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New Hampshire Laws and Rules for Engineers

by

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New Hampshire Laws and Rules for Engineers
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Course Outline:

New Hampshire Revised Statutes Annotated
RSA 310-A
New Hampshire Code of Administrative Rules
Rules of the Board
State Board
Practice of Professional Engineering
Responsible Charge
Engineering Disciplines
Professional Conduct and Ethics
Sign and Seal Requirements
Continuing Education
Helpful References
Examination



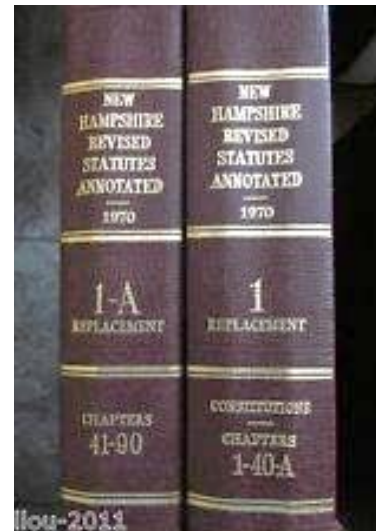
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New Hampshire Revised Statutes Annotated



State laws (called statutes) are enacted by the New Hampshire Legislature, which is a bicameral body made up of the Senate and House of Representatives. When a bill has passed, 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 majority vote in both the Senate and House of Representatives for the bill to become law.

Passed bills (acts) from each legislative session are published in Session Laws. Next, the laws (called statutes) are added to the *New Hampshire Revised Statutes* in the appropriate locations with numbering, formatting, and removal of replaced or repealed statutes. Annotations are also added such as notes and references, with the resulting publication often called the *New Hampshire Revised Statutes Annotated* (R.S.A. or RSA).



The New Hampshire Revised Statutes Annotated is divided into dozens of titles. Laws with relevance to engineering (and several other professions) are in Title XXX, Chapter 310-A, which is cited as RSA 310-A, or Laws of the Board. The organization is as follows:

New Hampshire Revised Statutes Annotated

- Title XXX: Occupations and Professions
 - Chapter 310-A: Office of Professional Licensure and Certification
 - Sections 2 to 27: Part Professional Engineers

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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RSA 310-A

The law dedicated to the practice of engineering is RSA 310-A, Part Professional Engineers, known as the “Laws of the Board”. The RSA 310-A gives authority to the *New Hampshire Board of Professional Engineers* (Board) to enact the laws and manage licensing. The following is the contents with **bold** sections being of particular importance for practicing professional engineers.

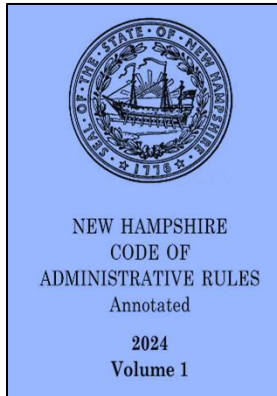
RSA 310-A, Part Professional Engineers

310-A:2	Definitions.
310-A:2-a	Purpose.
310-A:2-b	Jurisdiction of the Board of Professional Engineers; Regulation of Scope of Practice.
310-A:3	Board of Engineers; Establishment; Criteria; Terms; Compensation and Expenses; Meetings; Records and Reports; Roster.
310-A:6	Rulemaking Authority.
310-A:8	Disbursements.
310-A:12	General Requirements for Licensure as an Engineer.
310-A:13	Character.
310-A:14	Teaching Credits.
310-A:15	Education Credits.
310-A:16	Applications.
310-A:17	Examinations.
310-A:18	Certificates; Seals.
310-A:18-a	Seals for Temporary Permits.
310-A:19	Interstate Licensure; Temporary Permit.
310-A:20	Engineering Certificates for Business Organizations.
310-A:22	Investigations and Disciplinary Proceedings.
310-A:22-a	Investigations; Enforcement.
310-A:25	Violations.
310-A:26	Restraint of Violations.
310-A:27	Exemptions.



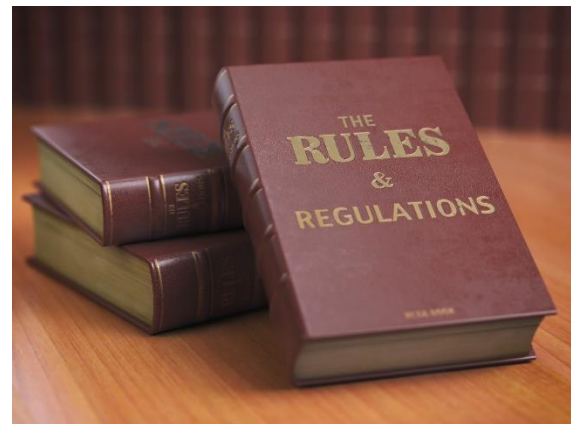
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New Hampshire Code of Administrative Rules



State laws are often high-level and lack details required for implementation. The New Hampshire 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 *New Hampshire Code of Administrative Rules*, *New Hampshire Administrative Rules*, or *New Hampshire Administrative Code* and can be cited as Administrative Rules, N.H. Admin Rules or NHCAR. The regulations are enforceable just like state statutes.

