## Index

**Section 1**
- General .................................................. 2
- The Licensure Track ................................. 2
- Benefits of Being Licensed ....................... 2
- Statutes and Rules ................................. 3
- The Board of Registration ......................... 4
- Registration Requirements ....................... 5
- Experience ............................................. 6
- Getting Registered ................................ 6
- NCEES .................................................. 7
- NCEES Model Law .................................. 8
- Reciprocal Licensing ............................... 8
- Disciplinary Actions ............................... 9
- Ethics .................................................... 11
- Conclusion ............................................ 11

**Section 2**
- North Dakota Century Code ....................... 12

**Section 3**
- North Dakota Administrative Code ............. 24

**Section 4**
- Land Surveying Experience Worksheet ........ 74
- Engineering Experience Worksheet .............. 75
- Process of a Complaint ............................ 76
- Sample Exam Application Forms ................ 77

**Section 5**
- Land Surveying Experience Descriptions ..... 104
- Engineering Experience Descriptions ........ 105

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**PEPLS**

Professionals At Work
Introduction to Professional Practice

General

Congratulations on passing your first step in becoming a registered professional! Many licensed professionals will tell you that passing the fundamentals exam is the most difficult part of the licensure process. So, now that the most difficult part is behind you, let’s look forward to your future.

You probably think that you’ve done enough reading in school to last a lifetime. In fact, the reading you have done will last a lifetime but there is always more you need to know. This document contains statutes from the North Dakota Century Code and rules from the North Dakota Administrative Code that you will have to know in order to practice as a Professional Engineer or Professional Land Surveyor. This Introduction to Professional Practice you are reading now contains information that is not found in statutes or rules but will be very important to your professional career. Taking the time to read this document will answer a lot of your questions and save you time as your professional career develops.

The Licensure Track

By taking and passing the Fundamentals examination, you have started on the licensure track. Statistically, only about 20% of college graduates continue on the licensure track to become licensed professionals. What do the other 80% do? Many graduates work in industry where licensure is often not required. Some may work for government entities that are exempt from state licensing requirements. Others continue to work in the private sector under the supervision of a licensed Professional Engineer (PE) or Professional Land Surveyor (PLS). There are also some who choose a different profession altogether. By getting on the licensure track, and staying on it, you will become part of the 20% who have far greater career options than those who do not become licensed.

Benefits of Being Licensed

- I’ve got a good job already, why do I have to take another test?
- I’m just too busy right now; I’ll take the exam in a couple of years.
- I’m not sure how being licensed will benefit me but it looks like it will be more trouble than it’s worth.
- Are you kidding me? Go back to studying??

Do any of these statements sound familiar? If so, you are not alone. The thought of taking an 8 hour exam certainly seems like a lot of work, especially when you have a full time job and have so much other stuff to do. And, of course, who wants to spend their weekends and evenings studying for a test? But, rather than focusing on the extra work preparing for the the Principles and Practice exam, why not take a look at some of the benefits?
**Status:** The use of the professional title, either Professional Engineer or Professional Land Surveyor, carries a level of prestige with it. In North Dakota, the use of the title is restricted by law. Only those individuals who have passed both the Fundamentals exam and the Principles and Practice exam and have the proper education and experience meet the requirements to use them. Signing your name and placing “P.E.” or “P.L.S.” behind it raises your professional credibility, and most importantly at this stage of your career, increases your employability.

**Employment Opportunity:** Companies are always looking for ways to increase their marketability to increase their bottom line. An individual who is licensed can legally take on a variety of different projects. There is no need to have a supervising professional or rely on an industrial exemption to practice. If you are licensed, you are more marketable and more profitable for a potential employer. In short, unlicensed individuals are less marketable and less profitable than licensed individuals.

**Responsible Charge:** Do you want to be the boss someday? If so, you need to be licensed. In private practice, only a licensed individual can sign and seal documents. Government agencies are taking their cue from the private sector and requiring individuals with professional licenses to progress beyond certain pay grades. If you want to design your own project and see it come to reality, you need to be licensed.

**Flexibility:** The past few years have shown that even the largest manufacturers and businesses fail. If you aren’t a licensed professional, your only options are to take a job with a firm and work under someone else’s supervision, or find a job with a government agency that doesn’t require a license. If you have a license to back yourself up, you would not only be more enticing to potential employers, you would be able to start your own business while you are looking for work.

**Money:** Last, but certainly not least, is higher income for licensed professionals. Average income for engineers varies depending on discipline, qualifications, experience, and location. The National Society of Professional Engineers reports that P.E.s average 20% a year more in salary compared to unlicensed engineers in comparable positions.

