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Delaware Laws and Rules for Engineers

by

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Delaware Laws and Rules for Engineers
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Course Outline:

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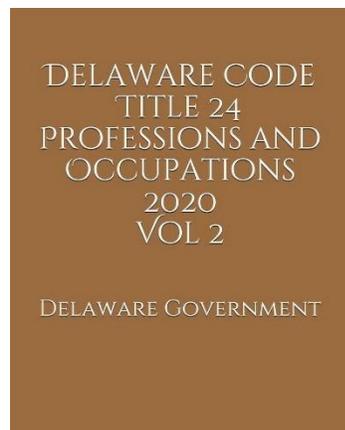
Examination



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Delaware Code

State laws (called statutes) are enacted by the Delaware General Assembly, which is a bicameral body made up of the Delaware Senate and House of Representatives. When a bill has passed, it is transmitted to the Governor for signature and then becomes law. If the Governor vetoes the bill, the General Assembly must override a veto with a 3/5 majority vote in both the Senate and House of Representatives for the bill to become law.



Passed bills (acts) from each legislative session are published chronologically in Session Laws. Next, the laws (called statutes) are added to the *Delaware Code* in the appropriate locations with numbering, formatting, annotations, and removal of replaced or repealed statutes. The codified laws are cited as Del. C., DE Code, or Del. Code.

The Delaware Code is divided into dozens of titles. Laws with relevance to engineering are in Title 24, Chapter 28, which is cited as 24 Del. C. 28, and officially called the “Delaware Professional Engineers Act”. The organization is as follows:

Delaware Code

- Title 24: Professions and Occupations
 - Chapter 28: Professional Engineers
 - Sections: 2801 to 2832
 - Paragraphs: Various

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



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Delaware Professional Engineers Act

The law dedicated to the practice of engineering is 24 Del. C. 28 known as the “Delaware Professional Engineers Act”. The Delaware Professional Engineers Act gives authority to the *Delaware Association of Professional Engineers* (DAPE) to enact the laws and manage licensing. The following is the contents with **bold** sections being of particular importance for practicing professional engineers.

MCA 37-67: Engineers and Land Surveyors

§ 2801. Short title.

§ 2802. Declaration of purpose; unlawful practice.

§ 2802A. Exemption for expert testimony.

§ 2803. Definitions.

§ 2804. Delaware Association of Professional Engineers; objectives.

§ 2805. Ownership and use of property.

§ 2806. Membership.

§ 2807. Council of the Delaware Association of Professional Engineers.

§ 2808. Council election and appointment procedure.

§ 2809. Annual election of officers.

§ 2810. Powers of the Council.

§ 2811. Council vacancies.

§ 2812. Administration.

§ 2813. Immunity of Council and committees.

§ 2814. Bylaws of the Association.

§ 2815. Bylaw approval by members.

§ 2816. Code of ethics.

§ 2817. Requirements for licensure.

§ 2818. Experience and educational equivalence.

§ 2819. Requirements for certification as an engineer intern.

§ 2821. Certificate of authorization.

§ 2822. Public works.

§ 2823. Grounds for discipline; appeals.

§ 2824. Disciplinary action; procedure.

§ 2825. Unlicensed practice.

§ 2826. Injunctive relief.

§ 2827. Annual reports.



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§ 2828. Applicability of Freedom of Information Act.

§ 2829. Seals, stamps, and signature.

§ 2830. Dating, signing and sealing.

§ 2831. Continuing professional competency.



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Delaware Association of Professional Engineers



Engineering is “self-regulating” in Delaware. The regulatory agency for professional engineering is the *Delaware Association of Professional Engineers* (DAPE), which acts similar to a “State Board” in other states. DAPE authority is established by Delaware Code. All professional engineers licensed in Delaware are members of DAPE. Currently there are over 8,500 P.E.s in Delaware.

DAPE is governed by a Council of 15 members consisting of 12 engineers and 3 public members picked by the Governor. The objectives of DAPE are as follows.

Delaware Professional Engineers Act

§2804. Delaware Association of Professional Engineers; Objectives.

There is hereby established the Delaware Association of Professional Engineers, an instrumentality of the State. The objectives of the Association and of this chapter are to: regulate the practice of engineering; to provide for the registration of qualified persons as professional engineers and the certification of engineer interns; to define the terms "engineer", "professional engineer", "engineer intern" and "the practice of engineering"; to create an organization to regulate the practice of engineering; to provide and administer qualifying examinations and grant registration to qualified persons as professional engineers; to provide for the appointment and election of members to the governing body of this Association; to define the powers and duties of the Council; to set forth the minimum qualifications and other requirements for registration as a professional engineer; for certification as an engineer intern; the granting of a permit to practice engineering, and the granting of a certificate of authorization; to set rules for the establishment of fees, expiration requirements and renewal requirements; to establish continued professional competency guidelines and requirements; and to provide for the enforcement of this chapter together with penalties for violations of the provisions of this chapter.



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DAPE Website

The DAPE website <<https://www.dape.org>> contains a variety of topics and answers to FAQs:

 <p>DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS 92 Read's Way, Suite 208 New Castle, DE 19720 Phone: 302-323-4588 Email: office@dape.org</p>			
Welcome to Delaware's Engineering Licensing Board			
<p>Professional Engineer</p> <ul style="list-style-type: none"> PE License Renewal PE Requirements How to apply Start Application Resume Application Address Update Active PE Roster Download Renewal/Wallet Card Check Application Status License Verification <p>Certificate Authorization</p> <ul style="list-style-type: none"> *CA Renewal* CA Requirements How to apply Address Change CA Roster <p>Fundamental Engineers</p> <ul style="list-style-type: none"> How to apply Exam Verification <p>Exam & Fee Information</p> <ul style="list-style-type: none"> Scheduling Fees Information <p>Complaints</p>	<p>General information about DAPE and engineering in Delaware:</p> <ul style="list-style-type: none"> Members of the Council of DAPE. Council and Committees Meetings held by Council and its Committees Differences between DAPE and NSPE-DE Why should you get licensed as a Professional Engineer How to file a complaint <p>Reference Documents:</p> <ul style="list-style-type: none"> Delaware's Engineering Code of Ethics Delaware's Professional Engineers' Act DAPE Bylaws Administrative Penalty Guidelines Continuing Professional Competency (CPC) Guidelines PDH Log Form - for late renewals (7/1/20-6/30/22) PDH Log Form - for current renewal period (7/1/22-6/30/24) PE Reinstatement Form PDH Assessment Form <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <p>Newsletters: Please select a newsletter to view:</p> <div style="border: 1px solid #ccc; padding: 2px; width: 100%;"> October 2024 Update.pdf v </div> <p><input type="button" value="View Newsletter"/></p> </td> <td style="vertical-align: top;"> <p>Board Meeting Minutes: Please select a date to view the board meeting minutes:</p> <div style="border: 1px solid #ccc; padding: 2px; width: 100%;"> 2024-09-11 Council Minutes.pdf v </div> <p><input type="button" value="View Board Minutes"/></p> </td> </tr> </table>	<p>Newsletters: Please select a newsletter to view:</p> <div style="border: 1px solid #ccc; padding: 2px; width: 100%;"> October 2024 Update.pdf v </div> <p><input type="button" value="View Newsletter"/></p>	<p>Board Meeting Minutes: Please select a date to view the board meeting minutes:</p> <div style="border: 1px solid #ccc; padding: 2px; width: 100%;"> 2024-09-11 Council Minutes.pdf v </div> <p><input type="button" value="View Board Minutes"/></p>
<p>Newsletters: Please select a newsletter to view:</p> <div style="border: 1px solid #ccc; padding: 2px; width: 100%;"> October 2024 Update.pdf v </div> <p><input type="button" value="View Newsletter"/></p>	<p>Board Meeting Minutes: Please select a date to view the board meeting minutes:</p> <div style="border: 1px solid #ccc; padding: 2px; width: 100%;"> 2024-09-11 Council Minutes.pdf v </div> <p><input type="button" value="View Board Minutes"/></p>		



