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# North Carolina Laws and Rules for Engineers

by

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Course Outline:

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North Carolina Administrative Code

21 NCAC 56

State Board

Practice of Professional Engineering

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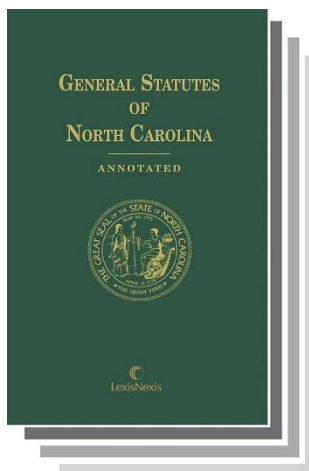
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## **General Statutes**

State laws are enacted by the North Carolina 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 three-fifths 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 public laws are added to the *North Carolina General Statutes* (abbreviated GS, G.S. or NCGS) in the appropriate locations with numbering, formatting, and with replaced or repealed statutes removed. The General Statutes is the official codified collection of state laws. Some publications have annotations added such as notes, references, effective dates, and amendment dates, with the collection called the *General Statutes of North Carolina Annotated*.



The General Statutes are grouped into 169 chapters based on different areas of government. The following chapters are directly applicable to engineering:

- NCGS 55B – Professional Corporation Act
- NCGS 89C – Engineering and Land Surveying
- NCGS 143, Article 3D – Procurement of Architectural, Engineering, and Surveying Services (aka MiniBrooks Act)

NCGS 89C is the main chapter for practicing engineers. The other two chapters listed above concern the rules for engineering companies and business contracts.

See the “Helpful Resources” section for the websites to view the latest laws and rules. The laws and rules in this course are current as of October 2024.



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**NCGS 89C**

Chapter 89C is entitled “Engineering and Land Surveying” and it contains general requirements for professional engineers and the Board. The following are all the sections of NCGS 89C, with bold items being of particular importance for practicing professional engineers.

**NCGS 89C**

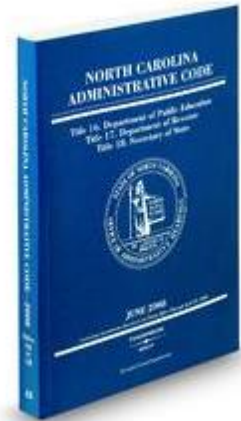
1. Short title
2. Declarations; prohibitions
- 3. Definitions**
4. State Board of Examiners for Engineers and Surveyors; appointment; terms
5. Board members; qualifications
6. Compensation and expenses of Board members
7. Vacancies; removal of member
8. Organization of the Board; meetings; election of officers
9. Executive director; duties and liabilities
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12. Records and reports of Board; evidence
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27. Invalid sections; severability
28. Existing licensure not affected



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**North Carolina Administrative Code**

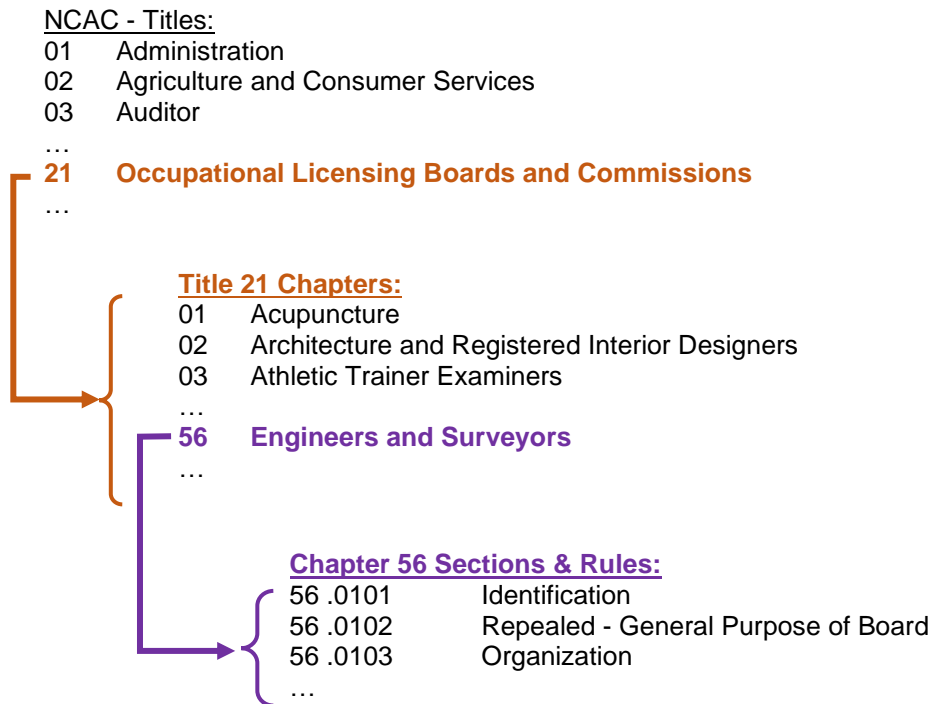
State statutes are often high-level and lack details required for implementation. The general assembly delegates state agencies to manage implementation of statutes and to create rules and regulations that complement the statutes. The collection of rules is called the North Carolina Administrative Code (NCAC). These rules are generally enforced with the same effect as statutes.



NCAC is a collection of 30 “titles” from approximately 25 state agencies and more than 50 occupational licensing boards. The NCAC divides its contents into:

Title > Subtitle > Chapter > Section > Rule > Paragraph

Title 21 is “Occupational Licensing Boards and Commissions”. Under Title 21, Chapter 56 is entitled “Engineers and Surveyors” and cited as 21 NCAC 56. It contains many important details to guide the regular practice of engineering in North Carolina. See below for an organization tree.





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**21 NCAC 56**

The contents of chapter 21 NCAC 56, known as the “Board Rules” is copied here with important sections in **bold** being of particular importance for practicing professional engineers.

21 NCAC 56 ENGINEERS AND SURVEYORS.

56 .0101	IDENTIFICATION
56 .0103	ORGANIZATION
56 .0104	DESCRIPTION OF SEAL
56 .0303	DISBURSEMENT OF FUNDS
56 .0304	SUSPENSION OF AUTHORITY TO EXPEND FUNDS
56 .0401	RECORDS OF BOARD PROCEEDINGS
56 .0402	RECORDS OF APPLICATIONS
56 .0500	<u>PROFESSIONAL ENGINEER</u>
56 .0501	REQUIREMENTS FOR LICENSING
56 .0502	APPLICATION PROCEDURE: INDIVIDUAL
56 .0503	EXAMINATIONS
<b>56 .0505</b>	<b>EXPIRATIONS AND RENEWALS OF CERTIFICATES</b>
56 .0506	WAIVER FOR LICENSEES SERVING ON ACTIVE DUTY...
56 .0600	<u>PROFESSIONAL LAND SURVEYOR</u>
56 .0601	REQUIREMENTS FOR LICENSING
56 .0602	APPLICATION PROCEDURE: INDIVIDUAL
56 .0603	EXAMINATIONS
56 .0606	EXPIRATIONS AND RENEWALS OF CERTIFICATES
56 .0607	WAIVER FOR LICENSEES SERVING ON ACTIVE DUTY...
56 .0608	SURVEYOR INTERN
<b>56 .0701</b>	<b>RULES OF PROFESSIONAL CONDUCT</b>
<b>56 .0702</b>	<b>RULES OF CONDUCT OF ADVERTISING</b>
56 .0802	PROCEDURE
56 .0804	ANNUAL RENEWAL AND 30-DAY REPORTING OF VIOLATIONS AND CHANGE OF ADDRESS
56 .0901	OFFICES
56 .0902	BUSINESS TITLES



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56 .1100	<u>SEAL</u>
<b>56 .1101</b>	<b>GENERAL</b>
<b>56 .1102</b>	<b>DESIGN</b>
<b>56 .1103</b>	<b>STANDARD CERTIFICATION REQUIREMENTS</b>
56 .1105	FIRM SEAL
<b>56 .1106</b>	<b>CERTIFICATION OF STANDARD DESIGN PLANS</b>
56 .1201	PETITIONS
56 .1203	HEARINGS
56 .1205	DECLARATORY RULINGS
<b>56 .1301</b>	<b>IMPROPER PRACTICE BY A LICENSEE</b>
<b>56 .1302</b>	<b>UNLAWFUL PRACTICE BY AN UNLICENSED PERSON</b>
56 .1401	GENERAL RULES
56 .1402	OPPORTUNITY FOR LICENSEE OR APPLICANT TO HAVE HEARING
56 .1403	NOTICE OF CONTEMPLATED BOARD ACTION TO APPLICANT: REQUEST FOR HEARING
56 .1404-.1405	REQUEST FOR HEARING
56 .1409	CONDUCT OF CONTESTED CASE
56 .1411	DEPOSITIONS
56 .1413	DECISION OF BOARD
56 .1501	GENERAL
56 .1601	GENERAL
56 .1602	SURVEYING PROCEDURES
56 .1603	CLASSIFICATION OF BOUNDARY SURVEYS
56 .1604	MAPPING REQUIREMENTS FOR BOUNDARY SURVEYS
56 .1605	CLASSIFICATION OF VERTICAL CONTROL SURVEYS
56 .1606	SPECIFICATIONS FOR TOPOGRAPHIC AND PLANIMETRIC MAPPING
56 .1607	GLOBAL POSITIONING SYSTEMS SURVEYS
56 .1608	CLASSIFICATION/LAND INFORMATION SYSTEM/GEOGRAPHIC ...
56 .1700	<u>CONTINUING PROFESSIONAL COMPETENCY</u>
<b>56 .1701</b>	<b>INTRODUCTION</b>
<b>56 .1702</b>	<b>DEFINITIONS</b>
<b>56 .1703</b>	<b>REQUIREMENTS</b>
<b>56 .1704</b>	<b>UNITS</b>
<b>56 .1705</b>	<b>DETERMINATION OF CREDIT</b>
<b>56 .1706</b>	<b>RECORDKEEPING</b>
<b>56 .1707</b>	<b>EXEMPTIONS</b>
<b>56 .1708</b>	<b>REINSTATEMENT</b>
<b>56 .1709</b>	<b>COMITY/OUT-OF-JURISDICTION RESIDENT</b>
<b>56 .1710</b>	<b>DUAL LICENSEES</b>
<b>56 .1711</b>	<b>FORMS</b>
<b>56 .1712</b>	<b>COMPLIANCE</b>
<b>56 .1713</b>	<b>SPONSORS</b>



