



**PDHonline Course G140 (2 PDH)**

---

# **Georgia Board's Rules for Practicing Engineering**

*Instructor: John C. Huang, Ph.D., PE, LEED AP*

**2023**

**PDH Online | PDH Center**

5272 Meadow Estates Drive

Fairfax, VA 22030-6658

Phone: 703-988-0088

[www.PDHonline.com](http://www.PDHonline.com)

[www.PDHonline.org](http://www.PDHonline.org)

An Approved Continuing Education Provider

# Georgia Board's Rules for Practicing Engineering

*John C. Huang, Ph.D., PE, LEED AP*

## Course Description

Besides meeting specific requirements, such as education, experience, and examination, an engineer/land surveyor must get familiar with the Board Rules in order to practice engineering in any state. While the Rules do vary from state to state, the basic requirements for the qualifications and professional conduct are very similar throughout the United States. In this course, the student is required to study the Rules of the State Board of Registration for Professional Engineers and Land Surveyors (the Rules) published by the Georgia State Board of PE & LS. This course includes a multiple-choice quiz at the end, which is designed to enhance the understanding of course materials.



## Learning Objective

At the conclusion of this course, the student will be familiar with:

- The Rules published by Georgia State Board of PE & LS;
- Rules of professional conduct;
- The mandatory continuing education requirements;
- Proper ways to sign and seal design documents; and
- The roles and responsibilities of a professional engineer/land surveyor.

## Course Introduction

Besides meeting specific requirements, such as education, experience, and examination, an engineer or land surveyor must become familiar with state laws and rules in order to practice engineering or land surveying in any state. While the laws and rules do vary from state to state, the basic requirements for qualifications and professional conduct are very similar throughout the United States.

Many state boards periodically disclose in their newsletters the disciplinary actions taken by the boards against the licensees who violated the Board Rules. The most common types of violations are:

1. Performed services outside his/her area of competence.
2. Practiced engineering without being licensed in the state of the project.
3. Practiced or offered to practice engineering while not properly licensed.

4. Failed to properly sign, seal, and date documents.
5. Affixed his/her seal to work not done under his/her direct supervision or responsible charge.
6. Affixed his/her seal to inadequate design documents, failing to protect the public.

Other types of violations include:

1. Produced a deficient, substandard, or inaccurate report, failing to protect the public.
2. Contracted with non-licensed individuals to provide certain professional services.
3. Failed to avoid conflicts of interest.
4. Committed a crime.



To avoid the violations above, it is highly recommended that all licensees periodically review the Board Laws and Rules. As a professional engineer/land surveyor, the licensee shall at all times recognize the primary obligation to protect the safety, health, property, and welfare of the public. If a licensee's engineering judgment is overruled under circumstances where the safety, health, or welfare of the public is endangered, he/she shall inform the proper authorities and his/her employer of the situation as may be appropriate.

## Course Content

The content of this course consists of the following three parts:

- A. Selected Sections from Chapter 180 of the Georgia Rules and Regulations
- B. Frequent Asked Questions (FAQ)
- C. Violations and Disciplinary Actions

## A. Selected Sections from Ch. 180 of the Georgia Rules & Regulations

Chapter 180 of the Georgia Rules and Regulations contains 12 sections. The first few sections cover the application and examination requirements in addition to the qualifications for becoming a professional engineer or land surveyor in the state of Georgia. The following sections are included in this course as they are most relevant to those who have already become a PE or LS.

Chapter 180-6. Rules of Professional Conduct

Chapter 180-8. Renewal of License

Chapter 180-10. Compliance and Enforcement

Chapter 180-11. Continuing Professional Competency

Chapter 180-12. Sealing of Documents

*The following is excerpted from Chapter 180 of the Georgia Rules and Regulations:*

### **Chapter 180-6** RULES OF PROFESSIONAL CONDUCT

#### Rule 180-6-.01 General

- (1) In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the professions of engineering and land surveying, the following Rules of Professional Conduct are promulgated in accordance with O.C.G.A. [43-15-6\(1\)](#). The following rules shall be binding upon every individual who possesses a certificate or a certificate of registration issued by the Board and upon every firm, professional corporation, association, governmental agency, partnership, corporation or other legal or commercial entity offering engineering or land surveying services to the public and to all personnel of such firm, corporation, partnership, association, or entity who act in its behalf in the practice of engineering or land surveying in this state.
- (2) The Rules of Professional Conduct as promulgated herein are an exercise of the police power vested in the Georgia Board of Registration for Professional Engineers and Land Surveyors by virtue of the acts of the legislature. By that investment, the said Board is authorized to establish conduct, policy, and practices in accordance with the powers hereinabove stated.
- (3) All persons registered under O.C.G.A. Chapter 15, Title 43, are charged with having knowledge of the existence of these Rules of Professional Conduct and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering or land surveying is a privilege as opposed to a right. The registrant shall be forthright and candid in his/her statements or written response to the Board or its representatives on matters pertaining to professional conduct.

#### Rule 180-6-.02 Protection of the Public

The engineer or land surveyor shall at all times practice in such a manner as to protect the safety, health and welfare of the public. If a registrant's engineering or land surveying judgment is overruled under circumstances where the safety, health or welfare of the public are endangered, he/she shall inform the proper authorities and his/her employer of the situation as may be appropriate.

