



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME: 40

ISSUE: 24

CHECK APPROPRIATE BOX:

- Notice with a scheduled hearing
- Notice without a scheduled hearing
- Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency: [Board of Examiners for Engineers and Surveyors](#)

2. Link to agency website pursuant to G.S. 150B-19.1(c): <https://www.ncbels.org>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

AMENDMENT: [21 NCAC 56 .0901, .1103](#)

REPEAL:

READOPTION with substantive changes:

READOPTION without substantive changes:

REPEAL through READOPTION:

4. Proposed effective date: [11/01/2026](#)

5. Is a public hearing planned? [Yes](#)

If yes:

Date	Time	Location
07/15/2026	9:00 AM	Board Offices, 4601 Six Forks Rd, Set 310, Raleigh, NC 27609

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

The Board seeks to amend 21 NCAC 56 .0901 to eliminate the resident professional requirement for in-state business entities and replace this position with a "Managing Professional." This one individual for each firm licensed with the Board will be responsible for renewal of the firm's license, reporting business changes to the Board, and serving as the business entity's main point of contact with the Board.

The Board seeks to amend 21 NCAC 56. 1103 to clarify certification requirements and ensure consistency between requirements for drawings and reports.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or email. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: S. Wesley Tripp III
Address: 4601 Six Forks Rd, Ste 310
Raleigh, NC 27609
Phone (optional): 919-791-2000, Ext. 111
Fax (optional):
EMail (optional) wtripp@ncbels.org

10. Comment Period Ends: 08/14/2026

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

No fiscal note required

12. Rule-making Coordinator:

Name: S. Wesley Tripp III
919-791-2000
wtripp@ncbels.org

Agency contact, if any:

Name:
Phone:
Email:

13. The Agency formally proposed the text of this rule(s) on

Date: 05/13/2026

1 21 NCAC 56 .0901 is proposed for amendment as follows:

2
3 **21 NCAC 56 .0901 MANAGING PROFESSIONALS AND OFFICES**

4 (a) ~~Professional Engineering Services. Every firm, partnership, corporation, or limited liability company that performs~~
5 ~~or offers to perform engineering services, as defined in G.S. 89C-3(6), within the State of North Carolina shall have a~~
6 ~~resident Professional Engineer in each separate office located in North Carolina where those services are performed~~
7 ~~or offered to be performed. Out-of-state office locations where engineering services are performed or offered to be~~
8 ~~performed for North Carolina projects shall have Professional Engineers in responsible charge of only those specific~~
9 ~~projects in compliance with Rule .0701(d) of this Chapter.~~

10 (b) ~~Land Surveying Services. Every firm, partnership, corporation, or limited liability company that performs or offers~~
11 ~~to perform land surveying services, as defined in G.S. 89C-3(7), within the State of North Carolina shall have a resident~~
12 ~~Professional Land Surveyor in each separate office located in North Carolina where those services are performed or~~
13 ~~offered to be performed. Out-of-state office locations where surveying services are performed or offered to be~~
14 ~~performed for North Carolina projects shall have Professional Land Surveyors in responsible charge of only those~~
15 ~~specific projects in compliance with Rule .0701(d) of this Chapter.~~

16 (c) ~~Resident. The terms "resident Professional Engineer" and "resident Professional Land Surveyor" are defined as a~~
17 ~~licensee who spends a majority of the licensee's normal working time in that office. Such time shall not be less than a~~
18 ~~majority of the operating hours of the business. A Professional Engineer or Professional Land Surveyor shall be the~~
19 ~~resident professional at only one place of business at one time unless each business is at least one-third owned by the~~
20 ~~resident professional. The Board shall specifically approve such arrangement after a determination that the businesses~~
21 ~~are integrated in operation, ownership, and office location and that the resident professional will be in responsible~~
22 ~~charge of the professional services.~~

23 (a) Managing Professional. Every business firm or corporation, and every sole proprietorship operating under an
24 assumed name, that performs or offers to perform engineering or surveying services, as defined in G.S. 89C-3, within
25 the State of North Carolina (a "business entity") shall designate a managing professional to the Board. Business entities
26 that perform or offer to perform both engineering and surveying services shall designate only one managing
27 professional. Professional corporations and professional limited liability companies shall designate a shareholder or
28 owner of the business entity who serves as an officer, director, or manager, and who is licensed with the Board.
29 Corporations licensed pursuant to G.S. 55B-15(a)(1), Chapter 87 corporations licensed pursuant to G.S. 55B-15(a)(2),
30 and partnerships shall designate an employee of the business entity who is licensed with the Board. Sole
31 proprietorships operating under an assumed name shall designate the sole proprietor who is licensed with the Board.

