

**TITLE 245. STATE BOARD OF LICENSURE FOR PROFESSIONAL
ENGINEERS AND LAND SURVEYORS
CHAPTER 15. LICENSURE AND PRACTICE OF PROFESSIONAL
ENGINEERS AND LAND SURVEYORS**

RULEMAKING ACTION:

PERMANENT final adoption

RULES:

Subchapter 1. General Provisions

245:15-1-3 [AMENDED]

Subchapter 3. Application and Eligibility for Licensure

245:15-3-1 [AMENDED]

245:15-3-2 [AMENDED]

245:15-3-4 [AMENDED]

245:15-3-6 [AMENDED]

245:15-3-7 [AMENDED]

245:15-3-8 [AMENDED]

245:15-3-9 [AMENDED]

245:15-3-10 [AMENDED]

Subchapter 5. Examinations

245:15-5-1 [AMENDED]

245:15-5-3 [AMENDED]

245:15-5-4 [AMENDED]

Subchapter 7. Licensure

245:15-7-4 [AMENDED]

245:15-7-5 [AMENDED]

Subchapter 9. Rules of Professional Conduct

245:15-9-3 [AMENDED]

245:15-9-4 [AMENDED]

Subchapter 11. Continuing Education

245:15-11-5 [AMENDED]

245:15-11-7 [AMENDED]

245:15-11-11 [AMENDED]

245:15-11-13 [AMENDED]

Subchapter 13. Minimum Standards for the Practice of Land Surveying

245:15-13-2 [AMENDED]

Subchapter 17. Licensee's Seal

245:15-17-1 [AMENDED]

245:15-17-2 [AMENDED]

AUTHORITY:

Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors; 59 O.S. Sections 475.1 et seq.; 65 O.S., 1991 Sections 3-116 et seq.; 75 O.S. Sections 301 et seq.

SUBMISSION OF PROPOSED RULES TO GOVERNOR AND CABINET

SECRETARY: January November 26, 2019

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APPROVED BY GOVERNOR'S DECLARATION:

Approved by Governor's declaration on June 25, 2020

FINAL ADOPTION:

June 25, 2020

EFFECTIVE:

November 1, 2020

SUPERSEDED EMERGENCY ACTIONS:

n/a

INCORPORATED BY REFERENCE:

n/a

AVAILABILITY:

8:00 a.m. to 4:30 p.m., Monday through Friday at the Engineering and Design Professionals Center, 220 N.E. 28th St., Suite 120, Oklahoma City, OK 73151, 405-521-2874

GIST/ANALYSIS:

The proposed revisions to the subchapters are as follows:

Subchapter 1. General Provisions: Delete duplicated definition of "Practice of land surveying" and provide a definition for "Professional surveyor".

Subchapter 3. Application and Eligibility for Licensure: The proposed amendments will modify the application process to allow for an online licensing system. Further the engineering and land surveying requirements for licensure will remain the same; however, the process by which an applicant applies will be modified to allow the applicant to apply once all requirements for education, examination and experience are met. Also, this revised language removes the 'good character' language throughout to be in congruence with statutory changes enacted as well as the temporary license provisions for military personnel and their qualifying spouses.

Subchapter 5. Examinations: The proposed amendments further describe qualifying examinations and the revised administrative process for applying for and taking examinations. Further, the definition for "examination subversion" was modified to include licensees seeking to obtain access to examination materials or access to the examination questions.

Subchapter 7. Licensure: The proposed amendment removes the waiver for licensees 70 years of age or older to not be required to pay the renewal fee.

Subchapter 9. Rules of Professional Conduct: The proposed amendments update the language and clarify its intent.

Subchapter 11. Continuing Education: Update language and provide further definitions.

CONTACT PERSON:

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**PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING
RULES ARE CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S.,
SECTIONS 250.3(5) AND 308(E), WITH AN EFFECTIVE DATE OF
NOVEMBER 1, 2020:**

**TITLE 245. STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS
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SUBCHAPTER 1. GENERAL PROVISIONS

245:15-1-3. Definitions

The following words or terms, when used in the Rules of Procedure, shall have the following meaning, unless the context clearly indicates otherwise. Definitions in 59 O.S. Section 475.2 and 65 O.S. Section 3-118 shall be read together with the definitions and interpretations provided in the Rules of Procedure of the Board.

"Accessory to a corner" means any exclusively identifiable physical object whose spatial relationship to the corner is recorded. Accessories may be bearing trees, bearing objects, monuments, reference monuments, line trees, pits, mounds, charcoal filled bottles, steel or wooden stakes, or other objects.

"Certify" or "Certification" or similar expressions relating to engineering or land surveying services shall mean a statement based upon facts and knowledge known to the licensee and is not a guarantee or warranty, either expressed or implied.

"Closure error" means the ratio between the horizontal linear error of closure to the total horizontal distance traversed, with the numerator of the ratio being the number "one".

"Control surveying" means the establishment of horizontal and/or vertical control which will be the basis for future phases of a project including, but not limited to: extraction of geospatial data, engineering design projects, construction staking, surveys to layout horizontal and vertical alignments, topographic surveys using field methods, collection of topographic and planimetric data using photogrammetric methods and construction surveys of engineering or architectural public works project.

"Engineering surveys" means all survey activities required to support the sound conception, planning, design, construction, maintenance and operation of engineered projects, but exclude the surveying of real property for the establishment of land boundaries, rights-of-way, easements and the dependent or independent surveys or resurveys of the public land survey system. Unless a Professional Land Surveyor has provided the Professional Engineer with geocentric/geodetic control coordinates which meet the accuracy standards set forth in OAC 245:15-13-2, the Professional Engineer shall only use a coordinate system based on assumed values for the project, and so state on the documents.

"Geospatial" means the relative position of features on, above, or below the earth's surface defined by a localized or globalized system.

"Land or boundary survey" means a survey, the primary purpose of which includes, but is not limited to, the determining of the perimeter of a parcel or tract of land by establishing or reestablishing corners, monuments and boundary lines.

"Linear closure" means a measure of the horizontal linear error without regard to direction, between the computed location of the first and last points of a traverse when either the traverse actually returns to its beginning point (geometrically and mathematically closed), or the traverse ends at a point of previously established control relative to the beginning point (geometrically open, but mathematically closed).

"Mortgage Inspection Report" means a representation of the boundaries of a parcel of real property and the improvements thereon, prepared incident to a mortgage of real property.

"Monument" means a physical structure that occupies the exact position of a corner.

"Planimetric mapping surveys" mean a map that presents the horizontal positions only for the features represented. This is distinguished from a topographic map by the omission of relief in measurable form.

"Positional error" means the difference between the actual position of a corner monument and it's described or computed position. This error may be determined by computing the difference between the measured position and the adjusted position of the monument or by measurement of angle and distance between three of the corner monuments on the survey if made with precise surveying instruments using proper procedures.

~~**"Practice of land surveying"** as defined by Title 59 O.S. Section 475.2(8)(a) also includes monumenting the subdivision of land into smaller parcels and the preparation of legal descriptions in connection therewith; however, the preparation of legal descriptions by a person who does not monument the land so described is not the practice of land surveying. Preparation of the control portion of geographic information systems and land information systems means the authoritative and monumented ground survey of a system of marks or objects to establish horizontal or vertical positions.~~

"Professional Engineer, Retired" – The term "Professional Engineer, Retired" as used in these rules, shall mean an individual who has been duly licensed as a professional engineer by the Board and who chooses to relinquish or not to renew a license and who applies to and is approved by the Board to be granted the use of the title "Professional Engineer, Retired."

"Professional Land Surveyor, Retired" – The term "Professional Land Surveyor, Retired" as used in these rules, shall mean an individual who has been duly licensed as a professional land surveyor by the Board and who chooses to relinquish or not to renew a license and who applies to and is approved by the Board to be granted the use of the title "Professional Land Surveyor, Retired."

"Rules of professional conduct for Professional Engineers and Land Surveyors" means those rules promulgated by the Board.

"Professional Surveyor" or "P.S."- The term "Professional Surveyor" or "P.S." may be used when describing a lawfully licensed Professional Land Surveyor or P.L.S. in Oklahoma, as defined pursuant to Title 59, 475.2(6).

"Signature" means "manual signature" or "digital signature" and shall be defined as follows:

(A) Manual signature means the handwritten name of a person applied to a document that identifies the person, serves as a means of authentication of the contents of the document, provides responsibility for the creation of the document and provides for accountability for the contents of the document.

(B) A digital signature shall carry the same weight, authority, and effects as a manual signature.

