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Oklahoma Laws and Rules for Engineers

by

Mark Ludwigson



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Course Outline:

Oklahoma Statutes
59 O.S. 475
Oklahoma Administrative Code
OAC 245:15
State Board
Practice of Professional Engineering
Responsible Charge
Area of Practice
Structural Engineering
Professional Conduct
Sign and Seal Requirements
Continuing Education
Helpful References
Examination

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Oklahoma Statutes

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



Passed bills from each legislative session are published in Session Laws which are not integrated into existing laws and difficult to utilize. Next, the laws are added to the *Oklahoma Statutes* in the appropriate locations with seamless numbering. Replaced or repealed statutes are removed from the collection. The *Oklahoma Statutes* are the official codified collection of state laws, and are often cited as O.S. or OK Stat.



The O.S. contains 85 titles covering a variety of subjects. Title 59, Chapter 475 (cited as 59 O.S. 475) has statutes with relevance to engineering. The organization is as follows:

- Title 59: Professions And Occupations
 - Chapter 475: Engineering and Land Surveying

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



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59 O.S. 475

The law dedicated to the practice of engineering is 59 O.S. 475 or OK Stat. §59-475. It contains general requirements for engineers and surveyors. It also gives authority to the *Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors* (Board) to enact the laws and manage licensing. The following is the contents of 59 O.S. 475, with **bold** sections being of particular importance for practicing professional engineers.

Chapter 475: Engineering and Land Surveying

- §59-475.1. Registration as engineer or land surveyor - Privilege.**
- §59-475.2. Definitions.**
- §59-475.3. State Board of Licensure for Professional Engineers and Land Surveyors.
- §59-475.4. Qualifications of Board members.
- §59-475.6. Removal of Board members - Vacancies.
- §59-475.7. Meetings - Officers - Quorum.
- §59-475.8. Powers and authority of Board.
- §59-475.9. Professional Engineers and Land Surveyors Fund - Expenditures - Audits.
- §59-475.10. Record of proceedings and applications - Evidentiary use - Annual reports - Confidentiality.
- §59-475.11. Rosters.
- §59-475.12a. Licensure or certification as professional engineer.
- §59-475.12b. Licensure or certification as professional land surveyor.
- §59-475.12c. Qualifications to use title Professional Structural Engineer.**
- §59-475.13. Application form - Certified council record in lieu of form - Fees.
- §59-475.14. Examinations.
- §59-475.15. Certificate of licensure - Seal - Intern certificate.**
- §59-475.16. Terms of certificates – Maintaining certificates.**
- §59-475.17. Lost or destroyed certificates - Replacement.
- §59-475.18. Disciplinary actions - Grounds - Rules of Professional Conduct – Definitions.**
- §59-475.19. Allegations of violations - Notice and hearing - Appeal.
- §59-475.20. Criminal and administrative penalties - Legal counsel.
- §59-475.21. Condition for practice of engineering or land surveying by firm.**
- §59-475.22. Exceptions.**
- §59-475.22a. Land surveying documents - Conditions of filing.
- §59-475.40. Design professionals--Peer review reports--Privileged information--Immunity from civil liability**

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Oklahoma Administrative Code

State laws are often high-level and lack details required for implementation. The Oklahoma Legislature delegates state agencies to manage the implementation of laws and to create rules and regulations that complement the laws. The compilation of agency regulations is called the *Oklahoma Administrative Code* or *Oklahoma Administrative Rules*, often abbreviated as OAC, Okla. Admin. Code or Ok Reg. The regulations are enforceable just like state laws.



The OAC has titles numbered from 1 to 810, each for a different agency (department, division, district, board, council, authority, or commission). Professional engineering is covered by Title 245, with Chapter 2 related to the operation of the Board, and Chapter 15 covering the licensure and the practice of engineering and surveying.

- Title 245: State Board of Licensure for Professional Engineers and Land Surveyors
 - Chapter 2: Administrative Operations
 - Chapter 15: Licensure and Practice of Professional Engineers and Land Surveyors

The Board can make edits to the regulations in Title 245, Chapter 15 (cited as OAC 245:15), provided nothing contradicts the state statutes.

Note that there are separate boards and separate rules for architects, landscape architects, and geologists.



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OAC 245:15

The following are the contents of OAC 245:15 with important sections in **bold** being of particular importance for practicing professional engineers.

Chapter 15 - Licensure and Practice of Professional Engineers and Land Surveyors

1 - General Provisions

3 - Application and Eligibility for Licensure

5 - Examinations

7 - Licensure

9 - Rules of Professional Conduct

11 - Continuing Education

13 - Minimum Standards for the Practice of Land Surveying

15 - Ethical Marketing of Services

17 - Licensee's Seal

19 - Organizational Practice

21 - Corner Perpetuation And Filing Act Requirements

23 - Violations

Appendix A - Registrant's Seal



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State Board

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

The Board oversees over 11,000 professional engineers. The board is given authority to manage and further regulate professional engineering. The Board can make modifications to OAC 245:15.



Board Website

The board website (<https://www.ok.gov/pels/>) contains the following relevant topic pages:

- Board Meeting Agenda
- Significant Structures Definition
- Continuing Education
- OKPELS Position Statement: Medical Marijuana Facilities
- Declaring Disciplines of Engineering Form
- Fee Waiver for Low-Income Individual
- Seal Samples - PE and PLS
- Criminal Disqualifications
- License Search
- Applicants
- Statutes
- Administrative Rules
- The Board's Bulletin
- Oklahoma State Fire Marshal Medical Marijuana Facilities Guidebook
- The Path to Compliance Articles
- Links
- Contact Us



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Board Newsletters

The Board issues Newsletters on average once a year. The following image shows the cover page with contents for the April 2024 issue.

THE BOARD'S BULLETIN
A PUBLICATION FOR LICENSEES OF THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

BOARD MEMBERS
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Oklahoma City
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Joe A. Cardenas, P.E.
Edmond
Patrick L. Adams, Public Member
Edmond
Kathy Hart, Executive Director
Newsletter Editor

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OKLAHOMA
Volume 35
Issue 90

APRIL 2024



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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:

59 O.S. 475

§59-475.1. Registration as engineer or land surveyor - Privilege.

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 to practice or to offer to practice engineering or land surveying in this state, as defined in the provisions of Section 475.1 et seq. of this title, or to use in connection with any name or otherwise assume or advertise any title or description tending to convey the impression that any person is an engineer, professional engineer, professional structural engineer, land surveyor or professional land surveyor, unless such person has been duly licensed or authorized under the provisions of Section 475.1 et seq. of this title. The practice of engineering or land surveying shall be deemed a privilege granted by the state through the State Board of Licensure for Professional Engineers and Land Surveyors, based on the qualifications of the individual as evidenced by a certificate of licensure, which shall not be transferable.

§59-475.2. Definitions.

1. "Engineer" means 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, after meeting the requirements of Section 475.1 et seq. of this title and the regulations issued by the Board pursuant thereto, to engage in the practice of engineering;
2. "Professional engineer" or "P.E." means a person who has been duly licensed as a professional engineer as provided in Section 475.1 et seq. of this title and the regulations issued by the Board pursuant thereto;



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3. "Professional Structural Engineer", "P.E.", "S.E." or "S.E." means an individual who has been duly licensed as a professional engineer by the Board, and who has been further authorized by the Board to use the title Professional Structural Engineer, P.E. S.E., or S.E., and perform structural engineering analysis and design services for significant structures based upon education, experience and examinations as described in subsection D of Section 11 of this act. For purposes of this definition, the term "significant structures" may be defined by Board rule; provided, however, such definition shall not include any structure that is a residential structure;

4. "Engineer intern" or "E.I." means a person who complies with the requirement for education and has passed an examination in the fundamental engineering subjects, as provided in Section 475.1 et seq. of this title and the regulations issued by the Board pursuant thereto;

5. "Practice of engineering" means any service or creative work requiring engineering education, training and experience in the application of engineering principles and the interpretation of engineering data to engineering activities that may impact the life, health, property and welfare of the public. The services may include, but are not limited to, such services or creative work as:

- a. consultation,
- b. investigation,
- c. evaluation,
- d. planning and design of engineering works and systems,
- e. planning the engineering use of land and water,
- f. teaching of advanced engineering subjects or courses related thereto,
- g. engineering research,
- h. engineering surveys,
- i. engineering studies,
- j. engineering reports,
- k. written engineering opinions,
- l. the inspection or review of construction for the purposes of ensuring compliance with drawings and specifications, and
- m. engineering reports or like material developed in connection with expert witness testimony or anticipated testimony,



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any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, projects, communication systems, transportation systems and industrial or consumer products or equipment of a mechanical, electrical, chemical, environmental, hydraulic, pneumatic, thermal, control system or communications nature, insofar as they involve safeguarding life, health or property, and including such other professional services as may be necessary to the design review and integration of a multidiscipline work, planning, progress and completion of any engineering services.

Design review and integration includes the design review and integration of those technical submissions prepared by others, including as appropriate and without limitation, engineers, architects, landscape architects, land surveyors, and other professionals working under the direction of the engineer. The definition of design review and integration by engineers does not restrict the services other licensed professional disciplines are authorized to offer or perform by statute or regulation.

Engineering surveys include all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects, but exclude the surveying of real property for the establishment of land boundaries, rights-of-way, easements and the dependent or independent surveys or resurveys of the public land survey system.

