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Ohio

Laws, Rules and Ethics for Engineers

by

Mark Ludwigson



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Course Outline:

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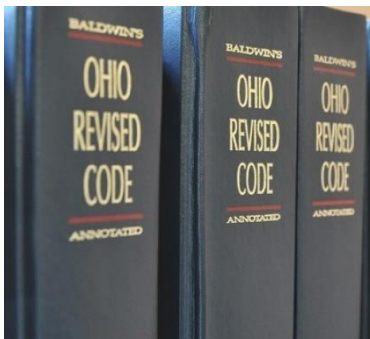
[Helpful References](#)

Examination

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Ohio Revised Code

State laws (called statutes) are enacted by the Ohio 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 3/5 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added to the *Ohio Revised Code* in the appropriate locations with numbering, formatting, and removal of replaced or repealed statutes.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 *Ohio Revised Code Annotated*. The codified laws are cited as ORC.

The Ohio Revised Code is divided into dozens of titles. Laws with relevance to engineering are in Title 47, Chapter 4733, which is cited as ORC 4733 and informally called the Laws of the Board. The organization is as follows:

Ohio Revised Code

- Title 25: Occupations-Professions
 - Chapter 4733: Professional Engineers And Professional Surveyors
 - Sections 01 to 99
 - Paragraphs: Various

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



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Laws of the Board

The law dedicated to the practice of engineering is ORC 4733, known as the “Laws of the Board”. The Laws of the Board gives authority to the *Ohio State Board of Registration for Professional Engineers and Surveyors* (Board) to enact the laws and manage licensing. The following is the contents with **bold** sections being of particular importance for practicing professional engineers.

ORC 4733: Professional Engineers And Professional Surveyors

- 4733.01 | Professional engineer and professional surveyor definitions.**
- 4733.011 | Applicability of chapter to sewage treatment systems.**
- 4733.02 | Registration or exemption.**
- 4733.021 | Restricting use of title engineer by itself or with other terms.**
- 4733.03 | State board of registration for professional engineers and surveyors.
- 4733.04 | Qualifications of board members.
- 4733.05 | Compensation and expenses of board.
- 4733.06 | Organization of board.
- 4733.07 | Administrative rules.
- 4733.08 | Depositing receipts.
- 4733.09 | Records.
- 4733.10 | Annual listing of registered professional engineers, registered professional surveyors, and firms.
- 4733.11 | License qualifications.
- 4733.12 | Applications.
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4733.22 | Prohibited acts.

4733.23 | Injunctions.

4733.25 | Fees in excess of statutory amounts.

4733.26 | Using engineer or engineering in name on or before 7-1-73.

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4733.28 | Compliance with law regarding sanctions for human trafficking.

4733.30 | Lien definitions.

4733.301 | Lien on commercial real estate.

4733.302 | Perfection of lien.

4733.303 | Enforcement of lien.

4733.304 | Satisfaction and release of lien.

4733.305 | Lien release affidavit.

4733.306 | Substitution of financial security for lien.

4733.99 | Penalty.



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Ohio Administrative Code



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

Proposed rules and recently adopted rules are published each month in the Register of Ohio.

The OAC is grouped into different state agencies (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering (and surveying) is under agency 4733. This is cited as OAC 4733, and referred to as “Rules of the Board” in this course.

The organization is as follows:

OAC

- Agency 4733: State Board of Registration for Professional Engineers and Surveyors
 - Chapters 1 to 40
 - Sections: Various



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Rules of the Board

OAC 4733 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.

OAC 4733 - State Board of Registration for Professional Engineers and Surveyors

4733-1 | General Provisions

4733-3 | Officers

4733-5 | Procedural Rules

4733-9 | Qualifications for Registration by Examination, Experience, or Education

4733-13 | Registration by Endorsement, Reciprocity, or Temporary Certification

4733-17 | Form of Application

4733-19 | Application, Examination, Registration, and Annual Renewal Fees

4733-20 | Registration Ceremony

4733-21 | Certificate of Registration

4733-23 | Registrant's Seal

4733-25 | Reinstatement of Lapsed Certificate

4733-29 | Reinstatement of Lapsed Certificate

4733-31 | Land Surveying Defined

4733-33 | Examination for Land Surveyors

4733-35 | Code of Ethics for Engineers and Surveyors

4733-37 | Standards for Boundary Surveys

4733-38 | Standards For Mortgage Location Surveys

4733-39 | Certificate of Authorization

4733-40 | Accessing Confidential Information



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State Board

The state agency for professional engineering is the *Ohio State Board of Registration for Professional Engineers and Surveyors* (PEPS) herein referred to as the Board. The Board regulates individuals and firms for engineering and surveying.

The Board oversees over 25,000 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 (OAC 4733).



	Board of Engineers and Surveyors	LICENSING & RENEWAL	FIRMS & COA	EDUCATION & VERIFICATION	ABOUT US
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The board website <<https://peps.ohio.gov/>> contains the following topics:

- | | |
|-------------------------|----------------------|
| Laws & Rules | Board Information |
| Seals and Signatures | Exam Info |
| Complaint & Enforcement | Continuing Education |
| Forms & Publications | Find a Form |
| Firms & COA | Verifications |
| Apply for a License | About Us |
| Board Meeting Minutes | Contact Us |
| Board Fees | |



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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

ORC 4733.01 | Professional engineer and professional surveyor definitions.