#### Rule 180-6-.03 Rules of Practice

- (1) The engineer or land surveyor shall perform services only in areas of his/her competence. The engineer or land surveyor shall undertake to perform engineering or land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved.
- (2) The engineer or land surveyor may accept an assignment requiring education or experience outside of his/her own field of competence, but only to the extent that his/her services are restricted to those phases of the project in which he/she is qualified. All other phases of such project shall be performed by qualified associates, consultants or employees who shall sign, seal, and be responsible for such other phases or technical segments of the project.
- (3) The professional engineer who develops the design criteria and engineering concept for a project, provides analysis, and is responsible for the preparation of the construction documents shall be responsible for the design of the project within his/her contractual area of engineering services and shall be known as the engineer of record.
- (4) In the event that a professional engineer who is not the engineer of record is used for specific portions of the work, that individual shall be a registered engineer in the State of Georgia and shall seal, sign, and date his/her own reports, calculations, and drawings. He/she shall coordinate his/her work with the engineer of record and shall be responsible to the engineer of record for that specific portion of the project design. He/she shall be known as the specialty engineer.
- (5) The engineer or land surveyor shall not affix his/her signature and/or seal to any engineering or land surveying plan, document, or plat unless such plan, document, or plat is prepared by the registrant or an individual in the employ of the registrant. All plans, documents, and plats prepared by non-registrants must be prepared under the direct supervisory control of the registrant on a daily basis.
- (6) "Direct supervisory control" shall require the registrant to have daily interaction with and provide guidance and direction to any non-registrant employee or non-registrant contract employee in the preparation of engineering or land surveying plans, documents or plats, in each phase of the preparation of the calculations, drawings, specifications, reports, surveys and all other documents completed by the non-registrant. Direct supervisory control may be typically established at a location (address) where both the registrant and the non-registrant employee (whether full time or part time or contract) are employed and there is a direct connection between the registrant and the non-registrant employee. If the registrant and the non-registrant employee are not located at the same location, then the registrant shall be able to demonstrate how direct supervisory control is maintained over the non-

registrant and how the registrant and the employee maintain a direct connection for the direct supervisory control of the engineering or surveying work as indicated above, upon an inquiry from the Board. Satisfactory proof of direct supervisory control from the registrant over the non-registrant employee includes, but is not limited to, written guidance or directions to the non-registrant employee; written records of ongoing communication during the project; and work product mark-ups by the registrant to the non-registrant. The Board shall determine if such direct supervisory control is being provided by the registrant is acceptable to the Board.

- (7) In the event a question arises as to the competence of an engineer or land surveyor to perform an assignment, the Board may require him/her to submit to an appropriate examination, as determined by the Board. That action by the Board shall be required only if the question cannot be otherwise resolved to the Board's satisfaction.
- (8) Renovation or the retrofitting of a building or structure is considered as the practice of engineering when the work involves the addition or reduction of weight or loading; analysis of structural systems or members; removal or addition of structural elements; analysis of drainage systems on or below the roof surface; changes to the drainage characteristics; or changes required for the building or structure to conform to current jurisdictional building codes. Nothing in this rule is intended to restrict the normal practice by registered architects. Nothing in this rule is intended to restrict the normal practice of roofing contractors insofar as repairing or the replacement of like kind of roofing systems so long as no additional weight is added.

#### Rule 180-6-.04 Statement and Testimony

- (1) The engineer or land surveyor shall be completely objective and truthful in issuing public statements, reports or testimony. He/she shall include all relevant and pertinent information in those statements, reports or testimony.
- (2) The engineer or land surveyor, when serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts at issue. That expression shall reflect a background of technical competence in the subject matter, and an honest conviction of the accuracy and propriety of his/her testimony.
- (3) No engineer or land surveyor licensed under O.C.G.A. Chapter 15, Title 43, shall issue statements, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party or parties unless he/she has prefaced such comments by explicitly identifying the party on whose behalf he/she is speaking. The engineer or land surveyor must at the same time reveal the existence of any pecuniary interest he/she may have in the matters.

#### Rule 180-6-.05 Conflict of Interest

- (1) The engineer or land surveyor shall avoid conflicts of interest. The engineer or land surveyor shall conscientiously avoid conflict of interest with his/her employer or client, but, when unavoidable, the engineer or land surveyor shall forthwith disclose the circumstances to his employer or client.
- (2) The engineer or land surveyor shall avoid all known conflicts of interest with his/her employer or client and shall promptly inform his/her employer of any business

association, interests, or circumstances which could influence his/her judgment or the quality of his/her services.

- (3) The engineer or land surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project or for services pertaining to the same project unless the circumstances are fully disclosed to and agreed to by all interested parties.
- (4) The engineer or land surveyor shall not solicit or accept financial or other valuable considerations, directly or indirectly, from material or equipment suppliers, or their representatives, for specifying their products.
- (5) The engineer or land surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for which he/she is responsible.
- (6) The engineer or land surveyor in public service as a member, advisor, or employee of a governmental body or department shall not participate in considerations or actions with respect to matters involving him/her or his/her organization's private or public engineering or land surveying practices.
- (7) The engineer or land surveyor shall not solicit or accept an engineering or land surveying contract from a governmental body on which a principal or officer of his/her organization serves as a member.

#### Rule 180-6-.06 Conduct

- (1) The engineer or land surveyor shall solicit or accept professional employment only on the basis of his/her qualifications and competence for proper accomplishment of the work. No engineer or land surveyor may provide a fee proposal to a potential client until he/she (a) established or reviewed the scope of services for the project, (b) determined that, based on his/her review of the scope of services, that he/she is competent to provide the professional services required, and (c) made his/her qualifications known to the prospective client. On proposals including more than one engineer or land surveyor, each individual shall be responsible for complying with this rule for his/her respective portion of the proposal. The engineer or land surveyor shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.
- (2) The engineer or land surveyor shall not falsify or permit misrepresentation of his/her or his/her associate's academic or professional qualifications. He/she shall not misrepresent or exaggerate his/her degree of responsibility for prior assignments in brochures or other presentations for the solicitation of employment. He/she shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or his/her or their past accomplishments with the intent and purpose of enhancing his/her qualifications or work.

#### Rule 180-6-.07 Ethics

- (1) The engineer or land surveyor shall associate only with reputable persons or organizations. The engineer or land surveyor shall not knowingly associate with or permit the use of his/her name, or firm name, in a business venture by any person

or firm which he/she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

- (2) If the engineer or land surveyor has knowledge or reason to believe that another person or firm may be in violation of any of these provisions or of O.C.G.A. 43-15, he/she shall promptly present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

#### Rule 180-6-.08 Convictions

A violation of O.C.G.A. Chapter 15, Title 43, or of the rules of another jurisdiction, if for a cause which in the State of Georgia would constitute a violation of O.C.G.A. 43-15 or these rules, shall be grounds for a charge of violation of these rules.

