

21 NCAC 56 .0901 is adopted with changes as published in 40:24 NCR 2030–31 as follows:

21 NCAC 56 .0901 MANAGING PROFESSIONAL [PROFESSIONALS AND] OFFICES

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

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

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

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

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

- (1) Renewal of the [business entity's certificate of authorization] firm's license as provided in Rule .0804 of this Chapter;
- (2) Notification to the Board of any changes in the [business entity] firm as provided in Rule .0804 of this Chapter; and

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

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

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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. November 1, 2026; April 1, 2025.

21 NCAC 56 .1103 is adopted with changes as published in 40:24 NCR 2030–31 as follows:

21 NCAC 56 .1103 STANDARD CERTIFICATION REQUIREMENTS

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

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

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

- (1) Certification is required on all final original specifications, reports, or other documents, including letter reports and ~~calculations~~; calculations, and on any copies [thereof] of the documents issued for use [and] or reliance;
- (2) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other ~~facsimile~~; facsimile that becomes a permanent addition to a specification, report, or other document;
- (3) A licensee may sign a document using a written signature or digital signature as provided in Paragraph (e) of this Rule. The licensee's ~~written~~ signature must be placed over, or adjacent to, the seal on the original document. A facsimile of a written signature by itself is not ~~acceptable~~;

1 acceptable. A facsimile signature means a signature that has been reproduced by mechanical,
2 photographic, or electronic means;

3 (4) The date of signing must be ~~annotated~~ included on the original document;

4 (5) The title sheet of engineering specifications or other reports must be certified and ~~bear~~ shall include
5 the name, ~~address~~ address, and license number of the licensee's firm. The title sheet of any survey
6 report or written description of property must be certified and shall include the name, ~~address~~
7 address, and license number of the licensee's firm. The individual license number of a sole proprietor
8 shall be used as the license number for an exempt sole ~~proprietorship that meets the requirements~~
9 ~~of 21 NCAC 56 .0802(b)(1);~~ proprietorship; and

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

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

17 (1) "Preliminary - Do not use for construction";

18 (2) "Progress Drawings - Do not use for construction";

19 (3) "Preliminary Plat - Not for recordation, conveyances, or sales";

20 (4) "Final Drawing - Not released for construction";

21 (5) "Final Drawing - For Review Purposes Only";

22 (6) ~~"Not a Certified Document — This document originally issued and sealed by (name of licensee),~~
23 ~~(license number), on (date of sealing). This document shall not be considered a certified document";~~
24 ~~or "Not a Certified Document - This document originally issued and sealed by (name of licensee),~~
25 ~~(license number), on (date of sealing). This document shall not be considered a certified document";~~
26 ~~or~~

27 (7) "Not a Certified Document as to the Original Document but Only as to the Revisions - This
28 document originally issued and sealed by (name of licensee), (license number), on (date of sealing).
29 This document is only certified as to the revisions".

30 (d) Electronically Transmitted Documents. Documents, including drawings, ~~specifications~~ specifications, and reports,
31 that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal
32 removed from the original file, unless signed with a digital signature as defined in Paragraph (e) of this Rule. After
33 removal of the ~~seal~~ seal, the electronic media shall have the following inserted in lieu of the signature and date: "This
34 document originally issued and sealed by (name of sealer), (license number), on (Date of sealing). This medium shall
35 not be considered a certified document." Hardcopy documents containing the original seal, ~~signature~~ signature, and
36 date of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in
37 hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements

1 of this Paragraph. ~~The electronic transmission beyond the direct control of the licensee of CAD, vector, or other~~
2 ~~files subject to easy editing are subject to the requirements of this paragraph. CAD, vector, or other files subject to~~
3 ~~easy editing that are electronically transmitted beyond the direct control of the licensee are subject to the requirements~~
4 ~~of this Paragraph.~~ Easy editing is based on the file consisting of separate elements that can be individually modified

5 or deleted. Documents that are excepted from certification by a statement meeting the requirements of Subparagraphs
6 (c)(1) through (c)(5) of this Rule are not subject to the requirements of this Paragraph.

7 (e) Digital Signatures. ~~Documents to be electronically transmitted beyond the direct control of the licensee that are~~
8 ~~signed using a digital signature, shall contain the authentication procedure in a secure mode and a list of the hardware,~~
9 ~~software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has~~
10 ~~protective measures to prevent alteration or overriding of the authentication procedure. The term "digital signature"~~
11 ~~shall be~~ Drawings, reports, or other documents that are signed using a digital signature must have an electronic
12 authentication process that is attached to or logically associated with an the electronic document. The digital signature
13 shall be:

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

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

23 *History Note: Authority G.S. 89C-10; 89C-16; 89C-20/89C-20.*

24 *Eff. February 1, 1976;*

25 *Readopted Eff. September 29, 1977;*

26 *Amended Eff. August 1, 2011; July 1, 2009; May 1, 2009; August 1, 2002; August 1, 2000; August*
27 *1, 1998; February 1, 1996; May 1, 1994; April 1, 1989; December 1, 1984;*

28 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*
29 *2019;*

30 *Amended Eff. November 1, 2026.*