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# South Carolina Laws and Rules for Engineers

by

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South Carolina Laws and Rules for Engineers  
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Course Outline:

South Carolina Code of Laws  
Laws of the Board  
South Carolina Code of State Regulations  
Rules of the Board  
State Board  
Practice of Professional Engineering  
Responsible Charge  
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### **South Carolina Code of Laws**

State laws (called statutes) are enacted by the South Carolina Legislature (called the General Assembly), 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 called the South Carolina Acts and Joint Resolutions. Next, the laws (called statutes) are added to the *South Carolina Code of Laws* (S.C. Code) in the appropriate locations with numbering, formatting, and removal of replaced or repealed statutes.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 *South Carolina Code of Laws Annotated* (S.C. Code Ann.).

The South Carolina Code of Laws is divided into dozens of titles. Laws with relevance to engineering are in Title 40, Chapter 22, which is cited as S.C. Code Ann. 40-22 and informally called the Laws of the Board. The organization is as follows:

#### **South Carolina Code of Laws**

- Title 40: Professions and Occupations
  - Chapter 22: Engineers and Surveyors
    - Sections: Various
      - Paragraphs: Various

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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## **Laws of the Board**

The law dedicated to the practice of engineering is S.C. Code Ann. 40-22, known as the "Laws of the Board". The Laws of the Board gives authority to the *South Carolina State Board of Registration for Professional Engineers and Surveyors* (Board) to enact the laws and manage licensing. The following is the contents with **bold** sections being of particular importance for practicing professional engineers.

### **Title 40, Chapter 22: Engineers and Surveyors**

#### **40-22-2 - Purpose**

#### **40-22-5 - Application of Chapter 1; conflicts**

40-22-10 - Board of Registration for Professional Engineers and Land Surveyors: membership and qualifications; compensation; removal; meetings; liability

#### **40-22-20 - Definitions**

#### **40-22-30 - Practice without a license; penalties**

40-22-40 - Nomination of board member candidates from general public

40-22-50 - Duties of board; promulgation of examination, licensing, and registration fees; records; register of applications for certificates of authorization; roster

40-22-60 - Rules and regulations; seal; input to department

40-22-70 - Additional powers and duties

40-22-75 - Waiver of licensing requirements during emergencies

40-22-80 - Investigations of violations; subpoenas; administration of oaths and taking of testimony; charges

40-22-90 - Presentation of investigation results; hearing; notification of accused

40-22-100 - Cease and desist orders; application for temporary restraining order

40-22-110 - Penalties; grounds

40-22-115 - Jurisdiction of board

40-22-120 - Civil fines and other penalties

40-22-130 - Grounds for denial of license

40-22-140 - Prior criminal record

40-22-150 - Voluntary surrender of license

40-22-160 - Appeal

40-22-170 - Costs

40-22-180 - Payment of fines; interest

40-22-190 - Confidentiality of proceedings

#### **40-22-200 - Violation of chapter; penalty**



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- 40-22-210 - Injunctions; rule to show cause
- 40-22-220 - Licensure requirements; engineer-in-training; professional engineer; examination
- 40-22-222 - Licensing of existing engineers; review process
- 40-22-225 - Eligibility requirements for license as surveyor
- 40-22-230 - Application forms; references; written examinations; reexaminations; issuance of certificate of registration; reissuance of revoked certificate
- 40-22-240 - Renewal of registration; fees and late fees; lapsed license; continuing professional competency requirement**
- 40-22-245 - South Carolina Engineers and Surveyors Education and Research Fund; funding; report of expenditures
- 40-22-250 - Certificate of authorization to practice as firm; conditions; application and registration fee; discipline
- 40-22-260 - Temporary licenses and certificates of authorization
- 40-22-270 - Individual seals; stamping on plans and specifications**
- 40-22-280 - Exceptions from application of chapter**
- 40-22-290 - TIER A surveying; exclusions
- 40-22-295 - Emergency services immunity**
- 40-22-300 - Promulgation of regulations for practice by firms located in foreign countries
- 40-22-310 - Status of regulations promulgated pursuant to Chapter 21
- 40-22-320 - Severability



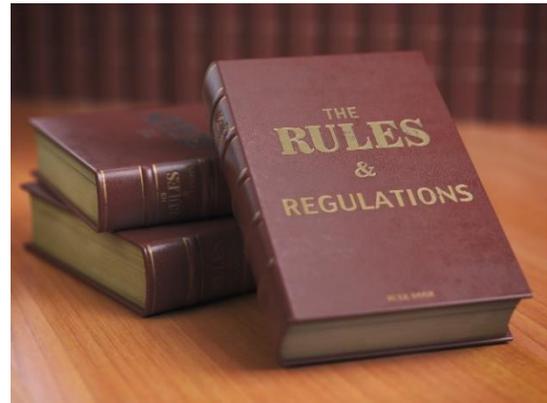
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## **South Carolina Code of State Regulations**



State laws are often high-level and lack details required for implementation. The South Carolina 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 *South Carolina Code of State Regulations* or *South Carolina Code of Regulations* and can be cited as S.C. Code Reg. The regulations are enforceable just like state statutes.

The S.C. Code Reg. is grouped into dozens of chapters, each representing a different state agency (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering is under Chapter 49. This is cited as S.C. Code Reg. 49, and referred to as “Rules of the Board” in this course.



The organization is as follows:

### **S.C. Code Reg.**

- Chapter 49: Department of Labor, Licensing and Regulation-- South Carolina State Board of Registration for Professional Engineers and Land Surveyors
  - Articles 1 to 6
    - Sections (Various)
      - Paragraphs (Various)



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**Rules of the Board**

S.C. Code Reg. 49 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.

S.C. Code Reg. 49 - Department of Labor, Licensing and Regulation -- South Carolina State Board of Registration for Professional Engineers and Land Surveyors

Article 1 - ORGANIZATION, ADMINISTRATION AND PROCEDURE

**49-100 - Definitions**

49-101 - Board Rules of Order/Procedures and Seal of Board

49-102 - Use of Forms/Applications

49-103 - Fees

49-104 - Examinations-General

**49-105 - License Expiration, Renewal and Reinstatement-Individuals**

49-106 - COA Expiration, Renewal and Reinstatement-Firms

Article 2 - GENERAL PROVISIONS

49-200 - Professional Engineer Licensure Requirements

49-201 - Professional Land Surveyor Licensure Requirements

**49-202 - Classifications and Scopes of Authority: Engineers and Surveyors**

49-203 - Licensure by Comity

49-205 - Firm Licensure

**49-207 - Seals: Individuals and Firms**

Article 3 - RULES OF PROFESSIONAL CONDUCT

**49-300 - Preamble**

**49-301 - Responsibility to the Public**

**49-302 - Competency for Assignments**

**49-303 - Public Statements**

**49-304 - Conflicts of Interest**

**49-305 - Solicitation of Work**

**49-306 - Improper Conduct**



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Article 4 - STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA

- 49-400 - Purpose
- 49-410 - Compliance
- 49-420 - General
- 49-430 - Nomenclature
- 49-440 - Classification of Surveys
- 49-450 - Plats and Platting
- 49-460 - Survey Types and Requirements
- 49-470 - Methods of Marking Property Boundaries
- 49-480 - Land Descriptions
- 49-490 - Instruments and Apparatus

Article 6 - CONTINUING PROFESSIONAL COMPETENCY

- 49-600 - Purpose**
- 49-601 - Definitions**
- 49-602 - Requirements**
- 49-603 - Units of Credit**
- 49-604 - Determination of Credit**
- 49-605 - Record Keeping**
- 49-606 - Exemptions**
- 49-609 - Dual License Holders**
- 49-610 - Reporting Forms**



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### **State Board**

The state agency for professional engineering is the *South Carolina State Board of Registration for Professional Engineers and Surveyors* (ENGLS), herein referred to as the Board. The Board is under the Department of Labor, Licensing and Regulation (LLR).