For land surveying, average income varies depending on qualifications, experience and location. Registered Professional Land Surveyors average 21% a year more in salary compared to unlicensed land surveyors.

**Statutes and Rules**

Since we have already mentioned statutes and rules, let’s start there. Statutes are laws passed by the North Dakota Legislature and are collected into a set of books called the North Dakota Century Code (NDCC). Statutes are organized using a numbering system. When a statute is given a location in the North Dakota Century Code and assigned a number, it has been “codified”. If statutes need to be changed or corrected, the only way to do it is to introduce a bill into the legislature and get it passed by your state senators and representatives and then approved by the governor. Although the process to introduce a bill isn’t difficult, it isn’t exactly easy either. Our legislature only meets once every 2 years so if you need a change, it’s going to be a long wait. Because statutes are cumbersome and time consuming to change, they tend to be broadly worded and don’t contain a lot of specific details.
Rules are where the details are usually located. The North Dakota Administrative Code (NDAC) is another set of laws but these laws aren’t passed by the legislature. They are created by different state agencies and regulatory boards to add details to the broadly worded statutes. The NDAC is also organized using a numbering system. These laws are referred to as administrative rules. The Board cannot create any administrative rule unless the authority to create the rule is already contained in a statute approved by the North Dakota legislature. In other words, any rule must be backed up by a statute. Unlike other rules, these rules aren’t made to be broken. If they are, you could be subject to disciplinary action and your whole career could be derailed before it even gets started. Administrative rules are laws that must be followed.

The Board of Registration

In 1943, the North Dakota Legislature decided the practice of engineering requires specialized knowledge and is so important to the health, safety and welfare of the general public, that they passed a law that created licensing requirements for Professional Engineers. The statutes creating licensing requirements are often referred to as a Title Act. The legislature doesn’t have time to review every engineering license application so they created a regulatory board to do that work for them. In 1967, the legislature decided that the practice of land surveying was as important as engineering to the health, safety and welfare of the general public. They added land surveying licensure to the regulatory board they had already established for engineering licensing. The board created by the 1943 title act and the amendment made in 1967 is the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. That’s a long name so we’re going to just call them “the Board” from here on out.

What, exactly, is the Board and what do they do? As we’ve already said, the Board is an entity created by the legislature to regulate the practices of engineering and land surveying. The statutes that created the Board are located in North Dakota Century Code § 43-19.1. This symbol, §, is the legal notation meaning “section”. Chapter 43 of the North Dakota Century Code (NDCC) deals with licensed occupations and professions. Section 19.1 is the section specifically assigned to engineering and land surveying. NDCC § 43-19.1 is located in section 2 of this book.

The Board consists of 5 members. Four seats on the Board are for Professional Engineers and one seat is for Professional Land Surveyors. Board members are appointed by the governor of North Dakota. Unlike many other states, the candidates for appointment to the North Dakota Board are nominated by the North Dakota Society of Professional Engineers (NDSPPE) for the Professional Engineer seats and the North Dakota Society of Professional Land Surveyors (NDSPLS) for the Professional Land Surveyor seat. The societies must give the governor a list of at least three qualified candidates. The governor will make the appointment to the Board from the list. Board members do not get paid for serving on the Board but they do receive a daily payment to cover their expenses. The payment is called “per diem”. Board members are appointed for 5 year terms with one term expiring each year.
The Board has a lot of authority and powers given to them in the statutes. Most of them are pretty mundane such as the authority to hold meetings, pay bills, hire staff, adopt a seal and adopt bylaws. However, some of those powers have a lot more impact. The Board has the responsibility to enforce the laws established by the legislature. To do that, the Board has the power to hold hearings, administer oaths, take and record legal testimony, subpoena witnesses and documents, make legal findings and issue legally binding orders. When we talk about disciplinary actions later on, we’ll go into how the Board uses these powers.

Registration Requirements

One of the methods the Board uses to regulate the practices of engineering and land surveying is to license only those individuals who have met the requirements for licensure under North Dakota law. To accomplish this task, the Board uses a combination of statutes and rules. As previously mentioned, the statutes used by the Board are in NDCC § 43-19.1. The rules created by the Board to interpret the statutes are located in Title 28 of the NDAC. All of Title 28 is set aside for the practices of engineering and land surveying. Title 28 is located in section 3 of this book.