As used in this chapter:

- (A) "Professional engineer" means a person registered as a professional engineer under this chapter.
- (B) "Engineer" means a graduate of an accredited engineering curriculum or a person registered as a professional engineer under this chapter, or both.
- (C) "Accredited engineering curriculum" means an engineering curriculum accredited by the engineering accreditation commission of ABET, Inc.
- (D) "ABET, Inc." means the accreditation board for engineering and technology.
- (E) "The practice of engineering" includes any professional service, such as consultation, investigation, evaluation, planning, design, or inspection of construction or operation for the purpose of assuring compliance with drawings or specifications in connection with any public or privately owned public utilities, structures, buildings, machines, equipment, processes, works, or projects in the proper rendering of which the qualifications of section 4733.11 of the Revised Code are required to protect the public welfare or to safeguard life, health, or property.

(A) As used in this section, "sewage treatment system" has the same meaning as in section 3718.01 of the Revised Code.

ORC 4733.011 | Applicability of chapter to sewage treatment systems.

(B) This chapter does not apply to the preparation of plans or drawings for a sewage treatment system or components of a system, the measurement of area contours of a portion of land for the installation or modification of a sewage treatment system or components of a system, the measurement and documentation of the lengths and widths of the area of a sewage treatment system or components of a system, or any other measurement that is necessary to comply with Chapter 3718. of the Revised Code and rules adopted under it.



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(C) This section does not eliminate the requirement established under this chapter that only a professional surveyor may establish land boundaries.

ORC 4733.02 | Registration or exemption.

Any person practicing or offering to practice the profession of engineering or of surveying shall be registered or exempted under this chapter. No person shall practice or offer to practice the profession of engineering or of surveying, or contract for such services, or use the initials P.E. or P.S. in connection with the person's name, or use in connection with the person's name or otherwise assume, use, or advertise any title or description tending to convey the impression that the person is a professional engineer or a professional surveyor, unless such person has been registered or exempted under this chapter.

ORC 4733.021 | Restricting use of title engineer by itself or with other terms.

(A) Except for an individual who, as part of the internal classification system of the individual's employer, uses the title "engineer" by itself or in conjunction with another term described in division (B) of this section and who does not represent the individual's self to the public or otherwise advertise the individual's self as an engineer, no individual shall, in connection with the individual's name, assume, use, or advertise:

- (1) The title "engineer" by itself unless the individual is an engineer;
- (2) The title "engineer" in conjunction with another term that modifies the title "engineer" in a manner that conveys the impression that the individual is a graduate of an accredited engineering curriculum unless the individual is a graduate of an accredited engineering curriculum.

(B) Terms used in conjunction with the title "engineer" under division (A)(2) of this section that imply a person is a graduate of an accredited engineering curriculum include the following: "aerospace," "agricultural," "civil," "chemical," "computer," "electrical," "industrial," "mechanics," "mechanical," "metallurgical," "mining," "naval architectural and marine," "nuclear," and any other term commonly used by an institution of higher learning to apply to graduates of an accredited engineering curriculum.

(C) Nothing in this section shall be interpreted as prohibiting the use, assumption, or advertisement of the title "steam engineer" or "stationary engineer," by or on behalf of a person licensed under Chapter 4739. of the Revised Code, or the term "railroad engineer" or "locomotive engineer," by or on behalf of a person authorized to operate a railroad locomotive, or the term "operating engineer," by or on behalf of a



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person who operates, maintains, repairs, or manufactures light or heavy construction equipment.

ORC 4733.14 | Certificate of registration - seals.

The state board of registration for professional engineers and surveyors shall, upon payment of the registration fee, register and issue a certificate showing initial registration of an applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter. In the case of a registered professional engineer, the certificate shall authorize the practice of "professional engineering," and in the case of a registered professional surveyor, the certificate shall authorize the practice of "professional surveying." Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the chairperson and the secretary of the board under seal of the board.

Registration by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer, or of a registered professional surveyor, while the registration remains unrevoked or unexpired.

...

ORC 4733.15 | Renewals.

(A) Registration expires on the last day of December 2011, and becomes invalid on that date unless renewed. For renewals after that date, registration expires biennially on the last day of December following initial registration or renewal of registration and becomes invalid on that date unless renewed. Renewal may be effected by the applicant's payment to the treasurer of state of a fee of forty dollars for a renewal of registration as either a professional engineer or professional surveyor and demonstration of completion of the continuing professional development requirements of section 4733.151 of the Revised Code. When notified as required in this section, a registrant's failure to renew registration shall not deprive the registrant of the right of renewal within the following twelve months, but the fee to renew a registration within twelve months after expiration shall be increased fifty per cent, and the registrant shall certify completion of continuing professional development hours as required in section 4733.151 of the Revised Code.

The state board of registration for professional engineers and surveyors may, upon request, waive the payment of renewal fees or the completion of continuing professional development requirements for a registrant during the period when the



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registrant is on active duty in connection with any branch of the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state.

(B) Each certificate of authorization issued pursuant to section 4733.16 of the Revised Code shall authorize the holder to provide professional engineering or professional surveying services, through the registered professional engineer or professional surveyor designated as being in responsible charge of the professional engineering or professional surveying practice, from the date of issuance until the second immediately succeeding thirtieth day of June, unless the certificate has been revoked or suspended for cause as provided in section 4733.20 of the Revised Code or has been suspended pursuant to section 3123.47 of the Revised Code. Thereafter, the certificate shall expire biennially on the thirtieth day of June.

(C) If a registrant fails to renew registration as provided under division (A) of this section, renewal and reinstatement may be effected under rules the board adopts regarding requirements for reexamination or reapplication, and reinstatement penalty fees. The board may require a registrant who fails to renew registration to complete the required hours of continuing professional development as a condition of renewal and reinstatement if the registrant seeks renewal and reinstatement under this division.

ORC 4733.161 | Unauthorized practice.