The Board oversees over 20,000 professional engineers. The Board has the authority to manage and further regulate professional engineering and land surveying.

The Board can make modifications to Rules of the Board (S.C. Code Reg. 49).

### **Board Website**



The board website <<https://www.llr.sc.gov/eng/>> contains the following topics:

Renew my License	Minutes
Application Status	How to File a Complaint
Licensee Lookup	Print My License
Board Orders	Change Address
Apply for a License	Licensee Lookup
Military Spouse Licensure	License Verification
Laws & Rules	Continuing Education
Calendar	Frequently Asked Questions
Agendas	Contact



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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:

**Laws of the Board**

**SECTION 40-22-2.** Purpose.

In order to safeguard life, health, and property and to promote the public welfare, the practice of the profession of engineering and surveying in this State is subject to regulation. It is the policy of this State and the purpose of this chapter to encourage the development of professional engineers and surveyors in this State and to promote the accountability for engineering practice and surveying practice in a global economy. The State recognizes the need for qualified engineers and surveyors to support the local and global economy and, to that end, encourages efforts to increase access to accredited education, the examinations, and the experience necessary and appropriate to protect the health, safety, and welfare of South Carolina citizens and to support licensure as the basis of accountability.

**SECTION 40-22-20.** Definitions.

As used in this chapter:

...

(3) "Board" means the South Carolina State Board of Registration for Professional Engineers and Surveyors created pursuant to this chapter.

(4) "Branch office" means a place of business separate from the principal place of business where engineering services or surveying services are provided. A specific project or construction site office is not a branch office. Nothing contained in this chapter prevents a professional engineer or professional surveyor from undertaking an engineering project or a surveying project anywhere in the State.

(5) "Current certificate of registration" means a license to practice which has not expired or has not been revoked and which has not been suspended or otherwise restricted by the board.

(6) "Department" means the Department of Labor, Licensing and Regulation.



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

(8) "Direct responsibility", "direct supervisory control", "direct supervision", and "responsible charge" means that there is a clear-cut personal connection to the project or employee supervised, marked by firsthand knowledge and direct control and assumption of professional responsibility for the work.

(9) "Emeritus engineer" or "emeritus surveyor" means a professional engineer or surveyor who has been registered for fifteen consecutive years or longer and who is sixty-five years of age or older and who has retired from active practice.

(10) "Engaged in practice" means holding one's self out to the public as being qualified and available to perform engineering or surveying services.

(11) "Engineer" means a professional engineer as defined in this section.

(12) "Engineering surveys" means all minor survey activities required to support the sound conception, planning, design, construction, maintenance, operation, and investigation of engineered projects but exclude the surveying of real property for the establishment of land boundaries, rights-of-way, and easements and the independent surveys or resurveys of general land masses.

(13) "Engineer-in-training" means a person who has qualified for and passed the NCEES Fundamentals of Engineering examination as provided in this chapter and is entitled to receive a certificate as an engineer-in-training.

(14) "Ethics" means conduct that conforms to professional standards of conduct.

(15) "Firm" means a business entity functioning as a sole proprietorship, partnership, limited liability partnership, professional association, professional corporation, business corporation, limited liability company, joint venture, or other legally constituted organization which practices or offers to practice engineering or surveying, or both.



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(16) "Fraud or deceit" means intentional deception to secure gain, through attempts deliberately to conceal, mislead, or misrepresent the truth in a manner that others might take some action in reliance or an act which provides incorrect, false, or misleading information on which others might rely.

(17) "GIS" means geographic information systems.

(18) "Good character" refers to a person of good moral character and one who has not been convicted of a violent crime, as defined in Section 16-1-60, or a crime of moral turpitude.

(19) "Gross negligence" means an act or course of action, or inaction, which denotes a lack of reasonable care and a conscious disregard or indifference to the rights, safety, or welfare of others and which does or could result in financial loss, injury, or damage to life or property.

(20) "Incompetence" means the practice of engineering or surveying by a licensee determined to be either incapable of exercising ordinary care and diligence or lacking the ability and skill necessary to properly perform the duties undertaken.

(21) "Licensed" means authorized by this board, pursuant to the statutory powers delegated by the State to this board, to engage in the practice of engineering, or surveying, or engineering and surveying, as evidenced by the board's certificate issued to the registered license holder.

(22) "Misconduct" means the violation of a provision of this chapter or of a regulation promulgated by the board pursuant to this chapter.

...

(24) "Person" means an individual human being, firm, partnership, or corporation.

(25) "Practice of engineering" means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as commissioning, consultation, investigation, expert technical testimony, evaluation, design and design coordination of engineering works and systems, design for development and use of land and



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water, performing engineering surveys and studies, and the review of construction for the purpose of monitoring compliance with drawings and specifications, any of which embraces such services or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems projects, and industrial or consumer products or equipment of control systems, chemical, communications, mechanical, electrical, environmental, hydraulic, pneumatic, or thermal nature, insofar as they involve safeguarding life, health, or property, and including such other professional services as may be necessary to the planning, progress, and completion of any engineering services. The mere execution, as a contractor, of work designed by a professional engineer or supervision of the construction of such work as a foreman or superintendent is not considered the practice of engineering. A person must be construed to practice or offer to practice engineering, within the meaning and intent of this chapter who:

- (a) practices any branch of the profession or discipline of engineering;
- (b) by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer or through the use of some other title implies that he is a professional engineer or that he is licensed under this chapter; or
- (c) holds himself out as able to perform or does perform any engineering service or work or any other professional service designated by the practitioner or which is recognized as engineering.

...

- (28) "Private practice firm" means a firm as defined herein through which the practice of engineering or surveying would require a certificate of authorization as described in this chapter.
- (29) "Private practitioner" means a person who individually holds himself out to the general public as able to perform, or who individually does perform, the independent practice of engineering or surveying.
- (30) "Professional engineer" means a license holder who, by reason of his special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design, acquired by professional education and practical experience, is qualified to practice engineering as defined in this section as



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attested by his license and registration as a professional engineer in this State.

...

(32) "Professions of architecture, landscape architecture, and geology" mean those specified professions as defined by the laws of this State and applicable regulations.

(33) "Registered" means the engineer or surveyor is licensed and registered in the State.

(34) "Resident professional engineer" or "resident professional surveyor", with respect to principal office and branch office requirements, means a licensed practitioner who spends a majority of each normal workday in the principal or branch office.

(35) "Retired from active practice" means not engaging or offering to engage in the practice of engineering or surveying as defined in this section.

**SECTION 40-22-260.** Temporary licenses and certificates of authorization.

(A) Upon application to and approval by the board and payment of the fee provided in regulation, the board shall grant a temporary license for engineering work on one specified project in this State for a period not to exceed one year to an engineer who has recently become a resident of this State, or is a nonresident having no established place of business in this State, who meets the qualification requirements for licensure in this State and who holds a valid license to practice in another state. An engineer may not renew a temporary certificate at its expiration date and may not apply for temporary licensure in connection with more than one specific project in any three-year period.

(B) Upon application to and approval by the board and payment of the fee provided in regulation, the board shall grant a temporary certificate of authorization to a firm subject to the following:

(1) This temporary certificate of authorization must be for work on one specified project in this State for a period of not more than one year.

(2) This temporary certificate may be granted to an out-of-state firm if one or more of



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the corporate officers, one or more of the principal owners, or a full-time licensed employee is designated as responsible for the professional services regulated by the board and are licensed by the board.