#### Rule 180-6-.09 Certification

- (1) The term "Certification" as used in Rule 180-6-.09(2) and (3) and relating to professional engineering or land surveying services, as defined in O.C.G.A. [43-15-2\(6\) and \(11\)](#), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.
- (2) When an engineer or land surveyor is presented with a certificate to be signed or sealed, he or she should carefully evaluate that certification to determine if the certification:
  - (a) relates to matters which are within the technical competence of the engineer or land surveyor;
  - (b) involves matters which are within the scope of services actually provided by the engineer or land surveyor or;
  - (c) relates to matters which were prepared under the supervision, direction and control of the engineer or land surveyor.
- (3) Engineers or land surveyors who sign or seal certification not meeting criteria in subsection (2) are subject to discipline pursuant to O.C.G.A. [43-15-19\(a\)\(5\)](#).
- (4) Engineers or land surveyors who prepare or issue maps, drawings, plats, plans, or electronic files which include contours or other elevation data shall note the source thereof. For land surveyors such shall adhere to Rule [180-7-.04](#). For engineers, the source of contour or elevation data shall be stated which shall include the name of the surveyor (or firm) that prepared it and is responsible for it, or when depicting contours or elevation data obtained from a public source, shall include the following statement: "The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this engineer. Users of this data do so at their own risk". Failure to provide this statement and the required data shall be both a violation of this rule and an acceptance of responsibility for accuracy of the depicted contours or elevation data.



## **Chapter 180-8 RENEWAL OF LICENSE**

### Rule 180-8-.01 Reinstatement of Expired License

- (1) A certificate of registration which has been administratively revoked for having been expired for greater than four (4) years may be reinstated at the discretion of the Board.
- (2) The applicant must complete the reinstatement application and include a summary of all experience since the date of original Georgia licensure as a Professional Engineer or Land Surveyor with accompanying experience endorsements for each engagement from professionals who are familiar with the experience provided.
- (3) Applicant must include the reinstatement application fee, and upon final Board review, all other fees as provided to reinstate license registration.

### Rule 180-8-.02 Inactive Licensure Status

In accordance with Chapter 295-15 of the Rules and Regulations of the Division Director regarding Inactive Status Licensing, a registrant may apply for inactive licensure status under the following conditions:

- (1) A registrant who is over the age of 65 and retired; or who may become disabled may apply to the Board for inactive status by submitting the required application and paying the proper fees.
- (2) While on inactive status, a registrant is exempt from payment of the biennial renewal fee and continuing education requirements.
- (3) An inactive registrant may not practice professional engineering or land surveying in this State.
- (4) In order to reactivate an inactive license, the registrant must submit a completed application, show compliance with continuing education requirements as set forth in Rule [180-11-.08](#), and submit the reactivation fee as set forth by the Board. The Board must approve the application before the license is reactivated.

## **Chapter 180-10 COMPLIANCE AND ENFORCEMENT**

### Rule 180-10-.01 Corporate Practice: Professional Engineering

- (1) As used in O.C.G.A. § [43-15-23\(c\)](#), the phrase "responsible charge" means the independent control, direction and supervision, by the use of initiative, skill and independent judgment of the practice of professional engineering as defined in O.C.G.A. § [43-15-2\(11\)](#).
- (2) In order to be considered eligible for a certificate of authorization, any individual who is in responsible charge of the practice of professional engineering for the firm, corporation, professional corporation, partnership or association or other entity shall be a full-time employee of the firm, corporation, professional corporation, partnership, association or other entity, regularly engaged in the practice of professional engineering. Such individual shall not be:

- (a) available to perform engineering services only on a part-time, independent contractor basis at the call of such firm, corporation, partnership, association or other business entity; or
  - (b) available on an if-and-when needed consulting basis; or,
  - (c) not actively practicing professional engineering with such firm, corporation, partnership, association or other business entity.
- (3) The practice of professional engineering for any firm, corporation, partnership, association or other business entity shall not be considered to be under the direction of a professional engineer unless such professional engineer bears a continuing bonafide relation thereto and has such authority from the governing body of such business entity as would result in its being legally liable for all such professional engineer's professional acts and judgments.

Rule 180-10-.02 Corporate Practice: Land Surveying

- (1) As used in O.C.G.A. § [43-15-23.1\(c\)](#), the phrase "responsible charge" means the independent control, direction and supervision, by the use of initiative, skill and independent judgment of the practice of land surveying as defined in O.C.G.A. § [43-15-2\(6\)](#).
- (2) In order to be considered eligible for a certificate of authorization, any individual who shall be in responsible charge of the practice of land surveying for the firm, corporation, professional corporation, partnership, association or other entity shall be a full-time employee of the firm, corporation, professional corporation, partnership, association or other entity, regularly engaged in the practice of professional land surveying. Such individual shall not be:
- (a) available to perform land surveying services only on a part-time, independent contractor basis at the call of such firm, corporation, partnership, association or other business entity; or
  - (b) available on an if-and-when needed consulting basis; or,
  - (c) not actively practicing land surveying with such firm, corporation, partnership, association or other business entity.
- (3) The practice of land surveying for any firm, corporation, partnership, association or other business entity shall not be considered to be under the direction of a land surveyor unless such land surveyor bears a continuing bonafide relation thereto and has such authority from the governing body of such business entity as would result in its being legally liable for all such land surveyor's professional acts and judgments.

**Chapter 180-11 CONTINUING PROFESSIONAL COMPETENCY**

Rule 180-11-.01 Introduction

Beginning January 1, 1997, as stated in O.C.G.A. [43-15-6\(b\)](#),". . . which begins after the 1996 renewal cycle," every registrant shall meet the continuing professional competency

requirements of these rules for professional development as a condition for licensure renewal.