(A) Notwithstanding any other provision of this chapter, any person who performs labor or who provides services pursuant to a construction contract may offer or provide engineering services in connection with the person's own labor or services if all of the following apply:

(1) The engineering services are provided and performed by an engineer registered under this chapter or by a firm holding a certificate of authorization granted pursuant to this chapter through either direct employment or independent contract with the person contracting with the owner and offering the services.

(2) The engineering services are offered by the person who intends to perform the actual construction of an improvement to real property as part of a design-build contract.

(3) The contractor, the engineer registered under this chapter, or the firm holding a certificate of authorization granted pursuant to this chapter meets the requirements



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of section 153.70 of the Revised Code when design-build services are provided to a public authority as defined in section 153.65 of the Revised Code.

(B) Except as otherwise provided in this section, no person shall offer or engage in the practice of engineering without a certificate of authorization for any construction contract that is to be constructed by another person, or hold himself or herself out to the public as engaging in the practice of engineering or as providing engineering services without a certificate of authorization.

(C) As used in this section, "construction contract" and "design-build" have the same meaning as in section 4703.182 of the Revised Code.

ORC 4733.17 | Inspection of public works projects.

Neither this state, nor any of its political subdivisions, nor any municipal corporation shall engage in the construction of any public work involving the practice of professional engineering or professional surveying, for which plans, specifications, and estimates have not been made by, and the construction thereof inspected by, a licensed professional engineer or professional surveyor; provided this section shall not apply to the design, construction, improvement, or maintenance of any public work wherein the contemplated expenditure for the completed project does not exceed five thousand dollars. Any contract for engineering or surveying services executed in violation of this section shall be void and any moneys advanced or paid under such contract by this state or any of its political subdivisions or any municipal corporation shall be refunded forthwith.

Sections 4733.01 to 4733.23 of the Revised Code, do not exclude a qualified or registered architect from such engineering practice as may be incident to the practice of his profession, or do not exclude a professional engineer from such architectural practice as may be incident to the practice of professional engineering.

ORC 4733.18 | Temporary registration - exceptions.

(A) The state board of registration for professional engineers and surveyors shall authorize a temporary registration for an individual who has filed with the board an application for a temporary registration and has paid the required fee in accordance with Chapter 4796. of the Revised Code. The temporary registration continues only for the time the board requires for consideration of the application for registration.



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(B)(1) The following persons are exempt from this chapter:

(a) An employee or a subordinate of a person registered under this chapter or an employee of a person holding temporary registration under division (A) of this section, provided the employee's or subordinate's duties do not include responsible charge of engineering or surveying work;

(b) Officers and employees of the government of the United States while engaged within this state in the practice of engineering or surveying, for that government;

(c) An engineer engaged solely as an officer of a privately owned public utility.

(2) This chapter does not require registration for the purpose of practicing professional engineering, or professional surveying by an individual, firm, or corporation on property owned or leased by that individual, firm, or corporation unless the same involves the public welfare or the safeguarding of life, health, or property, or for the performance of engineering or surveying which relates solely to the design or fabrication of manufactured products.

(C) Nothing in this chapter prevents persons other than engineers from preparing plans, drawings, specifications, or data, from filing applications for building permits, or from obtaining those permits for residential buildings, as defined by section 3781.06 of the Revised Code, or buildings that are erected as one-, two-, or three-family units or structures within the meaning of the term "industrialized unit" as provided in section 3781.06 of the Revised Code.

(D) Nothing in this chapter prevents persons other than engineers from preparing drawings or data, from filing applications for building permits, or from obtaining those permits for the installation of replacement equipment or systems that are similar in type or capacity to the equipment or systems being replaced, and for any improvement, alteration, repair, painting, decorating, or other modification of any buildings or structures subject to sections 3781.06 to 3781.18 and 3791.04 of the Revised Code where the building official determines that no plans or specifications are required for approval.

ORC 4733.21 | Legally recognized professions not affected.

Sections 4733.01 to 4733.23, inclusive, of the Revised Code shall not affect or prevent the practice of any other legally recognized profession, or exclude persons licensed as stationary engineers or boiler operators from the operation or the supervision of the operation of steam, power, or refrigeration plants.



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ORC 4733.22 | Prohibited acts.

No person shall practice, or offer to practice, the profession of engineering or the profession of surveying without being registered or exempted in accordance with this chapter, or present or attempt to use as the person's own the registration, the certificate of authorization, or the seal of another, or give any false or forged evidence of any kind to the state board of registration for professional engineers and surveyors or to any member thereof in obtaining registration or a certificate of authorization, or falsely impersonate any other registrant or holder of a certificate of authorization of like or different name, or attempt to use an expired, suspended, or revoked registration or certificate of authorization, or otherwise violate this chapter.

ORC 4733.26 | Using engineer or engineering in name on or before 7-1-73.

Nothing in this chapter shall be construed to restrict the use by any corporation or partnership of the word "engineer" or "engineering" in a corporate or business name of any corporation or partnership providing services in an area related to the practice of engineering, provided that the corporation or partnership was incorporated or established on or before July 1, 1973, and the word "engineer" or "engineering" has been continuously used in the corporation's or partnership's business name since that date and that the corporation or partnership is not engaged in the practice of engineering and as construed by the courts on the effective date of this section.

Rules of the Board

OAC 4733-21-01 | Certificate of registration.

Professional engineers or professional surveyors shall keep their certificates of registration issued by the board posted conspicuously in their places of business where the public could examine said certificates.



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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 in the specific technical fields, as **qualified by training and experience**, and should only certify (sign and seal) documents with subject matter in which they have **technical competence**.

Incidental architectural work can be performed by a P.E.

Rules of the Board

ORC 4733.17 | Inspection of public works projects.

...

