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# Indiana Laws and Rules for Engineers

by

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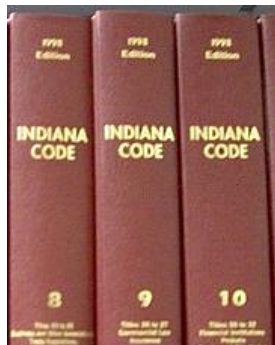
Examination



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## Indiana Code

State laws (called statutes) are enacted by the Indiana 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are added to the *Indiana Code* in the appropriate locations with numbering, formatting, and removal of replaced or repealed statutes. Annotations are also added such as notes and references, and the resulting publication is often termed the *Annotated Indiana Code*. The laws are cited as Indiana Code, Ind. Code or I.C.

The Indiana Code is divided into dozens of titles. Laws with relevance to engineering are in Title 25, Article 31, Chapter 1, which is cited as IC 25-31-1 and informally called the Laws of the Board. The organization is as follows:

### Indiana Code

- Title 25: Professions and Occupations
  - Article 31: Professional Engineers
    - Chapter 1: Regulation of Engineers; Creation of Board
      - Sections 1 to 36

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 IC 25-31-1, known as the “Laws of the Board”. The Laws of the Board gives authority to the *Indiana State Board of Registration for Professional Engineers* (Board) to enact the laws and manage licensing. The following is the contents with **bold** sections being of particular importance for practicing professional engineers.

### **IC 25-31-1: Regulation of Engineers; Creation of Board**

<b>25-31-1-2</b>	<b>Definitions</b>
25-31-1-3	State board of registration for professional engineers
25-31-1-4	Compensation and expenses of board members
25-31-1-5	Meetings of board; organization; quorum
25-31-1-6	Secretary of board; duties; employees
25-31-1-7	Enforcement and administration of chapter by board
25-31-1-8	Hearings and subpoenas
25-31-1-9	Disposition of receipts; fee
25-31-1-10	Records
25-31-1-12	Qualifications for registration
25-31-1-13	Application for registration; fees
25-31-1-14	Examination; reexamination
25-31-1-15	Issuance of certificate of registration; certificate of enrollment
<b>25-31-1-16</b>	<b>Seal</b>
<b>25-31-1-17</b>	<b>Renewal of certificate</b>
<b>25-31-1-17.5</b>	<b>Continuing education rules</b>
25-31-1-18	Corporate practice
<b>25-31-1-19</b>	<b>Public projects; employment of professional engineer</b>
<b>25-31-1-20</b>	<b>Exempt persons</b>
25-31-1-21	License by reciprocity
25-31-1-24	Conduct of hearings
25-31-1-25	Judicial review
25-31-1-26	Issuance of duplicate certificate
<b>25-31-1-27</b>	<b>Practicing without license and other specific violations</b>
25-31-1-28	Enforcement; use of investigative fund
25-31-1-29	Injunctions
<b>25-31-1-30</b>	<b>Exemption from statutes relating to practice of architecture</b>
<b>25-31-1-34</b>	<b>Use of engineer in political subdivision job title</b>
25-31-1-35	Investigative fund; administration by attorney general and licensing agency; appropriation
25-31-1-36	Notice of disciplinary action determination



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## Indiana Administrative Code



State laws are often high-level and lack details required for implementation. The Indiana 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 *Indiana Administrative Code* or *Indiana Administrative Rules* and is normally cited as IAC. The regulations are enforceable just like state statutes.

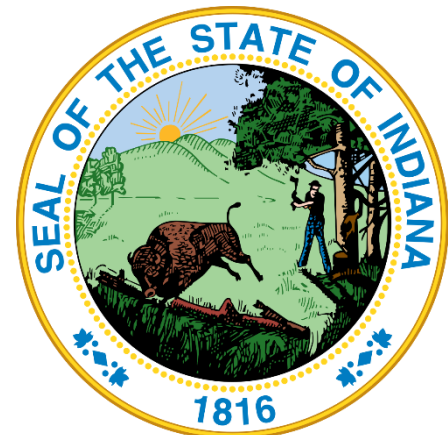
Updates to the IAC are published each month in the Indiana Register.

The IAC is grouped into dozens of titles representing different state agencies (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering is under Title 864. This is cited as 864 IAC, and referred to as “Rules of the Board” in this course.

The organization is as follows:

### IAC

- Title 864: State Board of Registration for Professional Engineers
  - Article 1.1: Administration; General Requirements
    - Rules: 1 to 15
      - Sections: Various





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## **Rules of the Board**

864 IAC 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.

### 864 IAC - State Board of Registration for Professional Engineers

#### **Article 1.1: Administration; General Requirements**

##### **1.1-1 - General Provisions**

1.1-2 - Qualifications for Examination

1.1-2.1 - Engineers; Education and Work Experience

1.1-3 - Applications

1.1-4.1 - Examinations

1.1-5 - Comity Registration

1.1-6 - Certificates

**1.1-7 - Registrant's Seal**

**1.1-8 - Renewal**

**1.1-9 - Name and Address Change**

**1.1-10 - Temporary Permit**

**1.1-11 - Rules of Professional Conduct**

1.1-12 - Fees

1.1-13 - Land Surveying; Competent Practice (Vacated)