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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:

Delaware Professional Engineers Act

§ 2801. Short title.

This chapter shall be known and may be cited as the “Delaware Professional Engineers Act.”

§ 2802. Declaration of purpose; unlawful practice.

In order to safeguard life, health, and property and to promote the public welfare, the practice of engineering in this State is hereby declared to be subject to regulation in the public interest. It shall be unlawful for any person to practice or to offer to practice engineering in this State; to use in connection with such person’s name, by verbal claim, sign, advertisement, letterhead, card or to in any other way, represent himself or herself to be an engineer, a professional engineer or through the use of some other title imply that such person is a professional engineer licensed under this chapter; or to advertise any title or description tending to convey the impression that such person is a professional engineer unless such person has been duly licensed, authorized or exempted under this chapter. The right to engage in the practice of engineering shall be deemed a personal right based on the qualifications of the individual as evidenced by such person’s certificate of licensure, which shall not be transferable.

§ 2802A. Exemption for expert testimony.

Nothing in § 2802 of this title shall be construed as prohibiting an otherwise qualified engineer, duly licensed under the laws of a state other than Delaware, from offering expert testimony in any action or proceeding in the courts of this State, consistent with the requirements of Delaware Uniform Rule of Evidence 702.

§ 2803. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them, except where the context clearly indicates a different meaning;



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- (1) "Active roster" shall mean the record of members, associate members, permittees and holders of a certificate of authorization.
- (2) "Adjunct member" shall mean an adjunct member of the Association, as defined in § 2806(d) of this title.
- (3) "Administrative order" means an order issued by an investigating committee, with the prior approval of the Council pursuant to § 2824(b)(1)g.1. of this title, which attempts to resolve a complaint of a violation under § 2823 of this title. Administrative orders become final 14 days from the day the order is received by the accused but only if there is positive proof of service, such as a signed return receipt or an affidavit of personal service.
- (4) "Affiliate member" shall mean an affiliate member of the Association, as defined in § 2806(c) of this title.
- (5) "Applicant" shall mean a person who applies to become licensed as a professional engineer, applies to become certified as engineer intern, applies to become an adjunct member of the association, or applies for a certificate of authorization or permit.
- (6) "Associate member" shall mean an associate member of the Association, as defined in § 2806(b) of this title.
- (7) "Association" shall mean the Delaware Association of Professional Engineers.
- (8) "Bylaw" shall mean a bylaw of the Association.
- (9) "Certificate of authorization" shall mean an authorization issued by the Council to engage in the practice of engineering.
- (10) "Committee" shall mean a committee appointed by the Council.
- (11) "Consent order" means a voluntary agreement between parties attempting resolution of a complaint of a violation under § 2823 of this title or a complaint of unlicensed practice under § 2825 of this title. To become a final order, a consent order must be approved by Council pursuant to § 2824(b)(1)g.2. of this title.
- (12) "Continuing professional competency" shall mean and refer to compliance with or satisfaction of a published set of guidelines and requirements for the maintenance of professional competency in the practice of engineering.
- (13) "Council" shall mean the Council of the Association.
- (14) "Engineer" shall mean a person who, by reason of special knowledge and use of the mathematical, physical, and engineering sciences and the principles and methods of engineering analysis and design acquired by an engineering education, through graduation with a baccalaureate degree from a Council-approved 4-year educational program in engineering, in engineering technology or in science related to engineering, is qualified to begin the path to licensure.



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(15) "Engineering corporations or partnerships" are corporations or partnerships who practice engineering to provide engineering services to the public.

(16) "Engineer intern" shall mean a person certified as an engineer intern by the Council.

(17) "Examination" shall mean any qualifying examination or examinations required by this chapter.

(18) "Hearing committee" means a committee of Council members to which the Council has delegated authority to adjudicate a complaint of a violation under § 2823 of this title or allegations of unlicensed practice under § 2825 of this title.

(19) "Incompetence" shall mean the failure to exercise appropriate professional judgment or the failure to utilize skill to a degree which shows a lack of general competence.

(20) "Investigating committee" means a committee of the Council to which the Council has delegated authority to investigate a complaint of a violation under § 2823 of this title or allegations of unlicensed practice under § 2825 of this title.

(21) "Licensed" means licensure as a professional engineer under this chapter.

(22) "Licensee" shall mean a person licensed as a professional engineer under this chapter.

(23) "Member" shall mean a member of the Association, as defined in § 2806(a) of this title.

(24) "Misconduct" shall mean that conduct which is recognized to be unsafe or improper by the ethical and competent members of the profession. The term also includes general conduct that is dishonorable or unprofessional.

(25) "Negligence" shall mean an act or omission that deviates from accepted standards of practice or standard of care in the engineering community

(26) "Practice of engineering" or "to practice engineering" includes any professional service performed for the general public such as consultation, investigation, evaluation, planning, design, or responsible supervision of construction or operation in connection with any public or private buildings, structures, utilities, machines, equipment, processes, works, or projects wherein the public welfare or the safeguarding of life, health or property is concerned or involved when such professional service requires the application of engineering principles and data, but it does not include the work ordinarily performed by persons who operate or maintain machinery or equipment, neither does it include engineering services performed by an employee of a firm or corporation that does not offer professional engineering services to the general public.



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(27) “Professional engineer” shall mean a person who has been duly licensed as a professional engineer by the Council.

(28) “Responsible charge” means a professional engineer’s supervision of, control over, and possession of detailed professional knowledge of an engineering work. A professional engineer is only considered to be in responsible charge of an engineering work if the professional engineer makes independent professional decisions regarding the engineering work without requiring instruction or approval from another authority and maintains control over those decisions by the professional engineer’s physical presence at the location where the engineering work is performed or by electronic communication with the individual executing the engineering work.

