MEMORANDUM

North Carolina Board of Examiners for Engineers and Surveyors

To: All NCBELS Licensees
From: North Carolina Board of Examiners for Engineers and Surveyors
Date: Approved by the Board October 28, 2026
Re: Adoption of Amendments to 21 NCAC 56 .0901 — Managing Professional

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The Board has adopted amendments to Rule .0901, replacing the resident professional requirement with a Managing Professional designation for each firm holding a firm license. The new rule will go into effect on January 1, 2027. The Board received a number of public comments on the proposed amendment, from individual licensees, firms, and professional organizations, and considered each of them before proceeding. The Board is grateful for that engagement and wants to explain, directly to licensees, both why the amendment was adopted and how it changes—and does not change—a firm's obligations.

The prior version of the rule tied firm oversight to a licensee's physical presence in a single office for a majority of business hours. That standard required a licensee to be in the office for more than 20 hours a week and put North Carolina firms at a disadvantage relative to firms based just across the state line with no comparable requirement.

A recurring theme in the comments deserves direct address: the blurring of responsible charge with the resident professional requirement. Admittedly, the prior language of Rule .0901 contributed to this blurring. The "resident professional" of an office and the individual who is in "responsible charge" of work are two different things. The amendment does not alter a licensee's obligation to maintain responsible charge over their work. While it may be reasonable to assume that a firm with only one licensed professional who also serves as that firm's resident professional is personally in responsible charge of the work coming out of that office, that assumption breaks down as firms add licensees.

Responsible charge is governed by Rule .0701(d) and requires that every engineering or surveying project performed for a North Carolina client be under the direct control and personal supervision of the licensee accountable for that specific work. That requirement is project-by-project, applies regardless of a firm's size or office structure, and is unchanged by this amendment.

The resident professional requirement, by contrast, was a firm-level administrative rule about where a licensee spent business hours, not a rule about who was accountable for a given project. The new Managing Professional designation reclassifies the resident professional and more clearly defines the role according to what firm-level oversight actually requires: renewing the firm's license, notifying the Board of business changes, and serving as the firm's point of contact. It is a business-compliance role, not a technical or supervisory one, and it does not substitute for or dilute the responsible charge obligation that governs the actual practice of engineering or surveying under Rule .0701(d).

In short: the Managing Professional keeps the Board informed about the business. Responsible charge keeps every project accountable to a specific licensee. Firms should expect no change in how project-level accountability is assigned, documented, or enforced. Questions about the amendment or its effective date may be directed to the Board's General Counsel, Wes Tripp, at wtripp@ncbels.org.