A person or entity shall be construed to practice or offer to practice engineering, within the meaning and intent of Section 475.1 et seq. of this title who does any of the following: practices any branch of the profession of engineering; by verbal claim, sign, advertisement, letterhead, card or in any other way represents such person to be a professional engineer or through the use of some other title implies that any person is a professional engineer or is licensed or qualified under Section 475.1 et seq. of this title; or who represents qualifications or ability to perform or who does practice engineering;

6. "Professional land surveyor" or "land surveyor" or "P.L.S." means a person who has been duly licensed as a professional land surveyor pursuant to Section 475.1 et seq. of this title and the regulations issued by the Board pursuant thereto; and is a person who, by reason of special knowledge in the technique of measuring land and use of the basic principles of mathematics, the related physical and applied sciences



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and the relevant requirements of law for adequate evidence and all requisite to surveying of real property, acquired by education and experience, is qualified to engage in the practice of land surveying;

7. "Land surveyor intern" or "L.S.I." means a person who complies with the requirement for education and has passed an examination in the fundamental land surveying subjects, as provided in Section 475.1 et seq. of this title and regulations issued by the Board pursuant thereto;

8.a. "Practice of land surveying" means any authoritative service or work performed to a stated accuracy, the adequate performance of which involves the application of special knowledge of the principles of mathematics, methods of measurement, and the law for the determination and preservation of land boundaries. "Practice of land surveying" includes, without limitation:

- (1) restoration and rehabilitation of corners and boundaries in the United States Public Land Survey System or the subdivision thereof,
- (2) obtaining and evaluating evidence for the accurate determination of land boundaries,
- (3) monumenting the subdivision of land parcels into smaller parcels and the preparation of the descriptions in connection therewith,
- (4) measuring and platting underground mine workings,
- (5) creation, preparation or modification of electronic or computerized data including portions of geographic information systems and land information systems, relative to the performance of the practice of land surveying,
- (6) establishment, restoration, and rehabilitation of land survey monuments and bench marks,
- (7) preparation of land survey plats, condominium plats, monument records, and survey reports,
- (8) surveying, monumenting, and platting of easements, and rights-of-way,
- (9) measuring, locating, or establishing lines, angles, elevations, natural and man-made features in the air, on the surface of the earth, within underground workings, and on the beds of bodies of water for the purpose of determining areas and volumes for a survey, the configuration or contour of the earth's surface, or the position of fixed objects on the earth's surface,
- (10) geodetic surveying,
- (11) any other activities incidental to and necessary for the adequate performance of the services described in this paragraph, and



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(12) surveying reports or like material developed in connection with expert witness testimony or anticipated testimony.

b. A person or entity shall be construed to practice or offer to practice land surveying, within the meaning and intent of Section 475.1 et seq. of this title who does any one of the following: practices any branch of the profession of land surveying; by verbal claim, sign, advertisement, letterhead, card or in any other way represents such person to be a professional land surveyor or through the use of some other title implies that such person or entity is a professional land surveyor or that such person is registered, licensed, or qualified under Section 475.1 et seq. of this title; represents qualifications or ability to perform; or who does practice land surveying;

9. "Board" means the State Board of Licensure for Professional Engineers and Land Surveyors;

10. "Responsible charge" means direct control and personal supervision of engineering or land surveying work;

11. "Rules of professional conduct for professional engineers and professional land surveyors" means those rules promulgated by the Board;

12. "Firm" means any form of business or entity, other than an individual operating as a sole proprietorship under his or her name;

13. "Direct control" and "personal supervision" whether used separately or together mean active and personal management of the firm's personnel and practice to maintain charge of, and concurrent direction over, engineering or land surveying decisions and the instruments of professional services to which the licensee affixes the seal, signature, and date;

14. "Core curriculum" means the Board-approved land surveying courses adopted by Board policy, developed to ensure that professional land surveyor applicants meet the minimum educational requirements for licensure;

15. "Related science degree" means a bachelor's degree from an Engineering Technology Accreditation Commission/Accreditation Board for Engineering and Technology (ETAC/ABET) accredited engineering technology program of four (4) years or more. A degree of four (4) years or more in architecture, mathematical,



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physical or engineering sciences may be considered as a related science degree if it was obtained from a Board-approved program, and shall include a minimum of eight (8) hours of mathematics beyond trigonometry, including calculus, and twenty (20) hours of engineering sciences or related sciences, including physics. Non-accredited engineering degree programs shall meet the above requirements to be considered a related science degree;

16. "Authoritative" means being presented as trustworthy and competent when used to describe products, processes, applications or data resulting from the practice of engineering or land surveying; and

17. "Disciplinary action" means any final written decision or settlement taken against an individual or firm by a licensing board based upon a violation of the Board's laws and rules.

§59-475.15. Certificate of licensure - Seal - Intern certificate.

A. The Board shall issue to any applicant who, in the opinion of the Board, has met the requirements of Section 475.1 et seq. of this title, a certificate of licensure giving the licensee proper authority to practice in this state. The certificate of licensure for a professional engineer shall carry the designation "Professional Engineer" and for a professional land surveyor, "Professional Land Surveyor". It shall give the full name of the licensee with the 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 thereon is entitled to all rights, privileges and responsibilities of a professional engineer or professional land surveyor, while the certificate remains unrevoked and unexpired.

C. Each licensee hereunder may, upon licensure, obtain a seal, the design and use of which are described in Board rules. It shall be unlawful for a licensee to affix, or permit his or her seal or signature to be affixed, to any document after the expiration or revocation of a license, or for the purpose of aiding or abetting any other person to evade or attempt to evade any provision of Section 475.1 et seq. of this title. Whenever the seal is applied, the document must be signed by the licensee thereby certifying that he or she is competent in the subject matter and was in responsible charge of the work product. Documents must be sealed and signed in accordance



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with the Board rules whenever presented to a client, a user or any public or governmental agency. Whenever the seal is applied, the signature of the licensee and date of signature shall be placed adjacent to or across the seal. Drawings, reports or documents that are signed using a digital or electronic signature must be done in a manner that is in direct control and personal supervision of the professional engineer or professional land surveyor and must conform to the specifications in the Board rules regarding digital or electronic signatures.

D. A professional engineer, professional land surveyor or firm shall retain a hard copy or electronic copy of all technical submissions produced for a minimum of ten (10) years following the date of preparation.

E. The Board shall issue to any applicant who, in the opinion of the Board, has met the requirements of Section 475.1 et seq. of this title, a certificate as an engineer intern or land surveyor intern which indicates that his or her name has been recorded as such in the Board office. The engineer intern or land surveyor intern certificate does not authorize the holder to practice as a professional engineer or professional land surveyor.

§59-475.16. Terms of certificates – Maintaining certificates.

A. The Board shall issue certificates of licensure and certificates of authorization for firms for a term of twenty-four (24) months.

B. It shall be the duty of the Executive Director to notify every person licensed under Section 475.1 et seq. of this title, and every firm holding a certificate of authorization under Section 475.1 et seq. of this title, of the date of the expiration of the certificate of licensure or certificate of authorization, and the amount of the fee required for its renewal.

C. Renewal may be effected at any time prior to or during the month of expiration by the payment of a fee as established by the Board. Renewal of an expired certificate may be effected under rules promulgated by the Board regarding requirements for reexamination and penalty fees.

D. If a licensee is granted inactive status, the licensee may return to active status by notifying the Board in advance of his or her intention, by paying appropriate fees and



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by meeting all requirements of the Board, including demonstration of continuing professional competency as a condition of reinstatement.

E. Every licensee is required to comply with the Board's rules regarding continuing education or meet the Model NCEES Continuing Professional Competency standard requirement, which is equivalent to fifteen (15) professional development hours per calendar year with no allowable carryover, as a condition of license renewal.

§59-475.22. Exceptions.

Section 475.1 et seq. of this title shall not be construed to prevent:

1. Other professions. The practice of any other legally recognized profession;
2. Temporary license:
 - a. Professional engineer. The practice or offer to practice engineering by a person not a resident of or having no established place of business in this state is allowed; provided, such person is legally qualified by licensure to practice engineering, as defined in Section 475.2 of this title, in the applicant's resident state or jurisdiction and who has made application for licensure to this Board. Such person shall make application for temporary license to the Board, in a manner prescribed by the Board. After payment of a temporary license fee, a written license may be granted to perform a particular job for a definite period of time, to expire at the earliest issuance of a professional engineering license by this Board. Further, such person shall not have been disciplined in any jurisdiction by a Board of licensure for engineering, land surveying or architecture, and shall not have been convicted in any jurisdiction of a felony. Further, such person shall submit a complete permanent professional engineer application to the Board within thirty (30) days of the date of issuance of the temporary license with all required properly completed forms and fees. Failure to submit a permanent professional engineer application for Board consideration within the designated thirty-day time period may be considered a violation of Section 475.1 et seq. of this title and Board rules. No right to practice engineering shall accrue to such applicant by reason of a temporary license for any works not set forth in the license, and



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b. Professional land surveyor. The practice of land surveying under a temporary permit by a person licensed as a professional land surveyor in another state is not considered to be in the best interest of the public and therefore shall not be granted;

3. Employees and subordinates. The work of an employee or a subordinate of a person holding a certificate of licensure under Section 475.1 et seq. of this title, or an employee of a person practicing lawfully under paragraph 2 of this section is allowed; provided, such work does not include final engineering or land surveying designs or decisions and is done under the direct supervision of and verified by a person holding a certificate of licensure under Section 475.1 et seq. of this title or a person practicing lawfully under paragraph 2 of this section;

4. Material takeoff. Providing a list of material derived from measuring and interpreting a set of blueprints or plans, otherwise known as a "material takeoff" or advising a person on such a "material takeoff" shall not constitute the practice of engineering; and

5. A person shall not be construed to practice or offer to practice land surveying, within the meaning and intent of Section 475.1 et seq. of this title, who merely acts as an agent of a purchaser of land surveying services. Agents of a purchaser of land surveying services include, but are not limited to, real estate agents and brokers, title companies, attorneys providing title examination services, and persons who or firms that coordinate the acquisition and use of land surveying services. The coordination of land surveying services includes, but is not limited to, sales and marketing of services, discussion of requirements of land surveys, contracting to furnish land surveys, review of land surveys, the requesting of revisions of land surveys, and making any and all modifications to surveys with the written consent of the professional land surveyor, and furnishing final revised copies to the professional land surveyor showing all revisions, the distribution of land surveys and receiving payment for such services. These actions do not constitute the practice of land surveying, and do not violate any part of Sections 475.1 through 475.22a of this title or the bylaws and rules of the Board.