(29) “Retired member” shall mean a person who has elected to claim retired status as defined in § 2806(g) of this title.

(30) “Substantially related” shall mean the nature of the criminal conduct, for which the person was convicted, has a direct bearing on the fitness or ability to perform 1 or more of the duties or responsibilities necessarily related to the practice of engineering.

(31) “Successor professional engineer” shall mean a “professional engineer,” as defined in this section, who assumes “responsible charge,” as defined in this section, of a project or component of a project and uses or relies upon the work, findings, or recommendations of the professional engineer who previously was in responsible charge and sealed pertinent documents. The successor professional engineer may assume responsible charge of a project or component of a project only when qualified to do so by education or experience in the areas of professional engineering involved. A professional engineer who uses or relies upon work performed by another qualified engineer, associate, consultant, or employee is not a successor professional engineer and may sign and seal the documents for the total project. A professional engineer who uses or relies upon work such as, but not limited to, geotechnical reports, soil investigation reports, legal surveys, and other works that may be sealed by others, in order to assume responsible charge of a project, is not considered a successor engineer. The professional engineer shall not affix their professional engineer’s seal to any document not prepared under their supervisory control and review.



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§ 2822. Public works.

(a) The State, its political subdivisions, agencies, commissions and authorities shall not solicit or receive proposals for, or engage in, the construction of public works involving the practice of engineering as defined in this chapter, unless:

(1) The engineer, partnership or corporation which will perform and/or take responsibility for all engineering work, as identified in the proposal, is authorized to practice engineering under this chapter at the time of submission of the proposal; and

(2) The engineering study, drawings, specifications and estimates are prepared by, and the construction is executed under the responsible charge or direct supervision of a licensee or permittee.

(b) Any contract executed in violation of this section shall be null and void.

§ 2825. Unlicensed practice.

(a) Persons or engineering corporations or partnerships not licensed, not authorized by Council, or not holding a permit or certificate of authorization may not:

(1) Practice engineering as defined in this chapter.

(2) Use any name, title, description of designation, either orally or in writing, that will lead to the belief that such person is entitled to practice engineering as defined in this chapter, including without limitation the words "engineer" or "engineering" or any modification or derivative of those words.

(3) Advertise or hold oneself or conduct oneself in any way or in any such manner as to lead to the belief that such person is entitled to practice engineering.

(b) [Transferred to subsection (i) of this section.]

(c) Whoever practices or offers to practice engineering in this State without being licensed in accordance with the provisions of this chapter shall be in violation thereof.

(d) Whoever presents or attempts to use as that person's own license, certificate of authorization, permit or the seal of a professional engineer not that person's own shall be in violation of the provisions of this chapter.

(e) Whoever gives any false or forged evidence of any kind to the Council or to any member thereof in obtaining authorization to use the term "engineer," a license, a certificate of authorization, or a permit shall be in violation of the provisions of this chapter.

(f) Whoever falsely impersonates any other adjunct member, affiliate member, licensee, holder of a certificate of authorization, or permittee with a similar or different name shall be in violation of the provisions of this chapter.



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(g) Whoever attempts to use an expired or revoked authorization to use the term “engineer,” a license, certificate of authorization or permit shall be in violation of the provisions of this chapter.

(h) Any applicant who misstates or misrepresents any fact in connection with the application or any such applicant who uses improper means to gain information usable by such applicant on or in connection with an examination taken by the applicant to obtain licensure as a professional engineer or certification as an engineer intern shall be in violation of the provisions of this chapter.

(i) Each partner of a partnership and each officer or director of a corporation which practices engineering in violation of this chapter shall also be liable jointly and severally with and to the same extent as such partnership or corporation unless such partner, officer or director who is so liable sustains the burden of proof that the partner, officer or director did not know, and in the exercise of reasonable care could not have known, of the existence of the facts by reason of which the violation is alleged to exist.

(j) This chapter shall not be construed to prevent or to affect:

(1) The work of an employee or a subordinate of a licensee or permittee, provided such work is done under the direct responsibility, checking and supervision of a licensee or permittee, or

(2) The practice of professional engineering by an architect legally licensed in this State when such practice is incidental to what may be properly considered an architectural project.

(k) Whether prompted by receipt of a complaint or upon its own initiative, the Council or its investigating committee may review allegations of unlicensed practice of engineering.

(l) Complaints of unlicensed practice must be investigated and prosecuted in accordance with the administrative hearing procedures in § 2824(b) of this title, except that administrative orders are not available for cases of unlicensed practice.

(m) Unlicensed practice is punishable by a fine up to \$5,000 and a cease and desist order that shall include a reasonable date certain for compliance.

(n) *Cease and desist orders.* — (1) The investigating committee may submit a written recommendation to the Council that a cease and desist order be issued. The written recommendation must include a copy of the proposed order. The proposed order must recite verbatim all complaint allegations the investigating committee believes are supported by its findings, brief recitation of those findings, and include a reasonable date certain deadline for the accused to comply with the order. The order must also indicate that the accused may request a hearing in writing any time before



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passage of the compliance deadline, and that the order will become final and enforceable after passage of the compliance deadline.

(2) By majority vote of the members present at a properly convened Council meeting, the Council shall approve or reject the investigating committee's written recommendation based only on the information contained in and included with the written recommendation. The Council shall reject the investigating committee's recommendation only if it decides that the investigating committee's recommendation is contrary to a specific state or federal law or regulation, is not supported by substantial evidence, or is arbitrary or capricious. If Council does not approve the investigating committee's recommendation, the matter must be remanded to the investigating committee with the Council's written reasons for withholding its approval. If the Council approves the recommendation, the order must be served on the accused by certified mail with return receipt requested to the last address of record of the accused or by personal service.

(3) Cease and desist orders become final after passage of the compliance deadline only with positive proof of service, such as a signed return receipt or an affidavit of personal service. If the accused requests a hearing in writing to the investigating committee, the investigating committee shall proceed in accordance with § 2824(b)(1)g.3. of this title.

(o) Violations of a cease and desist orders must be investigated and prosecuted in accordance with the procedures in § 2824(b) of this title, except that administrative orders are not available. Violation of a cease and desist order is punishable by a fine up to \$5,000 for each day a violation occurs.

§ 2832. Procedures for successor professional engineer using or relying upon the work of previous engineer.

(a) In situations where the professional engineer in responsible charge of an engineering project is unable to complete the project for any reason, or when the project is a site-specific adaptation of a previous design, a successor professional engineer may assume responsible charge of that portion of the project if the successor professional engineer meets the following requirements:

(1) Performs or has responsible charge over all professional engineering services related to that portion of the project.

(2) Has direct control and personal supervision over the engineering work and the signed, dated, and sealed originals of all documents over which the successor professional engineer has taken responsible charge.