#### Rule 180-11-.02 Definitions

Terms used in this section are defined as follows:

- (a) Professional Development Hour. A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit. The numerical unit of measure used in calculating compliance with this Chapter is a Professional Development Hour or PDH. All units and hours attributed to the courses and activities acceptable in satisfying this Chapter's requirement are translated into PDH's by operation of Rule [180-11-.04](#) of this Chapter.
- (b) Course/Activity. Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the land surveyor's or professional engineer's practice.
- (c) Continuing Education Course/Unit.
  - 1. Continuing Education Course. A course, seminar, workshop or other professional or technical presentation or activity taken or attended for the purpose of maintaining, improving, or expanding the skills and knowledge relevant to the registrant's practice.
  - 2. Continuing Education Unit. The unit of measure attributed to Continuing Education Courses is a Continuing Education Unit or CEU. Ten (10) hours of class in a Continuing Education Course equals one (1) Continuing Education Unit.
- (d) College Courses/Unit Measure.
  - 1. College Course. When used in this Chapter, a College course is a technical course in a curriculum which has been accredited by the Accreditation Board for Engineering and Technology, or a technical course that is specifically relevant to engineering or surveying, which is offered by a college, university, or other institution.
- (e) College/Unit Semester/Quarter Hour. A College/Unit Semester/ Quarter Hour is a unit of measure attributed by the offering college, university, or institution, to a particular course, which is translated into PDH's by operation of Rule [180-11-.04](#) of this Chapter.
- (f) Registrant. When used in this Chapter, a person who is licensed as either a professional engineer or a land surveyor is deemed to be a registrant.
- (g) Dual Registrant. When used in this Chapter, a person who is licensed as both a professional engineer and a land surveyor is deemed to be a dual registrant.
- (h) Board. The State Board of Registration for Professional Engineers and Land Surveyors.

- (i) Sponsor. A sponsor is an organization, college, university, institution, or individual which provides a course/activity for which the professional engineer or land surveyor seeks to obtain Professional Development Hour credit.
- (j) Successful Completion of a Course/Activity. Satisfactory completion of a course/activity taken for the purpose of obtaining PDH's means fulfilling the course or activity's requirements and obtaining a certificate of completion or its equivalent.

Rule 180-11-.03 Requirements

- (1) Professional Engineers. Every professional engineer is required to obtain thirty (30) PDH's each twenty-four (24) month (Biennial) renewal period. If a professional engineer exceeds the requirements in any biennial renewal period, a maximum of fifteen (15) PDH's may be carried forward into the subsequent renewal period.
- (2) Land Surveyors. Every land surveyor is required to obtain fifteen (15) PDH's each twenty-four (24) month biennial renewal period. In addition, every land surveyor must ensure that, once every four (4) years, at least six (6) PDH's in "Minimum Technical Standards" be included in their PDH's acquired. The "Minimum Technical Standards" material shall include a review of all board rules and applicable state laws pertaining to the practice of land surveying specific to the state of Georgia. If a land surveyor exceeds the requirements in any biennial period, a maximum of seven and one-half (7.5) PDH's may be carried forward into the subsequent renewal period.
- (3) Dual Registrants. The person with a dual license is required to obtain thirty (30) PDH units for a twenty-four (24) month (Biennial) renewal period. If a dual registrant exceeds the requirement in any Biennial renewal period, a maximum of fifteen (15) PDH's may be carried forward into the subsequent renewal period. At least one-third (1/3) of the PDH's in a renewal period must be obtained in engineering, and one-third (1/3) in surveying. The remaining units may be in either field, at the discretion of the registrant.
- (4) PDH's may be earned as follows:
  - (a) Successful completion of college courses.
  - (b) Successful completion of continuing education courses.
  - (c) Successful completion of correspondence, televised, videotaped, audiotaped, and other short courses/tutorials taken for the purpose of maintaining, improving, or expanding the skills and knowledge relevant to the land surveyor's or professional engineer's practice.
  - (d) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences which are relevant to the land surveyor's or professional engineer's practice.
  - (e) Teaching or instructing in any area relevant to the land surveyor's or professional engineer's practice.

- (f) Authoring published papers, articles, or books in any area relevant to the land surveyor's or professional engineer's practice.
- (g) Active participation in professional or technical societies. (For professional engineers only).
- (h) Receiving patents in any area relevant to the land surveyor's or professional engineer's practice.

#### Rule 180-11-.04 Units

The conversion of other units of credit to Professional Development Hours is as follows:

- (1) One (1) college or unit semester hour: 45 PDH
- (2) One (1) college or unit quarter hour: 30 PDH
- (3) One (1) Continuing Education Unit: 10 PDH
- (4) One (1) Hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, conferences, or examination preparation.
- (5) For teaching of professional development coursework as in 180-11-.04, apply a multiple of two (2). Teaching credit valid for teaching a course or seminar for the first time only. Teaching does not apply to full-time faculty.
- (6) Authorizing published papers, articles, or books in any area relevant to the land surveyor's or professional engineer's practice: 10 PDH
- (7) Active participation in professional and technical society (for professional engineers only): 2 PDH
- (8) Each patent in any area relevant to the land surveyor's or professional engineer's practice: 10 PDH

#### Rule 180-11-.05 Determination of Credits

The Board has the final authority regarding:

- (a) Approval of courses, classes, seminars, meetings, and all other methods of satisfying the requirements of this Chapter; and
- (b) The number of PDH's allocated to each course, class, seminar, meeting, and any other method of satisfying the requirements of this Chapter.

#### Rule 180-11-.06 Recordkeeping

To ensure compliance of continuing education, the Board shall randomly audit a number of registrants. Registrants licensed by way of examination or comity, shall be exempt from continuing education requirements for their first renewal period. Maintaining records to be used to support PDH's Claimed, is the responsibility of the registrant. Records required include:

- (a) A log showing the type of activity, sponsoring organization, location, duration, instructor's or speaker's name, and PDH's earned.
- (b) Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance; or records as maintained by professional organizations, or other similar repositories designated by the Board.
- (c) The log and records described in Rule 180-11-.06(a) and (b) must be maintained for a period of four years and copies may be requested by the Board for audit verification purposes.