The NHCAR is grouped into dozens of titles representing different state agencies (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering is under Title “Eng”. This is cited as NHCAR Eng, and commonly referred to as “Rules of the Board” in this course.



The organization is as follows:

NHCAR

- Title Eng: Board of Professional Engineers
 - Chapters Eng 100 to 500
 - Parts (Various)
 - Sections (Various)



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Rules of the Board

NHCAR Eng is known as the “Rules of the Board”. It covers the professional engineering. The following are the contents with sections in **bold** of particular importance for practicing professional engineers.

NHCAR Eng – Board of Professional Engineers

CHAPTER Eng 100 DEFINITIONS, ORGANIZATION AND PUBLIC INFORMATION

PART Eng 101 PURPOSE AND SCOPE

Section Eng 101.01 Purpose and Scope

PART Eng 102 DEFINITIONS

Section Eng 102.01 Terms Used

PART Eng 103 BOARD ORGANIZATION

Section Eng 103.01 Duties and Responsibilities

Section Eng 103.02 Composition of the Board

Section Eng 103.03 The Chairperson and Vice Chairperson

Section Eng 103.04 Organization

Section Eng 103.05 Seal

Section Eng 103.06 Office Hours, Office Location, Mailing Address and Telephone

PART Eng 104 PUBLIC INFORMATION

Section Eng 104.01 Record of Board Actions

Section Eng 104.02 Custodian of Records

PART Eng 105 MEETINGS, DELIBERATIONS AND DECISIONS

Section Eng 105.01 Meetings

Section Eng 105.02 Quorum

PART Eng 106 APPOINTMENT OF COMMITTEES

Section Eng 106.01 Committees



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CHAPTER Eng 200 PRACTICE AND PROCEDURE

PART Eng 201 APPLICABILITY AND WAIVER OF SUBSTANTIVE RULES

Section Eng 201.01 Applicability of Plc 200

Section Eng 201.02 Waiver of Administrative Rules

CHAPTER Eng 300 LICENSURE REQUIREMENTS

PART Eng 301 DEFINITIONS

Section Eng 301.01 Terms Used

PART Eng 302 APPLICATION REQUIREMENTS AND APPLICATION/
EXAMINATION/ LICENSURE FEES

Section Eng 302.01 Application Process

Section Eng 302.02 Application for Initial Licensure

Section Eng 302.03 Application for the Fundamentals of Engineering
Examination

Section Eng 302.04 Application Fees

PART Eng 303 QUALIFICATIONS OF APPLICANTS

Section Eng 303.01 Candidate Requirements

Section Eng 303.02 Experience Requirements

Section Eng 303.03 References Required

Section Eng 303.04 Information from References

Section Eng 303.05 Additional References

PART Eng 304 EXAMINATIONS

Section Eng 304.01 Examination Requirements

Section Eng 304.02 Re-Examinations of the NCEES Principles and Practice
Examination (NCEES) Examination

PART Eng 305 RECIPROCITY

Section Eng 305.01 Reciprocity

PART Eng 306 ENGINEERING CERTIFICATES FOR BUSINESS
ORGANIZATIONS

Section Eng 306.01 Business Organization Certificate Requirements



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PART Eng 307 TEMPORARY PERMIT
 Section Eng 307.01 Temporary Permit

PART Eng 308 CREDENTIALS
Section Eng 308.01 License
Section Eng 308.02 Licensed Engineer Seal or Stamp

CHAPTER Eng 400 CONTINUED STATUS

PART Eng 401 RENEWAL OF LICENSE
Section Eng 401.01 Expirations and Renewals
Section Eng 401.02 Renewal of License
 Section Eng 401.03 Renewal Application
 Section Eng 401.04 Denial of Renewal
 Section Eng 401.05 Reinstatement
 Section Eng 401.06 Certificate of Authorization Renewal
 Section Eng 401.07 Certificate of Authorization for Business Organization
 Renewal Application

PART Eng 402 DISCIPLINARY MATTERS
 Section Eng 402.01 Initiation of Disciplinary Action
 Section Eng 402.02 Disciplinary Sanctions
 Section Eng 402.03 Civil Fines
 Section Eng 402.04 Procedures for Assessing and Collecting Civil Penalties

PART Eng 403 CONTINUING PROFESSIONAL DEVELOPMENT
Section Eng 403.01 Renewal Requirements
**Section Eng 403.02 Continuing Professional Development
 Requirements for New Licensees**
Section Eng 403.03 Requirements for Reciprocity
Section Eng 403.04 Reinstatement
Section Eng 403.05 Professional Development Hour Requirements
Section Eng 403.06 Professional Development Hour Credits
Section Eng 403.07 Record Keeping
Section Eng 403.08 Exemptions
**Section Eng 403.09 Waiver of Professional Development Hours
 Deadline**
Section Eng 403.10 Noncompliance