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(3) Dates, signs, and seals the final drawings, specifications, reports and documents involving the practice of engineering as defined in this chapter in compliance with § 2830 of this chapter.

(4) Performs sufficient review and calculation to ensure that all standards of practice required of professional engineers are met.

(b) A successor professional engineer must notify the previous professional engineer in responsible charge of their intention to use the previous engineer's work.

Notification shall be by certified mail, or other verifiable communication, to the last known physical or electronic address of the previous professional engineer. The previous engineer's approval is not required for the successor professional engineer to use the previous engineer's sealed work.

(c) A successor professional engineer assumes full professional responsibility by signing and affixing the successor professional engineer's seal to the assumed documents. Such documents will be treated as though they are the successor professional engineer's original project.



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Engineering Disciplines and Competence

An engineers initial area of practice (a.k.a. area of competency, discipline, or branch) is typically identified through NCEES P.E. examination and initial licensure. A licensee can take additional exams to gain qualifications in multiple disciplines. DAPE does not give special recognition to a licensee's qualified discipline(s). Discipline names are not listed on seals.

Licensees should only accept assignments when **qualified by education or experience** in the areas involved. An exception would be if the licensee is only responsible for the "total project" and other P.E.s are responsible for each discipline.

DAPE Code of Ethics

2. THE ENGINEER SHALL PERFORM SERVICES ONLY IN AREAS OF HIS COMPETENCE.

A. The engineer shall undertake to perform engineering only when **qualified by education or experience** in the areas of professional engineering involved.

B. The engineer may accept an assignment requiring **education or experience** outside his **areas of competence**, provided that such areas will be performed by a Professional Engineer or otherwise **qualified** associates, consultants, or employees. He may then sign and seal the documents for the total project. The engineer shall not affix his seal to any such document not prepared under his supervisory control and review.



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Responsible Charge

Engineering design work must be prepared with **supervision** of work, **control** over work, and **possession of detailed professional knowledge** of work. This is referred to as having “**responsible charge**” or “**direct supervision**” 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 Delaware laws and rules. A typical project has multiple responsible engineers, one for each design discipline (civil, structural, mechanical, electrical, etc.) and sometimes an overall P.E.

Responsible charge can also refer to the management of a field of engineering practice within an organization.

Delaware Professional Engineers Act

§ 2803. Definitions.

...

(28) “**Responsible charge**” means a professional engineer’s **supervision** of, **control** over, and **possession of detailed professional knowledge** of an engineering work. A professional engineer is only considered to be in **responsible charge** of an engineering work if the professional engineer makes **independent professional decisions** regarding the engineering work without requiring instruction or approval from another authority and **maintains control over those decisions** by the professional engineer’s physical presence at the location where the engineering work is performed or by electronic communication with the individual executing the engineering work.

§ 2822. Public works.

(a) The State, its political subdivisions, agencies, commissions and authorities shall not solicit or receive proposals for, or engage in, the construction of public works involving the practice of engineering as defined in this chapter, unless:

...

(2) The engineering study, drawings, specifications and estimates are prepared by, and the construction is executed under the **responsible charge** or **direct supervision** of a licensee or permittee.



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§ 2823. Grounds for discipline; appeals.

(a) Applicants, adjunct and affiliate members, and any person licensed under this chapter shall be subject to disciplinary penalties set forth in § 2824(c) of this title, if, after a hearing, the person is found to violate any of the following: ...

(8) Signing, affixing the licensee's seal, or permitting the licensee's seal or signature to be affixed to any specification, report, drawing, plan, plat, design information, construction document, or calculation, or revision thereof, that has not been prepared by the licensee or those under the licensee's **responsible charge**;

DAPE Code of Ethics

2. THE ENGINEER SHALL PERFORM SERVICES ONLY IN AREAS OF HIS COMPETENCE.

... The engineer shall not affix his seal to any such document not prepared under his **supervisory control** and **review**.

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**.

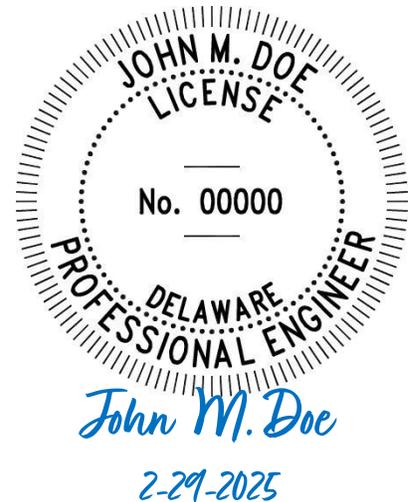


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Sign and Seal Requirements

Sign and seal requirements are found in the Professional Engineers Act 2829 - 2830. Here are highlights that may differ from requirements in other states:

- Seal outer diameter not specified
- Sign and date location not specified
- Ink color not specified
- Acceptable forms of signature:
 - Hand signature with rubber ink stamp, embossed/impression/pocket seal, or printed image of seal
 - 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:

Delaware Professional Engineers Act

§ 2829. Seals, stamps, and signature.

(a) Each licensee shall obtain a seal of the design authorized by the Council, bearing the licensee's name, license number and the legend "professional engineer." The seal format may be embossing, rubber stamp or digital. All new licensees must submit proof of their Delaware seal to the Council office no later than 6 months after the licensee's application approval date, and failure to do so will result in the licensee being placed by the Council in delinquent status.

(b) In addition to the embossing seal required by the foregoing provisions of this section:

(1) Licensees may procure and use a stamp containing the same data as the embossing seal, or

(2) Licensees may use a seal, signature, and date that can be created or transmitted electronically.



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§ 2830. Dating, signing and sealing.

(a) All final drawings, specifications and documents involving the practice of engineering as defined in this chapter when issued or filed for public record shall be dated and bear the signature and seal of the licensee or licensees who prepared or approved them.

(b) If original tracings are sealed or stamped, the date of sealing or stamping must appear under the signature.



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Professional Conduct and Ethics

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

Delaware Professional Engineers Act

§ 2816. Code of ethics.

- (a) The Council shall prepare and publish a code of ethics designed for the protection of the public.
- (b) All applicants, members, associate members, affiliate members, adjunct members, holders of certificate of authorization and permittees must subscribe to and follow this code of ethics in the practice of professional engineering, or in seeking to register as a professional engineer or seeking certification as an engineer intern.
- (c) The Code of Ethics is available on the Delaware Association of Professional Engineers' website.

§ 2823. Grounds for discipline; appeals.