#### Rule 180-11-.07 Exemptions

A registrant is exempt from the professional development education requirements under any of the following circumstances:

- (1) Registrants licensed by way of examination or comity, shall be exempt for their first renewal period.
- (2) A professional engineer serving on temporary duty in the armed forces of the United States for a period of time exceeding one hundred twenty (120) consecutive days shall be exempt from obtaining 15 of the professional development hours required during that biennial period in which the majority of the days of duty fall. Likewise, a land surveyor shall be exempt from obtaining 7.5 professional development hours during that biennial period.
- (3) Registrants experiencing physical disability, illness, or other extenuating circumstances as approved by the Board may be exempt. Supporting documentation must be furnished to the Board.
- (4) Registrants over the age of 65 who have applied for an inactive license, who list their occupation as "Retired" or "Inactive" on the Board-approved renewal form, and who further certify that they are no longer receiving any remuneration from providing professional engineering or land surveying services shall be exempt from professional development hours. In the event such a person elects to return to active practice of professional engineering or land surveying, professional development hours must be earned as described in "[180-11-.08](#) Reinstatement" before returning to active practice.
- (5) Individuals who qualify for exemption by way of paragraph (4) above may continue to use the words Professional Engineer (or P.E.), or Land Surveyor (or L.S.) as appropriate, after their names as long as they continue to fall under the restrictions specified and are not actively practicing engineering or land surveying.
- (6) Registrants over the age of 65 who are engaged in the active practice of their profession and who have held a valid Georgia license for the previous 25 consecutive years shall be exempt from professional development requirements.

#### Rule 180-11-.08 Reinstatement

A registrant may bring an inactive or suspended (provided all other conditions of the suspension are filled) license to active status by obtaining all delinquent PDH's. A MINIMUM OF 15 PDH's are required for each year in an inactive or suspended status for professional

engineers and 7.5 PDH's for land surveyors, up to a maximum of 30 PDH's for professional engineers and 15 PDH's for land surveyors.

#### Rule 180-11-.09 Comity/Out-of-Georgia Resident

The Board shall recognize the continuing education requirements imposed by other states to the extent that such continuing education courses meet the requirements imposed by the Board. Comity/Out-of-Georgia residents will be required to keep recordkeeping as listed under Rule [180-11-.06](#).

#### Rule 180-11-.10 Forms

Included with all license renewal applications will be a continuing education summary log form that the registrant must use to summarize the professional development hours for which he/she has requested credit during the current biennial period. In order to ensure compliance with O.C.G.A. [43-15-6\(b\)](#), the Board shall audit some registrants at a later date and will instruct them to submit this form to the Board office, signed and certified. The form must supply sufficient detail relevant to continuing education hours claimed in order to permit the Board to complete its audit.

### **Chapter 180-12 SEALING OF DOCUMENTS**

#### Rule 180-12-.01 Description

The seal authorized by the State Board of Registration for Professional Engineers and Land Surveyors for registrants may be of the crimp type and/or rubber stamp facsimile or may be computer generated. The seal design is to be circular in form, the diameter of the outer circle being 1 1/2 inches, and the diameter of the inner circle being one inch. The registration seal design will be furnished to each registrant as part of the licensure process.

#### Rule 180-12-.02 Sealing of Documents

- (1) The term, "documents," as used herein shall mean engineering and/or land surveying work issued in the form of plans, drawings, maps, surveys, reports, specifications, design information, and calculations, including such work issued in digital form.
- (2) The term "issued" as used herein shall mean documents in the final form which bear the seal, signature and date of the registrant and the entity's Certificate of Authorization Name, Authorization Number and Expiration date of the COA (as required by GA Law 43-15-23. Practice of professional engineering by or through firm, corporation, or other entity for COA requirements.)
- (3) The registrant shall seal, sign and date and provide COA name, Authorization Number and expiration date of the COA all original final documents which are issued to a client or any public agency. The sealing of documents by the registrant shall certify that the work was performed by the registrant or under the direct supervisory control of the registrant on a daily basis. For engineering documents, the date of signature shall be placed immediately under the seal and signature.
- (4) No registrant shall issue or allow to be issued draft, incomplete, preliminary, in-progress, or for-review document or any type that contains the seal of the registrant

unless such document does not contain a signature. Further, any such draft shall display the date of issue and a notation under or adjacent to the seal in bold lettering, such as "PRELIMINARY", "DRAFT", "NOT FOR CONSTRUCTION or "FOR REVIEW ONLY," which clearly identifies the purpose for which the document is issued. Any document containing a seal, signature, date and COA information as required in (2) above shall be considered to be issued.

- (5) Seals, signatures, dates, COA Information and/or other notations required by this Rule shall be placed on original documents such that the seal, signature, date, COA Information and/or notations, will be reproduced when copies or scans are made. A "facsimile signature" that is to be placed on a property survey map or plat in accordance with O.C.G.A. [15-6-67](#) may be a scanned image of an actual signature or a computer generated signature, and must be kept in the strict control of the land surveyor.
- (6) Each drawing sheet, whether bound or unbound, shall be sealed, signed and dated by the registrant(s) responsible for the work on that sheet and contain the entity's COA information. If necessary due to number of sheets, in lieu of providing a seal, signature, date, and COA information on each drawing sheet, a summary sheet may be included in the form of a clearly drafted table or other format that identifies each registrants seal, signature, date, and COA information and which includes a narrative that clearly describes the element of work for which each registrant is responsible and indicates the most current version of each sheet. This summary sheet shall be included within the final documents. If a document is sealed, signed and dated and contains the entity's COA information by more than one registrant, the portion of the work for which each registrant is responsible shall be clearly noted.
- (7) Each document that is sealed, signed and dated by a registrant shall contain the name, address, and contact information of the firm or sole practitioner certifying the work. Each document shall have the entity's COA information included.
- (8) Documents as defined in Paragraph (1) that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal removed from the original file, unless signed with an electronic signature as defined in Paragraph (9) of this Rule. After removal of the seal the electronic media shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing) and the entity's COA Information. This medium shall not be considered a certified document." Hardcopy documents containing the original seal, signature, date and entity's COA information of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements of this Paragraph. The electronic transmission beyond the direct control of the licensee of CAD, vector or other files subject to easy editing are subject to the requirements of this paragraph. Easy editing is based on the file consisting of separate elements that can be individually modified or deleted.
- (9) Documents to be electronically transmitted beyond the direct control of the licensee that are signed using an electronic signature shall contain the authentication procedure in a secure mode and a list of the hardware, software and parameters used to prepare the document(s). Secure mode means that the authentication



