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Alabama Laws and Rules for Engineers

by

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Course Outline:

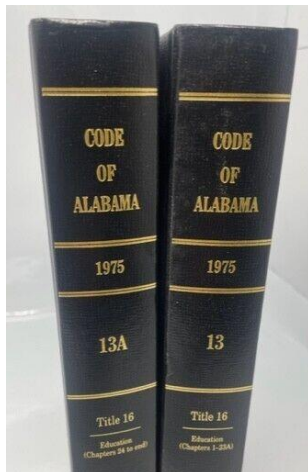
Code of Alabama
Laws of the Board
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Code of Alabama

State laws (called statutes) are enacted by the Alabama 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 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 *Code of Alabama* (also called the Code of Alabama 1975) in the appropriate locations with numbering, formatting, and removal of replaced or repealed statutes. Annotations are also added such as notes and references. The laws are cited as Ala. Code or Code of Ala. 1975.

The Code of Alabama is divided into dozens of titles. Laws with relevance to engineering are in Title 34, Chapter 11, which is cited as Ala. Code 34-11 and informally called the Laws of the Board. The organization is as follows:

Code of Alabama

- Title 34: Professions and Businesses
 - Chapter 11: Engineers and Land Surveyors
 - Articles 1 and 2
 - Sections: 1 to 37

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 November 2024.



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Laws of the Board

The law dedicated to the practice of engineering is Ala. Code 34-11, known as the “Laws of the Board”. The Laws of the Board gives authority to the *Alabama Board for Engineers and Land 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 34, Chapter 11: Engineers and Land Surveyors

ARTICLE 1 General Provisions.

34-11-1 Definitions.

34-11-2 Practice of engineering and land surveying regulated.

34-11-3 Roster of registrants.

34-11-4 General requirements for licensure or certification.

34-11-5 Applications; fees.

34-11-6 Examinations.

34-11-7 Issuance of certificate; seal.

34-11-8 Renewal of certificates; expired licenses; inactive status; retirement.

34-11-9 Practice by firms.

34-11-9.1 Issuance of duplicate certificates.

34-11-10 Public work.

34-11-11 Disciplinary action.

34-11-11.1 Civil penalties; recovery of costs.

34-11-11.2 Complaints; investigation; hearing; sanctions.

34-11-12 Reissuance of revoked certificates.

34-11-13 Appeals.

34-11-14 Persons and acts exempt from chapter.

34-11-15 Violations; penalties.

34-11-16 Violations; civil penalties; notice and hearing; subpoena power; appeal.

ARTICLE 2 Board of Registration.

34-11-30 Creation and composition; nominating committee; terms of office.

34-11-31 Qualifications of members.

34-11-32 Compensation and expenses.

34-11-33 Removal of members; vacancies.

34-11-34 Meetings; legal office; officers; quorum.



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34-11-35 Powers of the board.

34-11-35.1 Legislative findings; rulemaking authority.

34-11-36 Receipts and disbursements.

34-11-37 Records and reports; confidentiality.



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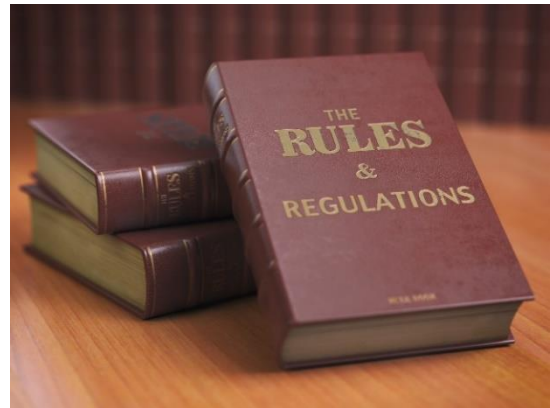
Alabama Administrative Code



State laws are often high-level and lack details required for implementation. The Alabama 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 *Alabama Administrative Code* or *Alabama Administrative Rules* and can be cited as Ala. Admin. Code. The regulations are enforceable just like state statutes.

Updates to the Ala. Admin. Code are published each month in the Alabama Administrative Monthly.

The Ala. Admin. Code is grouped into dozens of state agencies (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering is under Agency 330. This is cited as Ala. Admin. Code 330, and referred to as “Rules of the Board” in this course.



The organization is as follows:

Ala. Admin. Code

- Agency 330: Alabama State Board of Registration for Professional Engineers and Land Surveyors
 - Chapters 1 to 18
 - Sections (Various)
 - Paragraphs (Various)



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Rules of the Board

Ala. Admin. Code 330 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.

Ala. Admin. Code 330 - Alabama State Board of Registration for Professional Engineers and Land Surveyors

Chapter 330-X-1	Applications
Chapter 330-X-2	Definitions
Chapter 330-X-3	Applications for Certification and Licensure
Chapter 330-X-4	Fees
Chapter 330-X-5	Curricula Approved by the Board
Chapter 330-X-6	Experience
Chapter 330-X-7	References
Chapter 330-X-8	Examinations
Chapter 330-X-9	Classifications of Licensure
Chapter 330-X-10	Licensure Certification and Use of Retired Title
Chapter 330-X-11	Seals
Chapter 330-X-12	Interim Permits (Repealed 9/3/14)
Chapter 330-X-13	Expirations, Renewals, and Continuing Professional Competency
Chapter 330-X-14	Professional Conduct (Code of Ethics)
Chapter 330-X-15	Compliance and Enforcement
Chapter 330-X-16	Disciplinary Action
Chapter 330-X-17	Severability
Chapter 330-X-18	Amendment of Rules
Chapter 330-X-A	Appendix A – Forms



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State Board

The state agency for professional engineering is the *Alabama Board for Engineers and Land Surveyors* (BELS), herein referred to as the Board. Board members are appointed by the Governor and serve 5 year terms. Board members include:

- Five professional engineers (PE)
- Two professional land surveyors (PLS)
- Two public members

The Board oversees over 14,000 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 (Ala. Admin. Code 330).



The board website <<https://bels.alabama.gov>> contains the following topics:

Public Records
Requests
Licensee
Resources
Board Meetings
Proposed Rule
Changes

Newsletters
My BELS
Account Login
Applications
Reinstatement
Staff
Complaints
Licensee Search

Calendar
Webinars
FAQs
Publications
About Us
Links



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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 34-11-1 Definitions.

For the purposes of this chapter, the following words and phrases shall have the respective meanings ascribed by this section:

- (1) BOARD. The State Board of Licensure for Professional Engineers and Land Surveyors, provided for by Section 34-11-30.
- (2) DESIGN COORDINATION. The review and coordination of technical submissions prepared by persons other than the principal engineer, including, as appropriate and without limitations, consulting engineers, architects, landscape architects, land surveyors, and other professionals working under the direction of the engineer.
- (3) DISCIPLINARY ACTION. Any final written decision, order, consent agreement, public reprimand, or other formal action taken against an individual or firm by the board based upon a violation of this chapter or a board rule.
- (4) ENGINEER INTERN. An individual who has been certified as an engineer intern by the board.
- (5) ENGINEER or PROFESSIONAL ENGINEER. An individual who, by reason of his or her special knowledge of the mathematical, physical, and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, is qualified to practice engineering as hereinafter defined and has been licensed by the board as a professional engineer. The board may designate a professional engineer, on the basis of education, experience, and examination, as being licensed in a specific discipline or branch of engineering signifying the area in which the engineer has demonstrated competence.
- (6) ENGINEERING SURVEY. All survey activities required to support the sound conception, planning, design, construction, maintenance, and operation of engineered projects, rights-of-way, and easement acquisitions relative to the centerline of the project. Engineering surveys may be used to locate, relocate, establish, reestablish, layout, or retrace any road, right-of-way, easement, or alignment relative to the centerline of the project. Additionally, engineering surveys may be performed to determine areas, volumes, or physical features of the earth,



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elevation of all real property, improvements on the earth, and the configuration or contour of the surface of the earth or the position of fixed objects thereon by measuring lines and angles and applying the principles of mathematics. All engineering surveys shall exclude the surveying of real property for the establishment of any property line or land boundaries, setting of corners or monuments, and the dependent or independent surveys or resurveys of the public land survey system.

(7) FIRM. Any form of business or entity other than an individual operating as a sole proprietorship under his or her own name.

...

(10) MANAGING AGENT. An individual who is licensed under this chapter and who has been designated pursuant to this chapter by a firm.

(11) PERSON. An individual or firm.

(12) PRACTICE and OFFER TO PRACTICE. Any person shall be construed to practice or offer to practice engineering or land surveying, within the meaning and intent of this chapter, who practices any discipline or any branch of engineering or land surveying; or who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself or herself to be a professional engineer or a professional land surveyor, or through the use of some other title implies that he or she is a professional engineer or a professional land surveyor or that the person is licensed or authorized under this chapter; or who represents himself or herself as able to perform or who does perform any engineering or land surveying service or work or any other service designated by the practitioner which is recognized as engineering or land surveying.