- (a) Applicants, adjunct and affiliate members, and any person licensed under this chapter shall be subject to disciplinary penalties set forth in § 2824(c) of this title, if, after a hearing, the person is found to violate any of the following:
 - (1) The practice of any fraud or deceit in the attempt to obtain any authorization to practice engineering in this State;
 - (2) Any negligence, gross negligence, pattern of negligence, incompetence, or misconduct in the practice of engineering;
 - (3) Violation of the code of ethics promulgated by the Council;
 - (4) A crime that is substantially related to the practice of engineering;
 - (5) a. An activity resulting in discipline by another jurisdiction, state, territory, or possession of the United States, foreign country, the District of Columbia, the United States government, or any other governmental agency, if at least 1 of the grounds for discipline is the same or substantially equivalent to those contained in this section;
 - b. The voluntary surrendering of an engineering license in order to avoid disciplinary action by another jurisdiction, state, territory, or possession of the United States, foreign country, the District of Columbia, the United States government, or any other governmental agency, if at least 1 of the grounds for discipline is the same or substantially equivalent to those contained in this section.



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(6) The failure to report instances of out-of-state discipline, as set forth in the immediately preceding paragraph, to the Executive Director of the Delaware Association of Professional Engineers within 60 days of the final order imposing discipline;

(7) Aiding or abetting another person in violating any provision of this chapter;

(8) Signing, affixing the licensee's seal, or permitting the licensee's seal or signature to be affixed to any specification, report, drawing, plan, plat, design information, construction document, or calculation, or revision thereof, that has not been prepared by the licensee or those under the licensee's responsible charge; or

(9) Failure to comply with and satisfy the continuing professional competency guidelines and requirements.

(b) The Council shall have the power to review the actions of any applicants sitting for any examination that is conducted by, or on behalf of, the Association to determine the applicant's qualification for licensure as a professional engineer or certification as an engineer intern.

(1) The following actions by an examinee shall be considered violations of this chapter:

a. Any attempt to remove, or removal of, examination materials or content from the room in which the examination is administered;

b. Any attempt to reproduce, transcribe or transmit the content of examination materials that would permit the removal of such content from the room in which the examination is administered;

c. Any use or possession of unlawfully obtained information that reveals, or is procured by the examinee with the anticipation that it could reveal, any portion of the content of the current examination;

d. Any communication, whether verbal, written, electronic, or by action, made in an effort to seek assistance from another party, that would aid in obtaining a higher grade for the examination during an examination administration, or to provide such assistance to another examinee.

e. Any impersonation, or solicitation of impersonation, that allows another individual to sit for the examination in place of the designated applicant; or

f. Any violation of the terms of any examination security agreement entered into freely by the examinee with the Association outlining the examinee's responsibilities in taking the examination.

(2) The chief proctor for the examination, acting on behalf of the Council, may at the chief proctor's sole discretion, when presented with evidence of any violation under



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paragraph (b)(1) of this section above at any time during the examination administration period:

- a. Collect any examination materials provided to the examinee;
- b. Collect any personal property belonging to the examinee, which the proctor reasonably believes may contain content from the examination materials;
- c. Dismiss the examinee from the examination site; and
- d. Seek any law-enforcement assistance that the chief proctor feels is necessary to affect paragraphs a. through c. above of this paragraph (b)(2) of this section.

(3) Following its review of the facts associated with any alleged examination impropriety, Council shall have the power to impose any or all of the following penalties on any individual found guilty after a hearing, unless such hearing is waived by the examinee, of an examination impropriety:

- a. Void the results of the subject examination;
- b. Refuse permission for the examinee to take the examination for a period of 2 years, or such time determined by Council to be required to ensure that a subsequent examination is unlikely to repeat questions contained in the subject examination;
- c. Require successful completion by the examinee of an ethics course before a future examination opportunity;
- d. Revoke any license as a professional engineer or certification as an engineer intern granted as a consequence of the examinee receiving a passing score on the subject examination; and
- e. Report any disciplinary action taken to other jurisdictions to help ensure the integrity of their examination process.

(c) The Council, after receipt of a complaint in accordance with § 2824(c) of this title associated with the practice of engineering in Delaware, shall have the power to review the actions and representations of individuals, corporations or partnerships not authorized by this chapter to engage in the practice of engineering in Delaware. Upon notice, hearing and review afforded by subchapters III and V of the Administrative Procedures Act, Chapter 101 of Title 29, the Council may issue a cease and desist order to an individual, corporation or partnership found to be engaged in the unauthorized practice of engineering, notwithstanding that the individual's, corporation's or partnership's license has lapsed, expired or has been suspended or revoked.



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(d) Subject to notice, hearing and review afforded by subchapters III and V of the Administrative Procedures Act, Chapter 101 of Title 29, the Council may fine any person who violates a cease and desist order not less than \$100 or more than \$1000. Each day a violation continues may be deemed a separate offense in the Council's discretion.

(e) When disciplinary action requires the successful completion of additional training or education courses, Council shall determine the conditions of the additional training or education courses on a case-by-case basis, including, but not limited to, the type and number of hours of training or education. All training or education courses shall be related to the engineering profession and must be approved by Council.

(f) Any individual, corporation or partnership aggrieved by any disciplinary decision by Council may appeal such decision to the Superior Court. The appeal shall be filed within 30 days of the day the notice of the decision was mailed. The appeal shall be on the record without a trial de novo. If the Court determines that the record is insufficient for its review, it shall remand the case to the Council for further proceedings on the record. The Court, when factual determinations are at issue, shall take due account of the experience and specialized competence of the Council and of the purposes of the Delaware Professional Engineers' Act under which Council has acted. The Court's review, in the absence of actual fraud, shall be limited to determination of whether the Council's decision was supported by substantial evidence on the record before it.

(g) When an action is brought in the Court for review of a Council decision, enforcement of such decision may be stayed by the Court only if it finds, upon a preliminary hearing, that the issues and facts presented for review are substantial and the stay is required to prevent irreparable harm.

(h) No appeal for relief of the Court shall be considered as having been taken or made until it has been filed with the Prothonotary and served upon the Council in accordance with the rules of the Court.

DAPE Code of Ethics

CODE OF ETHICS



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(Approved July 9, 2008; Amended August 10, 2022)

PREAMBLE

In order to safeguard life, health and property, and to promote the public welfare, through a high standard of integrity, skills, and practice in the profession of engineering, the following Code of Ethics is promulgated by the Council of the Delaware Association of Professional Engineers in accordance with the Delaware Professional Engineers' Act, Title 24, Chapter 28 of the Delaware Code. The Code of Ethics shall be binding on all applicants and every person holding a certificate of registration as a Professional Engineer and all partnerships or corporations or other legal entities authorized to perform engineering services in the State of Delaware.

The revocation or suspension of a Professional Engineer's license by another jurisdiction, if for a cause which in the State of Delaware would constitute a violation of this Code of Ethics, shall be grounds for a charge of violation of this Code of Ethics.

Persons licensed under the Delaware Professional Engineers' Act must subscribe to the Code of Ethics as part of that person's application and shall be deemed to be familiar with its several provisions and to understand them.