(3) The approval of a temporary certificate of authorization constitutes appointment of the Secretary of State as an agent of the applicant for service of process in an action or proceeding against the applicant arising out of any transaction or operation connected with or incidental to the practice of engineering.

(4) Plans produced and submitted for permitting under a registrant's temporary license or certificate of authorization shall be sealed with the registrant's home state seal. A temporary certificate of authorization may be indicated by notation on plans submitted for permitting. This notation must include the temporary certificate of authorization number, date of expiration, and address of the firm. A copy of the letter of the board approving the temporary license or the certificate of authorization must be attached to the plans.

**SECTION 40-22-280.** Exceptions from application of chapter.

(A) This chapter may not be construed to prevent or to affect:

(1) the practice of any other regulated profession or trade where the practice of the profession or trade may legitimately overlap the professions regulated by this chapter;

(2) the work of an employee or other subordinate of a person holding a certificate of registration under this chapter;

(3) the engineering work of full-time, non-temporary employees of the government of the United States officially performing their duties for their employer on federal lands within this State, in the practice of engineering for the government, and where specified by federal statute;

(4) the surveying work of full-time, non-temporary employees of the government of the United States officially performing their duties for their employer on lands within this State, in the practice of surveying for the government, and where specified by federal statute;



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(5) the work or practice of a full-time, non-temporary employee of a public utility, a telephone utility, or an electrical utility by rendering to the employing company engineering service in connection with its facilities which are subject to regulation, supervision, and control in order to safeguard life, health, and property by the Public Service Commission of this State, so long as the person is actually and exclusively employed. Engineering work not related to the exemption in this item where the safety of the public is directly involved must be accomplished by or under the responsible charge of a professional engineer;

(6) the work or practice of a regular employee of an electric cooperative, when rendering to the employing cooperative engineering service in connection with its facilities which are subject to regulations and inspections of the Rural Utilities Service, if the person is actually and exclusively employed. Engineering work not related to the exemption in this item where the safety of the public is directly involved must be accomplished by or under the responsible charge of a professional engineer;

(7) the work or practice of a full-time, non-temporary employee of a state authority which is licensed by and subject to the safety regulations of the Federal Energy Regulatory Commission and which sells and distributes electric power to consumers, so long as the person is actually and exclusively employed. Engineering work not related to the exemption in this item where the safety of the public is directly involved must be accomplished by or under the responsible charge of a registered professional engineer;

(8) the work of a general contractor, specialty contractor, or material supplier in the preparation and use of shop drawings or other graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with plans and specifications prepared under the requirements of this chapter;

(9) the work or practice of a person rendering engineering services to a corporation that operates in South Carolina under a production certificate issued by the Federal Aviation Authority, provided that the general business of the corporation does not consist, either wholly or in part, of the rendering of engineering services to the general public. For purposes of this section, "engineering services" means design, construction, and maintenance of airplanes and airplane manufacturing equipment; and



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(10) the activities of full-time employees of a manufacturing company or other personnel under the direct supervision and control of the manufacturing company, or a subsidiary of the manufacturing company, on or in connection with activities related to the research, development, design, fabrication, production, assembly, integration, installation, or service of products manufactured by the manufacturing company. This exemption does not apply to activities where the seal of a professional engineer is expressly required by statute, regulation, or building code, or to engineering services offered to the public. For the purposes of this item, "manufacturing company" means a company that produces or assembles tangible personal property and "other personnel" includes individuals employed by a staffing company working for the manufacturing company.

(B) If drawings and specifications are signed by the authors with the true title of their occupations, this chapter does not apply to the preparation of plans and specifications for:

(1) farm buildings not designed or used for human occupancy;

(2) buildings and structures less than three stories high and less than five thousand square feet in area, except that buildings and structures classified as assembly, educational, high hazard, institutional, or uses as defined by the International Code Series, as adopted by the State of South Carolina, regardless of size or area, are not exempt from the provisions of this chapter;

(3) one- and two-family dwellings in compliance with the prescriptive requirements of the International Residential Code, as adopted by the State of South Carolina. All other buildings and structures classified as residential occupancies or uses in the International Code Series and that are beyond the scope of the International Residential Code are not exempt from the provisions of this chapter; and

(4) alterations to a building to which this chapter does not apply, if the alterations do not result in a change which would otherwise place the building under the application of this chapter.

(C) This subsection may not be construed to prejudice a law, ordinance, regulation, or other directive enacted by another political body or a requirement by a contracting



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authority which would otherwise require preparation of plans and specifications under the responsible charge of a professional engineer or professional surveyor.

**SECTION 40-22-295.**Emergency services immunity.

(A) A licensed engineer or surveyor who voluntarily, without compensation, provides structural, electrical, mechanical, or other engineering services or surveying services at the scene of a declared national or state emergency, at the request of the Governor, is not liable for any personal injury, wrongful death, property damage, or other loss caused by the licensed engineer or surveyor's acts, errors, or omissions in performing the engineering or surveying services for a property, structure, building, piping, or other engineered system, either publicly or privately owned. Immunity from liability under this section is only effective as to services rendered during the thirty days following the event that gave rise to the declared state of emergency.

(B)(1) Any licensed engineer or surveyor appointed pursuant to this section must not be held liable for any civil damages as a result of the providing of requested engineering or surveying services unless the damages result from providing, or failing to provide engineering or surveying services if the consequences of the services provided are proven by a preponderance of the evidence to be the result of gross negligence or recklessness.

(2) This section applies if the engineer or surveyor does not receive payment other than as allowed in Section 8-25-40 for the appointed services and prescribed duties. However, if the engineer or surveyor is an employee of the State, the engineer or surveyor may continue to receive compensation from his employer.

(C) This section does not provide immunity from liability to persons providing services pursuant to Section 40-22-75.

Rules of the Board

**49-100. Definitions.**

A. Definitions found in Section 40-22-20 of the Code of Laws of South Carolina apply to this Chapter.



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B. The following definitions are terms used in this Chapter in addition to those included in Section 40-22-20 of the Code of Laws of South Carolina:

...

(3) "Dual License Holder" means a person who is licensed as an engineer and a surveyor.

(4) "Model Law Engineer" refers to a person who meets the following criteria:

(a) Graduation from an engineering program accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (EAC/ABET).

(b) Four years of qualifying experience after graduation.

(c) Passing of a NCEES Fundamentals of Engineering Examination (FE).

(d) Passing of a NCEES Principles and Practice of Engineering Examination (PE).

(e) Status in good standing as a registrant in the NCEES Records Program, and

(f) A record clear on any license violations or sanctions by an engineering board.

(5) "NCEES" means the National Council of Examiners for Engineering and Surveying.

(6) "Washington Accord" refers to an international agreement providing for the mutual recognition of engineering education program accreditation by and between EAC/ABET and engineering education accrediting bodies of other nations holding membership in the Washington Accord.



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## **Responsible Charge**

Engineering design work must be prepared by or reviewed under the “direct supervision” of a professional engineer, which is referred to as having “**responsible charge**”, as described in the laws and rules below. The engineer with **responsible charge** signs and seals documents produced under their responsibility, and is often referred to as the “engineer of record”, although that term is not used in the laws and rules. A typical project has multiple responsible engineers, 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.

## **Laws of the Board**

### **SECTION 40-22-20.** Definitions.

...

(8) "Direct responsibility", "direct supervisory control", "direct supervision", and "**responsible charge**" means that there is a clear-cut personal connection to the project or employee supervised, marked by firsthand knowledge and direct control and assumption of professional responsibility for the work.

### **SECTION 40-22-270.** Individual seals; stamping on plans and specifications.

...