(13) PRACTICE OF ENGINEERING. a. Any professional 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 that includes any one or more of the following:

1. Consultation, investigation, evaluation, planning, design and design coordination, or commissioning of engineering works, products, and systems.
2. Planning the use of land, air, or water.
3. Performing engineering surveys and studies.
4. The review of construction for the purpose of monitoring compliance with drawings and specifications.

b. Any service or work described in paragraph a., either public or private, that is made in connection with any utilities, structures, buildings, machines, equipment,



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processes, work systems, projects, communications systems, transportation systems, industrial or consumer products, or equipment of a control system; or is of a mechanical, electrical, hydraulic, pneumatic, chemical, environmental, or thermal nature, insofar as the service or work involves safeguarding health, life, safety, welfare, and property. The term includes other professional services as may be necessary to the planning, progress, and completion of any engineering services.

c. The term does not include the practice of architecture except such architectural work as is incidental to the practice of professional engineering; nor shall the term include work ordinarily performed by persons who operate or maintain machinery or equipment.

d. The practice of engineering includes the offering of expert opinion in any legal proceeding in Alabama regarding work legally required to be performed under an Alabama engineer's license number or seal, which opinion may be given by an engineer licensed in any jurisdiction. Notwithstanding any other provision of this chapter, in qualifying a witness to offer expert testimony on the practice of engineering, the court shall consider as evidence of his or her expertise whether the proposed witness holds a valid Alabama license for the practice of engineering; provided, however, the qualification by the court shall not be withheld from an otherwise qualified witness solely on the basis of the failure of the proposed witness to hold a valid Alabama license or license from another jurisdiction.

...

(15) RESPONSIBLE CHARGE. Direct control and personal supervision of engineering work or land surveying work.

SECTION 34-11-2 Practice of engineering and land surveying regulated.

(a) A person in either public or private capacity may not practice or offer to practice engineering or land surveying, unless he or she shall first have submitted evidence that he or she is qualified so to practice and shall be licensed by the board as hereinafter provided or unless he or she is specifically exempted from licensure under this chapter.

(b) Except as otherwise provided in this chapter, all engineering design of buildings, structures, products, machines, processes, and systems that can affect health, life, safety, welfare, and property shall be conducted under the responsible charge of a licensed professional engineer.



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(c) In order to safeguard health, life, safety, welfare, and property, the practice of engineering in this state is a learned profession to be practiced and regulated as such, and its practitioners in this state shall be held accountable to the state and members of the public by high professional standards in keeping with the ethics and practices of the other learned professions in this state. It shall be unlawful for any person to practice or offer to practice professional engineering in this state to hold himself or herself out or refer to himself or herself by any title or description stating or implying the person is licensed to engage in the practice of engineering, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description including, but not limited to, the terms engineer, engineers, engineering, professional engineer, professional engineers, professional engineering, P.E., or any modification or derivative thereof, tending to convey the impression that he or she is a professional engineer unless the person has been duly licensed or is exempt from licensure under this chapter. A person whose firm name shall have contained the word "engineer," "engineers," or "engineering," or words of like import, for more than 15 years before September 12, 1966, shall not be prohibited from continuing the use of such word or words in his or her firm name.

(d) In order to safeguard health, life, safety, welfare, and property, the practice of land surveying in this state is a learned profession to be practiced and regulated as such, and its practitioners in this state shall be held accountable to the state and members of the public by high professional standards in keeping with the ethics and practices of the other learned professions in this state. It shall be unlawful for any person to practice or offer to practice professional land surveying in this state, to hold himself or herself out or refer to himself or herself by any title or description stating or implying the person is licensed to engage in the practice of land surveying, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description including, but not limited to, the terms land surveyor, land surveyors, land surveying, professional land surveyor, professional land surveyors, professional land surveying, P.L.S., or any modification or derivative thereof, tending to convey the impression that he or she is a professional land surveyor unless the person has been duly licensed or is exempt from licensure under this chapter.

(e) As used in this subsection, the term professional land surveyor shall include the agents, the employees, and any personnel under the supervision of a professional land surveyor.



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(1) A professional land surveyor may go on, over, and upon the land of others which is not enclosed by any device installed to deter entry to or exit from industrial facilities or plant sites by humans or vehicles, if necessary to perform surveys for the location of section corners, quarter corners, property corners, boundary lines, rights-of-way, and easements, and may carry and utilize equipment and vehicles. Entry under the right granted in this subdivision shall not constitute trespass. A professional land surveyor shall not be liable to arrest or to a civil action for trespass by reason of this entry.

(2) Nothing in this subsection shall be construed as giving authority to a professional land surveyor to destroy, injure, damage, or move anything on the lands of another without the written permission of the landowner and nothing in this section shall be construed as removing civil liability for the damages.

(3) A professional land surveyor shall make reasonable effort to notify adjoining landowners upon whose land it is necessary to enter.

(4) No owner or occupant of the land shall be liable for any injury or damage sustained by any person entering upon his or her land under this subsection.

(5) Nothing in this subsection shall limit the rights of condemning authorities under Sections 18-1A-50 to 18-1A-55, inclusive.

SECTION 34-11-3 Roster of registrants.

A roster showing the names and addresses of all licensed professional engineers, all professional land surveyors, and all who possess current certifications as engineer interns or land surveyor interns shall be published by the board as provided for by board rule.

SECTION 34-11-7 Issuance of certificate; seal.

(a) The board shall issue a certificate of licensure to any applicant for licensure as a professional engineer or professional land surveyor who, in the opinion of the board, has satisfactorily met all the requirements of this chapter. In the case of a professional engineer, the certificate shall authorize the practice of engineering and shall carry the designation "Professional Engineer". In the case of a professional land surveyor, the certificate shall authorize the practice of land surveying and shall carry the designation "Professional Land Surveyor". Certificates of licensure shall show the name of the licensee, shall have a license number, and shall be signed by individuals authorized by the board under the seal of the board.



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(b) The issuance of a certificate of licensure by the board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges and is bound by all responsibilities of a professional engineer or of a professional land surveyor as long as the certificate of licensure remains active and unrestricted.

(c) Upon licensure, each licensee shall obtain a seal of the design authorized by the board, bearing the licensee's name, licensure number, and the legend, "licensed professional engineer" or "licensed professional land surveyor," as applicable. Drawings, plans, specifications, plats, reports, and other documents considered work product issued by a licensee must be sealed, signed, and dated in accordance with rules of the board, thereby certifying that he or she is competent in the subject matter and is responsible for the work product. A digital signature may be used in lieu of a handwritten signature.

(d) The board shall issue to any applicant for certification as an engineer intern or surveyor intern who, in the opinion of the board, has met the requirements of this chapter, an enrollment document identifying the individual as an engineer intern or land surveyor intern, as applicable. The engineer intern or surveyor intern enrollment document does not authorize the holder to practice as a professional engineer or a professional land surveyor.

SECTION 34-11-8 Renewal of certificates; expired licenses; inactive status; retirement.

(a) The board, by rule, shall establish a procedure for renewing certificates of licensure on an annual or a biennial basis. It shall be the duty of the board to notify every licensee under this chapter of the expiration of the license and the fee required for the renewal. The board shall establish the renewal fee for each certificate of licensure which shall not exceed two hundred dollars (\$200) for annual renewal or four hundred dollars (\$400) for biennial renewal.

(b) No licensee shall have his or her license renewed unless, in addition to any other requirements of this chapter, the minimum annual or biennial continuing professional education requirement is met. It is further provided that the continuing professional education program herein required shall not include testing or examination of the licensee in any manner. The board may, by rules, establish exemptions from the continuing professional education requirement for inactive licensees and others in extenuating circumstances as identified by rule of the board.



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(c) Enrollment as engineer interns and land surveyor interns shall not expire.

(d) An individual who allows a license to expire due to non-renewal, fails to submit the required continuing education hours, or fails to pay the applicable renewal fees shall be treated as having an expired license and shall be ineligible to practice. An expired license may be reinstated at the discretion of the board, as follows:

(1) The license of a licensee who submits a reinstatement petition within two years of the expiration date may be reinstated upon substantiation by the applicant of all renewal requirements set forth in this chapter and rules of the board, including completion of all continuing education credits required to have been completed during the expired status period, along with a reinstatement fee determined by the board which shall not exceed five hundred dollars (\$500).

(2) Licensees whose licenses have been in expired status longer than two years are not eligible for reinstatement and must file an application for licensure following the application procedures as set forth in this chapter.

(3) The board may impose additional reasonable requirements for reinstatement deemed necessary to protect health, life, safety, welfare, and property.

(4) The board may consider extenuating circumstances of petitioners who can demonstrate hardship. The board may waive fees and other renewal or reinstatement requirements, provided the board does so in a manner that protects health, life, safety, welfare, and property.

(e) A licensee in inactive status may return to active status by notifying the board in advance of this intention and by meeting all requirements of the board, including demonstration of continuing professional education as a condition of reinstatement.

(f) An individual who has been issued a certificate of licensure as a professional engineer or as a professional land surveyor and who chooses to relinquish or not to renew a license may be granted use of the title "Professional Engineer, Retired" or "Professional Land Surveyor, Retired," as applicable, if the individual applies to and is granted approval by the board.

SECTION 34-11-10 Public work.