This Code of Ethics follows the practice of Title 1, Section 304(b) of the Delaware Code, in that "Words importing the masculine gender include the feminine as well."

1. THE ENGINEER SHALL HOLD PARAMOUNT SAFEGUARDING LIFE, HEALTH AND PROPERTY AND PROMOTING THE PUBLIC WELFARE IN THE PERFORMANCE OF HIS PROFESSIONAL DUTIES.

A. The engineer shall at all times recognize that his paramount duty is to safeguard life, health and property and to promote the public welfare. If his professional judgment is overruled under circumstances such that upon investigation he believes that the life, health and property or public welfare is endangered, he shall so inform his employer and the Council of the Delaware Association of Professional Engineers.

B. The engineer shall approve and seal only those design documents which in his considered opinion do not endanger the life, health, property and the public welfare in conformity with accepted engineering standards.



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C. The Engineer should be committed to improving the environment by adherence to the principles of sustainable development so as to enhance the quality of life of the general public. Sustainable development is the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development.

D. The engineer shall not permit the use of his own, firm's, or associates' name in business ventures with any person or firm which upon investigation he believes is engaging in fraudulent or dishonest business or professional practices.

E. The engineer having knowledge of any alleged violation of the Code of Ethics shall be forthright and candid in cooperating with the Council in furnishing such information or assistance as may be required.

2. THE ENGINEER SHALL PERFORM SERVICES ONLY IN AREAS OF HIS COMPETENCE.

A. The engineer shall undertake to perform engineering only when qualified by education or experience in the areas of professional engineering involved.

B. The engineer may accept an assignment requiring education or experience outside his areas of competence, provided that such areas will be performed by a Professional Engineer or otherwise qualified associates, consultants, or employees. He may then sign and seal the documents for the total project. The engineer shall not affix his seal to any such document not prepared under his supervisory control and review.

3. THE ENGINEER SHALL ISSUE PROFESSIONAL STATEMENTS ONLY IN AN OBJECTIVE AND TRUTHFUL MANNER.

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

B. The engineer shall publicly express a professional opinion on technical subjects only when it is founded on adequate knowledge of the facts and competence in the subject matter.

C. The engineer when acting as a representative of an individual or organization shall issue no statements, criticisms, or arguments on engineering matters unless he has prefaced those comments by explicitly identifying on whose behalf he is speaking. When the engineer is acting as a consultant his expression or



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professional opinion shall be prefaced by identifying his status as a consultant, without necessarily naming the client. The engineer shall reveal any personal interest he may have in the matter.

4. THE ENGINEER SHALL ACT IN PROFESSIONAL MATTERS FOR EACH EMPLOYER OR CLIENT AS FAITHFUL AGENT OR TRUSTEE, AVOIDING CONFLICTS OF INTEREST.

A. The engineer shall disclose all known or potential conflicts of interest to his employer and/or client by promptly informing them of any business association, interest, or other circumstances which could influence his judgment or the quality of services.

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

C. The engineer shall not solicit or accept financial or other valuable consideration, directly or indirectly, from suppliers, contractors, their agents, or other parties in connection with his work for employers or clients.

D. The engineer in public service as a member, advisor or employee of a governmental body shall not participate in decisions on work which involves professional services solicited or provided by him or his organization.

E. The engineer shall not solicit or accept a professional contract from a governmental body on which a principal or officer of his organization serves as a member, except upon public disclosure of all pertinent facts and circumstances and consent of the appropriate public authority.

F. The engineer shall not reveal proprietary information obtained in a professional capacity without the prior consent of the client or employer, except as authorized or required by law.

5. THE ENGINEER SHALL AVOID IMPROPER SOLICITATION OF PROFESSIONAL EMPLOYMENT.

A. The engineer shall not offer, give, solicit, or receive, either directly or indirectly, any commission, gift, or other valuable consideration in order to secure work.

B. The engineer shall not falsify or permit misrepresentation of his own, or associates' academic or professional qualifications. He shall not misrepresent his degree of responsibility in prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts



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concerning employers, employees, associates, joint ventures, or past accomplishments.

C. The engineer shall not submit any proposal for purposes of obtaining professional work in which he falsifies or misrepresents his capability of carrying out that proposal.

6. THE ENGINEER SHALL SUPPORT AND FAITHFULLY COMPLY WITH THE LAWS OF ANY JURISDICTION WITHIN WHICH HE PRACTICES.

A. The crimes listed herein have been determined by Council to be substantially related to the practice of engineering, and, as such, the engineer shall report to Council within ninety (90) days of any conviction of any crime specified in the following sections of the Delaware Criminal Code:



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Subchapter I. Inchoate Crimes

§502 Criminal solicitation in the second degree
 §503 Criminal solicitation in the first degree
 §511 Conspiracy in the third degree
 §512 Conspiracy in the second degree
 §513 Conspiracy in the first degree

Subchapter II. Offenses Against the Person

§603 Reckless endangering in the second degree
 §604 Reckless endangering in the first degree

Subchapter III. Offenses Involving Property

§845 Theft of services
 §854 Identity theft
 §861 Forgery
 §862 Possession of forgery devices
 §871 Falsifying business records
 §873 Tampering with public records in the second degree
 §876 Tampering with public records in the first degree
 §877 Offering a false instrument for filing
 §878 Issuing a false certificate
 §881 Bribery
 §882 Bribe receiving
 §906 Deceptive business practices
 §907 Criminal impersonation
 §909 Securing execution of documents by deception
 §913 Insurance fraud
 §933 Theft of computer services
 §934 Interruption of computer services
 §935 Misuse of computer system information
 §936 Destruction of computer equipment
 §937 Unrequested or unauthorized elec. mail or use of network or software to cause same

Subchapter VI. Offenses Against Public Administration

§1201 Bribery
 §1203 Receiving a bribe
 §1205 Giving unlawful gratuities
 §1206 Receiving unlawful gratuities
 §1207 Improper influence
 §1211 Official misconduct
 §1212 Profiteering
 §1221 Perjury in the third degree
 §1222 Perjury in the second degree
 §1223 Perjury in the first degree
 §1233 Making a false written statement
 §1240 Terroristic threatening of public officials or public servants
 §1261 Bribing a witness
 §1262 Bribe receiving by a witness
 §1263 Tampering with a witness
 §1264 Bribing a juror
 §1266 Tampering with a juror
 §1269 Tampering with physical evidence

B. The engineer shall report to Council within ninety (90) days any conviction in any other state, municipal, or federal jurisdiction, for a crime similar to those listed in Canon 6.A.

C. The engineer, upon conviction for any felony crime not specifically listed in Canon 6.A, shall provide within ninety (90) days of conviction, information to the Council in sufficient specificity to enable Council to make a determination of whether the crime constitutes conduct reasonably likely to deceive, defraud, or harm the public.