(3) Plans, specifications, plats, and reports prepared by a licensee or prepared under the licensee's **direct supervision** must be stamped with seals when filed with public authorities during the life of the licensee's certificate.

(4) Plans and specifications prepared by a licensee or prepared under the licensee's **direct supervision** must be stamped with seals when issued for use as job site record documents at construction projects within this State.



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Rules of the Board

**49-207. Seals: Individuals and Firms.**

...

(2) When sealing documents is required by statute, other authority or contract, each sheet of design or construction plans and drawings for engineering practice and of maps, plats, and charts for land surveying practice shall be sealed and signed by the licensee or permit holder preparing them, or in **responsible charge** of their preparation.

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 and Competence**

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 and gain official qualification in multiple disciplines. The Board does not make discipline designations or track a licensee's discipline(s). Discipline names are not listed on seals.

Licensees should only undertake assignments in which they are competent to perform, as **qualified by education or experience**, and should only seal documents with subject matter in which they have **competence by virtue of education or experience**.

### **Rules of the Board**

#### **49-302. Competency for Assignments.**

The Engineer or Surveyor shall perform services only in the areas of their competence.

A. The Engineer or Surveyor shall undertake to perform engineering or surveying assignments only when **qualified by education or experience** in the specific technical field of professional engineering or surveying involved.

B. The Engineer or Surveyor may accept an assignment requiring education or experience outside of their own field of **competence**, but only to the extent that their services are restricted to those phases of the project in which they are **qualified**. All other phases of such projects shall be performed by **qualified** associates, consultants, or employees.

C. The Engineer or Surveyor shall not affix their signature and seal to any engineering or surveying plan or document dealing with subject matter to which they lack **competence by virtue of education or experience**, nor to any such plan or document not prepared under their direct supervisory control.

D. In the event a question arises as to the **competence** of an Engineer or Surveyor to perform an engineering or surveying assignment in a specific technical field of engineering or surveying which cannot be otherwise resolved to the Board's



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satisfaction, the Board, either upon request of the Engineer or Surveyor or by its own volition, may require them to submit to an appropriate examination as determined by the Board.

**49-303. Public Statements.**

...

B. The Engineer or Surveyor shall express a professional 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 statement.



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**Professional Conduct and Ethics**

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

**Laws of the Board**

**SECTION 40-22-30.** Practice without a license; penalties.

(A) In addition to those penalties provided for in Section 40-1-200 and in order to safeguard life, health, and property and to promote the public welfare, it is unlawful for a:

(1) person in a public or private capacity to practice or offer to practice engineering or surveying without being licensed pursuant to this chapter;

(2) person to use in connection with his name or otherwise assume, use, or advertise a title or description tending to convey the impression that he is a professional engineer or professional surveyor unless the person is licensed and registered pursuant to this chapter;

(3) firm in a public or private capacity to practice or offer to practice engineering or surveying without being licensed and holding a valid authorization to practice, as provided in Section 40-22-250;

(4) person or firm to knowingly submit false information to the board for the purpose of obtaining licensure.

(B) It is unlawful for an individual or firm to engage in the practice of TIER A surveying or the practice of TIER B surveying in this State, to use the title "surveyor", or to use or display any title, verbal claim, sign, advertisement, letterhead, card, or other device or method to indicate that the individual or firm engages in or offers to engage in the practice of TIER A or TIER B surveying without being registered as a surveyor or firm.

(C) It is unlawful for an individual or firm to engage in the practice of engineering in this State, to use the title "engineer", or to use or display any title, verbal claim, sign, advertisement, letterhead, card, or other device or method to indicate that the



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individual or firm engages in or offers to engage in the practice of engineering without being registered as an engineer or firm.

(D) A violation of this section is punishable pursuant to Section 40-22-200.

**SECTION 40-22-110.** Penalties; grounds.

(A) The board may seek administrative fines, pursuant to Section 40-1-120 or seek criminal penalties against a person or firm found guilty of unlicensed practice of engineering or surveying. In addition to the grounds provided for in Section 40-1-110, the board may cancel, suspend, refuse, revoke, or restrict a license as well as reprimand, fine, or require re-examination of an individual who is found guilty of:

- (1) the practice of fraud or deceit in applying for or obtaining a certificate of registration;
- (2) gross negligence, incompetency, or misconduct in the practice of engineering or surveying;
- (3) a felony or misdemeanor which, in the judgment of the board, adversely affects the registrant's ability to perform satisfactorily within the licensed discipline;
- (4) aiding or abetting any person in violation of a provision of this chapter or a regulation promulgated pursuant to this chapter;
- (5) a violation of this chapter or a regulation promulgated by the board; and
- (6) practicing in a registration category or tier for which the licensee has not been licensed by the board.

(B) The license of a person adjudged mentally incompetent is considered automatically suspended until the person is adjudged as being restored to mental competency by a court of competent jurisdiction or in any other manner provided by law.



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**SECTION 40-22-200.** Violation of chapter; penalty.

A person who violates a provision of this chapter or a regulation promulgated pursuant to this chapter or who commits any of the following violations is guilty of a misdemeanor and, upon conviction, must be imprisoned for not more than six months or fined not less than five hundred dollars and not more than two thousand dollars for each violation, or both; however, the total imposed for these violations may not exceed ten thousand dollars:

- (1) practices or offers to practice engineering or surveying in this State without being registered in accordance with this chapter;
- (2) presents or attempts to use as his own the certificate of registration or the seal of another;
- (3) gives false or forged evidence of any kind to the board or to a member of the board in obtaining a certificate of registration;
- (4) falsely impersonates another registrant of like or different name; or
- (5) attempts to use an expired or revoked certificate of registration.

Rules of the Board

**49-300. Preamble.**

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 and surveying, the following Rules of Professional Conduct are promulgated in accordance with the Code of Laws of South Carolina (1976, as amended), Title 40, Chapter 22, and shall be binding upon every person holding a certificate of registration as a Professional Engineer or Surveyor. Reference to engineer or surveyor in this Article shall mean any engineer, surveyor, corporation, professional corporation, partnership or firm, authorized to offer or perform engineering or surveying services in this State.



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B. The Rules of Professional Conduct delineate specific obligations engineers and surveyors must meet. In addition, each engineer and surveyor is charged with the responsibility of adhering to standards of generally accepted ethical and moral conduct in all aspects of the practice of professional engineering and surveying.

C. The Rules of Professional Conduct as promulgated herein are an exercise of the police power vested in the South Carolina State Board of Registration for Professional Engineers and Surveyors by virtue of the acts of the legislature, and as such the South Carolina State Board of Registration for Professional Engineers and Surveyors is authorized to establish conduct, policy and practices in accordance with the powers herein above stated.

D. All engineers and surveyors registered under the Code of Laws of South Carolina (1976, as amended), Title 40, Chapter 22, are charged with having knowledge of the existence of these Rules of Professional Conduct, and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practices of engineering and surveying are privileges, as opposed to rights, and the registrants shall be forthright and candid in their statements or written responses to the Board or its representatives on matters pertaining to professional conduct.

**49-301. Responsibility to the Public.**

The Engineer or Surveyor shall hold paramount the safety, health, and welfare of the public in the performance of their professional duties.

A. The Engineer or Surveyor shall at all times recognize that their primary obligation is to protect the safety, health, property and welfare of the public and shall conduct their practice to fulfill this obligation.

B. If the judgment of the engineer or surveyor is overruled under circumstances where the safety, health, and welfare of the public are endangered, they shall inform their employer of the possible consequences and notify other proper authority of the situation, as may be appropriate.



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**49-303. Public Statements.**

The Engineer or Surveyor shall issue public statements only in an objective and truthful manner.