For engineering, registration in North Dakota is based on your baccalaureate degree. Different types of degrees have different experience requirements. During the licensure process, you will often hear the term “ABET”. ABET stands for the Accreditation Board for Engineering and Technology. ABET is an organization that establishes standards for engineering degree programs. The standards include, among other things, specified coursework, minimum lab hours and faculty qualifications. Accreditation is given to individual programs, not to universities. For example, a university may have an accredited chemical engineering program but the same university may have a mechanical engineering program that is not accredited. State Boards across the United States have uniformly adopted the ABET accreditation. ABET is the highest standard of education qualification. Licensure pathways exist for individuals with an engineering degree that is not accredited or if you have an engineering related degree. If you aren’t certain what type of degree you have, contact the State Board office. The experience requirements for various types of engineering degrees are:

<table>
<thead>
<tr>
<th>Degree Type</th>
<th>Experience Required for FE</th>
<th>Total Experience Required for PE</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABET Accredited</td>
<td>0 Years</td>
<td>4 Years</td>
</tr>
<tr>
<td>Non-ABET Accredited</td>
<td>4 Years</td>
<td>8 Years</td>
</tr>
<tr>
<td>Engineering Related</td>
<td>6 Years</td>
<td>12 Years</td>
</tr>
</tbody>
</table>

For land surveying, there is no minimum education requirement. Land surveyors need a combined total of 8 years of education and experience to become licensed. Based upon your education, if any, the experience requirements are:
<table>
<thead>
<tr>
<th>Degree Type</th>
<th>Experience Required for FS</th>
<th>Total Experience Required for PS</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABET Accredited BS</td>
<td>0 Years</td>
<td>4 Years</td>
</tr>
<tr>
<td>Non-ABET Accredited BS</td>
<td>0 Years</td>
<td>4 Years</td>
</tr>
<tr>
<td>Two-Year Technology</td>
<td>2 Years</td>
<td>6 Years</td>
</tr>
<tr>
<td>No Degree</td>
<td>4 Years</td>
<td>8 Years</td>
</tr>
</tbody>
</table>

Interns often call the Board and ask what type of experience they should be gaining to be eligible for the Principles and Practice exam. The law states that the experience must “indicate to the board that the applicant may be competent to practice engineering” or that it is “of a grade and character satisfactory to the board.” What does that mean? That language is a good example of some of the broadly worded language often found in statutes. To clarify what that means, the Board created a rule in Title 28 of the NDAC. The rule defining acceptable experience is found in NDAC § 28-02.1-04-02. You should read the rule and make sure all of your experience falls within one of those categories.

The Board developed an “Experience Worksheet” to assist them when they evaluate an applicant’s experience. The experience worksheet is in section 4 of this book. There is one for engineering and one for land surveying. Be sure to look at the experience worksheet so you will know the categories in which you need to gain experience. The Board doesn’t expect you to have experience in every area but you need well-rounded skills before the Board will approve you. Experience descriptions are in Section 5.

When you have completed the experience requirements listed above, you will be ready to take the Principles and Practice exam and become registered. You may be thinking that taking another exam when you are several years out of school is going to be very difficult. While licensure examinations aren’t intended to be easy, they are designed to test you on how you apply the knowledge you gained either in college or while gaining experience. The Fundamentals exam focused on your mathematical skills and your knowledge of various formulas. The Principles and Practice exam, while still mathematically based, tests your knowledge of what you actually do in your job every day. The Principles and Practice exam is more discipline specific and doesn’t test as much broad based information as the Fundamentals exam.
To take the Principles and Practice exam, you will need to apply to the Board. Applications can be found on the Board’s web site at [www.ndpelsboard.org](http://www.ndpelsboard.org). The application will ask you for your general information, the company you work for, references, and your experience. You will also need to complete the experience worksheet that breaks down your experience into various skills based categories.

During the application process, you will need to supply additional documents to support your application. You will need 5 references. Three of those references must be individuals who are licensed in the profession in which you are seeking licensure. If you didn’t take the Fundamentals exam in North Dakota, you need to request a verification of examination from the state in which you took the exam. The verification will be sent directly to the North Dakota Board. Some states charge a fee for a verification so be sure to check the fee schedule to avoid delay in your application. If applicable, you will also need to have your college transcripts sent directly to the North Dakota Board from the university.

Once you are approved by the Board, you will receive a letter telling you what to do next. The letter will direct you to the NCEES web site to register for the exam. The Board does not charge an application fee when applying for the exam but you will have to pay for your exam and scoring when you register with NCEES. Current fees, exam dates and exam specifications can be found on the NCEES web site at [www.ncees.org](http://www.ncees.org). While you are on the NCEES web site, be sure to check their current policies on reference material, items allowed in the examination room and what calculator you can use.

When you pass the exam, the Board will send you a letter and issue you a license number. You will receive information about continuing education requirements, renewing your license and corporate licensing requirements. The Board will award you 10 professional development hours (pdh’s) for passing the Principles and Practice exam. These can be used towards your first requirement for continuing education reporting.