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## **State Board**

The state agency for professional engineering is the North Carolina Board of Examiners for Professional Engineers and Land Surveyors (NCBES or NCBELS), herein referred to as the Board. The Board oversees thousands of Professional Engineers and is given authority to manage and further regulate professional engineering.



The Board oversees over 23,000 professional engineers licensed in North Carolina. The board is given authority to manage and further regulate professional engineering. The Board can make modifications to 21 NCAC 56, which are called the “Board Rules”

The board website is at <https://www.ncbels.org/>

## **Policies and Guidelines**

The Board also issues policy and guideline documents that complement the laws and rules. The following is the list of relevant guidance documents available on the state website:

- Signing and Sealing Guidelines
- Signing and Sealing Building Imaging Modeling/Integrated Project Delivery (BIM/IPD) Projects Guidelines – Revised 1-1-19
- Foundation Repair Guidelines Revised 12-13-17
- Seal Brochure
- NCDOI Guidance: Acceptance of Licensed Architect or Engineer Inspections

## **CPC Rules**

The Board also has a webpage dedicated to Continuing Professional Competency (CPC) requirements including a summary of the 2023 revisions and answers to dozens of common questions (FAQ).

The CPC webpage is at <https://www.ncbels.org/continuing-education/individuals/>





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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:

### NCGS 89C

#### **Section 89C-2 - Declarations; prohibitions**

In order to safeguard life, health, and property, and to promote the public welfare, the practice of engineering and the practice of land surveying in this State are hereby declared to be subject to regulation in the public interest. It shall be unlawful for any person to practice or to offer to practice engineering or land surveying in this State, as defined in the provisions of this Chapter, or to use in connection with the person's name or otherwise assume or advertise any title or description tending to convey the impression that the person is either a professional engineer or a professional land surveyor, unless the person has been duly licensed. The right to engage in the practice of engineering or land surveying is a personal right, based on the qualifications of the person as evidenced by the person's certificate of licensure, which shall not be transferable.

#### **Section 89C-3 - Definitions**

The following definitions apply in this Chapter:

(1) Board. - The North Carolina State Board of Examiners for Engineers and Surveyors provided for by this Chapter.

(1a) Business firm. - A partnership, firm, association, or another organization or group that is not a corporation and is acting as a unit.

(2) Engineer. - A person who, by reason of special knowledge and use of the mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, is qualified to practice engineering.

(3) Engineer intern. - A person who complies with the requirements for education, experience and character, and has passed an examination on the fundamentals of engineering as provided in this Chapter.



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(3a) Inactive licensee. - A licensee who is not engaged in the practice of engineering or land surveying in this State, but renews his or her license as "inactive" as provided in this Chapter.

5) Person. - Any natural person, firm, partnership, corporation or other legal entity.

(6) Practice of engineering. -

a. 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, evaluation, planning, and design of engineering works and systems, planning the use of land and water, engineering surveys, and the observation of construction for the purposes of assuring compliance with drawings and specifications, including the consultation, investigation, evaluation, planning, and design for either private or public use, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, and industrial or consumer products or equipment of a mechanical, electrical, hydraulic, pneumatic 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.

A person shall be construed to practice or offer to practice engineering, within the meaning and intent of this Chapter, who practices any branch of the profession of engineering; or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents the person to be a professional engineer, or through the use of some other title implies that the person is a professional engineer or that the person is licensed under this Chapter; or who holds the person out as able to perform, or who does perform any engineering service or work not exempted by this Chapter, or any other service designated by the practitioner which is recognized as engineering.

b. The term "practice of engineering" shall not be construed to permit the location, description, establishment or reestablishment of property lines or descriptions of land boundaries for conveyance. The term does not include the assessment of an underground storage tank required by applicable rules at closure or change in service unless there has been a discharge or release of the product from the tank.



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...

(8) Professional engineer. - A person who has been duly licensed as a professional engineer by the Board established by this Chapter.

(8a) Professional engineer, retired. - A person who has been duly licensed as a professional engineer by the Board and who chooses to relinquish or not to renew a license and who applies to and is approved by the Board after review of record, including any disciplinary action, to be granted the use of the honorific title "Professional Engineer, Retired".

...

(10) Responsible charge. - Direct control and personal supervision, either of engineering work or of land surveying, as the case may be.

**Section 89C-16 - Certificates of licensure; effect; seals**

(a) The Board shall issue to any applicant, who, in the opinion of the Board, has met the requirements of this Chapter, a certificate of licensure giving the licensee proper authority to practice the profession in this State. The certificate of licensure for a professional engineer shall carry the designation "professional engineer," and for a land surveyor, "professional land surveyor," shall give the full name of the licensee with the Board designated licensure number and shall be signed by the chair and the secretary under the seal of the Board.

(b) This certificate shall be prima facie evidence that the person named on the certificate is entitled to all rights, privileges and responsibilities of a professional engineer or a professional land surveyor, while the certificate of licensure remains unrevoked or unexpired.

**Section 89C-17 - Expirations and renewals of certificates**

Certificates for licensure of corporations and business firms that engage in the practice of engineering or land surveying shall expire on the last day of the month of June following their issuance or renewal and shall become invalid on that date unless renewed. All other certificates for licensure shall expire on the last day of the month of December next following their issuance or renewal, and shall become invalid on that date unless renewed. When necessary to protect the public health, safety, or welfare, the Board shall require any evidence necessary to establish the continuing competency of engineers and land surveyors as a condition of renewal of licenses. When the Board is satisfied as to the continuing competency of an



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applicant, it shall issue a renewal of the certificate upon payment by the applicant of a fee fixed by the Board but not to exceed seventy-five dollars (\$75.00). The secretary of the Board shall notify by mail or email every person licensed under this Chapter of the date of expiration of the certificate, the amount of the fee required for its renewal for one year, and any requirement as to evidence of continued competency. The notice shall be sent by email or mailed at least one month in advance of the expiration date of the certificate. Renewal shall be effected at any time during the month immediately following the month of expiration, by payment to the secretary of the Board of a renewal fee, as determined by the Board, which shall not exceed seventy-five dollars (\$75.00). Failure on the part of any licensee to renew the certificate annually in the month immediately following the month of expiration, as required above, shall deprive the licensee of the right to practice until reinstatement of the license. The license may be reinstated at anytime during the first 12 months immediately following the date the license became invalid by payment of a reinstatement fee of one hundred dollars (\$100.00) in addition to the established renewal fee. Failure of a licensee to reinstate the license during the first 12 months immediately following the date the license became invalid shall require the individual, prior to resuming practice in North Carolina, to submit an application on the prescribed form, and to meet all other requirements for licensure as set forth in Chapter 89C. The secretary of the Board is instructed to remove from the official roster of engineers and land surveyors the names of all licensees who have not effected their renewal by the first day of the month immediately following the renewal period. The Board may adopt rules to provide for renewals in distress or hardship cases due to military service, prolonged illness, or prolonged absence from the State, where the applicant for renewal demonstrates to the Board that the applicant has maintained active knowledge and professional status as an engineer or land surveyor, as the case may be. It shall be the responsibility of each licensee to inform the Board promptly concerning change in address. A licensee may request and be granted inactive status. No inactive licensee may practice in this State unless otherwise exempted in this Chapter. A licensee granted inactive status shall pay annual renewal fees but shall not be subject to annual continuing professional competency requirements. A licensee granted inactive status may return to active status by meeting all requirements of the Board, including demonstration of continuing professional competency as a condition of reinstatement.



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**Section 89C-19 - Public works; requirements where public safety involved**

This State and its political subdivisions such as counties, cities, towns, or other political entities or legally constituted boards, commissions, public utility companies, or authorities, or officials, or employees of these entities shall not engage in the practice of engineering or land surveying involving either public or private property where the safety of the public is directly involved without the project being under the responsible charge of a professional engineer for engineering projects, or a professional land surveyor for land surveying projects, as provided for the practice of the respective professions by this Chapter.

