

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Examiners for Engineers and Surveyors

RULE CITATION: 21 NCAC 56 .0505

**DEADLINE FOR RECEIPT: November 7, 2025**

***PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.***

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

*Introductory Statement: This needs to be updated for the final rule. Please follow the examples on OAH's website, such as*  
<https://www.oah.nc.gov/documents/rules/permanent-amendment-no-change-publication/download?attachment>.

*(a), lines 5-6: Consider revising "year" to "calendar year" for clarity.*

*(a), line 17: What does "any license" mean? Any engineering license? Any professional license? Be specific if possible.*

*(c): Why is "Professional Engineer, Retired." in quotation marks? Remove them if not necessary.*

*History Note, Statutory Authority: Consider adding 89C-21 here, as it relates to the Board's power to discipline licensees for certain crime convictions.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel  
Date submitted to agency: October 30, 2025

21 NCAC 56 .0505 is proposed for amendment as follows:

**21 NCAC 56 .0505      EXPIRATIONS      EXPIRATION      AND      RENEWALS      RENEWAL      OF  
CERTIFICATES**

(a) Professional Engineer Licensure. A license to practice professional engineering expires on the last day of each year. A licensee may renew their license through their online licensee portal on the Board's website during the renewal period beginning on the first day of December through the last day of January. An annual renewal fee of seventy-five dollars (\$75.00) for certificates of licensure for Professional Engineers shall be payable to the Board. The Board shall provide each licensed Professional Engineer a form that requires the During the renewal process, a licensee to shall provide the Board the their physical places of business and residential addresses, report compliance with continuing education requirements, and report any criminal convictions or disciplinary actions: actions described herein. The A licensee shall give notice to the Board of a change of business or residential address within 30 days of the change. The A licensee shall give notice to the Board of any criminal convictions, including DWI but not including minor traffic offenses (offenses that are not a misdemeanor or felony) or of any disciplinary actions in any jurisdiction on any license, within 30 days of the conviction or disciplinary action. conviction. A nolo contendere plea is equated to a conviction for reporting purposes. A licensee shall give notice to the Board of any disciplinary actions received in any jurisdiction on any license resulting in a restriction on the licensee's practice within 30 days of the disciplinary action. A disciplinary action which restricts a licensee's practice includes revocation, suspension, denial of licensure, refusal to renew, refusal to reinstate, put on probation, restriction of practice area, or a voluntary permanent surrender of a license.

(b) Engineering Intern Certificate. The Engineering Intern certificate does not expire and, therefore, does not have to be renewed.

(c) "Professional Engineer, Retired." The Board shall approve the application for use of the title for a person who has been duly licensed as a professional engineer by the Board, who chooses to relinquish or not to renew a license and has had no disciplinary action or criminal conviction that would support a determination that the licensee is not of good character and reputation.

*History Note: Authority G.S. 89C-10; 89C-17; 89C-3(8a);*

*Eff. February 1, 1976;*

*Readopted Eff. September 29, 1977;*

*Amended Eff. August 1, 2011; July 1, 2010; July 1, 2009; December 4, 2002; August 1, 2000; August 1, 1998; May 1, 1994;*

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

*Amended Eff. December 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Examiners for Engineers and Surveyors

RULE CITATION: 21 NCAC 56 .0601

**DEADLINE FOR RECEIPT: November 7, 2025**

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In reviewing this Rule, the staff recommends the following changes be made:

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*<https://www.oah.nc.gov/documents/rules/permanent-amendment-no-change-publication/download?attachment>.*

*(a)(2), line 16: Add an oxford comma after "applied surveying practice".*

*(b)(1) and (b)(2): The requirement states, "The Board shall approve the experience on a case-by-case basis if it is satisfied of the grade and character of the progressive experience." How does the Board evaluate the "grade and character of the progressive experience"? Is this explained elsewhere in your rules? Are there certain factors that are considered? As written, this is not a clear standard. This language also appears at the end of (b)(2).*

*History Note, Statutory Authority: Consider adding 89C-3(4a) to cover authority over land surveyor apprenticeships.*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: October 30, 2025