1.1-14 - Limited Liability Company Practice

**1.1-15 - Continuing Education**

1.1-16 - Convictions of Concern



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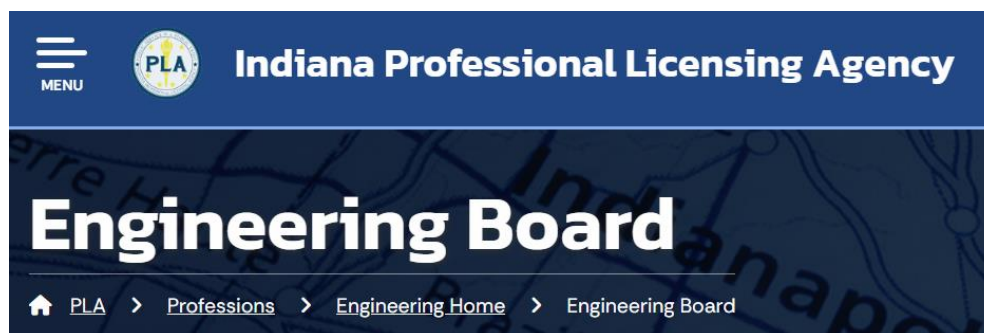
## **State Board**

The state agency for professional engineering is the *Indiana State Board of Registration for Professional Engineers*, herein referred to as the Board. The Board is under the Indiana Professional Licensing Agency (PLA).



The Board oversees over 13,000 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 (864 IAC).



The board website <<https://www.in.gov/pla/professions/engineering-home>> contains the following topics:

- Apply for, Renew, or Maintain your License
- Application Instructions
- Renewal Instructions
- Exams & Testing
- Fee Schedule
- Board Members
- Meeting Dates

- Minutes and Agendas
- Other Board Information
- Electronic Participation Policy
- Statutes & Rules
- Continuing Education Requirements
- FAQs
- Sample Seal
- Scope of Practice Rulings





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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**

#### **IC 25-31-1-2 Definitions**

Sec. 2. As used in this chapter:

(a) "Board" means the state board of registration for professional engineers.

(b) "Professional engineer" means an individual who, by reason of that individual's special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and design which are acquired by education and practical experience, is qualified to engage in the practice of engineering as attested by that individual's registration as a professional engineer.

(c) "Engineering intern" means an individual who:

(1) is a graduate from an approved engineering curriculum of four (4) years or more or who has acquired, through engineering education and experience in engineering work, knowledge and skill approximating that obtained by graduation in an approved engineering curriculum of four (4) years or more;

(2) has successfully passed an examination as prescribed in section 14 of this chapter; and

(3) has been issued by the board an appropriate certificate of enrollment as an engineering intern.

(d) "Practice of engineering" means any service or creative work that the adequate performance of requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to services or creative work that includes the following:

(1) Consultation.

(2) Investigation.

(3) Evaluation.

(4) Planning, including planning the use of land and water.

(5) The design of or the supervision of the design of engineering works and systems.

(6) Engineering surveys and studies or the supervision of engineering surveys and studies, including all surveying activities required to support the sound conception,





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planning, design, construction, maintenance, and operation of engineered projects, but not including the surveying of real property for the establishment of land boundaries, subdivisions, rights-of-way, easements, and the dependent or independent surveys or resurveys of the public land survey system.

(7) Evaluation of construction for the purpose of assuring compliance with specifications, plans, and designs, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, work systems, or projects. The term "practice of engineering" does not include the work ordinarily performed by persons who operate or maintain machinery or equipment.

...

(f) "Practice or offer to practice engineering" means the act of an individual or a business who by verbal claim, sign, advertisement, letterhead, card, telephone listing, or in any other way represents the individual or the business to be a professional engineer or who performs, or offers to perform, any acts or work involving the practice of engineering.

(g) "Licensing agency" means the Indiana professional licensing agency established by IC 25-1-5-3.

**IC 25-31-1-19 Public projects; employment of professional engineer**

Sec. 19. (a) A county, city, town, township, school corporation, or other political subdivision of this state may not engage in the construction or maintenance of any public work involving the practice of engineering for which plans, specifications, and estimates have not been prepared, certified, and sealed by, and the construction and maintenance executed under the direct supervision of, a professional engineer. Any contract executed in violation of this section is void.

(b) An official of this state, or of any city, town, county, township, or school corporation, charged with the enforcement of any law, ordinance, or rule relating to the design, construction, or alteration of buildings or structures may not use or accept or approve any plans or specifications that have not been prepared by, or under the supervision of and certified by, a registered professional engineer. This subsection does not apply:

- (1) to plans or specifications prepared by, or under the supervision of and certified by, an architect who is registered under IC 25-4-1;
- (2) to structures and construction listed in IC 22-15-3-3(a); or



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(3) to plans or specifications contained in a registration, license, or permit application, including an application for an initial permit, the renewal of a permit, the modification of a permit, or a variance from a permit submitted to the commissioner of the department of environmental management under IC 13, unless the permit is for the approval of plans or specifications for construction for which a professional engineer's seal is required by operation of either state or federal law, rule, or regulation. This subsection does not require a professional engineer's seal for an application for an air quality construction permit under 326 IAC 2-1-3. This section shall not be construed as to abridge or otherwise affect the powers of any state board or department to issue rules governing the safety of buildings or structures.