"Significant structures", beginning November 1, 2020, shall mean buildings and other structures that represent a substantial hazard to human life in the event of failure or are designated as essential facilities, including but not limited to:

- (A) Buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300,
- (B) Elementary schools, secondary schools or day care facilities with an occupant load greater than 50,
- (C) Adult education facilities, such as colleges and universities, with an occupant load greater than 500,
- (D) Hospitals, nursing homes, mental hospitals and detoxification facilities with an occupant load of 50 or more resident care recipients and/or surgery or emergency treatment facilities,
- (E) Prisons, jails, reformatories, detention centers, correctional centers,
- (F) Any building or other structure with an occupant load greater than 5,000,
- (G) Primary power-generating structures above 50 kilowatts,
- (H) Structures at water treatment facilities for potable water and wastewater treatment facilities serving more than 5,000 people,
- (I) Structures for public utility facilities containing quantities of toxic or explosive materials that are sufficient to pose a threat to the public if released,
- (J) Fire, rescue, ambulance and police stations and emergency vehicle garages,
- (K) Designated tornado, earthquake or other non-residential emergency shelters,
- (L) Designated emergency preparedness, communications and operations centers and other facilities required for emergency response,
- (M) Aviation control towers, air traffic control centers and emergency aircraft hangars,
- (N) Buildings and other structures having critical national defense functions,
- (O) Elevated water storage structures, and
- (P) Buildings and other structures with high lateral loadings including:
 - (i) those subjected to ultimate design 3 second wind gust speeds equaling or exceeding wind speeds corresponding to approximately a 3% probability of exceedance in 50 years, or
 - (ii) those that are in Seismic Design Category D and above.
- (Q) "Significant structures" shall exclude bridges and geo-structures. As defined in this document, "bridges" will not include elevated structures linking buildings. "Geo-structures" shall mean engineered structures that are loaded by the earth or whose resistance is derived from the earth.

A project defined as a "Significant structure" for which a permit has not been applied for or granted as of October 31, 2020, shall be required to have an engineer of record who is a licensed Professional Structural Engineer. Beginning November 1, 2020, all new projects defined as "significant structures", shall require an Oklahoma Licensed Professional Structural Engineer to be the engineer of record.

"Survey plat", "sketch", or "map", or similar document, shall mean any drawing of a parcel or tract of real property used for the purpose of depicting the results of a field survey.

"Topographic surveys" mean surveys that have as their major purpose the determination of the configuration (relief) of the earth (ground) and the location of natural or artificial objects thereon.

SUBCHAPTER 3. APPLICATION AND ELIGIBILITY FOR LICENSURE

245:15-3-1. Availability of forms and Board records

Applications required to be submitted to the Board are available online and at the Board office and other locations as deemed appropriate by the Board. ~~Completed applications, with all attachments and the required fee, when received by the Board will be entered into the Board records.~~

245:15-3-2. Documents required for licensing

(a) Every individual applying for a license shall submit an application as required by Board policy, which shall be the forms furnished by the Board, or its designee, or forms located on the Board's website, accompanied by the applicable fees. All application fees are non-refundable.

~~(b) All information filled in on the application forms must be typewritten or computer generated. In case there is not sufficient room on the form to present all the subject matter necessary, the applicant shall set forth the additional information on additional sheets of plain white paper, 8 1/2" x 11" in size. Such sheets shall be typewritten or computer generated on one side only, shall be marked and numbered consecutively and in series with the regular pages of the application.~~

~~(e)~~ (b) An affidavit certifying the truthfulness of the statements in the application shall constitute a part of each application. Withholding information or providing statements which are untrue or misrepresent the facts may be cause for denial of an application or disciplinary action taken against a license or certification.

(c) An applicant shall request the university or college, or its designee, from which credit has been obtained to forward directly to the Board, or its designee, a properly certified university or college transcript showing all academic work.

(d) All application forms and information furnished thereon and all examinations and answers thereto shall be entirely in the English language.

245:15-3-4. Board action required

(a) Individual professional engineer, professional engineer with a structural engineer designation, and professional land surveyor comity applicants meeting the requirements of a NCEES Model Law Engineer, NCEES Model Law Structural Engineer, or NCEES Model Law Surveyor, or other requirements as determined by Board statutes, rules and policy may be reviewed and evaluated by the ~~Principal Assistant,~~ Executive Director, or the Board's designee, to determine if the applicant meets or exceeds the approved criteria. If the applicant meets or exceeds these requirements, the applicant may receive a contingent license authorizing the individual to offer or provide engineering or surveying services in Oklahoma. A list of all engineers issued contingent licenses will be placed on the agenda of the next meeting of the Board for formal approval by the Board. A list of all surveyors who have been issued contingent licenses and who have passed the appropriate Oklahoma-specific examination will be placed on the agenda of the next meeting for formal approval by the Board. All other complete comity applicants will be reviewed and evaluated by the Board at the next regularly scheduled meeting of the Board to determine if they meet or exceed the criteria to be licensed as a professional engineer, professional engineer with a structural engineer designation or a professional land surveyor.

(b) Certificate of Authorization applications for firms which meet the statutory and rule requirements may also be approved by the ~~Principal Assistant, Executive Director,~~ or the Board's designee. If the firm meets or exceeds these requirements, the firm may receive a contingent authorization allowing the firm to offer or provide engineering or surveying services in Oklahoma. A list of all firms issued contingent authorizations will be placed on the agenda of the next meeting of the Board for formal approval by the Board.

(c) A contingent license or authorization will be in effect from its date of issuance until such time as the Board takes final action on the application for licensure or authorization. If the Board determines that the applicant does not meet the requirements for issuance of a license or authorization, the contingent license or authorization shall be immediately and automatically revoked upon notice to the applicant and no license will be issued.

~~(e) (d) Initial applicants for a professional engineer or professional land surveyor license shall apply to the Board when all education, examination and experience requirements have been met. who are applying prior to obtaining the requisite experience for licensure, but have met the education requirement and have passed the Fundamentals of Engineering or Fundamentals of Surveying examination, respectively, may be approved to sit for the requested professional examination upon approval by the Principal Assistant, Executive Director, or the Board's designee.~~

~~(d)(e) Intern applications for certification may be approved by the Executive Director, Principal Assistant,~~ or the Board's designee.

~~(e) (f) All other applications for Professional Engineer, Professional Engineer with a Structural Engineer Designation, Professional Land Surveyor and Certificate of Authorization submitted for a license or authorization shall be first considered by the Board for approval or disapproval.~~

245:15-3-6. Active and inactive applications

(a) Incomplete applications not yet presented to the Board, will be withdrawn from consideration by the Board after one year from the date submitted to the Board and a new and complete application shall be required from an applicant seeking licensure.

(b) The Board shall adopt a policy regarding the number of attempts an examinee may be granted for any ~~NCEES or~~ Board-approved examination, as well as requirements for re-applying for future examination attempts. An applicant's application will be closed after a prescribed number of failures of any ~~NCEES examination or other~~ Board-approved examinations, ~~regardless of the jurisdiction in which the examination is administered.~~ For further consideration, an applicant shall file a new and complete application for re-examination, to include evidence of additional education, knowledge or skill sufficient to materially improve the applicant's qualifications for re-examination which shows that the additional requirements outlined in the Board's policy for re-examination have been met. NCEES examinations will be administered per NCEES policy and the policies of the Board.

(c) If an applicant requests that the applicant's application be withdrawn from consideration, the Board will reject the application. Any further consideration will require a new and complete application and fee.