An official or employee of the State or any political subdivision specified in this section, holding the positions set out in this section as of June 19, 1975, shall be exempt from the provisions of this section so long as such official or employee is engaged in substantially the same type of work as is involved in the present position.

Nothing in this section shall be construed to prohibit inspection, maintenance and service work done by employees of the State of North Carolina, any political subdivision of the State, or any municipality including construction, installation, servicing, and maintenance by regular full-time employees of, secondary roads and drawings incidental to work on secondary roads, streets, street lighting, traffic-control signals, police and fire alarm systems, waterworks, steam, electric and sewage treatment and disposal plants, the services of superintendents, inspectors or foremen regularly employed by the State of North Carolina or any political subdivision of the State, or municipal corporation.

The provisions in this section shall not be construed to alter or modify the requirements of Article 1 of Chapter 133 of the General Statutes.

**Section 89C-19.1 - Engineer or professional land surveyor who volunteers during an emergency or disaster; qualified immunity**

(a) A licensed professional or any other individual working under the direct supervision of a licensed professional who voluntarily, without compensation, provides structural, electrical, mechanical, other engineering services or land surveying services at the scene of a declared disaster or emergency, declared under federal law or in accordance with the provisions of Article 1A of Chapter 166A of the General Statutes, at the request of a public official, law enforcement official, public safety official, or building inspection official, acting in an official capacity, shall not be



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liable for any personal injury, wrongful death, property damage, or other loss caused by the licensed professional's acts or omissions in the performance of the services.

(b) The immunity provided in subsection (a) of this section for professional engineers applies only to an engineering service:

(1) For any structure, building, piping, or other engineered system, either publicly or privately owned.

(2) That occurs within 45 days after the declaration of the emergency or disaster, unless the 45-day immunity period is extended by an executive order issued by the Governor under the Governor's emergency executive powers.

(b1) The immunity provided in subsection (a) of this section for professional land surveyors applies only to land surveying services that occur within 45 days after the declaration of the emergency or disaster, unless the 45-day immunity period is extended by an executive order issued by the Governor under the Governor's emergency executive powers.

(c) The immunity provided in subsection (a) of this section does not apply if it is determined that the personal injury, wrongful death, property damage, or other loss was caused by the gross negligence, wanton conduct, or intentional wrongdoing of the licensed professional, or arose out of the operation of a motor vehicle.

(d) As used in this section:

(1) "Building inspection official" means any appointed or elected federal, State, or local official with overall executive responsibility to coordinate building inspection in the jurisdiction in which the emergency or disaster is declared.

(2) "Law enforcement official" means any appointed or elected federal, State, or local official with overall executive responsibility to coordinate law enforcement in the jurisdiction in which the emergency or disaster is declared.

(2a) "Licensed professional" means any professional engineer or professional land surveyor.

(3) "Public official" means any federal, State, or locally elected official with overall executive responsibility in the jurisdiction in which the emergency or disaster is declared.

(4) "Public safety official" means any appointed or elected federal, State, or local official with overall executive responsibility to coordinate public safety in the jurisdiction in which the emergency or disaster is declared.



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**Section 89C-23 - Unlawful to practice engineering or land surveying without licensure; unlawful use of title or terms; penalties; Attorney General to be legal adviser**

Any person who shall practice, or offer to practice, engineering or land surveying in this State without first being licensed in accordance with the provisions of this Chapter, or any person, firm, partnership, organization, association, corporation, or other entity using or employing the words "engineer" or "engineering" or "professional engineer" or "professional engineering" or "land surveyor" or "land surveying," or any modification or derivative of those words in its name or form of business or activity except as licensed under this Chapter or in pursuit of activities exempted by this Chapter, or any person presenting or attempting to use the certificate of licensure or the seal of another, or any person who shall give any false or forged evidence of any kind to the Board or to any member of the Board in obtaining or attempting to obtain a certificate of licensure, or any person who shall falsely impersonate any other licensee of like or different name, or any person who shall attempt to use an expired or revoked or nonexistent certificate of licensure, or who shall practice or offer to practice when not qualified, or any person who falsely claims that the person is registered under this Chapter, or any person who shall violate any of the provisions of this Chapter, in addition to injunctive procedures set out hereinbefore, shall be guilty of a Class 2 misdemeanor. In no event shall there be representation of or holding out to the public of any engineering expertise by unlicensed persons. It shall be the duty of all duly constituted officers of the State and all political subdivisions of the State to enforce the provisions of this Chapter and to prosecute any persons violating them.

The Attorney General of the State or an assistant shall act as legal adviser to the Board and render any legal assistance necessary to carry out the provisions of this Chapter. The Board may employ counsel and necessary assistance to aid in the enforcement of this Chapter, and the compensation and expenses for the assistance shall be paid from funds of the Board.

**Section 89C-25 - Limitations on application of Chapter**

This Chapter shall not prevent the following activities:

(1) The practice of architecture as defined in Chapter 83A of the General Statutes, landscape architecture as defined in Chapter 89A of the General Statutes, or



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contracting as defined in Articles 1, 2, 4, and 5 of Chapter 87 of the General Statutes.

(2) Repealed by Session Laws 2011-304, s. 7, effective June 26, 2011.

(3) Repealed by Session Laws 2011-304, s. 7, effective June 26, 2011.

(4) Engaging in engineering or land surveying as an employee or assistant under the responsible charge of a professional engineer or professional land surveyor.

(5) The practice of professional engineering or land surveying by any person not a resident of, and having no established place of business in this State, as a consulting associate of a professional engineer or professional land surveyor licensed under the provisions of this Chapter; provided, the nonresident is qualified for performing the professional service in the person's own state or country.

(6) Practice by members of the Armed Forces of the United States; employees of the government of the United States while engaged in the practice of engineering or land surveying solely for the government on government-owned works and projects; or practice by those employees of the Natural Resources Conservation Service, county employees, employees of the Soil and Water Conservation Districts, or employees of the Division of Soil and Water Conservation of the Department of Agriculture and Consumer Services who have engineering job approval authority issued by the Natural Resources Conservation Service or the Soil and Water Conservation Commission that involves the planning, designing, or implementation of best management practices on agricultural lands, or for the planning, designing, or implementation of best management practices approved for cost-share funding pursuant to programs identified in G.S. 139-4(d)(9).

(7) Repealed by Session Laws 2014-120, s. 11(a), effective September 18, 2014.

(7a) The engineering or surveying activities of a person as defined by G.S. 89C-3(5) who is engaged in manufacturing, processing, producing, or transmitting and delivering a product or public utility service, and which activities are reasonably necessary and connected with the primary services performed by individuals regularly employed in the ordinary course of business by the person, provided that the engineering or surveying activity is not a holding out or an offer to the public of engineering or surveying services, as prohibited by this Chapter. The engineering





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and surveying services may not be offered, performed, or rendered independently from the primary services rendered by the person. For purposes of this subdivision, "activities reasonably necessary and connected with the primary service" include the following:

- a. Installation or servicing of the person's product or public utility service by employees of the person conducted outside the premises of the person's business.
- b. Design, acquisition, installation, or maintenance of machinery, equipment, or apparatus incidental to the manufacture or installation of the product or public utility service performed by employees of the person upon property owned, leased, or used by the person.
- c. Research and development performed in connection with the manufacturing, processing, or production of the person's product or public utility service by employees of the person.

Engineering or surveying activities performed pursuant to this subdivision, where the safety of the public is directly involved, shall be under the responsible charge of a licensed professional engineer or licensed professional surveyor.

(8) The (i) preparation of fire sprinkler planning and design drawings by a fire sprinkler contractor licensed under Article 2 of Chapter 87 of the General Statutes, or (ii) the performance of internal engineering or survey work by a manufacturing or communications common carrier company, or by a research and development company, or by employees of those corporations provided that the work is in connection with, or incidental to products of, or nonengineering services rendered by those corporations or their affiliates.

(9) The routine maintenance or servicing of machinery, equipment, facilities or structures, the work of mechanics in the performance of their established functions, or the inspection or supervision of construction by a foreman, superintendent, or agent of the architect or professional engineer, or services of an operational nature performed by an employee of a laboratory, a manufacturing plant, a public service corporation, or governmental operation.

(10) The design of land application irrigation systems for an animal waste management plan, required by G.S. 143-215.10C, by a designer who exhibits, by at least three years of relevant experience, proficiency in soil science and basic



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hydraulics, and who is thereby listed as an Irrigation Design Technical Specialist by the North Carolina Soil and Water Conservation Commission.

(11) The decommissioning of waste impoundments for animal waste management systems, as defined by G.S. 143-215.10B(3), by a person who is designated as a Technical Specialist in the Waste Utilization Plan/Nutrient Management Category by the North Carolina Soil and Water Conservation Commission. This subsection shall not apply to the design or installation of a spillway.

**Section 89C-25.1 - Supervision of unlicensed individuals by licensed person**

In all circumstances in which unlicensed individuals are permitted under this Chapter to perform engineering or land surveying work, or both, under the supervision of a licensed engineer, land surveyor, or both, the Board may by regulation establish a reasonable limit on the number of unlicensed individuals which a licensee of the Board may directly or personally supervise at one time.



