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California Laws and Rules for Engineers

by

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California Laws and Rules for Engineers
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Course Outline:

[California Code](#)

[Professional Engineers Act](#)

[California Code of Regulations](#)

[Board Rules](#)

[State Board](#)

[Practice of Professional Engineering](#)

[Engineering Disciplines](#)

[Responsible Charge](#)

[Sign and Seal Requirements](#)

[Professional Conduct and Ethics](#)

[Continuing Education](#)

[Helpful References](#)

Examination



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California Code

State laws (called statutes) are enacted by the California Legislature which is a bicameral body made up of the State Senate and the State Assembly. 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 2/3 majority vote in both the Senate and the State Assembly for the bill to become law.



Passed bills (acts) from each legislative session are published chronologically in Session Laws. Next, the laws (called statutes) are added to the *California Code* in the appropriate locations with numbering, formatting, annotations, and removal of replaced or repealed statutes. The California Code is often cited based on the revision year (2022, 2023, etc.)

The California Code is divided into dozens of code volumes. Laws with relevance to engineering are in the Business and Professions Code (BPC), Division 3, Chapter 7, Sections 6700 to 6799, which is cited as BPC 6700 - 6799, and informally called the Professional Engineers Act. The organization is as follows:

Business and Professions Code

- Division 3: Professions and Vocations Generally
 - Chapter 7: Professional Engineers
 - Articles: 1 to 7
 - Sections: 6700 to 6799



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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Professional Engineers Act

The law dedicated to the practice of engineering (and several other professions) is BPC 6700 - 6799, known as the "Professional Engineers Act". The Professional Engineers Act gives authority to the *California Board of Professional Engineers, Land Surveyors, and Geologists* (Board) to enact the laws, set rules, and manage licensing. The following is the contents with **bold** sections being of particular importance for practicing professional engineers.

BPC 6700 - 6799: Architects, Engineers, Land Surveyors, and Landscape Architects

- **ARTICLE 1 General Provisions 6700-6706.3**
- ARTICLE 2 Administration 6710-6726.4
- ARTICLE 2.3 Professional Engineers Review Committees 6728-6728.6
- **ARTICLE 3 Application of Chapter 6730-6749**
- ARTICLE 4 Registration 6750-6767
- ARTICLE 4.5 Reporting Requirements 6770-6770.6
- ARTICLE 5 Disciplinary Proceedings 6775-6780
- **ARTICLE 6 Offenses Against the Chapter 6785-6789**
- ARTICLE 7 Revenue 6795-6799



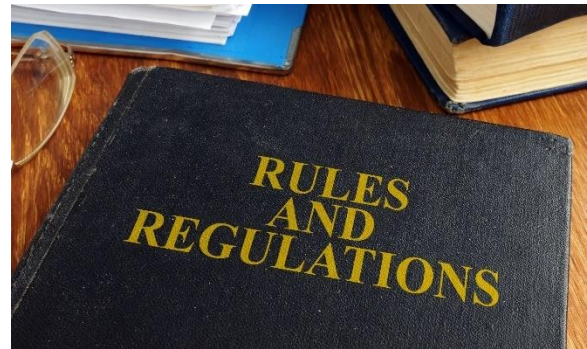
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California Code of Regulations



State laws are often high-level and lack details required for implementation. The California 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 *California Code of Regulations* and is normally cited as CA Code of Regs or CCR. The regulations are enforceable just like state statutes.

The California Code of Regulations is grouped into titles and chapters representing different state agencies (departments, divisions, districts, boards, councils, authorities, and commissions). Professional engineering is under Title 16, Division 5. This is cited as 16 CCR 400 – 476, and referred to as “Board Rules” in this course.



The organization is as follows:

CCR

- Title 16: Professional and Vocational Regulations
 - Division 5: Board for Professional Engineers and Land Surveyors
 - Articles: 1 to 4
 - Sections: 400 to 476



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Board Rules

16 CCR 400 – 476 is known as the “Board Rules”. It covers the professional engineering and a few other professions. The following are the contents with sections in **bold** of particular importance for practicing professional engineers.

16 CCR 400 – 476 - Board for Professional Engineers and Land Surveyors

Article 1 - General Provisions

- Section 400 - Introduction
- Section 401 - Declaratory Decisions
- Section 403 - Location of Offices
- **Section 404 - Definitions**
- **Section 404.1 - Responsible Charge - Professional Engineering**
- Section 404.2 - Responsible Charge - Professional Land Surveying
- Section 405 - Delegation of Certain Functions
- Section 407 - Fees
- Section 408 - Meetings
- Section 410 - Certificates
- **Section 411 - Seal and Signature**
- **Section 412 - Address Change**
- **Section 415 - Practice Within Area of Competence**
- **Section 416 - Substantial Relationship Criteria**
- **Section 418 - Criteria for Rehabilitation**
- Section 419 - Disciplinary Orders

Article 2 - Applications

- Section 420 - Applications
- Section 420.1 - Applicant Fingerprint Submittal
- Section 421 - Refile Application
- Section 422 - Final Filing Date
- Section 424 - Experience Requirements-Professional Engineers
- Section 425 - Experience Requirements-Professional Land Surveyors
- Section 426.10 - Qualification Requirements for Structural Authority
- Section 426.11 - Qualifying Experience for Structural Authority
- Section 426.12 - Experience for Checking Structural Plans



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- Section 426.13 - Supplemental Evidence of Responsible Charge for Structural Authority
- Section 426.14 - Experience for Structural Engineering Gained Out of State
- Section 426.50 - Qualification Requirements "Soil Engineer," "Soils Engineer," or "Geotechnical Engineer."
- Section 426.51 - Qualifying Experience for "Soil Engineer."
- Section 427.10 - References for Professional Engineers and Land Surveyors
- Section 427.20 - Reference Requirements for "Soil Engineer."
- Section 427.30 - References for Structural Authority
- Section 428 - Abandoned Applications
- Section 429 - Application Appeal

Article 3 - Examinations

- Section 435 - Examination Required. [Repealed]
- Section 436 - Schedule of Regular Written Examinations
- Section 437 - Individual Examination
- Section 438 - Waiver of Fundamentals Examination
- Section 439 - Examination Not Permitted
- Section 441 - Authorization to Take Examination
- Section 442 - Examination Subversion
- Section 446 - Postponements
- Section 447 - Permissible Reference Material and Other Accessories

Article 4 - Miscellaneous

- **Section 461 - Testing Laboratory Reports**
- Section 463 - Notice of Association or Disassociation with Partnership, Firm, or Corporation
- Section 463.5 - Providing Notice of Licensure
- Section 464 - Corner Record
- Section 465 - Records of Survey-Public Officers
- Section 470 - Application Response
- Section 471 - Processing Time
- Section 472 - Citations of Unlicensed Persons
- Section 472.1 - Assessment of Administrative Fine
- Section 472.2 - Appeal of Citations
- Section 472.3 - Compliance with Order
- Section 472.4 - Disconnection of Telephone Service



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- Section 473 - Citations of Licensed Persons
- Section 473.1 - Assessment of Administrative Fines
- Section 473.2 - Appeal of Citations
- Section 473.3 - Compliance with Order
- Section 473.4 - Disconnection of Telephone Service
- **Section 474 - Establishment of Criteria**
- **Section 474.1 - Request for Qualifications**
- **Section 474.2 - Selection of Engineers and Land Surveyors**
- **Section 474.3 - Conflict of Interest/Unlawful Activity**
- Section 474.4 - Amendments
- Section 474.5 - Contracting in Phases
- **Section 475 - Code of Professional Conduct - Professional Engineering**
- Section 476 - Code of Professional Conduct - Professional Land Surveying



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State Board

The state agency for professional engineering is the *California Board of Professional Engineers, Land Surveyors, and Geologists* (Board). The Board is under the California Department of Commerce, Community, and Economic Development.

The Board regulates individuals and firms for the following professions/licenses:

- Engineer-in-Training
- Land Surveyor-in-Training
- Geologist-in-Training
- Professional Engineer
 - Agricultural, Chemical, Civil, Control System, Electrical, Fire Protection, Industrial, Mechanical, Metallurgical, Nuclear, Petroleum, Traffic
- Geotechnical Engineer
- Structural Engineer
- Professional Land Surveyor
- Professional Geologist and Geophysicist

The Board oversees over 105,000 professional engineers. The Board has the authority to manage and further regulate professional engineering. The Board can make modifications to Board Rules (CCR 400 - 476).

Board Website <<https://www.bpelsg.ca.gov/>>

Department of Consumer Affairs
Board for Professional Engineers,
Land Surveyors, and Geologists

Consumers Licensees Applicants Exams Publications Online Services About Us

NEW AND IMPORTANT UPDATES

- ▶ ANNOUNCED OCTOBER 30, 2024 - The Board for Professional Engineers, Land Surveyors, and Geologists requests your assistance in developing the Certified Hydrogeologist (CHG) Exam with respect to how a California-licensed professional geologist evaluates California's unique and complex hydrogeologic conditions, including the occurrence, distribution, quantity, and movement of water below the surface of the earth, with particular emphasis given to groundwater quality. The results of the following questionnaire will assist in the Board's development of the CHG Exam for certification as a Hydrogeologist in California. Please click on the following link to access the survey before the Saturday, November 30, 2024 deadline: [2024 CHG OA Survey](#).
- ▶ ADDED JULY 19, 2024 - Please allow 4-6 months in Technical Review for the following Professional Engineer (PE) application types: Agricultural, Chemical, Civil, Control System, Electrical, Fire Protection, Industrial, Mechanical, Metallurgical, Nuclear, and Petroleum. This time frame applies to all applicants within these types, including Comity and Fundamentals of Engineering (FE) Exam Waiver applicants. The Board is currently short staffed but actively working on resolving the backlog. We appreciate your patience in this matter.

License Renewals File a Complaint Address Change Laws & Regs

License Search

Quick Hits

- ▶ Board Meetings
- ▶ Applicants Fee Schedule
- ▶ Licensees Fee Schedule
- ▶ Rulemaking Notices
- ▶ Forms



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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:

Professional Engineers Act

6700.

This chapter constitutes the chapter on professional engineers. It may be cited as the Professional Engineers Act.

6701.

“Professional engineer,” within the meaning and intent of this act, refers to a person engaged in the professional practice of rendering service or creative work requiring education, training and experience in engineering sciences and the application of special knowledge of the mathematical, physical and engineering sciences in such professional or creative work as consultation, investigation, evaluation, planning or design of public or private utilities, structures, machines, processes, circuits, buildings, equipment or projects, and supervision of construction for the purpose of securing compliance with specifications and design for any such work.

6702.