§59-475.40. Design professionals--Peer review reports--Privileged information--Immunity from civil liability

A. As used in this section:



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1. "Design profession" means the practice of architecture, landscape architecture, land surveying or engineering;
2. "Design professional" means an architect, landscape architect, land surveyor or professional engineer or a business entity authorized to practice one or more of the design professions specified in paragraph 1 of this subsection;
3. "Architect" shall have the same meaning ascribed to such term in Section 46.3 of Title 59 of the Oklahoma Statutes;
4. "Landscape architect" shall have the same meaning ascribed to such term in Section 46.3 of Title 59 of the Oklahoma Statutes;
5. "Land surveyor" shall have the same meaning ascribed to such term in Section 475.2 of Title 59 of the Oklahoma Statutes;
6. "Professional engineer" shall have the same meaning ascribed to such term in Section 475.2 of Title 59 of the Oklahoma Statutes;
7. "Lessons learned" means any internal meeting, class, publication in any medium, presentation, lecture or other means of teaching and communicating after substantial completion of the project which is conducted solely and exclusively by and with the employees, partners, consultants and coworkers of the design professional who prepared the project's design for the purpose of learning best practices and reducing errors and omissions in design documents and procedures;
8. "Peer review" or "peer review process" means any of the following functions:
 - a. evaluating and improving the design, drawings specifications or quality of services rendered by a design professional,
 - b. evaluating the design, construction, procedures and results of improvements to real property based upon services rendered by a design professional during or after completion of such improvements, or
 - c. preparing an internal lessons-learned review of any project or services rendered for the purpose of improving the quality of services rendered by a design professional; and
9. "Peer reviewer" or "peer review committee" means an individual design professional or a committee of design professionals retained, employed, designated or appointed by:
 - a. a state, county or local society of design professionals, or
 - b. the board of directors, chief executive officer, quality control director, risk manager or employed design professional of a business entity authorized to



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practice one or more of the design professions specified in paragraph 1 of this subsection.

B. The reports, statements, memoranda, proceedings, findings and other records submitted to or generated by any peer review committee or peer reviewer shall be privileged and shall not be subject to discovery, subpoena or other means of legal compulsion for their release to any person or entity or be admissible in evidence in any judicial or administrative proceeding. Information contained in such records shall not be discoverable or admissible at trial in the form of testimony by an individual who participated in the peer review process.

C. The design professional who retains, employs, designates or appoints the peer reviewer or peer review committee is the holder of the privilege established by this section. This privilege may be claimed by such design professional and shall not be waived as a result of any disclosure by a peer reviewer or peer review committee.

D. A peer review committee or peer reviewer may report to and discuss activities, information and findings with other peer review committees or peer reviewers or to the design professional who retains, employs, designates or appoints the peer reviewer or peer review committee and with any officer, director or quality control director, risk manager or employed design professional thereof without waiver of the privilege provided by subsection B of this section, and the records of all such peer review committees or peer reviewers relating to such report shall be privileged as provided by subsection B of this section.

E. Each peer reviewer and member of a peer review committee shall be immune from civil liability for such acts described in paragraph 8 of subsection A and subsection D of this section, so long as the acts are performed in good faith, without malice and are reasonably related to the scope of inquiry of the peer review process. The immunity in this subsection is intended to cover only outside peer reviews by a third-party design professional who:

1. Is not an employee, coworker or partner of the design professional whose design is being peer reviewed; and
2. Has no other role in the project besides performing the peer review.

OAC 245:15

Section 245:15-1-1 - Purpose

The Rules of Procedure of the Board are set forth for the purpose of interpreting and implementing 59 O.S., Sections 475.1 et seq., establishing the State Board of



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Licensure for Professional Engineers and Land Surveyors and conferring upon it the responsibility for licensing of engineers, land surveyors, engineering and land surveying firms, regulation of the practice of engineering and land surveying, and enforcement of the Statutes. The Rules of Procedure are known and cited as OAC 245.

Section 245:15-1-2 - Terms defined by Statute

Terms defined in 59 O.S., Sections 475.1 et seq. shall have the same meanings when used in this Chapter unless the context or subject matter clearly requires a different interpretation.

Section 245:15-1-3 - Definitions

The following words or terms, when used in the Rules of Procedure, shall have the following meaning, unless the context clearly indicates otherwise. Definitions in 59 O.S. Section 475.2 and 65 O.S. Section 3-118 shall be read together with the definitions and interpretations provided in the Rules of Procedure of the Board.

...

"Certify" or "Certification" or similar expressions relating to engineering or land surveying services shall mean a statement based upon facts and knowledge known to the licensee and is not a guarantee or warranty, either expressed or implied.

...

"Engineering surveys" means all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects, but exclude the surveying of real property for the establishment of land boundaries, rights-of-way, easements and the dependent or independent surveys or resurveys of the public land survey system. Unless a Professional Land Surveyor has provided the Professional Engineer with geocentric/geodetic control coordinates which meet the accuracy standards set forth in OAC 245:15-13-2, the Professional Engineer shall only use a coordinate system based on assumed values for the project, and so state on the documents.

...

"Professional Engineer, Retired" - The term "Professional Engineer, Retired" as used in these rules, shall mean an individual 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 to be granted the use of the title "Professional Engineer, Retired."

...



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"Rules of professional conduct for Professional Engineers and Land Surveyors" means those rules promulgated by the Board.

...

"Signature" means "manual signature" or "digital signature" and shall be defined as follows:

(A) Manual signature means the handwritten name of a person applied to a document that identifies the person, serves as a means of authentication of the contents of the document, provides responsibility for the creation of the document and provides for accountability for the contents of the document.

(B) A digital signature shall carry the same weight, authority, and effects as a manual signature.

...

Section 245:15-7-1 - Certificate of Licensure

(a) Licensure certificates shall be issued to individuals meeting statutory licensure requirements and the current Rules of Procedure of the Board. The certificate will identify the licensee by name and license number, show the effective date, confirm the licensee's qualifications and acknowledge the licensee's right to practice engineering or land surveying, as the case may be, in the State of Oklahoma.

(b) Certificate of Licensure will be issued by the Board for the life of the licensee, subject to powers of renewal, reinstatement, suspension, revocation, penalties, orders or refusal to renew for cause, vested in the Board by the Statutes.

(c) When a professional engineer or land surveyor in good standing desires to retire his or her license, he or she may do so upon application to the Board, subject to reinstatement and continuing education requirements by the Board.

(d) Individuals holding a Certificate of Licensure shall display or maintain it at the licensee's place of practice and be prepared to substantiate biennial license renewal.

(e) Duplicate original Certificates of Licensure will be issued to a licensee provided:

(1) The current license renewal is effective;

(2) The licensee makes written request for a replacement of certificate;

(3) The licensee certifies that the original certificate has been lost, damaged or destroyed; and

(4) The licensee pays the prescribed fee.

(f) Duplicate Certificates of Licensure will be issued for display at multiple places of practice upon a written request and payment of the prescribed fee. However, each duplicate certificate will be marked as such.



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(g) It is the duty of the licensee to notify the Board office, in writing or online, of changes in employment or contact information within 30 days of the change. Failure to properly notify the Board of these changes may be cause for an administrative action.

Section 245:15-7-3 - Biennial licensure required

(a) The Statute requires all Professional Engineers and Professional Land Surveyors desiring to practice in Oklahoma to biennially renew with the Board and pay a biennial licensure renewal fee as prescribed by this Chapter. Notices will be sent to all licensees at the last known physical or e-mail address of record; however, it is the responsibility of each individual licensee to insure the renewal fees and any other required documentation are received by the Board office not later than the renewal date or the renewal process is completed online. The license expires on the last day of the month in which it is due, and becomes invalid on that date unless the renewal fee is paid and other requirements are met. Upon receipt by the Board of the individual's, and if applicable, firm's or entity's properly completed renewal forms, fees and any required forms, the license will be valid. No Certificate of Licensure or Certificate of Authorization will be valid for longer than a two (2) year period, unless otherwise required by law.

(b) Failure to biennially renew and remit renewal fees and penalties where applicable, as prescribed by the Statute and the current Rules of Procedure of the Board will result in the inactivation of the licensee's Certificate of Licensure or the Certificate of Authorization, unless otherwise required by law.

(c) Notices of inactivation will be sent to the last known address of licensees and firms failing to biennially renew and remit renewal fees.



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Responsible Charge

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

59 O.S. 475

§59-475.2. Definitions.

...

10. "**Responsible charge**" means direct control and personal supervision of engineering or land surveying work;

OAC 245:15

Section 245:15-17-2 - Use of seal

...

(b) Licensees must affix their seal, signature and date of signature to documents or drawings which reflect work for which the licensee has **responsible charge**, as defined, including revisions and addenda thereto. In the case when multiple licensees are involved, each sheet in a set of drawings shall contain the seal, signature and date of the licensee responsible. A licensee not practicing as, or through a firm shall also include contact information to include address and phone number.

(c) Regarding professional engineering, the licensee is responsible for meeting and documenting all of the following requirements to be in direct control and personal supervision of the work, whether the work is performed remotely or locally:

- (1) The client requesting preparation of such plans, specifications, drawings, reports, or other documents makes the request directly to the licensee, a managing agent or authorized employee of the licensee's firm; and
- (2) The licensee supervises the preparation of the plans, specifications, drawings, reports, or other documents and has input into their preparation prior to their completion and reviews the final plans, specifications, drawings, reports, or other documents prior to signing and sealing the work; and



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- (3) The licensee has the authority to, and does, make any necessary and appropriate changes to the final plans, specifications, drawings, reports, or other documents prior to signing and sealing the work; and
- (4) A professional engineer who signs and seals work must be capable of answering questions as to the engineering decisions made during the work on the project in sufficient detail as to leave little doubt as to the professional engineer's competence for the work performed.

NSPE

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

NSPE Position Statement No. 10-1778

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



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Areas of Practice

An engineers area of practice (a.k.a. area of competency or discipline) is typically identified through NCEES examination and initial registration. Additional areas of practice can be added by submitting the declaring disciplines form, and as explained below. There are no engineering branches identified on seals, except “structural” as explained in the next section.

Professional engineers should only undertake assignments when qualified by education, examination, or experience in the technical fields involved.

OAC 245:15

Section 245:15-9-4 - Areas of practice

(a) Licensees shall practice only in the areas of their competence and shall undertake assignments only when qualified by education, examination, or experience in the specific technical fields of engineering or land surveying involved. The records of the Board shall indicate a discipline(s) of engineering designated by the license holder and considered by the Board to be their area(s) of competence. All requests relating to listings for area(s) of competency require the review of the Board or its designee and shall include the following:

(1) Original application for licensure. Upon application for licensure, an applicant shall designate a discipline(s) of engineering by providing:

(A) a transcript showing a Board-approved degree(s) in the discipline(s) of engineering; or

(B) a supplementary experience record documenting at least 4 years of experience obtained under the supervision of a professional engineer or in the discipline(s) of engineering and verified by at least one PE reference provider that has personal knowledge of the applicant's qualifying engineering experience; or

(C) verification of successful passage of the examination (s) on the principles and practice of engineering in the discipline(s) of engineering.