procedure has protective measures to prevent alteration or overriding of the authentication procedure. This paragraph does not apply to property survey maps and plats governed by O.C.G.A. [15-6-67](#) which may be submitted in an electronic file format that is regulated by the Georgia Superior Court Clerks Cooperative Authority. The term "electronic signature" shall be an electronic authentication process that is attached to or logically associated with an electronic document. The electronic signature shall be:

- (a) Unique to the licensee using it;
- (b) Capable of verification;
- (c) Under the sole control of the licensee; and
- (d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.

## B. Frequently Asked Questions (FAQ)

*Some of the following FAQ are excerpted from the Georgia Board website:*

### **Q. What does O.C.G.A. stand for?**

O.C.G.A. stands for the Official Code of Georgia Annotated. The Georgia laws governing the practice of engineering and land surveying are contained in O.C.G.A. § 43-15 (Title 43 Chapter 15).

### **Q. What is plan stamping?**

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

Plan stamping is an improper conduct and is prohibited by the Board.

### **Q. What is the difference between CPC and CPD?**

CPC stands for Continuing Professional Competency while CPD for Continuing Professional Development, the latter is used by some state boards as a measure of continuing education credits. One CPD unit is equal to one PDH unit (one Professional Development Hour).

### **Q. Does the Board allow carryover of excess PDH hours?**

Yes, up to 15 (for PE) or 7.5 (for LS) excess PDH hours may be carried over to the next renewal period.

**Q. Does the Board pre-approve courses or course providers?**

No, the Board does **not** pre-approve courses or course providers. It is your responsibility to assure that the activities in which you participate meet the requirements. Registrants are encouraged to select meaningful CPC activities which will be of benefit in the pursuit of their chosen fields. The definition of Course/Activity is: "**Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand skills and knowledge relevant to the registrant's field of practice.**"

**Q. Does self-directed study count?**

No. Self-directed study does not count. Self-directed study is any independent study where an individual has primary responsibility for planning, implementing, and evaluating their effort. The Board does not accept self-directed study.

**Q. What are considered the qualifying CPC activities?**

Here are some of the typical qualifying activities:

- Completing or attending qualifying courses, seminars, instruction, in-house programs, or training;
- Attending technical or professional society meetings when an engineering/land surveying topic is presented as a principal part of the program and covers topics within your area of practice;
- Teaching a course for the first time or if substantial time has been spent in updating material if previously taught;
- Attending satellite video courses where attendance is verified, and program material meets the requirements; and
- Attending software instructional courses which relate to the improvement of one's business or profession.

**Q. What are considered the non-qualifying CPC activities?**

Typical non-qualifying activities include regular employment; courses in real estate licensing; personal estate and financial planning; courses in self-study or personal self-improvement; service club meetings or activities; equipment demonstrations or trade shows; topics not relevant to engineering or land surveying; repetitive teaching of the same course without updating the course material; committee and business meetings of any organization; conversational language courses for personal use.

In addition, engineering related activities will not qualify as meeting the requirements of land surveying; and land surveying related activities will not qualify as meeting the requirements for engineering.

**Q. Do I need to submit my activity log or supporting documents with my biennial renewal?**

No. When needed, the Board will request your paperwork in writing. You are responsible for maintaining records to demonstrate completion of PDH credits.

**Q. How long do I need to keep my CPC activity log and supporting documentation?**

You will need to keep your CPC activity log and supporting documents for **four years**. You

must also keep proof of attendance, such as a certificate, letter of attendance or any other form that can verify the CPC activity and date completed.

**Q. How will the Board ensure the accuracy of the PDH units?**

On your biennial renewal application form, you must certify that the requirements for PDH units have been met. The board will audit a selected percentage of all renewals to ensure compliance with CPC requirements. Auditing will be done after renewals are complete. If you are selected for audit, you will be contacted to provide the necessary documentation.

**Q. What happens if I do not have sufficient PDH units when audited?**

If the board determines that some credits are unacceptable, the registrant will have 180 days to obtain PDH units that are acceptable. If the registrant, after 180 days, has not obtained the requisite PDH's, the license will be revoked until such time as the units are obtained.

**Q. Are there any exemptions for not earning PDH units?**

Here are several exemptions:

1. New registrants are exempt from their first renewal period only.
2. Those in foreign employment or a non-career military registrant serving on active duty for over 120 consecutive days may be exempted upon board approval. Supporting documentation will be required.
3. Those who have experienced serious illness or injury of a nature and duration which has prohibited completing CPC requirements during the two years prior to the renewal period, may be exempted. Supporting documentation will be required.
4. Those who qualify for "inactive" status. Inactive status means that the registrant is over 65 years of age and is totally separated from the profession of engineering and/or land surveying in Georgia and all other states; the words engineer, engineering, land surveyor or land surveying do not appear in the registrant's work title; the registrant is not employed with a company or organization which performs or offers to perform engineering or land surveying services or a company or organization which uses engineering or land surveying in the company title; and the registrant, as an individual, is not performing or offering to perform engineering or land surveying services or making engineering or land surveying decisions.
5. Those who are 65 years of age or older who also have 25 or more years of active registration. Supporting documentation to prove age will be required.