Sections 4733.01 to 4733.23 of the Revised Code, do not exclude a qualified or registered architect from such engineering practice as may be incident to the practice of his profession, or do not exclude a professional engineer from such architectural practice as may be **incident** to the practice of professional engineering.

OAC 4733-35-03 | Responsibility to the public.

The engineer or surveyor shall:

...

(B) Undertake to perform assignments only when the registrant's consulting support are **qualified by training and experience** in the specific technical fields involved. In the event a question arises as to the **competence** of an engineer or surveyor to perform an engineering or surveying assignment in a specific technical field of engineering or surveying which cannot be otherwise resolved to the board's satisfaction, the board, either upon request of the engineer or surveyor or by its own volition, may require the engineer or surveyor to submit to an appropriate inquiry by or on behalf of the board;

...



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(D) Express an opinion as a technical or expert witness before any court, commission or other tribunal, 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.

OAC 4733-35-04 | Public statements and certifications.

...

(C) The engineer or surveyor shall decline to sign and/or seal any form of certification, warranty, or guaranty that

(1) Relates to matters beyond his or her **technical competence**,

...



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Responsible Charge

Engineering design work must be prepared under a registrant's “**supervision and direction**” and with “**personal professional knowledge**”. 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 Ohio 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 practice within an organization.

Laws of the Board

ORC 4733.15 | Renewals.

...

(B) Each certificate of authorization issued pursuant to section 4733.16 of the Revised Code shall authorize the holder to provide professional engineering or professional surveying services, through the registered professional engineer or professional surveyor designated as being in **responsible charge** of the professional engineering or professional surveying practice...

Rules of the Board

OAC 4733-35-07 | Improper conduct.

(A) The engineer or surveyor shall not sign and/or seal professional work for which he or she does not have **personal professional knowledge** and **direct supervisory control** and **responsibility**. This is interpreted by the board to mean that an engineer or surveyor shall not sign and/or seal professional work unless that work was prepared under his/her **supervision and direction**. The engineer or surveyor shall be **involved** in the project and must be **closely involved in the preparation** of the work product.



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Board Website

Plan stamping is demonstrated when a Professional Engineer or Professional Surveyor places his or her registration seal on any drawings, designs, plats, descriptions and/or specifications that he or she did not author or for which he or she did not have personal professional knowledge and direct supervisory control and responsibility.

Personal professional knowledge is best demonstrated when a Professional Engineer or Professional Surveyor has been personally retained by an owner, registered design professional or a design/build contractor and is personally aware of a project's scope, needs, parameters, limitations and special requirements. It is preferred that the professional engineer or professional surveyor contract directly with the owner for all professional services to be rendered and then subcontract services such as drafting as needed.

Direct supervisory control and responsibility is best demonstrated when a Professional Engineer or Professional Surveyor has direct professional knowledge and is the actual author or has been in responsible charge of a design or project from its very inception to its completion.

In some cases it may be necessary for unregistered individuals, such as technicians or drafters, to assist the Professional Engineer or Professional Surveyor; however, the Professional Engineer or Professional Surveyor must maintain responsible charge of the project and total control of all design decisions in order to be in compliance with the Board's laws and rules.



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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**.

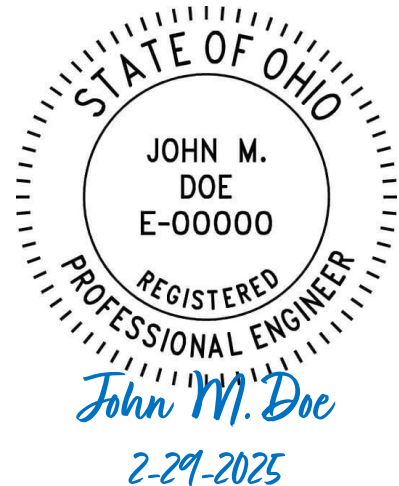


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Sign and Seal Requirements

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" for embossing
 - 1-3/4" for rubber stamp
- Sign and date location not specified
- Ink color not specified
- 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
 - Unique to licensee
 - Capable of verification
 - Under registrant's sole control
 - Linked such that a document change is detected or prevented
 - 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

ORC 4733.14 | Certificate of registration - seals.

...

Each registrant may, upon completing registration, obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "registered professional engineer," or "registered professional surveyor," provided, however, that any registered surveyor's seal obtained prior to the amendment of this section effective April 4, 1985, 140 Ohio Laws 4092, shall remain as a legal seal for any registrant who was registered as a "registered surveyor." Plans, specifications, plats, reports, and all other engineering or surveying work products issued by a registrant shall be stamped with the seal and be signed and dated by the registrant or bear a computer-generated seal and electronic signature and date, but no person shall



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stamp, seal, or sign any documents after the registration of the registrant named thereon has expired or the registration has been revoked or suspended, unless the registration has been renewed or reissued.

Rules of the Board

OAC 4733-23-01 | Registrant's seal.

(A) Each registrant may upon registration obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "Registered Professional Engineer," or "Registered Professional Surveyor." Plans, specifications, plats, reports and all other engineering or surveying work product issued by a registrant shall be stamped with the said seal and be signed and dated by the registrant, or bear a computer generated seal and electronic signature and date. No person shall stamp or seal any document with said seal after the certificate of the registrant named thereon has expired, or suspended, or has been revoked, unless said certificate of registration shall have been renewed or reissued.

(B) Each registrant is charged with the safeguarding of their personal seal.

(C) By affixing their seal to any document, the registrant certifies to the accuracy and completeness of the information contained in the sealed document, and by such action, assumes full responsibility thereof.

(D) Plans, specifications, plats, reports and all other engineering or surveying work product bearing a computer generated seal and electronic signature and date shall have an electronic authentication process attached to or logically associated with the electronic document. The electronic signature must be unique to the person using it; capable of verification; under the sole control of the person using it; linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.