(2) Comity application for licensure or current license holder. A comity applicant or current license holder may request that the Board change the primary area of competence or indicate additional areas of competence by providing one or more of the following items:



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(A) a transcript showing an additional degree in the new discipline of engineering other than the degree used for initial licensure; or
 (B) a supplemental experience record documenting at least 4 years of experience obtained under the supervision of a professional engineer in the new discipline(s) of engineering verified by at least one PE reference provider that has personal knowledge of the license holder's qualifying engineering experience; or
 (C) verification of successful passage of the on the principles and practice of engineering in the new discipline.

(b) Licensees shall not affix their signatures, date of signature, or seals to any plans or documents dealing with subject matter in which they lack competence, or areas of competence designated in the official Board records, nor to any plan or document not prepared under their direct control and personal supervision.

(c) Licensees may accept assignments for coordination of an entire project, provided that each design segment is signed, dated, and sealed by a licensee competent to practice in the discipline(s) of engineering and in direct control and personal supervision of that design segment.

(d) In the event a question arises as to the competence of a licensee in a specific technical field which cannot be otherwise resolved to the Board's satisfaction, the Board, either upon request of the licensee or on its own volition, shall admit the licensee to an appropriate examination.

Discipline List from Board

Please choose your discipline(s) from the list below.

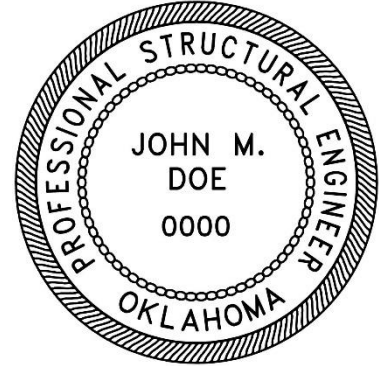
- | | |
|------------------------------|-----------------------------|
| 1. Architectural | 15. Geotechnical |
| 2. Aeronautical | 16. Industrial |
| 3. Agricultural | 17. Manufacturing |
| 4. Biomedical/Bioengineering | 18. Mechanical |
| 5. Ceramic | 19. Metallurgical |
| 6. Chemical | 20. Mining and Mineral |
| 7. Civil | 21. Naval Arch/Marine |
| 8. Construction | 22. Nuclear |
| 9. Control Systems | 23. Petroleum |
| 10. Electrical | 24. Software |
| 11. Engineering Physics | 25. Structural (without SE) |
| 12. Environmental | 26. *Structural (with SE) |
| 13. Fire Protection | 27. Textile |
| 14. Geological | |



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Structural Engineering

Oklahoma has a special designation for structural engineering. A structural engineer (S.E.) is required for the design of "significant structures" as defined below. A structural engineer may choose to have their seal state "Professional Structural Engineer" as shown on the right.



59 O.S. 475

§59-475.2. Definitions.

...

3. "Professional Structural Engineer", "P.E.", "S.E." or "S.E." means an individual who has been duly licensed as a professional engineer by the Board, and who has been further authorized by the Board to use the title Professional Structural Engineer, P.E. S.E., or S.E., and perform structural engineering analysis and design services for significant structures based upon education, experience and examinations as described in subsection D of Section 11 of this act. For purposes of this definition, the term "significant structures" may be defined by Board rule; provided, however, such definition shall not include any structure that is a residential structure;

§59-475.12c. Qualifications to use title Professional Structural Engineer.

...

F. Beginning November 1, 2020, the following shall be considered as minimum evidence for all applicants who wish to apply to the Board for authorization that the applicant is qualified to use the title "Professional Structural Engineer", "P.E., S.E.", "S.E.", or any variation using the "S.E." designation and to perform structural engineering analysis and design services for significant structures:

1. Holds a professional engineer license in good standing in the State of Oklahoma;
2. Successfully completed at least one of the following structural engineering examination paths:
 - a. the NCEES Structural I and Structural II exams taken prior to January 1, 2011,
 - b. an equivalent sixteen-hour state-written examination prior to January 1, 2004,



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- c. the NCEES Structural II exam plus an equivalent eight-hour state-written structural examination prior to January 1, 2011, or
- d. the NCEES sixteen-hour S.E. Examination taken after January 1, 2011; and

3. The record of experience supplied to the Board and verified by reference indicates structural engineering projects or teaching experience equivalent to the years of experience required in paragraph 4 of subsection D of Section 9 of this act, according to the education degree program completed by the applicant.

G. Professional engineers who have indicated in their official board records that they have competence in structural engineering may offer and perform structural engineering services and use the term structural engineer or structural engineering to describe their qualifications or services. However, only licensed professional engineers who have been authorized by this Board to do so may use the title "Professional Structural Engineer", "P.E., S.E.", "S.E.", or any title using the "S.E." designation and to perform structural engineering analysis and design services for significant structures.

H. The Board may adopt rules defining significant structures and establish standards of competence in structural engineering analysis and design relating to seismic or other influences which have a direct impact on the life, health, safety, property and welfare of the public.

OAC 245:15

Section 245:15-1-3 - Definitions

"Significant structures", beginning November 1, 2020, shall mean buildings and other structures that represent a substantial hazard to human life in the event of failure or are designated as essential facilities, including but not limited to:

(A) Buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300,

(B) Elementary schools, secondary schools or day care facilities with an occupant load greater than 50,



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- (C) Adult education facilities, such as colleges and universities, with an occupant load greater than 500,
- (D) Hospitals, nursing homes, mental hospitals and detoxification facilities with an occupant load of 50 or more resident care recipients and/or surgery or emergency treatment facilities,
- (E) Prisons, jails, reformatories, detention centers, correctional centers,
- (F) Any building or other structure with an occupant load greater than 5,000,
- (G) Primary power-generating structures above 50 kilowatts,
- (H) Structures at water treatment facilities for potable water and wastewater treatment facilities serving more than 5,000 people,
- (I) Structures for public utility facilities containing quantities of toxic or explosive materials that are sufficient to pose a threat to the public if released,
- (J) Fire, rescue, ambulance and police stations and emergency vehicle garages,
- (K) Designated tornado, earthquake or other non-residential emergency shelters,
- (L) Designated emergency preparedness, communications and operations centers and other facilities required for emergency response,
- (M) Aviation control towers, air traffic control centers and emergency aircraft hangars,
- (N) Buildings and other structures having critical national defense functions,
- (O) Elevated water storage structures, and
- (P) Buildings and other structures with high lateral loadings including:



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(i) those subjected to ultimate design 3 second wind gust speeds equaling or exceeding wind speeds corresponding to approximately a 3% probability of exceedance in 50 years, or

(ii) those that are in Seismic Design Category D and above.

(Q) "Significant structures" shall exclude bridges and geo-structures. As defined in this document, "bridges" will not include elevated structures linking buildings. "Geo-structures" shall mean engineered structures that are loaded by the earth or whose resistance is derived from the earth. A project defined as a "Significant structure" for which a permit has not been applied for or granted as of October 31, 2020, shall be required to have an engineer of record who is a licensed Professional Structural Engineer. Beginning November 1, 2020, all new projects defined as "significant structures", shall require an Oklahoma Licensed Professional Structural Engineer to be the engineer of record.

Section 245:15-17-1 - Licensee's seal

...

(f) Licensed "Professional Structural Engineers" may obtain an additional seal and use the word "Professional Structural Engineer" in lieu of "Licensed Professional Engineer" to use when sealing structural engineering projects, whether or not the work requires the seal of a Professional Structural Engineer. All other work lawfully performed by the Professional Structural Engineer in other disciplines of engineering shall be signed and sealed using the seal which states "Licensed Professional Engineer". Work defined as a "significant structure" shall be sealed with a "Professional Structural Engineer" seal, and/or signed with the designation "P.E., S.E." following the signature.



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Professional Conduct

The following laws and rules help define professional conduct and rules of professional responsibility.

59 O.S. 475

§59-475.18. Disciplinary actions - Grounds - Rules of Professional Conduct – Definitions.

A. As provided in subsections A and B of Section 475.8 of this title, the Board shall have the power to deny, place on probation, suspend, revoke or refuse to issue a certificate or license, or fine, reprimand, issue orders, levy administrative fines or seek other penalties, if a person or entity is found guilty of:

1. Any fraud or deceit in obtaining or attempting to obtain or renew a certificate of licensure, or a certificate of authorization or in taking the examinations administered by the Board or its authorized representatives;
2. Any fraud, misrepresentation, gross negligence, gross incompetence, misconduct or dishonest practice, in the practice of engineering or land surveying;
3. Conviction of or entry of a plea of guilty or nolo contendere to a felony crime that substantially relates to the practice of engineering or land surveying and poses a reasonable threat to public safety; or conviction of or entry of a plea of guilty or nolo contendere to a misdemeanor, an essential element of which is dishonesty or is a violation of the practice of engineering or land surveying;
4. Failure to comply with any of the provisions of Section 475.1 et seq. of this title or any of the rules or regulations pertaining thereto;
5. Disciplinary action, including voluntary surrender of a professional engineer's or professional land surveyor's license in order to avoid disciplinary action by another state, territory, the District of Columbia, a foreign country, the United States government, or any other governmental agency, if at least one of the grounds for discipline is the same or substantially equivalent to those contained in this section;
6. Failure, within thirty (30) days, to provide information requested by the Board or its designated staff as a result of a formal or informal complaint to the Board which would indicate a violation of Section 475.1 et seq. of this title;



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7. Knowingly making false statements or signing false statements, certificates or affidavits;
8. Aiding or assisting another person or entity in violating any provision of Section 475.1 et seq. of this title or the rules or regulations pertaining thereto;
9. Violation of any terms imposed by the Board, or using a seal or practicing professional engineering or professional land surveying while the professional engineer's license or professional land surveyor's license is suspended, revoked, nonrenewed, retired or inactive;
10. Signing, affixing the professional engineer's or professional land surveyor's seal, or permitting the professional engineer's or professional land surveyor's seal or signature to be affixed to any specifications, reports, drawings, plans, design information, construction documents, calculations, other documents, or revisions thereof, which have not been prepared by, or under the direct control and personal supervision of the professional engineer or professional land surveyor in responsible charge;
11. Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud, harm or endanger the public;
12. Providing false testimony or information to the Board;
13. Habitual intoxication or addiction to the use of alcohol or to the illegal use of a controlled dangerous substance;
14. Performing engineering or surveying services outside any of the licensee's areas of competence or areas of competence designated in the official Board records;
15. Violating the Oklahoma Minimum Standards for the Practice of Land Surveying; and
16. Failing to obtain the required professional development hours, as approved by the Board, Board staff or Continuing Education Committee as required by an audit.