If you qualify for an exemption, you will be required to certify to your exemption on the renewal form beginning January 1, 1999. Exemption requested for "Other" reasons will require a letter of explanation.

**Q. When is the PE/LS license renewal deadline?**

The renewal deadline for individuals with a Georgia P.E. or L.S. is December 31 each even year. Renewal forms are mailed from the Board office in mid-November. To renew without penalty, registrants should return their renewal forms and fees to the post office box indicated on the form by December 31.

**Q. When is the Certificate of Authorization renewal deadline?**

The renewal deadline for firms holding a Georgia Certificate of Authorization to offer engineering or surveying services is June 30 each even year. Renewal forms are mailed from the Board office in May. Firms should return their renewal of certificate of authorization forms to the Board office by June 30 to avoid lapsing their certificate. At the current time no fees or penalties are assessed for firm registration. Misplaced or lost renewal forms may be obtained from the Board.

**Q. What if I missed my license renewal deadline?**

Renewals postmarked subsequent to December 31 deadline will require a \$50.00 renewal fee plus a penalty of \$300.00 for the next four years of delinquency. Licenses that have expired for more than four (4) years are automatically revoked per OCGA 43-15-17(b).

**Q. What happens if I don't renew my license?**

If you do not renew before the end of the renewal year, the fee is \$300.00 for the next four (4) years. Your license is considered in "Lapsed – Late Renewal Period" status for four (4) years. To reactivate your license any time in that four (4) year period, you may pay the applicable fees and provide proof of Professional Development Hours (PDH) credits (30 for each renewal period for Professional Engineers and 15 for Land Surveyors.) A license that has been expired for four (4) years will be administratively revoked and the status will change to "Lapsed." The licensee must then request to be reinstated and must be approved by the entire Board. The application processing fee for reinstatement is \$100. If you have maintained licensure in another state, then you may be required to pay an additional \$1000 reinstatement fee after approval. If you have not maintained a license in another state, then the Board may require you to sit for the Principles and Practices Exam as a stipulation of reinstatement.

**Q. How may I be placed on inactive status?**

Board Rule 180-8-.02 requires that a registrant be over the age of 65 and retired or disabled in order to apply for inactive status. You must submit a request in writing or so indicate during the biennial license renewal process to be considered for inactive status.

**Q. Who needs to obtain a certificate of authorization?**

All businesses offering engineering or land surveying services in the State of Georgia through individual registered professional engineers or land surveyors as agents, officers or partners are required to file an Application for Certificate of Authorization with the Board before they are allowed to practice in Georgia. Please refer to O.C.G.A. § 43-15-23 and §43-15-23.1. Sole proprietorships are exempt from this requirement.



**Q. Is there any special CPC requirement for Georgia land Surveyors?**

Yes, Georgia land surveyors must ensure that, once every four (4) years, at least six (6) PDH's in "Minimum Technical Standards" be included in their PDH's acquired.

## C. Violations and Disciplinary Actions

*Most of the information below are excerpted from the Georgia Board website:*

### **Enforcement Information**

The Board is charged with the duty of issuing certificates of registration to those professional engineers and land surveyors it has determined to be qualified. It has the authority and responsibility to revoke these certificates when charges such as gross incompetence are proven in a hearing against a registrant. It has the authority to initiate civil action against unlicensed persons who practice or offer to practice engineering or land surveying for the public. The board is not authorized to settle boundary line disputes, establish cost for services, correct miscalculations or errors in a survey of real property, or settle contractual disputes. These types of problems are civil matters and should be settled between the parties involved either in or out of the courts. If wrongdoing by a registrant is proven in court, the board would like to have certified copies of any orders issued to prevent the wrongdoing from happening again and to take other action as considered appropriate. Likewise, the board has no powers of restitution; these are reserved for the courts.

The board must depend in large measure on reports from the public and engineering and land surveying professionals to provide factual evidence to help regulate the practice of engineering and land surveying in the state.

Violations and complaints must be reported to the board in writing, and the complaint with other supporting evidence must be notarized in accordance with O.C.G.A. 43-15-25. Documents received will not be returned. The complaint must contain sufficient factual evidence to indicate a clear violation of the registration law. Accusing another person of a violation of the law is a serious matter; therefore, you should be certain that there is wrongdoing and not file a complaint just because you feel there **may** be a violation. The board is anxious to act on any complaint that is in fact one of its responsibilities; however, experience has shown that the public is not always aware of what is and what is not a legitimate responsibility of the board. Consequently, a majority of the complaints received simply do not lie within the jurisdiction of the board to settle because the board's powers are necessarily limited by law. Copies of the law governing the practice of professional engineering and land surveying and the rules of the board, as well as a board-approved complaint form, are available upon request from the board office at (478) 207-1450 or may be downloaded on the Board website.

### **Investigation**

Your complaint will be given serious consideration by the board and further investigative action may be taken, if appropriate. You may be contacted by a board investigator. A referral of a complaint for further investigation does not necessarily mean that a licensing violation has occurred. Investigations are completed as soon as possible, depending upon the nature and circumstances of the complaint.

Investigative files are considered confidential for any purpose other than a hearing before the board; however, the board is authorized to release such records to another enforcement agency or lawful licensing authority.

## **Hearing Process**

After reviewing the results of the investigation, the board may determine that an apparent violation of the licensing law exists. If so, the board will refer the case to the State Attorney General's office to initiate formal proceedings. However, not all cases referred to the Attorney General result in formal hearings before the board. In some instances, both the board and the registrant agree to certain disciplinary sanctions by signing a consent agreement.

Those cases which proceed to formal hearings are conducted by an Administrative Law Judge in accordance with the Georgia Administrative Procedures Act. If a hearing is conducted, you as the complainant may be called upon to testify, and your identity as a complainant may become known.

After the formal hearing is conducted, the Administrative Law Judge issues an initial decision which contains the findings of fact, conclusions of law, and recommended disciplinary actions. The registrant may request or the board may on its own seek a review of the Administrative Law Judge's decision. After the final decision is issued, the registrant may appeal that decision to the Superior Court of Fulton County.