A state, county, or local governmental agency or authority, or an official or employee thereof, may not engage in the practice of engineering or land surveying involving either public or private property without the project being under the responsible



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charge of a professional engineer for engineering projects or a professional land surveyor for land surveying projects as provided for the practice of the respective professions by this chapter; provided, that nothing in this chapter shall be held to apply to any public work wherein the expenditure for the complete project of which the work is a part does not exceed \$20,000.

SECTION 34-11-14 Persons and acts exempt from chapter.

This chapter shall not be construed to prevent or to affect any of the following:

- (1) The practice of any other legally recognized profession or trade.
- (2) The work of an engineer intern or land surveyor intern, employee, or a subordinate of any person holding a certificate of licensure under this chapter, or any employee of a person practicing lawfully under paragraph b of subdivision (1) of Section 34-11-4, provided the work does not include final engineering or land surveying designs or decisions and is done under the responsible charge of and verified by an individual holding a certificate of licensure under this chapter.
- (3) The practice of officers and employees of the government of the United States while engaged within this state in the practice of engineering or land surveying for the government. This exception does not extend to any engineer or land surveyor engaged in the practice of professional engineering or land surveying whose compensation is based in whole or in part on a fee.
- (4) The practice of engineering or land surveying with respect to transportation or utility facilities by any transportation company or public utility subject to regulation by the Alabama Public Service Commission, the Federal Aviation Administration, the Federal Communications Commission, the Federal Energy Regulatory Commission, or the Nuclear Regulatory Commission, including its parents, affiliates, or subsidiaries; or by the officers and employees of any transportation company or public utility including its parents, affiliates, or subsidiaries. This exception shall not extend to any engineer or land surveyor engaged in the practice of engineering or land surveying whose compensation is based in whole or in part on a fee.
- (5) The practice of engineering or land surveying by any person who is employed by the Alabama Department of Transportation prior to January 1, 1997, in any engineering or engineering assistant classification series under the State Merit System.
- (6) The mere execution as a contractor of work designed by a professional engineer or the supervision of the construction of such work as a foreman or superintendent.



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(7) The performance of engineering services which are purely incidental to the practice of architecture by registered architects, or their employees, or subordinates under their responsible supervising control.

(8) The performance of engineering services which are purely incidental to the practice of geology by registered geologists, their employees, or subordinates under their responsible charge.

Rules of the Board

Rule 330-X-1-.01 - Purpose

The Alabama Board of Licensure for Professional Engineers and Land Surveyors was created to protect the public by helping to safeguard health, life, safety, welfare and property, by providing for the licensing of persons and regulation of the practices of engineering and land surveying. This purpose is achieved through the establishment of minimum qualifications for entry into the professions of engineering and land surveying, through the adoption of rules defining and delineating unlawful or unethical conduct, and through swift and effective discipline for those individuals or entities who violate the applicable laws or rules promulgated thereunder.

Rule 330-X-1-.14 - Authority Of Rules

(1) Rules of procedure adopted by the Board shall be binding upon persons certified and/or licensed under Title 34, Chapter 11 Code of Ala. 1975 and shall be applicable to corporations holding a certificate of authorization.

(2) Rules of procedure adopted by the Board shall be binding upon persons certified and/or licensed under Title 34, Chapter 11 Code of Ala. 1975 and shall be applicable to corporations applying for a certificate of authorization.

(3) Rules of procedure adopted by the Board shall be binding upon non-licensed individuals and corporations who are deemed to be offering and/or performing services as outlined in Title 34, Chapter 11 Code of Ala., 1975.

330-X-2-.01 Definitions Of Terms

(1) Section 34-11-1, Code of Ala. 1975, provides for definitions of the following terms: Board, engineer or professional engineer, engineer intern, practice of engineering, land surveyor or professional land surveyor, land surveyor intern, practice of land surveying, practice and offer to practice, and responsible charge.



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(2) The terms “consultation,” “investigation,” “evaluation,” and “planning” as used in the definition of the practice of engineering set forth in Section 34-11-1(7), Code of Ala. 1975, shall include, but are not limited to, services provided by testing laboratories involving the selection of proper tests to be performed (consultation and planning) when done for the purpose of developing design criteria or for the purpose of determining cause of failures (investigation) and analyses to provide recommendations for the foundation and materials to be used in the design or judgment which relate to the acceptability of structural or foundation construction (evaluation). Testing and inspection do not constitute the practice of engineering (1) when they are performed in accordance with previously written standards or specifications or satisfy the standards setting forth the methods and techniques to be followed by the testing agency and no judgment is required other than a comparison of the materials in place with the previously specified standards or (2) when testing or inspection data are collected in conformance with a specific standard.

Any attempt to determine the structural integrity or capacity of a building, or any sub-system thereof, other than detection of problems by visual inspection or normal operation of the user’s controls, constitutes the practice of engineering.

(3) The term “gross negligence” as used in Section 34-11-11(a)(2), Code of Ala. 1975, shall mean the practice of engineering or land surveying by a licensee characterized by the reckless disregard for the rights, safety, or welfare of others, which could result in injury or loss of life or damage to property or financial loss.

(4) The term “incompetency” as used in Section 34-11-11(a)(2), Code of Ala. 1975, shall mean the practice of engineering or land surveying by a licensee who is either incapable of exercising ordinary care and diligence, or who lacks the ability and skill necessary to properly perform the duties he or she undertakes, or who is not qualified by experience and/or education to perform adequately and competently.

(5) The term “misconduct” as used in Section 34-11-11(a)(2), Code of Ala. 1975, shall mean the practice of engineering or land surveying by a licensee who performs any acts, causes omissions or makes any assertions or representations which are fraudulent, deceitful, or misleading, or which in any manner whatsoever discredits or tends to discredit the profession of engineering or land surveying.



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(6) The term managing agent of the firm as used in Section 34-11-9, Code of Ala. 1975, and Section 330-X-15.01 of the Administrative Code shall also be construed to mean “the engineer” or “land surveyor” which is defined as the senior technical person who is a licensed professional engineer or licensed professional land surveyor and who makes significant technical and/or contractual judgments on behalf of the firm which would affect the firm’s professional reputation and liability. and Section 330-X-15.01 of the Administrative Code shall also be construed to mean “principal engineer” or “principal land surveyor” which is defined as the designated person who is a licensed professional engineer or licensed professional land surveyor and who makes significant technical and/or contractual judgments on behalf of the firm which would affect the firm’s professional reputation and liability. The managing agent’s responsibilities include overall supervision of the firm’s licensed and subordinate personnel providing engineering or surveying work in Alabama and the institution and adherence of policies of the firm.

(7) The term “Certification” when used in conjunction with the sealing of documents shall mean a statement signed, sealed, and dated by a licensed professional engineer or licensed professional land surveyor representing that the engineering or land surveying services addressed therein, as defined in Section 34-11-1, Code of Ala. 1975, have been performed by the licensed professional engineer or licensed professional land surveyor based on knowledge and information in accordance with commonly accepted procedures consistent with acceptable standards of practice, and is not a guaranty or warranty, either expressed or implied.

(8) The acronym NCEES as used in Chapter 330-X means the National Council of Examiners for Engineering and Surveying.

(9) The term “jurisdiction” shall mean any state, district, or territory of the United States.

(10) The term “Signature” shall mean handwritten or digital as follows:

(a) A handwritten message identification containing the name of the person who applied it; or

(b) A digital signature associated with an electronic document must have reasonable security measures in place which include but are not limited to:

1. Unique to the person using it,
2. Capable of verification, and



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3. Under the sole control of the person using it.
5. A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in subsections (b)1. through (b)4. above.

(11) The term "Inactive" shall mean a licensee or firm who is not engaged in the engineering or land surveying practice which requires licensure in Alabama. No licensee or firm granted inactive status may practice or offer to practices engineering or surveying in Alabama as defined in Code of Ala. 1975, Section 34-11-1(12).

(12) The term "Professional Engineer, Retired" or "Professional Land Surveyor, Retired," shall mean a person who is retired from the profession of engineering or land surveying in Alabama and has been approved to use the title by the board.

(13) The term "Expired License" shall mean a license that has not been renewed as of the deadline for renewing. A license not renewed will remain in expired status for a maximum of two years.

(14) The term "restricted" shall mean a license or certificate that is limited in a manner specified by the Board.

(15) The term "Responsible Charge" shall mean direct control, personal supervision of, and legal responsibility for the engineering work or land surveying work performed. This responsible charge shall be of such a nature that the client may reasonably presume that the licensed engineer or land surveyor which he has employed is the provider of the professional services. The licensed professional engineer or licensed professional land surveyor providing such control and supervision shall have made decisions on technical matters of policy and design and shall have exercised his or her professional judgment in all engineering or land surveying matters that are embodied in the design and the plans, specifications, land surveys, or other documents involved in the work. By applying his or her seal, and/or signature, and date to the final documents, the licensee signifies compliance with the requirements of these definitions and the Rules of Professional Conduct (Code of Ethics) and accepts responsibility therefore.

(16) The term "surrender" shall mean the voluntary relinquishment of a license or certificate and shall have the same force and effect as a revocation.