245:15-3-7. Qualifications for original professional engineer license and engineer intern certification

To be eligible for consideration for original licensure as a Professional Engineer or certification as an Engineer Intern, ~~the applicant must be of good character and reputation.~~

~~Applicants~~ an applicant must meet all qualifications as contained within the Statutes and the Rules of the Board. An application for an Engineer Intern certification or Professional Engineer license shall be ~~individually~~ reviewed by the Board or its designee. Evidence of minimum qualifications is required by the Board in accordance with Title 59, 475.12a. and the following requirements:

- (1) Engineer Intern and Professional Engineer - education requirements for certification or original license:
 - (A) Completion of one of the following shall be considered as minimum evidence that the applicant has fulfilled the education requirement for certification as an Engineer Intern or licensure as a Professional Engineer:
 - (i) a bachelor's degree in engineering from an EAC/ABET-accredited program, or the equivalent, which may include a bachelor's degree in engineering from a degree program accredited by the Canadian Engineering Accreditation Board (CEAB) or signatories of the Washington Accord, a bachelor's degree in engineering from a program that meets the NCEES Engineering Education Standard, or a bachelor's degree in engineering from a program that, upon evaluation, does not meet the NCEES Engineering Education Standard, but deficiencies outlined in the degree evaluation have been corrected with further education approved by the Board or its designee,
 - (ii) a bachelor's degree in a Board approved related science degree program which meets the Board's statutory definition of a related science degree,
 - (iii) a master's degree in engineering from an institution that offers EAC/ABET-accredited programs,
 - (iv) a master's degree in engineering from an EAC/M-ABET-accredited program, or
 - (v) an earned doctoral degree in engineering acceptable to the Board.
 - (B) The Board may accept a bachelor's degree in an engineering or engineering technology program if the program is EAC/ETAC ABET accredited within 3 years of the date of the conferred degree. All other degree programs which are not EAC/ETAC ABET accredited at the time of conferment of the degree, but are currently EAC/ETAC ABET accredited, will be considered by board policy.
- (2) Professional Engineer- experience (original license):
 - (A) Experience credit may be claimed to the date of the application. Part-time experience shall be pro-rated after a review by the Board or its designee. Experience record is to be continuous from beginning to the date of the application. Experience time shall not exceed elapsed calendar time. ~~Application fees are non-refundable.~~ Only experience obtained directly within the professional field will be considered as qualifying experience by the Board and must be verified by reference. Experience ~~shall~~ should be gained under the supervision of a licensed professional engineer or, if not, an explanation shall be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted and approved by the Board or its designee. In evaluating experience that indicates to the Board that the applicant may be competent to practice engineering, the following will be considered:
 - (i) Experience must be progressive on engineering projects ~~to indicate that it is of~~ and must demonstrate an increasing quality and requiring greater responsibility.
 - (ii) Experience must not be obtained in violation of the licensure act.

- (iii) Experience gained in the armed services must be of a character equivalent to that which would have been gained in the civilian sector doing similar work.
 - (iv) Sales experience must demonstrate that engineering principles were required and used in gaining the experience.
 - (v) Teaching experience must be in engineering or engineering-related courses at ~~an advanced-a junior-, senior-, or graduate-level level~~ in a college or university offering an engineering program of 4 years or more that is approved by the Board.
 - (vi) Experience may be gained in engineering research and design projects by members of an engineering faculty, where the program is approved by the Board, or by industry or government employees.
 - (vii) Experience in construction must demonstrate the application of engineering principles.
 - (viii) Experience should include demonstration of knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.
 - (ix) Experience ~~should~~ must include demonstration of the application of engineering principles in the practical solution of engineering problems.
 - (x) The board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum Board requirements established by regulations for professional experience in that jurisdiction.
- (B) Partial experience credit may be given for experience earned prior to receipt of a baccalaureate degree, at the discretion of the Board, if the employment is at least half-time and the work is performed under the supervision of a professional engineer. At the time the experience was gained, the applicant must have passed upper level engineering or related engineering science courses and applied relevant engineering knowledge in the claimed experience. In no case shall the experience credit exceed one half of that required for approved qualifying experience.
- (C) A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice. Experience credit for a graduate degree cannot be earned concurrently with work experience credit. Concurrent time spent in engineering work while attending school will be credited either as education experience or work experience but not both.
- (D) Applicants shall submit a minimum of five (5) acceptable references, three (3) of whom shall be Professional Engineers having personal knowledge of the applicant's engineering experience, none of whom may be current members of the Board or immediate family members. ~~References verifying experience, who have been disciplined by any professional licensure board within the past 10 years, must submit a copy of the formal disciplinary action taken for the Board's review and consideration.~~ References ~~will~~ must verify the periods of qualifying experience since the beginning of the history, leaving no gaps in dates. The Board shall not give credit for engineering experience that has not been verified by one or more references.
- (E) Applicants may apply for a waiver of the NCEES Fundamentals of Engineering examination by showing proof of a minimum of fifteen (15) years of acceptable progressive engineering experience following the date of the conferred degree qualifying the applicant for licensure. The required experience shall be verified by reference, and

may not be self-verified. Experience earned prior to the conferred qualifying degree shall not be considered in the years of required experience. All elements of the application shall be evaluated by the Board when considering application for a waiver of the exam, including but not limited to, reference responses, disciplinary actions and criminal history~~all convictions~~.

(F) An applicant with a Board-approved doctoral degree in engineering shall be required to obtain two (2) years of experience credit after the doctoral degree is conferred, whether or not an M.S. degree was also conferred, to qualify for licensure.

(G) An applicant with an education path described in OAC 245:15-3-7(1)(A)(i) or (1)(A)(ii), who further obtains a master's degree in engineering from an institution that offers EAC/ABET-accredited programs or CEAB-accredited programs, shall be required to obtain three (3) years of experience following the master's degree to qualify for licensure. Under the same conditions, if a Board-approved doctoral degree is conferred, the applicant shall be required to obtain two (2) years of experience following the Ph.D. in engineering.

(H) An applicant with a bachelor's degree in engineering from a program that is a signatory of the Washington Accord shall obtain experience per Board policy and may be required to~~who chooses not to obtain a degree evaluation from a Board-approved evaluation service, shall be required to obtain six (6) years of experience following the date of the conferred bachelor's degree~~ to qualify for licensure.

(I) Non-U.S., non-EAC/ABET-accredited degrees, non-CEAB-accredited degrees which are not approved by the Board may be considered only following a degree evaluation obtained through a degree evaluation service approved by the Board. If the degree evaluation states that the degree is equivalent to the NCEES Education Standard, then four (4) years of experience will be required following the conferred degree. If the degree does not meet the NCEES Education Standard and deficiencies outlined in the degree evaluation are corrected by further education as approved by the Board, then four (4) years of experience will be required following the conferred degree to qualify for licensure. If the applicant described in this paragraph obtains a master's degree in engineering from an institution that offers EAC/ABET-accredited programs or CEAB-accredited programs, they may be required to obtain three (3) years of experience credit following the master's degree to qualify for licensure. Under the same conditions, if a Board-approved doctoral degree is conferred, the applicant shall be required to obtain two (2) years of experience following the Ph.D. in engineering to qualify for licensure.

(J) Non-U.S., non-EAC/ABET-accredited degrees or non-CEAB-accredited degrees which are not approved by the Board which upon evaluation are not deemed equivalent to the NCEES Education Standard shall be considered at a maximum equivalent to a related science degree.

(K) No examination shall be administered following July 1, 2020, for applicants who qualified prior to July 1, 2016 ~~applying~~ with a non-accredited technology degree or non-related science degree for licensure as a Professional Engineer ~~if the applicant's application was originally approved by the Board prior to July 1, 2016~~.

(3) Professional Engineer – examination requirements (original license):

~~(A) Applicants for professional engineering licensure must take and pass the FE examination prior to being admitted to take the PE examination, unless the Board has approved a waiver request for the FE examination.~~

- ~~—(B) Applicants applying to take the PE examination prior to obtaining the required number of years' experience for licensure shall submit a board approved application and required documents verifying their degree program and verifying passage of the FE examination. The Board or its designee shall review the application for compliance with the education and exam requirements prior to admitting the applicant to the PE examination. Once the applicant has passed the PE examination and has obtained the required experience for professional engineering licensure, the remaining application requirements shall be submitted and verified prior to final consideration.~~
- (C) When the education requirements of the Statutes and of this Chapter are met, the applicant shall apply to NCEES to take and pass the Fundamentals of Engineering Examination and the Principals and Practice of Engineering Examination. Once these examinations are successfully completed and requisite qualifying experience is complete, the applicant shall apply to the Board for approval and may be admitted to, and must pass, required to pass an examination covering the laws, rules, procedures and practices pertaining to engineering in the state of Oklahoma, prior to being licensed as a Professional Engineer.

245:15-3-8. Qualifications for original land surveying license

To be eligible for consideration for original licensure as a Professional Land Surveyor or certification as a Land Surveyor Intern, an applicant ~~must be of good character and reputation.~~ Applicants must meet all qualifications as contained within the Statutes and the Rules of the Board. Applications for Land Surveyor Intern certification or Professional Land Surveyor licensure shall be individually reviewed by the Board or its designee. Evidence of minimum qualifications is required by the Board in accordance with Title 59, 475.12b and the following requirements:

- (1) Professional Land Surveyor - experience (original license):
 - (A) Experience record may be claimed to the date of the application. Part-time experience shall be pro-rated after a review by the Board or its designee. Experience record is to be continuous from the beginning to the date of the application. Experience time shall not exceed elapsed calendar time. ~~Application fees are non-refundable.~~ Only experience obtained directly within the land surveying area will be considered as qualifying experience ~~by the Board.~~ Experience shall be gained under the supervision of a licensed professional surveyor; or if not, an explanation shall be made showing why the experience should be considered acceptable. Experience gained under the technical supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted and approved by the Board or its designee. In evaluating experience which indicates to the Board that the applicant may be competent to practice surveying, the following will be considered:
 - (i) Experience must be progressive on surveying projects and must demonstrate an increasing quality and greater responsibility.
 - (ii) Experience must be obtained in compliance with the Statutes and Rules of the Board.
 - (iii) Experience gained in the armed services must be of a character equivalent to that which would have been gained in the civilian sector doing similar work.
 - (iv) Teaching experience must be in surveying or surveying-related courses at an advanced level in a surveying program that is approved by the Board.