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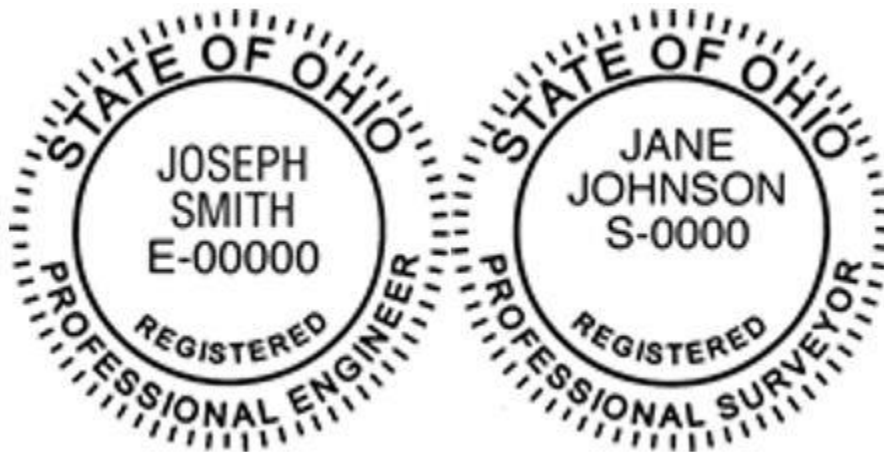
Board Website

Obtaining a seal

After obtaining professional registration in Ohio, you are authorized to obtain a seal for use as required by law on your engineering plans, specifications, designs, documents, surveying plans, plats, property descriptions and reports.

The seal must bear the words "State of Ohio," your name, your serial number, and the legend "Registered Professional Engineer" or "Registered Professional Surveyor."

The seal is described as size #1: 1-3/4" diameter for a rubber stamp seal or 1-5/8" diameter for an embossing seal.



Seal illustrations are not actual size.

Purchasing Your Seal

The Board does not provide seals. The choice of a rubber stamp seal or an embossing seal — or both — is yours. We suggest you first try your local office supplier. Additionally, you can search the web for a supplier.



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Professional Conduct and Ethics

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

Laws of the Board

ORC 4733.20 | Disciplinary actions.

(A) Except as provided in division (I) of this section, the state board of registration for professional engineers and surveyors may fine, revoke, suspend, refuse to renew, or limit the registration, or reprimand, place on probation, deny an applicant the opportunity to sit for an examination or to have an examination scored, or impose any combination of these disciplinary measures on any applicant or registrant, or revoke the certificate of authorization of any holder found to be or to have been engaged in any one or more of the following acts or practices:

- (1) Any fraud or deceit in obtaining registration or a certificate of authorization;
- (2) Any gross negligence, incompetency, or misconduct in the practice of professional engineering or professional surveying as a registered professional engineer or registered professional surveyor;
- (3) Aiding or abetting any person to practice professional engineering or professional surveying illegally in the state;
- (4) Conviction of or plea of guilty to any felony or crime involving moral turpitude;
- (5) Violation of this chapter or any rule adopted by the board;
- (6) Violation of any condition of limitation placed by the board upon the registration of any professional engineer or professional surveyor;
- (7) Failure to abide by or comply with examination instructions.

(B) The board shall cause to have prepared and shall adopt a code of ethics, which it shall make known to every registrant. The board may revise and amend this code of ethics from time to time in accordance with Chapter 119. of the Revised Code.

(C) Any person may file with the board a complaint alleging fraud, deceit, gross negligence, incompetency, misconduct, or violation of this chapter or any rule adopted by the board pursuant to section 4733.07 of the Revised Code. Complaints shall be in writing.

(D) The board may investigate any registrant or holder of a certificate of authorization to determine whether the registrant or certificate holder is or has been



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engaged in any one or more of the acts or practices listed in division (A) of this section. The board, by subpoena, may compel witnesses to appear and testify in relation to any investigation under this chapter and may require, by subpoena duces tecum, the production and copying of any book, paper, or document pertaining to an investigation. If a person fails to comply with the subpoena or subpoena duces tecum, the board may apply to the Franklin county court of common pleas for an order compelling the person to comply or, for the failure to do so, to be held in contempt of court.

(E) If the board determines there is cause to believe that an applicant, registrant, or a holder of a certificate of authorization is or has been engaged in any act or practice listed in division (A) of this section, the board shall issue a written charge and notify the applicant, registrant, or certificate holder of the right to an adjudication hearing, in accordance with Chapter 119. of the Revised Code. If the accused applicant, registrant, or holder of a certificate of authorization fails or refuses to appear, or does not request a hearing within the time period specified in Chapter 119. of the Revised Code, the board may determine the validity of the charge and issue an adjudication order in accordance with Chapter 119. of the Revised Code.

(F) Except as provided in division (I) of this section, if a majority of the board votes in favor of sustaining the charge, the board shall impose one or any combination of the following disciplinary measures:

- (1) Reprimanding the individual;
- (2) Imposing a fine on the individual of not more than one thousand dollars for each offense committed by the individual;
- (3) Refusing to renew, suspending, or revoking the individual's registration, or revoking the holder's certificate of authorization;
- (4) Refusing to allow an applicant to take an examination;
- (5) Refusing to score an applicant's examination.

The board, for good cause shown, may reregister any person or reissue a certificate of authorization to any corporation, firm, partnership, association, or limited liability company whose registration or certificate has been revoked or suspended.

(G) Any applicant, registrant, or certificate holder aggrieved by any action of the board in fining the registrant or denying, suspending, refusing to renew, or revoking the registrant's registration or a certificate of authorization, or denying an applicant



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the opportunity to take an examination or to have an examination scored may appeal such action to the proper court under section 119.12 of the Revised Code.