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(17) The term "testimony" as used in Sections 34-11-1(7) and 34-11-1(8), Code of Ala. 1975, shall mean a declaration made by a witness under oath or affirmation related to engineering and surveying activities in the State of Alabama.

(18) The term "supervision of construction" as it relates to an engineer shall mean the general oversight of an engineering project as it relates to the implementation of a design during construction.

(19) The terms "Roster Designation" shall mean a licensee that has met the requirements outlined in Section 330-X-10-.05 of the Administrative Code and been granted the designation by the Board.

(20) "Roster Designation" is not required to practice or to offer to practice engineering.

(21) The term "structural engineering" shall mean the practice of analyzing and designating the structural elements and systems in structures. Engineering Geo-Structures that are located by the earth or whose resistance is derived from the earth such as temporary and permanent earth retaining systems, shallow and deep foundations, underpinning or structures affected by excavations, shafts, and tunnels, embankments, dams and levees, and soil and rock slopes do not exclusively require structural engineering. Structural engineering applies the principles of math and physics in order to create structures that protect life and property using common construction materials such as concrete, steel, and timber as well as innovative materials such as glass, aluminum, polymers and carbon fiber.

(22) Standard of Care: The standard of care for all Professional Engineers and Professional Land Surveyors will be the care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality.

(23) Branch Office – any location other than the firm's principal office location identified by any means to the public or customers as a location at which engineering or surveying services may be offered and/or performed where final engineering or land surveying designs or decisions are made under the responsible charge of a licensed individual.



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(24) Home Office – is not required to be identified as a branch office unless one of the following occurs:

- (a) Office advertises on signage, print or other media.
- (b) The address is shown on the firm's website.
- (c) Solicitations for work are made from the location.
- (d) The address is shown on final design drawings or reports.

If the Home Office performs any of the listed actions, it must meet all "Branch" office requirements.

Rule 330-X-9-.01 - Classification Of Licensure

(1) Applicants shall be licensed under one or more of the following titles:

- (a) Professional Engineer
- (b) Professional Land Surveyor.

(2) Applicants shall be certified under one or more of the following titles:

- (a) Engineer Intern
- (b) Land Surveyor Intern.

(3) Chapter 11, Title 34, Code of Ala. 1975 makes no specific designations as to the discipline of engineering or land surveying practice for which a license as Professional Engineer or Professional Land Surveyor shall be issued; however, the Rules of Professional Conduct, Rule 330-X-14-.03, provides that a professional engineer or professional land surveyor shall practice only in technical fields in which he or she is qualified by education, examination, and experience. Discipline of examinations taken by a licensee is considered a public record.

Rule 330-X-10-.04 - Professional Engineer Retired, Professional Land Surveyor Retired

(1) An individual who has been issued a certificate of licensure as a professional engineer or as a professional land surveyor and who chooses to relinquish or not to renew a license may be granted use of the title "Professional Engineer, Retired" or "Professional Land Surveyor, Retired," as applicable, if the individual applies to and is granted approval by the board.



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- (2) Applications for Professional Retired Designation must be submitted in the manner outlined by the Board and will be considered by the Board for approval.
- (3) This designation is not a license and does not allow the individual to practice engineering or surveying. An individual that has been granted this designation that wishes to practice engineering or land surveying will be required to file a new license application and meet the current eligibility requirements of the law and administrative code.
- (4) The designation does not require renewal and does not expire.



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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 34-11-1 Definitions.

(15) **RESPONSIBLE CHARGE.** Direct control and personal supervision of engineering work or land surveying work.

SECTION 34-11-2 Practice of engineering and land surveying regulated.

...

(b) Except as otherwise provided in this chapter, all engineering design of buildings, structures, products, machines, processes, and systems that can affect health, life, safety, welfare, and property shall be conducted under the **responsible charge** of a licensed professional engineer.

Rules of the Board

330-X-2-.01 Definitions Of Terms

...

(15) The term "**Responsible Charge**" shall mean direct control, personal supervision of, and legal responsibility for the engineering work or land surveying work performed. This **responsible charge** shall be of such a nature that the client may reasonably presume that the licensed engineer or land surveyor which he has employed is the provider of the professional services. The licensed professional engineer or licensed professional land surveyor providing such control and supervision shall have made decisions on technical matters of policy and design and



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shall have exercised his or her professional judgment in all engineering or land surveying matters that are embodied in the design and the plans, specifications, land surveys, or other documents involved in the work. By applying his or her seal, and/or signature, and date to the final documents, the licensee signifies compliance with the requirements of these definitions and the Rules of Professional Conduct (Code of Ethics) and accepts responsibility therefore.

330-X-11-.03 Seal On Documents

...

(3) The seal and signature shall be placed on work only when it was under the licensee's **responsible charge**. The licensee shall only sign and seal work within their area of competence.

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 to gain qualifications in multiple disciplines. The Board only recognizes and tracks the discipline “**structural**”, which requires passing the “SE” exam and having structural experience. The Board calls this a “Roster Designation”.

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, examination, or experience**. **Incidental** practice of architecture is acceptable.

Laws of the Board

SECTION 34-11-1 Definitions.

...

c. The term does not include the practice of architecture except such architectural work as is **incidental** to the practice of professional engineering; nor shall the term include work ordinarily performed by persons who operate or maintain machinery or equipment.

Rules of the Board

330-X-2-.01 Definitions Of Terms

...

(21) The term “structural engineering” shall mean the practice of analyzing and designating the structural elements and systems in structures. Engineering Geo-Structures that are located by the earth or whose resistance is derived from the earth such as temporary and permanent earth retaining systems, shallow and deep foundations, underpinning or structures affected by excavations, shafts, and tunnels, embankments, dams and levees, and soil and rock slopes do not exclusively require structural engineering. Structural engineering applies the principles of math and physics in order to create structures that protect life and property using common



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construction materials such as concrete, steel, and timber as well as innovative materials such as glass, aluminum, polymers and carbon fiber.

330-X-9-.02 - Branches Of Engineering And Land Surveying

(1) Structural Engineering

Rule 330-X-9-.01 - Classification Of Licensure

...

(3) Chapter 11, Title 34, Code of Ala. 1975 makes no specific designations as to the **discipline of engineering** or land surveying practice for which a license as Professional Engineer or Professional Land Surveyor shall be issued; however, the Rules of Professional Conduct, Rule 330-X-14-.03, provides that a professional engineer or professional land surveyor shall **practice only in technical fields in which he or she is qualified by education, examination, and experience**. Discipline of examinations taken by a licensee is considered a public record.

Rule 330-X-10-.05 - Roster Designations

Chapter 11, Title 34, Code of Ala. 1975 makes no specific designations as to the **discipline of engineering** or land surveying practice for which a license as Professional Engineer or Land Surveyor shall be issued; however the Board may designate a professional engineer, on the basis of education, experience, and examination as being licensed in a specific discipline of engineering signifying the area in which the engineer has demonstrated competence. This "Roster Designation" is not required to practice or to offer to practice engineering. A licensee that has met the requirements outlined in Section 330-X-10-.05 of the Administrative Code of the Board may also be recognized by "Roster Designation" as being qualified in a specific area of engineering.

Requests for roster designation shall be made in the format provided by the Board and no requests made otherwise will be accepted. All questions on the request must be accurately and thoroughly answered. No fee is required.

Roster Designation(s):

Professional Engineer – Structural

A professional engineer licensed in the State of Alabama may also be "Roster Designated" as a **structural engineer** by submitting a request to the Board that meets one of the following requirements:



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(a) Has successfully passed 16 hours of the NCEES Structural Engineering Examinations, or 16 hours of state written structural examinations, and can attest that the majority of their engineering practice during the previous three years has been in the area of structural engineering.

(b) Is currently licensed as a Structural Engineer in any jurisdiction that separately licenses structural engineers through a procedure requiring 16 hours of examinations specific to the practice of structural engineering, and can attest that the majority of their engineering practice during the previous three years has been in the area of structural engineering.

(c) Is currently licensed as a Professional Engineer, is in good standing, has 10 years of structural engineering practice, can attest that the majority of their engineering practice during the previous three years has been in the area of structural engineering, and has earned a minimum of 30 professional development hours in the area of structural engineering over the previous 3 years. A request for "Roster Designation" based on experience only must be submitted prior to June 1, 2024.

330-X-11-.03 Seal On Documents

...

(3) The seal and signature shall be placed on work only when it was under the licensee's responsible charge. The licensee shall only sign and seal work within their **area of competence**.

330-X-14-.03 Qualified By Education Examination Or Experience (Canon II)

The engineer or land surveyor shall act competently and use proper care in performing engineering or land surveying services for clients or employers and shall act only in fields in which **qualified by education, examination or experience** as follows:

(a) The engineer or land surveyor shall not accept any engineering or land surveying employment, or undertake any engineering and/or land surveying assignment, for which he or she is not qualified by education, examination or experience to perform or to carry out adequately and competently; providing and excepting, however, that an engineer or land surveyor may accept an assignment requiring education, examination and experience outside his or her field of competence only to the extent



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that personal engineering or land surveying services are restricted solely to those phases of the service or project in which he or she is qualified and competent, and that all other phases of such service or project shall be performed by qualified consultants, associates or employees.