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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.).

### NCGS 89C

#### **Section 89C-3 - Definitions**

The following definitions apply in this Chapter:

...

(10) **Responsible charge.** - Direct control and personal supervision, either of engineering work or of land surveying, as the case may be.

#### **Section 89C-25 - Limitations on application of Chapter**

...

Engineering or surveying activities performed pursuant to this subdivision, where the safety of the public is directly involved, shall be under the **responsible charge** of a licensed professional engineer or licensed professional surveyor.

### 21 NCAC 56

#### **56.0701 – RULES OF PROFESSIONAL CONDUCT**

...

- (c) A licensee shall perform services only in areas of the licensee's competence and:
- (1) Shall undertake to perform engineering and land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved;
  - (2) May accept an assignment or project requiring education or experience outside of the licensee's own areas of competence, but only to the extent that the services are restricted to those portions or disciplines of the assignment in which the licensee is qualified. All other portions or disciplines of such assignment shall be performed by associates, consultants, or employees who are licensed and competent in those portions or disciplines.



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(d) A licensee shall not affix his or her signature or seal to any engineering or land surveying plan or document for which the licensee was not in **responsible charge** of the work through direct control and personal supervision. In order to exercise **responsible charge** of engineering or surveying work, either when delegating tasks to others, in circumstances where a licensee in **responsible charge** of the work is unavailable to complete the work, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee (not a site adaptation of a standard design plan under Rule 21 NCAC 56 .1106), the licensee must possess full professional knowledge of and control over the work and shall:

- (1) Have and exercise the authority to review and to change, reject or approve both the work in progress and the final work product, through examination, evaluation, communication and direction throughout the development of the work;
- (2) Be personally aware of the scope of the work, its needs, parameters, limitations and special requirements;
- (3) Be capable of answering questions relevant to the surveying or engineering decisions made as part of the services provided, in sufficient detail to demonstrate knowledge of the proficiency in the work; and
- (4) Accept full responsibility for the work.
  - (A) The burden for demonstrating **responsible charge** lies with the licensee, including maintaining records, calculations, drawings, surveys, specifications, and other documents associated with the work.
  - (B) A licensee may affix his or her seal and signature to drawings and documents depicting the work of two or more professionals, provided it is designated by a note under the seal stating the specific subject matter for which each is responsible.

**Section 56 .1101 - GENERAL**

It is misconduct for a Professional Engineer or Professional Land Surveyor to seal work done by another individual unless the work is performed under the "**responsible charge**" of the Professional Engineer or Professional Land Surveyor.



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### **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 technical field involved.

### **21 NCAC 56**

#### **56.0701 – RULES OF PROFESSIONAL CONDUCT**

...

- (c) A licensee shall perform services only in areas of the licensee's competence and:
- (1) Shall undertake to perform engineering and land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved;
  - (2) May accept an assignment or project requiring education or experience outside of the licensee's own areas of competence, but only to the extent that the services are restricted to those portions or disciplines of the assignment in which the licensee is qualified. All other portions or disciplines of such assignment shall be performed by associates, consultants, or employees who are licensed and competent in those portions or disciplines.



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**Sign and Seal Requirements**

Engineering seal and signature requirements are found in 21 NCAC 56-14. Here are highlights that may differ from requirements in other states:

- Seal outer diameter is to be 1 1/2" to 1 3/4"
- Signature and date can be over or near the seal; ink can be the same or different color
- Each drawing must be certified (sign & seal)
- For multipage specifications, reports, letters, and other documents, it is acceptable to only certify the cover/title page
- Certified documents can be scanned or photocopied
- Electronically distributed final documents that are not scans of the signed original and are not digitally signed, shall not have a seal and shall have the note: "This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing). This medium shall not be considered a certified document."
- Acceptable forms of signatures:
  - Original (hand) sign and seal (rubber stamp, electronic image, or embossed)
  - Electronic/digital signature with authentication process requirements:
    - Unique to the licensee
    - Capable of verification
    - Under the sole control of the licensee
    - Prevents changes and becomes invalidated if document is changed
    - Adobe, Bluebeam, & DocuSign e-signatures appear acceptable
    - Example from Board Sealing Guidelines:





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Laws and Rules

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

NCGS 89C

**Section 89C-16 - Certificates of licensure; effect; seals**

...

(c) Each licensee shall upon licensure obtain a seal of a design authorized by the Board bearing the licensee's name, license number, and the legend, "professional engineer," or "professional land surveyor." Final drawings, specifications, plans and reports prepared by a licensee shall, when issued, be certified and stamped with the seal or facsimile of the seal unless the licensee is exempt under the provisions of G.S. 89C-25(7). It shall be unlawful for a licensee to affix, or permit the licensee's seal and signature or facsimile of the seal and signature to be affixed to any drawings, specifications, plans or reports after the expiration of a certificate or for the purpose of aiding or abetting any other person to evade or attempt to evade any provision of this Chapter. A professional engineer practicing land surveying shall use the licensee's land surveyor seal.

21 NCAC 56

**Section 56 .1102 - DESIGN**

The standard design of the seal shall be two concentric circles in which North Carolina and the name of the licensee are placed within the outermost circle and in which the license number of the licensee and either "Professional Engineer" or "Professional Land Surveyor," is placed within the innermost circle. The size shall be 1 1/2 to 1 3/4 inches in diameter.

**Section 56 .1103 - STANDARD CERTIFICATION REQUIREMENTS**

(a) Certification of Final Drawings. Drawings or maps not subject to the exceptions in Paragraph (c) of this Rule shall conform to the following:

- (1) Certification is required on reproducibles or original drawings;
- (2) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile that becomes a permanent addition to a plan sheet or map;
- (3) The licensee's written signature must be placed over, or adjacent to, the seal on the original document. A facsimile signature is not acceptable;
- (4) The date of signing must be annotated on the original document;



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- (5) All sheets of engineering and surveying drawings must be certified;
- (6) The name, address and license number of the licensee's firm shall be included on each sheet of engineering drawings. For surveys, the name, address and license number of the licensee's firm shall be included on the first sheet of the survey or title sheet. The individual license number of the sole proprietor shall be used as the license number for an exempt sole proprietorship that meets the requirements of 21 NCAC 56 .0802(b)(1); and
- (7) Any revision on a drawing after a licensee's certification is affixed shall be described and dated and if not done under the responsible charge of the same licensee shall be separately certified.

(b) Certification of Specifications and Reports. All specifications, reports, or other documents, including letter reports and calculations, not subject to the exceptions in Paragraph (c) of this Rule shall conform to the following:

- (1) Certification is required on original specifications, reports, or other documents, including letter reports and calculations;
- (2) The seal may be a rubber stamp, or other facsimile;
- (3) The licensee's written signature must be placed over, or adjacent to, the seal on the original document. A facsimile signature is not acceptable;
- (4) The date of signing must be annotated on the original document;
- (5) The title sheet of engineering specifications or other reports must be certified and bear the name, address and license number of the licensee's firm. The title sheet of any survey report or written description of property shall include the name, address and license number of the licensee's firm. The individual license number of a sole proprietor shall be used as the license number for an exempt sole proprietorship that meets the requirements of 21 NCAC 56 .0802(b)(1); and
- (6) Any revision in the document after a licensee's certification is affixed shall be described and dated and if not done under the responsible charge of the same licensee shall be separately certified.

(c) Exceptions to Required Certification. The certification of a licensee on a map, drawing, plan, specification, plat, document, or report shall signify that it is the final work of the licensee unless the work is stamped or marked substantially as follows so as to put the public on notice not to use as a final product, in which case certification is optional:

- (1) "Preliminary - Do not use for construction";
- (2) "Progress Drawings - Do not use for construction";





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- (3) "Preliminary Plat - Not for recordation, conveyances, or sales";
- (4) "Final Drawing - Not released for construction";
- (5) "Final Drawing - For Review Purposes Only";
- (6) "Not a Certified Document - This document originally issued and sealed by (name of licensee), (license number), on (date of sealing). This document shall not be considered a certified document";
- (7) "Not a Certified Document as to the Original Document but Only as to the Revisions - This document originally issued and sealed by (name of licensee), (license number), on (date of sealing). This document is only certified as to the revisions".

(d) Electronically Transmitted Documents. Documents, including drawings, specifications and reports, that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal removed from the original file, unless signed with a digital signature as defined in Paragraph (e) of this Rule. After removal of the seal the electronic media shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing). This medium shall not be considered a certified document." Hardcopy documents containing the original seal, signature and date of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements of this Paragraph. The electronic transmission beyond the direct control of the licensee of CAD, vector or other files subject to easy editing are subject to the requirements of this paragraph. Easy editing is based on the file consisting of separate elements that can be individually modified or deleted. Documents that are excepted from certification by a statement meeting the requirements of Subparagraphs (c)(1) through (c)(5) of this Rule are not subject to the requirements of this Paragraph.

(e) Documents to be electronically transmitted beyond the direct control of the licensee that are signed using a digital signature, shall contain the authentication procedure in a secure mode and a list of the hardware, software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has protective measures to prevent alteration or overriding of the authentication procedure. The term "digital signature" shall be an electronic authentication process that is attached to or logically associated with an electronic document.



