

TITLE 245 CHAPTER 15.
LICENSURE AND PRACTICE OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

SUBCHAPTER 17. LICENSEE'S SEAL

245:15-17-1. Licensee's seal

- (a) Every person authorized to practice engineering or land surveying by a certificate of licensure may obtain a seal with which to identify all final engineering and land surveying papers or documents, including drawings, specifications, plans, reports, land surveys, plats, land descriptions, design information, construction documents, calculations, addenda, change orders, field orders and other documents of service involving the practice of engineering or land surveying issued by the licensee for use in the State of Oklahoma whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the direct control and personal supervision of the licensee.
- (b) The seal required shall be of a type which will make an image on the surface of original documents and duplications of original documents. The use of a rubber stamp or electronic digitization which produces an accurate and legible image of the seal is permissible.
- (c) The seal of the licensee shall consist of two (2) concentric circles. The inner circle shall have inscribed the licensee's name and number, which shall correspond to the name and certificate number shown on the Certificate of Licensure. The area between the two (2) circles shall be inscribed with the word "Oklahoma" at the bottom reading counter-clockwise and the words "Licensed Professional Engineer" or "Licensed Professional Land Surveyor" at the top reading clockwise. "Licensed Professional Surveyor" may be substituted for "Licensed Professional Land Surveyor" on the seal. The seals commercially designated as 1 7/8" seal, with an inner circle of 1 1/8" diameter and an outer circle of 1 3/4" diameter, or the 1 5/8" seal, with an inner circle of 1 1/16" diameter and an outer circle of 1 9/16" diameter, are acceptable, as shown in Appendix A of this Chapter. Reproduction of the original documents with the required seal may produce a different seal size provided the seal remains completely legible.
- (d) A licensee who practices in other than their full legal name shall register the name customarily used in professional practice with the Board together with a copy of their signature for such customarily used name. The seal may be inscribed with the registered, customarily used name, and the signature affixed across or adjacent to the seal shall be the name inscribed on the seal. A seal and signature affixed in a registered, customarily used name shall have the same force and effect as the seal and signature affixed in a licensee's full legal name.
- (e) Existing seals containing the words "Registered Professional Engineer", "Registered Professional Land Surveyor", and "Registered Land Surveyor" may continue to be used.
- (f) Licensed "Professional Structural Engineers" may obtain an additional seal and use the word "Professional Structural Engineer" in lieu of "Licensed Professional Engineer" to use when sealing structural engineering projects, whether or not the work requires the seal of a Professional Structural Engineer. All other work lawfully performed by the Professional Structural Engineer in other disciplines of engineering shall be signed and sealed using the seal which states "Licensed Professional Engineer". Work defined as a "significant structure" shall be sealed with a "Professional Structural Engineer" seal, and/or signed with the designation "P.E., S.E." following the signature.

245:15-17-2. Use of seal

- (a) The application of the licensee's signature and date of signature to a sealed document shall constitute certification that the work thereon was done by the licensee or under the licensee's direct control and personal supervision, as defined by statute, and that the licensee accepts full responsibility and liability for the professional work represented thereon. Authorized use of the prescribed seal is an individual act. The licensee is responsible for its security at all times. The licensee shall permit no other person, firm, or entity to use the prescribed seal. The seal shall be affixed to documents and instruments only during the time the licensee's license is current and in good standing. Whenever the seal is applied, the document must be signed by the licensee thereby certifying that he or she is competent in the subject matter, has declared the designated area(s) of competence in the record of the Board, and was in direct control and personal supervision of the work product.
- (b) Licensees must affix their seal, signature and date of signature to documents or drawings which reflect work for which the licensee has responsible charge, as defined, including revisions and addenda thereto. In the case when multiple licensees are involved, each sheet in a set of drawings shall contain the seal, signature and

date of the licensee responsible. A licensee not practicing as, or through a firm shall also include contact information to include address and phone number.