(b) The engineer or land surveyor shall not affix his or her signature or seal to any engineering or land surveying plan or document dealing with subject matter on which he or she is not qualified by education, examination or experience to form a dependable judgment.

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

(d) The engineer, land surveyor, engineer intern, or land surveyor intern shall not engage in any other professional matter for which a specific license is required without first being licensed in that profession.



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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 34-11-11 Disciplinary action.

(a) The board may reprimand, censure, suspend, revoke, place on probation, recover costs, or fine any licensee or certified engineer intern or land surveyor intern or firm holding a certificate of authorization or refuse to issue, renew, or reinstate the certificate of any licensee or certified engineer intern or land surveyor intern or the certificate of authorization of a firm found guilty of any of the following:

(1) The practice of any fraud or deceit in obtaining or attempting to obtain or renew a certificate of licensure, intern certification, or certificate of authorization.

(2) Any gross negligence, incompetency, violation of the rules of professional conduct prescribed by the board, or misconduct in the practice of engineering or land surveying as a professional engineer, engineer intern, professional land surveyor, or land surveyor intern.

(3) Falsely representing himself or herself as being in responsible charge of engineering work or land surveying.

(4) Permitting his or her seal, or facsimile thereof, to be used by another.

(5) Voluntarily surrendering a professional engineer's license, a professional land surveyor's license, an engineer intern's certification, a land surveyor intern's certification, a firm's engineering certificate of authorization, or a firm's land surveying certificate of authorization in order to avoid disciplinary action by another jurisdiction, foreign country, or the United States government if at least one of the grounds for the disciplinary action is the same or substantially equivalent to those contained in this chapter.

(6) Conviction of or entry of a plea of guilty or nolo contendere to any crime that is a felony, whether or not related to the practice of engineering or land surveying; or conviction of or entry of a plea of guilty or nolo contendere to any crime, whether a felony, misdemeanor, or otherwise, an essential element of which is dishonesty or which is directly related to the practice of engineering or land surveying.

(7) Failure to comply with any provision of this chapter or board rule.

(8) Failure to respond to a board inquiry within 60 days of receipt of the inquiry.

(9) Knowingly making false statements or signing false statements, certifications, or affidavits in connection with the practice of engineering or land surveying.



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- (10) Aiding or assisting another person in violating any provision of this chapter or board rule.
 - (11) Violating any term of any order imposed or agreed to by the board or using a seal or practicing engineering or land surveying while the licensee's license or the firm's certificate of authorization is inactive or restricted.
 - (12) Signing, affixing, or permitting the licensee's seal or signature to be affixed to any specification, report, drawing, plan, plat, design information, construction document or calculation, survey, or revision that has not been prepared by the licensee or under the licensee's responsible charge.
 - (13) Engaging in dishonorable, unethical, or unprofessional conduct of a character likely to deceive, defraud, or harm the public.
 - (14) Providing false testimony or information to the board.
 - (15) Providing engineering or land surveying services outside any of the licensee's areas of competence.
 - (16) Practicing engineering or land surveying in a branch office not under the day-to-day supervision of a licensed professional engineer or professional land surveyor, respectively.
- (b) The board may impose any disciplinary penalty set forth in this section against a firm holding a certificate of authorization, when any one or more of the agents, employees, officers, partners, or owners of the firm, licensed or nonlicensed, have committed any act, or have been guilty of any conduct, which could authorize the imposition of any of the disciplinary penalties set forth in this section. The acts or conduct by the persons must have been related to the practice of or offer to practice of engineering or land surveying by the firm and the acts or conduct must have been performed or occurred within the scope of the employment of any such person and with the authorization, ratification, or approval of an officer, director, principal, partner, or owner of the firm.
- (c) The board shall revoke the certificate of any licensee or certified intern who has been determined to be one of the following:
- (1) Declared non compos mentis by a court of competent jurisdiction.
 - (2) Convicted of or entered a plea of guilty or nolo contendere to any crime under the laws of the United States or any state or territory thereof, which is a felony, whether related to practice or not and convicted of or entered a plea of guilty or nolo contendere to any crime, whether a felony, misdemeanor, or otherwise, an essential



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element of which is dishonesty or which is directly related to the practice of engineering or land surveying.

(d) Each day of a continued violation shall constitute a separate offense.

(e) An individual whose license has expired for nonpayment of renewal fees shall continue to be subject to this chapter and board rules governing licenses until the license is revoked by action of the board or the license is not eligible for reinstatement under the rules of the board. A licensee who practices or offers to practice in the state with an expired, inactive, or retired license shall be subject to disciplinary action by the board. Any firm whose certificate of authorization has expired for nonpayment of renewal fees shall continue to be subject to this chapter and board rules until the certificate of authorization is revoked by action of the board or the certificate of authorization is not eligible for reinstatement under the rules of the board. A firm who practices or offers to practice in the state with an expired certificate of authorization shall be subject to disciplinary action by the board.

Rules of the Board

330-X-14-.01 Preamble

(1) In order to meet the intent of the Code of Ala. 1975, Title 34, Chapter 11, to safeguard the health, life, safety, welfare and property of the public and to establish and maintain a high standard of integrity, skills, and practice in the professions of engineering and land surveying, the following Rules of Professional Conduct (Code of Ethics) are promulgated in accordance with Section 34-11-35, Code of Ala. 1975 and shall be binding upon (a) every person holding a license as a professional engineer or professional land surveyor, (b) every certified engineer intern and land surveyor intern and (c) holders of certificates of authorization.

(2) All persons licensed or certified under the provisions of Chapter 11, Title 34, Code of Ala. 1975 and prior Code, are charged with having knowledge of the existence of the Rules of Professional Conduct (Code of Ethics), Rules 330-X-14-.02 through 330-X-14-.07, and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering or land surveying is a privilege, as opposed to a right, and the licensee or intern shall be forthright and candid in his or



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her statements or written response to the Board or its representatives on matters pertaining to professional conduct.

(3) Where applicable, the singular use of the words “engineer or land surveyor” used in the five Rules of Professional Conduct (Canons) shall also include holders of certificates of authorization.

(4) Licensees, in the performance of their services for clients, employers, and customers, shall be cognizant that their first and foremost responsibility is to the public health, safety and welfare.

330-X-14-.02 Conflict Of Interest (Canon I)

The engineer or land surveyor shall exercise independent judgments, decisions and practices on behalf of clients and employers as follows:

(a) The engineer or land surveyor shall attempt to avoid all conflicts of interest with his client or employer, but when a conflict of interest is unavoidable, the engineer or land surveyor shall immediately inform his or her employer or client of any business association, interest, or circumstances which might tend to influence the licensee’s professional judgments, decisions or practices or the quality of services.

(b) The engineer or land surveyor shall not solicit or accept any gratuity, material favor or benefits of any substantial nature from any party, agent, servant or employee dealing with his or her client or employer in connection with any project on which he or she is performing or has contracted to perform engineering or land surveying services. This solicitation or acceptance includes, but is not limited to any act, article, money or other material possessions which is of such value or proportion that its acceptance creates a clandestine obligation on the part of the receiver or otherwise compromises his or her ability to exercise his or her own independent judgment.

(c) The engineer or land surveyor shall not solicit or accept, directly or indirectly, any engineering or land surveying contract, selection, or employment from a governmental body in which a principal or officer of the licensee’s organization serves as a member or employee.



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(d) When in public service as a member or employee of a governmental body, the engineer or land surveyor shall not participate, directly or indirectly, in considerations or actions with respect to retaining services offered or provided by the licensee, his or her associates or his or her organization to such governmental body.

330-X-14-.04 Confidences Of Clients and Employers (Canon III)

The engineer or land surveyor shall safeguard and preserve the confidences and private information of clients and employers as follows:

(a) Except as permitted by Rule 330-X-14-.04(b), the engineer or land surveyor shall not knowingly:

1. Reveal a confidence or private information regarding or in the possession of the licensee's client or employer, current or former;
2. Use a confidence or private information regarding or in the possession of his client or employer, current or former, to the disadvantage of the client or employer;
3. Use a confidence or private information regarding or in the possession of the client or employer for the advantage of a third person, unless the client or employer, current or former, consents after full disclosure except (b) below.

(b) The engineer or land surveyor may reveal confidences or private information under the following circumstances:

1. When he or she has obtained the consent of the client or clients, employer or employers, current or former, affected, but only after full disclosure to them;
2. When required by law or court order;
3. When necessary to establish legal proof of his or her relationship with a client or employer, current or former, in a court action to recover salaries, fees or other compensation due him or her as a result of his employment or association with the client or employer, current or former;
4. When necessary to defend himself or herself or his employees or associates in a legal action alleging wrongful conduct;
5. When there is potential danger to the public's safety and well being.

(c) The engineer or land surveyor shall exercise reasonable care to prevent unauthorized disclosure or use by his or her employees and associates of private information or confidences regarding or in the possession of a client or employer, current or former.



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(d) Nothing in this rule shall relieve an engineer or land surveyor from complying with Rule 330-X-14-.05(j).

(e) Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.

