with a maximum of 3 PDH, requires that a licensee be an active member of the organization. PDH units are not earned until the end of each renewal period year.

6. Record keeping The responsibility of maintaining records to be used to support credits claimed is the responsibility of the licensee.

- a. 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 PDH credits earned;
 - 2) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance; or
 - 3) records as maintained by the NCEES's CPC Tracking Program, NSPE's Professional Development Registry for Engineers & Surveyors, or other similar repositories;
- b. These records must be maintained for 3 years; copies may be requested by the board for audit verification purposes.



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7. Exemptions - A licensee may be exempt from the professional development educational requirements for one of the following reasons:

- a. New licensees by way of examination or comity shall be exempt until the beginning of the next renewal period.
- b. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding one hundred twenty (120) consecutive days in a year shall be exempt from obtaining the professional development hours required during that year. Supporting documentation must be furnished to the Board.
- c. Licensees experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the Board, upon request by the Board for audit verification purposes.
- d. A Professional Engineer licensee 60 years of age and having 20 years of aggregate practice shall be exempt from the professional development educational requirement. A Professional Surveyor licensee 60 years of age and having 20 years of aggregate practice shall obtain at least 1 PDH of Mississippi Standards of Surveying biennially, but shall be exempt from the remaining professional development educational requirement.
- e. A Professional Engineer or Professional Surveyor currently in Retired Status.

8. Reinstatement - A licensee may bring a lapsed license to active status by obtaining the PDH units required for one renewal period, which must include 1 PDH unit of Ethics. Dual licensees bringing only one license to active status is required to obtain only the PDH units required for the license being renewed. If the license being brought to active status is a Professional Surveyor's license, one PDH unit of Standards of Practice must be obtained. A Professional Surveyor Relicensure applicant who qualifies for the exemption of 7d above shall be required to obtain at least 1 PDH of Mississippi Standards of Practice. All PDH units being claimed for reinstatement must have been acquired within the most current twelve (12) months.

9. Comity/Out-of-Jurisdiction Resident - The CPC requirements for Mississippi will be satisfied when a non-resident certifies to be licensed in and having met the mandatory CPC requirements of the state of Mississippi.



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10. Forms - All renewal applications will require a certification by the licensee that the CPC requirement for that year has been met. When renewing by mail, the licensee must certify and sign the continuing education form, and submit it with the renewal application and fee.

11. Audits Each licensee's Continuing Professional Competency records are subject to audit by the Board or its authorized representative.



Mississippi Laws and Rules for Engineers
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Helpful References

Mississippi Board of Licensure for Professional Engineers and Surveyors

General website: <https://www.pepls.ms.gov/>

License renewal: <https://www.pepls.ms.gov/licensure-renewals>

Address change: <https://www.pepls.ms.gov/update-your-contact-information>

Miss. Code Ann. 73-13: <https://www.pepls.ms.gov/licensure-law>

<https://casetext.com/statute/mississippi-code-1972/title-73-professions-and-vocations/chapter-13-engineers-and-land-surveyors/engineers>

30 Miss. Code R. 901: <https://www.pepls.ms.gov/rules-regulations>

<https://casetext.com/regulation/mississippi-administrative-code/title-30-professions-and-occupations/part-901-rules-and-regulations-of-the-mississippi-board-of-licensure-for-professional-engineers-and-surveyors>

Bldg Official's Guide: https://www.pepls.ms.gov/sites/pepls/files/PEPLS%202020/Board%20Opinions%2C%20communications%20etc/Bldg_off_guide%202009.pdf