“Civil engineer” as used in this chapter means a professional engineer in the branch of civil engineering and refers to one who practices or offers to practice civil engineering in any of its phases.

6702.1.

“Electrical engineer” as used in this chapter means a professional engineer in the branch of electrical engineering and refers to one who practices or offers to practice electrical engineering in any of its phases.

6702.2.

“Mechanical engineer” as used in this chapter means a professional engineer in the branch of mechanical engineering and refers to one who practices or offers to practice mechanical engineering in any of its phases.



California Laws and Rules for Engineers
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6703.1.

“Supervision of the construction of engineering structures” means the periodic observation of materials and completed work to determine general compliance with plans, specifications, and design and planning concepts. However, “supervision of the construction of engineering structures” does not include responsibility for the superintendence of construction processes, site conditions, operations, equipment, personnel, or the maintenance of a safe place to work or any safety in, on, or about the site.

For purposes of this subdivision, “periodic observation” means visits by an engineer, or his or her agent, to the site of a work of improvement.

6704.

(a) In order to safeguard life, health, property, and public welfare, no person shall practice civil, electrical, or mechanical engineering unless appropriately licensed or specifically exempted from licensure under this chapter, and only persons licensed under this chapter shall be entitled to take and use the titles “consulting engineer,” “professional engineer,” or “registered engineer,” or any combination of those titles or abbreviations thereof, and according to licensure with the board the engineering branch titles specified in Section 6732, or the authority titles specified in Sections 6736 and 6736.1, or the title “engineer-in-training.”

(b) The provisions of this section shall not prevent the use of the title “consulting engineer” by a person who has qualified for and maintained exemption for using that title under the provisions of Section 6732.1, or by a person licensed as a photogrammetric surveyor.

6705.

A subordinate is any person who assists a registered professional engineer in the practice of professional engineering without assuming responsible charge of work.

6706.

(a) An engineer who voluntarily, without compensation or expectation of compensation, provides structural inspection services at the scene of a declared national, state, or local emergency at the request of a public official, public safety officer, or city or county building inspector acting in an official capacity shall not be liable in negligence for any personal injury, wrongful death, or property damage caused by the engineer’s good faith but negligent inspection of a structure used for



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human habitation or owned by a public entity for structural integrity or nonstructural elements affecting life and safety.

The immunity provided by this section shall apply only for an inspection that occurs within 30 days of the declared emergency.

Nothing in this section shall provide immunity for gross negligence or willful misconduct.

(b) As used in this section:

(1) "Engineer" means a person registered under this chapter as a professional engineer, including any of the branches thereof.

(2) "Public safety officer" has the meaning given in Section 3301 of the Government Code.

(3) "Public official" means a state or local elected officer.

6706.3.

Any reference in any law or regulation to a registered engineer, or to a registered civil, electrical, or mechanical engineer, is deemed to refer to a licensed engineer, or to a licensed civil, electrical, or mechanical engineer, as the case may be.

6730.

In order to safeguard life, health, property and public welfare, any person, either in a public or private capacity, except as in this chapter specifically excepted, who practices, or offers to practice, civil engineering, electrical engineering or mechanical engineering, in any of its branches in this state, including any person employed by the State of California, or any city, county, or city and county, who practices engineering, shall submit evidence that he or she is qualified to practice, and shall be licensed accordingly as a civil engineer, electrical engineer or mechanical engineer by the board.

6730.2.

(a) It is the intent of the Legislature that the licensure requirements that are imposed upon private sector professional engineers and engineering partnerships, firms, or corporations shall be imposed upon the state and any city, county, or city and county that shall adhere to those requirements. Therefore, for the purposes of Section 6730 and this chapter, at least one licensed engineer shall be designated the person in responsible charge of professional engineering work for each branch of professional engineering practiced in any department or agency of the state, city, county, or city and county.



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(b) Any department or agency of the state or any city, county, or city and county that has an unlicensed person in responsible charge of engineering work on January 1, 1985, shall be exempt from this requirement until that time as the person currently in responsible charge is replaced.

(c) The designated person in responsible charge of professional civil engineering work of any department or agency of the state, city, county, city and county, district, or special district pursuant to this section is responsible for compliance with subdivisions (b) and (c) of Section 8771.

6731.

Civil engineering embraces the following studies or activities in connection with fixed works for irrigation, drainage, waterpower, water supply, flood control, inland waterways, harbors, municipal improvements, railroads, highways, tunnels, airports and airways, purification of water, sewerage, refuse disposal, foundations, grading, framed and homogeneous structures, buildings, or bridges:

(a) The economics of, the use and design of, materials of construction and the determination of their physical qualities.

(b) The supervision of the construction of engineering structures.

(c) The investigation of the laws, phenomena and forces of nature.

(d) Appraisals or valuations.

(e) The preparation or submission of designs, plans and specifications and engineering reports.

(f) Coordination of the work of professional, technical, or special consultants.

(g) Creation, preparation, or modification of electronic or computerized data in the performance of the activities described in subdivisions (a) through (f).

Civil engineering also includes city and regional planning insofar as any of the above features are concerned therein.

Civil engineers registered prior to January 1, 1982, shall be authorized to practice all land surveying as defined in Chapter 15 (commencing with Section 8700) of Division 3.

6731.1.

Civil engineering also includes the practice or offer to practice, either in a public or private capacity, all of the following:



California Laws and Rules for Engineers
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- (a) Locates, relocates, establishes, reestablishes, or retraces the alignment or elevation for any of the fixed works embraced within the practice of civil engineering, as described in Section 6731.
- (b) Determines the configuration or contour of the earth's surface or the position of fixed objects above, on, or below the surface of earth by applying the principles of trigonometry or photogrammetry.
- (c) Creates, prepares, or modifies electronic or computerized data in the performance of the activities described in subdivisions (a) and (b).
- (d) Renders a statement regarding the accuracy of maps or measured survey data pursuant to subdivisions (a), (b), and (c).

6731.3.

A registered civil engineer may also practice or offer to practice, either in a public or private capacity, construction project management services, including, but not limited to, construction project design review and evaluation, construction mobilization and supervision, bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation, and general management and administration of a construction project.

6731.4.

If a registered civil engineer provides construction management services pursuant to Section 6731.3, Section 6703.1 shall not limit the responsibility of the engineer for the services actually provided.

6731.5.

(a) Electrical engineering is that branch of professional engineering described in Section 6734.1 that embraces studies or activities relating to the generation, transmission, and utilization of electrical energy, including the design of electrical, electronic, and magnetic circuits, and the technical control of their operation and of the design of electrical gear. It is concerned with the research, organizational, and economic aspects of the above.

(b) The design of electronic and magnetic circuits is not exclusive to the practice of electrical engineering, as defined in subdivision (a).

6731.6.

Mechanical engineering is that branch of professional engineering described in Section 6734.2 that deals with engineering problems relating to generation,



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transmission, and utilization of energy in the thermal or mechanical form and also with engineering problems relating to the production of tools, machinery, and their products, and to heating, ventilation, refrigeration, and plumbing. It is concerned with the research, design, production, operational, organizational, and economic aspects of the above.

6732.

It is unlawful for anyone other than a professional engineer licensed under this chapter to stamp or seal any plans, specifications, plats, reports, or other documents with the seal or stamp of a professional engineer, or in any manner, use the title "professional engineer," "licensed engineer," "registered engineer," or "consulting engineer," or any of the following branch titles: "agricultural engineer," "chemical engineer," "civil engineer," "control system engineer," "electrical engineer," "fire protection engineer," "industrial engineer," "mechanical engineer," "metallurgical engineer," "nuclear engineer," "petroleum engineer," or "traffic engineer," or any combination of these words and phrases or abbreviations thereof unless licensed under this chapter.

6732.1.

Any person who has been granted permission to use the title "consulting engineer" pursuant to legislation enacted at the 1963, 1965, or 1968 Regular Session is exempt from the provisions of Section 6732 as it restricts the use of the title "consulting engineer", and such exemption shall apply so long as the applicant remains in practice and advises the board of any change of address within 30 days of such change. The board may adopt such rules under provisions of the Administrative Procedure Act as are necessary to implement this section. The provisions of Articles 5 (commencing with Section 6775), 6 (commencing with Section 6785), and 7 (commencing with Section 6795) of this chapter shall apply to all persons who are granted permission to use the title "consulting engineer" pursuant to legislation enacted in 1963 and 1965 and the amendments to this section enacted at the 1968 Regular Session.

6732.2.

Any person who possesses a valid certificate to practice photogrammetry issued to him under the provisions of Chapter 15 (commencing with Section 8700) of this division may apply for, and be issued, a certificate of authority to use the title "consulting engineer," if all of the following requirements are satisfied:



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(a) Application is made on a form provided by the board and is accompanied by the fees prescribed in Section 8805.

(b) Information submitted evidences to the satisfaction of the board that the applicant has had five years of independent control in furnishing consulting photogrammetric, geodetic, or topographic surveying services or consulting surveying services in connection with fixed works as defined in Section 6731.

Authority to use the title "consulting engineer" granted under this section does not affect authorizations made under the several provisions provided in Section 6732.1.

Authority to use the title "consulting engineer" granted under this section shall remain valid only while its holder's basic license is valid, and if it lapses it may be renewed only as provided in Article 7 (commencing with Section 6795).

The provisions of Article 5 (commencing with Section 6775), Article 6 (commencing with Section 6785), and Article 7 (commencing with Section 6795), of this chapter, shall apply to the certificates issued as provided in this section and to the persons so certificated.

6732.3.

(a) Any person who has received from the board a license in corrosion, manufacturing, quality, or safety engineering, and who holds a valid license under this chapter, may continue to use the branch title of the branch in which the professional engineer is legally licensed. A person holding a license in corrosion, manufacturing, quality, or safety engineering is subject to the license renewal provisions of this chapter.

(b) The professional engineer also may continue to use the title of "professional engineer," "licensed engineer," "registered engineer," or "consulting engineer."

6732.4.

(a) Notwithstanding any other provision of law, any person who has applied for registration as a corrosion, quality, or safety engineer, and who has completed the written examination in one or more of these branch titles prior to January 1, 1999, shall be issued a registration in the branch title for which the applicant was examined, provided that he or she has met all other qualifications for registration. The board shall not administer any examination for registration as a corrosion, quality, or safety engineer on or after January 1, 1999.

(b) Notwithstanding any other provision of law, any person who has applied for registration as a manufacturing engineer, and who has completed the written examination for this branch title prior to January 1, 2004, shall be issued a



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registration as a manufacturing engineer, provided that he or she has met all other qualifications for registration. The board shall not administer any examination for registration as a manufacturing engineer on or after January 1, 2004.

6732.5.

(a) Upon the discontinuance of a national examination for a branch specified in this chapter, the board shall not be required to administer an examination for a license in that branch or be required to issue licenses in that branch.