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

B. The Engineer or Surveyor shall express a professional 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 statement.

C. The Engineer or Surveyor will issue no statements, criticisms or arguments on engineering or surveying matters connected with public policy which are inspired 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 interest they may have in the matters.

**49-304. Conflicts of Interest.**

The Engineer or Surveyor shall avoid conflicts of interest.

A. The Engineer or Surveyor shall conscientiously strive to avoid conflicts of interest with employer or client, but when unavoidable, the Engineer or Surveyor shall forthwith disclose the circumstances to their employer or client. In addition the Engineer or Surveyor shall avoid all known conflicts of interest with their employer or client and shall promptly inform their employer or client of any business association, interests, or circumstances which could influence their judgment or the quality of their service.

B. The Engineer or Surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project at the same time, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to, by all interested parties.



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C. The Engineer or Surveyor shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their projects.

D. The Engineer or Surveyor shall 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.

E. When in public service as a member, advisor, or employee of a governmental body or department, the Engineer or Surveyor shall not participate in considerations or actions with respect to services provided by them or their organization in private engineering or surveying practices.

**49-305. Solicitation of Work.**

The Engineer or Surveyor shall solicit and accept work only on the basis of their qualifications.

A. The Engineer or Surveyor shall not offer to pay, either directly or indirectly, any commission, political contribution, or a gift, or other consideration in order to secure work. It is not a violation of law to seek or secure salaried positions through employment agencies.

B. The Engineer or Surveyor shall not falsify or permit misrepresentation of their, or their associates' academic or professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations pertaining to the solicitation of employment 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 work.

C. The Engineer or Surveyor shall not review the work of another engineer or surveyor for the same client, except with the knowledge of such engineer or surveyor, or unless the connection of such engineer or surveyor with the work has been terminated.



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**49-306. Improper Conduct.**

The Engineer or Surveyor shall conduct their work with honesty and integrity.

A. The Engineer and Surveyor shall not knowingly associate with or permit the use of their name or organization's name in a business venture by any person or organization which they know, or have reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

B. If the Engineer or Surveyor has knowledge or reason to believe that another person or organization may be in violation of any of these provisions or of the Code of Laws of South Carolina (1976, as amended), Title 40, Chapter 22, they shall present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

C. Engineering and surveying registrants shall recognize and honor practice restrictions placed upon them by their designated license category or practice tier.

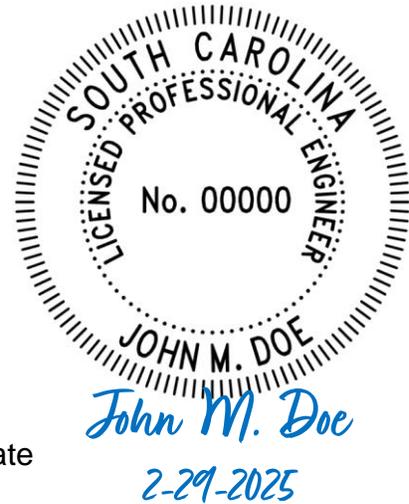


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### **Sign and Seal Requirements**

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 minimum 1-1/2" (1.5")
- Sign and date under or across the face and beyond the circumference of the seal
- Keep licensee's name and number readable
- Ink color not specified
- Seal each drawing
- Can seal title or index page only of specifications, reports, and calculations. If multiple licensees, indicate pages responsible for each engineer
- Acceptable forms of signature:
  - Original hand sign and seal with rubber ink stamp, embossed (crimped, impression), or printed digital image
  - Digital/electronic signature
    - Digital seal image with digital signature
    - Software to have a security procedure to verify licensee and detect changes
    - Adobe, Bluebeam, & DocuSign e-signatures appear acceptable



### **Laws and Rules**

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

#### **Laws of the Board**

**SECTION 40-22-270.** Individual seals; stamping on plans and specifications.

Each licensee and each firm practicing under a certificate of authorization shall obtain a seal of the design authorized by the board and must comply with the following:

- (1) Individual seals must be under the personal custody and control of the licensee and bear the licensee's name, registration license number, and the legend "Professional Engineer" or "Professional Surveyor" except for licenses issued before



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July 1, 2001, which may have the legend "Registered Professional Engineer" or "Registered Land Surveyor". The seal also shall bear evidence of the license category for professional engineers and the tier designation for professional surveyors.

(2) Seals for firms practicing under a certificate of authorization must bear the firm's name and authorization number.

(3) Plans, specifications, plats, and reports prepared by a licensee or prepared under the licensee's direct supervision must be stamped with seals when filed with public authorities during the life of the licensee's certificate.

(4) Plans and specifications prepared by a licensee or prepared under the licensee's direct supervision must be stamped with seals when issued for use as job site record documents at construction projects within this State.

(5) It is unlawful to seal documents with a seal after the certificate of the licensee or the certificate of authorization in the case of firms named on the seal has expired or has been revoked or suspended unless the certificate has been renewed, reissued, or reinstated.

(6) Where individual seals are affixed to plans, specifications, plats, and reports, the licensee shall affix his signature and date under or across the face and beyond the circumference of the seal. The signature and date must not be applied in a manner that obliterates or renders illegible the licensee's license number or name.

(7) The clerk of court or the register of deeds for any county shall refuse to accept for filing or recording a map, plat, survey, or other document within the definition of surveying, dated after July 1, 1977, which does not have affixed to it the personal signature and prescribed impression seal of a professional surveyor. No charge may be made by a professional surveyor for the application of his impression seal.

(8) The building official, or other designated authority charged with the responsibility of issuing building or similar permits, shall refuse to issue a permit for any undertaking, the plans and specifications for which would require the seal of a professional engineer, unless the permit applicant has furnished satisfactory evidence that the documents were prepared by an engineer licensed as required by



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this chapter or that the documents are exempt from the requirements of this chapter. The building official, or designated authority charged with the responsibility of issuing building or similar permits, shall report to the board the name and address of a person who has or is suspected to have violated a provision of this chapter or a regulation promulgated pursuant to this chapter relating to the unlicensed practice of engineering.

(9) The seal and signature of a licensee certifies that the document was prepared by the licensee or his agent. For prototypical documents, the seal and signature of a licensee indicates that he has sufficiently reviewed the document and is able to fully coordinate and assume responsibility for application of the plans.

S.C. Code Section 26-6

**Section 26-6-20 - Definitions**

...

**(8)** "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

...

**(15)** "Security procedure" means a procedure employed for the purpose of verifying that an electronic signature, record, or performance is that of a specific person or for detecting changes or errors in the information in an electronic record. The term includes a procedure that requires the use of algorithms or other codes, identifying words or numbers, encryption, or callback or other acknowledgment procedures.

Rules of the Board

**49-207. Seals: Individuals and Firms.**

A. Description of Licensee's Seal.

(1) The seal of engineers and surveyors licensed by the Board shall be at least 1 1/2 inches in diameter and similar to that prescribed for the Board. In the center there shall appear the license number of the licensee along with the words:



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- (a) “Registered Professional Engineer”, for engineers licensed prior to July 1, 2001.
- (b) “Licensed Professional Engineer”, for engineers licensed after July 1, 2001.
- (c) “Professional Engineer and Surveyor”, for engineers holding dual licenses.
- (d) “Professional Land Surveyor”, for TIER A land boundary surveyors.
- (e) “Professional Photogrammetric Surveyor”, for photogrammetric surveyors.
- (f) “Professional GIS Surveyor”, for geographic information systems surveyors.
- (g) “Professional Land Surveyor—TIER B”, for TIER B land surveyors.