(c) All maps required to show the underground workings of any mine in Indiana must be prepared, certified, and sealed by a professional engineer or professional surveyor.

### **IC 22-15-3-3 Design Releases**

Sec. 3. (a) This section applies only to an application for a design release to construct:

- (1) A Class 1 structure with thirty thousand (30,000) or fewer cubic feet of space;
- (2) An addition to a Class 1 structure, if the addition adds thirty thousand (30,000) or fewer cubic feet of space;
- (3) An alteration to a Class 1 structure, if the alteration does not involve changes affecting the structural safety of the Class 1 structure; or
- (4) An installation or alteration of an automatic fire sprinkler system in a Class 1 structure by persons qualified pursuant to rules set forth by the fire prevention and building safety commission.

(b) The design release requirements under subsection (c) do not apply for any construction that is otherwise exempted under 675 IAC 12-6-4(b), even if the construction is:

- (1) a part of;
  - (2) supplemental to; or
  - (3) an accessory of;
- any other construction that would otherwise require a design release.



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(c) To qualify for a design release under this section, an applicant must do the following:

- (1) Demonstrate, through the submission of plans and specifications for the construction covered by the application, that the construction will comply with all applicable building laws and fire safety laws.
- (2) Pay the fees set under IC 22-12-6-6.

**IC 25-31-1-20 Exempt persons**

Sec. 20. (a) An employee or a subordinate of any person who holds a certificate of registration under the provisions of this chapter is exempt from the provisions of this chapter if the practice of the employee or subordinate does not include responsible charge of design or supervision.

(b) This chapter does not require registration for the purpose of practicing engineering by an individual or a business:

- (1) on property owned or leased by that individual or business unless the engineering practice involves the public health or safety, or the health or safety of the employees of that individual or business;
- (2) for the performance of engineering which relates solely to the design or fabrication of manufactured products; or
- (3) that is registered as a landscape architect under IC 25-4-2 and while the individual or business is engaged in the practice of landscape architecture planning the use of land or water.

**IC 25-31-1-30 Exemption from statutes relating to practice of architecture**

Sec. 30. (a) Except as provided in IC 25-4-1-11, a person registered as a professional engineer under this chapter is exempt from the provisions of any and all statutes in force in this state regulating the practice of architecture.

(b) This chapter does not apply to an individual registered as an architect under IC 25-4-1. An architect, however, who is registered under IC 25-4-1 and exempted from this chapter may not use the designation "engineer" in any form or manner unless the architect is registered under this chapter.

Rules of the Board

**864 IAC 1.1-1-1 Definitions; abbreviations**



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Sec. 1. (a) The following definitions apply throughout this title:

- (1) "Act" means the Registration Act, IC 25-31, creating a board to regulate the practice of engineering in Indiana.
- (2) "Engineer" means professional engineer as defined in IC 25-31-1-2(b).
- (3) "Registrant" means an individual engineer to whom a certificate of registration has been granted under the Act.
- (4) "EI" means an engineering intern as defined in IC 25-31-1-2(c).
- (5) "Applicant" means any individual whose application has been received by the board for consideration to be registered as an engineer or for enrollment as an EI in the state of Indiana.
- (6) "EAC ABET" means the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology.
- (7) "Approved engineering curriculum" means an EAC ABET accredited baccalaureate, master's, or doctoral degree engineering program.
- (8) "The date of registration" means the date that licensure was approved by the board.
- (9) "Comity" means a principle by which the board licenses persons to practice engineering under IC 25-31-1-21 on the basis of engineering licenses issued by other states.

(b) The terms defined in IC 25-31-1-2 shall have the same definitions when used in this title.

**864 IAC 1.1-8-1 Renewal of registration; fees; notice**

Sec. 1. The board has adopted the following to clarify and implement the payment of renewal fees on a biennial basis:

- (1) For purposes of biennial renewal, the postmark on the envelope containing the remittance will be considered the date of payment.
- (2) When the renewal fee is not paid on time:
  - (A) the certificate of registration becomes invalid; and
  - (B) the individual cannot lawfully practice or offer to practice engineering; until the renewal fee and required delinquent fee is paid and all other requirements for reinstatement of the certificate of registration have been met.

**864 IAC 1.1-9-1 Notification of name and address change**



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Sec. 1. (a) It shall be the responsibility of each registrant to keep the board advised of the registrant's latest address within thirty (30) days of the address change.

(b) It shall be the responsibility of each registrant to keep the board advised of the registrant's full name within thirty (30) days of the name change.



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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 does not make special designations for disciplines nor track a licensee's qualified disciplines. Discipline names are not listed on seals.

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

### **Rules of the Board**

#### **864 IAC 1.1-11-5 Qualification to undertake assignment**

Sec. 5. The engineer shall undertake to perform engineering assignments only when **qualified by education and experience** in the specific technical field of professional engineering involved.

#### **864 IAC 1.1-11-6 Restricted services for assignment outside field of competence**

Sec. 6. The engineer may accept an assignment requiring education or experience outside of the engineer's **field of competence**, but only to the extent that services are restricted to those phases of the project in which the engineer is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.