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CHAPTER Eng 500 ETHICAL STANDARDS AND LICENSE SURRENDER

PART Eng 501 ETHICAL STANDARDS

Section Eng 501.01 Purpose and Scope

Section Eng 501.02 Obligation to Obey

Section Eng 501.03 Standards of Conduct

PART Eng 502 VOLUNTARY LICENSE SURRENDER

Section Eng 502.01 Procedure for Surrendering a License

Section Eng 502.02 Effect of Voluntary License Surrender

Section Eng 502.03 Voluntary Surrender When Misconduct Allegations are
Pending



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State Board

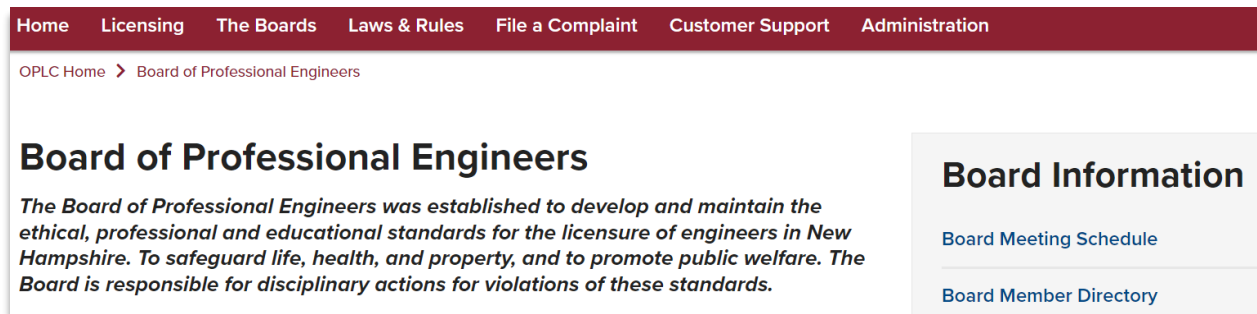
The state agency for professional engineering is the *New Hampshire Board of Professional Engineers*, herein referred to as the Board. The Board is under the Office of Professional Licensure and Certification (OPLC).



The Board oversees over 6,000 professional engineers. The Board has the authority to manage and further regulate professional engineering.

The Board can make modifications to Rules of the Board (NHCAR Eng).

Board Website



The board website <<https://www.oplc.nh.gov/board-professional-engineers>> contains the following topics:

Board Information

- Board Meeting Schedule
- Board Member Directory
- Laws & Rules
- Board Actions

Related Resources

- FAQs
- Other Links & Resources
- Letter of Verification

License Information

- Applications



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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:

RSA 310-A

310-A:2 Definitions. –

As used in this subdivision:

I. "Board" means the board of professional engineers.

I-a. "Business organization" means any enterprise, whether corporation, partnership, limited liability company, proprietorship, association, business trust, real estate trust, or other form of organization; organized for gain or profit, carrying on any business activity within the state.

II. "Professional engineer" means a person who by reason of advanced knowledge of mathematics and the physical sciences, acquired by professional education and practical experience, is technically and legally qualified to practice engineering, and who is licensed by the office or otherwise authorized by this subdivision to engage in the practice of engineering.

III. "Practice of engineering" means any professional service or creative work requiring education, training, experience, and the application of advanced knowledge of mathematics and physical sciences, involving the constant exercise of discretion and judgment, to such services or work as consultation, investigation, evaluation, planning, design, responsible oversight of construction, and responsible oversight of operation, in connection with any public or private utilities, structure, buildings, machines, equipment, processes, works, or projects, wherein the public welfare, or the safeguarding of life, health, or property is concerned.

IV. "Engineering surveys" means any surveying activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineering projects by persons licensed under this subdivision, but shall exclude the surveying of real property for the establishment or reestablishment of land boundaries, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

V. "Engineer of record" means a professional engineer who seals drawings, reports, or documents for a project. The seal shall acknowledge that the professional engineer prepared, coordinated, or had subordinates prepare under the direct supervision of the professional engineer, drawings, reports, or documents for a



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project. The engineer of record shall not be responsible for engineering work performed and sealed by other professional engineers, including independent consulting engineers who work under the coordination of the engineer of record.

310-A:2-a Purpose. – To safeguard life, health, and property, and to promote public welfare, the practice of engineering in this state shall be regulated by the board of professional engineers, except as provided in RSA 485-A:4 and RSA 485-A:35.

310-A:27 Exemptions. –

Nothing in this subdivision shall be construed to prevent or affect:

I. [Repealed.]

II. The work of an employee or a subordinate of a person holding an engineering license under this subdivision, provided such work does not include final designs or decisions and is done under the direct responsibility, checking, and supervision of a person holding an engineering license under this subdivision;

III. The practice of officers and employees of the government of the United States while engaged within this state in the practice of engineering for the federal government; or

IV. The practice of architecture by a duly licensed architect.

Rules of the Board

Eng 101.01 Purpose and Scope. The rules of this title implement the statutory responsibilities of the New Hampshire board of professional engineers created by RSA 310-A: 3. These provisions regulate but are not limited to the licensing of professional engineers and the practice of professional engineering in the state of New Hampshire.