~~(v) A substantial portion of the experience must be spent in charge of work Experience related to property conveyance and/or boundary line determination must be demonstrated.~~

(vi) Experience in the technical field aspects of the profession must be demonstrated.

(vii) Experience must include demonstration of the application of surveying principles in the practical execution of surveying tasks.

(viii) Experience may be gained in surveying research projects by members of a surveying faculty where the program is approved by the Board.

(ix) The Board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum Board requirements established by statutes or rules for professional experience.

(B) Professional land surveyor applicants shall submit a minimum of five (5) acceptable references, at least three (3) of whom shall be Professional Land Surveyors having personal knowledge of the applicant's land surveying experience and none of whom may be current members of the Board. ~~References verifying experience who have been disciplined by any professional licensure board within the past 10 years must submit a copy of the formal disciplinary action taken for the Board's review and consideration.~~ References ~~should~~ must verify the periods of qualifying experience since the beginning of the history, leaving no gaps in dates. The Board cannot give credit for surveying experience that has not been verified by one or more references.

(C) Pursuant to O.S. Title 59, 475.12b(A)(4), all qualifying courses must be successfully completed at an accredited institution of higher education and, other than the Board-approved core curriculum, must be equivalent to general education requirements typically contained in an approved two (2) or four (4) year surveying degree program.

(2) Professional Land Surveyor – examination requirements (original license):

(A) ~~When the education requirements of the Statutes and of this Chapter are met, the Applicants applicant for professional land surveyor licensure must shall apply to NCEES and take and pass the FS Fundamentals of Surveying examination prior to being admitted to take and the PS Principals and Practice of Surveying examination.~~

~~(B) Applicants applying to take the PS examination prior to obtaining the required number of years' experience for licensure shall submit a Board-approved application and required documents verifying their degree program and verifying passage of the FS examination. The Board or its designee shall review the application for compliance with the education and examination requirements prior to admitting the applicant to the PS examination. Once the applicant has passed the PS examination and has obtained the required experience for Professional Land Surveying licensure, the remaining application requirements shall be submitted and verified prior to final consideration.~~

~~(C) (B) Once these examinations are successfully completed and requisite qualifying experience is complete, the applicant shall apply to the Board for approval and may be admitted to, and must required to pass other Oklahoma state specific examination(s) as required, the Oklahoma Law and Surveying examination and an examination covering the laws, rules, procedures and practices pertaining to surveying in the state of Oklahoma, prior to being licensed as a Professional Land Surveyor.~~

245:15-3-9. License by comity or endorsement for professional engineers or professional land surveyors

~~(a) Applicant for comity or endorsement license shall provide proof that the applicant is a person holding a Professional Engineer or Land Surveyor license, in good standing, issued by a proper authority.~~

~~(b) Applicant must have been licensed, based on requirements that do not conflict with the provisions of the Statutes and Rules of the Board. If the applicant was originally licensed by standards lower than those specified in the applicable Statute in effect in Oklahoma at the time such license was issued, the applicant must provide proof that they are qualified. All disciplinary actions by a professional licensing board and all criminal activity shall be taken into consideration by the Board.~~

~~(e) (a) Applicant~~ An applicant shall submit a minimum of five (5) references, three (3) of whom shall be Professional Engineers or Professional Land Surveyors, respectively, having personal knowledge of the applicant's required qualifying engineering experience as defined in O.S. Title 59, 475.12a(D)(4)

or surveying experience, as defined in O.S. Title 59, 475.12b(D).

(b) References none of whom may not be current members of the Board or immediate relatives.

~~(d)(c)~~ An applicant with less than the standards outlined in subsection (b) of this section O.S. Title 59, 475.12a for engineering and 475.12b for surveying may be required to obtain additional education, experience and examination requirements as the Board may determine to establish the applicant's qualifications. However, applicants who have been continually lawfully licensed to practice professional engineering or professional land surveying in a state or jurisdiction for at least twenty (20) years shall be approved for comity licensure upon verification that the applicant obtains a qualifying background check and references verifying the competent and lawful practice of professional engineering or professional land surveying, and has passed all examination(s) required by the Board's statutes and rules to determine competence at the professional level in laws and rules specific to Oklahoma and professional ethics.

(d) Upon satisfactorily complying with minimum requirements of this section and examination requirements as described in the Statutes and Rules of the Board rules, the applicant shall be licensed in the State of Oklahoma.

245:15-3-10. Temporary License

(a) The Executive Director or ~~Principal Assistant~~ the Board's designee shall be authorized to issue a Temporary License to a Professional Engineer, subject to the approval of the Board, under Title 59, 475.22(2) and the following conditions:

(1) An applicant who is granted a Temporary License, but fails to submit their complete permanent professional engineer application within the prescribed period of time, may be considered to be in violation of the Statutes and Rules of this Board. An application shall be considered complete when all required properly completed forms and fees have been received in the Board's office.

(2) Information relative to a license in the other state or jurisdiction shall be verified before issuance of a Temporary License.

(3) The Temporary License fee as prescribed by law shall be remitted with the application and is non-refundable, unless otherwise waived by Statute or Rules of the Board.

(4) A Temporary License shall be issued for a definite period of time not to exceed 120 days, for a specifically described single work project as set out in the application form and may not be renewed or extended.

(5) A Temporary License shall expire the earliest of the issuance of the permanent professional engineer license by this Board or the rejection of the application for licensure, but not later than 120 days after issuance.

(6) The holder of a Temporary License shall seal plans, specifications, or other documents only in accordance with the Statutes and Rules of this Board. The seal used shall be the holder's license seal of the state on which issuance of the Temporary License as based and immediately under the seal the following shall be inserted:

(A) Oklahoma Temporary License number _____

(B) Date of issue _____

(C) Date of expiration _____

(D) Signature of holder _____

(7) No person may be issued more than one (1) temporary license.

(8) A Temporary License application shall include a statement describing the circumstances which require the issuance of a Temporary License for the project. The applicant shall submit either a contract, work order, or correspondence containing the date the proposal was submitted, the scope of the project, the current status of the project and the expected date of completion of the project.

(b) The Executive Director or Board's designee shall be authorized to issue a Temporary License to active duty military personnel who are licensed as a Professional Engineer and/or Professional Land Surveyor in another state or jurisdiction, upon receiving their notice or orders for military transfer or honorable discharge to Oklahoma, subject to the approval of the Board, pursuant to the provisions of Title 59, Section 4100. Qualifying applicants shall be awarded the opportunity to take any required state specific examination(s) in an expedited manner with fee waivers as described in Board Rules 245:2-1-18(e). All other Temporary License provisions above shall apply to this section as well.

(c) The Executive Director or Board's designee shall be authorized to issue a Temporary License to the spouse of an active duty military personnel, pursuant to the provisions of Title 59, Section 4100, upon the applicant showing reasonable evidence that:

(1) He or she is the spouse of a member of the Armed Services on active duty within the State of Oklahoma; or

(2) He or she is the spouse of a member of the Armed Services who was a permanent resident in the State of Oklahoma for at least six (6) months prior to assignment to active duty; or

(3) He or she is the spouse of a member of the Armed Services who is subject to a military transfer to Oklahoma; and

(4) He or she is licensed as a Professional Engineer or Professional Land Surveyor in another state or jurisdiction; and

(5) He or she left employment as a Professional Engineer or Professional Land Surveyor in another state to accompany his or her spouse to the State of Oklahoma.

(d) Qualifying applicants shall be awarded the opportunity to take any required state specific examination(s) in an expedited manner with fee waivers as described in Board Rules 245:2-1-18(e). All other Temporary License provisions above shall apply to this section as well.

SUBCHAPTER 5. EXAMINATIONS

245:15-5-1. Examinations required, scheduling, and postponements

(a) Examination fees paid to NCEES shall only be refunded, and examinations postponed, per NCEES policy and procedures.