#### **864 IAC 1.1-11-7 Use of seal restricted**

Sec. 7. The engineer shall not affix the engineer's signature and/or seal to any engineering plan or document dealing with subject matter in which the engineer lacks **competence** by virtue of insufficient **education or experience**, or to any such plan or document not prepared as described in 864 IAC 1.1-7-4.



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### **Responsible Charge**

Engineering design work must be prepared by the registrant or **directly supervised subordinates** under the “**registrant's control and direction**”. This is referred to as having “**responsible charge**” for the engineering work. 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 Indiana 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**

#### **IC 25-31-1-16 Seal**

... Applying the registrant's seal attests that:

- (1) the work embodies the engineering work of the registrant;
- (2) the registrant or an employed **subordinate supervised** by the registrant **prepared the documents**, and in the context of engineered plans "prepared" refers to the **registrant's control and direction** of the engineering work and design process;
- (3) the registrant assumes full professional **responsibility** for the documents; and
- (4) the work meets standards of acceptable engineering practice.

### **Rules of the Board**

#### **864 IAC 1.1-7-3 Application of seal; signature**

Sec. 3. (a) The seal shall be affixed to documents and instruments only during the time the certificate of registration is current and has not been suspended or revoked and then only on such documents and instruments that have been **prepared by** the registrant or by the regularly employed and **directly supervised subordinates** of the registrant





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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**.

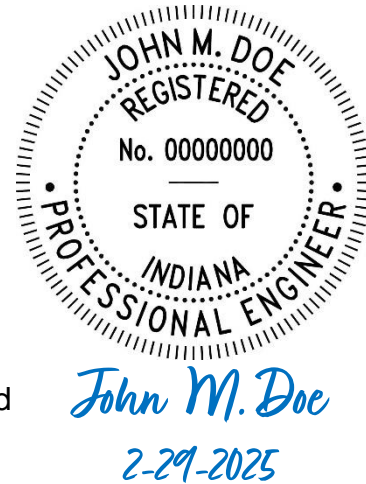


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### **Sign and Seal Requirements**

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 1-7/8"
- Sign and date adjacent to the seal (not over it)
- 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 with "COVERING \_\_\_\_\_ DESIGN"
- Acceptable forms of signature:
  - Original hand sign and seal with rubber ink stamp, embossed (crimped, impression), or printed image
  - Digital/electronic signature
    - Digital seal image with digital signature
    - Signature must attach to the electronic document
    - Executed by registrant with intent to sign the document
    - Adobe, Bluebeam, & DocuSign e-signatures appear acceptable



### **Laws and Rules**

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



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Laws of the Board

**IC 25-31-1-16 Seal**

Sec. 16. (a) The granting of registration extends to the registrant the authority to use a seal of a design approved by the board bearing the registrant's name, registration number, and the legend "professional engineer".

(b) During the period of time that a registrant's certificate is valid, the registrant is authorized to apply the registrant's seal to plans, specifications, studies, drawings, and reports. Applying the registrant's seal attests that:

- (1) the work embodies the engineering work of the registrant;
- (2) the registrant or an employed subordinate supervised by the registrant prepared the documents, and in the context of engineered plans "prepared" refers to the registrant's control and direction of the engineering work and design process;
- (3) the registrant assumes full professional responsibility for the documents; and
- (4) the work meets standards of acceptable engineering practice.

(c) It is unlawful for any person to stamp or seal any document with a seal after the certificate of the registrant named on the seal has expired or has been revoked.

Rules of the Board

**864 IAC 1.1-7-2 Design and contents of seal**

Sec. 2. (a) The engineer seal shall generally be between one and five-eighths (1 5/8) inches and one and seven-eighths (1 7/8) inches in outside diameter, using the following design:



Plans containing an engineer seal of specified size may be reduced as long as the seal remains legible.



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(b) The seal may be embossed, electronically applied to a drawing, or applied by a rubber stamp in conformance with the design as shown in subsection (a). The seal may have a milled edge, as shown, or two (2) concentric circles with the outer and inner circles corresponding with the respective edges of the milling.

(c) The name and registration number of the registrant inscribed on the seal shall correspond to the name and certificate number inscribed on the certificate of registration. However, the letters "PE" may be excluded from the certificate number.

**864 IAC 1.1-7-3 Application of seal; signature**

Sec. 3. (a) The seal shall be affixed to documents and instruments only during the time the certificate of registration is current and has not been suspended or revoked and then only on such documents and instruments that have been prepared by the registrant or by the regularly employed and directly supervised subordinates of the registrant. The registrant shall be responsible for seeing that the seal, however affixed, and the signature shall be legible on the document.

(b) Whenever a registrant affixes the seal, it shall have:

(1) the registrant's original handwritten, electronic, or other signature recognized under Indiana law; and

(2) the date the seal is being affixed;

directly adjacent to the seal, but not across the seal. As used in this subsection, "electronic signature" means an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.

(c) When a registrant is in responsible charge of engineering work for which one (1) or more:

(1) specifications;

(2) plans; and

(3) drawings;

are required to be submitted for review by the state building commissioner or other governmental body, the registrant shall apply the seal in the full manner required by



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this section on each page of all drawings or plans and on the title page of all specifications.

(d) A registrant who is not in responsible charge of the entire work, but assumes responsibility for portions of the work included on any page of:

- (1) specifications;
- (2) plans; or
- (3) drawings;

shall affix the seal in the manner required by this section on all pages of plans or drawings on which the registrant's work appears and on the title pages of specifications in which the registrant's work appears.