When you registered for the Fundamentals and the Principles and Practices examinations, you went to the NCEES web site. What, exactly, is NCEES? NCEES stands for the National Council of Examiners for Engineering and Surveying. NCEES was formed in 1920 by state licensing boards. Currently, all states and US territories are members of NCEES. The organization was created by licensing boards to serve licensing boards.

The main function of NCEES is to write licensing exams for engineers and land surveyors. The benefit of having NCEES write the exams is that they are accepted in all states and US territories. Some states have additional exams that are state specific but generally, once you pass the Fundamentals and Principles and Practice exams, you shouldn’t have to ever write them again.

NCEES holds a meeting annually and representatives from each member board attend. During the meeting, several key decisions are made. The content of the exams, cut-off scores, and exam pricing are voted on. The Boards also vote on changes or additions to the NCEES Model Law.
The Model Law is a document that contains suggested language for states to adopt into their own state laws. The language in the Model Law defines what state licensing boards consider to be the ideal circumstances under which a person may become registered. In summary, the Model Law specifies that an engineer or land surveyor hold an ABET accredited BS degree, has taken and passed the Fundamentals exam, has acquired 4 years of experience, has taken and passed the Principles and Practice exam, has no disciplinary action, and holds an NCEES record.

An NCEES record is a set of documents commonly used to support your application. Establishing a record must be initiated by you and is a fee based service offered by NCEES. A typical record will contain your general information, licensing history, work history, reference letters, verification of your examinations, employment verification and college transcripts. If you plan to become licensed in many states, an NCEES record may be beneficial to you. One advantage to having an NCEES record is that your record is automatically compared to the Model Law to see if the circumstances under which you became registered are in compliance with the Model Law. If they are in compliance, the record will be designated as a Model Law Engineer or a Model Law Surveyor. Many states, including North Dakota, have an abbreviated application and faster processing for Model Law applicants.

**Reciprocal Licensing**

Once you are licensed in a state, you may want to practice in other states as well. The process to become licensed in other states is commonly referred to as “comity”, “reciprocity” or “endorsement”. North Dakota statutes use the term “endorsement” so we’ll use that term. Although, by strict definition, all 3 terms have different meanings, in reality they all mean the same thing. Registration by endorsement means that you make an application to another state, provide the requested documentation, meet any state specific requirements and become licensed to practice in that state without taking the licensure exams again. All states and US territories have an endorsement agreement with North Dakota.

Multi-jurisdiction license holders are becoming more common than professionals who are licensed in only 1 or 2 states. It is likely that, during your career, you will be licensed in several states. You must clearly understand that in most states it is illegal to practice or even offer to practice without being licensed first. Nationally, practicing without being licensed is one of the most common reasons for disciplinary action; second only to ethics violations. In addition to not being granted your license in a particular state, you can face fines of up to $10,000 depending on where you are being disciplined.

Most states have adopted some of the NCEES Model Law. However, each state also has its own unique licensing statutes. You must be in compliance with their laws in order to be granted licensure without
Taking additional licensing exams. Always be aware of licensing requirements in any state in which you are applying. In general, when seeking a license in another state, you should:

1. check their web site for licensing information and requirements.
2. complete their application form according to their instructions.
3. supply any supporting documentation requested, such as reference letters, verification of exams and college transcripts or
4. if applicable, have your NCEES record transmitted to the state board.
5. pay any fees associated with your application.
6. be prepared to take any state specific examinations or other local requirements.
7. understand their Code of Ethics and other rules governing your practice in that state.

**Disciplinary Actions**

In an ideal world, you will never be the subject of a disciplinary action taken by any Board. As previously mentioned, the Board has broad powers in enforcing licensing laws. The Board can hold hearings, administer oaths, take and record legal testimony, subpoena witnesses and documents, make legal findings and issue legally binding orders. In addition, the Board can issue reprimands, suspend licenses, refuse to renew licenses, revoke licenses and enter into negotiated settlements.

The Board has a Legal and Investigations committee that consists of the Secretary of the Board, one additional Board member and the Executive Director. The Board’s legal counsel and any investigative personnel are advisors to the committee. The committee’s job is to review all complaints and direct the investigator to find answers to any questions they may have. The committee is the entity that will review a complaint and the response to the complaint to see if it has merit and make the appropriate recommendation to the Board.