330-X-14-.05 Practice (Canon IV)

The engineer or land surveyor shall endeavor to build a practice and professional reputation on the merit of his services as follows:

(a) The engineer or land surveyor shall not offer, or promise to pay or deliver, directly or indirectly, any commission, political contribution, gift, favor, gratuity, benefit or reward as an inducement to secure any specific professional engineering or professional land surveying work or assignment; providing and excepting, however, that an engineer or land surveyor may pay a duly licensed employment agency its fee or commission for securing engineering or land surveying employment in a salaried position.

(b) The engineer or land surveyor shall not solicit professional employment by self-audatory advertising, or in any manner contrary to high professional standards.

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

(d) The engineer or land surveyor shall not supplant, nor attempt to supplant, directly or indirectly, another engineer or land surveyor in an ongoing engineering or land surveying project, after contracts have been awarded to such other engineer or land surveyor.



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(e) The engineer or land surveyor shall not attempt to compete with another engineer or land surveyor for employment by reducing his or her usual charges or by the use of unethical practices.

(f) The engineer or land surveyor, shall not participate in or implement procurement practices based solely on fees except as allowed by State Law.

(1) Procurement practices shall first determine the qualifications of the engineer or land surveyor prior to entering into fee negotiations for services being sought. An engineer or land surveyor having submitted a statement of qualification and performance data, and having first been judged as the qualified individual or firm to provide the services required for the proposed project, may proceed to negotiate a contract with a client and establish compensation or fees for the required services.

(2) Should the engineer or land surveyor be unable to negotiate a satisfactory contract with the client for any reason, the engineer or land surveyor shall withdraw from further consideration for the engineering or land surveying services. Another engineer or land surveyor may then be selected for negotiations of a contract for the services on the stated project.

(3) Examples include but are not limited to, simultaneous negotiations or solicitation of fee proposals by the client from two or more engineers or land surveyors constitutes "bidding" and participation by a licensee is prohibited.

(g) The engineer or land surveyor shall perform his or her work in accordance with approval standards of practice and care and shall endeavor to adhere to all laws in effect in the jurisdiction in which he or she is practicing.

(h) Should the engineer or land surveyor be presented with a Certification to be signed, sealed and dated as summarized in Rule 330-X-11-.04 and defined in Rule 330-X-2-.01(7), he or she should carefully evaluate that Certification to determine if any of the circumstances set forth below would apply. The engineer or land surveyor who signs, seals and dates Certifications which: (a) relate to matters which are beyond the engineer's or land surveyor's technical competence, or (b) involve matters which are beyond the engineer's or land surveyor's scope of services actually provided, or (c) relate to matters which were not prepared under the engineer's or land surveyor's responsible supervision, direction or control are subject



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to disciplinary action pursuant to Rule 330-X-16. If any of these circumstances would apply, the engineer or land surveyor shall either: (a) modify the Certification to limit its scope to those matters which the engineer or land surveyor can properly sign, seal and date, or (b) decline to sign the Certification.

(i) The engineer or land surveyor shall be completely objective, truthful, and shall include all relevant and pertinent information in all professional reports, statements or testimony.

(j) The engineer or land surveyor shall issue no statements, or criticisms or arguments on matters connected with public policy which are inspired or paid for by an interested party, or parties, unless he or she has prefaced his or her comments by explicitly identifying himself or herself, by disclosing the identities of the party, or parties, on whose behalf he or she is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matter.

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

330-X-14-.06 Ethics (Canon V)

The engineer or land surveyor shall contribute to the maintenance, integrity, independence and competency of the engineering or land surveying profession as follows:

(a) The engineer or land surveyor shall not:

1. Violate any provision of the Alabama law regulating the practice of engineering and land surveying or of the Administrative Code of the Board of Licensure for Professional Engineers and Land Surveyors;
2. Participate, directly or indirectly, in any plan, scheme or arrangement attempting or having as its purpose the evasion of any provision of the Alabama law regulating the practice of engineering and land surveying;



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3. Fail to exercise reasonable care or diligence to prevent his or her partners, associates, and employees from engaging in conduct which if done by him or her, would violate any provision of the Alabama Law regulating the practice of engineering and land surveying;
4. Engage in any illegal conduct, whether a felony or misdemeanor, the essential element of which is dishonesty;
5. Engage in any conduct that discredits or tends to discredit the profession of engineering or land surveying;
6. Permit or allow, his or her professional identification, seal, firm, or business name, or his or her services to be used or made use of, directly or indirectly, or in any manner whatsoever, so as to make possible or create the opportunity for the unauthorized practice of engineering or land surveying by any person, firm or corporation in this state;
7. Perform any acts, allow omissions or make any assertions or representations which are fraudulent, deceitful, or misleading, or which in any manner whatsoever tend to create a misleading impression;
8. Knowingly associate with or permit or allow the use of his or her name, firm name or professional identification or seal in any business venture, project or enterprise which he or she knows or has reason to believe is engaged in professional practices which violate any provision of the Alabama Law regulating the practice of engineering and land surveying;
9. Knowingly associate with or permit the use of his or her name, professional identification, seal, firm or business name in connection with any venture or enterprise which he or she knows, or has reason to believe, is engaging in trade, business or professional practice of a fraudulent, deceitful or dishonest nature;
10. Injure or attempt to injure or damage the professional reputation of another by any means whatsoever; provided and except, however, that this shall not relieve an engineer or land surveyor of the obligation to expose unethical or illegal conduct to the proper authorities or preclude a frank but private appraisal of engineers or land surveyors or other persons or firms considered for employment;



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11. Aid or abet, directly or indirectly, any unlicensed person in connection with the unauthorized practice of engineering or land surveying; or any firm or corporation in the practice of engineering or land surveying unless carried on in accordance with the provisions of Chapter 11, Title 34 of the Alabama Law regulating the practice of engineering and land surveying;

12. Place his or her seal, signature, date and license number on a document constituting a certification that the document was prepared by the licensee unless the document was prepared by the licensee or under his or her direct control and personal supervision or unless the licensee has reviewed the document in sufficient depth to fully coordinate and assume responsibility for plans prepared by another licensed professional engineer or licensed professional land surveyor.

13. Review the work of another engineer or land surveyor, for the same employer, except with the knowledge or consent of the engineer or land surveyor, unless the connection of the engineer or land surveyor with the work has been terminated.

14. Participate in procurement procedures for engineering or land surveying services either by providing the bids or in requesting bids from other professional engineers or land surveyors where bidding is the primary consideration except as allowed by state law.

15. Fail to respond to the Board within 60 days of receipt of Board inquiries.

(b) The engineer or land surveyor shall be personally and professionally responsible and accountable for the care, custody, control and use of his or her engineer's or land surveyor's seal, professional signature, and identification. The engineer or land surveyor whose seal has been lost, misplaced or stolen shall, upon discovery of its loss, report the loss immediately to the Board, which may invalidate the license number of the seal, if it deems this necessary, and issue another license number to the engineer or land surveyor.

(c) When in public service as a member or employee of any governmental body, agency or department, the engineer or land surveyor shall not participate, directly or indirectly, use or make use of any property, facility or service of such governmental body, agency or department for the benefit of any private business or activity in



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which such engineer or land surveyor also may be engaged, unless prior, proper authority is obtained in writing.

(d) The engineer or land surveyor shall not, directly or indirectly, use or make use of any property, facility or service of his or her client or employer for the benefit of the engineer or land surveyor, unless prior, proper authority is obtained in writing.

(e) The engineer or land surveyor shall not practice or offer to practice engineering or land surveying in any governmental jurisdiction in which to do so would be in violation of the laws regulating the practice of professional engineering or professional land surveying in that jurisdiction.

(f) Licensees having knowledge of possible/probable violations of any of these Rules of Professional Conduct shall provide the Board with the information and cooperate as necessary to make the final determination of such violation.

(g) It shall be the duty and sole responsibility of each licensee and intern to provide written notification to the Board of any changes to their mailing address and business affiliation within 30 days after the change.

330-X-14-.07 Responsibility For Conduct

A corporation, partnership, or firm shall be held responsible for the conduct or acts of its agents, managing agents, employees, officers, partners, or owners, licensed or non-licensed.

330-X-14-.08 Convictions

The revocation, suspension, or denial of a license to practice engineering or land surveying in another jurisdiction, for reasons or causes which the Board finds would constitute a violation of the Alabama Law regulating the practice of engineering and land surveying or any rule, regulation, or code promulgated by the Board, shall be sufficient cause for the denial, suspension, or revocation of a license to practice engineering or land surveying in the State of Alabama.

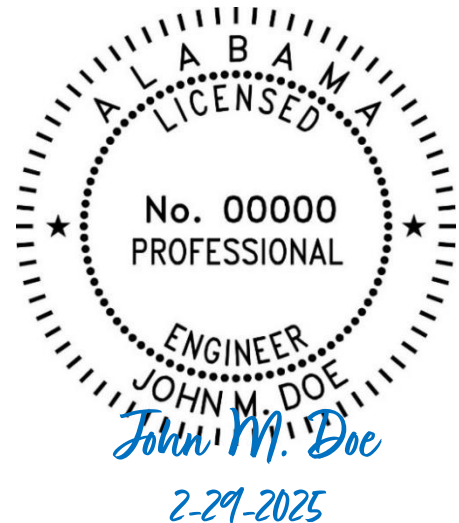


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Sign and Seal Requirements

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 1-5/8" to 2"
- Sign and date on or adjacent to the seal
- 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
 - Include a security procedure to verify licensee and detect changes
 - Unique to licensee
 - Capable of verification
 - Under the sole control of the licensee
 - 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 34-11-7 Issuance of certificate; seal.