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Continuing Education

Per DAPE Guidelines, the following continuing education is required every 2-year renewal period, where PDH is a professional development hour:

- Minimum 24 PDH total
- Minimum 2 (maximum 6) PDH related to professional engineering ethics
- Maximum 9 (minimum 0) PDH related to business or project management
- Remaining activities (9 to 22 PDH) to be related to the licensee's area of technical practice
- Courses must have a clear purpose and objective which will maintain, improve or expand the skills and knowledge relevant to the professional practice of engineering
- DAPE does NOT pre-approve providers or specific courses for engineering
- DAPE provides a PDH tracking log for each renewal period
- Retain PDH records for 3 years
- No PDH may be carry forward to next renewal
- Renewal date is June 30 of even years

Laws and Rules

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

Delaware Professional Engineers Act

§ 2831. Continuing professional competency.

The Council shall prepare and publish guidelines and requirements for the maintenance of professional competency to further Council's charge to safeguard life, health and property, and to promote the public welfare. All active members shall be required to comply with and satisfy all continuing professional competency guidelines and requirements approved by Council.

DAPE Guidelines

GUIDELINES FOR MAINTAINING CONTINUING PROFESSIONAL COMPETENCY (CPC)

(Approved by Council of Delaware Association of Professional Engineers, July 12, 2023)



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PREAMBLE

In order to safeguard life, health and property, and to promote the public welfare, through a high standard of integrity, skills, and practice in the profession of engineering, the following Guidelines for Maintaining Continuing Professional Competence (CPC) are promulgated by the Council of the Delaware Association of Professional Engineers (DAPE) in accordance with the Delaware Professional Engineers' Act, Title 24, Chapter 28 of the Delaware Code. These CPC Guidelines shall be binding on every person holding a certificate of registration as a Professional Engineer in the State of Delaware.

Regular exposure to active technical practice, participation in technical, professional and ethical training, and participation in professional and technical societies assures that professional engineers are exposed to new ideas and keep their skills current. The requirement that all practicing professional engineers must participate in such activities is meant to further safeguard the health, safety and welfare of the public from outdated or ineffective engineering knowledge caused by infrequent practice.

A. Exemptions -- with the following exceptions, all persons licensed under the Delaware Professional Engineers' Act must maintain their professional competency in the practice of engineering through one of the methods outlined in this document:

1. New licensees by way of examination shall be exempt for their first renewal period.
2. New licensees by way of comity, shall be responsible for one PDH credit for each month since the Delaware license was issued.
3. A licensee serving on temporary active duty in the armed forces of the United States for a period of time exceeding 120 consecutive days in a year shall be exempt from the requirements during that renewal period.
4. Licensees experiencing disability, illness, or other extenuating circumstances may apply for an exemption or an extension of time to obtain the credits, subject to the review and approval of the Council. Supporting documentation must be furnished to the Council.
5. Licensees whose license status is "Inactive" on the Council roster shall be exempt from the requirements. In the event that an Inactive licensee elects to return to active practice of professional engineering, PDHs must be earned before returning to active practice for each year exempted, not to exceed the annual requirement for 2 years.



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6. Licensees whose license status is “Retired” on the Council roster shall be exempt from the requirements.

B. Reinstatement -- a licensee may bring an inactive license to active status by completing all delinquent CPC requirements as outlined in this document. However, this shall not exceed the requirements for the normal two year renewal period.

C. Requirements for Renewal -- to renew a license, an applicant must meet the requirements stated herein. The applicant must supply sufficient detail in the recordkeeping medium described below to permit audit verification and detail any backup documentation. The initial period for meeting the requirements described herein will be the first full renewal period following enactment of the associated revision of the law unless one is a first time licensee (see subsection A.1).

D. Definitions -- terms used in this section are defined as follows:

1. Professional Development Hour (PDH)—A contact hour (nominal) of instruction or presentation. The PDH is the common denominator for other units of credit.
2. Continuing Education Unit (CEU)—Unit of credit customarily used for continuing education courses. One continuing education unit equals a one (1) credit hour class in an approved continuing education course; which equals 10 PDHs.
3. College/Unit Semester/Quarter Hour—Credit for course in ABET-approved programs or other related college course approved in accordance with subsection E of this section.
4. Qualifying Course/Activity—any course, seminar or activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the professional practice of engineering. Regular duties are not considered qualifying activities. DAPE does not pre-approve courses or providers.
5. Dual Licensee—A person who is licensed as both a professional engineer and a professional surveyor.

E. Requirements -- every licensee is required to obtain the equivalent of 12 PDHs per year (or 24 PDHs obtained anytime during the renewal period.)

PDHs may be earned as follows:

- a. Successful completion of qualifying college courses.
- b. Successful completion of qualifying continuing education courses.



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- c. Successful completion of qualifying short courses/tutorials and distance-education courses offered through correspondence, television, DVDs, or the Internet.
- d. Attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, or conferences.
- e. Presenting, teaching or instructing in a through d above.
- f. Authoring published papers, articles, books, book chapters, or accepted licensing examination items.
- g. Active participation in professional or technical societies.
- h. Receipt of Patents.
- i. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions which involve K–12 or higher education students.

1. Of the 24 PDHs earned during the biennial renewal period: no less than 2 PDH and no more than 6 PDH shall be related to professional engineering ethics, and no more than 9 PDH shall be related to business or project management. The balance shall be related to the licensee's area of technical practice. For dual licensees in both engineering and surveying, up to 12 PDHs may be related to the technical practice of surveying.

2. No PDHs accrued during any biennial renewal period in excess of the 24 needed may be carried forward to satisfy requirements in any subsequent biennial renewal period.



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3. Units - the conversion of other units of credit to PDHs is as follows:
 - a. 1 college or unit semester hour 45 PDHs
 - b. 1 college or unit quarter hour 30 PDHs
 - c. 1 continuing education unit (CEU) 10 PDHs
 - d. 1 hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences..... 1 PDH
 - e. For teaching in a through d above, apply multiple of 2. Teaching credit is valid for the first offering or presentation or subsequent substantial revisions made to maintain the relevance and currency of the offering (qualifying subsequent offerings apply a multiple of 1. Full-time faculty may not claim teaching credit associated with regular duties.
 - f. Publications
 - Each published peer-reviewed paper, book, or book chapter in the licensee’s area of professional practice 10 PDHs
 - Each published paper or article in the licensee’s area of professional practice 5 PDHs
 - g. Peer review of technical or professional papers, articles, books or book chapters submitted for publication or technical proposals for research submitted for funding 2 PDHs
 - h. Active participation in a professional or technical society and/or subcommittee thereof – subject to the limitations detailed in section 4 e below 3 PDHs/year/committee
 - i. Each patent received 10 PDHs
 - j. 1 hour of outreach activities (as described in E.i above)..... 1 PDH (not to exceed 4 PDHs/year)

4. Determination of Credit - the Council has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

- a. Credit for college or community college approved courses will be based upon course credit established by the college.
- b. Credit for qualifying seminars and workshops will be based on 1 PDH for each hour of attendance.
- c. Attendance at qualifying programs presented at professional and/or technical society meetings will earn PDHs for the actual time of each program.
- d. Credit determination for activities in subsections 3.f , 3.g, and 3.i is the responsibility of the licensee (subject to review as required by the Council).
- e. Credit for activity in subsection 3.h, active participation in professional and technical society or distinct subcommittee with a technical charge is limited to 3 PDHs per year per committee seat, with a maximum of 6 PDH per organization per year. In order to qualify, a licensee must serve as an officer and/or actively participate in a committee of the organization. PDHs are not earned until the end of each year of service is completed.