(b) Any person who has received from the board a license in a branch for which the national examination is discontinued, and who holds a valid license under this chapter, may continue to use the branch title of the branch in which the professional engineer is legally licensed. A person holding a license in the affected branch of engineering is subject to the license renewal provisions of this chapter. The professional engineer may also continue to use the title of "professional engineer," "licensed engineer," or "consulting engineer."

6733.

It is unlawful for anyone to stamp or seal any plans, specifications, plats, reports, or other documents with the seal after the certificate of the registrant, named thereon, has expired or has been suspended or revoked, unless the certificate has been renewed or reissued.

6734.

Any person practices civil engineering when he professes to be a civil engineer or is in responsible charge of civil engineering work.

6734.1.

Any person practices electrical engineering when he professes to be an electrical engineer or is in responsible charge of electrical engineering work.

6734.2.

Any person practices mechanical engineering when he professes to be a mechanical engineer or is in responsible charge of mechanical engineering work.

6735.1.

The signing of civil engineering plans, specifications, reports, or documents which relate to the design of fixed works shall not impose a legal duty or responsibility



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upon the person signing the plans, specifications, reports, or documents to supervise the construction of engineering structures or the construction of the fixed works which are the subject of the plans, specifications, reports, or documents. However, nothing in this section shall preclude a civil engineer and a client from entering into a contractual agreement which includes a mutually acceptable arrangement for the provision of construction supervision services. Nothing contained in this subdivision shall modify the liability of a civil engineer who undertakes, contractually or otherwise, the provision of construction supervision services for rendering those services.

6735.3.

(a) All electrical engineering plans, specifications, calculations, and reports (hereinafter referred to as "documents") prepared by, or under the responsible charge of, a licensed electrical engineer shall include his or her name and license number. Interim documents shall include a notation as to the intended purpose of the document, such as "preliminary," "not for construction," "for plan check only," or "for review only." All electrical engineering plans and specifications that are permitted or that are to be released for construction shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping. All final electrical engineering calculations and reports shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping. If electrical engineering plans are required to be signed and sealed and have multiple sheets, the signature, seal or stamp, and date of signing and sealing or stamping shall appear on each sheet of the plans. If electrical engineering specifications, calculations, and reports are required to be signed and sealed or stamped and have multiple pages, the signature, seal or stamp, and date of signing and sealing or stamping shall appear at a minimum on the title sheet, cover sheet, or signature sheet.

(b) Notwithstanding subdivision (a), a licensed electrical engineer who signs electrical engineering documents shall not be responsible for damage caused by subsequent changes to or uses of those documents, if the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed electrical engineer who originally signed the documents, provided that the engineering service rendered by the electrical engineer who signed the documents was not also a proximate cause of the damage.



California Laws and Rules for Engineers
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6735.4.

(a) All mechanical engineering plans, specifications, calculations, and reports (hereinafter referred to as “documents”) prepared by, or under the responsible charge of, a licensed mechanical engineer shall include his or her name and license number. Interim documents shall include a notation as to the intended purpose of the document, such as “preliminary,” “not for construction,” “for plan check only,” or “for review only.” All mechanical engineering plans and specifications that are permitted or that are to be released for construction shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping. All final mechanical engineering calculations and reports shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping. If mechanical engineering plans are required to be signed and sealed and have multiple sheets, the signature, seal or stamp, and date of signing and sealing or stamping shall appear on each sheet of the plans. If mechanical engineering specifications, calculations, and reports are required to be signed and sealed or stamped and have multiple pages, the signature, seal or stamp, and date of signing and sealing or stamping shall appear at a minimum on the title sheet, cover sheet, or signature sheet.

(b) Notwithstanding subdivision (a), a licensed mechanical engineer who signs mechanical engineering documents shall not be responsible for damage caused by subsequent changes to or uses of those documents, if the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed mechanical engineer who originally signed the documents, provided that the engineering service rendered by the mechanical engineer who signed the documents was not also a proximate cause of the damage.

6735.5.

The use of the word “certify” or “certification” by a registered professional engineer in the practice of professional engineering or land surveying constitutes an expression of professional opinion regarding those facts or findings which are the subject of the certification, and does not constitute a warranty or guarantee, either expressed or implied.



California Laws and Rules for Engineers
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6735.6.

If a registered civil engineer is required to provide as built, as constructed, or record plans for improvements or grading, which plans show changes during the construction process, the following shall apply:

(a) If the registered civil engineer provided construction phase services on the project that include supervision of the construction of engineering structures, the plans shall be based upon the field observations of the registered civil engineer and his or her agents, and information received from the project owner, project contractors, and public agencies.

(b) If the registered civil engineer did not provide construction phase services on the project that include supervision of the construction of engineering structures, the plans shall be based on information received from the project owner, project contractors, and public agencies, but need not be based upon a field verification or investigation of the improvements or grades, unless the registered civil engineer is engaged to provide such field verification services.

(c) The registered civil engineer shall not be required to include a certificate or statement on as built, as constructed, or record plans that is inconsistent with or varies from the provisions of this section.

6736.

No person shall use the title, "structural engineer," or any combination of these words or abbreviations thereof, unless he or she is a licensed civil engineer in this state and unless he or she has been found qualified as a structural engineer according to the rules and regulations established for structural engineers by the board.

6736.1.

(a) No person shall use the title, "soil engineer," "soils engineer," or "geotechnical engineer," or any combination of these words or abbreviations thereof, unless he or she is a licensed civil engineer in this state and files an application to use the appropriate title with the board and the board determines the applicant is qualified to use the requested title.

(b) The board shall establish qualifications and standards to use the title "soil engineer," "soils engineer," or "geotechnical engineer." However, each applicant shall demonstrate a minimum of four years qualifying experience beyond that required for licensure as a civil engineer, and shall pass the examination specified by the board.



California Laws and Rules for Engineers
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(c) For purposes of this section, “qualifying experience” means proof of responsible charge of soil engineering projects in at least 50 percent of the major areas of soil engineering, as determined by the board.

(d) Nothing contained in this chapter requires existing references to “soil engineering,” “soils engineering,” “geotechnical engineering,” “soil engineer,” “soils engineer,” or “geotechnical engineer,” in local agency ordinances, building codes, regulations, or policies, to mean that those activities or persons must be registered or authorized to use the relevant title or authority.

6737.

An architect, who holds a certificate to practice architecture in this State under the provisions of Chapter 3 of Division 3 of this code insofar as he practices architecture in its various branches, is exempt from registration under the provisions of this chapter.

6737.1.

(a) This chapter does not prohibit any person from preparing plans, drawings, or specifications for any of the following:

(1) Single-family dwellings of woodframe construction not more than two stories and basement in height.

(2) Multiple dwellings containing no more than four dwelling units of woodframe construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwelling units each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.

(3) Garages or other structures appurtenant to buildings described under subdivision (a), of woodframe construction not more than two stories and basement in height.

(4) Agricultural and ranch buildings of woodframe construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety or welfare is involved.

(b) If any portion of any structure exempted by this section deviates from substantial compliance with conventional framing requirements for woodframe construction found in the most recent edition of Title 24 of the California Code of Regulations or tables of limitation for woodframe construction, as defined by the applicable building code duly adopted by the local jurisdiction or the state, the building official having jurisdiction shall require the preparation of plans, drawings, specifications, or calculations for that portion by, or under the responsible charge of, a licensed



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engineer, or by, or under the responsible control of, an architect licensed pursuant to Chapter 3 (commencing with Section 5500). The documents for that portion shall bear the stamp and signature of the licensee who is responsible for their preparation.

6737.3.

A contractor licensed under Chapter 9 (commencing with Section 7000) of Division 3 is exempt from the provisions of this chapter relating to the practice of electrical or mechanical engineering so long as the services he or she holds himself or herself out as able to perform or does perform, which services are subject to the provisions of this chapter, are performed by, or under the responsible charge of a registered electrical or mechanical engineer insofar as the electrical or mechanical engineer practices the branch of engineering for which he or she is registered.

This section shall not prohibit a licensed contractor, while engaged in the business of contracting for the installation of electrical or mechanical systems or facilities, from designing those systems or facilities in accordance with applicable construction codes and standards for work to be performed and supervised by that contractor within the classification for which his or her license is issued, or from preparing electrical or mechanical shop or field drawings for work which he or she has contracted to perform. Nothing in this section is intended to imply that a licensed contractor may design work which is to be installed by another person.

6738. (To be repealed)

(a) This chapter does not prohibit one or more civil, electrical, or mechanical engineers from practicing or offering to practice, within the scope of their license, civil (including geotechnical and structural), electrical, or mechanical engineering as a sole proprietorship, partnership, limited liability partnership, firm, or corporation (hereinafter called business), if all of the following requirements are met:

(1) A civil, electrical, or mechanical engineer currently licensed in this state is an owner, partner, or officer in charge of the engineering practice of the business.

(2) All civil, electrical, or mechanical engineering services are performed by, or under the responsible charge of, a professional engineer licensed in the appropriate branch of professional engineering.

(3) If the business name of a California engineering business contains the name of any person, then that person shall be licensed as a professional engineer, a licensed land surveyor, a licensed architect, or a geologist registered under the Geologist and Geophysicist Act (Chapter 12.5 (commencing with Section 7800)). Any offer,



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promotion, or advertisement by the business that contains the name of any individual in the business, other than by use of the name of an individual in the business name, shall clearly and specifically designate the license or registration discipline of each individual named.

(b) An out-of-state business with a branch office in this state shall meet the requirements of subdivision (a) and shall have an owner, partner, or officer who is in charge of the engineering work in the branch in this state, who is licensed in this state, and who is physically present at the branch office in this state on a regular basis. However, the name of the business may contain the name of any person not licensed in this state if that person is appropriately registered or licensed in another state. Any offer, promotion, or advertisement that contains the name of any individual in the business, other than by use of the names of the individuals in the business name, shall clearly and specifically designate the license or registration discipline of each individual named.

(c) The business name of a California engineering business may be a fictitious name. However, if the fictitious name includes the name of any person, the requirements of paragraph (3) of subdivision (a) shall be met.

(d) A person not licensed under this chapter may also be a partner or an officer of a civil, electrical, or mechanical engineering business if the requirements of subdivision (a) are met. This section does not permit a person who is not licensed under this chapter to be the sole owner of a civil, electrical, or mechanical engineering business, unless otherwise exempt under this chapter.

(e) This section shall not prevent the use of the name of any business engaged in rendering civil, electrical, or mechanical engineering services, including the use by any lawful successor or survivor, that lawfully was in existence on December 31, 1987. However, the business is subject to paragraphs (1) and (2) of subdivision (a).