...

(c) Upon licensure, each licensee shall obtain a seal of the design authorized by the board, bearing the licensee's name, licensure number, and the legend, "licensed professional engineer" or "licensed professional land surveyor," as applicable. Drawings, plans, specifications, plats, reports, and other documents considered work product issued by a licensee must be sealed, signed, and dated in accordance with rules of the board, thereby certifying that he or she is competent in the subject



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matter and is responsible for the work product. A digital signature may be used in lieu of a handwritten signature.

Rules of the Board

330-X-2-.01 Definitions Of Terms

...

(7) The term "Certification" when used in conjunction with the sealing of documents shall mean a statement signed, sealed, and dated by a licensed professional engineer or licensed professional land surveyor representing that the engineering or land surveying services addressed therein, as defined in Section 34-11-1, Code of Ala. 1975, have been performed by the licensed professional engineer or licensed professional land surveyor based on knowledge and information in accordance with commonly accepted procedures consistent with acceptable standards of practice, and is not a guaranty or warranty, either expressed or implied.

...

(10) The term "Signature" shall mean handwritten or digital as follows:

- (a) A handwritten message identification containing the name of the person who applied it; or
- (b) A digital signature associated with an electronic document must have reasonable security measures in place which include but are not limited to:
 1. Unique to the person using it,
 2. Capable of verification, and
 3. Under the sole control of the person using it.
 5. A digital signature that uses a process approved by the board will be presumed to meet the criteria set forth in subsections (b)1. through (b)4. above.

330-X-11-.02 Seal Of The Licensee

(1) Upon approval of licensure by the Board, licensees will be advised that they should secure an official seal which shall be applied to all drawings, specifications, reports and other engineering or land surveying documents prepared by or under the direct control and personal supervision of the licensees.

(2) The seals to be used by the licensees are to be circular in form and from 1 5/8 to 2 inches in diameter with copy of the design to be furnished each new licensee.

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



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(4) Rubber stamps and computer generated seals identical in size, design and content with the approved seals may be used by the licensee.

(5) Drawings, reports, or documents that are signed using a digital signature, as defined in 330-X-.02(10), shall contain authentication procedures.

330-X-11-.03 Seal On Documents

(1) The seal, signature, and date of signature on a document signify that the document was prepared by the licensee or under his or her responsible charge, or that the licensee has reviewed the document in sufficient depth to fully coordinate and assume responsibility for documents prepared by another licensed professional engineer or licensed professional land surveyor.

(2) Two or more licensees may affix their signatures and seals on the same sheet provided it is designated by a note under the seal the specific subject matter for which each is responsible. In addition, each drawing shall be sealed and signed by the licensee or licensees responsible for each sheet.

(3) The seal and signature shall be placed on work only when it was under the licensee's responsible charge. The licensee shall only sign and seal work within their area of competence.

(a) Each design sheet for engineering practice and each map, plat or chart sheets for land surveying practice, shall be signed, sealed, and dated by the licensee who prepared the documents or under whose responsible charge the documents were prepared.

(b) For reports and specifications when more than one sheet is bound together in one volume, the licensee who prepared the volume, or under whose responsible charge the volume was prepared, may sign, seal, and date only the title or index sheet, provided that this 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 responsible charge of, another licensee, be signed, sealed, and dated by the other licensee.

(c) Letters containing engineering or surveying recommendations should be signed and sealed on the signature page, whether those documents are transmitted via hard copy or electronic means.

(4) Plans, plats, specifications, drawings, reports, or other documents will be deemed to have been prepared under the responsible charge of a licensee only when all of the following conditions have been met and documented:



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- (a) The client requesting preparation of such plans, plats, specifications, drawings, reports, or other documents makes the request directly to the licensee, or a member or employee of the licensee's firm;
- (b) The licensee supervises the preparation of the plans, plats, specifications, drawings, reports, or other documents and has input into their preparation prior to their completion;
- (c) The licensee reviews the final plans, plats, specifications, drawings, reports, or other documents; and
- (d) The licensee has the authority to, and does, make any necessary and appropriate changes to the final plans, plats, specifications, drawings, reports, or other documents.
- (5) Any revision to a document containing the seal and signature of a licensee shall be described and dated. If the revisions are not done by the original licensee, the revisions must also be signed and sealed by the licensee in responsible charge of those revisions. The original seal and signature shall not be removed.
- (6) The seal, signature, and date of signing shall be placed on all final specifications, land surveys, reports, plats, drawings, plans, design information, and calculations whenever presented to a client or any public or governmental agency to certify that the work was done by the licensee or under the responsible charge of the licensee. All work products presented which are not final shall be so identified. Working drawings or preliminary documents are not required to have a seal and signature if the working drawing or preliminary document contains a statement in large bold letters to the effect "PRELIMINARY, NOT FOR CONSTRUCTION, RECORDING PURPOSES OR IMPLEMENTATION."
- (7) Working drawings consisting of sketches, reports, or otherwise a work product which is in whole or part intended to communicate work to be performed or for use in specific proposals and/or becomes a part of defining the scope of a contract for work, must be sealed, signed, and dated by the licensee who prepared these documents or under whose direct control and personal supervision they were prepared.
- (8) A computer generated seal or facsimile is acceptable only when the signature of the professional engineer or professional land surveyor and the date the document was signed are on or adjacent to the computer generated or facsimile seal. Any variation from this procedure must be submitted to and approved by the Board. Drawings, specifications, plans, reports, or documents which do not require certification may be transmitted electronically but shall have the generated seal, if



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any, removed before transmitting and shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by (name of licensee), P.E. #_____/P.L.S.#____ on (date of sealing). This document should not be considered a certified document."

(9) In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee, a successor licensee may take responsible charge by performing all professional services to include developing a complete design file with work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's work. The burden is on the successor licensee to show such compliance. The successor licensee shall have control of and responsibility for the work product and the signed and sealed originals of all documents.

(10) The seal and signature shall be placed on all original copy, tracings, or other reproducible documents so that the seal and signature will be reproduced when copies are made.

330-X-11-.04 Seal, Signature, And Date On Certifications

(1) The term "Certification" as used herein shall be as set forth in Rule 330-X-2-.01(8).

(2) When an Engineer or a land surveyor is presented with a Certification to be signed, sealed, and dated, he or she should carefully evaluate that Certification to determine if any of the circumstances set forth in subsection (3) below would apply.

(3) Engineers or land surveyors who sign, seal, and date Certifications which: (a) relate to matters which are beyond the engineer's or land surveyor's technical competence, or (b) involve matters which are beyond the engineer's or land surveyor's scope of services actually provided, or (c) relate to matters which were not prepared under the engineer's or land surveyor's responsible supervision, direction or control are subject to discipline pursuant to Rules 330-X-14-.05(h) and 330-X-16.

(4) If any of these circumstances set forth in subsection (3) above would apply, that engineer or land surveyor shall either: (a) modify such Certification to limit its scope to those matters which the engineer or land surveyor can properly sign, seal, and date, or (b) decline to sign, seal, and date such Certification.



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Board Website

Continuing Education

Per Rules of the Board, Ala. Admin. Code 330-X-13-.02, the following continuing education is required every 2-year renewal period, where PDH is a professional development hour:

- 30 PDH
- Acceptable course/activity content:
 - Maintain, improve, or expand skills and knowledge obtained prior to initial licensure or develop new and relevant skills and knowledge
 - Must be relevant to the practice of engineering
 - May include technical, ethical, or managerial content
 - May NOT include self-study/reading, repeat courses, and equipment demonstrations
- Board does NOT pre-approve providers or specific courses for engineering
- Maximum 15 PDH can carry forward for next renewal
- Retain PDH records for 4 years
- Renewal date is December 31 of odd years

Laws and Rules

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

Rules of the Board

330-X-13-.01 Renewals

(1) All licenses expire on December 31 of a specified year. Each licensee will be notified no later than two months prior to the date the license expires. Renewal must be accomplished online. The licensee's submission of the renewal form reaffirms agreement to abide by the Rules of Professional Conduct (Code of Ethics), Rule 330-X-14.

(2) No renewal fees will be accepted prior to the renewal date specified in the Board renewal notification.

(3) Reinstatement fees for expired licenses and certifications are set each year by the Board.



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(4) The responsibility for renewal rests solely with the individual. Failure to receive notice of renewal or to respond to a Board renewal inquiry does not relieve you of your duty to renew on time.

330-X-13-.02 Continuing Professional Competency

(1) Purpose - In order to help safeguard health, life, safety, welfare and property, the practices of professional engineering and land surveying in Alabama require continuing professional competency in accordance with Code of Ala. 1975, Section 34-11-8 (a)(2) and this Rule.