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The digital signature shall be:

- (1) Unique to the licensee using it;
- (2) Capable of verification;
- (3) Under the sole control of the licensee; and
- (4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

(f) A digital signature process may be submitted to the Board for approval that it meets the criteria set forth in Subparagraphs (e)(1) through (4) of this Rule. The licensee shall confirm that if another process is used, that it meets the criteria.

**Section 56 .1106 - CERTIFICATION OF STANDARD DESIGN PLANS**

Standard design plans that were initially prepared and certified by an individual who is a licensed engineer in the state of origin of such plans (including North Carolina) may then be reviewed by a North Carolina Professional Engineer for code conformance, design adequacy, and site adaptation for the specific application within North Carolina. The reviewing Professional Engineer who is licensed in North Carolina assumes responsibility for such standard designs. Standard plans, which bear the seal of the original design engineer who is a licensed engineer in another state, or North Carolina, shall be sealed by the reviewing North Carolina Professional Engineer who is assuming responsibility. In addition to the seal, a statement shall be included as follows: "These plans have been properly examined by the undersigned. I have determined that they comply with existing local North Carolina codes, and have been properly site adapted for use in this area."

"The Seal Brochure" from Board Website



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## General Guidelines

### Can Architects prepare and seal engineering plans?

Although “incidental” engineering is permitted if it is included in the architectural plans, Architects are not permitted to design complete electrical, mechanical, plumbing, civil or structural engineering systems.

### Can Professional Engineers prepare and seal architectural plans?

Although building design is permitted, if within the area of competence of the Professional Engineer, they may not represent the work as architecture and shall not seal drawings labeled as architectural (“A” Sheets) or be listed as the “Architectural” Designer on the Appendix B – Building Code Summary.

### Can Registered Interior Designers prepare and seal architectural and/or engineering plans?

Registered Interior Designer’s seals are only permissible for specific interior design work/plans as defined and detailed in NC General Statutes-Chapter 83A-1 (5a), (6a), (8) and (9).

### Can a licensee or registrant use electronic seals and digital signatures?

Architects: Permitted subject to detailed requirements described in rule 21 NCAC 02 .0206 (d) and (e).

Registered Interior Designers: Permitted subject to detailed requirements in 21 NCAC 02 .0206 (d) and (e).

Engineers: Permitted subject to detailed requirements described in rule 21 NCAC 56 .1103(e).



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Can a licensee or registrant seal another licensed or registered designer's standard design (prototypical) plans?

Architects: Yes, subject to special requirements detailed in rule 21 NCAC 02 .0206 (b), including disclaimer.

Registered Interior Designers: Yes, subject to special requirements detailed in rule 21 NCAC 02 .0206(b), including disclaimer.

Engineers: Yes, subject to special requirements detailed in rule 21 NCAC 56 .1106, including disclaimer.

Can licensees or registrants use signature reproductions such as rubber stamps or computer-generated facsimiles on paper documents?

Signature reproductions are prohibited by all three professions. Seal reproductions are permitted

Can an individual licensed or registered in another jurisdiction engage in temporary practice in NC before obtaining a license?

No.

Can a licensee or registrant allow another individual to use their seal?

No, a licensed or registered individual may not allow another individual to use their seal under any circumstances.

Is firm licensure or registration required? If so, must a firm seal be placed on documents?

Architects: Yes, firm licensure is required if the services are being offered through an incorporated entity or company. A firm seal must be placed on the cover sheet of each set of plans and specifications as set forth in 21 NCAC 02 .0206 (12).

Registered Interior Designers: Yes, firm registration is required if the services are being offered through an incorporated entity or company. A firm seal must be placed on the cover sheet of each set of plans and specifications as set forth in 21 NCAC 02 .0206 (12).

Engineers: Firm licensure is required. A seal is not required, but the firm license number, name and address must be on the title block as set forth in 21 NCAC 56 .1103.

What are the sealing requirements for plans/drawings?

Architects must seal all plans and specifications for use in this state. ("For use in this state"



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means drawings and specifications prepared for bidding, procurement, permitting, or for construction.)

Registered Interior Designers must seal all plans and specifications for use in this state. (“For use in this state” means drawings and specifications prepared for bidding, procurement, permitting, or for construction.)

Engineers: The licensee must certify all engineering work in compliance with 21 NCAC 56 .1103. Certification includes seal, date of signature and signature.

### Exemptions

*While there are certain statutory exemptions from the requirements of a professional Architect’s or Engineer’s seal, it is important that the code official exercise judgment to require seals where necessary to protect the public. An Architect, Registered Interior Designer or Engineer must seal all his/her work, regardless of the exemptions. In addition to the guidance below, the Board of Architecture & Registered Interior Designers has published a non-binding interpretive statement on NCGS 83A-1(5a), [you will find it at this link](#).*

Single family residences are exempt from an Architect’s seal if the single structure is less than eight units attached and each unit has its own exit on grade level. However, the Board of Architecture and Registered Interior Designers has opined that if the total number of attached residential units in a project exceeds eight, then public protection necessitates having the plans prepared and sealed by an architect or engineer. [A guideline statement is found at this link.](#)

Farm buildings are exempt from an Architect’s seal if they are not for public use.

New commercial structures with less than 3,000 Sq. Ft. are exempt from an Architect’s seal. New commercial structures that are less than \$300,000 in construction costs are exempt from an Architect’s seal.

Plans for oneself are exempt from an Architect’s seal but must be drawn and signed by the actual owner of the building (i.e., minister cannot sign church’s plans). Specifications required to obtain a building permit are not exempt and must be sealed by a design professional. [A guideline statement is found at this link.](#)

Plans for alterations, remodeling or renovations of an existing building are exempt from an Architect’s seal if the following criteria is met:

- the changes do not alter or affect the structural system.
- the changes do not affect the access or exit patterns.
- the changes do not affect the live or dead loads.
- the changes do not affect “a change of use” per the N.C. Building Code.

Plans for alterations or up-fitting of a shell or unfinished structure are exempt from an Architect’s seal if the structure has a current certificate of occupancy and still meets the



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exemptions for changes to non-exempt structures.

Plans for churches and faith-based institutions are not exempt from design professional seals.

### *What Types of Documents Require a design professional seal?*

#### *Architects and Registered Interior Designers:*

Plans for bidding, permitting, construction and procurement must be sealed. Specifications must be sealed.

Construction change orders must be sealed if the documents are prepared by a licensee or registrant.

Addenda and field changes are required to be sealed if changes affect aspects of health, safety, and welfare of the public.

Note that post construction "Record Drawings" ***are not required*** to be sealed by an Architect or Registered Interior Designer; however, the Architect's or Registered Interior Designer's name must be on the documents and there must be a disclaimer as set forth in 21 NCAC 02 .0206 (c).

#### *Engineers:*

If prepared by the Engineer, they must certify post construction "Record Drawings" in compliance with 21 NCAC 56 .1103 with a disclaimer as to source of record drawing information (i.e., contractor markups, inspections, etc.)

### *What types of documents are not required to be sealed by the design professional?*

Architects and Registered Interior Designers shall not sign and seal their presentation documents (renderings used to communicate conceptual information only) that are not a part of a set of drawings or construction documents.

Engineers are not required sign and seal a presentation document but must reference a signed and sealed document, unless it is a preliminary document.

Architects and/or Registered Interior Designers may release documents for interim review without their seal, but they shall be dated, bear the Architect's or Registered Interior Designer's name and be conspicuously marked "not for construction" per 21 NCAC 02 .0206.

Engineers are not required to seal incomplete documents if they are marked, "preliminary, not for construction," per 21 NCAC 56 .1103(c).

Can a Professional Engineer, Architect or Registered Interior Designer seal sheets



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or pages prepared by licensed professional consultants?

Neither Architects nor Registered Interior Designers may seal sheets or pages prepared by licensed professional consultants such as structural, mechanical, or electrical engineers retained by Architect or Registered Interior Designer. The documents shall bear the seal and license number of the engineering consultant responsible for the work.

Engineers may only certify sheets personally prepared by the licensee or under the engineer's "responsible charge" per 21 NCAC 56 .0701(c)(3).

Can non-exempt plans bearing seal of one discipline (Civil, Structural, Mechanical/Electrical, Architecture or Registered Interior Design) combined with non-sealed drawings of other disciplines be accepted for bidding, permitting or construction or procurement?

No, all drawings must be sealed and signed by the appropriate professional.

*Limitations of a licensee or registrant.*

Can a licensee or registrant seal an opinion letter or report stating whether plans that were prepared by another individual comply with the building code?

Architects and Registered Interior Designers may only seal plans and specifications they prepared and are for use in this state.

Engineers: Yes, if hired by an agency or the owner to specifically do a code review of plans already bearing the valid seal of a licensee.

Can a licensee or registrant seal a document that was not prepared under his or her responsible control or responsible charge?

Architects, Engineers, and Registered Interior Designers may only seal work product that they prepared personally or was done under their responsible control or responsible charge.

Can a licensee or registrant modify, and seal drawings previously sealed by another licensee or registrant who was terminated by the owner without completely redrawing them?