Eng 102.01 Terms Used. As used in these rules, the following terms shall have the meanings indicated:

(a) “Professional engineer” means, professional engineer as defined in RSA 310-A:2, II namely “ a person who by reason of advanced knowledge of mathematics and the physical sciences, acquired by professional education and practical experience, is technically and legally qualified to practice engineering, and who is licensed by or otherwise authorized by this subdivision to engage in the practice of engineering.”



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(b) "Practice of engineering" means, practice of engineering as defined in RSA 310-A:2, III, namely "any professional service or creative work requiring education, training, experience and the application of advanced knowledge of mathematics and physical sciences, involving the constant exercise of discretion and judgment, to such services or work as consultation, investigation, evaluation, planning, design, responsible oversight of construction and responsible oversight of operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects wherein the public welfare, or the safeguarding of life, health or property is concerned."

(c) "Engineer-in-training" means a person who has qualified for, taken and passed the National Council of Examiners for Engineers and Surveyors examination in the fundamentals of engineering and has been issued a certificate by the board.

(d) "Board" means the New Hampshire board of professional engineers created by RSA 310-A:3.

(e) "Board administrator" means the board's staff director, a person with delegated authority to perform administrative and clerical functions for the board.

Eng 502.01 Procedure for Surrendering a License.

(a) Any person holding a license may voluntarily surrender that license by sending to the board a letter stating that they intend to surrender their license. The letter shall include at a minimum:

- (1) The licensee's name as it appears on their license;
- (2) The licensee's license number; and
- (3) The signature and date the licensee signed the letter.



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Responsible Charge

Engineering design work must be prepared under a professional engineer with **direct supervision**, referred to as “**responsible charge**”, as described in the laws and rules below. The engineer with **responsible charge** signs and seals documents produced under their responsibility, and becomes the “**engineer of record**”. A typical project has multiple engineers of record, one for each design discipline (civil, structural, mechanical, electrical, etc.).

Responsible charge can also refer to the management of a field of engineering services within an organization.

RSA 310-A

310-A:2 Definitions. – ...

V. “**Engineer of record**” means a professional engineer who seals drawings, reports, or documents for a project. The seal shall acknowledge that the professional engineer prepared, coordinated, or had subordinates prepare under the **direct supervision** of the professional engineer, drawings, reports, or documents for a project. The **engineer of record** shall not be responsible for engineering work performed and sealed by other professional engineers, including independent consulting engineers who work under the coordination of the **engineer of record**.

Rules of the Board

Eng 308.02 Licensed Engineer Seal or Stamp. ...

(c) ... It shall be a violation of these rules for the licensee to stamp or seal any documents not prepared by that licensee personally or under their **direct supervision**.

Eng 501.03 Standards of Conduct.

(a) The professional engineer shall hold paramount the safety, health, and welfare of the public as follows:

...

(8) Not affix their signature or seal to any engineering plan or document dealing with subject matter for which they lack competence by virtue of education or experience,



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nor to any such plan or document not prepared under their **direct supervisory control**;

(9) Exercise **direct supervisory control**, which requires a licensee to maintain **responsible charge** which includes:

- a. Providing all client contracts;
- b. Internal and external financial control; and
- c. Overseeing employee training;

(10) Exercise **control and supervision** over all jobs requirements which includes:

- a. Research;
- b. Planning;
- c. Design;
- d. Field supervision; and
- e. Work product review;

(11) Not delegate **responsible charge** or **direct supervisory control** to a non-licensed individual to provide professional services as specified in Eng 501.03 (a) (9); and

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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Engineering Disciplines

An engineers initial area of practice (a.k.a. area of competency, discipline, or branch) is typically identified through NCEES P.E. examination and initial licensure. A licensee can take additional exams to be recognized in multiple disciplines. The Board does not specially recognize certain disciplines and discipline names are not listed on a licensee's seal.

Licensees should only undertake assignments when competently qualified by education and experience in that technical field, and should not seal documents with subject matter for which they lack competence.

Rules of the Board

Eng 501.03 Standards of Conduct.

(a) The professional engineer shall hold paramount the safety, health, and welfare of the public as follows:

(1) Perform their services only in **areas of their competence**;

...

(6) Undertake to perform engineering assignments only when **qualified by education or experience in the specific technical field** of professional engineering involved;

(7) Accept an assignment requiring education or experience outside of their own **field of competence**, but only to the extent that the services are restricted to those phases of the project in which the licensee is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees;

(8) Not affix their signature or seal to any engineering plan or document dealing with subject matter for which they lack **competence by virtue of education or experience** ...