(2) Scope - Each in-state and out-of-state licensee shall be required to meet the continuing professional competency requirements of these regulations for professional development as a condition for licensure renewal. Continuing professional competency obtained by a licensee should maintain, improve, or expand skills and knowledge obtained prior to initial licensure or develop new and relevant skills and knowledge. Regular duties are not considered qualified activities.

(3) Definitions - Terms used in this section are defined as follows:

(a) Professional Development Hour (PDH) - A contact (clock) hour consisting of not less than 50 minutes of instruction or presentation and which further meets the requirements of these rules. The minimum acceptable fraction of a PDH will be .5 which is equivalent to 30 minutes of instruction time.

(b) Sponsor - An individual, organization, association, institution, or other entity which provides an educational activity for the purpose of fulfilling the continuing professional competency requirements of this rule.

(4) Requirements - To demonstrate that a licensed professional engineer or professional land surveyor maintains an acceptable level of competency, a licensee must obtain the number of Professional Development Hours (PDH) per renewal period as shown below. The requirement must be satisfied during the current renewal period. Professional development hours must not be anticipated and cannot be used for more than one renewal period. PDH credits may include:

- (a) The carryover permitted,
- (b) PDH earned during the previous renewal period after the date of submitting the previous renewal to the Board office,
- (c) PDH earned during current renewal period, and



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(d) PDH earned in the following renewal period if renewing after renewal deadline.

1. A licensed professional engineer or licensed professional land surveyor must earn a minimum of fifteen PDH per annual renewal period or thirty if biennial renewal period except for the carryover permitted. The number of professional development hours which may be carried forward into the next renewal period shall not exceed fifteen whether on an annual or biennial period.

2. A licensee who has both a professional engineer's license and a professional land surveyor's license can cross claim PDH's when course material is applicable to both licenses.

3. All professional land surveyors are required to earn a minimum of 4 PDH on the Standards of Practice for Surveying in the State of Alabama every two years. All new professional land surveyor licensees shall complete this requirement within 2 years of becoming licensed in Alabama. Credit will be given for courses taken within 2 years of obtaining licensure in Alabama. Credit for these courses/seminars will count toward the annual or biennial PDH requirements as required by the Code of Ala. 1975, §34-11-6.

4. All professional land surveyors are required to complete 1 PDH on ethics every year. All new professional land surveyor licensees shall complete the 1 PDH of ethics within 1 year of becoming licensed in Alabama as required by the Code of Ala. 1975, §34-11-6.

(5) Activities — Continuing professional competency activities which satisfy the professional development requirement shall include, but not be limited to:

- (a) Successfully completing or auditing college or university sponsored courses,
- (b) Successfully completing courses which are awarded continuing educational units (CEU),
- (c) Successfully completing tutorials, short courses, correspondence courses, televised courses, internet courses, or videotaped courses,
- (d) Attending seminars, in-house programs, workshops, or professional or technical presentations made at meetings, conventions, or conferences,
- (e) Teaching, presenting, or instructing as described in (a) through (d) above,



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- (f) Authoring published papers, articles, books, or accepted licensing examination items, and
- (g) Receiving a United States patent.
- (h) Actively participating in professional or technical societies as defined in 330-X-13.02(8)(f).
- (i) Serving the Board as a volunteer Technical Advisor as defined in 330-X-13.02(8)(g).
- (j) Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students.

All activities as described in (a) through (j) above must be relevant to the practice of engineering or land surveying and may include technical, ethical, or managerial content. The Board does not preapprove or endorse any CPC activities. It is the responsibility of each licensee to assure that all PDH credits claimed meet the requirements as specified in 330-X-13.02.

(6) Criteria - Continuing professional competency activities must meet the following criteria:

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

(7) Units - The conversion to PDH units from other units is as follows:

1 University semester hour of credit...	45 PDH
1 University quarter hour of credit...	30 PDH
1 Continuing Educational Unit (CEU)...	10 PDH
1 Hour of acceptable professional development education...	1 PDH



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Active participation in professional and technical society (each organization maximum 2 PDH per organization not to exceed 6 PDH total)

1 hour of outreach activities

1 PDH (not to exceed 3 PDH/s)

(8) Credits – The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit. Credit for qualifying courses successfully completed which offer PDHs based on semester hours, quarter hours, or CEUs is as specified above. All other activities permit the earning of one PDH credit for each contact hour with the following exceptions:

(a) Successful auditing of university or college courses permits PDH credit of 1/3 that shown in (7) above.

(b) Teaching or instructing qualifying courses or seminars or making presentations at technical meetings can earn PDH credit at twice that of participants. For non-faculty - Teaching credit is valid only for the first offering of the course/presentation. Faculty may not claim teaching credit associated with their regular duties.

(c) Authorship of papers, articles, or books cannot be claimed until actually published. Receipt of a US patent cannot be claimed until the patent is actually awarded. Credit earned will equal preparation time spent not to exceed 10 PDH per publication or patent.

(d) For meeting the continuing professional competency requirements through correspondence, video, audio, or on-line courses, the course must require the participant to show evidence of completion.

(e) The Board will not accept self study, regular employment including repetitive teaching of the same course without updating course material, service club meetings, equipment demonstrations, membership on Boards or Committees, enrollment without attending the course, conversational language courses for personal use, and other activities not relevant to engineering or land surveying and not educational in nature.

(f) Credit for active participation in professional and technical societies (limited to 2 PDH per organization, per year but a maximum of 6 PDH total per renewal cycle), requires that a licensee serve as an officer and/or actively participate in a committee of the organization.

(g) Credit for service to the Board as a volunteer Technical Advisor may be earned on an hourly basis not to exceed 10 PDH per year.



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

(a) A military licensee serving on active duty in the armed forces of the United States for a period of time exceeding one hundred twenty (120) days in a renewal period shall be exempt from obtaining the professional development hours required during that period.

(b) A licensee employed as a professional engineer or professional land surveyor and assigned to duty outside the United States for a period of time exceeding one hundred twenty (120) consecutive days in a renewal period shall be exempt from obtaining the professional development hours required during that year.

(c) A licensee who has experienced during the past year a serious illness or injury of a nature and duration which has prohibited completing continuing professional competency requirements this past renewal period may be exempted in order to give the licensee sufficient time to recuperate and begin to earn the necessary professional development hours for the next renewal period. Supporting documentation such as a letter from a physician must be furnished to the Board.

(d) Licensees who list their occupation as Inactive on the Board approved renewal form and who certify that they are not currently practicing engineering or land surveying shall be exempt from the professional development hours required.

(e) New Licensees. A new licensee is to be awarded 30 PDH toward their first renewal.

(10) Reinstating Expired or Inactive Licenses. In the event a licensee elects to return to active practice of professional engineering or professional land surveying, thirty professional development hours must be earned. The hours required for reinstatement are to bring the license to active status. When the license renewal is due, the licensee will also be required to obtain the professional development hours for the renewal period. Professional Land Surveyor licensees must also meet the PDH requirements contained in Section 330-X-13-.02(4) 3 and 4.

(11) Forms - All renewal applications will require the listing of the PDH credit claimed unless the licensee is exempt from the continuing education requirement. The licensee must certify and sign the renewal application.



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(12) Records - The responsibility of maintaining records which can be used to support credits claimed is the responsibility of the licensee. Records required are documents from the sponsoring organization showing course completion or presentation, or completion certificates showing PDH credits earned. These records must be maintained for a period of four years and copies must be furnished, if requested, to the Board for audit verification purposes. These records should not be furnished with the renewal application.

(13) Disallowance - If the Board disallows claimed PDH credit during the renewal or reinstatement process, the licensee must substantiate the original claim or to earn other credit to meet the requirement.

(14) Audit - The Board will conduct a random audit of renewals submitted for compliance with the continuing education requirements.

(a) Those licensees selected for audit will be notified and will be required to provide the documents as outlined in subsection (12) above.

(b) Licensees should respond to audit inquiries within 30 days of notification. Failure to respond to an audit inquiry, and/or provide requested documentation, will result in a reinstatement fee being applied to the renewal fee on February 1st.

(c) Falsification of documentation is grounds for disciplinary action.

330-X-13-.03 Expirations And Reinstatements

(1) The right to practice as a licensed professional engineer or licensed professional land surveyor expires December 31 of the specified year unless renewed. To be reinstated, a licensee who does not renew before December 31 and has an expired license for a period not to exceed two years, will be required to file a reinstatement form, show evidence of completion of the continuing professional competency requirement, and pay the reinstatement fee as determined by the Board. Any license which has been expired for more than two years is not eligible for reinstatement and the individual will be required to file a new application and meet the statutory requirements in existence at time of relicensing.



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Helpful References

Alabama Board for Engineers and Land Surveyors

General website: <https://bels.alabama.gov/>

Account & Renewal: <https://bels.learningbuilder.com/account/login>

Laws & Rules: <https://bels.alabama.gov/resources/>

Laws of the Board: <https://alison.legislature.state.al.us/code-of-alabama>

Rules of the Board: <https://admincode.legislature.state.al.us/administrative-code/330>

FAQs: <https://bels.alabama.gov/faqs/>

Handbook for
Building Officials: <https://bels.alabama.gov/wp-content/uploads/2023/08/2022-Building-Handbook.pdf>