21 NCAC 56 .0601 is proposed for amendment as follows:

**21 NCAC 56 .0601 REQUIREMENTS FOR LICENSING**

(a) Education. Pursuant to G.S. 89C-13(b), the Board shall consider the education of an applicant in determining eligibility for licensure as a Professional Land Surveyor. The ~~Certain~~ terms used by the Board for concerning the specific education educational requirements found in G.S. 89C-13(b)(1a) to be eligible to be licensed as a Professional Land Surveyor are defined as follows:

- (1) "Bachelor of Science degree in surveying or other equivalent ~~curriculum.~~ curricula" ~~These are~~ degrees that shall contain a minimum of 45 semester hours, or their quarter-hour equivalents. Of the 45 semester hours, a minimum of 12 semester hours of surveying fundamentals, 12 semester hours of applied surveying practice, and 12 semester hours of advanced or theoretical surveying courses are required. The remainder of the required surveying courses may be elective-type courses in any of the categories; and
- (2) "Associate degree in surveying ~~technology.~~ technology" ~~are This degree~~ degrees that shall contain a minimum of 20 semester hours, or quarter-hour equivalents. Courses, completed with a passing grade, shall be in surveying fundamentals, applied surveying practice and advanced or theoretical surveying courses, including courses in surveying practices, subdivision design and planning, surface drainage, and photogrammetry.
- (3) An applicant wishing to complete a "Land Surveyor Apprenticeship." ~~Apprenticeship~~ contemplated in G.S. 89C-13(b)(1a)(d1) shall ~~The applicant shall have completed~~ complete one of the following:
  - (A) Certified Survey Technician Program (CST) of the National Society of Surveyors (NSPS) levels I through IV.
  - (B) "Technologist" Certification Program of the American Society for Photogrammetry and Remote Sensing (ASPRS).
  - (C) The Surveying Education Standard of the National Council of Examiners for Engineering and Surveying (NCEES) by obtaining college semester credit hours, as modified to require the following 39 college semester hours:
    - (i) Twelve college semester hours in mathematics beyond basic mathematics, but the credits include college algebra or higher mathematics. These courses must emphasize mathematical concepts and principles rather than computation. Course examples include college algebra, trigonometry, analytic geometry, differential and integral calculus, linear algebra, numerical analysis, probability and statistics, and advanced calculus; and
    - (ii) Twenty-seven college semester hours of surveying science and surveying practice. Courses shall be taught by surveying faculty qualified by education, training or experience to teach the subject matter. Examples of courses are basic

1 surveying, route surveying, geodesy, geographic information systems, land  
2 development design and planning, global positioning systems, photogrammetry,  
3 mapping, legal principles of land surveying, boundary law, professional surveying  
4 and mapping, and remote sensing. Graduate-level surveying courses can be  
5 included to fulfill curricular requirements in this area.

6 (D) Apprenticeship program, administered through ApprenticeshipNC, or equivalent  
7 administrator, approved by the Board, as including elements equivalent to Parts (A), (B),  
8 or (C) of this Subparagraph.

9 (b) ~~Experience:~~ Experience. Pursuant to G.S. 89C-13(b), the Board shall consider the experience of an applicant in  
10 determining eligibility for licensure as a Professional Land Surveyor.

11 (1) ~~Definition. As used in the North Carolina Engineering and Land Surveying Act, the term~~  
12 ~~"progressive practical experience" means that during the period of time in which an applicant made~~  
13 ~~a practical utilization of the knowledge of the principles of geometry and trigonometry in~~  
14 ~~determining the shape, boundaries, position, and extent of the earth's surface, a continuous~~  
15 ~~improvement, growth, and development in the utilization of that knowledge have been shown. In~~  
16 ~~addition, the applicant shall show the continuous assumption of greater individual responsibility for~~  
17 ~~the work product over that period of time.~~ Required Experience. In evaluating experience, the Board  
18 shall consider an applicant's total experience record and its progressive nature. Not less than half of  
19 the required land surveying experience shall be of a professional grade and character and shall be  
20 performed under the responsible charge of a Professional Land Surveyor, or if not, the applicant  
21 shall submit a written explanation to the Board explaining why the experience should be considered  
22 acceptable. The Board shall approve the experience on a case-by-case basis if it is satisfied of the  
23 grade and character of the progressive experience. Experience gained under the technical  
24 supervision of an unlicensed individual shall be considered based upon the engineering or surveying  
25 education and experience credentials of the unlicensed supervisor. Experience gained in the armed  
26 services, typically while serving in an engineering or surveying related group, shall be accepted only  
27 if substantially equivalent to civilian work.