B. The Board shall prepare and adopt Rules of Professional Conduct for Professional Engineers and Professional Land Surveyors as provided for in Section 475.8 of this title, which shall be made available in writing to every licensee and applicant for licensure under Section 475.1 et seq. of this title. The Board may revise and amend these Rules of Professional Conduct for Professional Engineers and Professional Land Surveyors and shall notify each licensee, in writing, of such revisions or amendments.



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C. Principals of a firm who do not obtain a certificate or authorization for the firm as required by Section 475.1 et seq. of this title may be subject to disciplinary action.

D. As used in this section:

1. "Substantially relates" means the nature of criminal conduct for which the person was convicted has a direct bearing on the fitness or ability to perform one or more of the duties or responsibilities necessarily related to the occupation; and
2. "Poses a reasonable threat" means the nature of criminal conduct for which the person was convicted involved an act or threat of harm against another or has a bearing on the fitness or ability to serve the public or work with others in the occupation.

OAC 245:15

Section 245:15-9-1 - Purpose; scope; applicability

To safeguard life, health, safety, and property, to promote the public welfare, and to establish and to maintain integrity and high standards of skill and practice in the engineering and surveying professions, the Rules of Professional Conduct in this subchapter shall be binding upon every licensee and on all firms authorized to offer or perform engineering or land surveying services in Oklahoma.

Section 245:15-9-3 - Responsibility to the public

(a) Licensees shall at all times recognize their primary responsibility is to safeguard the health, property, safety, and public welfare when performing services for clients and employers.

(b) Licensees shall sign, date, and seal only those design documents and surveys which conform to accepted engineering or land surveying standards and that safeguard the life, health, property and welfare of the public.



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(c) Licensees shall not reveal facts, data or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which they serve except as authorized or required by law or rules.

(d) Licensees shall not partner, practice, or offer to practice, or permit the use of their name or firm name nor associate in business ventures with any person or firm which they know, or have reason to believe, is engaging in fraudulent or dishonest business or professional practices.

(e) Licensees should make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, property or welfare of the public, unless such reporting is legally prohibited. The licensee shall report this matter to the Board for investigation if it is not resolved.

(f) Licensees who have knowledge or reason to believe that any person or firm has violated any of these "Rules of Professional Conduct" or any other provision of Title 59 O.S., Sec. 475.1 et seq, Title 65 O.S. Sec 3.116 et seq, or the rules of this Board, should report it to the Board, may report it to appropriate legal authorities, and shall cooperate with the Board and those authorities as may be requested.

(g) Licensees shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled under circumstances where the life, health, property, or welfare of the public is endangered.

Section 245:15-9-5 - Public statements

Licensees shall issue public statements only in an objective and truthful manner.

(1) Licensees shall, to the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements and testimony.

(2) Licensees shall express a professional opinion publicly only when that opinion is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter.



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(3) Licensees shall issue no statements, criticisms or arguments on engineering and surveying matters which are inspired or paid for by interested parties, unless they explicitly identify the interested parties on whose behalf they are speaking, and reveal any interest they have in the matters.

(4) Licensees shall not knowingly provide false or incomplete information regarding an applicant in obtaining licensure.

(5) Licensees shall comply with the licensing laws and rules governing their professional practice in each of the jurisdictions in which they practice.

Section 245:15-9-6 - Conflict of interest

Licensees shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest.

(1) Licensees shall make full prior disclosures to their employers or clients of all known or potential conflicts of interest or other circumstances which could influence or appear to influence their judgment or the quality of their services.

(2) Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project unless the circumstances are fully disclosed to, and agreed to, in writing by all parties who compensate the licensee. Compensation shall be deemed anything of value and shall not be limited to the payment of money.

(3) Licensees shall not solicit or accept financial or other valuable consideration, directly or indirectly, from any party, including contractors, suppliers, manufacturers, distributors, or an agent of any party in consideration for specifying or influencing others to use or select services, products, or processes in connection with work for which the licensee is responsible or work undertaken by a firm or entity in which licensee is an employee, officer, director, or owner.

(4) Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall



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not participate in decisions with respect to professional services offered or provided by said concern to the governmental body which they serve.

(5) Political contributions made in excess of legal limits shall be considered a violation of these Rules of Professional Conduct.

(6) Licensees shall not use confidential information received in the course of their assignments as a means of making personal profit without the consent of the party from whom the information was obtained.

Section 245:15-9-7 - Solicitation of work

Licensees shall avoid improper solicitation of professional employment.

(1) Licensees shall not falsify or permit misrepresentation of their, or their associates', academic or professional qualifications. They shall not misrepresent or exaggerate their degree of participation or responsibility in prior assignments nor the complexity of said assignments. Brochures or other presentations incident to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or past accomplishments.

(2) Licensees shall not offer, give, solicit or receive, either directly or indirectly, any commission, or gift, or other valuable consideration in order to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.

(3) Licensees shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other licensees, nor indiscriminately criticize other licensees' work.

Section 245:15-23-1 - Prima facie evidence

(a) A person, firm, or entity shall be construed to practice or offer to practice engineering or land surveying, who does any of the following:

(1) practices any branch of the professions the Board regulates, or



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(2) by display or verbal claim, sign, advertisement, contract, card or other printed, engraved, or written instrument or device, bearing a person's, firm's, or entity's name or in any other way represents to be an Engineer, Professional Engineer, Land Surveyor, or Professional Land Surveyor or a firm providing or having the qualifications to provide engineering or land surveying services, or

(3) through the use of some other title implies that the person, firm, or entity is an Engineer, Professional Engineer, Land Surveyor, or Professional Land Surveyor or a firm providing engineering or land surveying services, or

(4) holds himself/herself or itself out as having the qualifications to, is able to, or who does contract, offer or perform any engineering or land surveying service.

(b) The following actions shall not be violations under 59 O.S. 475.1 et seq. and the Rules of the Board:

(1) Advertising in national publications or electronic media, provided there is no offering of professional services in jurisdictions where not licensed

(2) Responding to letters of inquiry regarding requests for proposals, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding the scope of project and to demonstrate interest

(3) Responding to letters of inquiry from prospective clients, provided there is written disclosure that the engineer/surveyor and firm are not licensed in this jurisdiction and the response is limited to inquiries regarding scope of project and to demonstrate interest

(4) Using the title/designation "Professional Engineer", "Engineer", "P. E. ", "Professional Structural Engineer", "P.E., S.E.", "S.E.", "Professional Land Surveyor", "Land Surveyor", "P.S.", "L.S." or "P. L. S. " or the like on letterheads, or business cards from an office in the jurisdiction where licensure is held.

(c) Regardless of the above, proposals may not be submitted, contracts signed, or work commenced until the engineer, surveyor and firm become licensed in Oklahoma.

(d) Any violation of such action noted by this Section shall be sufficient to justify an injunction or any other order or a conviction without evidence of a general course of conduct. The Board shall determine if other legal procedures and penalties are necessary and shall have the power to proceed with any and all legal procedures in addition to the injunction or other such orders issued.



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Section 245:15-23-2 - Grounds for violations and penalties -Conduct

(a) Knowledge of Rules. All persons licensed under the provisions of the act are charged with having knowledge of these Rules which are made known in writing to every licensee and applicant for licensure.

(b) Convictions. A licensee of this Board who has been fined, received a reprimand, voluntarily surrendered a license in order to avoid disciplinary action, had a license revoked, suspended or denied in another jurisdiction for reasons or causes which the Board finds would constitute a violation of the law governing the practice of engineering or surveying in this jurisdiction or any rule or regulation promulgated by the Board may be cause for levying a fine, reprimanding the licensee, denying, revoking, or suspending a license to practice engineering or surveying by the licensee in this jurisdiction.

(c) Non-payment of fines or penalties or violation of any order approved by the Board may result in disciplinary action against the holder of the Certificate of Licensure or Certificate of Authorization.

Section 245:15-23-4 - Fraud or misrepresentation

(a) Any licensee, firm, entity, or person associated with or under the responsible charge of any licensee, firm, or entity, holding a Certificate of Licensure and/or a Certificate of Authorization who shall make an oral or written statement or communication to any person that is (1) false and a material misrepresentation, (2) made with the knowledge that the statement is false or made while ignorant of the truth, (3) made with the intent that the statement shall be relied on by the person and in a manner reasonably foreseeable; provided (4) the person to whom the statement is made is ignorant of the falsity of the statement, (5) the statement is justifiably relied upon by such person, and (6) such person is caused damage or injury, shall have committed a fraud.

(b) Any licensee, firm, entity, or person associated with or under the responsible charge of any licensee, firm, or entity, holding a Certificate of Licensure and/or a Certificate of Authorization who shall make an oral or written statement in any document, report, examination, investigation, advice, representation, plans or



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specifications that is materially false or misleading either in its content or omission of content there from, or who in any other manner, method or conduct acts in a way so as to mislead or deceive any person, shall be guilty of misrepresentation.

Section 245:15-23-5 - Gross negligence

(a) The Professional Engineer or Land Surveyor is responsible for many professional, technical, ethical and tactical judgments relating to planning, surveys, reports, studies, inspections, designs, plans and specifications, construction materials, methods, techniques and systems processes. The licensee's education, training and experience, or the education, training and experience of the licensee in responsible charge of the services of any Firm, should enable such licensee to make such determinations with confidence in a successful result.

(b) Each licensee, firm, entity, or person representing same, shall exercise prudent and deliberate consideration in decisions, made only after responsible and thorough investigation, research and, when necessary, expert advice and assistance.

(c) When the results from such decisions are not reasonably predictable, each licensee, firm, entity, or person representing same, shall so advise the client, and fully disclose the implications involved.

(d) When such decisions require procedures, techniques, materials, or systems unfamiliar to the planning, design and/or construction team involved, the licensee, firm, entity, or person representing same shall exercise additional care and attention to the process, advancing the result sought.