(b) Following the Board's published deadline, an applicant may be approved to take an Oklahoma specific examination by the Principal Assistant or Executive Director or the Board's designee if sufficient evidence of hardship exists to warrant such action. ~~In no case shall an applicant be allowed to register for an examination after the NCEES cut-off date for paper and pencil examinations.~~

245:15-5-3. Examination specifications

(a) NCEES Examinations offered by the Board will be in accordance with NCEES specifications, developed by NCEES examinations committees.

(b) Land surveyor applicants may be examined on their knowledge of Oklahoma laws and surveying by examination(s) approved by Board policy. ~~will, in addition, be tested by an examination approved by the Board, upon their knowledge of Oklahoma laws and surveying.~~

(c) ~~All applicants will, in addition, be tested by an open book exam based on Oklahoma laws, approved by the Board and administered by Board policy.~~

245:15-5-4. ~~Taking and order of taking examinations~~ Classification of qualifying examinations

(a) Applicants may ~~be approved to~~ take one or more of the examinations listed in this subsection.

(1) NCEES Fundamentals of Engineering (FE) examination- The examination consists of subject matters in the fundamentals of engineering. Passing this examination qualifies the examinee for certification as an Engineer Intern, provided the examinee has met all other requirements for certification required by Statute and these Rules.

(2) NCEES Principles and Practice of Engineering (PE) examination-The examination consists of subject matters in applied engineering. Passing this examination qualifies the examinee for licensure as a Professional Engineer, provided the examinee has met the other requirements for licensure required by Statute and these Rules.

(3) NCEES Structural Engineering (SE) examination-The examination shall be considered a qualifying examination for licensure as a Professional Engineer (P.E.) and/or Professional Structural Engineer (P.E., S.E.). A candidate must receive acceptable results on both components to pass the examination. A candidate may sit for each component in separate exam administrations but must receive acceptable results on both components within a 5-year period. Receiving acceptable results on only one component shall not be sufficient for licensure purposes. The Structural examination shall be considered and referred to as one examination.

(4) NCEES Fundamentals of Surveying (FS) examination- The examination consists of subject matters in the fundamentals of surveying. Passing this examination qualifies the examinee for certification as a Land Surveyor Intern, provided the examinee has met all other requirements for certification required by Statute and these Rules.

(5) NCEES Principles and Practice of Surveying (PS) examination-The examination consists of subject matters in applied surveying, divided in separate parts as determined by the Board.

Passing these parts qualifies the examinee for licensure as a Professional Land Surveyor, provided the examinee has met the other requirements for licensure required by Statute and these Rules.

(6) Oklahoma Law and Surveying (OLS) examination-The examination is required and administered by Board Policy, and is a separate module on Oklahoma law and surveying procedures for the practice of surveying.

(7) Oklahoma Law and Engineering/Surveying (OLE/S) examination-The examination consists of Oklahoma law and is required and administered by Board Policy.

(b) Applicants required to take the Fundamentals of Engineering or Surveying examination, the Principles and Practice of Engineering examination, including the Structural Engineering examination, or the Principles and Practice of Surveying examination, shall ~~have~~ apply directly with NCEES to register and take the examinations. ~~received a passing score on the Fundamentals examination prior to being permitted to take the Principles and Practice examination or the Structural Engineering examination.~~

~~(e) The Structural examination shall be considered and referred to as one examination. The Structural examination shall consist of two components: the Vertical Forces (gravity/other) and Incidental Lateral component and the Lateral Forces (wind/earthquake) component. A candidate must receive acceptable results on both components to pass the Structural examination. A candidate may sit for each component in separate exam administrations but must receive acceptable results on both components within a 5-year period. Receiving acceptable results on only one component shall not be sufficient for licensure purposes.~~

~~(d)~~ (c) Examination subversion is the use of any means to alter the results of an examination to cause the results to inaccurately represent the competency of an examinee. Examination subversion for ~~paper and pencil~~ examination offerings includes, but is not limited to:

(1) Communication between examinees inside of the examination room or testing site.

(2) Giving or receiving any unauthorized assistance on the examination while an examination is in progress.

(3) Having any unauthorized printed or written matter or other devices in his or her possession which might serve to aid the examinee on the examination.

(4) Obtaining, using, buying, selling, distributing, having possession of, or having unauthorized access to secured examination questions or other secured examination material prior to, during or after the administration of the examination.

(5) Copying another examinee's answers or looking at another examinee's materials while an examination is in progress.

(6) Permitting anyone to copy answers to the examination.

(7) Removing any secured examination materials from the examination facility.

(8) Allowing another person to take the examination in the examinee's place.

(9) Placing any identifying mark upon his or her examination papers other than his or her identification number or other identifiers as directed by the examination administrator.

(10) Use by an examinee of any written material, audio material, video material, digital material, or any other mechanism not specifically authorized during the examination for the purpose of assisting any examinee in the examination.

(11) Writing on anything other than designated examination material.

(12) Writing or erasing anything after time is called.

(e) If there is evidence of examination subversion by an examinee prior to, during, or after the administration of the examination, one or more of the following may occur:

- (1) The examinee may be denied the privilege of taking the examination if examination subversion is detected before the administration of the examination.
 - (2) If the examination subversion detected has not yet compromised the integrity of the examination, such steps as are necessary to prevent further examination subversion shall be taken, and the examinee may be permitted to continue with the examination.
 - (3) The examinee may be requested to leave the examination facility if examination subversion is detected during the examination.
 - (4) The examinee may be requested to submit written advisement of his or her intent to comply with and understanding of the law.
 - (5) The examination results may be voided and the application fee forfeited.
 - (6) The examinee may not be allowed to sit for an examination for a time prescribed by the Board following investigation.
- (f) The Executive Director reserves the right not to release the examination results to the examinee pending the outcome of any investigation of examination subversion.
- (g) Removal from or voidance of one part of a multiple-part examination taken during a single examination administration shall constitute removal from or voidance of all other parts of the multiple-part examination.
- (h) Professional engineers or land surveyors shall not attempt to gain access to secured examination questions or other secured examination material or information for personal or professional use. Failure to comply shall result in a full investigation by this Board and may result in disciplinary action for this violation.

SUBCHAPTER 7. LICENSURE

245:15-7-4. Waived renewal fees for professional engineers and professional land surveyors over the age of 70

The biennial renewal fee for engineers or land surveyors who reach the age of 70 prior to the renewal date of their certificate of licensure will be waived. Renewal forms must be completed ~~filled out and returned to the Board office or completed online~~ prior to the renewal date to qualify. Licensees who are continuing to practice their profession are required to fulfill continuing education requirements, even if the renewal fee is waived. If all requirements of this section are not completed properly, the certificate of licensure will be inactivated and reinstatement fees and penalties will apply to re-license. However, beginning January 1, 2021, all licensees shall be required to pay the regular renewal fee as long as the licensee chooses to maintain an active license. An individual may choose to retire their license at no cost and maintain a retired professional engineer or retired professional land surveyor status pursuant to the provisions of OAC 245:15-1-3. However, no privilege to offer or practice engineering or surveying shall exist without an active license.

245:15-7-5. Reinstatement of revoked, inactivated, or retired licenses

(a) Licenses inactivated for nonpayment of fees, failing to complete other administrative requirements for renewal, failing to return the renewal form or completing the online form for licensee over the age of 70, or licenses that were voluntarily retired by the licensee, may be reinstated by making written application for reinstatement within one hundred eighty days after expiration and payment of the prescribed renewal fee and penalty. After one hundred eighty (180) days of license inactivity, a new application and fees will be required, which shall be

considered specifically by the Board, both from the standpoint of competency and all other statutory and rule requirements ~~character~~. If reinstatement is within one hundred eighty (180) days following the date of inactivity, then licensure will be deemed to have been continuous. Licensees who are unable to certify completion of ~~thirty (30)~~ required professional development hours will be held to the requirements of this section. Offering or practicing engineering or surveying with an inactive, revoked or retired license during this reinstatement period is a violation of Title 59, Section 475.1 et seq. and the Rules of this Board.

(b) If a license revoked for non-payment or a retired license remains canceled or suspended for a period exceeding three (3) consecutive years, such former licensee may be required by the Board to take and pass a current examination as prescribed by the Board.

(c) Licenses suspended, ~~refused to renew, penalties, orders issued~~ inactivated or revoked for cause, may be reinstated only by Board action and only then in the manner determined by such Board action. Request for reinstatement of a license shall show the Board that the public interest will not suffer by reason of the reinstatement ~~and shall be addressed to the Chair at the Board office~~. The Board, by Statute, has the discretion as to whether or not to reinstate the Certificate of Licensure or Certificate of Authorization.