28 (2) ~~Required Experience. In evaluating the work experience required, the Board shall consider the total~~  
29 ~~experience record and the progressive nature of the record. Not less than half of the required land~~  
30 ~~surveying experience shall be of a professional grade and character, and shall be performed under~~  
31 ~~the responsible charge of a Professional Land Surveyor. If the work was not under the responsible~~  
32 ~~charge of a Professional Land Surveyor, the applicant shall submit a written explanation to the Board~~  
33 ~~explaining why the experience should be considered. The Board shall approve the experience on a~~  
34 ~~case by case basis if it is satisfied of the grade and character of the progressive experience.~~  
35 ~~Experience gained under the technical supervision of an unlicensed individual shall be considered~~  
36 ~~based upon the engineering education and experience credential of the unlicensed supervisor.~~  
37 ~~Experience gained in the armed services, typically while serving in an engineering or surveying~~

~~related group, shall be accepted only if substantially equivalent to that which would have been gained in civilian work.~~ Definition. "Progressive practical experience" requires that during the period of time provided as experience, an applicant made a practical utilization of their acquired knowledge of the principles of geometry and trigonometry in determining the shape, boundaries, position, and extent of the earth's surface; and demonstrated a continuous improvement, growth, and development in the utilization of that knowledge. The applicant shall show the continuous assumption of greater individual responsibility for the work product over that period of time. The progressive experience on surveying projects shall be of a grade and character that shows the Board that the applicant is competent to practice surveying.

(3) Other Experience. The applicant shall document the nature and details of the work done in the following areas to evidence to the Board its equivalency to land surveying:

- (A) construction layout;
- (B) engineering surveying; or
- (C) part-time surveying work.

(c) Exhibits, Drawings, Maps:

(1) ~~Required Exhibit Before Principles and Practice of Surveying Examination:~~ Exhibit:

- (A) General. The applicant shall submit, along with the application, an actual map of a boundary survey of an actual project prepared under the direct supervision and responsible charge of a Professional Land Surveyor who states that the applicant did the preparatory work of the survey; that shows, by its conformance, that the applicant is knowledgeable of the contents of the Standards of Practice for Land Surveying in North Carolina as set forth in Section .1600 of this Chapter; and that shows that the applicant is able to apply this knowledge by preparing a map in accordance with the various legal and professional requirements of land surveying.
- (B) Physical Requirement. The map submitted shall be a clean, clear, legible print of an original map in the file of a Professional Land Surveyor.
- (C) Specific Requirements. The details that shall be evaluated are those applicable to the particular project as described in the Standards of Practice for Land Surveying in North Carolina as set forth in Section .1600 of this Chapter, and as described in G.S. 47-30. In addition, the exhibit shall contain a statement that the field work, calculation, and mapping were performed by the applicant under the supervision of a Professional Land Surveyor, attested to by that Professional Land Surveyor.

(2) Requirements for Comity Applicant. The map submitted by an applicant under comity may be a representative map of an actual survey of a project or work performed in the state of licensure that is modified to meet the requirements in Subparagraph ~~(e)(2)~~ (c)(1) of this Rule and shall be evaluated in accordance with the requirements applicable to the particular project as described in the Standards

1 of Practice for Land Surveying in North Carolina as set forth in Section .1600 of this Chapter, and  
2 as described in G.S. 47-30.