(e) When affixing the seal, the registrant shall denote the registrant's part of the work by inserting below the registrant's signature and date, language similar to the following:

COVERING \_\_\_\_\_ DESIGN.

**864 IAC 1.1-7-4 Use of seal and signature; acceptance of full responsibility**

Sec. 4. (a) The seal and signature of a registrant on any drawings, documents, or instruments signifies the registrant's acceptance of full responsibility for the professional work represented thereon, except as another registrant shall have assumed a limited responsibility for portions of the work in accordance with section 3(d) of this rule.

(b) A registrant may include in the registrant's plans certain predesigned manufactured equipment or products which have become established as acceptable for the proposed use, when such items:

- (1) meet standards established by nonprofit trade organizations;
- (2) meet the requirements for the proposed use as indicated by tests performed by a competent, unbiased testing agency;
- (3) are mechanical, electrical, or other types of machinery or systems guaranteed by a reputable manufacturer; or
- (4) do not affect the structural safety of the project.



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## **Professional Conduct and Ethics**

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

### **Laws of the Board**

#### **IC 25-31-1-27 Practicing without license and other specific violations**

Sec. 27. A person who:

- (1) practices or offers to practice engineering without being registered or exempted under the laws of this state;
  - (2) presents as the person's own the certificate of registration or the seal of another;
  - (3) gives any false or forged evidence of any kind to the board or to any member of the board in obtaining a certificate of registration;
  - (4) impersonates any other registrant;
  - (5) uses an expired, suspended, or revoked certificate of registration; or
  - (6) otherwise violates this chapter;
- commits a Class B misdemeanor.

### **Rules of the Board**

#### **864 IAC 1.1-11-1 Ethical, economic, and legal principles; professional incompetence**

Sec. 1. (a) This rule establishes requirements concerning ethical, economic, and legal principles and unprofessional conduct in the practice of engineering.

(b) The failure of a registered professional engineer to comply with the provisions of this rule constitutes professional incompetence.

#### **864 IAC 1.1-11-2 Agreement to abide by act and rules**

Sec. 2. Each applicant shall certify on the application that the applicant has read and agrees to abide by the Act and the rules of the board in force at the time.

#### **864 IAC 1.1-11-3 Privilege to practice; responses to board pertaining to professional conduct**

Sec. 3. Knowledge of the Act and rules of the board shall encompass the understanding that the practice of engineering is a privilege, as opposed to a right,



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

**864 IAC 1.1-11-4 Public safety, health, and welfare**

Sec. 4. The engineer shall at all times recognize the primary obligation to protect the safety, health, and welfare of the public in the performance of professional duties. If the engineer's professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered, the engineer shall inform the engineer's employer of the possible consequences and notify such other proper authority of the situation, as may be appropriate.

...

**864 IAC 1.1-11-9 Professional reports, statements, and testimony**

Sec. 9. The engineer shall be completely objective and truthful in all professional reports, statements, or testimony. The engineer shall include all relevant and pertinent information in such reports, statements, or testimony.

**864 IAC 1.1-11-10 Expert opinion testimony**

Sec. 10. The engineer, 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 the engineer's testimony.

**864 IAC 1.1-11-11 Public policy statements, criticisms, or arguments**

Sec. 11. The engineer will issue no statement, criticisms, or arguments on engineering matters connected with public policy which are inspired or paid for by an interested party, or parties, unless the engineer has prefaced the comment by:

- (1) explicitly identifying himself or herself;
- (2) disclosing the identities of the party, or parties, on whose behalf the engineer is speaking; and
- (3) revealing the existence of any pecuniary interest the engineer may have in the instant matters.

**864 IAC 1.1-11-12 Conflicts of interest**

Sec. 12. The engineer shall conscientiously avoid conflicts of interest with the engineer's employer or client, but, when unavoidable, the engineer shall forthwith disclose the circumstances to the engineer's employer or client.





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**864 IAC 1.1-11-13 Disclosure of conflict of interest**

Sec. 13. The engineer shall avoid all known conflicts of interest with the engineer's employer or client and shall promptly inform the engineer's employer or client of any business association, interest, or circumstances which could influence judgment or quality of services.

**864 IAC 1.1-11-14 Compensation from more than one party for same project**

Sec. 14. The engineer shall not accept compensation, financial or otherwise, from more than one (1) party for services on the same project, unless the circumstances are fully disclosed to and agreed to by all interested parties.

**864 IAC 1.1-11-15 Gratuities prohibited**

Sec. 15. The engineer shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with the engineer's client or employer in connection with work for which the engineer is responsible.

**864 IAC 1.1-11-16 Financial or other considerations from suppliers prohibited**

Sec. 16. The engineer shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.

**864 IAC 1.1-11-17 Public service position; conflict of interest**

Sec. 17. When in public service as a member, advisor, or employee of a governmental body or department, the engineer shall not participate in considerations or actions with respect to services provided by the engineer or the engineer's organizations in private engineering practices.

**864 IAC 1.1-11-18 Public contracts; conflict of interest**

Sec. 18. The engineer shall not solicit or accept an engineering contract from a governmental body on which a principal, officer, or employee of the engineer's organization serves as a member.