(f) A business engaged in rendering civil, electrical, or mechanical engineering services may use in its name the name of a deceased or retired person provided all of the following conditions are satisfied:

- (1) The person's name had been used in the name of the business, or a predecessor in interest of the business, before and after the death or retirement of the person.
- (2) The person shall have been an owner, partner, or officer of the business, or an owner, partner, or officer of the predecessor in interest of the business.
- (3) The person shall have been licensed as a professional engineer, or a land surveyor, or an architect, or a geologist, (A) by the appropriate licensing board if that



California Laws and Rules for Engineers
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person is operating a place of business or practice in this state, or (B) by the applicable state board if no place of business existed in this state.

(4) The person, if retired, has consented to the use of the name and does not permit the use of the name in the title of another professional engineering business in this state during the period of the consent. However, the retired person may use their name as the name of a new or purchased business if it is not identical in every respect to that person's name as used in the former business.

(5) The business shall be subject to the provisions of paragraphs (1) and (2) of subdivision (a).

(g) This section does not affect the provisions of Sections 6731.2 and 8726.1.

(h) A current organization record form shall be filed with the board for all businesses engaged in rendering civil, electrical, or mechanical engineering services.

(i) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

6738. (future)

(a) This chapter does not prohibit one or more civil, electrical, or mechanical engineers from practicing or offering to practice within the scope of their license civil (including geotechnical and structural), electrical, or mechanical engineering as a sole proprietorship, partnership, firm, or corporation (hereinafter called business), if all of the following requirements are met:

(1) A civil, electrical, or mechanical engineer currently licensed in this state is an owner, partner, or officer in charge of the engineering practice of the business.

(2) All civil, electrical, or mechanical engineering services are performed by, or under the responsible charge of, a professional engineer licensed in the appropriate branch of professional engineering.

(3) If the business name of a California engineering business contains the name of any person, then that person shall be licensed as a professional engineer, a licensed land surveyor, a licensed architect, or a geologist registered under the Geologist and Geophysicist Act (Chapter 12.5 (commencing with Section 7800)). Any offer, promotion, or advertisement by the business that contains the name of any individual in the business, other than by use of the name of an individual in the business name, shall clearly and specifically designate the license or registration discipline of each individual named.

(b) An out-of-state business with a branch office in this state shall meet the requirements of subdivision (a) and shall have an owner, partner, or officer who is in



California Laws and Rules for Engineers
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charge of the engineering work in the branch in this state, who is licensed in this state, and who is physically present at the branch office in this state on a regular basis. However, the name of the business may contain the name of any person not licensed in this state if that person is appropriately registered or licensed in another state. Any offer, promotion, or advertisement that contains the name of any individual in the business, other than by use of the names of the individuals in the business name, shall clearly and specifically designate the license or registration discipline of each individual named.

(c) The business name of a California engineering business may be a fictitious name. However, if the fictitious name includes the name of any person, the requirements of paragraph (3) of subdivision (a) shall be met.

(d) A person not licensed under this chapter may also be a partner or an officer of a civil, electrical, or mechanical engineering business if the requirements of subdivision (a) are met. This section does not permit a person who is not licensed under this chapter to be the sole owner of a civil, electrical, or mechanical engineering business, unless otherwise exempt under this chapter.

(e) This section shall not prevent the use of the name of any business engaged in rendering civil, electrical, or mechanical engineering services, including the use by any lawful successor or survivor, that lawfully was in existence on December 31, 1987. However, the business is subject to paragraphs (1) and (2) of subdivision (a).

(f) A business engaged in rendering civil, electrical, or mechanical engineering services may use in its name the name of a deceased or retired person provided all of the following conditions are satisfied:

- (1) The person's name had been used in the name of the business, or a predecessor in interest of the business, before and after the death or retirement of the person.
- (2) The person shall have been an owner, partner, or officer of the business, or an owner, partner, or officer of the predecessor in interest of the business.
- (3) The person shall have been licensed as a professional engineer, or a land surveyor, or an architect, or a geologist, (A) by the appropriate licensing board if that person is operating a place of business or practice in this state, or (B) by the applicable state board if no place of business existed in this state.



California Laws and Rules for Engineers
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(4) The person, if retired, has consented to the use of the name and does not permit the use of the name in the title of another professional engineering business in this state during the period of the consent. However, the retired person may use their name as the name of a new or purchased business if it is not identical in every respect to that person's name as used in the former business.

(5) The business shall be subject to the provisions of paragraphs (1) and (2) of subdivision (a).

(g) This section does not affect the provisions of Sections 6731.2 and 8726.1.

(h) A current organization record form shall be filed with the board for all businesses engaged in rendering civil, electrical, or mechanical engineering services.

(i) This section shall become operative on January 1, 2026.

6739.

Officers and employees of the United States of America practicing solely as such officers or employees are exempt from registration under the provisions of this chapter.

6740.

A subordinate to a civil, electrical or mechanical engineer licensed under this chapter, or a subordinate to a civil, electrical or mechanical engineer exempted from licensure under this chapter, insofar as he or she acts solely in that capacity, is exempt from licensure under the provisions of this chapter. This exemption, however, does not permit any such subordinate to practice civil, electrical or mechanical engineering in his or her own right or to use the titles listed in Sections 6732, 6736, and 6736.1.

6741.

Any person, firm, partnership, or corporation is exempt from registration under the provisions of this chapter who meets all the following:

- (a) Is a nonresident of the State of California.
- (b) Is legally qualified in another state to practice as a civil, electrical, or mechanical engineer.
- (c) Does not maintain a regular place of business in this state.



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(d) Offers to but does not practice civil, electrical, or mechanical engineering in this state.

6742.

Any person, firm, or corporation holding a license as real estate broker or real estate salesperson, when making appraisals and valuations of real estate properties, while engaged in the business or acting in the capacity of a real estate broker or a real estate salesperson, within the meaning of the Real Estate Law is exempt from registration under the provisions of this chapter.

6743.

This chapter does not affect Chapter 15 of Division 3 of this code, relating to surveyors, except insofar as this chapter is expressly made applicable.

6744.

This chapter does not require registration for the purpose of practicing civil engineering, by an individual, a member of a firm or partnership, or by an officer of a corporation on or in connection with property owned or leased by the individual, firm, partnership, or corporation, unless the civil engineering work to be performed involves the public health or safety or the health and safety of employees of the individual, firm, partnership or corporation.

6745.

This chapter does not prohibit any person, firm or corporation from furnishing, either alone or with subcontractors, labor and materials, with or without plans, drawings, specifications, instruments of service or other data covering such labor and materials:

- (a) For store fronts, interior alterations or additions, fixtures, cabinet work, furniture or other appliances or equipment.
- (b) For any work necessary to provide for their installation.
- (c) For any alterations or additions to any building necessary to or attendant upon the installation of such store fronts, interior alterations or additions, fixtures, cabinet work, furniture, appliances or equipment; provided, such alterations do not affect the structural safety of the building.



California Laws and Rules for Engineers
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6746.

Plans, specifications, reports and documents relating to communication lines and equipment prepared by employees of communications companies which come under the jurisdiction of the Public Utilities Commission, and by employees of contractors while engaged in work on communication equipment for communications companies which come under the jurisdiction of the Public Utilities Commission, are not subject to the provisions of this chapter.

6746.1.

The provisions of this chapter pertaining to licensure of professional engineers, other than civil engineers, do not apply to employees in the communications industry, nor to the employees of contractors while engaged in work on communications equipment. However, those employees may not use any of the titles listed in Sections 6732, 6736, and 6736.1, unless licensed.

6747.

(a) This chapter, except for those provisions that apply to civil engineers and civil engineering, shall not apply to the performance of engineering work by a manufacturing, mining, public utility, research and development, or other industrial corporation, or by employees of that corporation, provided that work is in connection with, or incidental to, the products, systems, or services of that corporation or its affiliates.

(b) For purposes of this section, "employees" also includes consultants, temporary employees, contract employees, and those persons hired pursuant to third-party contracts.

6748.

(a) Notwithstanding Section 6747, this chapter applies to engineering work approved by a person employed by a privately or publicly owned utility in the planning, designing, construction, operation, or maintenance of a nuclear powerplant which is owned or operated by the utility.

(b) Any engineering work subject to subdivision (a) shall be approved by a professional engineer registered in the applicable discipline of engineering specified in Section 6732.



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6749.

(a) A professional engineer shall use a written contract when contracting to provide professional engineering services to a client pursuant to this chapter. The written contract shall be executed by the professional engineer and the client or the client's representative prior to the professional engineer commencing work, unless the client knowingly states in writing that work may be commenced before the contract is executed. The written contract shall include, but not be limited to, all of the following:

(1) A description of the services to be provided to the client by the professional engineer.

(2) A description of any basis of compensation applicable to the contract, and the method of payment agreed upon by the parties.

(3) The name, address, and license or certificate number of the professional engineer, and the name and address of the client.

(4) A description of the procedure that the professional engineer and the client will use to accommodate additional services.

(5) A description of the procedure to be used by both parties to terminate the contract.

(b) This section shall not apply to any of the following:

(1) Professional engineering services rendered by a professional engineer for which the client will not pay compensation.

(2) A professional engineer who has a current or prior contractual relationship with the client to provide engineering services, and that client has paid the professional engineer all of the fees that are due under the contract.

(3) If the client knowingly states in writing after full disclosure of this section that a contract which complies with the requirements of this section is not required.

(4) Professional engineering services rendered by a professional engineer to any of the following:

(A) A professional engineer licensed or registered under this chapter.

(B) A land surveyor licensed under Chapter 15 (commencing with Section 8700).

(C) An architect licensed under Chapter 3 (commencing with Section 5500).

(D) A contractor licensed under Chapter 9 (commencing with Section 7000).

(E) A geologist or a geophysicist licensed under Chapter 12.5 (commencing with Section 7800).

(F) A manufacturing, mining, public utility, research and development, or other industrial corporation, if the services are provided in connection with or incidental to the products, systems, or services of that corporation or its affiliates.

(G) A public agency.



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(c) "Written contract" as used in this section includes a contract that is in electronic form.

Board Rules

Section 404 - Definitions

For the purpose of the rules and regulations contained in this chapter, the following terms are defined. No definition contained herein authorizes the practice of professional engineering as defined in the Professional Engineers Act.

(a) "ABET" means ABET, Inc., formerly known as the Accreditation Board for Engineering and Technology.