F. Recordkeeping -- the licensee is responsible for maintaining records to be used to support credits claimed. Records required include, but are not limited to;

1. A log showing the type of activity claimed (business, technical or ethics), sponsoring organization, title or topic of course/seminar, location, date and time, and



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PDHs earned. A log alone is insufficient – it is a summary document only and does not provide proof of attendance or participation.

2. Attendance verification records in the form of completion certificates or other documents supporting evidence of attendance. These records must include sponsoring organization, topic or title of course/seminar, location, date and time of event, duration, instructor's or speaker's name, and PDHs earned. Conference/event programs and receipts are not sufficient as proof of attendance. A DAPE PDH Assessment Form is available for use by licensees if the instructor does not provide adequate documentation.

3. Summary description of courses taught, publications and patents, professional and technical society and outreach activities shall be provided in sufficient detail to allow evaluation by the Council for the PDHs claimed.

Licensees shall retain their CPC records for a minimum of three years. DAPE will accept a log and documentation via the NCEES Tracking Tool.

4. Council, or through appointed Committee, will conduct a random biennial audit which may require up to 5% of the licensees involved to produce evidence of their CPC activities. In addition, such documentation may be required if a complaint is lodged against a licensee. If the records of any audited licensee indicate a deficiency in CPC activities or are not of sufficient quality to support the claimed PDHs, that licensee will be subject to the actions described in paragraph G below and will be subject to more frequent audits than would be expected due to the 5% random audit sample. Licensees that do not renew their licenses on time shall be subject to automatic audit. Records shall be stored in electronic or paper format and held in the sole possession of the licensee such that they may be forwarded to DAPE upon request.

G. Noncompliance – audited licensees that are found not in compliance will be notified of a Proposal to Deny (PTD) License and instructed to contact the DAPE office to schedule a hearing. Actions that may occur as result of that hearing include:

1. First Offenders – penalties may include additional educational requirements, fines and suspension of license.

2. Repeat offenders - penalties may include the above penalties as well as revocation of license.

License will remain in effect and all penalties will be stayed until decision by the hearing committee is rendered and approved by Council.



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H. Statement of Compliance – all licensees will be asked to verify compliance with CPC at time of renewal.

1. Falsely claiming compliance is an ethical violation in the absence of a good-faith effort to adhere to CPC, and such a violation will be considered by the hearing committee during the assessment of penalties.
2. Licensees with deficiencies are encouraged to respond ethically and request Inactive or Retired status or state why they should be exempt as described in paragraph A above.
3. The preferred path to renewal for licensees that do not meet the requirements and are not exempt is to go to Inactive status and apply for reinstatement once the requirements are met. During the time that the license is Inactive, the licensee shall not practice engineering for projects located in the State of Delaware.

I. Comity/Out-of-Jurisdiction Resident -- Licensees who are residents of jurisdictions other than Delaware and licensed in that jurisdiction may meet the CPC requirements of their resident jurisdiction. If the licensee resides in and is licensed in a jurisdiction that has no continuing professional competency (CPC) requirement, or the licensee is exempt from the CPC requirement in the licensee's resident jurisdiction, the licensee must meet the requirements of Delaware or the NCEES CPC Standard.



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DAPE PDH Tracking Log

Professional Development Hours Log Form
DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
 92 Read's Way, Suite 208, New Castle, DE 19720
 PHONE: 302-323-4588 www.dape.org

Licensee Name: _____ **If you are licensed in your Resident Jurisdiction:**

DE PE Number: _____ Jurisdiction _____
 License number & Expiration Date _____

DELAWARE CPC GUIDELINES REQUIRE:

- 2 – 6 PDHs in professional ethics
- No more than 9 PDHs in business or project management (note: business hours are not required)
- Balance of hours in licensee's area of technical practice

Licensees who are residents of jurisdictions other than Delaware may demonstrate that they have met the CPC requirements of their resident jurisdiction. If you reside in a jurisdiction that has no continuing professional competency (CPC) requirement, or are exempt from the CPC requirement in your resident jurisdiction, you must meet the requirements of Delaware as listed above.

Please provide proof of attendance or completion certificates of all acceptable activities earned for the renewal period 7/1/22 thru 6/30/24 (additional sheets may be used). If you are licensed in your resident jurisdiction, the documentation you provide may be for your most recent renewal period in that jurisdiction.

	DATE OF ACTIVITY	SPONSORING ORGANIZATION	ACTIVITY TITLE & LOCATION (CITY/STATE)	# PDH CREDITS	CATEGORY (ETHICS, BUSINESS OR TECH)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					

Total _____

The credits listed above are true and correct and state accurately those professional development hours (PDH's) which I have earned during the period between _____ and _____.



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DAPE CPC Assessment Form

The following pdf form can be used for activities in which a provider does not give a PDH certificate.

**DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS
CONTINUING PROFESSIONAL COMPETENCY ASSESSMENT FORM**

Title of activity/program:

Date Completed:

Provider:

Location (City/State or online):

Presenter (if known):

Format of course (i.e. workshop, conference, webinar)

PDHS Awarded (Specify Category - Technical, Ethics, Business)

Provide a general synopsis of the topics covered:

Provide a narrative of what you learned from this activity:

Attach any documentation of participation: i.e. Certificate of Attendance/Completion, transcripts, handouts, tests, programs, outline, reports and other demonstrative evidence of attendance.

Signature _____ License No.: Date



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Helpful References

Delaware Association of Professional Engineers (DAPE)

DAPE website: <https://www.dape.org/>

Address Change: <https://www.dape.org/users/account/type:ProfessionalEngineer/>

Renewal: <https://www.dape.org/users/account/type:ProfessionalEngineer/>

Prof. Engineers Act: <https://dape.org/files/2024-10-09%20DPEA.pdf>

CPC Guidelines: <http://www.dape.org/files/DAPE-CPC-Guidelines-Rev-2023-07-12.pdf>

DAPE April 2023 Ethics Training:

https://vimeo.com/826291529/e6dd6c83e4?mc_cid=931100eee4&mc_eid=UNIQID