**864 IAC 1.1-11-19 Payment of consideration to secure work prohibited; exception**

Sec. 19. The engineer shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing a salaried position through employment agencies.



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**864 IAC 1.1-11-20 Employment on basis of qualification and competence**

Sec. 20. The engineer shall seek professional employment on the basis of qualification and competence in the proper accomplishment of similar work.

**864 IAC 1.1-11-21 Misrepresentation of qualifications prohibited**

Sec. 21. The engineer shall not falsify or permit misrepresentation of the engineer's or the engineer's associates' academic or professional qualifications. The engineer shall not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or their past accomplishments, or the engineer's past accomplishments with the intent and purpose of enhancing the engineer's qualifications and work.

**864 IAC 1.1-11-22 Use of name in fraudulent or dishonest venture**

Sec. 22. The engineer shall not knowingly associate with or permit the use of the engineer's name or firm name in a business venture by any person or firm which the engineer knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

**864 IAC 1.1-11-23 Reporting violations**

Sec. 23. If the engineer has knowledge or reason to believe that another person or firm may be in violation of this article, the engineer shall present such information to the board in writing and shall cooperate with the board in furnishing such further information or assistance as may be required by the board.

**864 IAC 1.1-11-24 Conviction of a crime; effect**

Sec. 24. Conviction of a crime may be a basis for disciplinary action under IC 25-1-11-5 or other applicable statute.

**864 IAC 1.1-11-25 Discipline of license in another jurisdiction; effect**

Sec. 25. Discipline of a professional engineer's license by another jurisdiction may be grounds for disciplinary action under IC 25-1-11-5(a)(7).



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### **Continuing Education**

Per Rules of the Board 864 IAC 1.1-15-3, the following continuing education is required every 2-year renewal period, where PDH is a professional development hour:

- 30 PDH total
- 1 PDH on ethics applicable to the practice of engineering
- 1 PDH on Indiana statutes (laws) and rules applicable to engineering
- Courses must be:
  - Designed to directly enhance a professional engineer's knowledge and skill in providing services relevant to the practice of engineering
- Board pre-approves providers (SunCam and PDH Academy are approved)
- Board does NOT pre-approve specific courses for engineering
- Maximum 15 PDH can carry forward for next renewal
- Retain PDH records for 3 years
- Renewal date is July 31 of even years

### **Laws and Rules**

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

### **Laws of the Board**

#### **IC 25-1-4-0.2**

Sec. 0.2. As used in this chapter, "approved organization" refers to the following:

- (1) United States Department of Education.
- (2) Council on Post-Secondary Education.
- (3) Joint Commission on Accreditation of Hospitals.
- (4) Joint Commission on Healthcare Organizations.
- (5) Federal, state, and local government agencies.
- (6) A college or other teaching institution accredited by the United States Department of Education or the Council on Post-Secondary Education.
- (7) A national organization of practitioners whose members practicing in Indiana are subject to regulation by a board or agency regulating a profession or occupation under this title.
- (8) A national, state, district, or local organization that operates as an affiliated entity under the approval of an organization listed in subdivisions (1) through (7).
- (9) An internship or a residency program conducted in a hospital that has been approved by an organization listed in subdivisions (1) through (7).



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(10) Any other organization or individual approved by the board.

**IC 25-31-1-17 Renewal of certificate**

Sec. 17. (a) Subject to IC 25-1-2-6(e), unless renewed, a certificate issued under this chapter expires on a date specified by the licensing agency under IC 25-1-6-4 and expires biennially after the initial expiration date. An applicant for renewal shall submit an application in the manner prescribed by the board and pay the renewal fee established by the board under IC 25-1-8-2 on or before the renewal date specified by the licensing agency.

(b) Subject to IC 25-1-2-6(e), if the holder of a certificate does not renew the certificate by the date specified by the licensing agency, the certificate expires and becomes invalid without the board taking any action.

(c) The failure on the part of a registrant to renew a certificate does not deprive the registrant of the right of renewal.

(d) If a certificate has been expired for not more than three (3) years, the certificate may be reinstated by the board if the holder of the certificate meets the requirements for reinstatement under IC 25-1-8-6(c).

(e) If a certificate has been expired for more than three (3) years, the certificate may be reinstated by the board if the holder of the certificate meets the requirements for reinstatement under IC 25-1-8-6(d).

**IC 25-31-1-17.5 Continuing education rules**

Sec. 17.5. (a) The board may adopt rules requiring a professional engineer to obtain continuing education for renewal of a certificate under section 17 of this chapter.

(b) If the board adopts rules under this section, the rules must do the following:

- (1) Establish an inactive certificate of registration that:
  - (A) does not require the holder of an inactive certificate to obtain continuing education; and
  - (B) prohibits the holder of an inactive certificate from practicing engineering.
- (2) Establish requirements for reactivation of an inactive certificate.



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Rules of the Board

**864 IAC 1.1-15-1 Continuing education**

Sec. 1. This rule establishes the continuing education requirements for professional engineers.

**864 IAC 1.1-15-2 Definitions**

Sec. 2. (a) As used in this rule, "biennium" means a two (2) year licensure period during which continuing education requirements must be met. It:

- (1) commences on August 1 of an even-numbered year; and
- (2) concludes on July 31 of the next even-numbered year.