(b) "Agricultural engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand and apply engineering principles to the design, construction, and use of specialized equipment, machines structures and materials relating to the agricultural industry and economy. It requires knowledge of the engineering sciences relating to physical properties and biological variables of foods and fibers; atmospheric phenomena as they are related to agricultural operations; soil dynamics as related to traction, tillage and plant-soil-water relationships; and human factors relative to safe design and use of agricultural machines. The safe and proper application and use of agricultural chemicals and their effect on the environment are also concerns of the agricultural engineers. The above definition of agricultural engineering shall not be construed to permit the practice of civil, electrical or mechanical engineering, nor professional forestry.

(c) "Approved Cooperative Work-Study Engineering Curriculum" refers to any curriculum under an ABET accredited cooperative work-study engineering program.

(d) "Approved Cooperative Work-Study Land Surveying Curriculum" refers to any curriculum under an ABET accredited cooperative work-study surveying program.

(e) "Approved Engineering Curriculum" refers to any curriculum under an ABET accredited engineering program leading to a baccalaureate degree in engineering.

(f) "Approved Engineering Technology Curriculum" refers to any curriculum under an ABET accredited engineering program leading to a four-year degree or a baccalaureate degree in technology.

(g) "Approved Land Surveying Curriculum" refers to any curriculum under an ABET accredited program leading to a baccalaureate degree.

(h) "Approved Post-Graduate Engineering Curriculum" refers to any curriculum under an ABET accredited engineering program leading to a master's degree in



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engineering or to a post-graduate degree earned from an engineering program where the baccalaureate degree program is accredited by ABET.

(i) "Board" means the Board for Professional Engineers, Land Surveyors, and Geologists.

(j) "Chemical engineering" is that branch of professional engineering which embraces studies or activities relating to the development and application of processes in which chemical or physical changes of materials are involved. These processes are usually resolved into a coordinated series of unit physical operations and unit chemical processes. It is concerned with the research, design, production, operational, organizational, and economic aspects of the above. The above definition of chemical engineering shall not be construed to permit the practice of civil, electrical or mechanical engineering.

(k) "Civil engineer" refers to a person who holds a valid license in the branch of civil engineering, as defined in Section 6702 of the Code.

(l) "Civil engineering" is that branch of professional engineering as defined in Section 6731 of the Code.

(m) "Code" means the Business and Professions Code.

(n) "Consulting engineer" refers to any professional engineer who holds a valid license under the provisions of the code, or a person who possesses a valid authorization issued pursuant to Section 6732.2 of the Code, or a person who holds a valid exemption from provisions of the chapter as provided for in Sections 6704 and 6732.1 of the Code.

(o) "Control system engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand the science of instrumentation and automatic control of dynamic processes; and requires the ability to apply this knowledge to the planning, development, operation, and evaluation of systems of control so as to insure the safety and practical operability of such processes. The above definition of control system engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

(p) "Corrosion engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand the environmental corrosion behavior of materials; and requires the ability to apply this knowledge by recommending procedures for control, protection and cost effectiveness, resulting from the investigation of corrosion causes or theoretical reactions. The above definition of corrosion engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.



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- (q) "Electrical engineer" refers to a person who holds a valid license in the branch of electrical engineering, as defined in Section 6702.1 of the Code.
- (r) "Electrical engineering" is that branch of professional engineering as defined in Section 6731.5 of the Code.
- (s) "Engineer-in-training" refers to a person who has been granted a certificate as an "engineer-in-training" in accordance with Section 6756 of the Code.
- (t) "Fire protection engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand the engineering problems relating to the safeguarding of life and property from fire and fire-related hazards; and requires the ability to apply this knowledge to the identification, evaluation, correction, or prevention of present or potential fire and fire related panic hazards in buildings, groups of buildings, or communities, and to recommend the arrangement and use of fire resistant building materials and fire detection and extinguishing systems, devices, and apparatus in order to protect life and property. The above definition of fire protection engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.
- (u) For the sole purpose of investigating complaints and making findings thereon under Sections 6775 and 8780 of the Code, "incompetence" as used in Sections 6775 and 8780 of the Code is defined as the lack of knowledge or ability in discharging professional obligations as a professional engineer or land surveyor.
- (v) "Industrial engineering" is that branch of professional engineering which requires such education and experience as is necessary to investigate, to design, and to evaluate systems of persons, materials and facilities for the purpose of economical and efficient production, use, and distribution. It requires the application of specialized engineering knowledge of the mathematical and physical sciences, together with the principles and methods of engineering analysis and design to specify, predict, and to evaluate the results to be obtained from such systems. The above definition of industrial engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.
- (w) "Land surveying" is that practice defined in Section 8726 of the Code.
- (x) "Land surveyor" refers to a person who holds a valid license as a land surveyor, as defined in Section 8701 of the Code.
- (y) "Land surveyor-in-training" refers to a person who has been granted a certificate as a "land surveyor-in-training" in accordance with Section 8747(a) of the Code.
- (z) "Manufacturing engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand and apply engineering procedures in manufacturing processes and methods of production of



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industrial commodities and products; and requires the ability to plan the practices of manufacturing, to research and develop the tools, processes, machines, and equipment, and to integrate the facilities and systems for producing quality products with optimal expenditure. The above definition of manufacturing engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

(aa) "Mechanical engineer" refers to a person who holds a valid license in the branch of mechanical engineering, as defined in Section 6702.2 of the Code.

(bb) "Mechanical engineering" is that branch of professional engineering as defined in Section 6731.6 of the Code.

(cc) "Metallurgical engineering" is that branch of professional engineering, which requires such education and experience as is necessary to seek, understand and apply the principles of the properties and behavior of metals in solving engineering problems dealing with the research, development and application of metals and alloys; and the manufacturing practices of extracting, refining and processing of metals. The above definition of metallurgical engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

(dd) For the sole purpose of investigating complaints and making findings thereon under Sections 6775 and 8780 of the Code, "negligence" as used in Sections 6775 and 8780 of the Code is defined as the failure of a licensee, in the practice of professional engineering or land surveying, to use the care ordinarily exercised in like cases by duly licensed professional engineers and land surveyors in good standing.

(ee) "Non-Approved Engineering Curriculum" refers to any engineering program that has not been accredited by ABET.

(ff) "Non-Approved Land Surveying Curriculum" refers to any land surveying program that has not been accredited by ABET.

(gg) "Nuclear engineering" is that branch of professional engineering which requires such education and experience as is necessary to apply the principles of nuclear physics to the engineering utilization of nuclear phenomena for the benefit of mankind; it is also concerned with the protection of the public from the potential hazards of radiation and radioactive materials. Nuclear engineering is primarily concerned with interaction of radiation and nuclear particles with matter. Nuclear engineering requires the application of specialized knowledge of the mathematical and physical sciences, together with the principles and methods of engineering design and nuclear analysis to specify, predict and evaluate the behavior of systems involving nuclear reactions, and to ensure the safe, efficient operation of these systems, their nuclear products and by-products. Nuclear engineering



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encompasses, but is not limited to, the planning and design of the specialized equipment and process systems of nuclear reactor facilities; and the protection of the public from any hazardous radiation produced in the entire nuclear reaction process. These activities include all aspects of the manufacture, transportation and use of radioactive materials. The above definition of nuclear engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

(hh) "Petroleum engineering" is that branch of professional engineering which embraces studies or activities relating to the exploration, exploitation, location, and recovery of natural fluid hydrocarbons. It is concerned with research, design, production, and operation of devices, and the economic aspects of the above. The above definition of petroleum engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

(ii) "Professional engineer" refers to a person engaged in the practice of professional engineering as defined in Section 6701 of the Code.

(jj) "Professional engineering" within the meaning of this chapter comprises the following branches: agricultural engineering, chemical engineering, civil engineering, control systems engineering, corrosion engineering, electrical engineering, fire protection engineering, industrial engineering, manufacturing engineering, mechanical engineering, metallurgical engineering, nuclear engineering, petroleum engineering, quality engineering, safety engineering, and traffic engineering.

(kk) "Quality engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand and apply the principles of product and service quality evaluation and control in the planning, development and operation of quality control systems, and the application and analysis of testing and inspection procedures; and requires the ability to apply metrology and statistical methods to diagnose and correct improper quality control practices to assure product and service reliability and conformity to prescribed standards. The above definition of quality engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

(ll) "Safety engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand the engineering principles essential to the identification, elimination and control of hazards to people and property; and requires the ability to apply this knowledge to the development, analysis, production, construction, testing, and utilization of systems, products, procedures and standards in order to eliminate or optimally control hazards. The above definition of safety engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.



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(mm) "Soil engineer" refers to a civil engineer who holds a valid authorization to use the title "soil engineer," as provided in Section 6736.1 of the Code.

(nn) "Soil engineering," as it relates to the authorization to use the title "soil engineer," is the investigation and engineering evaluation of earth materials including soil, rock, groundwater and man-made materials and their interaction with earth retention systems, structural foundations and other civil engineering works. The practice involves application of the principles of soil mechanics and the earth sciences, and requires a knowledge of engineering laws, formulas, construction techniques and performance evaluation of civil engineering works influenced by earth materials.

The terms "geotechnical engineer" and "soils engineer" are deemed to be synonymous with the term "soil engineer."

(oo) "Structural engineer" refers to a civil engineer who holds a valid authorization to use the title "structural engineer," as provided in Section 6736 of the Code.

(pp) "Structural engineering" for the purposes of structural authority is the application of specialized civil engineering knowledge and experience to the design and analysis of buildings (or other structures) which are constructed or rehabilitated to resist forces induced by vertical and horizontal loads of a static and dynamic nature. This specialized knowledge includes familiarity with scientific and mathematical principles, experimental research data and practical construction methods and processes. The design and analysis shall include consideration of stability, deflection, stiffness and other structural phenomena that affect the behavior of the building (or other structure).

(qq) "Traffic engineering" is that branch of professional engineering which requires such education and experience as is necessary to understand the science of measuring traffic and travel and the human factors relating to traffic generation and flow; and requires the ability to apply this knowledge to planning, operating, and evaluating streets and highways and their networks, abutting lands and interrelationships with other modes of travel, to provide safe and efficient movement of people and goods. The above definition of traffic engineering shall not be construed to permit the practice of civil, electrical, or mechanical engineering.

Section 412 - Address Change

Current through Register 2024 Notice Reg. No. 38, September 20, 2024

Each person who is an applicant for or a holder of a certificate or license issued by the Board shall file his or her address of record with the Board. Within thirty (30)



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days after any change to his or her address of record, he or she shall notify the Board in writing of such change.

Section 461 - Testing Laboratory Reports

Reports issued by Testing Laboratories shall be prepared by or under the supervision of a licensed civil, electrical, or mechanical engineer, as appropriate, and signed or sealed by him/her whenever such reports go beyond the tabulation of test data (composition of material, breaking stress, et cetera) and proceeds to:

- (a) Interpret the data to draw conclusions as to the characteristics of a civil engineering structure, an electrical or mechanical device, or parts thereof.
- (b) Express civil, electrical, or mechanical engineering judgment in the form of recommendations derived from the results of the test.
- (c) Perform design work in the preparation of plans, specifications, and other instruments requiring licensure as a civil, electrical, and/or mechanical engineer.