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Professional Conduct and Ethics

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

RSA 310-A

310-A:22 Investigations and Disciplinary Proceedings. –

I. [Repealed.]

II. Misconduct sufficient to support disciplinary proceedings under this section shall include:

- (a) The practice of fraud or deceit in procuring or attempting to procure or renew a certificate to practice under this subdivision.
- (b) Conviction of a felony or any offense involving moral turpitude.
- (c) Unprofessional, unethical, or dishonorable conduct unworthy of, and affecting the practice of engineering.
- (d) Unfitness or incompetency by reason of negligent habits or other causes, or negligent or willful acts performed in a manner inconsistent with the interests of persons relying on the expertise of the licensee.
- (e) Addiction to the use of alcohol or other habit-forming drugs to a degree which renders the licensee unfit to practice under this subdivision.
- (f) Mental or physical incompetency to practice under this subdivision.
- (g) Willful or repeated violation of the provisions of this subdivision.
- (h) Suspension or revocation of a license, similar to one issued under this subdivision, in another jurisdiction and not reinstated.
- (i) Violations of the rules of professional conduct for professional engineers, or any other rule adopted by the board.
- (j) Providing false testimony before the board.
- (k) Failure to provide, within 30 calendar days of receipt of notice by certified mail, return receipt requested, information requested by the office as a result of any formal complaint to the office alleging a violation of this subdivision.
- (l) Knowingly making or signing any false statement, certificate, or affidavit in connection with the practice of engineering.

310-A:25 Violations. –

I. (a) It shall be a class B misdemeanor for any unlicensed natural person or a felony for any unauthorized business organization to:

- (1) Practice, or offer to practice, engineering in this state.



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(2) Represent by any verbal statement, sign, letterhead, card, or in any other way that they are professional engineers or able to perform engineering services.

(3) Use or otherwise assume in conjunction with the personal name, or advertise any title or description tending to convey the impression that such person is a professional engineer licensed under this subdivision.

(b) It shall be a class B misdemeanor for any natural person or a felony for any unauthorized business organization to:

(1) Present or attempt to use the license or seal of another as one's own.

(2) Give any false or forged evidence of any kind to the board or to any member of the board in obtaining a license.

(3) Falsely impersonate any other licensee of like or different name.

(4) Attempt to use an expired or revoked license.

Rules of the Board

Eng 501.01 Purpose and Scope.

(a) In order to safeguard the life, health, property, and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the profession of engineering the following rules of professional conduct are promulgated in accordance with RSA 310-A:2 through RSA 310-A:27.

(b) These rules shall be binding upon every person holding a license as a professional engineer and on all persons, corporations, or other legal entities authorized to perform engineering in this state.

Eng 501.02 Obligation To Obey.

(a) Violation of these ethical standards shall result in disciplinary sanctions. Conduct proscribed by these ethical standards, when performed by an engineer-in-training or a candidate for licensure as a professional engineer in this state, or during a prior period of licensure, shall result in denying a license application.

(b) All persons licensed under RSA 310-A:2 through RSA 310-A:27 shall be considered to have knowledge of the existence of these rules of professional conduct and shall be deemed to be familiar with their several provisions. Such knowledge shall encompass the understanding that the practice of professional engineering is a privilege, as opposed to a right, and the licensed professional



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engineer shall be forthright and candid in the licensee's statements or written response to the board or its representatives on matters pertaining to professional conduct.

(c) Licensees shall submit only truthful and correct information in any application or other document filed with or statement made to the board.

(d) Licensees shall inform the board of a principal business or home address to which all official board communications should be directed, and of all addresses where they are practicing. The establishment of a business or home address or the change or abandonment of a business or home address shall be reported to the board within 30 days.

Eng 501.03 Standards of Conduct.

(a) The professional engineer shall hold paramount the safety, health, and welfare of the public as follows:

- (1) Perform their services only in areas of their competence;
- (2) Issue statements only in an objective and truthful manner;
- (3) Act for each employer or client as faithful agents or trustees;
- (4) Avoid deceptive acts;
- (5) Conduct themselves ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession;
- (6) Undertake to perform engineering assignments only when qualified by education or experience in the specific technical field of professional engineering involved;
- (7) Accept an assignment requiring education or experience outside of their own field of competence, but only to the extent that the services are restricted to those phases of the project in which the licensee is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees;



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(8) Not affix their signature or seal to any engineering plan or document dealing with subject matter for which they lack competence by virtue of education or experience, nor to any such plan or document not prepared under their direct supervisory control;

(9) Exercise direct supervisory control, which requires a licensee to maintain responsible charge which includes:

- a. Providing all client contracts;
- b. Internal and external financial control; and
- c. Overseeing employee training;

(10) Exercise control and supervision over all jobs requirements which includes:

- a. Research;
- b. Planning;
- c. Design;
- d. Field supervision; and
- e. Work product review;

(11) Not delegate responsible charge or direct supervisory control to a non-licensed individual to provide professional services as specified in Eng 501.03 (a) (9); and

(12) May affix their seal and signature to drawings and documents depicting the work of 2 or more professionals provided they designate by a note under their seal the specific subject matter for which they are responsible.