Architects, Engineers, and Registered Interior Designers may modify and seal another's drawings if they clearly mark modifications and put a written disclaimer on the plans indicating the exact portion of the work that was done under his/her responsible charge/responsible control. The Board of Architecture and Registered Interior Designers has a policy on this subject found at this link.



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Can a licensee or registrant seal plans that were started by or contracted for by a person not properly licensed or registered?

Architects and Registered Interior Designers may not seal work begun by a non-licensed or registered individual unless the Architect or Registered Interior Designer completely redraws the project making it his/her own work product and documents the work in a design file.

Engineers may not seal work begun by non-licensed individuals unless the engineers make the project his/her own work product and documents the work in a design file as set forth in 21 NCAC 56 .0701(c)(4).

### *WHOM CAN I CONTACT?*

Architects and Registered Interior Designers: 984-328-1161 or [ncba@ncbarch.org](mailto:ncba@ncbarch.org)  
 Engineers: 919-791-2000 or [ncbels@ncbels.org](mailto:ncbels@ncbels.org)

### *PROPER SEALS*

Seals properly signed and dated on paper documents:

#### ARCHITECT INDIVIDUAL AND FIRM SEAL GRAPHIC



#### ENGINEER INDIVIDUAL SEAL GRAPHIC







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Acceptable statements on documents include:

- Preliminary – Do not use for construction.
- Progress drawings – Do not use for construction.
- Final Drawing – For review purposes only.
- Proper statements for engineers are found in 21 NCAC 56 .1103(c)

### *RED FLAGS FOR PLAN REVIEWERS*

Be alert to these issues:

- Architectural (“A”) sheets sealed by an Engineer.
- Architectural (“A”) sheets sealed by a Registered Interior Designer or listed as the Architectural Designer on the Appendix B.
- Architectural and/or Engineering sheets sealed by a Registered Interior Designer.
- Engineering (“E”, “C”, “S”, “P”, “M”) sheets sealed by an Architect or Registered Interior Designer.
- Plans sealed by an Architect, Registered Interior Designer or Engineer who is an employee of a non-licensed firm or company, such as a general contractor or developer.
- Incomplete documents sealed without a disclaimer.
- Plans that have not been sealed, signed and dated by the licensee or registrant.
- Standard design or prototype documents or plans that do not bear the seal of the original preparer.
- Standard design or prototype documents or plans that do not bear the seal of a NC licensee or registrant and a disclaimer.
- Plans for up-fitting a shell structure without a current certificate of occupancy.
- Unsealed church or faith-based building plans stating that the “plans are for oneself”.
- Seals appear to be cut and pasted.
- Signatures are identical on each sheet (rubber stamp signature, digitized or scanned).
- Contact person is not the licensee or registrant, or it is difficult to contact the licensee or registrant.
- Plans, details, letter reports, etc. do not appear to apply to the project.
- Plans have numerous or serious code violations.
- Non-dated revisions.



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## **Continuing Education**

Per 21 NCAC 56-23.1, 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 or Rules of Professional Conduct
- Course content:
  - Must be offered by a “Approved Sponsor.”
  - Maintain, improve, or expand the skills and knowledge relevant to licensee’s field of practice.
  - Enhance the licensee’s ability to provide engineering services in a professional and competent manner and better protect the health, safety, and welfare of the public.
  - Subject matter related to the licensee’s professional practice.
  - Aimed at engineers and of a technical nature.
- The Board does NOT pre-approve specific courses (just providers/sponsors)
- Maximum 15 PDH carried over to next renewal period
- 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:

### **21 NCAC 56**

#### **Section 56 .1701 - INTRODUCTION**

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

#### **Section 56 .1702 - DEFINITIONS**

Terms used in this Section are defined as follows:

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



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- (2) Continuing Education Unit (CEU) - Unit of credit customarily used for continuing education courses. One continuing education unit equals 10 contact hours of instruction or presentation.
- (3) College or Unit Semester or Quarter Hour - Credit for Accreditation Board for Engineering and Technology approved course or other related college course.
- (4) Course or Activity - Any course or activity with a purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice.
- (5) Dual Licensee - A person who is licensed as both an engineer and a land surveyor.
- (6) Sponsor - Organization or individual that has supplied information on a form prescribed and furnished by the Board with respect to the organization or individual's ability to provide instruction in "for credit" courses. Courses offered by those designated as "Sponsor" must contain a purpose and objective, and result in the maintenance, improvement, or expansion of skills and knowledge relevant to a licensee's field of practice.
- (7) Ethics or Rules of Professional Conduct - A course or activity with content areas concerning:
- (a) the awareness of ethical concerns and conflicts;
  - (b) an enhanced familiarity with codes of conduct;
  - (c) an understanding of standards of practice or care;
  - (d) project management and risk-assessment management; or
  - (e) other similar topics aimed at maintaining, improving, or expanding the skill sets and knowledge relevant to conducting the practice of the profession so as to protect the health, safety, and welfare of the public.
- (8) Standards of Practice for Land Surveying - A course or activity with content areas related to Standards of Practice for Land Surveying in Section .1600 of this Chapter.

**Section 56 .1703 - REQUIREMENTS**

Every licensee shall obtain 15 PDH units during the renewal period. Effective as of the 2024 license renewal, for all licensees at least 1 PDH shall be in Ethics or Rules



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of Professional Conduct. In addition, for Professional Land Surveyors 1 PDH shall be in the Standards of Practice for Land Surveying. If a licensee exceeds the annual requirement in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period. Selection of courses and activities that meet the requirements of Rule .1702(4) of this Section is the responsibility of the licensee. Post evaluation of the courses that are documented as required by Rule .1706 of this Section for compliance with Rules .1702, .1703, .1704, and .1705 of this Section may result in non-acceptance by the Board. PDH units may be earned as follows:

- (1) Completion of college courses;
- (2) Completion of continuing education courses, seminars, or workshops;
- (3) Completion of correspondence, televised, Internet, videotaped, audiotaped, and other courses or tutorials, provided an exam is required for completion. No exam is required for attendance at a webinar presentation if attendance is documented;
- (4) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences;
- (5) Teaching or instructing in Items (1) through (4) of this Rule;
- (6) Authoring published papers, articles, or books;
- (7) Active participation in professional or technical societies or accrediting organizations as defined in Rule .1705(f) of this Section;
- (8) Patents;
- (9) Authoring exam questions accepted for use in the engineering or land surveying exams; or
- (10) Active participation on boards, commissions, committees or councils of private, local, state or federal government entities as defined in Rule .1705(g) of this Section;  
or



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(11) Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students as defined in Rule .1705(h) of this Section.

**Section 56 .1704 - UNITS**

The conversion of units of credit set forth in Rule .1703 of this Section to PDH units is as follows:

(1) 1 College or unit semester hour.  
 45 PDH

(2) 1 College or unit quarter hour.  
 30 PDH

(3) 1 Continuing Education Unit.  
 10 PDH

(4) 1 Contact hour of professional development in course work, seminars, or professional or technical presentations made at meetings, conventions or conferences, and for correspondence, televised, Internet, videotaped, audiotaped, and other courses or tutorials. Contact hours equal the actual time of instruction and shall be credited to the nearest one-third of an hour.  
 1 PDH

(5) For teaching in Items (1) - (4) of this Rule, PDH credits are doubled. Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time faculty, as defined by the institution where a licensee is teaching.

(6) Each published paper, article or book.  
 10 PDH

(7) Active participation in professional or technical societies or in accrediting organizations as defined in Rule .1705(f) of this Section. (Each society or organization)  
 2 PDH



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(8) Each patent.  
10 PDH

(9) Each question used.  
2 PDH

(10) Active participation on boards, commissions, committees or councils of private, local, state or federal government entities as defined in Rule .1705(g) of this Section. (Each entity)  
2 PDH

(11) Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students as defined in Rule .1705(h) of this Section. (Each hour)  
1 PDH  
(not to exceed 3 PDHs)

**Section 56 .1705 - DETERMINATION OF CREDIT**

(a) Approval of courses, sponsors, credit, PDH value for courses, and other methods of earning credit shall meet Rule .1702(4) of this Section.

(b) Credit for college or community college courses shall be based upon course credit established by the college.

(c) Credit for continuing education courses, seminars and workshops shall be based on one PDH unit for each hour of attendance. Attendance at programs presented at professional and technical society meetings shall earn PDH units for the actual time of each program.

(d) Credit for correspondence, televised, Internet, videotaped, audiotaped, and other courses or tutorials, provided an exam is required for completion, shall be based upon one PDH unit for each hour assigned to the course, provided such hours reflect the course material and content required of the professional to complete the course.



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(e) Credit determination for published papers, articles and books and obtaining patents is the responsibility of the licensee to support and document the hours reported in compliance with the rules of this Section.

(f) Credit for active participation in professional or technical societies or accrediting organizations (limited to 2 PDH per society or organization), requires that a licensee serve as an officer or participate as a member and contribute to the work of a committee of the society, or for accrediting organizations serve as an officer or participate in a committee or accreditation visits. PDH credits are not earned until the end of each year of service is completed.

(g) Credit for active participation on boards, commissions, committees or councils of private, local, state or federal government entities (limited to 2 PDH per entity) requires utilizing engineering or land surveying knowledge (as applicable) in the participation. PDH credits are not earned until the end of each year of service is completed.