(c) Regarding professional engineering, the licensee is responsible for meeting and documenting all of the following requirements to be in direct control and personal supervision of the work, whether the work is performed remotely or locally:

- (1) The client requesting preparation of such plans, specifications, drawings, reports, or other documents makes the request directly to the licensee, a managing agent or authorized employee of the licensee's firm; and
- (2) The licensee supervises the preparation of the plans, specifications, drawings, reports, or other documents and has input into their preparation prior to their completion and reviews the final plans, specifications, drawings, reports, or other documents prior to signing and sealing the work; and
- (3) The licensee has the authority to, and does, make any necessary and appropriate changes to the final plans, specifications, drawings, reports, or other documents prior to signing and sealing the work; and
- (4) A professional engineer who signs and seals work must be capable of answering questions as to the engineering decisions made during the work on the project in sufficient detail as to leave little doubt as to the professional engineer's competence for the work performed.

(d) Regarding land surveying, the licensee in responsible charge and directly controlling and personally supervising the work is responsible for meeting and documenting all of the following requirements to be in direct control and personal supervision of the work:

- (1) The client requesting preparation of such plans, specifications, drawings, reports, or other documents makes the request directly to the licensee, a managing agent or authorized employee of the licensee's firm; and
- (2) The licensee must work in the office where the land surveying services are offered; and
- (3) The licensee must be physically present in the office where the surveying personnel are located in order to directly control and personally supervise the surveying work, including exercising professional judgment in making surveying decisions related to the amount and type of research performed, the field procedures used, and the surveying decisions related to the preparation of plats, land surveying reports, legal descriptions and other land surveying documents furnished in connection with the land surveying services provided; and
- (4) The licensee has the authority to, and does, make any necessary and appropriate changes to the work prior to signing and sealing the work; and
- (5) A professional land surveyor who signs and seals work must be capable of answering questions as to the surveying decisions made during the project in sufficient detail as to leave little doubt as to the professional land surveyor's involvement with the work performed.

(e) Unlicensed persons, including professional engineers and professional land surveyors not licensed in this state, shall not perform engineering or surveying work in this state, to subsequently have it reviewed, signed, and sealed by a licensed professional engineer or professional land surveyor licensed in the state of Oklahoma. An Oklahoma licensed professional engineer must meet all provisions of (c) of this subsection and an Oklahoma licensed professional land surveyor must meet all provisions of (d) of this subsection to qualify as being in responsible charge of the work. If the Oklahoma licensed professional is a contractor or consultant to the firm or individual who contracted for the project, the licensee must include his or her firm name, if applicable, and contact information on the work.

(f) In the case of bound documents, licensees must affix their seal, signature, and date of signature to the cover sheet or index page, which identifies all documents bound together for which the licensee has responsible charge. In the absence of covers and index pages each document must have the seal, and dated signature of the licensee who has responsible charge. For bound documents involving multiple licensees, either each document in the bound set must be sealed, signed, and dated by the licensee in responsible charge for that portion of the work, or the cover sheet or index page must be sealed, signed, and dated by each licensee with a breakdown of the licensee in responsible charge of each document clearly identified.

(g) In the case when the work consists of a letter or report prepared by a single licensee, the licensee need only seal, sign, and date the first page, title page or signature page of the document.

(h) The Statute, 59 O.S., Sections 475.1 et seq. and Rules of the Board in this Chapter describe the use of the seal of the licensee. The seal, signature, and date of signature shall be placed on all final engineering and land surveying documents whenever presented to a client or any public agency to certify that the work thereon was done by the licensee or under the responsible charge of the licensee. In lieu of sealing, signing, and dating each copy of the work, the seal, signature, and date shall be placed on originals, tracings, or other reproducible

documents by the licensee in such a manner that when the originals, tracings, or other reproducible documents are reproduced the seal, signature, and date will be legible.