(b) The professional engineer shall issue public statements only in an objective and truthful manner; as follows:

(1) Be objective and truthful in all professional reports, statements, or testimony and include all relevant and pertinent information in such reports, statements, or testimony;

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



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(3) Issue no statements, criticisms, or arguments on engineering issues connected with public policy which are influenced or paid for by an interested party, or parties, unless they have prefaced their comment by explicitly identifying themselves by disclosing the identities of the party or parties on whose behalf they are speaking, and by revealing the existence of any pecuniary interest they may have in the instant matters;

(4) Not attempt to injure, maliciously or falsely, directly, or indirectly, the professional reputation, prospects, practice, or employment of another engineer nor shall they indiscriminately criticize another engineer in public; and

(5) If they believe that another engineer is guilty of misconduct or illegal practice, they shall present such information to the board.

(c) The professional engineer shall avoid conflicts of interest as follows:

(1) Promptly inform their employer or client of any business associations, interests, or circumstances, which could influence their judgment, or the quality of their services;

(2) 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, by all interested parties;

(3) Not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products;

(4) Not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with their client or employer in connection with work for which they are responsible;

(5) When in public service as a member, advisor, or employee of a governmental body or department, not participate in considerations or actions with respect to services provided by them or their organization in private engineering practices; and



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(6) Not solicit or accept an engineering contract from a governmental body on which a principal or officer of their organization serves as a member.

(d) The professional engineer shall solicit or accept work only on the basis of their qualifications as follows:

(1) Not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies;

(2) Shall compete for employment on the basis of professional qualification and competence to perform the work;

(3) Not solicit or submit proposals for professional services containing false, fraudulent, misleading, deceptive, or unfair statement or claim regarding the cost, quality, or extent of services to be rendered;

(4) Not falsify or permit misrepresentation of their, or their employees or co-worker's, academic or professional qualifications;

(5) Not misrepresent their degree of responsibility in or for the subject matter of prior assignments; and

(6) Not distribute brochures or other presentations incident to the solicitation of employment which shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or their past accomplishments with the intent and purpose of enhancing their qualifications and their work.

(e) The professional engineer shall provide their services in an ethical and lawful manner as follows:

(1) Not knowingly associate with or permit the use of their name or firm name in a business venture by any person or firm which they know, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature;

(2) If they have knowledge or reason to believe that another person or firm may be in violation of any of these provision or provisions of RSA 310-A:2 through RSA 310-



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A:27, present such information to the board in writing and cooperate with the board in furnishing such further information or assistance as may be required by the board; and

(3) Cooperate with investigations and requests for information from the board and the board's representatives.

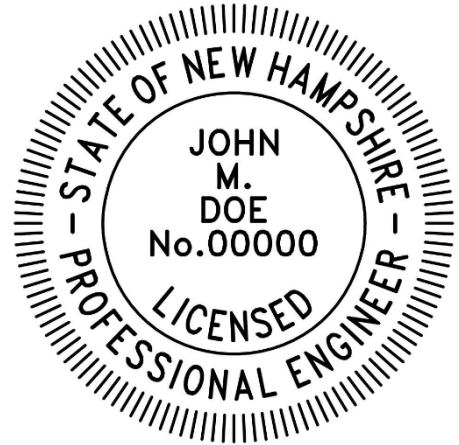


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Sign and Seal Requirements

Engineering seal and signature requirements are found in Laws and Rules of the Board. Here are highlights that may differ from requirements in other states:

- Seal outer diameter 1-9/16" (1.5625")
- Signature location not specified
- Add a date is not specified
- Ink color not specified
- Acceptable forms of signature:
 - Original hand sign and seal with rubber stamp or embossed (crimped)
 - Digital/electronic signature not specified



John M. Doe

Laws and Rules

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

RSA 310-A

310-A:18 Certificates; Seals. – The office shall issue a license, upon payment of the registration fee established by the office of professional licensure and certification, to any applicant who has satisfactorily met all the requirements of this subdivision. The issuance of a license by the office shall be prima facie evidence that the person named in the license is entitled to all the rights and privileges of a licensed professional engineer while the license remains valid. Each licensee shall upon licensure obtain a seal of the design meeting the criteria established by the board, bearing the registrant's name and the legend, "Licensed Professional Engineer." All papers or documents involving the practice of engineering under this subdivision, when issued or filed for public record, shall be dated, and bear the signature and seal of the licensed professional engineer who prepared or had responsibility for and approved them. It shall be a class B misdemeanor for the licensee to stamp or seal any documents with such seal after the license of the licensee has expired or has been revoked, unless such license shall have been renewed or reissued.



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Rules of the Board

Eng 308.02 Licensed Engineer Seal or Stamp.

(a) The board shall upon issuance of a license to an applicant as a licensed engineer, require the licensee to acquire an impression type seal or rubber stamp of the design specified by these rules. This seal shall bear the licensee's name and number as shown on the license. This seal may be affixed on all plans, maps, and reports prepared by the licensee, but shall be affixed to all documents issued or filed for public record.