(H) A new certificate of authorization to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, upon payment of a fee established by the board at an amount adequate to cover the expense of issuing a duplicate certificate of authorization.

(I) The board shall not refuse to issue a license or deny the opportunity to sit for an examination or to have an examination scored to an applicant because of a conviction of or plea of guilty to an offense, unless the refusal or denial is in accordance with section 9.79 of the Revised Code.

Rules of the Board

OAC 4733-35-01 | Preamble.

In order to safeguard the life, health, property and welfare of the public and the state of Ohio, to maintain integrity and high standards of skills and practice in the professions of engineering and surveying, the following rules of professional conduct, promulgated in accordance with Chapter 4733. of the Revised Code, shall be binding upon every person holding a certificate of registration as a professional engineer or as a professional surveyor.

The engineer or surveyor, who holds a certificate of registration from the Ohio state board of registration for professional engineers and surveyors, is charged with having knowledge of the existence of the reasonable rules and regulations hereinafter provided for his or her professional conduct as an engineer or surveyor, and also 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 of surveying, is a privilege, as opposed to a right, and the registrant shall be forthright and candid in statements or written responses to the board or its representatives on matters pertaining to professional conduct.

OAC 4733-35-02 | Integrity.

The engineer or surveyor is obligated to act with complete integrity in professional matters for each client or employer as a faithful agent; shall be honest and impartial, and shall serve the public, client and employer with devotion.



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OAC 4733-35-03 | Responsibility to the public.

The engineer or surveyor shall:

(A) Protect the safety, health and welfare of the public in the performance of professional duties. Should the case arise where the engineer or surveyor faces a situation where the safety, health and welfare of the public is not protected, the engineer or surveyor shall:

- (1) Sever the relationship with the employer or client;
- (2) Refuse to accept responsibility for the design, report or statement involved;
- (3) Notify the proper authority if, in his or her opinion, the situation is sufficiently important.

(B) Undertake to perform assignments only when the registrant's consulting support are qualified by training and experience in the specific technical fields involved. In the event a question arises as to the competence of an engineer or surveyor to perform an engineering or surveying assignment in a specific technical field of engineering or surveying which cannot be otherwise resolved to the board's satisfaction, the board, either upon request of the engineer or surveyor or by its own volition, may require the engineer or surveyor to submit to an appropriate inquiry by or on behalf of the board;

(C) Be completely objective in any professional report, statement or testimony and shall include all relevant and pertinent information in the report, statement or testimony when the result of omission would, or reasonably could, lead to a fallacious conclusion;

(D) Express an opinion as a technical or expert witness before any court, commission or other tribunal, 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.

OAC 4733-35-04 | Public statements and certifications.

(A) The engineer or surveyor will issue no statements, criticisms or arguments on engineering or surveying matters connected with public policy which are inspired or



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paid for by an interested party, or parties, unless the engineer or surveyor has prefaced his or her remarks by explicitly identifying himself or herself, by disclosing the identities of the party, or parties, on whose behalf the engineer or surveyor is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matters.

(B) The engineer or surveyor will publicly express no opinion on an engineering or surveying subject unless 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.

(C) The engineer or surveyor shall decline to sign and/or seal any form of certification, warranty, or guaranty that

(1) Relates to matters beyond his or her technical competence,

(2) Involves matters which are beyond the scope of services for which he or she was retained, or

(3) Relates to engineering or surveying work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility.

"Certification" shall mean a statement signed and/or sealed by an engineer or surveyor representing that the engineering or surveying services addressed therein have been performed, according to the engineer or surveyor's knowledge, information and belief, in accordance with commonly accepted procedures consistent with applicable standards of practice, and is not a guaranty or warranty, either expressed or implied.

OAC 4733-35-05 | Conflict of interest.

(A) The engineer or surveyor shall conscientiously avoid conflict of interest with the employer or client, but, when unavoidable, the engineer or surveyor shall forthwith disclose the circumstances to the employer or client.

(B) The engineer or surveyor shall promptly inform the client or employer of any business association, interests, or circumstances which could influence his or her judgment or the quality of services to the client or employer.



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(C) The engineer or surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties or their duly authorized agents.

(D) The engineer or surveyor shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products.

(E) The engineer or surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents or other parties dealing with his client or employer in connection with work for which he or she is responsible.

(F) As an elected, retained or employed public official, an engineer or a surveyor (in the capacity as a public official) shall not review or approve work that was performed by himself, or under his direction, on behalf of another employer or client.

OAC 4733-35-06 | Solicitation of employment.

(A) The engineer or surveyor shall not pay, solicit nor offer, directly or indirectly, any bribe or commission for professional employment with the exception of payment of the usual commission for securing salaried positions through licensed employment agencies.

(B) The engineer or surveyor shall seek professional employment on the basis of qualifications and competence for proper accomplishment of the work.

(C) The engineer or surveyor shall not falsify or permit misrepresentation of academic or professional qualifications and shall not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments.

(D) Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint-ventures, or past accomplishments with the intent and purpose of enhancing qualifications and work.



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OAC 4733-35-07 | Improper conduct.

(A) The engineer or surveyor shall not sign and/or seal professional work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility. This is interpreted by the board to mean that an engineer or surveyor shall not sign and/or seal professional work unless that work was prepared under his/her supervision and direction. The engineer or surveyor shall be involved in the project and must be closely involved in the preparation of the work product.