(e) The Board may deem acts, errors and/or omissions to be gross negligence if, in the judgement of the Board, a licensee, firm, entity, or person representing same, fails to discharge its duties, obligations and responsibilities, under 59 O.S., Sections 475.1 et seq. and the Rules of the Board, so as to evidence carelessness in reckless disregard for the safety, property or lives of others, or is so great it appears to be a conscious violation of other people's property or rights to health, safety or welfare, as described in (b)-(d) in this subchapter.



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Section 245:15-23-6 - Gross incompetence

(a) Licensees have been licensed under the authority of the Statutes regulating professional engineering and land surveying which establishes minimum competence to provide engineering and land surveying services in the State of Oklahoma. Licensees shall continue their professional development after licensure, improving and increasing their proficiency and skills, knowledge and abilities. The licensee, firm, or entity shall undertake only those professional assignments the licensee, firm, or entity is qualified to perform and lawfully authorized to undertake.

(b) The following practices, among others may be deemed gross incompetence by a licensee, firm, or entity or person representing same:

- (1) A deficiency on the part of a licensee in the basic knowledge and skill necessary to the practice of engineering or land surveying such that the licensee does not demonstrate an ability to practice engineering or land surveying at the threshold level of professional competence for issuing engineering reports or undertaking projects of the kind and complexity performed, thus endangering the property, safety, health of others or welfare of the public.
- (2) Failure to engage other competent licensed architects, engineers or land surveyors when the licensee has contracted to furnish services outside of the licensee's area of competence.
- (3) Practicing engineering or land surveying while under the influence of alcohol, drugs or mentally impaired.

Section 245:15-23-7 - Misconduct or dishonest practice

(a) The following practices, among others, by a licensee, firm, or entity or person representing same, may be deemed misconduct and a violation:

- (1) Acts which evidence attempts to violate any laws or rules of this or any other state relating to licensure to practice engineering or land surveying.
- (2) Acts which evidence a disregard or indifference toward the rules or statutes governing the practice of engineering or land surveying, and codes, ordinances and other recognized standards. These regulations include, but are not limited to, those involving facilities to be constructed, structural inspections and reports, or special inspections for buildings or roadways.



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(3) Acts which evidence attempts to violate or do so violate the Statutes Regulating Professional Engineers and Land Surveyors or Rules in this Chapter or assist any other person or firm to attempt or to do so.

(4) Acts which evidence attempts to conceal personal interests in conflict with responsibilities of service to the public or a client.

(5) Acts which evidence, through commission or omission, a failure or refusal to reasonably communicate with the client, so that the client shall be reasonably informed of the status of any services provided or agreed to be provided by the licensee or a firm holding a Certificate of Licensure and/or Certificate of Authorization under the responsible charge of the licensee.

(6) Acts which evidence a detriment to a client caused by a personal interest or the firm's interest, which conflicts with the responsibility, owed to the client by a licensee, or a firm, holding a Certificate of Licensure and/or Certificate of Authorization, under the responsible charge of the licensee.

(7) Acts which evidence a failure to engage competent licensed architects, professional engineers and/or professional land surveyors when the licensee has contracted to furnish services outside of the licensee's area(s) of competence.

(b) The following practices, among others, by a licensee, firm, or entity or person representing same, may be deemed a dishonest practice and a violation:

(1) Acts which evidence attempts through commission or omission, to mislead or defraud any person, firm, or entity.

(2) Acts which evidence attempts to bribe any person, firm, or entity, who may influence the selection of any licensee, firm, or entity. Kickbacks, donations or forgiveness offered or paid to gain improper advantage in selection will be considered bribes.

(3) Acts evidenced by exaggerated, misleading, deceptive or false statements in claims about professional qualifications.

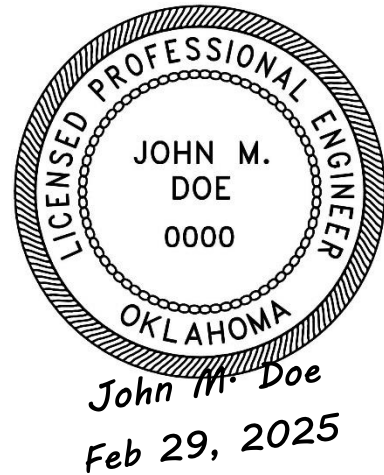


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Sign and Seal Requirements

Engineering seal and signature requirements are found in 59 O.S. 475-15 and OAC 245:15-17. Here are highlights that may differ from requirements in other states:

- Seal outer diameter to be 1 5/8" or 1 7/8"
- Sign and date adjacent to or across the seal.
- For multipage bound documents, including drawing sets with a single licensee, it is acceptable to only seal the cover or title page, unless there are multiple engineers in responsible charge (multiple disciplines), then the responsibility of each needs to be clearly indicated, or each page sealed.
- Photocopies, scans, and printouts of sealed documents are acceptable provided the seal, signature and date are legible.
- Acceptable forms of signatures:
 - Original (hand) sign and seal (wet stamp, electronic image, or embossed)
 - Digital signature requirements:
 - Digital seal image
 - Unique to licensee
 - Capable of verification
 - Electronic authentication process showing the date applied
 - Linked to document such that no changes can be verified
 - Adobe and Bluebeam e-signatures appear acceptable



Laws and Rules

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

59 O.S. 475

§ 475.15. Certificate of licensure--Seal--Intern certificate

C. Each licensee hereunder may, upon licensure, obtain a seal, the design and use of which are described in Board rules. It shall be unlawful for a licensee to affix, or permit his or her seal or signature to be affixed, to any document after the expiration or revocation of a license, or for the purpose of aiding or abetting any other person to evade or attempt to evade any provision of Section 475.1 et seq. of this title. Whenever the seal is applied, the document must be signed by the licensee thereby



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certifying that he or she is competent in the subject matter and was in responsible charge of the work product. Documents must be sealed and signed in accordance with the Board rules whenever presented to a client, a user or any public or governmental agency. Whenever the seal is applied, the signature of the licensee and date of signature shall be placed adjacent to or across the seal. Drawings, reports or documents that are signed using a digital or electronic signature must be done in a manner that is in direct control and personal supervision of the professional engineer or professional land surveyor and must conform to the specifications in the Board rules regarding digital or electronic signatures.

OAC 245:15

Section 245:15-17-1 - Licensee's seal

(a) Every person authorized to practice engineering or land surveying by a certificate of licensure may obtain a seal with which to identify all final engineering and land surveying papers or documents, including drawings, specifications, plans, reports, land surveys, plats, land descriptions, design information, construction documents, calculations, addenda, change orders, field orders and other documents of service involving the practice of engineering or land surveying issued by the licensee for use in the State of Oklahoma whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the direct control and personal supervision of the licensee.

(b) The seal required shall be of a type which will make an image on the surface of original documents and duplications of original documents. The use of a rubber stamp or electronic digitization which produces an accurate and legible image of the seal is permissible.

(c) The seal of the licensee shall consist of two (2) concentric circles. The inner circle shall have inscribed the licensee's name and number, which shall correspond to the name and certificate number shown on the Certificate of Licensure. The area between the two (2) circles shall be inscribed with the word "Oklahoma" at the bottom reading counter-clockwise and the words "Licensed Professional Engineer" or "Licensed Professional Land Surveyor" at the top reading clockwise. "Licensed Professional Surveyor" may be substituted for "Licensed Professional Land Surveyor" on the seal. The seals commercially designated as 1 7/8" seal, with an inner circle of 1 1/8" diameter and an outer circle of 1 3/4" diameter, or the 1 5/8" seal, with an inner circle of 1 1/16" diameter and an outer circle of 1 9/16" diameter,



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are acceptable, as shown in Appendix A of this Chapter. Reproduction of the original documents with the required seal may produce a different seal size provided the seal remains completely legible.

(d) A licensee who practices in other than their full legal name shall register the name customarily used in professional practice with the Board together with a copy of their signature for such customarily used name. The seal may be inscribed with the registered, customarily used name, and the signature affixed across or adjacent to the seal shall be the name inscribed on the seal. A seal and signature affixed in a registered, customarily used name shall have the same force and effect as the seal and signature affixed in a licensee's full legal name.

(e) Existing seals containing the words "Registered Professional Engineer", "Registered Professional Land Surveyor", and "Registered Land Surveyor" may continue to be used.

(f) Licensed "Professional Structural Engineers" may obtain an additional seal and use the word "Professional Structural Engineer" in lieu of "Licensed Professional Engineer" to use when sealing structural engineering projects, whether or not the work requires the seal of a Professional Structural Engineer. All other work lawfully performed by the Professional Structural Engineer in other disciplines of engineering shall be signed and sealed using the seal which states "Licensed Professional Engineer". Work defined as a "significant structure" shall be sealed with a "Professional Structural Engineer" seal, and/or signed with the designation "P.E., S.E." following the signature.

Section 245:15-17-2 - Use of seal

(a) The application of the licensee's signature and date of signature to a sealed document shall constitute certification that the work thereon was done by the licensee or under the licensee's direct control and personal supervision, as defined by statute, and that the licensee accepts full responsibility and liability for the professional work represented thereon. Authorized use of the prescribed seal is an individual act. The licensee is responsible for its security at all times. The licensee shall permit no other person, firm, or entity to use the prescribed seal. The seal shall be affixed to documents and instruments only during the time the licensee's license is current and in good standing. Whenever the seal is applied, the document must



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be signed by the licensee thereby certifying that he or she is competent in the subject matter, has declared the designated area(s) of competence in the record of the Board, and was in direct control and personal supervision of the work product.

(b) Licensees must affix their seal, signature and date of signature to documents or drawings which reflect work for which the licensee has responsible charge, as defined, including revisions and addenda thereto. In the case when multiple licensees are involved, each sheet in a set of drawings shall contain the seal, signature and date of the licensee responsible. A licensee not practicing as, or through a firm shall also include contact information to include address and phone number.

(c) Regarding professional engineering, the licensee is responsible for meeting and documenting all of the following requirements to be in direct control and personal supervision of the work, whether the work is performed remotely or locally:

- (1) The client requesting preparation of such plans, specifications, drawings, reports, or other documents makes the request directly to the licensee, a managing agent or authorized employee of the licensee's firm; and
- (2) The licensee supervises the preparation of the plans, specifications, drawings, reports, or other documents and has input into their preparation prior to their completion and reviews the final plans, specifications, drawings, reports, or other documents prior to signing and sealing the work; and
- (3) The licensee has the authority to, and does, make any necessary and appropriate changes to the final plans, specifications, drawings, reports, or other documents prior to signing and sealing the work; and
- (4) A professional engineer who signs and seals work must be capable of answering questions as to the engineering decisions made during the work on the project in sufficient detail as to leave little doubt as to the professional engineer's competence for the work performed.