(b) The seal shall consist of 2 concentric circles with the outer circle having a diameter of 1-9/16 inches and the inner circle diameter 15/16 of an inch. In the space between the circles at the top shall be the words "State of New Hampshire" and at the bottom "Professional Engineer." In the space inside the inner circle shall be the full legal name of the licensee and the license number written horizontally. At the bottom of the inner circle shall be the word "Licensed."

(c) It shall be a violation of these rules, pursuant to RSA 310-A:25, for the licensee to stamp or seal any documents with their seal after their license has expired, been revoked, or suspended or after the licensee has chosen retired status. It shall be a violation of these rules for the licensee to stamp or seal any documents not prepared by that licensee personally or under their direct supervision.

Eng 501.03 Standards of Conduct.

(a) The professional engineer shall hold paramount the safety, health, and welfare of the public as follows:

...

(12) May affix their seal and signature to drawings and documents depicting the work of 2 or more professionals provided they designate by a note under their seal the specific subject matter for which they are responsible.



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Continuing Education

Per Rules of the Board, Eng 401, the following continuing education is required every 2-year renewal period, where PDH is a professional development hour:

- 30 PDH
- Acceptable course/activity content:
 - Relevant to the practice of engineering
 - May include technical, ethical, or managerial content
- Board does NOT pre-approve providers or specific courses for engineering
- Maximum 15 PDH carried over to next year
- Submit CE tracking log during renewal
- Retain PDH records for minimum 4 years
- Renewal date is the last day of the month of the licensee's birth date; renewal year is even or odd based on the year of initial licensure

Laws and Rules

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

Rules of the Board

Eng 401.01 Expirations and Renewals. Licensees shall renew their licenses by applying for renewal prior to the expiration date and by paying the renewal fee.

Eng 401.02 Renewal of License. Any licensee wishing to renew a license shall submit:

- (a) The renewal application supplied by the OPLC;
- (b) The fee specified in Plc 1002.41; and
- (c) Proof of completion of the continuing professional development requirements of Eng 403.

Eng 401.03 Renewal Application.

(a) The applicant for renewal of licensure shall complete and submit the "Universal Application for License Renewal" pursuant to Plc 308.06;



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(b) In addition to the application required by (a) above, the applicant shall complete and submit the “Addendum to the Renewal Application Required in Plc 308.06” by providing the following:

- (1) List all names the applicant has ever been known by; and
- (2) Answer yes or no to the question “I have completed 30 hours of professional development as described in Eng 403.”;
- (c) Sign and date the application in (a) in accordance with Plc 308.08; and
- (d) Pay the fee required in Plc 1002.41.

Eng 401.04 Denial of Renewal.

(a) Renewal applicants shall be investigated for the purpose of verifying all application materials.

(b) The OPLC shall notify the applicant of any deficiencies in the renewal application within 60 days of receipt. Failure to remedy the deficiencies within 60 days thereafter shall result in denial of the renewal application. An application shall be considered complete when all deficiencies are corrected.

(c) Renewal shall be denied if, after notice and an opportunity for hearing, there is a finding of:

- (1) Noncompliance with the continuing education requirements of Eng 403;
- (2) Any unethical act for which discipline shall be imposed under Eng 500;
- (3) Reasons for which an initial application would have been denied; or
- (4) Failure to furnish complete or accurate information on a renewal license application.



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Eng 401.05 Reinstatement. A professional engineer whose license to practice engineering in this state has been allowed to lapse for a period of 12 months or more shall:

- (a) Complete and submit the “Universal Application for License Renewal” ;
- (b) In addition to the application required by (a) above, complete and submit the “Addendum to the Renewal Application Required in Plc 308.06 for Reinstatement” by answering yes or no to the question “I have completed 30 hours of professional development as described in Eng 403.”;
- (c) Sign and date the renewal application in accordance with Plc 308.08;
- (d) Pay the reinstatement fees as specified in Plc 1002.41; and
- (e) Include copies of documentation showing completion of continuing education as described in Eng 403.

Eng 403.01 Renewal Requirements.

(a) A renewal application shall not be accepted for filing unless the licensee indicates on the renewal application, and under penalty of unsworn falsification, that they have completed the minimum required hours of approved professional development hours required by Eng 403.01(b) and lists the specific basis for each credit.

(b) Each licensee shall obtain at least 30 professional development hours of approved continuing education courses during the biennial renewal period as a condition of license renewal.

(c) If a licensee exceeds the requirement, a maximum of 15 professional development hours may be carried forward into the subsequent renewal period.

Eng 403.02 Continuing Professional Development Requirements for New Licensees. New licensees shall be exempt from obtaining professional development hours for their first biennial renewal period.



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Eng 403.03 Requirements for Reciprocity. Licensees who are residents of jurisdictions other than New Hampshire shall meet the continuing professional development or equivalent requirements of their resident jurisdiction. The requirements for the state of New Hampshire shall be satisfied when a non-resident licensee provides evidence of having met the requirements of their resident jurisdiction. If licensees reside in a jurisdiction that has no continuing professional development requirements, the resident shall meet the requirements of the state of New Hampshire.