(B) The engineer or surveyor shall not knowingly associate with, or permit the use of his or her name or firm name in, a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(C) If the engineer or surveyor has knowledge or reason to believe that another person or firm is guilty of violating any of the provisions of Chapter 4733. of the Revised Code, or any of these rules of professional conduct, he or she shall present this information to the board in writing.

(D) If a professional engineer or professional surveyor is found guilty of a felony or had his or her registration revoked or suspended by another jurisdiction, the professional engineer or professional surveyor shall notify the board in writing within sixty days.

OAC 4733-35-08 | Other jurisdiction.

Conviction of a felony without restoration of civil rights, or the revocation, voluntary surrender, or suspension of a professional engineer's or surveyor's license by another jurisdiction, if for a cause which in the state of Ohio would constitute a violation of Ohio Revised Code Chapter 4733. or of these rules, shall be grounds for a charge of violation of these rules.

OAC 4733-35-09 | Records.

Each registrant or certificate of authorization holder shall keep a true and correct record in the English language of all of the business transactions in the registrant's or holder's office relevant to enforcement of Chapter 4733. of the Revised Code. Such records shall be available at all reasonable hours for inspection and copying by the Ohio state board of registration for professional engineers and surveyors.



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Each registrant or licensee shall cooperate with the board in its investigation of complaints or possible violations of Chapter 4733. of the Revised Code. This cooperation shall include responding timely to written communications from the board, providing information or documents requested within thirty days of the date on which the communication was mailed, and appearing before the board or its designee upon request.



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Continuing Education

Per Rules of the Board ORC 4733.151, the following continuing education is required every 2-year renewal period, where PDH is a professional development hour:

- Minimum 30 PDH total
- Minimum 2 PDH on ethics or rules relevant to the practice of engineering
 - This course counts towards this requirement
- Online courses are considered a type of “seminars, workshops, or conferences” per the Board website. All 30 PDH can be from online courses and webinars that provide PDH certificates (assuming minimum 2 PDH in ethics topics)
- Courses must have technical, ethical, or managerial topics relevant to the practice of engineering
- Board does NOT pre-approve providers or specific courses for engineering
- Board created PDH tracking log available
- Maximum 15 PDH can carry forward for next renewal
 - Including maximum 2 hours in ethics carried forward
- 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:

Laws of the Board

ORC 4733.151 | Continuing professional development credit required beginning in 2008.

(A) For registrations expiring on the last day of December 2011, each registrant for renewal shall have completed, in calendar year 2011, at least fifteen hours of continuing professional development for professional engineers and surveyors. Thereafter, each registrant shall complete at least thirty hours of continuing professional development during the two-year period immediately preceding the biennial renewal expiration date.

(B) The continuing professional development requirement may be satisfied by coursework or activities dealing with technical, ethical, or managerial topics relevant to the practice of engineering or surveying. A registrant may earn continuing professional development hours by completing or teaching university or college level



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coursework, attending seminars, workshops, or conferences, authoring relevant published papers, articles, or books, receiving patent awards, or actively participating in professional or technical societies serving the engineering or surveying professions.

Credit for university or college level coursework shall be based on the credit established by the university or college. One semester hour as established by the university or college shall be the equivalent of forty-five hours of continuing professional development, and one quarter hour as established by the university or college shall be the equivalent of thirty hours of continuing professional development.

Credit for seminars, workshops, or conferences offering continuing education units shall be based on the units awarded by the organization presenting the seminar, workshop, or conference. A registrant may earn ten continuing professional development hours for each continuing education unit awarded. Each hour of attendance at a seminar, workshop, or conference for which no continuing education units are offered shall be the equivalent of one continuing professional development hour.

A registrant may earn two continuing professional development hours for each year of service as an officer or active committee member of a professional or technical society or association that represents registrants or entities composed of registrants. A registrant may earn ten continuing professional development hours for authoring relevant published papers, articles, or books. A registrant may earn ten continuing professional development hours for each such published paper, article, or book. A registrant may earn ten continuing professional development hours for each patent award.

(C)(1) A person registered as both a professional engineer and professional surveyor shall complete at least ten of the thirty hours required under division (A) of this section in engineering-related coursework or activities and at least ten of those thirty hours in surveying-related coursework or activities.

(2) Beginning with registrations expiring on or after the last day of December 2017, a person registered as a professional engineer or professional surveyor shall complete at least two of the thirty hours required under division (A) of this section on professional ethics or rules relevant to the practices of engineering or surveying.



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(D) A registrant is exempt from the continuing professional development requirements of this section during the first calendar year of registration.

(E)(1) A registrant who completes more than thirty hours of approved coursework or activities in a biennial renewal period may carry forward to the next biennial renewal period a maximum of fifteen of the excess hours.

(2) A person registered as a professional engineer or professional surveyor may carry forward up to two hours on professional ethics or rules earned in excess of the requirement under division (C)(2) of this section as part of the fifteen hour maximum.

(F) A registrant shall maintain records to demonstrate completion of the continuing professional development requirements specified in this section for a period of four calendar years beyond the year in which certification of the completion of the requirements is obtained by the registrant. The records shall include all of the following:

(1) A log specifying the type of coursework or activity, its location and duration along with the instructor's name, and the number of continuing professional development hours earned;

(2) Certificates of completion or other evidence verifying attendance.

(G) The records specified in division (F) of this section may be audited at any time by the state board of registration for professional engineers and surveyors. If the board discovers that a registrant has failed to complete coursework or activities, it shall notify the registrant of the deficiencies and allow the registrant six months from the date of the notice to rectify the deficiencies and to provide the board with evidence of satisfactory completion of the continuing professional development requirements. If the registrant fails to provide such evidence within that six-month period, the board may revoke or suspend the registration after offering an adjudication hearing in accordance with Chapter 119. of the Revised Code.