3  
4 *History Note: Authority G.S. 89C-10; 89C-13;*  
5 *Eff. February 1, 1976;*  
6 *Readopted Eff. September 29, 1977;*  
7 *Amended Eff. August 1, 2014; July 1, 2009; August 1, 2000; August 1, 1998; November 2, 1992;*  
8 *April 1, 1989; December 1, 1984; January 1, 1982;*  
9 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*  
10 *2019;*  
11 *Amended Eff. July 1, 2020;*  
12 *Temporary Amendment Eff. July 1, 2022;*  
13 *Amended Eff. December 1, 2025; March 1, 2023.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Examiners for Engineers and Surveyors

RULE CITATION: 21 NCAC 56 .0606

**DEADLINE FOR RECEIPT: November 7, 2025**

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*(a), line 5: Consider revising "year" to "calendar year" for clarity.*

*(a), line 15: "Conviction" is repeated twice to end the sentence. Please delete one of them.*

*(a), line 17: What does "any license" mean? Any engineering license? Any professional license? Be specific if possible.*

*(c): Why is "Professional Land Surveyor, Retired." in quotation marks? Remove them if not necessary.*

*History Note, Statutory Authority: Consider adding 89C-21 here, as it relates to the Board's power to discipline licensees for certain crime convictions.*

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Christopher S. Miller  
Commission Counsel

Date submitted to agency: October 30, 2025

21 NCAC 56 .0606 is proposed for amendment as follows:

**21 NCAC 56 .0606      EXPIRATIONS      EXPIRATION      AND      RENEWALS      RENEWAL      OF  
CERTIFICATES**

(a) Professional Land Surveyor Licensure. A license to practice surveying expires on the last day of each year. A licensee may renew their license through their online licensee portal on the Board's website during the renewal period beginning on the first day of December through the last day of January. An annual renewal fee of seventy-five dollars (\$75.00) for certificates of licensure for Professional Land Surveyors is shall be payable to the Board. The Board shall provide each Professional Land Surveyor a form that requires the During the renewal process, a licensee ~~to shall~~ provide ~~to the Board the~~ their physical places of business and residential addresses, report compliance with continuing education requirements, and report any criminal convictions or disciplinary ~~actions. described herein. The~~ A licensee shall give notice to the Board of a change of business or residential address within 30 days of the change. ~~The~~ A licensee shall give notice to the Board of any criminal convictions, including DWI but not including minor traffic offenses (offenses that are not a misdemeanor or felony) ~~of any disciplinary actions in any jurisdiction on any license, within 30 days of the conviction or disciplinary action. conviction.~~ A nolo contendere plea is equated to a conviction for reporting purposes. A licensee shall give notice to the Board of any disciplinary actions received in any jurisdiction on any license resulting in a restriction on the licensee's practice within 30 days of the disciplinary action. A disciplinary action which restricts a licensee's practice includes revocation, suspension, denial of licensure, refusal to renew, refusal to reinstate, put on probation, restriction of practice area, or a voluntary permanent surrender of a license.

(b) Surveyor Intern Certificate. The surveyor intern certificate does not expire and, therefore, does not have to be renewed.

(c) "Professional Land Surveyor, Retired." The Board shall approve the application for use of the title for a person who has been duly licensed as a Professional Land Surveyor by the Board, who chooses to relinquish or not to renew a license and has had no disciplinary action that would support a determination that the licensee is not of good character and reputation.

*History Note: Authority G.S. 89C-17; 89C-3(9a);*

*Eff. February 1, 1976;*

*Readopted Eff. September 29, 1977;*

*Amended Eff. August 1, 2011; July 1, 2010; July 1, 2009; December 4, 2002; August 1, 2000; August 1, 1998; May 1, 1994;*

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

*Amended Eff. December 1, 2025.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Examiners for Engineers and Surveyors

RULE CITATION: 21 NCAC 56 .0701

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*(a), line 4: Add oxford comma after "property".*

*(b): Who determines whether a practice is conducted in a manner "to protect the public health, safety, and welfare"? Are there certain standards or practices that licensees must follow? Is this described elsewhere in your Rules? Does the Board have guidance on this? As written, this language is generic and does not provide licensees with a clear and objective standard.*

*(b), line 15: Add oxford comma after "other affected parties".*

*Should (d)(4)(B) be its own paragraph? I'm not sure that it makes sense as currently placed under (d)(4), which discusses accepting responsibility for work.*

*(e)(3), line 19: What does "inspired by" mean in this context? How would you prove this?*