(b) Based on IC 25-1-4-0.5 and as used in this rule, "continuing education" means an orderly process of instruction that is:

- (1) approved by an approved organization (as defined in IC 25-1-4-0.2) or the board; and
- (2) designed to directly enhance a professional engineer's knowledge and skill in providing services relevant to the practice of engineering.

The activities described in section 4 of this rule qualify as continuing education if they augment the professional engineer's knowledge and skill in providing services relevant to the practice of engineering.

(c) As used in this rule, "hour of continuing education" means at least fifty (50) minutes of instruction or course contact time. "Hours of continuing education" has the same meaning for the number of hours stated. An alternate term for an hour of continuing education that is used nationally with continuing education for professional engineers is professional development hour or PDH.

**864 IAC 1.1-15-3 Continuing education hours required**

Sec. 3. (a) Except for holders of an inactive certificate under section 9 of this rule, during each biennium a professional engineer shall complete thirty (30) hours of continuing education that meets the requirements of this rule and IC 25-1-4 in order to renew his or her professional engineer registration. This continuing education requirement first applies to the biennium of August 1, 2010, through July 31, 2012, and therefore first applies to the July 31, 2012, renewal.



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(b) At least one (1) hour of the continuing education required in each biennium under subsection (a) shall be in ethics applicable to the practice of professional engineering.

(c) At least one (1) hour of the continuing education required in each biennium under subsection (a) shall be in Indiana statutes and rules applicable to the practice of professional engineering.

(d) A professional engineer initially licensed in Indiana in the first year of a biennium shall only be required to obtain fifteen (15) hours of continuing education. A professional engineer initially licensed in Indiana in the second year of a biennium shall not be required to obtain any continuing education.

(e) Up to fifteen (15) hours of continuing education obtained during a biennium beyond what is required for that biennium may be carried over to the next biennium.

**864 IAC 1.1-15-4 Credit for distance learning, teaching, college courses and other qualifying activities**

Sec. 4. (a) Distance learning courses obtained by distance learning methods shall qualify.

(b) Courses that are relevant to the professional engineer's professional skills, which are part of the curriculum of an accredited university, college, or educational institution, shall earn:

(1) fifteen (15) hours of continuing education for each academic semester hour completed; or

(2) ten (10) hours of continuing education for each academic quarter hour completed.

(c) Teaching a course at an accredited university, college, or educational institution shall earn two (2) times the number of hours a student is allowed under subsection (b), but only for the first time the instructor teaches the course.

(d) Services as an instructor or presenter at a qualified continuing education course shall earn two (2) hours of continuing education for each hour taught, but only for the initial instruction or presentation.



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(e) Active participation in educational outreach activities with kindergarten to grade 12, or higher education students pertaining to professional engineer registration or the engineering profession shall qualify for a maximum of one (1) hour of continuing education per activity, and a maximum of two (2) hours of continuing education per biennium.

(f) Active participation in a professional or technical society relating to the practice of engineering shall qualify for one (1) hour of continuing education per year of service and, therefore, a maximum of two (2) hours of continuing education per biennium.

(g) Authoring of published papers, articles, or books relevant to the professional engineer's practice of engineering shall qualify for five (5) hours of continuing education in the biennium in which the publication occurred unless peer reviewed for an archival journal, in which case it shall qualify for ten (10) hours of continuing education in the biennium in which the publication occurred. Not more than one (1) paper, article, or book may be counted in any one (1) biennium.

(h) Attainment of a patent relevant to the professional engineer's practice of engineering shall qualify for ten (10) hours for each patent.

**864 IAC 1.1-15-5 Approval of continuing education programs**

Sec. 5. (a) It is the professional engineer's responsibility to ensure that the course is applicable to enhancing the practice of engineering. According to IC 25-1-4-0.5, certain courses are automatically approved by being approved by an approved organization under IC 25-1-4-0.2 assuming the subject matter of the course is acceptable under this rule by being designed to directly enhance the practitioner's knowledge and skill. For any course not automatically approved, the following criteria shall be used for board approval of continuing education programs for professional engineers:

(1) The continuing education course shall have a statement of objectives, which the program should achieve for its participants relating to and enhancing the practice of engineering.

(2) The sponsor of continuing education courses shall provide:

(A) adequate administration, including a responsible person to coordinate and administer the program; and

(B) for the maintenance of proper records.





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(3) The curriculum of a continuing education course shall be thoughtfully planned and designed to explore in considerable depth one (1) subject or a closely related group of subjects related to the practice of engineering.

(4) The continuing education course shall:

(A) have qualified instructors who have demonstrated competence in the subject areas;

(B) be held in adequate facilities that allow for an effective program; and

(C) employ a variety of educational methods and teaching aids that enhance the learning opportunities.

(5) Appropriate methods of evaluation shall be devised and used to measure the continuing education course's effectiveness.

(6) The sponsor of the continuing education course shall provide to the participants a meaningful record of attendance stating the continuing education hours involved, such as a certificate of completion.

(b) Continuing education courses may be approved by the board provided the sponsoring organization has submitted the proper documentation.

(c) The sponsor of the course is responsible for monitoring attendance in such a manner that verification of attendance throughout the entire course can be reliably assured.

(d) Notwithstanding subsections (a) and (b), continuing education courses for professional engineers approved by an approved organization under IC 25-1-4-0.2 are automatically approved.