SUBCHAPTER 9. RULES OF PROFESSIONAL CONDUCT

245:15-9-3. Responsibility to the public

(a) Licensees shall at all times recognize their primary responsibility is to safeguard the health, property, safety, and public welfare when performing services for clients and employers.

(b) Licensees shall sign, date, and seal only those design documents and surveys which conform to accepted engineering or land surveying standards and that safeguard the life, health, property and welfare of the public.

(c) Licensees shall not reveal facts, data or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which they serve except as authorized or required by law or rules.

(d) Licensees shall not partner, practice, or offer to practice, or permit the use of their name or firm name nor associate in business ventures with any person or firm which they know, or have reason to believe, is engaging in fraudulent or dishonest business or professional practices.

(e) Licensees should make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, property or welfare of the public, unless such reporting is legally prohibited. The licensee shall report this matter to the Board for investigation if it is not resolved.

~~(e)~~ (f) Licensees who have knowledge or reason to believe that any person or firm has violated any of these "Rules of Professional Conduct" or any other ~~violation~~ provision of Title 59 O.S., Sec. 475.1 et seq, Title 65 O.S. Sec 3.116 et seq, or the rules of this Board, ~~shall~~ should report it to the Board, may report it to appropriate legal authorities, and shall cooperate with the Board and those authorities as may be requested.

~~(f)~~ (g) Licensees shall notify their employer or client and such other authority as may be appropriate when their professional judgment is overruled under circumstances where the life, health, property, or welfare of the public is endangered.

~~(g) Licensees shall make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, property or welfare of the public, unless such reporting is legally prohibited.~~

245:15-9-4. Areas of practice

(a) Licensees shall practice only in the areas of their competence and shall undertake assignments only when qualified by education, examination, or experience in the specific technical fields of engineering or land surveying involved. The records of the Board shall indicate a discipline(s) of engineering designated by the license holder and considered by the Board to be their area(s) of competence. All requests relating to listings for area(s) of competency require the review of the Board or its designee and shall include the following:

(1) Original application for licensure. Upon application for licensure, an applicant shall designate a discipline(s) of engineering by providing:

(A) a transcript showing a Board-approved degree(s) in the discipline(s) of engineering; or

(B) a supplementary experience record documenting at least 4 years of experience obtained under the supervision of a professional engineer in the discipline(s) of engineering and verified by at least one PE reference provider that has personal knowledge of the applicant's ~~character, reputation, suitability for licensure, and~~ qualifying engineering experience; or

(C) verification of successful passage of the examination (s) on the principles and practice of engineering in the discipline(s) of engineering.

(2) Comity application for licensure or current license holder. A comity applicant or current license holder may request that the Board change the primary area of competence or indicate additional areas of competence by providing one or more of the following items:

(A) a transcript showing an additional degree in the new discipline of engineering other than the degree used for initial licensure; or

(B) a supplemental experience record documenting at least 4 years of experience obtained under the supervision of a professional engineer in the new discipline(s) of engineering verified by at least one PE reference provider that has personal knowledge of the license holder's ~~character, reputation, suitability for licensure, and~~ qualifying engineering experience; or

(C) verification of successful passage of the on the principles and practice of engineering in the new discipline.

(b) Licensees shall not affix their signatures, date of signature, or seals to any plans or documents dealing with subject matter in which they lack competence, or areas of competence designated in the official Board records, nor to any plan or document not prepared under their direct control and personal supervision.

(c) Licensees may accept assignments for coordination of an entire project, provided that each design segment is signed, dated, and sealed by a licensee competent to practice in the discipline(s) of engineering and in direct control and personal supervision of that design segment.

(d) In the event a question arises as to the competence of a licensee in a specific technical field which cannot be otherwise resolved to the Board's satisfaction, the Board, either upon request of the licensee or on its own volition, shall admit the licensee to an appropriate examination.

SUBCHAPTER 11. CONTINUING EDUCATION

245:15-11-5. Requirements for Professional Engineers and Land Surveyors

- (a) To demonstrate that a Professional Engineer and/or Professional Land Surveyor maintains an acceptable level of competency, a licensee must obtain thirty (30) professional development hours (PDH's) within a twenty-four month (biennial) renewal period. If a licensee exceeds the requirement in any biennial renewal period, a maximum of fifteen (15) PDH's may be carried forward into the subsequent biennial renewal period.
- (b) ~~Beginning January 1, 2019, a~~ licensee may choose either the Board's standard continuing education requirement as detailed above, or comply with the calendar year reporting method, which is equivalent to fifteen (15) PDH's per calendar year, totaling thirty (30) PDH's per renewal period, with no allowable carryover. The Board shall adopt a conversion table allowing for different renewal periods within the calendar year.
- (c) A Professional Land Surveyor or a dual licensee must earn at least two (2) PDH's covering the Oklahoma Minimum Standards for the Practice of Land Surveying per biennial renewal period, with no allowable carryover for this requirement. If the licensee is reporting using the calendar year reporting method, they must be able to provide proof of completion of the required two (2) PDH's every two (2) years if audited. This requirement shall commence with the completion of the licensee's first full two-year renewal period following the adoption of these administrative rules, unless exempt under one of the provisions listed in OAC 245:15-11-3(b).
- (d) A licensee shall only renew their license when they can truthfully certify that they have met the continuing education requirements of this subchapter and have proper proof of completion of the required PDH's to which they are certifying.
- (e) PDH's may be earned by a licensee as follows:
- (1) Successful completion of college courses.
 - (2) Successful completion of continuing education courses, short courses, tutorials, webinars and distance-education courses offered for independent study, or group study and through synchronous or asynchronous delivery methods such as live, correspondence, archival or the Internet;
 - (3) Attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions;
 - (4) Teaching or instructing in (1) through (3) of this subsection;
 - (5) Active participation in professional or technical societies serving the engineering or land surveying profession as defined in OAC 245:15-11-7(b) (2);
 - (6) Active participation in standards or code development technical committees, standards or code commissions, or licensing examination development committees;
 - (7) Developing professional licensure exams, or writing standards or developing code in an official capacity;
 - (8) Authoring published papers, articles, or books in the licensee's area(s) of competence;
 - (9) Authoring peer reviewed published professional or technical paper or book in the licensee's area(s) of competence; and
 - (10) Award of patents to the licensee or to licensee's employer when developed by the licensee.
- (f) All such PDH's earned in activities as described in (e)(1) through (e)(10) of this section must be relevant to the practice of engineering and/or land surveying as applicable and may include

technical, ethical or business content. Qualifying ethical or business courses or activities must contain content areas related to (1) the awareness of ethical concerns and conflicts; (2) an enhanced familiarity with the codes of conduct; (3) an understanding of standards of practice or care; (4) project management and risk-assessment management; or (5) other similar topics aimed at maintaining, improving, or expanding the skills set and knowledge relevant to the licensee's field and methods of practice.

245:15-11-7. Conversion of units and determination of credits

- (a) The conversion of other units of credit of continuing education to PDH's is as follows:
- (1) One (1) college semester hour – 15 PDH's One (1) college quarter hour – 10 PDH's
 - (2) One (1) hour of technical or professional development in a continuing education course, short course, tutorial, webinar, or distance-education course - 1 PDH
 - (3) One (1) hour of attendance at a qualifying seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention, conference or educational institution – 1 PDH
 - (4) For teaching or making presentations in (1) – (3) above - apply multiple of 2. Teaching credit is valid for teaching a course or seminar for the first time only. Teaching credit does not apply to full-time or part-time faculty members unless the activity is outside the scope of the licensee's customary teaching responsibilities.
 - (5) Active participation in professional or technical societies serving the engineering or land surveying profession – 2 PDH's
 - (6) Active participation serving on standards or code development technical committees, standards or code commissions, or licensing examination development committees – 4 PDH's
 - (7) One (1) contact hour for developing professional licensure examinations, or writing standards or developing code in an official capacity – 1 PDH
 - (8) Each published paper, article, or book in the licensee's area of professional practice – 5 PDH's
 - (9) Each peer-reviewed published, professional or technical paper or book in the licensee's area(s) of competence -10 PDH's
 - (10) Each patent. – 10 PDH's
- (b) Determination of Credit - The Board has final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.
- (1) Credit for college or community college approved courses will be based upon course credit established by the college.
 - (2) Credit for activity in subsection (a)(5), active participation in professional and technical societies (limited to 2 PDH's per organization with a maximum of 4 PDH's per biennial renewal period or 2 PDH's per calendar year), requires that a licensee serve as an officer and/or actively participate in a committee of the organization. PDH's are not earned until the end of each year of service is complete. Active participation in educational outreach activities pertaining to professional licensure or the surveying/engineering professions that involve K-12 or higher education students may count as active participation in a professional and technical society.
 - (3) Credit for activity in subsection (a)(6), active participation in standards or code development technical committees or standards or code commissions or licensing examination development committees is limited to 4 PDH's per organization with a

maximum of 8 PDH's per biennial renewal period or 4 PDH's per calendar year. PDH's are not earned until the end of each year of service is complete.