*(h), lines 30-31: You could just say, "as required by this Rule", rather than citing to the entire rule here.*

*(h)(2), page 4, lines 3-5: Which licensee "shall timely respond to all inquiries and correspondence from the Board and shall timely claim correspondence from the U. S. Postal Service, or other delivery service, sent to the licensee from the Board"? Is this the one that filed the complaint? Or the one that is under investigation?*

*History Note, Statutory Authority: Consider adding 89C-10 here as well.*

Christopher S. Miller  
Commission Counsel

Date submitted to agency: October 30, 2025

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: October 30, 2025

21 NCAC 56 .0701 is proposed for amendment as follows:

**21 NCAC 56 .0701            RULES OF PROFESSIONAL CONDUCT**

(a) In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the professions of engineering and land surveying, the Rules of Professional Conduct in this Rule are adopted in accordance with G.S. 89C-20 and are binding upon every person holding a certificate of licensure as a Professional Engineer or Professional Land Surveyor (licensee), and on all business entities authorized to offer or perform engineering or land surveying services in this state. All persons licensed under the provisions of Chapter 89C of the General Statutes are charged with having knowledge of the Board Rules, including the Rules of Professional Conduct, and are deemed to be familiar with their provisions and to understand them.

(b) A licensee's practice shall not violate the rules of this Chapter or G.S. 89C and shall be conducted in a manner to protect the public health, safety, and welfare. The licensee shall at all times recognize the primary obligation to protect the public in the performance of their professional duties. If the licensee's engineering or land surveying judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, the licensee shall inform the employer, the client, the contractor, other affected parties and any appropriate regulatory agency of the possible consequences of the situation.

(c) A licensee shall perform services only in areas of the licensee's competence and:

- (1) Shall undertake to perform engineering and land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved;
- (2) May accept an assignment or project requiring education or experience outside of the licensee's own areas of competence, but only to the extent that the services are restricted to those portions or disciplines of the assignment in which the licensee is qualified. All other portions or disciplines of such assignment shall be performed by associates, consultants, or employees who are licensed and competent in those portions or disciplines.

(d) A licensee shall not affix his or her signature or seal to any engineering or land surveying plan or document for which the licensee was not in responsible charge of the work through direct control and personal supervision. In order to exercise responsible charge of engineering or surveying work, either when delegating tasks to others, in circumstances where a licensee in responsible charge of the work is unavailable to complete the work, or the work is a design plan signed and sealed by an out-of-jurisdiction licensee (not a site adaptation of a standard design plan under Rule 21 NCAC 56 .1106), the licensee must possess full professional knowledge of and control over the work and shall:

- (1) Have and exercise the authority to review and to change, reject or approve both the work in progress and the final work product, through examination, evaluation, communication and direction throughout the development of the work;
- (2) Be personally aware of the scope of the work, its needs, parameters, limitations and special requirements;