(e) Without limiting any other organization that may qualify under IC 25-1-4-0.2, the following shall be an "approved organization" under IC 25-1-4-0.2 and this rule:

(1) Professional engineering related technical or professional societies, organizations, councils, associations, or institutions.

(2) Organizations or individuals who are approved by the board as provided for in subsection (f).

(f) To qualify for approval under subsection (e)(2), an organization or individual shall:

(1) Apply to the board certifying that continuing education courses shall comply with the provisions of subsection (a)(1) through (a)(6) and, as applicable, with IC 25-1-4 and other provisions of this rule, and receive the board's approval.



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(2) Submit an annual report to the board no later than February 15 that represents that the organization or individual complies with the requirements of subdivision (1).  
 (3) Be subject to a board audit for compliance with subsection (a)(1) through (a)(6) and, as applicable, with IC 25-1-4 and other provisions of this rule.

(g) The approval of an organization or individual under subsection (e)(2) may be rescinded if the organization or individual does not comply with subsection (a)(1) through (a)(6) and, as applicable, IC 25-1-4 and other provisions of this rule.

**864 IAC 1.1-15-6 Reporting continuing education**

Sec. 6. (a) A licensee must sign the renewal form provided by the Indiana professional licensing agency that verifies that all continuing education requirements according to section 3 of this rule will have been met by the time of license renewal.

(b) The professional engineer shall maintain copies of certificates of completion of continuing education courses for a period of three (3) years following the end of the biennium.

**864 IAC 1.1-15-7 Continuing education audit**

Sec. 7. (a) As required by IC 25-1-4-3, the board shall conduct random audits for compliance with continuing education requirements.

(b) Action taken for noncompliance will be governed by IC 25-1-4.

**864 IAC 1.1-15-8 Request for a waiver of the continuing education requirement**

Sec. 8. (a) Under IC 25-1-4-4, a professional engineer may apply in writing for a waiver for all or part of the continuing education requirements for a biennium, seeking renewal of that license without having completed the continuing education required for renewal under this rule, by submitting the following:

- (1) A statement explaining the reasons for noncompliance.
- (2) A request for a waiver of the continuing education required for renewal.
- (3) The renewal application and all required fees.

(b) The license holder must submit evidence to the satisfaction of the board to be granted a waiver.

(c) If the request is granted, the waiver will be effective for the current renewal period only.



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(d) If the request is denied, the license holder is responsible for completing the full amount of continuing education required for license renewal.

(e) Waivers may be granted if a hardship exists. The board will determine whether a hardship exists that would have prevented the licensee from obtaining his or her continuing education, including, but not limited to, the following:

(1) For at least one (1) year during the current renewal period, the licensee was absent due to full-time service in the armed services of the United States.

(2) During the current renewal period, the licensee or an immediate family member, where the licensee has primary responsibility for the care of that family member, was suffering from or suffered an incapacitating illness or injury. The existence of the incapacitating illness or injury must be verified by a licensed physician or psychologist with special expertise in the area of the incapacitating illness or injury. Verification of the incapacitating illness or injury must include the following:

(A) The nature and extent of the illness or injury.

(B) An explanation of how the illness or injury would hinder the licensee from completing the continuing education requirement.

(C) The:

(i) name;

(ii) title;

(iii) address;

(iv) telephone number;

(v) professional license number; and

(vi) original signature;

of the licensed physician or psychologist verifying the illness or injury.

**864 IAC 1.1-15-9 Inactive status**

Sec. 9. A professional engineer may apply to the board to renew the professional engineer's registration in an inactive status. No continuing education is required to renew inactive. An inactive professional engineer may not practice engineering while in an inactive status.

**864 IAC 1.1-15-10 Reactivation of inactive license**

Sec. 10. To reactivate an inactive license, a professional engineer must do the following:

(1) Apply to the board for reactivation on the application form supplied by the board.



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- (2) Pay the same fee required to renew an active license.
- (3) Show proof of having completed thirty (30) hours of continuing education that meet the requirements of this rule within the two (2) year period immediately prior to the date the reactivation application is filed.



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**Helpful References**

*Indiana State Board of Registration for Professional Engineers*

Board website:	<a href="https://www.in.gov/pla/professions/engineering-home">https://www.in.gov/pla/professions/engineering-home</a>
Address Change:	<a href="https://ile.mylicenseone.com/">https://ile.mylicenseone.com/</a>
Renewal:	<a href="https://ile.mylicenseone.com/">https://ile.mylicenseone.com/</a>
Laws & Rules:	<a href="https://www.in.gov/pla/professions/engineering-home/engineering-resources/#Statutes__Rules">https://www.in.gov/pla/professions/engineering-home/engineering-resources/#Statutes__Rules</a>
Laws of the Board:	<a href="https://iga.in.gov/laws/2022/ic/titles/25#25-31">https://iga.in.gov/laws/2022/ic/titles/25#25-31</a>
Rules of the Board:	<a href="http://www.in.gov/legislative/iac/iac_title?iact=864">http://www.in.gov/legislative/iac/iac_title?iact=864</a>
FAQs:	<a href="https://www.in.gov/pla/professions/engineering-home/engineering-resources/#FAQs">https://www.in.gov/pla/professions/engineering-home/engineering-resources/#FAQs</a>