(h) Credit for active participation in educational outreach activities by providing education about professional licensure or the surveying and engineering professions that involve K-12 or higher education students (limited to 3 PDH).

**Section 56 .1706 - RECORDKEEPING**

The licensee shall maintain the following records to be used to support credits claimed:

(1) a log showing the type of activity claimed, title or specific subject, sponsoring organization, location, duration, date, instructor's or speaker's name, and PDH credits earned, and other information on a form as prescribed by the Board; and

(2) attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance.

These records must be maintained for a period of three years and copies may be requested by the board for audit verification purposes. The Board shall approve other records that contain the information required by this Rule.



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**Section 56 .1707 - EXEMPTIONS**

A licensee is exempt from the professional development educational requirements for the following reasons:

- (1) New licensees by way of examination or comity are exempt for their first renewal period.
- (2) If currently licensed by and in good standing (license is not suspended or revoked) with the Board a licensee who is serving in the armed forces of the United States and who is eligible for an extension of time to file a tax return pursuant to G.S. 105-249.2 is granted a waiver of the mandatory continuing education requirements for the time period disregarded pursuant to the Internal Revenue Code 26 U.S.C. 7508.

The licensee shall request the waiver as follows:

- (a) The licensee shall notify the Board of eligibility before the current license expires. Upon such notification, the Board shall maintain the license in active status through the extension period.
- (b) If the licensee fails to notify the Board of eligibility for the extension period before the current license expires, upon receipt and acceptance of a renewal application within the extension period and presentation of proof that the licensee was eligible on the date that is the deadline for renewal, the expired license or registration shall be deemed retroactively to have not expired.
- (c) The licensee who submits a renewal application within the extension period shall not be deemed to hold a lapsed license subject to reinstatement fees.
- (d) The licensee may renew the license within the extension period despite failing to complete the specified continuing education requirements.
- (e) A licensee shall provide proof of eligibility for the extension period when the licensee or registrant submits the renewal application.  
A request shall be administratively approved by the Executive Director, without waiting for the next regular meeting of the Board at which time the action shall be reported to the Board for final approval.





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(3) The Board shall exempt a licensee if the Board determines that the licensee is experiencing physical disability, illness, or other extenuating circumstances that prevent the licensee from obtaining professional development hours. Supporting documentation must be furnished to the Board. A request shall be administratively approved by the Executive Director, without waiting for the next regular meeting of the Board at which time the action shall be reported to the Board for final approval.

(4) Licensees who list their occupation as "Inactive" on the Board approved renewal form and who are no longer providing professional engineering or land surveying services are exempt from the professional development hours required. In the event such a person elects to return to active practice of professional engineering or land surveying, professional development hours must be earned in accordance with the requirements of Rule .1708 in this Section before returning to active practice for each year exempted not to exceed the annual requirement for two years.

**Section 56 .1708 - REINSTATEMENT**

A licensee may bring an inactive license to active status by obtaining all delinquent PDH units. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required. Reinstatement of a license that was not renewed within 12 months after expiration (archived license), in addition to a new application, requires obtaining all delinquent PDH units as required to reinstate an inactive license.

**Section 56 .1709 - COMITY/OUT-OF-JURISDICTION RESIDENT**

Licensees who are residents of jurisdictions other than North Carolina shall meet the CPC requirements of their resident jurisdiction. If the licensee resides in a jurisdiction that has no continuing professional competency (CPC) requirement, or the licensee is exempt from the CPC requirement in the licensee's resident jurisdiction, the licensee must meet the requirements of North Carolina.

**Section 56 .1710 - DUAL LICENSEES**

The number of PDH units required shall remain the same for persons who hold a second license as engineer or land surveyor. Holders of a second license must obtain a minimum of one-third of the total PDH requirements in each field. The remaining one-third requirement may be obtained in either field at the sole discretion of the licensee.



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**Section 56 .1711 - FORMS**

Renewal applications may require the completion of a continuing education form specified by the board outlining PDH credit claimed. The licensee must supply sufficient detail on the form to permit audit verification, must certify and sign the continuing education form, and submit the form with the renewal application and fee.

**Section 56 .1712 - COMPLIANCE**

(a) Compliance with annual Continuing Professional Competency (CPC) requirements shall be determined through an audit process conducted by the Board. Determination of individuals to be audited shall be accomplished through a random selection process or as the result of information available to the Board. Individuals selected for auditing shall provide the Board with the following documentation of the CPC activities claimed for the renewal period:

- (1) Attendance verification records in the form of transcripts, completion certificates, other documents supporting evidence of attendance, and a log as defined in Rule .1706 of the Section; and
- (2) Information regarding course content, instructors and sponsoring organization, for activities presented by other than approved sponsors as defined in Rule .1713 of this Section.

(b) Attendance records shall be maintained by individual licensees for a period of three years for audit verification purposes.

**Section 56 .1713 - SPONSORS**

(a) The Board may approve sponsors of Continuing Professional Competency (CPC) activities. The Board may maintain a list of sponsors which have agreed to conduct programs in accordance with the standards of CPC activities set forth in 21 NCAC 56. 1700. Such sponsors shall indicate their agreement with the requirements by executing a Sponsor Agreement on a form provided by the Board. These sponsors shall be designated as "Approved Sponsors" based upon approval by the Board of the sponsor application and payment of a one hundred fifty dollar (\$150.00) application fee. The application form contains the following:

- (1) Name of applicant, contact name, mailing and physical address, phone number, and email address;
- (2) Type of organization;
- (3) Delivery of course type(s), program offerings (to public or in-house);



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- (4) Offered to Professional Engineers or Professional Land Surveyors, or both;
- (5) Example of certificate of completion that attests to attendance;
- (6) Summary of qualifications of organization;
- (7) Types (subjects) of courses offered;
- (8) Sample course outline(s); and
- (9) Qualifications of course instructor(s)

(b) By entering into an agreement with the Board to be designated as an "Approved Sponsor," the sponsor shall agree to the following terms as the sole terms of the agreement:

- (1) Allow persons designated by this Board to attend any or all courses, without fee or charge, for the purpose of determining that said course meets the standards of the Board;
- (2) Allow persons designated by this Board to review course material for the purpose of determining that the course meets the standards of the Board;
- (3) State in every brochure, publication or announcement concerning the course, the general content of the course and the specific knowledge or skill to be taught or addressed, as well as the credit to be earned in Professional Development Hours (PDH);
- (4) Ensure that the instructors or presenters of the course or program are qualified by education, training or experience to teach the subject matter;
- (5) Provide persons completing the course with written documentation attesting to that person's attendance to the course, as well as the name of the course, the date and location held, the instructor's name and the number of PDHs earned;
- (6) Provide attendees an evaluation form as provided by the Board that is to be collected and retained for audit by the Board;
- (7) Have a visible, continuous and identifiable contact person who is charged with the administration of the sponsor's CPC program and who has the responsibility for assuring and demonstrating to the Board compliance with this Rule, as well as for any other organization working with the sponsor for the development, distribution or presentation of CPC courses or activities; and
- (8) Retain for a period of three years a copy of the documentation required by this Paragraph.

(c) Sponsors shall renew annually on a form provided by the Board.



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(d) Failure of an approved sponsor to comply with the terms of the CPC sponsor agreement is grounds for the Board to revoke, suspend or terminate the agreement, to remove the sponsor's name from the list of approved sponsors and to notify the public of such action. A sponsor that is given notice of revocation, suspension or termination may request an administrative hearing to be conducted as provided in 21 NCAC 56 .1400 Contested Cases.

(e) Approval of a sponsor is equivalent to the language of licensing a sponsor in G.S. 89C-10(h).

Board Website

**2023 CPC Rule Changes**

Effective as of the 2024 license renewal (license renewals opened on December 1, 2023), licensees will need at least 1 Professional Development Hour (PDH) in Ethics or Rules of Professional Conduct. The course or activity must contain content areas concerning:

- the awareness of ethical concerns and conflicts;
- an enhanced familiarity with codes of conduct;
- an understanding of standards of practice or care;
- project management and risk-assessment management; or
- other similar topics aimed at maintaining, improving, or expanding the skill sets and knowledge relevant to conducting the practice of the profession so as to protect the health, safety, and welfare of the public.

In addition, Professional Land Surveyors will need to obtain 1 PDH in the Standards of Practice for Land Surveying. The course or activity must contain content areas related to Standards of Practice for Land Surveying in Section .1600 of the Board Rules.

Additionally, a revision to Board Rule .1705(f) now allows for licensees to earn up to 2 PDHs annually for active participation in accrediting organizations in addition to professional or technical societies. This credit is limited to 2 PDHs per society or organization and it requires that a licensee serve as an officer or participate in a committee or accreditation visits. PDH credits are not earned until the end of each year of service is completed.



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The Rules now also allow for credit to be earned for active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K–12 or higher education students. Licensees are limited to claiming to 3 PDHs annually for this activity.

Compliance with the Continuing Professional Competency requirements is determined through the random CPC audit process. Licensees with questions about the requirements should contact Martha Michalowski at [mmichalowski@ncbels.org](mailto:mmichalowski@ncbels.org).