Eng 403.04 Reinstatement. An applicant may bring an inactive license to active status by obtaining the professional development hours required pursuant to Eng 403.01 (b) and payment of any and all outstanding renewal and reinstatement fees as specified in Plc 1002.41.

Eng 403.05 Professional Development Hour Requirements. Professional development hours shall meet the following criteria:

(a) Continuing education activities shall be relevant to the practice of engineering or no credit shall be awarded. Such continuing education activities may include technical, ethical, or managerial content;

(b) The content of each presentation shall be well organized and presented in a sequential manner; and

(c) There is a provision for individual participant course or program registration including information required for record keeping and reporting.

Eng 403.06 Professional Development Hour Credits. Professional development hours shall be credited as follows:

(a) A maximum of 6 professional development hours shall apply to activity on a state or national board of licensure;

(b) Courses or programs awarded one college semester hour of credit shall equal 45 professional development hours based on course credit established by the college or university;



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(c) Courses or programs awarded one college quarter hour shall equal 30 professional development hours;

(d) Courses or programs awarded one continuing education unit shall equal 10 professional development hours;

(e) Credit shall be awarded for one hour of professional development in course work, seminars, or professional technical presentations made at meetings, conventions, or conferences for each hour of attendance. Attendance at qualifying programs presented at professional or technical society meetings shall earn professional development hour units for the actual time of each program;

(f) Teaching or instructing qualifying courses or seminars or making presentations at technical meetings shall earn professional development hours credit at twice that of participants. Teaching credit shall be valid for teaching a course or seminar for the first time only. Teaching credit shall not apply to full-time faculty;

(g) Each published article for a trade journal shall equal 2 professional development hours;

(h) Each published professional journal, article or published engineering text book shall equal 30 professional development hours;

(i) Active participation in professional or technical societies shall equal 2 professional development hours and shall require that a registrant serve as an officer or actively participate in a committee of the organization. Professional development hour credits shall not be earned until each year service is completed and shall be limited to 2 professional development hours per organization;

(j) Credit awarded for one patent shall equal 10 professional development hours; and

(k) Professional development credits shall not be recognized for any repeat program attended or completed.

Eng 403.07 Record Keeping.



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(a) The responsibility of maintaining records to be used to support credits claimed shall be the responsibility of the licensee.

(b) Records required shall contain at least the following documentation:

(1) A log showing the type of activity claimed, sponsoring organization, location, instructor's or speaker's name, and professional development hours credits earned; and

(2) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance such as:

a. Signed attendance receipts;

b. Paid receipts and course agenda; or

c. A copy of a listing of attendees signed by a person sponsoring the course or program or the course or program provider.

(c) The licensee shall retain attendance verification records for a period of at least 4 years. Such documentation shall be made available to the OPLC for random audit or verification purposes. Documentation shall support professional development hours claimed. Failure to provide documentation for audit verification shall result in disciplinary action.

(d) Not less than 3% of the licensees shall be randomly selected each year by the OPLC for compliance with Eng. 403.01.

Eng 403.08 Exemptions. A licensee shall be exempt from the professional development educational requirements for any of the following reasons:

(a) 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 professional development hours required during that year; and



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(b) Licensees who list their occupation as “retired” on the renewal form provided by the OPLC and who further certify that they are no longer providing professional engineering services shall be exempt from the professional development hours required.

Eng 403.09 Waiver of Professional Development Hours Deadline.

(a) A licensee may request a waiver of professional development hour deadlines.

(b) A waiver shall be granted provided the waiver petition meets the following criteria:

- (1) A petition requesting a waiver shall be filed at least 30 days before the expiration of the biennial continuing education period in question;
- (2) Showing of good cause that includes serious accident, illness, or other circumstances beyond the control of the licensee which actually prevents the licensee from satisfying the continuing education requirements;
- (3) Relevant supporting documentation from the licensee’s physician or medical professional shall be furnished to the board when necessary for a fair and informed determination by the board; and
- (4) A waiver petition shall include a specific timetable for completing specific courses, which will meet the petitioner’s continuing education unit deficiency.

Eng 403.10 Noncompliance. Failure to submit documentation required per Eng 403.07 (b) and (c) which establishes that said requirements were so completed, shall after notice and opportunity for hearing, result in disciplinary action including license suspension or revocation unless a waiver petition has been timely filed and duly granted by the board.



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Helpful References

New Hampshire Board of Professional Engineers

- General website: <https://www.oplc.nh.gov/board-professional-engineers>
- License renewal: <https://forms.nh.gov/license/Login.aspx>
- Laws & Rules: <https://www.oplc.nh.gov/board-professional-engineers-laws-and-rules>
- RSA 310-A: <https://www.gencourt.state.nh.us/rsa/html/NHTOC/NHTOC-XXX-310-A.htm>
- Rules of the Board: https://www.gencourt.state.nh.us/rules/state_agencies/eng.html
- FAQs: <https://www.oplc.nh.gov/faqs-professional-engineers>