- (i) Working drawings or preliminary documents are not required to have a seal and signature if they contain a statement in large bold letters to the effect ***PRELIMINARY, NOT FOR CONSTRUCTION OR IMPLEMENTATION.***
- (j) Permit sets or construction drawings, which are not final, may be signed and sealed for the purpose of submitting the work to the Authority Having Jurisdiction (AHJ) for their review, comment and /or approval, but must be clearly marked in large bold letters ***NOT FOR CONSTRUCTION.***
- (k) An Engineer Intern or Land Surveyor Intern shall not have a seal.
- (l) Drawings, reports, or documents that require a signature may be signed using a digital signature. The digital signature must be:
 - (1) Unique to the person using it;
 - (2) Capable of verification; and
 - (3) Under the sole responsibility and control of the licensee affixing it.
 - (A) A scanned image or other reproduction of an original signature may be used in lieu of an original signature or digital signature if accompanied by an original handwritten date.
 - (B) A digital signature having an electronic authentication process attached to or logically associated with the electronic document may also be used and does not need to include the handwritten date, but must be dated. In this instance, the digital signature shall be linked to a document in such a manner that the data in the document can be verified as being unaltered since the time that the digital signature was affixed.
- (m) Successor licensee - In circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a site adaptation of a standard design plan, a successor licensee may take responsible charge over, and complete the work, in accordance with the provisions of this Chapter.
 - (1) A licensee shall perform or have responsible charge over all professional engineering or land surveying services to include development of a complete design file including work or design criteria, calculations, code research, field notes, and any necessary and appropriate changes to the work. The burden is on the successor licensee to demonstrate such compliance.
 - (2) The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's professional work.
 - (3) The licensee shall have direct control and personal supervision over the engineering or surveying work and the signed, dated, and sealed originals of all documents over which the licensee has taken responsible charge under this provision. A professional engineer or land surveyor who adopts, signs, and seals work previously engineered or surveyed under this provision shall perform sufficient review and calculation to ensure that all standards of practice required of licensees are met, including satisfying the relevant criteria stated in paragraph (c)(iv) and (e)(iv) above and shall take professional and legal responsibility for documents signed and sealed.
- (n) Prototypical design plans- A licensee may take responsible charge over a standard, prototypical design plan, including drawings and specifications in printed or electronic form, for the purpose of adapting the plan to a specific site in this state, provided the licensee's work is completed in accordance with the provisions of this Chapter. This provision shall apply to both site adaptation of new structures and site adaptation for construction in an existing structure.
 - (1) In the case of an existing structure, the engineering for modifications to the existing structure and any of its systems shall be under the responsible charge of persons licensed in this state.
 - (2) Standard, prototypical designs that may be site adapted under this provision are drawings and specification documents prepared for the purpose of defining the Owner's requirements but not yet completed for construction on a specific site.
 - (3) Site adaptation shall not include, and this provision does not authorize, a licensee to take responsible charge over work designed for construction on a specific site in this state that was prepared by a person not licensed in this state.
 - (4) Standard prototypical design plans shall not be released publicly or submitted to a client or user unless the plans are marked with a statement substantially equivalent to 'This document is preliminary in nature and is not a final, signed and sealed document'. The statement shall not be removed until an Oklahoma licensee has taken responsible charge of the work and the work is dated and issued under the seal and signature of an Oklahoma licensee.

- (5) A licensee shall perform or have responsible charge over all professional engineering services to include development of a complete design file including work or design criteria, calculations, code research, and any necessary and appropriate changes to the work. The burden is on the successor licensee to demonstrate such compliance.
- (6) The non-professional services, such as drafting, need not be redone by the successor licensee but must clearly and accurately reflect the successor licensee's professional work.
- (7) The licensee shall have direct control and personal supervision over the engineering work and the signed, dated, and sealed originals of all documents over which the licensee has taken responsible charge under this provision.
- (o) Any revision to a document containing the seal and signature of a licensee shall be identified and dated. Revisions not done by the original licensee must be signed and sealed by the licensee in responsible charge of the revision. At no time shall a successor licensee remove the seal and signature of the original licensee in responsible charge of the work.
- (p) Record drawings prepared to reflect changes made during construction based on the record of changes made to construction drawings and changes to the construction observed by the licensee or on the licensee's behalf or reported by contractors is deemed a drafting service and shall not require a licensee's seal, signature, and date of signature.
- (q) In the case of a firm, each separate document, the first page of a bound document, and, in the case of multiple licensees, the portion of the work for which each firm is responsible, shall also show the name of the firm, the firm's Certificate of Authorization number and contact information for the firm.
- (r) Engineering or surveying technical submissions given to an architect for a project must be signed and sealed by the professional engineer or land surveyor in responsible charge of the work prior to the architect taking responsible charge of the work as the prime professional for the project.
- (s) Consultants hired to do work on behalf of the firm must sign, seal, and date their work and include their contact information, and Certificate of Authorization information, if applicable, on the work. Consultants may not be the designated managing agent for the firm to which they are consulting.