The procedure is sometimes lengthy and may take many months to complete. However, it is designed to ensure due process and to protect the rights of all individuals involved.

## **Fee and Contract Disputes**

Most fee and contract disputes result from a lack of communication or misunderstanding between the parties. Such disputes generally do not come within the jurisdiction of the boards and must be resolved by the parties involved. The boards have no authority to set fees or settle monetary disputes.

## **What You May Expect**

You may expect the state board to be genuinely concerned with your complaint. It will receive full and prompt attention. Where appropriate, the board will seek to investigate and resolve the complaint, either through informal or formal means. Once the investigation process is completed, you will be notified of the final outcome of your complaint.

## **How to File a Complaint**

Anyone may file a complaint. However, all complaints must be made in writing and should contain sufficient factual evidence to indicate a clear violation of the registration law. Include with your complaint as much factual evidence as possible; including copies of plans, plats, pictures, maps, documents, contracts and the names, addresses and phone numbers of potential witnesses. Any documents received with your complaint will not be returned. Most documents received by the Board are public records and subject to the Georgia Open Records Act. This law requires nearly all public records to be available for inspection by anyone, upon reasonable request.

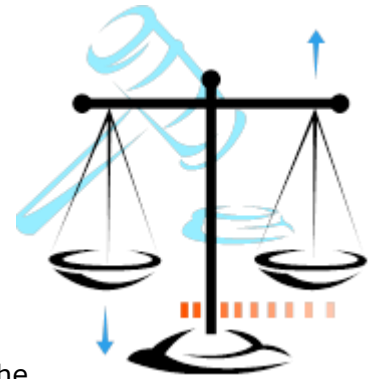
To file a complaint, you need to fill the complaint form along with the supporting documents on the board website at: <https://sos.ga.gov/page/how-submit-complaint>

## What Happens after a Complaint is Received?

Investigations of complaints can be a lengthy process and may take many months to complete. The Board makes every effort to pursue the matter as soon as possible; however, some cases take longer than others due to the technical nature and circumstances of the complaint. All cases are initially reviewed by the Board Cognizant Member who decides if additional evidence is needed. The case may then be sent to the Investigations section, another Board Member, a peer reviewer for another opinion on the matter, Legal Services for voluntary orders, and/or the Attorney General's office for formal hearings before the Board. The commitment of the Board is that you, as the complainant, will be notified when the case is concluded and informed of the Board's recommendations and actions taken.

Disciplinary action taken against registrants may include:

- Settlement Agreement
- Reprimand
- Probation
- Limitation on registration
- Suspension
- Revocation



The Board does not have jurisdiction over unlicensed persons practicing engineering or surveying, and therefore cannot take disciplinary action against them. However, after an investigation, the Board may seek a settlement agreement, an injunction or criminal prosecution to prohibit further unlicensed activity.

The following are some examples of board actions taken as a result of complaints received. These cases are excerpted from the past Board meeting minutes:

PELS180023 – This complaint involves allegations of arrest and conviction. Dan Davis made a motion to flag the respondents file for the next renewal and request final court documents. Russ Pennington seconded that motion, and the vote carried unanimously.

PELS170020 – This complaint involves allegations of substandard work. Elmo Richardson made a motion to refer the complaint to the Secretary of State Investigations (SSI).

PELS170075 – This complaint involves allegations of unlicensed practice. Mark Chastain made a motion to close the following complaint. Elmo Richardson seconded the motion.

PELS170078 – The following complaint involves allegations of unlicensed practice. Dan Davis motioned for the Board to vote to notify the licensee that someone was using their license number in a different state. Once the Board finds out who was using the license number they will issue a C&D. Elmo Richardson seconded that motion.

PELS170083 – The following case involves allegations of unethical conduct. Elmo Richardson made a motion for the Board to vote to issue a consent order with a \$500.00. Julie Busbee seconded the motion.

PELS170031 – The following case involves allegations of unlicensed practice. Dan Davis made a motion for the Board to accept the Cease & Desist (C&D) order, and vote to close. Elmo Richardson seconded.

PELS160034- This complaint involves allegations of substandard work. Elmo Richardson made a motion to issue a consent order for working outside area of scope, two years probation and a \$3,000.00 fine. The respondent is to have all work reviewed during probationary period. Vice Chairman Dan Davis seconded the motion.

PELS170060- This complaint involves allegations of substandard work. The Board voted to accept the consent order from the respondent. Elmo Richardson made a motion, Vice Chairman Dan Davis seconded.

PELS170037- Issue of letter stating cannot represent in any way as offering engineering services. Send a letter to pay a penalty of \$1,000.00 for advertising on DeKalb Vendor's List and firm's website as offering engineering services. The firm will be instructed to obtain a COA within 30 days and pay penalty. Board will not take official action until then.

PELS170040- Created from PEF006722's application for firm renewal. Refer to Attorney General's office to issue a Consent Order. Constituency for PE's license renewal: \$5,000.00 fine with AG's ability to negotiate amount and 24-month probation. Complaint referred to Resisted Architects & Interior Designers Board as well.

PELS140026 - This complaint involves the allegations of violations of Board Order. The Board conducted a Hearing that was scheduled at 11:00 a.m. Mark Chastain made a motion to revoke license from respondent. Neil Wyche seconded the motion, and the motion passed unanimously.

PELS150023 - This complaint involves the allegations of substandard work by the respondent. Mark Chastain made a motion that the Board deny the appeal to change the Consent Order and to have the respondent attend an Investigative Interview at the January 31st, 2017 Board meeting Elmo Richardson seconded and the motion passed unanimously.

## Course Summary

To safeguard the life, health, property, and welfare of the public, licensed professional engineers/land surveyors must fully understand the Board Laws and Rules. A licensee who violates any provision of the Laws and Rules may be subject to disciplinary action, such as a fine, reprimand, probation, suspension, or revocation of the license.



- End -

*Note: Once you finish studying the above course, you need to take a quiz online to obtain the PDH credits.*