(d) Regarding land surveying, the licensee in responsible charge and directly controlling and personally supervising the work is responsible for meeting and documenting all of the following requirements to be in direct control and personal supervision of the work:

- (1) The client requesting preparation of such plans, specifications, drawings, reports, or other documents makes the request directly to the licensee, a managing agent or authorized employee of the licensee's firm; and



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(2) The licensee must work in the office where the land surveying services are offered; and

(3) The licensee must be physically present in the office where the surveying personnel are located in order to directly control and personally supervise the surveying work, including exercising professional judgment in making surveying decisions related to the amount and type of research performed, the field procedures used, and the surveying decisions related to the preparation of plats, land surveying reports, legal descriptions and other land surveying documents furnished in connection with the land surveying services provided; and

(4) The licensee has the authority to, and does, make any necessary and appropriate changes to the work prior to signing and sealing the work; and

(5) A professional land surveyor who signs and seals work must be capable of answering questions as to the surveying decisions made during the project in sufficient detail as to leave little doubt as to the professional land surveyor's involvement with the work performed.

(e) Unlicensed persons, including professional engineers and professional land surveyors not licensed in this state, shall not perform engineering or surveying work in this state, to subsequently have it reviewed, signed, and sealed by a licensed professional engineer or professional land surveyor licensed in the state of Oklahoma. An Oklahoma licensed professional engineer must meet all provisions of (c) of this subsection and an Oklahoma licensed professional land surveyor must meet all provisions of (d) of this subsection to qualify as being in responsible charge of the work. If the Oklahoma licensed professional is a contractor or consultant to the firm or individual who contracted for the project, the licensee must include his or her firm name, if applicable, and contact information on the work.

(f) In the case of bound documents, licensees must affix their seal, signature, and date of signature to the cover sheet or index page, which identifies all documents bound together for which the licensee has responsible charge. In the absence of covers and index pages each document must have the seal, and dated signature of the licensee who has responsible charge. For bound documents involving multiple licensees, either each document in the bound set must be sealed, signed, and dated by the licensee in responsible charge for that portion of the work, or the cover sheet or index page must be sealed, signed, and dated by each licensee with a breakdown of the licensee in responsible charge of each document clearly identified.



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- (g) In the case when the work consists of a letter or report prepared by a single licensee, the licensee need only seal, sign, and date the first page, title page or signature page of the document.
- (h) The Statute, 59 O.S., Sections 475.1 et seq. and Rules of the Board in this Chapter describe the use of the seal of the licensee. The seal, signature, and date of signature shall be placed on all final engineering and land surveying documents whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the responsible charge of the licensee. In lieu of sealing, signing, and dating each copy of the work, the seal, signature, and date shall be placed on originals, tracings, or other reproducible documents by the licensee in such a manner that when the originals, tracings, or other reproducible documents are reproduced the seal, signature, and date will be legible.
- (i) Working drawings or preliminary documents are not required to have a seal and signature if they contain a statement in large bold letters to the effect **PRELIMINARY, NOT FOR CONSTRUCTION OR IMPLEMENTATION.**
- (j) Permit sets or construction drawings, which are not final, may be signed and sealed for the purpose of submitting the work to the Authority Having Jurisdiction (AHJ) for their review, comment and /or approval, but must be clearly marked in large bold letters **NOT FOR CONSTRUCTION.**
- (k) An Engineer Intern or Land Surveyor Intern shall not have a seal.
- (l) Drawings, reports, or documents that require a signature may be signed using a digital signature. The digital signature must be:
- (1) Unique to the person using it;
 - (2) Capable of verification; and
 - (3) Under the sole responsibility and control of the licensee affixing it.
- (A) A scanned image or other reproduction of an original signature may be used in lieu of an original signature or digital signature if accompanied by an original handwritten date.
- (B) A digital signature having an electronic authentication process attached to or logically associated with the electronic document may also be used and does not need to include the handwritten date, but must be dated. In this instance, the digital signature shall be linked to a document in such a manner that the data in the



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document can be verified as being unaltered since the time that the digital signature was affixed.

(m) Successor licensee - In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, a successor licensee may take responsible charge over, and complete the work, in accordance with the provisions of this Chapter.

(1) A licensee shall perform or have responsible charge over all professional engineering or land surveying services to include development of a complete design file including work or design criteria, calculations, code research, field notes, and any necessary and appropriate changes to the work. The burden is on the successor licensee to demonstrate such compliance.

(2) The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's professional work.

(3) The licensee shall have direct control and personal supervision over the engineering or surveying work and the signed, dated, and sealed originals of all documents over which the licensee has taken responsible charge under this provision. A professional engineer or land surveyor who adopts, signs, and seals work previously engineered or surveyed under this provision shall perform sufficient review and calculation to ensure that all standards of practice required of licensees are met, including satisfying the relevant criteria stated in paragraph (c)(iv) and (e)(iv) above and shall take professional and legal responsibility for documents signed and sealed.

(n) Prototypical design plans- A licensee may take responsible charge over a standard, prototypical design plan, including drawings and specifications in printed or electronic form, for the purpose of adapting the plan to a specific site in this state, provided the licensee's work is completed in accordance with the provisions of this Chapter. This provision shall apply to both site adaptation of new structures and site adaptation for construction in an existing structure.

(1) In the case of an existing structure, the engineering for modifications to the existing structure and any of its systems shall be under the responsible charge of persons licensed in this state.

(2) Standard, prototypical designs that may be site adapted under this provision are drawings and specification documents prepared for the purpose of defining the Owner's requirements but not yet completed for construction on a specific site.



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- (3) Site adaptation shall not include, and this provision does not authorize, a licensee to take responsible charge over work designed for construction on a specific site in this state that was prepared by a person not licensed in this state.
- (4) Standard prototypical design plans shall not be released publicly or submitted to a client or user unless the plans are marked with a statement substantially equivalent to 'This document is preliminary in nature and is not a final, signed and sealed document'. The statement shall not be removed until an Oklahoma licensee has taken responsible charge of the work and the work is dated and issued under the seal and signature of an Oklahoma licensee.
- (5) A licensee shall perform or have responsible charge over all professional engineering services to include development of a complete design file including work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The burden is on the successor licensee to demonstrate such compliance.
- (6) The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's professional work.
- (7) The licensee shall have direct control and personal supervision over the engineering work and the signed, dated, and sealed originals of all documents over which the licensee has taken responsible charge under this provision.
- (o) Any revision to a document containing the seal and signature of a licensee shall be identified and dated. Revisions not done by the original licensee must be signed and sealed by the licensee in responsible charge of the revision. At no time shall a successor licensee remove the seal and signature of the original licensee in responsible charge of the work.
- (p) Record drawings prepared to reflect changes made during construction based on the record of changes made to construction drawings and changes to the construction observed by the licensee or on the licensee's behalf or reported by contractors is deemed a drafting service and shall not require a licensee's seal, signature, and date of signature.
- (q) In the case of a firm, each separate document, the first page of a bound document, and, in the case of multiple licensees, the portion of the work for which each firm is responsible, shall also show the name of the firm, the firm's Certificate of Authorization number and contact information for the firm.



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(r) Engineering or surveying technical submissions given to an architect for a project must be signed and sealed by the professional engineer or land surveyor in responsible charge of the work prior to the architect taking responsible charge of the work as the prime professional for the project.

(s) Consultants hired to do work on behalf of the firm must sign, seal, and date their work and include their contact information, and Certificate of Authorization information, if applicable, on the work. Consultants may not be the designated managing agent for the firm to which they are consulting.

Appendix A - Registrant's Seal

Figure 1:





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Continuing Education

Per OAC 245:15-11, the following continuing professional competency is required every 2-year renewal period, where a PDH is a professional development hour:

- Reporting options:
 - 30 PDH every two years w/ max 15 PDH carryover (standard method)
 - 15 PDH per year w/ no carryover (calendar year method)
- The Board does NOT pre-approve providers or specific courses
- Course content:
 - Clear purpose and objective for each activity, which will maintain, improve or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge
 - Must be relevant to the practice of engineering
 - May include technical, ethical or managerial content
- Retain PDH records for minimum 5 years
- Renewal date: last day of the month based on date of initial licensure

Laws and Rules

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

59 O.S. 475

§59-475.16. Terms of certificates – Maintaining certificates.

...

E. Every licensee is required to comply with the Board's rules regarding continuing education or meet the Model NCEES Continuing Professional Competency standard requirement, which is equivalent to fifteen (15) professional development hours per calendar year with no allowable carryover, as a condition of license renewal.

OAC 245:15

Section 245:15-11-1 - Definitions

The following words or terms, when used in this subchapter shall have the following meaning, unless the context clearly indicates otherwise:



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"Dual licensee" means a person licensed as a Professional Engineer and Professional Land Surveyor.

"PDH" means a professional development hour of at least 50 minutes of instruction, as defined in this subchapter.

"Professional development hour" means a contact hour (nominal) of instruction or presentation; the common denominator for other units of credit.

"College Semester / Quarter Hour" means credit for course in an EAC/ETAC-ABET approved program, or engineering or surveying college program approved by the Board.

Section 245:15-11-3 - Scope and exemptions

(a) Licensees shall be required to meet the continuing educational requirements for professional development in this subchapter as a condition for licensure renewal. Continuing education obtained by a licensee should maintain, improve or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge.

(b) A licensee may be exempt from the professional development educational requirements for one of the following reasons:

(1) New licensees by way of examination or comity shall be exempt for their first pro-rated renewal period and first two-year renewal period. PDH's earned during this exempt period may not be carried forward to the first non-exempt renewal period.

(2) A licensee who is deployed on active duty as a member of the Armed Forces of the United States, shall be exempt from obtaining the professional development hours required during that year when circumstances associated with military duty prevent obtaining training and a waiver request has been submitted to the Board; when the active-duty military member performs engineering and/or land surveying services respectively as part of his or her military duties as annotated in Defense Department Form 214 (DD 214), or when performing any other act typically required for renewal of the license. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from obtaining the PDH's required during the renewal period.