32 (b) Responsibilities of Managing Professional. The managing professional's responsibilities shall include:

- 33 (1) Renewal of the business entity's certificate of authorization as provided in Rule .0804 of this
34 Chapter;
35 (2) Notification to the Board of any changes in the business entity as provided in Rule .0804 of this
36 Chapter; and

1 (3) Serving as the business entity’s designated point of contact with the Board for matters related to
2 licensure, compliance, and regulatory communications.

3 ~~(d)(c)~~ No firm, partnership, corporation, or limited liability company business entity shall practice, offer to practice,
4 or market either engineering or land surveying services within the State of North Carolina, unless there is a licensed
5 ~~resident professional for that service in responsible charge at that office.~~ the entity has designated a managing
6 professional. Advertisements, signs, letterheads, business cards, directories, or any other form of representation shall
7 not include any reference to any service that cannot be provided under the responsible charge of a properly ~~qualified~~
8 ~~resident professional.~~ licensed employee of the business entity. ~~The licensed entity shall give notice to the Board of a~~
9 ~~change of resident professional within 30 days after the change.~~

10 ~~(e)~~ A licensed entity shall not practice, offer to practice, or market professional services during any period of time
11 without a resident professional.

12
13 *History Note:* *Authority G.S. 55B-12(b); 89C-10; 89C-24;*
14 *Eff. February 1, 1976;*
15 *Readopted Eff. September 29, 1977;*
16 *Amended Eff. August 1, 2014; August 1, 2002; April 1, 2001; August 1, 1998; May 1, 1994; January*
17 *1, 1992; April 1, 1989;*
18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
19 *2019;*
20 *Amended Eff. April 1, 2025.; November 1, 2026.*

1 21 NCAC 56 .1103 is proposed for amendment as follows:

2
3 **21 NCAC 56 .1103 STANDARD CERTIFICATION REQUIREMENTS**

4 (a) Certification of Final Drawings. Drawings or maps not subject to the exceptions in Paragraph (c) of this Rule shall
5 be certified by placement of the licensee's seal and signature on the drawing and shall conform to the following:
6 following requirements:

- 7 (1) Certification is required on ~~reproducible or original drawings~~; all final original drawings and any
8 copies thereof issued for use or reliance;
- 9 (2) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile that
10 becomes a permanent addition to a plan sheet or map;
- 11 (3) A licensee may sign a drawing using a written signature or digital signature as provided in
12 subsection (e) of this Rule. The licensee's ~~written~~ signature must be placed over, or adjacent to, the
13 seal on the original document. A facsimile of a written signature is not acceptable;
- 14 (4) The date of signing must be ~~annotated~~ included on the original document;
- 15 (5) All sheets of engineering and surveying drawings must be certified;
- 16 (6) The name, ~~address~~ address, and license number of the licensee's firm shall be included on each sheet
17 of engineering drawings. For surveys, the name, ~~address~~ address, and license number of the
18 licensee's firm shall be included on the first sheet of the survey or title sheet. The individual license
19 number of the sole proprietor shall be used as the license number for an exempt sole proprietorship
20 that meets the requirements of 21 NCAC 56 .0802(b)(1); and
- 21 (7) Any revision on a drawing after a licensee's certification is affixed shall be described and dated ~~and~~
22 and, if not done under the responsible charge of the same ~~licensee~~ licensee, shall be separately
23 certified.

24 (b) Certification of Specifications and Reports. All specifications, reports, or other documents, including letter reports
25 and calculations, not subject to the exceptions in Paragraph (c) of this Rule shall be certified by placement of the
26 licensee's seal and signature on the document and shall conform to the following: following requirements:

- 27 (1) Certification is required on all final original specifications, reports, or other documents, including
28 letter reports and ~~calculations~~; calculations, and on any copies thereof issued for use and reliance;
- 29 (2) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile;
30 facsimile that becomes a permanent addition to a specification, report, or other document;
- 31 (3) A licensee may sign a document using a written signature or digital signature as provided in
32 subsection (e) of this Rule. The licensee's ~~written~~ signature must be placed over, or adjacent to, the
33 seal on the original document. A facsimile of a written signature is not acceptable;
- 34 (4) The date of signing must be ~~annotated~~ included on the original document;
- 35 (5) The title sheet of engineering specifications or other reports must be certified and bear the name,
36 ~~address~~ address, and license number of the licensee's firm. The title sheet of any survey report or
37 written description of property must be certified and shall include the name, address and license