- 1 (3) Be capable of answering questions relevant to the surveying or engineering decisions made as part  
2 of the services provided, in sufficient detail to demonstrate knowledge of the proficiency in the  
3 work; and
- 4 (4) Accept full responsibility for the work.
- 5 (A) The burden for demonstrating responsible charge lies with the licensee, including  
6 maintaining records, calculations, drawings, surveys, specifications, and other documents  
7 associated with the work.
- 8 (B) A licensee may affix his or her seal and signature to drawings and documents depicting the  
9 work of two or more professionals, provided it is designated by a note under the seal stating  
10 the specific subject matter for which each is responsible.
- 11 (e) A licensee shall issue public statements only in an objective and truthful manner and:
- 12 (1) Shall be objective and truthful in all professional reports, statements or testimony. The licensee shall  
13 include all relevant and pertinent information in such reports, statements or testimony;
- 14 (2) When serving as an expert or technical witness before any court, commission, or other tribunal, shall  
15 express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a  
16 background of technical competence in the subject matter, and upon honest conviction of the  
17 accuracy and propriety of the licensee's testimony;
- 18 (3) Shall issue no statements, criticisms, or arguments on engineering or land surveying matters  
19 connected with public policy which are inspired or paid for by an interested party, or parties, unless  
20 the licensee has prefaced the comment by explicitly identifying the licensee's name, by disclosing  
21 the identities of the party or parties on whose behalf the licensee is speaking, and by revealing the  
22 existence of any pecuniary interest the licensee may have in the matters; and
- 23 (4) Shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation,  
24 prospects, practice or employment of another engineer or land surveyor, nor indiscriminately  
25 criticize another engineer or land surveyor's work in public. Indiscriminate criticism includes  
26 statements without valid basis or cause, that are not objective and truthful, or that fail to include all  
27 relevant and pertinent information. If the licensee believes that another engineer or land surveyor is  
28 guilty of misconduct or illegal practice, such information shall be presented to the North Carolina  
29 Board of Examiners in the form of a complaint.
- 30 (f) A licensee shall avoid conflicts of interest and:
- 31 (1) Shall inform the employer or client, and any reviewing agency, of any business association,  
32 interests, or circumstances which could influence judgment or the quality of services;
- 33 (2) Shall not accept compensation, financial or otherwise, from more than one party for services on the  
34 same project, or for services pertaining to the same project, unless the circumstances are disclosed  
35 to, and agreed to, in writing, by all interested parties;
- 36 (3) Shall not solicit or accept financial or other valuable considerations from material or equipment  
37 suppliers for specifying their products;

- (4) Shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with the client or employer in connection with work for which the licensee is responsible;
  - (5) When in public service as a member, advisor, or employee of a governmental body or department, shall not participate in considerations or actions with respect to services provided by the licensee or the licensee's firm in private engineering and land surveying practices;
  - (6) Shall not solicit or accept an engineering or land surveying contract from a governmental body on which a principal or officer of the licensee's firm serves as a member; and
  - (7) Shall not attempt to supplant another engineer or land surveyor in a particular employment after becoming aware that the other has been selected for the employment.
- (g) A licensee shall solicit or accept work only on the basis of qualifications and:
- (1) Shall not offer to pay, either directly or indirectly, any commission, political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies;
  - (2) Shall compete for employment on the basis of professional qualification and competence to perform the work. The licensee shall not solicit or submit proposals for professional services containing a false, fraudulent, misleading, deceptive or unfair statement or claim regarding the cost, quality or extent of services to be rendered;
  - (3) Shall, with regard to fee bidding on public projects, comply with the provisions of G.S. 143-64.31 et seq., (or for federal projects, the Brooks Act, 40 U.S. Code 541 et seq.) and shall not knowingly cooperate in a violation of any provision of G.S. 143-64.31 et seq. (or of 40 U.S. Code 541 et seq.); and
  - (4) Shall not falsify or permit misrepresentation of academic or professional qualifications and shall only report educational qualifications when a degree or certificate was awarded, unless it is stated that no degree or certificate was awarded. The licensee shall not misrepresent degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments with the intent and purpose of enhancing qualifications and work.
- (h) A licensee shall perform services in an ethical manner, as required by the Rules of Professional Conduct (21 NCAC 56 .0701), and in a lawful manner and:
- (1) Shall not knowingly associate with or permit the use of the licensee's name or firm name in a business venture by any person or firm which the licensee knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature or is not properly licensed; and
  - (2) If the licensee has knowledge or reason to believe that another person or firm may be in violation of the Board Rules (21 NCAC 56) or of the North Carolina Engineering and Land Surveying Act

(G.S. 89C), shall present such information to the Board in writing in the form of a complaint and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board. The licensee shall timely respond to all inquiries and correspondence from the Board and shall timely claim correspondence from the U. S. Postal Service, or other delivery service, sent to the licensee from the Board. Timely is defined as within the time specified in the correspondence, or if no time is specified, within 30 days of receipt. Certified mail is timely claimed if prior to being returned by the Post Office to the Board office.

(i) A Professional Engineer or Professional Land Surveyor ~~who has received a reprimand or civil penalty or~~ whose professional license is revoked, suspended, denied, refused renewal, refused reinstatement, put on probation, restricted, or surrendered as a result of disciplinary action by another jurisdiction is subject to discipline by the Board if the licensee's action constitutes a violation of G.S. 89C or the rules adopted by the Board.