Section 474 - Establishment of Criteria

The criteria for the selection of a contractor are: professional excellence, demonstrated competence, specialized experience of the person, education and experience, ability to meet schedules, nature and quality of completed work, reliability of the person, location and other considerations the Executive Officer deems necessary to the performance of the contract.

Section 474.1 - Request for Qualifications

- (a) Where a project requires professional engineering or land surveying services the Executive Officer shall make a statewide request for qualifications through the publications of the respective professional societies and in other appropriate publications.
- (b) The request for qualifications shall contain the following information: the nature of the work, the criteria upon which the award shall be made, the name of the contact person, the address to send statements of qualifications and performance data, and the deadline by which the statements must be received.
- (c) The Executive Officer shall provide a copy of each request for qualifications to all small businesses who have indicated an interest in receiving the request. A failure of the Executive Officer to send a copy of a request for qualifications to any person shall not operate to preclude any contract.



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Section 474.2 - Selection of Engineers and Land Surveyors

After expiration of the deadline stated in the publications, as specified in Section 474.1, the Executive Officer, in conjunction with no less than three persons selected by the Executive Officer, shall evaluate statements of qualifications and performance data of firms which have been submitted to the Board. Based upon the statement of qualifications and performance data, a list ranking the qualified firms will be made. From a list of three or more qualified firms, the Executive Officer shall select the first three ranked firms for contract negotiation to provide the services required. Where three qualified firms cannot be found which could provide the required service, the Executive Officer may then select from the available firms or issue a new request for proposal. Selections based on less than three firms must be documented with the names and addresses of firms contacted by the Executive Officer and the reasons why the provisions of this section could not be met. This documentation shall be maintained in the Boards Contract file.

Section 474.5 - Contracting in Phases

Should the Board determine that it is necessary or desirable to have a given project performed in phases, it will not be necessary to negotiate the total contract price or compensation provisions in the initial instance, provided that the Board shall have determined that the person is best qualified to perform the whole project at a fair and reasonable cost, and the contract contains provisions that the Board, at its option, may utilize the person for other phases and that the person will accept a fair and reasonable price for subsequent phases to be later negotiated and reflected in a subsequent written instrument. The procedure with regard to negotiation provided for in Section 6106 of the Public Contract Code shall be applicable.



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Engineering Disciplines

An engineers initial area of practice (a.k.a. area of competency, discipline, or **branch**) is typically identified through NCEES P.E. examination and initial licensure. California requires additional exams to qualify in some **branches** such as civil and structural. License applications require identification of a **branch** and the Board grants P.E. licenses in the following **branches**, with the major branches in **bold**:

- Agricultural
- Chemical
- **Civil**
- Control System
- **Electrical**
- Fire Protection
- Industrial
- **Mechanical**
- Metallurgical
- Nuclear
- Petroleum
- Traffic

Branch letter designations are listed on seals. P.E.s may use the title corresponding to their branch. For example a P.E. licensed in “civil” can use the title “Civil Engineer”.

Structural engineering is a separate profession from professional engineering. Structural is spelled out on seals (not just letter designations) for those licensed as structural engineers (SE).

Civil engineers can perform structural engineering and **incidental** land surveying within the parameters in the Laws and Rules.

Licensees should only undertake assignments in technical fields in which they are **competent and proficient by education and/or experience**.



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Professional Engineers Act

6731.2.

Any registered civil engineer may offer to practice, procure, and offer to procure, land surveying work **incidental** to his or her civil engineering practice, even though he or she is not authorized to perform that work, provided all the land surveying work is performed by, or under the direction of, a licensed land surveyor or registered civil engineer authorized to practice land surveying. Further, any registered civil engineer may manage or conduct as manager, proprietor, or agent, a civil engineering practice which offers to practice, procure, and offers to procure, such **incidental** land surveying work.

6737.2.

Nothing in this chapter shall prohibit a civil engineer, registered under the provisions of this chapter, from practicing or offering to practice any engineering **in connection with** or **supplementary** to civil engineering studies or activities as defined in Section 6731.

6787.

A person who does any of the following is guilty of a misdemeanor:

...

(f) Represents themselves as, or uses the title of, a licensed or registered civil, electrical, or mechanical engineer, or any other title whereby that person could be considered as practicing or offering to practice civil, electrical, or mechanical engineering in any of its **branches**, unless they are correspondingly **qualified by licensure** as a civil, electrical, or mechanical engineer under this chapter.

Board Rules

Section 415 - Practice Within Area of Competence

A professional engineer or land surveyor licensed under the Code shall practice and perform engineering or land surveying work only in the field or fields in which he/she is by **education and/or experience** fully **competent and proficient**.

Nothing in this regulation shall be construed:

(1) to prohibit a professional engineer from signing plans which include engineering work in areas other than that in which he/she is fully **competent** and



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proficient, if such work was performed by other engineers who were fully **competent and proficient** in such work;

(2) to prohibit a professional engineer from performing engineering work or a land surveyor from performing land surveying work in areas which involve the application of new principles, techniques, ideas or technology;

(3) to prohibit a professional engineer from supervising other engineers or a land surveyor from supervising other land surveyors who may respectively be performing engineering work or land surveying work in areas other than those in which the supervising professional engineer or supervising land surveyor is fully **competent and proficient**; and

(4) to prohibit a professional engineer from signing plans which include engineering work, portions of which were designed or required by any governmental agency.

Guide to Engineering and Land Surveying for Officials

FAQs

33. Can a civil engineer sign mechanical or electrical engineering drawings if the civil engineer is not licensed in those disciplines? (B&P Code § 6737.2)

Yes, as long as the electrical or mechanical work is in connection with or supplementary to civil engineering work.



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Responsible Charge

Engineering design work must be prepared under a responsible licensee with **independent control and direction** or **direct engineering control**. 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 California 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.

Professional Engineers Act

6703.

The phrase “**responsible charge** of work” means the **independent control and direction**, by the use of initiative, skill, and independent judgment, of the investigation or design of professional engineering work or the **direct engineering control** of such projects. The phrase does not refer to the concept of financial liability.

Board Rules

Section 404.1 - Responsible Charge - Professional Engineering

(a) As used in the Professional Engineers Act, the term “**responsible charge**” directly relates to the extent of control a professional engineer is required to maintain while exercising independent control and direction of professional engineering services or creative work and to the engineering decisions which can be made only by a professional engineer.

(1) Extent of Control. The extent of control necessary to be in **responsible charge** shall be such that the engineer:

(A) Makes or reviews and approves the engineering decisions defined and described in subdivision (a)(2) below.

(B) In making or reviewing and approving the engineering decisions, determines the applicability of design criteria and technical recommendations provided by others before incorporating such criteria or recommendations.



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(2) Engineering Decisions. The term "responsible charge" relates to engineering decisions within the purview of the Professional Engineers Act.

Engineering decisions which must be made by and are the responsibility of the engineer in **responsible charge** are those decisions concerning permanent or temporary projects which could create a hazard to life, health, property, or public welfare, and may include, but are not limited to:

(A) The selection of engineering alternatives to be investigated and the comparison of alternatives for the project.

(B) The selection or development of design standards or methods, and materials to be used.

(C) The decisions related to the preparation of engineering plans, specifications, calculations, reports, and other documents for the engineered works.

(D) The selection or development of techniques or methods of testing to be used in evaluating materials or completed projects, either new or existing.

(E) The review and evaluation of manufacturing, fabrication, or construction methods or controls to be used and the evaluation of test results, materials, and workmanship insofar as they affect the character and integrity of the completed project.

(F) The development and control of operating and maintenance procedures.

(3) Reviewing and Approving Engineering Decisions. In making or reviewing and approving engineering decisions, the engineer shall be physically present or shall review and approve through the use of communication devices the engineering decisions prior to their implementation.

(b) **Responsible Charge** Criteria. In order to evaluate whether an engineer is in responsible charge, the following must be considered: The professional engineer who signs engineering documents must be capable of answering questions asked by individuals who are licensed by the Board in the appropriate branch of professional engineering relevant to the project and who are fully competent and proficient by education and experience in the field or fields of professional engineering relevant to the project. These questions would be relevant to the engineering decisions made during the individual's participation in the project, and in sufficient detail to leave little question as to the engineer's technical knowledge of the engineering performed. It is not necessary to defend decisions as in an adversarial situation, but only to demonstrate that the individual in **responsible charge** made, or reviewed and approved, them and possessed sufficient knowledge of the project to make, or review and approve, them.



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Examples of questions to be answered by the engineer could relate to criteria for design, methods of analysis, methods of manufacture and construction, selection of materials and systems, economics of alternate solutions, and environmental considerations. The individual should be able to clearly express the extent of control and how it is exercised and to demonstrate that the engineer is answerable within said extent of control.

(c) Successor Licensee. In situations when the professional engineer in **responsible charge** of an engineering project is unavailable to complete the project or when the project is a site specific adaptation of a previous design, a professional engineer (hereinafter referred to as the "successor licensee") may assume **responsible charge** of the project as long as the successor licensee exercises the requisite extent of control and assumes responsibility for the engineering decisions as required by subdivision (a) and meets the criteria described in subdivision (b), as well as meeting the requirements of the Professional Engineers Act and Sections 411 and 415. Except as provided in Section 6735, 6735.3, and 6735.4 of the Code, the original licensee is not relieved of any responsibility arising from the engineering services of which he or she was in responsible charge.

(d) Portions of Projects. Nothing in this section prohibits a professional engineer from providing services for portions of or to add to or to modify an engineering project engineered under the **responsible charge** of another licensee as long as the professional engineer exercises the requisite extent of control and assumes responsibility for the engineering decisions as required by subdivision (a) and meets the criteria described in subdivision (b), as well as meeting the requirements of the Professional Engineers Act and Sections 411 and 415. The professional engineer need only be in **responsible charge** of the portions, additions, or modifications or the portion of the project affected by the addition or modification and not of the entire project. Except as provided in Sections 6735(b), 6735.3(b), and 6735.4(b) of the Code, the original licensee is not relieved of any responsibility arising from the engineering services of which he or she was in responsible charge.

(e) The term "responsible charge" does not refer to any of the following:

- (1) the concept of financial liability;
- (2) management control in a hierarchy of professional engineers except as each of the individuals in the hierarchy exercises independent engineering judgment and thus responsible charge;



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(3) such administrative and management functions as accounting, labor relations, personnel performance standards, marketing of services, or goal setting. While an engineer may also have such duties in this position, it should not enhance or decrease one's status of being in **responsible charge** of the engineering.