1 number of the licensee's firm. The individual license number of a sole proprietor shall be used as
2 the license number for an exempt sole proprietorship that meets the requirements of 21 NCAC 56
3 .0802(b)(1); and

- 4 (6) Any revision in the document after a licensee's certification is affixed shall be described and dated
5 ~~and~~ and, if not done under the responsible charge of the same ~~licensee~~ licensee, shall be separately
6 certified.

7 (c) Exceptions to Required Certification. The certification of a licensee on a map, drawing, plan, specification, plat,
8 document, or report shall signify that it is the final work of the licensee unless the work is stamped or marked
9 substantially as follows so as to put the public on notice not to use the document as a final product, in which case
10 certification is optional:

- 11 (1) "Preliminary - Do not use for construction";
12 (2) "Progress Drawings - Do not use for construction";
13 (3) "Preliminary Plat - Not for recordation, conveyances, or sales";
14 (4) "Final Drawing - Not released for construction";
15 (5) "Final Drawing - For Review Purposes Only";
16 (6) "Not a Certified Document – This document originally issued and sealed by (name of licensee),
17 (license number), on (date of sealing). This document shall not be considered a certified document";
18 (7) "Not a Certified Document as to the Original Document but Only as to the Revisions - This
19 document originally issued and sealed by (name of licensee), (license number), on (date of sealing).
20 This document is only certified as to the revisions".

21 (d) Electronically Transmitted Documents. Documents, including drawings, ~~specifications~~ specifications, and reports,
22 that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal
23 removed from the original file, unless signed with a digital signature as defined in Paragraph (e) of this Rule. After
24 removal of the ~~seal~~ seal, the electronic media shall have the following inserted in lieu of the signature and date: "This
25 document originally issued and sealed by (name of sealer), (license number), on (Date of sealing). This medium shall
26 not be considered a certified document." Hardcopy documents containing the original seal, ~~signature~~ signature, and
27 date of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in
28 hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements
29 of this Paragraph. The electronic transmission beyond the direct control of the licensee of CAD, ~~vector~~ vector, or other
30 files subject to easy editing are subject to the requirements of this paragraph. Easy editing is based on the file consisting
31 of separate elements that can be individually modified or deleted. Documents that are excepted from certification by
32 a statement meeting the requirements of Subparagraphs (c)(1) through (c)(5) of this Rule are not subject to the
33 requirements of this Paragraph.

34 (e) Digital Signatures. ~~Documents to be electronically transmitted beyond the direct control of the licensee that are~~
35 ~~signed using a digital signature, shall contain the authentication procedure in a secure mode and a list of the hardware,~~
36 ~~software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has~~
37 ~~protective measures to prevent alteration or overriding of the authentication procedure. The term "digital signature"~~

1 ~~shall be~~ Drawings, reports, or other documents that are signed using a digital signature must have an electronic
2 authentication process ~~that is~~ attached to or logically associated with ~~an~~ the electronic document. The digital signature
3 shall be:

- 4 (1) Unique to the licensee using it;
- 5 (2) Capable of verification;
- 6 (3) Under the sole control of the licensee; and
- 7 (4) Linked to a document in such a manner that the digital signature is invalidated if any data in the
8 document is changed.

9 ~~(f) A digital signature process may be submitted to the Board for approval that it meets the criteria set forth in~~
10 ~~Subparagraphs (e)(1) through (4) of this Rule. The licensee shall confirm that if another process is used, that it meets~~
11 ~~the criteria.~~

12
13 *History Note: Authority G.S. 89C-10; 89C-16; 89C-20*

14 *Eff. February 1, 1976;*

15 *Readopted Eff. September 29, 1977;*

16 *Amended Eff. August 1, 2011; July 1, 2009; May 1, 2009; August 1, 2002; August 1, 2000; August*
17 *1, 1998; February 1, 1996; May 1, 1994; April 1, 1989; December 1, 1984;*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
19 *2019.*

20 *Amended Eff. November 1, 2026.*