(4) With the commencement of the licensees first full ~~two-year~~ biennial renewal period following the adoption of these administrative rules, credit for approved activities which focus on other jurisdictional professional engineering or professional land surveying licensure laws, regulations, or minimum standards may be approved, but shall be limited to 2 PDH's per ~~two-year~~ biennial renewal period or 1 PDH per calendar year.

245:15-11-11. Disallowed credit; failure to comply

(a) If a licensee is unable to certify completion of 30 PDH's per biennial renewal period, or 15 PDH's per calendar year ~~beginning January 1, 2019~~, by their expiration date, the license will not be renewed unless an exemption has been claimed and approved pursuant to OAC 245:15-11-3.

(b) If the Board, or its designee, disallows claimed PDH's completed during the designated renewal period for audit, as activities that do not meet the criteria for continuing education activities, the licensee shall have 90 days after notification to substantiate the original claim or to complete new continuing education activities to meet the minimum requirement. Further, if verification is supplied for the submitted hours, but disallowed as not acceptable verification, the licensee shall have 90 days after notification to substantiate the original claim with acceptable verification, or complete new continuing education activities to meet the minimum requirement. The total number of days a licensee will be allowed to complete new continuing education activities or provide additional verification of claimed hours is 90 days from the date of notification.

(c) Failure to comply with an audit occurs when a licensee is notified of an audit and they fail to supply a completed log form and verifications showing the required PDH's earned during the appropriate audit period, by the stated deadline, or a licensee submits false information to the Board in an attempt to renew a license. These acts are violations of Board Statutes and Rules and may lead to disciplinary action. Licensees who do not properly respond to the audit by the stated deadline, shall be in non-compliance with the audit and shall not be granted extra time to earn additional continuing education credit. If no verification of claimed PDH's is provided at the stated deadline for the audit, the licensee shall not be allowed 90 additional days to provide verification and they will have failed the audit, unless proof of hardship is provided in writing and approved by the Board or its designee.

(d) If a licensee is audited for their continuing education requirements for their renewal period, the licensee shall not be allowed to retire their license to avoid complying with the audit or avoid disciplinary action if they incorrectly certified at the time of renewal that they had completed their continuing education requirements.

245:15-11-13. Dual Licensees

For an individual licensed both as an engineer and surveyor, the number of PDH's required shall remain 30 per biennial renewal period or 15 per calendar year, at least 1/3 of which shall be obtained in each profession. Dual licensees must comply with the provisions of OAC 245:15-11-5(c) regarding the Oklahoma Minimum Standards for the Practice of Land Surveying.

SUBCHAPTER 13. MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING

245:15-13-2. Minimum Standards

(a) **Definitions:** as used in these standards, the following terms shall have the following meanings where the context permits as provided in 59 O.S. 475.1 et seq. and Chapter 245:15-1-3 of the Rules of the Board.

(b) **Research and investigation.** Every property boundary survey shall be made in accordance with the boundary description, as provided to or as created by the professional land surveyor, as nearly as is practicable. The professional land surveyor, prior to making a survey, shall acquire available necessary survey data, which may include record descriptions, deeds, maps, Certified Corner Records, government notes, subdivision plats, road records, and other available section and boundary line location data in the vicinity. The professional land surveyor shall analyze the data and make careful determination of the record title boundary of the property to be surveyed. From the information gathered, the professional land surveyor, or those working under his or her direct control and personal supervision, shall search thoroughly for all controlling corners and all other available field evidence of boundary location. In the event of the discovery of a material disagreement with the work of another surveyor, the surveyor ~~shall~~ should make reasonable efforts to contact the other surveyor in an attempt to resolve the disagreement.

(c) **Minimum technical standards for land or boundary surveys (field and office).**

(1) In order for a plat, subdivision plat, map, or sketch of a survey to be acceptable in terms of this rule, it must be complete and shall be certified or otherwise stated as meeting these minimum technical standards.

(2) All measurements made in the field shall be in accordance with the United States Standard, using either US Survey Feet or meters. All measurements shall be referenced to the horizontal or vertical plane, with the exception of geodetic surveys.

(3) All survey documents produced by an individual practicing under his or her own name shall bear the name, address, and telephone number, along with the license number, seal, signature, and date of signature of the professional land surveyor. All survey documents produced by a firm shall bear the name, address, telephone number, and Certificate of Authorization number, along with the name, license number, seal, signature, and date of signature of the surveyor.

(4) All survey documents must bear the date of the last site visit and bear the date of any revisions thereon. If the site visit was performed on multiple dates, the drawing may specify the range of those dates.

(5) A designated north arrow and scale of the map shall be shown prominently upon the drawing.

(6) Any symbols and/or abbreviations representing physical objects used on the drawing will be clearly noted upon the drawing.

(7) The basis of control used in the survey must be shown on the survey and shall be based upon one or both of the following:

(A) Projections (state plain coordinates or other) with specifics to elevation, vertical datum, horizontal datum, zone, ground to grid factor used, state plane or UTM zone including all pertinent metadata, if applicable, measured and published geodetic control

values based upon an online position user service (OPUS) solution or geodetic control stations or other control;

(B) A reference to all bearings shown must be clearly stated, i.e., whether to 'True North'; 'Grid North as established by state plane datum'; 'Assumed North based on the bearing of a well-established line'; a 'Deed call for a particular line'; or 'the bearing of a particular line shown upon a plat'; etc. A specific line between two points either found or re-established set points as shown on a filed plat or in an existing deed description. If a solar observation, GNSS observation, or other means for determining True or Geodetic North is used, it shall also include the accompanying latitudinal and longitudinal value of the observation point. 'GPS North' or similar ambiguous notations without explanation are unacceptable.

(8) Referencing surveys.

(A) Surveys based on the United States Public Land Survey System shall be referenced to original or properly restored corners. The appropriate Bureau of Land Management Manual of Surveying Instructions shall be used as a guide for the restoration of lost or obliterated corners and subdivision of sections into aliquot parts.

(B) Lot surveys within platted subdivisions shall be referenced to existing corner monuments within the subdivision as necessary to verify the survey.

(9) Where evidence of inconsistencies is found, such as overlapping descriptions, hiatuses, excess or deficiency, or conflicting boundary line or monuments; the nature and extent of the inconsistencies shall be shown on the drawing.

(10) All survey drawings shall show the change in direction between lines, lines and curves, and between adjacent curves, by angles, bearings or azimuths. Circular curves shall show: 1. The length of radius; 2. The arc distance; and 3. The chord distance and chord bearing. Sufficient information must be shown to mathematically close all lots and/or parcels.

(11) All easements, rights-of-way and building lines drawn or referenced on recorded subdivision plats on or across the land being surveyed and the width of the rights-of-way of all section lines adjoining or within the surveyed property shall be shown upon the survey drawing. Physical evidence of roadways providing access to or through the property being surveyed shall be shown and/or noted. If location of easements or rights-of-way, other than those drawn or referenced on recorded subdivision plats is required, this information must be furnished to the professional land surveyor.

(12) The professional land surveyor shall establish or confirm a monument or confirm the prior placement of monuments at each and every property corner on the boundary line or boundary lines of the parcel or tract of land being surveyed. In such cases where the placement of a required monument at its proper location is impractical, a witness or reference monument shall be placed with the data given to show its location upon the ground in relation to the boundary lines or corner. In any case the type and size of all monuments, either found or set, and the relationship of the monuments to the surveyed lines and corners will be shown on the drawing. Where practical, monuments shall be constructed of material capable of being detected with the conventional instruments for finding ferrous or magnetic objects. All set monuments shall have affixed thereto a durable marker or cap bearing, at a minimum, the license number of the land surveyor in responsible charge, or the Certificate of Authorization number of the firm performing the survey. Monuments for the exterior corners of a subdivision shall be set by the surveyor who certified the plat of the subdivision prior to the recordation of the subdivision plat. It is the

responsibility of the surveyor to set the interior corners on all lot and block corners prior to the conveyance of the lot, block or any part thereof within thirty days of completion of the infrastructure improvements, but no later than one year after recordation of the subdivision plat.

