

# THE PATH TO COMPLIANCE - SIGNING AND SEALING ..... AGAIN

BY BRUCE PITTS, PLS, DIRECTOR OF ENFORCEMENT

With the rapid changes in technology which affect the practice of professional engineering and surveying, it seems relevant to continue to discuss signing and sealing issues in this column, even though it has been the topic of several articles over the past ten years. As the practice of the professions changes, the Board is prompted to respond with accompanying rules changes. A good example of this kind of change is the digital signing and sealing of documents. Digital seals have been allowed by this board for over 15 years; but it wasn't until recent changes in technology inspired a group of engineers to request that the board change its rules to allow for digital signatures. [OAC 245:15-17-2(j)]

Many signing and sealing rules regarding which documents need to be signed and sealed have been on the books as originally written with only minor modifications being made. For instance, OAC 245:15-17-1 (a), states in part that, "...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." must be signed, sealed and dated by the licensee in direct control and personally supervising the work. And yet we still receive complaints that engineers and/or surveyors are not signing and sealing these documents in the manner described in the statutes and rules. Frequently we receive complaints that engineering or surveying reports are issued with the signature of the licensee but not the seal of the licensee, and this is a signing and sealing violation that the Board takes seriously.

Another issue that was recently addressed in a revision of Board Rules was that of whether or not technical submissions were required to be signed and sealed before being presented to the Architect or

Prime Professional. OAC 245:15-17-2(p) specifically addresses this issue as follows: "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." Therefore, whether or not the Architect or Prime Professional requires that these technical submissions be signed and sealed – or even if they request they NOT be signed and sealed by the engineer or surveyor – it is the legal obligation of the licensee to sign and seal these submissions.

To avoid the appearance of practicing outside one's designated area of competence, the prime professional must identify the consultants who provide engineering or surveying services for the project. The same principle applies to engineers when subcontracting work to land surveyors. A perennial question we receive is what contact information must be shown on engineering and land surveying documents. This contact information is important for the public to know how to make contact with those responsible. So, regardless of whether one is practicing as an individual or firm, Board Rules 245:15-17-2(b) for the individual licensee and 245:15-17-2 (o) for the firm) require contact information including address and phone number and Certificate of Authorization number on all engineering and land surveying documents when presented to a client or public agency.

This Board will continue to address issues pertaining to the professional practice of engineering and surveying based upon the requirements of the professions, but at all times will keep those rules within the confines of the health, safety, property and welfare of the public.