(2) Rubber stamps (wet seal), raised embossed seals or computer-generated seals, identical in size, design and content with the approved impression seals may be used by the licensee.

**B. Description of Firm’s Seal.**

(1) The seal evidencing issuance of a Certificate of Authorization by this Board shall be at least 1 1/2 inches in diameter and similar to that prescribed for the Board. In the center there shall appear the name of the certificate holder and the assigned Certificate of Authorization number. In the space between the circle and the outside of the Seal there shall appear the words “South Carolina” and the words “Certificate of Authorization”.

(2) Rubber stamps (wet seal), raised embossed seals, or computer-generated seals, identical in size, design and content may be used by the firm.

**C. Seal on Documents.**

(1) The seal and signature of a licensee on a document constitutes a certification that the document was prepared by the licensee or under his direct supervision, and in the case of prototypical documents, that the licensee has reviewed the document in sufficient depth to fully coordinate and assume responsibility for application of the plans.



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(2) When sealing documents is required by statute, other authority or contract, each sheet of design or construction plans and drawings for engineering practice and of maps, plats, and charts for land surveying practice shall be sealed and signed by the licensee or permit holder preparing them, or in responsible charge of their preparation. The signature and date when the document was prepared must be affixed under or across the face and beyond the circumference of the seal but in a manner that does not obliterate or render illegible the licensee's name and number. Where the engineering or surveying practice is provided through a firm, such documents shall also carry the Certificate of Authorization seal.

(3) Where more than one page is bound together in one volume of documents, specifications or reports, the licensee or permit holder who prepared said volume, or under whose direction and control said volume was prepared, may seal, date and sign only the title or index sheet, provided that the signed sheet clearly identifies all of the other sheets comprising the bound volume, and provided that any of the other sheets which were prepared by, or under the direction and control of, another licensee or permit holder, be sealed, dated and signed by said other licensee or permit holder with responsibility clearly delineated. This provision, however, shall not apply to design drawings and construction plans prepared by or under the responsible charge of a licensee. Such documents shall carry the required seals, date and licensee's signature on each sheet.

(4) Additions, deletions or other revisions to sealed documents shall not be made, unless such changes are sealed, dated and signed by the licensee who made the revisions or under whose directions and control said revisions were made.

(5) Documents transmitted electronically shall have the computer-generated seal removed from the original file and a copy of the project report shall be signed, sealed and sent to the client. The electronic data shall have the following inserted in lieu of the signature and date: "This document originally was issued and sealed by (name of sealer), (license number), on (date of sealing). The electronic media shall not be considered a certified document."



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Board Website

**Seal Questions 7/2023 - Frequently Asked Seal Questions**

Q. I am a South Carolina registered PE and was recently told that when signing & sealing documents, electronic signatures and dates are now acceptable. Is this information true?

A. Yes. Effective 07/16/2004 under the Uniform Electronic Transactions Act ("UETA"), S.C. Code Section 26-6-10 et. seq., electronic signatures are acceptable between parties who agree to conduct transactions by electronic means. "Electronic signature" is defined under Section 26-6-20(8) as "an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record." Electronic seals are authorized in Regs. 49-207A.(2) and 49-420A.(6).

Q. Are electronic seals and signatures acceptable on plats, even though the Board statute refers to an impression seal?

A. Yes. Pursuant to the UETA and the Uniform Real Property Electronic Recording Act, S.C. Code Sections 30-6-10 et seq., electronic seals and signatures are acceptable between parties who agree to conduct transactions by electronic means. The information required on an impression seal must be present on the electronic seal. However, please note that not all jurisdictions accept electronic seals and signatures and many still require an impression seal on plats. Therefore, you must check with the local authority and determine whether there is an agreement in place with appropriate security that allows for the use of electronic seals and signatures.

Q. I was just approved for a Certificate of Authorization (COA). Can the corporate seal be a rubber stamp or does it have to be an embossed seal?

A. The Certificate of Authorization (COA) seal can be a rubber stamp (wet seal), raised embossed seal, or may be computer-generated.

Q. I am a registered South Carolina PE and recently applied for and was issued a Certificate of Authorization (COA). When do I need to put the corporate seal on my drawings?

A. The COA seal should be affixed to all documents which would otherwise require the individual seal.



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### **Continuing Education**

Per Rules of the Board, S.C. Code Reg. 49-602, the following continuing education is required every 2-year renewal period, where PDH is a professional development hour:

- 30 PDH
- Acceptable course/activity content:
  - Enhance and improve a licensee's professional skills
  - Enhance the professional attributes of the licensee
  - Is beneficial in licensee's area of practice
  - Has a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice
- Board does NOT pre-approve providers or specific courses for engineering
- Maximum 15 PDH can carry forward for next renewal
- Retain PDH records for 5 years
- Renewal date is June 30 of even years

### **Laws and Rules**

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

#### **Laws of the Board**

**SECTION 40-22-240.**Renewal of registration; fees and late fees; lapsed license; continuing professional competency requirement.

(A)(1) Every professional engineer and professional surveyor licensed under this chapter who decides to continue the practice of his profession shall, biennially during the month of June, pay the board a fee sufficient to support the costs of the board's operations, to be determined by the board in regulation, for which fee a renewal registration card for the ensuing registration year must be issued.

(2) The board shall assess a late renewal penalty of twenty percent of the biennial renewal fee against those persons who do not renew their license within one month of the biennial renewal date. The penalty must be assessed for each two months thereafter with a maximum grace period of three months following the biennial renewal date. A person not renewing his license within three months following the annual renewal date shall file a new application accompanied by the required application fee or, if he is in a position to do so, file a notarized affidavit with the



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board certifying that he has not been engaged in the practice of engineering or surveying in South Carolina during the period his license was not in a current condition, accompanied by the total amount of unpaid renewal fees and penalties.

(3) An individual whose license has lapsed due to nonpayment of the required renewal fee within three months of the due date is considered in the same category as a previously unlicensed person and, at the board's discretion, may be required to pass a written examination as a condition of relicensing.

(B) The board may promulgate regulations that as a condition of renewal or relicensure, a professional engineer must demonstrate continuing professional competency in engineering and a professional surveyor must demonstrate continuing professional competency in surveying. Any continuing professional competency requirement does not apply to a professional engineer or professional surveyor who has been continuously licensed in this State since January 1, 1969. Emeritus engineers and emeritus surveyors are not required to meet continuing education requirements.

(C) Emeritus engineers and emeritus surveyors who wish to return to active practice shall complete continuing education requirements for each exempted biennial renewal period not to exceed two renewal periods and shall submit applicable fees.

### Rules of the Board

#### **49-105. License Expiration, Renewal and Reinstatement—Individuals.**

##### A. Expiration and Renewal.

(1) The privilege to practice in any category or tier as a registered professional engineer or surveyor in South Carolina expires on June 30, biennially in even numbered years, unless the license is renewed. Every Registered Professional Engineer and Surveyor who elects to continue the practice of his profession shall complete and submit an application for renewal of licensure and pay the appropriate fee by June 30.



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(2) Renewal notices will be mailed to the licensee's address on record with this Board in May each biennial year; however, it is the licensee's responsibility to renew his or her license prior to the official expiration date of June 30.

(3) A licensee whose license has been lapsed for three months or less and who can truthfully certify that he or she has not been engaged in the practice of engineering or surveying in South Carolina during the period the certificate was not in a current status, barring any other irregularities, shall be renewed and retain the original license number upon payment of the renewal fees and penalties.

**B. Reinstatement.**

(1) A licensee whose license has lapsed more than three months may be required to take and pass examinations as required by the Board.

(2) Those persons who cannot certify that they have refrained from practicing their profession in this State during the period in which their license lapsed may be required to show cause to the Board why their license should not be disciplined.