Section 411 - Seal and Signature

... (g) (1) All professional engineering plans, specifications, reports, or documents (hereinafter referred to as "documents") shall be signed and sealed in accordance with the requirements of the Professional Engineers Act and any other laws related to the practice of professional engineering and shall be signed and sealed in a manner such that all work can be clearly attributed to the licensee(s) in **responsible charge** of the work.

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

Sign and seal requirements are found in Laws and Board Rules. Here are highlights that may differ from requirements in other states:

- Seal outer diameter minimum 1.5"
- Branch name near bottom of seal
- Add date immediately below or next to the signature
- Ink color not specified
- Seal each drawing
- Seal cover/index/sign-page of reports, specifications, calculations, etc.
- If multiple P.E.'s, indicate responsible pages or sections for each
- Acceptable forms of signature:
 - Hand signature with wet (rubber ink) stamp, embossed/impression/pocket seal, or printed image of seal
 - Rubber stamp of signature is NOT acceptable
 - Digital/electronic signature
 - Digital seal image with digital signature
 - Adobe, Bluebeam, & DocuSign e-signatures appear acceptable



Laws and Rules

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

Professional Engineers Act

6735.

(a) All civil (including structural and geotechnical) engineering plans, calculations, specifications, and reports (hereinafter referred to as "documents") shall be prepared by, or under the responsible charge of, a licensed civil engineer and shall include his or her name and license number. Interim documents shall include a notation as to the intended purpose of the document, such as "preliminary," "not for construction," "for plan check only," or "for review only." All civil engineering plans and specifications that are permitted or that are to be released for construction shall bear the signature and seal or stamp of the licensee and the date of signing and sealing or stamping. All final civil engineering calculations and reports shall bear the signature and seal or stamp of the licensee, and the date of signing and sealing or



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stamping. If civil engineering plans are required to be signed and sealed or stamped and have multiple sheets, the signature, seal or stamp, and date of signing and sealing or stamping shall appear on each sheet of the plans. If civil engineering specifications, calculations, and reports are required to be signed and sealed or stamped and have multiple pages, the signature, seal or stamp, and date of signing and sealing or stamping shall appear at a minimum on the title sheet, cover sheet, or signature sheet.

(b) Notwithstanding subdivision (a), a licensed civil engineer who signs civil engineering documents shall not be responsible for damage caused by subsequent changes to or uses of those documents, if the subsequent changes or uses, including changes or uses made by state or local governmental agencies, are not authorized or approved by the licensed civil engineer who originally signed the documents, provided that the engineering service rendered by the civil engineer who signed the documents was not also a proximate cause of the damage.

Board Rules

Section 411 - Seal and Signature

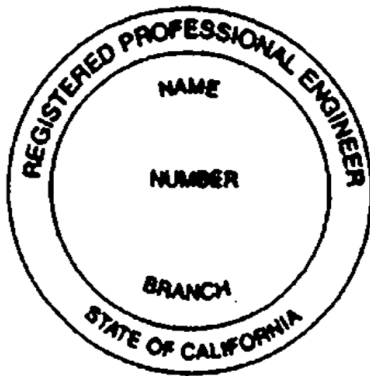
(a) The seal required by Section 6764 of the Code shall be not less than one and one-half (1 1/2) inches in diameter and shall contain the following information:

- (1) Within the top border of seal: Either "Professional Engineer," "Registered Professional Engineer," or "Licensed Professional Engineer."
- (2) Within the bottom border of seal: "State of California."
- (3) In the center of seal:
 - (A) Licensee's name as it appears on the certificate issued by the Board or as abbreviated pursuant to subdivision (d);
 - (B) Number of certificate or authority; and,
 - (C) Branch or authority of engineering in which licensed.

The seal shall be of a design similar to those shown below and shall bear at minimum those elements specified above.



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...

(c) The seal may be obtained by the licensee from any source.

(d) The seal may contain an abbreviated form of the licensee's given name or a combination of initials representing the licensee's given name provided the surname listed with the Board appears on the seal and in the signature.

(e) The seal shall be capable of leaving a permanent ink representation, a permanent impression, or an electronically-generated representation on the documents. The signature may be applied to the documents electronically.

(f) Preprinting of blank forms with the seal or signature, the use of decals of the seal or signature, or the use of a rubber stamp of the signature is prohibited.

(g)

(1) All professional engineering plans, specifications, reports, or documents (hereinafter referred to as "documents") shall be signed and sealed in accordance with the requirements of the Professional Engineers Act and any other laws related to the practice of professional engineering and shall be signed and sealed in a manner such that all work can be clearly attributed to the licensee(s) in responsible charge of the work.

...

(3) When signing and sealing documents containing work done by, or under the responsible charge of, two or more licensees, the signature and seal of each licensee in responsible charge shall be placed on the documents with a notation describing the work done under each licensee's responsible charge.



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(h) Each licensee shall include the date of signing and sealing immediately below or next to the signature and seal.

Guide to Engineering and Land Surveying for Officials

SIGNING AND SEALING

30. What engineering documents are required to be signed and sealed?

(B&P Code §§ 6735, 6735.3, 6735.4; 16 CCR § 411)

All final civil (including geotechnical and structural), electrical, or mechanical engineering plans, specifications, reports, or documents must bear the professional engineer's seal or stamp, as well as his/her signature. If there are multiple pages, the seal or stamp, and signature must appear on each sheet of the plans, and on the original title page of the specifications, calculations and reports. Each licensee shall include the date of signing and sealing immediately below or next to the signature and seal.

Interim (non-final) documents are not required to be signed and sealed. However, the interim documents must include the name and license number of the engineer, as well as a notation as to their intended purpose, such as "for review only," "not for construction," or "draft."

31. Are professional engineers and land surveyors required to include their license expiration date when they sign and seal engineering or land surveying documents?

(B&P Code §§ 6735, 6735.3, 6735.4, 6764, 8750, 8761 & 8764.5)

No. January 1, 2010, professional engineers and land surveyors are no longer required to include their license expiration date when they sign and seal engineering or land surveying documents. It is also no longer required that the license expiration date be included in their professional seal/stamp.

32. Are electronic seals and/or signatures acceptable?

(16 CCR § 411)

Yes. Licensed engineers may choose to affix their signature and seals to their documents through electronic means. However, a rubber stamp of the signature is prohibited and may not be used. A rubber stamp for the seal is acceptable. Local agencies may adopt ordinances or regulations requiring "wet" stamps and/or signatures.



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33. Can a civil engineer sign mechanical or electrical engineering drawings if the civil engineer is not licensed in those disciplines?

(B&P Code § 6737.2)

Yes, as long as the electrical or mechanical work is in connection with or supplementary to civil engineering work.

34. Who can sign and seal for the engineering design of building components? (B&P Code § 6735; 16 CCR §§ 404.1, 411)

A licensed engineer designing a portion of a building is in responsible charge of the engineering of that portion of the project and is required to seal and sign the documents related to that portion of the project. The licensed engineer must indicate on all documents exactly which portions he or she is in responsible charge of.

14

35. What happens when a licensed engineer does not complete a project and a new licensed engineer takes over? (16 CCR §§ 404.1, 411)

The new licensed engineer (successor licensee) may assume responsible charge of a project and complete the design as long as he or she exercises the extent of control and assumed responsibility for the engineering decisions. Thus, this successor licensee must review drawings, calculations, studies, etc., to the degree that meets the responsible charge criteria.

The successor licensee cannot be required to assume responsibility for portions of the project where responsible charge was by the original licensed engineer (stamped and signed by the original licensed engineer). However, the original licensed engineer is not relieved of any responsibility arising from engineering services of which he or she was in responsible charge (documents stamped and signed only by the original licensed engineer).

36. Can a licensed engineer modify or add to a project for which another licensed engineer is in responsible charge? (16 CCR § 404.1)

The licensed engineer (called a "successor licensee") can modify or add to a project which has been designed under the responsible charge of another licensed engineer.

The "successor licensee" must exercise the requisite extent of control and assume the responsibility for the engineering decisions for all new work and for the effect the



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new work has on the existing work. The “successor licensee” is not required to assume responsible charge of the entire project.

37. Can a licensed engineer be in responsible charge of only a portion or portions of a project? (16 CCR § 404.1)

The licensed engineer may provide services for a portion or portions of an engineering project as long as he or she exercises the requisite extent of control and assumes the responsibility for the engineering decisions relating to those portions. The licensed engineer is not required to assume responsible charge of the entire project.

38. Can a local agency require all engineering documents that are submitted for review to be signed and sealed?

(B&P Code §§ 6735, 6735.3, 6735.4)

A local agency may adopt ordinances or regulations to require that all engineering documents submitted for review be signed and sealed. However, the interim documents, even if signed and sealed, must still contain the interim notation as required by state law.

39. What information must be included in a professional engineer’s seal?

The professional engineer’s seal (stamp or digital representation) must contain the licensed engineer’s name, license number, and branch or authority of engineering in which licensed.



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Professional Conduct and Ethics

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

Professional Engineers Act

6775.

The board may, upon its own initiative or upon the receipt of a complaint, investigate the actions of any professional engineer licensed under this chapter and make findings thereon.

By a majority vote, the board may publicly reprove, suspend for a period not to exceed two years, or revoke the certificate of any professional engineer licensed under this chapter on any of the following grounds:

- (a) Any conviction of a crime substantially related to the qualifications, functions, and duties of a licensed professional engineer, in which case the certified record of conviction shall be conclusive evidence thereof.
- (b) Any deceit, misrepresentation, or fraud in his or her practice.
- (c) Any negligence or incompetence in his or her practice.
- (d) A breach or violation of a contract to provide professional engineering services.
- (e) Any fraud, deceit, or misrepresentation in obtaining his or her certificate as a professional engineer.
- (f) Aiding or abetting any person in the violation of any provision of this chapter or any regulation adopted by the board pursuant to this chapter.
- (g) A violation in the course of the practice of professional engineering of a rule or regulation of unprofessional conduct adopted by the board.
- (h) A violation of any provision of this chapter or any other law relating to or involving the practice of professional engineering.

6775.1.

The board may, upon its own initiative or upon the receipt of a complaint, investigate the actions of any engineer-in-training and make findings thereon.

By a majority vote, the board may revoke the certificate of any engineer-in-training:

- (a) Who has been convicted of a crime as defined in subdivision (a) of Section 480.
- (b) Who has committed any act that would be grounds for denial of licensure pursuant to Section 480 or 496.