*History Note: Authority G.S. 89C-17; 89C-20;*

*Eff. February 1, 1976;*

*Readopted Eff. September 29, 1977;*

*Amended Eff. September 1, 2011; May 1, 2009; August 1, 2002; August 1, 2000; August 1, 1998;*

*November 2, 1992; April 1, 1989; January 1, 1982; March 1, 1979;*

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

*Amended Eff. December 1, 2025; May 1, 2024.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: Board of Examiners for Engineers and Surveyors

RULE CITATION: 21 NCAC 56 .0804

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In reviewing this Rule, the staff recommends the following changes be made:

*Introductory Statement: This needs to be updated for the final rule. Please follow the examples on OAH's website, such as*

*<https://www.oah.nc.gov/documents/rules/permanent-amendment-no-change-publication/download?attachment>.*

*(c), lines 11 and 12: This should say "paragraph (d) of this Rule" rather than "of this section."*

*(c), line 14: Which "applicable General Statutes of North Carolina"? Be specific, if possible.*

*(c), line 14: Who is providing this form? The Board?*

*(d), line 25: What does "any license" mean? Can you be more specific?*

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Christopher S. Miller  
Commission Counsel

Date submitted to agency: October 30, 2025

21 NCAC 56 .0804 is proposed for amendment as follows:

**21 NCAC 56 .0804          ANNUAL RENEWAL AND 30-DAY REPORTING OF VIOLATIONS AND  
CHANGE OF ADDRESS**

(a) Renewal. The certificate of licensure for a business shall be renewed annually.

(b) Expiration. The certificate of licensure expires on the last day of June following its issuance by the Board and becomes invalid on that date unless renewed.

~~(c) Written Application. The applicant shall submit a written application on a renewal form provided by the Board that requires~~ A business may renew their license through an online portal on the Board's website beginning on the first day of June. During the renewal process, the business shall provide the physical place of business address and address, information listed in paragraph (d) of this section, report of any criminal convictions or disciplinary actions, actions described in paragraph (d) of this Section, and pay a renewal accompanied by a fee of seventy-five dollars (\$75.00). The Board shall renew the certificate of licensure, providing that the business has complied with all rules of the Board and applicable General Statutes of North Carolina. The form shall be provided to all licensees in good standing no later than June 1st.

(d) Reporting. The business shall give notice to the Board on a change form within 30 days of any change of:

- (1) business address and branch locations;
- (2) resident professional or licensee in responsible charge;
- (3) business name;
- (4) officers, directors, or owners; or
- (5) the services being offered.

~~The business shall give notice to the Board of any disciplinary actions or conviction of any crime, in any jurisdiction on any license within 30 days of the disciplinary action or conviction. The business shall give notice to the Board of any criminal convictions within 30 days of the conviction. The business shall give notice to the Board of any disciplinary actions received in any jurisdiction on any license resulting in a restriction on the business' practice within 30 days of the disciplinary action. A disciplinary action which restricts a business' practice includes revocation, suspension, denial of licensure, refusal to renew, refusal to reinstate, put on probation, restriction of practice area, or a voluntary permanent surrender of a license.~~

(e) If a business fails to renew its certificate of licensure within one year of the expiration date, the business shall submit a new application for a new certificate of licensure in accordance with all requirements of 21 NCAC 56 .0802.

(f) If any business that holds a current certificate of licensure ceases business because the professional licensee receives a waiver from paying the individual renewal fee under 21 NCAC 56 .0506 or 21 NCAC 56 .0607, the annual renewal fee for the business shall be waived for the same time period.

*History Note: Authority G.S. 55B-11; 57D-2-01; 89C-10; 89C-14; 89C-17; 89C-24;*

*Eff. February 1, 1976;*

*Readopted Eff. September 29, 1977;*

1           *Amended Eff. August 1, 2011; July 1, 2010; July 1, 2009; December 4, 2002; April 1, 2001;*  
2           *February 1, 1996; May 1, 1994;*  
3           *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,*  
4           *2019;*  
5           *Amended Eff. December 1, 2025; July 1, 2020.*