(3) Any person reinstating an expired license will be required to meet the continuing professional competency requirements. If the total number of PDH units required to become current exceeds 30, then 30 shall be the maximum number of PDH units required.

**49-600. Purpose.**

A. Professionals licensed to practice engineering, surveying, or engineering and surveying in South Carolina are required to demonstrate a continuing development of professional competency.

B. Each licensee shall meet the continuing professional competency requirements of these regulations as a condition for biennial renewal of license.

**49-601. Definitions.**

Terms used in this section are defined as follows:



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

(2) Continuing Education Unit (CEU) -Unit of credit customarily used for continuing education courses.

(3) College/Unit Semester/Quarter Hour -Credit for courses in EAC/ABET approved programs or other related college courses approved in accordance with provision 49-604 of this section.

(4) Course/Activity -Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice. Regular duties are not considered qualified activities.

(5) Dual Licensee -A person who is licensed as both an engineer and a surveyor.

**49-602. Requirements.**

A. Each licensee is required to obtain 30 PDH units during each biennial renewal period.

B. If a licensee exceeds the requirements in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period. If the licensee claims 15 PDH carry over units, the previous renewal period will be subject to audit.

C. PDH units may be earned as follows:

(1) Successful completion of college courses.

(2) Successful completion of continuing education courses.



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(3) Successful completion of short courses, tutorials, webinars, and distance-education courses offered for documented individual or group study. The method of delivery can be through the following:

(a) Face-to-face programs or live internet-based programs; or

(b) Archived prerecorded programs or archived correspondence programs.

(4) Teaching or instructing in (1) through (3) above.

(5) Authoring published papers, articles, or books.

(6) Active participation in professional or technical societies.

(7) Successful application for patents.

D. Effective July 1, 2022, no more than fifty percent of PDHs claimed during a renewal cycle may be earned in a business or non-technical subject matter.

**49-603. Units of Credit.**

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

(1)	1 College or unit semester hour	45 PDH
(2)	1 College or unit quarter hour	30 PDH
(3)	1 Continuing Education Unit	10 PDH
(4)	1 Hour of professional development for attendance in course work, seminars, or professional or technical presentations made at meetings, conventions, or conferences	1 PDH
(5)	For teaching as in 49-602C(5)	PDH Credits are doubled
(6)	Each published technical or professional paper, article or book	10 PDH
(7)	Active participation in a professional and technical society	2 PDH
(8)	Each patent	10 PDH



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**49-604. 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 qualifying seminars and workshops will be based on one PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDH units for the actual contact time of each program.

(3) Credit determination for activities 49-603-(6) and 49-603-(8) is the responsibility of the licensee, subject to review as required by the Board.

(4) Credit for activity 49-603-(7), active participation in professional and technical societies is limited to 2 PDH units per organization, with a maximum of 4 PDH units per year, and requires that a licensee serve as an officer, or actively participate in a committee of the organization, or have at least a 50% documented attendance at meetings held not less than eight times per year. PDH credits for participation in a professional or technical society are not earned until the end of the administrative year of the society.

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

(6) No more than twelve hours of credit may be obtained in one calendar day.

**49-605. Record Keeping.**

A. The responsibility for maintaining records used to support credits claimed is that of the licensee. Records required include, but are not limited to:



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

(a) Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance; or

(b) Records as maintained by the NCEES Records Program or other recognized repositories for such records.

B. These records must be maintained for a minimum period of two renewal cycles during which copies may be requested by the Board for audit verification purposes.

C. If, upon review or audit by the Board, any or all PDH units claimed by the license holders are disallowed, the license holder will be allowed a ninety-day period during which such deficiencies must be remedied. A license will be automatically deemed lapsed if the licensee fails to remedy the deficiencies during the allowed time frame.

**49-606. Exemptions.**

A licensee may be exempt from the professional development educational requirements for one or more of the following reasons:

A. New licensees by way of examination or comity shall be exempt for their first renewal period.

B. Licensees experiencing physical disability, illness, or other extenuating circumstances may apply to the Board for an exemption or extension of time to obtain the credits subject to the review and approval of the Board. Supporting documentation must be furnished with any such exemption request made to the Board.

C. Licensees who list their occupation as "Retired" on the Board approved renewal form and who further certify that they are no longer receiving any remuneration from providing professional engineering or surveying services shall be exempt from requirements for professional development hours. In the event such a



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person elects to return to the active practice of professional engineering or surveying, professional development hours must be earned, before returning, for each year exempted, not to exceed 30 PDHs.

D. Engineers and Surveyors continuously licensed by this Board prior to January 1, 1969 will be exempt from continuing education requirements.

**49-609. Dual License Holders.**

The total number of PDH units required shall be the same as that required for a single license holder; but at least ten units shall be obtained separately for each profession.

**49-610. Reporting Forms.**

A. All renewal applications will contain a statement of verification that the licensee has obtained the required professional development hours at the time of renewal. Upon audit, the licensee must report the course date, sponsoring organization, location, activity title, brief description and PDH's claimed and provide documentation of attendance or completion as well as any other information required by the Board.

B. Failure to fulfill the professional development requirements or to comply with the Board's audit shall be considered a violation of the Registration Law for Professional Engineers and Surveyors.



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CONTINUING PROFESSIONAL COMPETENCY  
CRITERIA FOR LICENSEES AND COURSE PROVIDERS

Professionals licensed to practice engineering and surveying in South Carolina are required to demonstrate a continuing development of professional competency as a condition for registration renewal. These requirements are outlined in Article 6, Chapter 49, Code of Regulations of South Carolina. Every licensee, except those exempted in R49-606, is required to obtain 30 PDH units each biennial renewal period. If a licensee exceeds the requirements in any renewal period, a maximum of 15 PDH units may be carried forward into the subsequent renewal period.

The Continuing Professional Competency (CPC) requirements for South Carolina may be satisfied by attendance at activities that enhance and improve a licensee's professional skills and meet the following criteria as set forth in the policies and regulations of this Board, i.e., S.C. Code of Regulations, Chapter 49, Article 6.

REQUIRED INFORMATION FOR DOCUMENTATION OF THE TYPE OF ACTIVITY CLAIMED:

- 1) Sponsoring Organization
- 2) Course name and brief course content description and /or skills to be addressed
- 3) Location
- 4) Date of Activity, Duration
- 5) Instructor/Speaker/Facilitator's name
- 6) Number of Professional Development Hours (PDH) earned

The SC Board does not pre-approve courses or sponsoring organizations. It is requested that sponsoring organizations provide SC licensees with the above information needed for documentation as proof of continuing education.

Choice of activities is left to the judgment of the licensee. Continuing education that enhances the professional attributes of the licensee and is beneficial in an area of practice will be considered by the Board for those who are audited. If chosen for audit in a random selection, the licensee will be expected to defend the PDH's claimed with documentation of the activity and expression of knowledge gained by participation.



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Courses accepted by other states that meet the criteria of the SC Board will be generally accepted for credit. Should a course credit be denied, the licensee is allowed a ninety-day period to make up deficiencies (49-605C).

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### **Frequently Asked Questions**

#### **Continuing Professional Competency**

1. Does the SC Board require Continuing Professional Competency for renewal?

Answer: Yes. Each licensee is required to obtain at least 30 Professional Development Hours (PDH) each biennial renewal period (Regulation 49-602(A)) or shall meet one of the exemptions for Continuing Professional Competency (CPC). Regulation 49-606. Exemptions.