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- (c) Who has committed any act of fraud, deceit, or misrepresentation in obtaining his or her engineer-in-training certificate or certificate of registration, certification, or authority as a professional engineer.
- (d) Who aids or abets any person in the violation of any provision of this chapter or any regulation adopted by the board pursuant to this chapter.
- (e) Who violates Section 119 with respect to an engineer-in-training certificate.
- (f) Who commits any act described in Section 6787.
- (g) Who violates any provision of this chapter or any regulation adopted by the board pursuant to this chapter.

6775.2.

The failure of, or refusal by, a licensee or a certificate holder to respond to a written request from a representative of the board in the investigation of a complaint against that licensee or certificate holder constitutes a cause for disciplinary action under Section 6775 or 6775.1.

6785.

The board shall have the power, duty, and authority to investigate violations of the provisions of this chapter.

6786.

It is the duty of the respective members of the legal system to prosecute all persons charged with the violation of any of the provisions of this chapter.

It is the duty of the executive officer of the board, under the direction of the board, to aid these officers in the enforcement of this chapter.

6787.

A person who does any of the following is guilty of a misdemeanor:

- (a) Unless the person is exempt from licensure under this chapter, practices or offers to practice civil, electrical, or mechanical engineering in this state according to this chapter without legal authorization.
- (b) Presents or attempts to file as the person's own the certificate of licensure of a licensed professional engineer unless they are the person named on the certificate of licensure.
- (c) Gives false evidence of any kind to the board, or to any board member, in obtaining a certificate of licensure.



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- (d) Impersonates or uses the seal, signature, or license number of a licensed professional engineer or uses a false license number.
- (e) Uses an expired, suspended, surrendered, or revoked license.
- (f) Represents themselves as, or uses the title of, a licensed or registered civil, electrical, or mechanical engineer, or any other title whereby that person could be considered as practicing or offering to practice civil, electrical, or mechanical engineering in any of its branches, unless they are correspondingly qualified by licensure as a civil, electrical, or mechanical engineer under this chapter.
- (g) Unless appropriately licensed, manages, or conducts as manager, proprietor, or agent, any place of business from which civil, electrical, or mechanical engineering work is solicited, performed, or practiced, except as authorized pursuant to Section 8726.1.
- (h) Uses the title, or any combination of that title, of "professional engineer," "licensed engineer," "registered engineer," or the branch titles specified in Section 6732, or the authority titles specified in Sections 6736 and 6736.1, or "engineer-in-training," or makes use of any abbreviation of that title that might lead to the belief that the person is a licensed engineer, is authorized to use the titles specified in Section 6736 or 6736.1, or holds a certificate as an engineer-in-training, without being licensed, authorized, or certified as required by this chapter.
- (i) Uses the title "consulting engineer" without being licensed as required by this chapter or without being authorized to use that title pursuant to legislation enacted at the 1963, 1965, or 1968 Regular Session.
- (j) Violates any provision of this chapter.

6788.

Any person who violates any provision of subdivisions (a) to (j), inclusive, of Section 6787 in connection with the offer or performance of engineering services for the repair of damage to a residential or nonresidential structure caused by a disaster for which a state of emergency is proclaimed by the Governor pursuant to Section 8625 of the Government Code, or for which an emergency or major disaster is declared by the President of the United States, shall be punished by a fine up to ten thousand dollars (\$10,000), or by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for 16 months, or for two or three years, or by both the fine and imprisonment, or by a fine up to one thousand dollars (\$1,000), or by imprisonment in a county jail not exceeding one year, or by both the fine and imprisonment.



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6789.

- (a) If a licensee who is retained as an expert witness enters into a nondisclosure agreement, that agreement shall not be construed to prevent the licensee from reporting a potential violation of the Professional Engineers Act to the board.
- (b) This section shall not be construed to be, or act as, a waiver of any applicable attorney-client or attorney work product privileges.

Board Rules

Section 416 - Substantial Relationship Criteria

- (a) For the purpose of denial, suspension, or revocation of the certification of an engineer-in-training or a land surveyor-in-training or license of a professional engineer or a land surveyor pursuant to Section 141, Division 1.5 (commencing with Section 475), subdivision (a) of Section 6775, subdivision (a) of Section 6775.1, Section 6779, subdivision (e) of Section 8780, subdivision (a) of Section 8780.1, or Section 8783 of the Business and Professions Code, a crime, professional misconduct, or act shall be considered substantially related to the qualifications, functions, and duties of a professional engineer or land surveyor if, to a substantial degree, it evidences present or potential unfitness of a professional engineer or land surveyor to perform the functions authorized by the license in a manner consistent with the public health, safety, or welfare.
- (b) In making the substantial relationship determination required under subdivision (a) for a crime, the Board shall consider all of the following criteria:
 - (1) The nature and gravity of the offense.
 - (2) The number of years elapsed since the date of the offense.
 - (3) The nature and duties of a professional engineer or land surveyor.
- (c) For purposes of subdivision (a), substantially related crimes, professional misconduct, or acts shall include, but are not limited to, the following:
 - (1) For engineers-in-training and professional engineers, any violations of the provisions of the Professional Engineers Act or other state or federal laws governing the practice of professional engineering or aiding and abetting any person in such a violation;
 - (2) For land surveyors-in-training and professional land surveyors, any violations of the provisions of the Professional Land Surveyors' Act or other state or federal laws governing the practice of land surveying or aiding and abetting any person in such a violation;



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(3) A conviction of a crime arising from or in connection with the practice of professional engineering or land surveying.

Section 474.3 - Conflict of Interest/Unlawful Activity

Governmental agency employees who are related to persons seeking to contract under these regulations shall not participate in any aspect of the contract review or selection process.

Further, any practice that results in an unlawful activity including, but not limited to, rebates, kickbacks, or any other unlawful consideration shall be prohibited.

Section 475 - Code of Professional Conduct - Professional Engineering

To protect and safeguard the health, safety, welfare, and property of the public, every person who is licensed by the Board as a professional engineer, including licensees employed in any manner by a governmental entity or in private practice, shall comply with this Code of Professional Conduct. A violation of this Code of Professional Conduct in the practice of professional engineering constitutes unprofessional conduct and is grounds for disciplinary action pursuant to Section 6775 of the Code. This Code of Professional Conduct shall be used for the sole purpose of investigating complaints and making findings thereon under Section 6775 of the Code.

(a) Compliance with Laws Applicable to a Project:

A licensee shall provide professional services for a project in a manner that is consistent with the laws, codes, ordinances, rules, and regulations applicable to that project. A licensee may obtain and rely upon the advice of other professionals (e.g., architects, attorneys, professional engineers, professional land surveyors, and other qualified persons) as to the intent and meaning of such laws, codes, and regulations.

(b) Conflict of Interest:

(1) If a licensee provides professional services for two or more clients on a project or related projects, the licensee shall disclose in writing to those clients and property owners or their authorized representatives his or her relationship to those clients.

(2) If a licensee has a business association or a financial interest which may influence his or her judgment in connection with the performance of professional services, the licensee shall fully disclose in writing to his or her client(s) or employer(s) the nature of the business association or the financial interest.



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(3) A licensee shall not solicit or accept payments, rebates, refunds, or commissions, whether in the form of money or otherwise, from contractors or suppliers of material, systems, or equipment in return for specifying their products to a client or employer of the licensee.

(4) A licensee, while engaged by a governmental agency as an officer, employee, appointee, agent, or consultant of that agency shall not engage in a professional engineering business or activity that may be subject to that licensee's direct or indirect control, inspection, review, audit, or enforcement on behalf of that agency, unless the circumstances are disclosed to and approved by that agency in writing prior to such engagement.

(c) Representations:

(1) A licensee shall not misrepresent his or her qualifications to a prospective or existing client or employer.

(2) A licensee shall not misrepresent to a prospective or existing client the licensee's scope of responsibility in connection with projects or services for which the licensee is receiving or will receive compensation from that client.

(3) A licensee shall not misrepresent his or her scope of responsibility in connection with projects or services for which the licensee is claiming credit.

(4) A licensee shall not misrepresent nor permit the misrepresentation of his or her professional qualifications, or affiliations or the affiliations or purposes of the institutions, organizations, or other businesses with which he or she is associated.

(5) When providing information in connection with a person's application for a license to practice professional engineering, a licensee shall accurately represent his or her knowledge of the applicant's qualifications.

(6) A licensee may advertise or solicit for any services for which he or she is authorized by licensure.

(7) A licensee shall only express professional opinions that have a basis in fact or experience or accepted engineering principles.

(8) A licensee shall attribute proper credit to others for their professional work or professional contribution.

(9) A licensee shall not knowingly permit the publication or use of his or her data, reports, plans, or other professional documents for unlawful purposes.

(10) A licensee shall not falsely or maliciously injure or attempt to injure the reputation or business of others.

(11) A licensee shall not misrepresent data and/or its relative significance in any professional engineering report.



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(d) Confidential Information:

Confidential information obtained by a licensee, in his or her professional capacity, concerning a client, employer, or other related party shall not be disclosed by the licensee without the permission of the client, employer, or other related party except for the following:

- (1) Disclosures made in response to an order of the court or to a subpoena or summons enforceable by an order of the court.
- (2) Disclosures made in an adjudicatory proceeding.
- (3) Disclosures made in response to an official inquiry from a governmental regulatory agency.
- (4) Disclosures made when required by law.
- (5) Disclosures made upon discovering a hazard within the licensee's field of professional expertise which may threaten the health, safety, and welfare of the public.
- (6) Disclosures made when providing evidence to the Board regarding other licensees or unlicensed individuals who may have violated the Professional Engineers Act.
- (7) Disclosures made regarding illegal conduct.

As used in this section, "confidential information" means information identified as confidential by the licensee's client, employer, or other related party.

(e) Document Submittal:

- (1) A licensee shall not misrepresent the completeness of the professional documents he or she submits to a governmental agency.
- (2) A licensee shall not misrepresent the completeness of the professional documents he or she prepared to his or her client or to other involved parties.



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Continuing Education

There are no continuing education requirements for engineers in California.



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Helpful References

California Board of Professional Engineers, Land Surveyors, and Geologists

Board website:	https://www.bpelsg.ca.gov/
Address Change:	https://www.bpelsg.ca.gov/webapplications/apps/address_change/index.shtml
Renewal:	https://www.bpelsg.ca.gov/licensees/renewal_info.shtml
Laws & Rules:	https://www.bpelsg.ca.gov/laws/index.shtml
Prof. Engineers Act:	https://www.bpelsg.ca.gov/laws/pe_act.pdf https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=3.&chapter=7.&lawCode=BPC&article=1.
Board Rules:	https://www.bpelsg.ca.gov/laws/boardrules.pdf
Guide to Eng.:	https://www.bpelsg.ca.gov/pubs/local_officials_guide.pdf