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(3) A licensee experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board may be exempt. Supporting documentation must be furnished to the Board.

(4) A licensee who elects to choose Retired status at the time of renewal shall be exempt. In the event such person elects to return to active practice of professional engineering or professional land surveying, 30 PDH's must be earned before returning to active practice.

Section 245:15-11-5 - Requirements for Professional Engineers and Land Surveyors

(a) To demonstrate that a Professional Engineer and/or Professional Land Surveyor maintains an acceptable level of competency, a licensee must obtain thirty (30) professional development hours (PDH's) within a twenty-four month (biennial) renewal period. If a licensee exceeds the requirement in any biennial renewal period, a maximum of fifteen (15) PDH's may be carried forward into the subsequent biennial renewal period.

(b) A licensee may choose either the Board's standard continuing education requirement as detailed above, or comply with the calendar year reporting method, which is equivalent to fifteen (15) PDH's per calendar year, totaling thirty (30) PDH's per renewal period, with no allowable carryover. The Board shall adopt a conversion table allowing for different renewal periods within the calendar year.

(c) A Professional Land Surveyor or a dual licensee must earn at least two (2) PDH's covering the Oklahoma Minimum Standards for the Practice of Land Surveying per biennial renewal period, with no allowable carryover for this requirement. If the licensee is reporting using the calendar year reporting method, they must be able to provide proof of completion of the required two (2) PDH's every two (2) years if audited. This requirement shall commence with the completion of the licensees first full two-year renewal period following the adoption of these administrative rules, unless exempt under one of the provisions listed in OAC 245:15-11-3(b).

(d) A licensee shall only renew their license when they can truthfully certify that they have met the continuing education requirements of this subchapter and have proper proof of completion of the required PDH's to which they are certifying.



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(e) PDH's may be earned by a licensee as follows:

- (1) Successful completion of college courses.
- (2) Successful completion of continuing education courses, short courses, tutorials, webinars and distance-education courses offered for independent study, or group study and through synchronous or asynchronous delivery methods such as live, correspondence, archival or the Internet;
- (3) Attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions;
- (4) Teaching or instructing in (1) through (3) of this subsection;
- (5) Active participation in professional or technical societies serving the engineering or land surveying profession as defined in OAC 245:15-11-7(b) (2);
- (6) Active participation in standards or code development technical committees, standards or code commissions, or licensing examination development committees;
- (7) Developing professional licensure exams, or writing standards or developing code in an official capacity;
- (8) Authoring published papers, articles, or books in the licensee's area(s) of competence;
- (9) Authoring peer reviewed published professional or technical paper or book in the licensee's area(s) of competence; and
- (10) Award of patents to the licensee or to licensee's employer when developed by the licensee.

(f) All such PDH's earned in activities as described in (e)(1) through (e)(10) of this section must be relevant to the practice of engineering and/or land surveying as applicable and may include technical, ethical or business content. Qualifying ethical or business courses or activities must contain content areas related to (1) the awareness of ethical concerns and conflicts; (2) an enhanced familiarity with the codes of conduct; (3) an understanding of standards of practice or care; (4) project management and risk-assessment management; or (5) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the licensee's field and methods of practice.

Section 245:15-11-6 - Criteria for continuing educational activities

(a) Continuing educational activities used to earn PDH's must meet the following criteria:



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- (1) There is a clear purpose and objective for each activity, which will maintain, improve or expand skills and knowledge obtained prior to initial licensure or to develop new and relevant skills and knowledge.
- (2) The content of each presentation is well organized and presented in a sequential manner.
- (3) There is evidence of preplanning which should include the opportunity for input by the target group to be served.
- (4) The presentation will be made by persons who are well qualified by education or experience.
- (5) There is a provision for individual participant registration which will include information required for record keeping and reporting.

(b) The Board has final authority with respect to acceptability of courses, credit, PDH value for courses, and other methods of earning credit.

- (1) Credit for college or community college approved courses will be based upon course credit established by the college.
- (2) Credit for qualifying seminars and workshops meeting the criteria in 245:15-11-6(a) will be based on one PDH for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings or building code meetings will earn PDH's for the actual time of each program.
- (3) Credit determination for activities referenced in 245:15-11-5(a)(6) and (a)(7) is the responsibility of the licensee (subject to review as required by the Board).

Section 245:15-11-7 - Conversion of units and determination of credits

(a) The conversion of other units of credit of continuing education to PDH's is as follows:

- (1) One (1) college semester hour - 15 PDH's One (1) college quarter hour - 10 PDH's
- (2) One (1) hour of technical or professional development in a continuing education course, short course, tutorial, webinar, or distance-education course - 1 PDH
- (3) One (1) hour of attendance at a qualifying seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, conference or educational institution - 1 PDH
- (4) For teaching or making presentations in (1) - (3) above - apply multiple of 2. Teaching credit is valid for teaching a course or seminar for the first time only.



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Teaching credit does not apply to full-time or part-time faculty members unless the activity is outside the scope of the licensee's customary teaching responsibilities.

(5) Active participation in professional or technical societies serving the engineering or land surveying profession - 2 PDH's

(6) Active participation serving on standards or code development technical committees, standards or code commissions, or licensing examination development committees - 4 PDH's

(7) One (1) contact hour for developing professional licensure examinations, or writing standards or developing code in an official capacity - 1 PDH

(8) Each published paper, article, or book in the licensee's area of professional practice - 5 PDH's

(9) Each peer-reviewed published, professional or technical paper or book in the licensee's area(s) of competence -10 PDH's

(10) Each patent. - 10 PDH's

(b) Determination of Credit - The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

(1) Credit for college or community college approved courses will be based upon course credit established by the college.

(2) Credit for activity in subsection (a)(5), active participation in professional and technical societies (limited to 2 PDH's per organization with a maximum of 4 PDH's per biennial renewal period or 2 PDH's per calendar year), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDH's are not earned until the end of each year of service is complete. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students may count as active participation in a professional and technical society.

(3) Credit for activity in subsection (a)(6), active participation in standards or code development technical committees or standards or code commissions or licensing examination development committees is limited to 4 PDH's per organization with a maximum of 8 PDH's per biennial renewal period or 2 PDH's per calendar year. PDH's are not earned until the end of each year of service is complete.

(4) With the commencement of the licensees first full biennial renewal period following the adoption of these administrative rules, credit for approved activities which focus on other jurisdictional professional engineering or professional land surveying licensure laws, regulations, or minimum standards may be approved, but shall be limited to 2 PDH's per biennial renewal period or 1 PDH per calendar year.



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Section 245:15-11-8 - Comity/Out-of-Jurisdiction Resident

The continuing education requirements for Oklahoma will be satisfied when a non-resident fulfills the requirements for resident licensees outlined in 245:15-11-5.

Section 245:15-11-9 - Records - Audits

(a) The responsibility of maintaining records to be used to support credits claimed is the responsibility of the licensee. Records required include, but are not limited to:

(1) A log showing the title of the activity, sponsoring organization, date of the activity, and PDH credits earned.

(2) Attendance verification records in the form of completion certificates, or other approved documentation supporting evidence of attendance shall include the name of the licensee, title of the activity, sponsoring organization, date of the activity, and PDH's earned. Documentation which does not support evidence of actual attendance will not be accepted for audit purposes.

(b) Records must be maintained for a period of five (5) years and copies may be requested by the Board for audit verification purposes.

(c) Audits will be conducted annually by the Continuing Education Committee of the Board.

Section 245:15-11-11 - Disallowed credit; failure to comply

(a) If a licensee is unable to certify completion of 30 PDH's per biennial renewal period, or 15 PDH's per calendar year by their expiration date, the license will not be renewed unless an exemption has been claimed and approved pursuant to OAC 245:15-11-3.

(b) If the Board, or its designee, disallows claimed PDH's completed during the designated renewal period for audit, as activities that do not meet the criteria for continuing education activities, the licensee shall have 90 days after notification to substantiate the original claim or to complete new continuing education activities to meet the minimum requirement. Further, if verification is supplied for the submitted hours, but disallowed as not acceptable verification, the licensee shall have 90 days



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after notification to substantiate the original claim with acceptable verification, or complete new continuing education activities to meet the minimum requirement. The total number of days a licensee will be allowed to complete new continuing education activities or provide additional verification of claimed hours is 90 days from the date of notification.

(c) Failure to comply with an audit occurs when a licensee is notified of an audit and they fail to supply a completed log form and verifications showing the required PDH's earned during the appropriate audit period, by the stated deadline, or a licensee submits false information to the Board in an attempt to renew a license. These acts are violations of Board Statutes and Rules and may lead to disciplinary action. Licensees who do not properly respond to the audit by the stated deadline, shall be in non-compliance with the audit and shall not be granted extra time to earn additional continuing education credit. If no verification of claimed PDH's is provided at the stated deadline for the audit, the licensee shall not be allowed 90 additional days to provide verification and they will have failed the audit, unless proof of hardship is provided in writing and approved by the Board or its designee.

(d) If a licensee is audited for their continuing education requirements for their renewal period, the licensee shall not be allowed to retire their license to avoid complying with the audit or avoid disciplinary action if they incorrectly certified at the time of renewal that they had completed their continuing education requirements.

Section 245:15-11-12 - Re-licensure

A licensee may bring an inactive or retired license to active status by obtaining all delinquent PDH's. However, if the total number required to become current exceeds 30, then 30 shall be the maximum number required.

Section 245:15-11-13 - Dual Licensees

For an individual licensed both as an engineer and surveyor, the number of PDH's required shall remain 30 per biennial renewal period or 15 per calendar year, at least 1/3 of which shall be obtained in each profession. Dual licensees must comply with the provisions of OAC 245:15-11-5(c) regarding the Oklahoma Minimum Standards for the Practice of Land Surveying.



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Helpful References

Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors

General website:	https://www.ok.gov/pels/
License renewal & Address change:	https://online.okpels.org/#/User/Loginwemail
59 O.S. 475:	https://www.ok.gov/pels/Publications/Statutes/index.html
OAC 245:15:	https://www.ok.gov/pels/Publications/Administrative_Rules/
Board Bulletin:	https://www.ok.gov/pels/Publications/The_Board's_Bulletin/index.html
PDH Log Form:	https://www.ok.gov/pels/Licensees/Continuing_Education/index.html
Declaring Discipline Form:	https://www.ok.gov/pels/documents/Declaring%20Disciplines%20Form.pdf