2. What are the CPC requirements for the 2024 renewal?

Answer: Each licensee is required to obtain at least 30 PDH's between July 1, 2022 and June 30, 2024. Effective July 1, 2022, no more than fifty percent of PDH's claimed during a renewal cycle may be earned in a business or nontechnical subject matter. No more than twelve hours of credit may be obtained in one calendar day. Regulation 49-602(A), 49-602(D), 49-604(6).

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3. What if I exceed the 30-hour requirement for CPC in this period of time?

Answer: A maximum of 15 hours may be carried forward into the subsequent renewal period. If a licensee claims carry-over units during audit verification, then the previous renewal period will also be subject to verification. Regulation 49-602(B).

4. Is the XYZ course that I took from XYZ Continuing Education Company approved by the Board?

Answer: The Board does not pre-approve courses or sponsoring organizations. CPC courses that enhance the professional attributes of the licensee will be considered by the Board. Any qualifying course or activity with a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to the licensee's field of practice will be considered by the Board.



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5. What happens if the Board audit verification results in denial of any submitted PDH units?

Answer: If the Board audit verification results in disallowance of any or all PDH units claimed by a licensee, the licensee will be allowed a ninety-day period during which such deficiencies must be remedied. Should the licensee not remedy the deficiencies during the ninety-day period, their license shall be automatically deemed lapsed. Regulation 49-605(C).

6. Do online courses qualify for CPC credit?

Answer: Yes. Online courses where attendance is not documented by the course provider may qualify for CPC credit only when an exam is required for course completion and a certificate of completion is provided by the course provider. Online courses where attendance is documented by the course provider and a certificate of attendance is issued to the licensee do not require an exam.

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

Answer: No. The Board does not consider auditing college level engineering or surveying courses an acceptable form of CPC since student outcomes are not assessed for course credit through testing, examination, or other grading mechanisms. The Board allows licensees to claim PDH's for college level engineering or surveying coursework if the licensee can provide documentation from the college or university that the course was completed for credit.

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

Answer: The following are not considered acceptable forms of CPC by the Board, including, but not limited to:

- o Regular Employment Activities
- o Personal, Estate, Financial Planning
- o Self-Study
- o Executive Coaching/Leadership Training
- o Personal Development/Self-Improvement
- o Real Estate Licensing or Appraisal Courses
- o Civic or Service Club Meetings or Activities(e.g., Rotary, Kiwanis, fraternal organizations, etc.)
- o Basic Computer Software (e.g., Word, Excel, Access, PowerPoint,



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Outlook, etc.)

- o Engineering or Surveying Conference/Meeting Related Sightseeing Tours or Excursions
- o Visiting Vendor/Exhibitor Displays at Technical Conferences
- o Equipment Demonstrations
- o Sales Presentations or Sales Seminars (e.g., marketing, increasing sales, maximizing profitability, etc.)
- o General Business Meetings of Professional Organizations/Societies
- o Company Procedure and Policy Workshops (e.g., safety training, sexual harassment, etc.)
- o OSHA Training Courses
- o Repetitive Attendance At or Teaching of the Same Course
- o Topics Not Relevant to Engineering or Surveying Professions
- o Conversational Language Courses

9. Can I obtain continuing education by purchasing technical materials from a provider to read the articles, answer the workbook questions and return to the provider for grading?

Answer: No. The Board has determined that reading articles, answering provided questions and returning the materials for grading is not an acceptable format for obtaining continuing education because this method does not provide any documentation of actual instruction time or participation.

10. Can I contact the Board to find out how many continuing education credits or carry-over credits I have on record?

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Answer: No. It is your responsibility to maintain records used to support credits you claimed. The Board does not maintain or track CPC for individual licensees. Regulation 49-605(A).

11. If I have not been notified by the Board that I have been selected for audit verification, do I have to submit any CPC documentation to the Board as part of my license renewal?

Answer: No. Please do not send certificates/documentation unless you have been notified by the Board that you have been selected for audit verification after renewal.



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12. If I am selected for an audit verification, does the Board accept transcripts from the NCEES CPC Tracking system?

Answer: Yes. You may request that NCEES send a transcript and supporting documentation directly to the Board or you may download the NCEES transcript and supporting documentation and send a copy to the Board only if you have been selected for audit verification.

13. If I am selected for an audit verification, does the Board accept transcripts from other recognized CPC record repositories?

Answer: Yes. You may request that a transcript and supporting documentation be sent directly to the Board only if you have been selected for audit verification.

14. This is my first renewal. Am I exempt from the CPC requirement?

Answer: Yes. You are exempt from CPC requirements in June 2024 if your registration number is 39988 or higher but you must still pay the renewal fee. All individuals renewing a license must pay the renewal fee. Fees are not waived for first time registrants, or for those with physical disability. Regulation 49-606(A).  
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15. I have been serving on active military duty in the armed forces of the United States. Am I exempt from the CPC requirement?

Answer: Yes. A person whose profession or occupation is regulated by South Carolina Title 40 (Professions and Occupations) is exempt from completing continuing education requirements for his/her profession or occupation while serving on active military duty and is exempt from being required to pay the renewal fee. When completing the renewal form, you will need to provide documentation of your active duty status. S.C. Code §40-1-610.

16. I have a physical disability, illness, or other extenuating circumstance that has affected my ability to complete the CPC requirements. Does the Board provide exemptions or an extension of time in these cases?

Answer: Yes. Licensees experiencing physical disability, illness, or other extenuating circumstances may apply to the Board prior to renewal for an exemption or extension of time to obtain the credits subject to the review and approval of the Board. You will need to contact the Board's office to request such an exemption or extension and must furnish supporting documentation for the Board's consideration. For disability or illness, you are required to submit a



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statement of explanation, a statement from a currently licensed physician or medical records as evidence that the disability or illness prevented participation in and completion of the CPC requirements. For extenuating circumstances, you are required to submit a statement of explanation detailing the specific extenuating circumstances that prevented you from participating in and completing the CPC requirements. You will not be able to renew online, so please contact the Board's office by mail or you may email the Board's office at [contact.engls@llr.sc.gov](mailto:contact.engls@llr.sc.gov) to request a paper renewal form be mailed to you. Regulation 49-606(B).

17. I have been continuously licensed in South Carolina prior to January 1, 1969. Am I exempt from the CPC requirement?

Answer: Yes. Licensees continuously licensed by the S.C. Board prior to January 1, 1969 will be exempt from the CPC requirement BUT must still renew and pay the renewal fee. If you think you may qualify for this exemption but you are not sure of the original issue date of your SC license, visit Licensee Lookup <https://verify.llronline.com/LicLookup/LookupMain.aspx>. Regulation 49-606(D).



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**Helpful References**

*South Carolina State Board of Registration for Professional Engineers and Surveyors*

General website:	<a href="https://www.llr.sc.gov/eng/">https://www.llr.sc.gov/eng/</a>
License renewal:	<a href="https://www.llr.sc.gov/eng/renewals.aspx">https://www.llr.sc.gov/eng/renewals.aspx</a>
Change address:	<a href="https://eservice.llr.sc.gov/ChangeOfAdd/">https://eservice.llr.sc.gov/ChangeOfAdd/</a>
Laws & Rules:	<a href="https://www.llr.sc.gov/eng/laws.aspx">https://www.llr.sc.gov/eng/laws.aspx</a>
Laws of the Board:	<a href="https://www.scstatehouse.gov/code/t40c022.php">https://www.scstatehouse.gov/code/t40c022.php</a>
Rules of the Board:	<a href="https://www.scstatehouse.gov/coderegs/statmast.php">https://www.scstatehouse.gov/coderegs/statmast.php</a>
FAQs:	<a href="https://www.llr.sc.gov/eng/faq.aspx">https://www.llr.sc.gov/eng/faq.aspx</a>