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Board Website

Acceptable CPD hours

- Successful completion or auditing of college credit courses relevant to the practice of engineering or surveying.
- Successful completion of continuing education courses offered by a professional or trade organization, university or college, or offered in-house by a corporation relevant to the practice of engineering or surveying.
- Completing or attending a seminar, conference, convention or workshop, relevant to the practice of engineering or surveying. **Successful completion of online courses relevant to the practice of engineering or surveying.**
- Successful completion of structured engineering or surveying related LEED coursework, with credit granted for verified class attendance on an hour-for-hour basis, provided the coursework meets the requirements of Ohio law.
- Authoring published papers, articles or books (to be used only once and only in the year that it was published).
- Teaching or instructing relevant courses, seminars or workshops for the first time only.
- Being an officer or active committee member of an engineering or surveying society.
- Attending satellite video courses where attendance is verified and program material meets requirements.
- Completing advanced computer software instructional courses that relate to the improvement of one's profession or business. Advanced computer software instruction courses do not include spreadsheet, word processing, presentation, or web design software (e.g. Excel, Word, Dreamweaver, etc.).
- Spreadsheet courses can be accepted only if the course incorporates engineering or surveying applications. Documentation must prove that engineering or surveying applications were included in the spreadsheet course.
- Technical articles found in publications, trade journals, or trade magazines requiring successful completion of a test — the Board will allow a maximum of 3.0 hours per year.
- Patents granted in the United States (to be used only once and only in the year that it was awarded).
- Live web seminars — the Board will not allow credit for live web seminars unless the provider is able to verify and confirm attendance and participation.
- Financial Management courses.



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Unacceptable CPD hours

- Elementary and entry-level training normally expected to have been completed by registered engineers and registered surveyors prior to registration.
- Regular full-time employment.
- Any level of computer courses in spreadsheet, word processing, presentation, or web design software (Excel, Word, Dreamweaver, etc.).
- Real estate courses, financial planning, foreign language courses, attending trade show displays.
- Self-directed study.
- Topics not relevant to the engineering or surveying profession.
- Personal self-improvement.
- Attending general committee or business meetings as required by your employment.
- A patent or a published book, article, or paper prior to the applicable reporting period.
- Speed Reading courses.
- State-specific courses that are specific to, and based on, another state's laws, rules, policies and practices.
- The Board does not give credit for examinations.
- Peer-review of professional papers, articles, books or manuscripts.

What does the Board consider acceptable documentation of attendance?

- A certificate of attendance that shows the date(s), the number of continuing professional development hours earned, the location, the topic and the instructor's name.
- A letter from the provider or your supervisor stating the date(s), the number of continuing professional development hours earned, the location, the topic and the instructor's name.
- A log in sheet signed by the attendee and the provider or supervisor showing date(s), the number of continuing professional development hours earned, the location, the topic and the instructor's name.
- Documentation from the United States patent office showing the patent number, patent award date and brief patent description.
- A copy of the publication page showing the author of the paper, article or book, the topic and brief description and the date and name of the publication.



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- A transcript from the college or university showing the course taken and date of completion.
- A copy of your committee membership card from the association or technical society or a letter from the association or technical society stating that you are an active member and year.

What is not acceptable as verification of attendance?

- A paid receipt from the provider, hotel or other vendor is not verification of attendance.
- A copy of the program, agenda or power point presentation is not verification of attendance.
- A certificate that shows only the dates attended. (Documentation must include: registrant's name, the date(s), the number of continuing professional development hours earned, the location, the topic and the instructor's name).
- Any documentation that does not include the date(s), the number of continuing professional development hours earned, the location, the topic and the instructor's name.
- Emails that thank you for attendance or time spent on a presentation.
- Notes taken during a seminar, conference, or other CPD event cannot be used as verification of attendance.

Recordkeeping

The registrant shall be responsible for maintaining records to support his or her own professional development hours. Records required include, but are not limited to:

- A log showing the type of activity claimed, sponsoring organization, location, duration, instructors or speaker's name and hours earned.
- Documents supporting evidence of attendance: completion certificates, attendance log or other documents supporting evidence of completion.

Records must be maintained for a period of four years. Such documentation shall be made available to the Board for random audit and/or verification purposes. Documentation must support the professional development hours claimed.



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Board Provided PDH Tracking Log

4012



CONTINUING PROFESSIONAL DEVELOPMENT LOG

Name: _____ License Number: _____ Year: _____

Date	Sponsor/Provider	Activity Title and Description	Instructor	Hours Earned	Proof of Completion	
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:					<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider
To: From:		ETHICS			<input type="checkbox"/> Certificate of Completion	<input type="checkbox"/> Letter from Provider

AFFIDAVIT The CPD credits listed herein are true & correct & accurately state the continuing education hours earned. Subtotal: 0.00
 Carryover: _____
 Signature _____ Date _____ TOTAL CPD HOURS: 0.00

peps.ohio.gov pes.board@pes.ohio.gov 614-466-3651

Rev. 5/24

Available to download at:
<https://peps.ohio.gov/education-and-verification/continuing-education/attendance-documentation>



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Helpful References

Ohio State Board of Registration for Professional Engineers

Board website:	https://peps.ohio.gov/
Address Change:	https://peps.ohio.gov/wps/portal/gov/peps/about/Online-Services
Renewal:	https://peps.ohio.gov/wps/portal/gov/peps/licensing-and-renewal/individual-renewal/individual-renewal
Laws & Rules:	https://peps.ohio.gov/wps/portal/gov/peps/about/laws-and-rules/laws-and-rules
Laws of the Board:	https://codes.ohio.gov/ohio-revised-code/chapter-4733
Rules of the Board:	https://codes.ohio.gov/ohio-administrative-code/4733