### **CPC Activity Log**

#### Helpful Tips for Completing a CPC Log

1. Be specific in the description of the course. For example, “Wastewater seminar” is too general.  
“Effective Management of Water and the Wastewater Industry” is a more descriptive title.
2. Do not use general time periods i.e. “ All of 1996”. Be specific about the dates of the courses/activities.
3. Describe each activity/course individually. You can make one entry for a conference or multi-session or multi-day program. When completing Instructor’s/Speaker’s Name and Title or Specific Subject, state various and see attachment. Keep the program material, agenda, etc. so if audited you can submit it with the CPC log. You are not expected to enter each session with each speaker’s name.
4. Indicate whether the specific activity is being claimed to satisfy the Ethics or Rules of Professional Conduct requirement (PE/PLS) or Standards of Practice for Land Surveying (PLS only) requirement [21 NCAC 56.1703].

### **FAQs - Determining Credit**

#### *What types of activities are acceptable for CPC credit?*

In order for a continuing education course or activity to meet the Continuing Professional Competency requirements it must have a purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee’s field of practice.

To uniformly interpret the requirements and provide guidance to licensees, the following attributes serve as indicators that a course or activity complies with the CPC Rules adopted by the Board: (While not all of these attributes are necessary to



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show compliance, there is little question that the intent of the Rules are met if all are met.)

- The licensee can substantiate that the course or activity has maintained, improved or expanded their skills and knowledge relevant to their field of practice.
- The activity will enhance the licensee's ability to provide engineering/surveying services in a professional and competent manner and better protect the health, safety and welfare of the public.
- The subject matter of the course or activity is related to the licensee's professional practice.
- The course or activity is aimed at engineers/surveyors and is of a technical nature.
- Completing courses, seminars, instruction, in-house programs, or training of engineering/surveying content that relate to the licensee's field of practice.
- Attending a technical or professional society meeting when an engineering/surveying topic is presented.
- Except for full-time faculty, teaching a course related to professional practice for the first time or teaching of a course previously taught if substantial time was spent in updating material.
- Completing advanced computer courses to be used in professional practice.
- Completing Internet based, correspondence, televised and audiotape engineering/surveying courses where an examination is required at the end of the course.
- Completing college courses related to the licensee's field of practice.
- Authoring published papers, articles, or books related to the licensee's field of practice.
- Active participation in professional or technical societies, when the licensee was an officer or actively participated in a committee of the organization.
- Patents
- Authoring exam questions accepted for use on the engineering or surveying examinations.

The Board has final authority with respect to approval of courses, PDH value for courses, and methods of earning PDHs.



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*What are some examples of courses/activities that will require acceptable explanation, if audited, of how it maintained, improved, or expanded the skills and knowledge relevant to the licensee's field of practice?*

- Business (unrelated to the practice of engineering/surveying)
- Accounting
- General office management
- Leadership
- Continuing education related to other licenses, professions and trades (e.g. real estate, home inspector, contractor, etc.) unless clearly applicable to engineering/surveying
- Language

*What types of courses or activities are not acceptable for CPC credit?*

- Executive Coaching
- Estate or financial planning
- Basic computer/software (e.g. Word, Excel, Access, PowerPoint, Outlook, etc.)
- Sight-seeing and tours
- Visiting vendor/exhibitor displays
- Sales presentations or sales seminars (e.g. increasing sales, maximizing profitability, marketing, etc.)
- Self-study
- Personal improvement
- General business meetings
- Regular employment activities
- Research
- Company procedure and policy workshops

*Do online courses qualify for CPC credit?*

Yes, online courses qualify for CPC credit provided an exam is required for completion. No exam is required for attendance at a webinar presentation if attendance is documented.

*Can I audit a college engineering or surveying course for CPC credit?*

The Board allows licensees to claim up to 30 PDHs for auditing a college level engineering or surveying course provided the licensee can provide evidence they've done the course work if requested by the Board and provide documentation from the



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college or university that the course was audited. The number of hours claimed is based upon contact hours, with the limit being 30 for the course.

### **FAQs - Record keeping and reporting PDHs**

*Do I need to keep a log and certificates or other evidence?*

Yes, the Board requires you to maintain both.

*Does the Board keep a record of my PDHs?*

Yes, the Board keeps a record of the PDHs reported when licenses are renewed. However the Board does not maintain a record of specific CPC activities for the licensee.

*Do I need to keep the documentation from the courses I attend?*

The licensee shall maintain records to be used to support credits claimed. Records required include a log showing the type of activity claimed, sponsoring organization, location, duration, instructor or speaker's name, and PDH credits earned. The licensee shall also maintain attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance.

*How long do I need to keep my CPC logs and documentation?*

CPC records are to be maintained for three years.

*Do I need to send documentation of PDHs earned when I renew?*

No, you are not required to submit documentation when you renew. You should keep the documentation in case you are audited.

*Do I have to fill out a new entry on the CPC log for each session I attend at a conference that has multiple sessions or is a multi-day program?*

No, you can make one entry for the entire program. When completing Instructor's/Speaker's Name and Title or Specific Subject, state various and see attachment. Keep the program material, agenda, etc. so if audited you can submit it with the CPC log. You are not expected to enter each session with each speaker's name.

*Do I have to use the CPC log provided on Board's web site?*





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No, you may use any type of log as long as it contains the information required by Board Rule 21-56.1706(1).

*Do I have to use the CPC log under the Licensee's Only section of the web site?*

No, this is strictly a record keeping option for your use only. This information does not populate the database. There is a PRINT PREVIEW button to open the log and email the attachment to the Board if audited.

**Sample CPC Activity Log**

(see next page)



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**CONTINUING PROFESSIONAL COMPETENCY ACTIVITY LOG**

LICENSEE'S NAME: John Sperry, PE LICENSE NUMBER: 099999

YEAR EARNED: 2023

TOTAL PDHs EARNED: 15

Date:	01/20/2023
Sponsoring Organization Name:	Continuing Education Partners
Instructor's/Speaker's Name:	Stephan Wilder, PE
Location:	online
Title or Specific Subject:	Ethics in the Practice of Engineering
Type of Activity:	webinar
Duration:	1 hour
PDHs Earned:	1
Indicate whether the specific activity is being claimed to satisfy the Ethics or Rules of Professional Conduct requirement (PE/PLS) or Standards of Practice for Land Surveying (PLS only) requirement [21 NCAC 56.1703].	<input checked="" type="checkbox"/> Ethics or Rules of Professional Conduct <input type="checkbox"/> Standards of Practice for Land Surveying

Date:	01/29/2023-01/30/2023
Sponsoring Organization Name:	Boulder Cement Company, LLC
Instructor's/Speaker's Name:	Martin Shuemaker, PE
Location:	Raleigh, NC
Title or Specific Subject:	New Bridge Construction
Type of Activity:	Seminar
Duration:	14 hours
PDHs Earned:	14
Indicate whether the specific activity is being claimed to satisfy the Ethics or Rules of Professional Conduct requirement (PE/PLS) or Standards of Practice for Land Surveying (PLS only) requirement [21 NCAC 56.1703].	<input type="checkbox"/> Ethics or Rules of Professional Conduct <input type="checkbox"/> Standards of Practice for Land Surveying



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**Helpful References**

North Carolina Board of Examiners for Engineers and Surveyors

General Website:	<a href="https://www.ncbels.org/">https://www.ncbels.org/</a>
Licensee Portal.:	<a href="https://www.memberbase.com/ncbelsindividual/login.aspx">https://www.memberbase.com/ncbelsindividual/login.aspx</a>
License Renewal:	<a href="https://www.memberbase.com/ncbelsIndividual/Login.aspx?ReturnUrl=%2FncbelsIndividual%2Fdefault.aspx">https://www.memberbase.com/ncbelsIndividual/Login.aspx?ReturnUrl=%2FncbelsIndividual%2Fdefault.aspx</a>
Cont. Education:	<a href="https://www.ncbels.org/continuing-education/individuals/">https://www.ncbels.org/continuing-education/individuals/</a>
Guidance Docs:	<a href="https://www.ncbels.org/general-info/policies-guidelines/">https://www.ncbels.org/general-info/policies-guidelines/</a>
Laws & Rules:	<a href="https://www.ncbels.org/general-info/rules-laws/">https://www.ncbels.org/general-info/rules-laws/</a>
NCGS 89C:	<a href="http://www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_89C">www.ncleg.gov/EnactedLegislation/Statutes/HTML/ByChapter/Chapter_89C</a>
21 NCAC 56:	<a href="http://reports.oah.state.nc.us/ncac.asp">http://reports.oah.state.nc.us/ncac.asp</a>

National Council of Examiners for Engineering and Surveying (NCEES) (2024) “Model Rules”. [https://ncees.org/wp-content/uploads/2024/01/Model\\_Rules\\_January-2024\\_web.pdf](https://ncees.org/wp-content/uploads/2024/01/Model_Rules_January-2024_web.pdf)

National Society of Professional Engineers (NSPE) (2023) “NSPE Position Statement No. 10-1778 - Responsible Charge”. <https://www.nspe.org/resources/issues-and-advocacy/professional-policies-and-position-statements/responsible-charge>