(13) Accuracy of measurements. The accuracy of the measurements for the survey shall be based upon the type of survey, and the current or expected use of the land. The accuracy of the measurements thus performed shall be substantiated by the computations of the traverse or the results of a Global Navigation Satellite System (GNSS) survey; the relative error of closure permissible shall be no greater than the following standards given below:

(A) Where there is or will be zero lot line construction on small tracts in a high density urban area, the allowable closure error is 1:10,000 or the allowable positional error is plus or minus 0.10 feet.

(B) In residential or commercial subdivisions where the length of lines does not exceed 300 feet, the area of tracts does not exceed 2 acres, and there is no plan for zero lot line construction, the allowable closure error is 1:10,000 or the allowable positional error is plus or minus 0.25 feet.

(C) In suburban or rural residential or industrial tracts where the length of lines does not exceed 1000 feet and the area of tracts is between 2 and 40 acres, the allowable closure error is 1:10,000 or the allowable positional error is plus or minus 0.50 feet.

(D) Rural tracts of 40 acres or more where the corners of the tract may be connected with traverse legs in excess of 1000 feet, the allowable closure error is 1:10,000 or the allowable positional error is plus or minus 1.0 foot.

(E) Rural tracts of 40 acres or more in rough or tree covered terrain where the corners of the tract must be connected with short traverse lines because of poor visibility between the corners of the tract, the allowable closure error is 1:7,500 or the allowable positional error is plus or minus 1.5 feet.

(F) Field work performed which has a closure error greater than the maximum allowed, or linear error of closure greater than the maximum positional error shown, shall be considered unacceptable and shall be corrected. Adjustment of a traverse must not shift the position of any point more than the maximum positional error listed above.

(14) When special conditions exist that effectively prevent the survey from meeting these minimum standards, the special conditions and any necessary deviation from the standards shall be noted upon the drawing. It shall be a violation of this rule to use special conditions to circumvent the intent and purpose of these minimum standards.

(15) A survey plat, sketch or map must be created whenever a land or boundary survey is performed. Every survey plat, sketch or map must contain the legal description of the land being surveyed, either on the face of the survey plat or attached to and referenced to the survey plat. If the professional land surveyor prepares a new description, then both the surveyor's description and the original description must be on the drawing.

(16) Additions or deletions to survey drawings by other than the signing party or parties are prohibited without written consent of the signing party or parties.

(d) Specifications for Topographic and Planimetric Mapping, Including Ground, Airborne, and Space borne Surveys: Production procedures for topographic and planimetric mapping surveys shall be prepared in accordance with the Instruction Manual for Topographic and Planimetric Mapping, as adopted by the Board, and with the standards established by Part 3 of the Federal

Geographic Data Committee (FGDC) Geospatial Positioning Accuracy Standard and applicable extensions and revisions. These standards are incorporated by reference including subsequent amendments and editions.

(e) Control Surveying Reporting: Whenever a professional land surveyor undertakes control surveying, where the coordinates and elevations of the control points established by the survey will be relied upon by professionals other than the original surveyor for future phases of the work, the licensee shall prepare a control survey report and shall provide the report to the prime client and to any other person who makes a written submittal. Alternatively, if the entire report is contained on the face of the work product, no other reporting is required. The report will contain the following information as appropriate to work being performed:

- (1) A listing of the final adjusted coordinates and elevations for all points within the control network along with a complete description of all monuments established or recovered,
- (2) A complete description of the horizontal and vertical datum used including the basis of bearings,
- (3) A complete description of the state plane or UTM zone used including all pertinent metadata, if appropriate,
- (4) Units used for coordinates and elevations,
- (5) Description of monument(s) used to constrain the control network including the reference coordinates and elevations used for aid monument(s),
- (6) If the final adjusted coordinates are based on a modified (ground datum) state plane coordinate system or a low-distortion local coordinate system (ground referenced) derived from geospatial positions, a complete description of the method(s) used to generate the modified coordinates shall be included in the report,
- (7) A brief description detailing the field methods and equipment used to conduct the control survey,
- (8) The date when the control monuments were set, the date when the control monuments were positionally observed, and the date of the final network adjustment,
- (9) Nothing in this section dictates the spatial accuracy that will be required by any specific project. It will be the responsibility of the individual licensee to determine the appropriate level of accuracy for each project. However, the licensee shall report the spatial accuracy in both the horizontal and vertical components,
- (10) A certificate followed by the dated signature and seal of the professional land surveyor responsible for the control survey stating that the surveyor conducted an actual survey on the ground and is responsible for the survey. The following model certification is considered to be an example of the minimum that the surveyor should certify to: "I, _____, certify that this horizontal/vertical control survey was completed under my direct and responsible charge from an actual survey made under my supervision and meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors."
- (11) Preparation of the control portion of geographic information systems and land information systems means the authoritative and monumented ground survey of a system of marks or objects to establish horizontal or vertical positions.

(f) Minimum Standards for Legal Descriptions: Preparation of a new description that is different from the description furnished to the professional land surveyor should be avoided unless deemed necessary by the professional land surveyor because of errors or ambiguities in

the original description. Except in the case of an original survey, if a new description is prepared, a note shall be provided stating (a) that the new description describes the same real estate as the record description or, if it does not, (b) how the new description differs from the record description.

(1) Metes and bounds descriptions prepared shall at a minimum contain the following items:

(A) A preamble containing the Quarter Section, Section, Township, Range, Principal Meridian (Indian or Cimarron) and the County and/ or City of the tract of land being described or a preamble containing the Lot and/or Block number, subdivision name and if available, the recording information of the plat and the City, if applicable, and County in which it is filed of record, and

(B) A beginning point and point of commencement (if applicable) referenced to a known point such as a section corner, quarter-section corner, sixteenth section corner, or a Lot/Block corner of a recorded subdivision a tie to each additional section line or recorded subdivision line it passes through, and all distances and directions identified in the record description of the surveyed property (and in the new description, if one was prepared), and

(C) Distances listed to the nearest hundredth of a foot (if surveyed), and

(D) Bearings or angles listed in degrees, minutes and seconds (if surveyed), and

(E) The basis of control used in the description shall be as stated in (c)(7) of this subsection, and

(F) Curved lines with circular curves shall show: 1. Direction of the curve (right or left); 2. The radius; 3. Arc distance; and 4. Chord distance and chord bearing, and

(G) The name and license number of the professional land surveyor who prepared the description, and

(H) The date of preparation of the legal description, and

(I) Each metes and bounds description must return to the Point of Beginning and close mathematically.

(2) Aliquot descriptions may be used in lieu of a metes and bounds description and shall at a minimum contain the following items: Quarter Section, Section, Township, Range, Principal Meridian (Indian or Cimarron), city (if applicable) and the County of the tract of land being described.

(3) Lot and block description may be used in lieu of a metes and bounds description and shall at a minimum contain the following items: Lot and/or Block number, subdivision name, City (if applicable), the County in which it is filed of record and, if available, the recording information of the plat.

(4) A written legal description of the surveyed tract of land must provide sufficient information to locate the property on the ground and distinctly set it apart from all adjoining properties.

(5) The preparation of legal descriptions by a person who does not monument the land so described is not the practice of land surveying.

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

~~(4)~~ (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

~~(2)~~ (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

~~(3) The intent of the definition of direct control and personal supervision may be met if all provisions of the definition are met using remote electronic or communication means.~~

~~(4)~~ (5) An 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) Unlicensed persons, including professional engineers and professional land surveyors not licensed in Oklahoma, shall not independently perform engineering or surveying work in the state of Oklahoma, to subsequently have it reviewed, signed, and sealed by a licensed professional engineer or professional land surveyor in the state of Oklahoma, unless excluded in (e) below. An Oklahoma licensed professional engineer must be engaged at the commencement of the project and meet all the provisions of (c) (1) (4) of this subsection to qualify as being in responsible charge of the work. If the Oklahoma licensed professional engineer 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.~~

~~(e)~~ (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 controls control and personally supervises 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~~
~~(2) (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~~

~~(3) All surveying offices must have an Oklahoma licensed professional land surveyor physically present at the location to be in responsible charge of, and in direct control and supervision of the work; and~~

~~(4) (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.~~

~~(5) The intent of the law shall not be met if an unlicensed surveying crew independently performs surveying work, to then be reviewed, signed, and sealed by a professional land surveyor. An unlicensed surveying crew may only be used if the professional land surveyor in direct control and supervision of the work is personally directing the land surveying crew and the work is performed concurrent with the supervision.~~

(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.