The remaining three members of the Board who are not on the Legal and Investigations committee do not receive the details about any complaint that has been filed. If a complaint proceeds all the way to a disciplinary hearing, the 3 board members will serve as a hearing panel and determine if a registrant has committed a violation. Like in a civil or criminal court proceeding, a judge receiving knowledge of the facts of a case without both parties present is called “ex parte communication”. Ex parte communication is not allowed by law. That’s why the remaining 3 Board members who are not on the legal and Investigations committee do not receive any facts about the case. The Board may also arrange for an Administrative Law Judge to handle the procedural issues required by a hearing.

The disciplinary process is started by someone filing a complaint against a registrant. That person is referred to as the complainant. The law provides that “any person” may file a complaint. The complaint must be sworn and notarized. Sometimes the Board receives compelling information that indicates a direct threat to public health safety and welfare but no complaint is filed. When that happens, the Executive Director may swear out the complaint. Anonymous complaints are not investigated.
When a complaint is received in the Board office, a pre-determined procedure begins. The Board has published its procedures in the form of a flow chart titled “Process of a Complaint”, which is located in the fourth section of the book. The complaint is filed with the Secretary of the Board as required by law. A notice of the complaint is sent to the registrant against whom the complaint was made. That person is referred to as the respondent. The respondent is asked to respond to the complaint.

Once the response is received, the Legal and Investigations committee reviews both the complaint and the response. If the committee finds that the complaint is “trivial or unfounded” they may make a recommendation to the full Board that the complaint be dismissed. If the committee believes that a violation has occurred, they will recommend that the matter proceed to a hearing. Sometimes, the committee may have questions about the circumstances surrounding the complaint. In that case, the committee may direct the investigator to interview witnesses or gather additional documents. The information is reviewed by the committee again and they will make a recommendation to the Board.

The recommendation of the Legal and Investigations committee is given to the Board at a meeting. Both the complainant and the respondent are notified that a recommendation will be made. All meetings are open to the public but the parties are notified to make sure they know the recommendation will be presented to the Board. The Board will vote upon the recommendation of the committee. If the recommendation was to dismiss, all parties receive notification and the case is closed. If the recommendation was to proceed to a hearing, a date for the hearing is set and all parties are notified. A secondary investigation is conducted. The registrant will prepare their defense.

Often times, a registrant will acknowledge that a violation occurred. In that instance, the Board’s legal counsel may draft a stipulated agreement. If the agreement is satisfactory to the respondent and the Board, it is signed by all parties. A stipulated agreement is executed in lieu of a hearing and is binding upon the registrant. Any discipline imposed in the agreement must be carried out and all requirements of the agreement must be met before a registrant is considered in “good standing”.

If you are licensed in several states and you have an adverse finding as a result of a disciplinary action, you may be disciplined in all states in which you hold a license. We spoke earlier about reciprocal licensing and how you can become registered in other states without taking the licensure examination. When you have reciprocal agreements to recognize a professional license issued by another state, reciprocal disciplinary actions are part of the agreement. If you work in several states, you can be disciplined for the same violation in several states.

This section is a brief overview of the disciplinary process and is not intended to be inclusive of every detail of the disciplinary process. At all times during the disciplinary process, a registrant is entitled to have their own attorney to render advice.
No discussion about professional licensing would be complete without mentioning ethics. Strong ethics are the cornerstone of professional licensing. Without a commitment to ethics, the value of a credential is diminished. Nationally, ethics violations are the #1 cause for disciplinary actions. Merriam Webster offers the following definition of Ethics:

ETHICS

1. the discipline dealing with what is good and bad and with moral duty and obligation
2. a set of moral principles: a theory or system of moral values
3. the principles of conduct governing an individual or a group <professional ethics>
4. a guiding philosophy
5. a consciousness of moral importance
6. a set of moral issues or aspects (as rightness)

The Board has created a Code of Ethics for Professional Engineers and Professional Land Surveyors. It is located in NDAC § 28-03.1. It is extremely important that you read and understand the Code of Ethics for any state you are working in. Violating a Code of Ethics is grounds for disciplinary action in every US jurisdiction. Each state has its own Code of Ethics but they all have a similar premise. The premise is: having knowledge of right and wrong and, when given a choice, make the right decision.

Ethics seems so simple when it is summarized that way. In reality, some of the most difficult decisions you will ever make are ethics based. Situations will arise during the course of your career that you don’t even realize require an ethical decision until after the fact. Many registrants who have been disciplined for ethical violations aren’t bad people; they just didn’t realize they were facing an ethical dilemma until it was all over and the wrong choice was made.

Conclusion

Thanks for taking the time to read this information. I hope you found it helpful. Additional information is available on our web site and new information is posted often. If you have any questions at all, please contact the Board office. Again, congratulations on passing the Fundamentals examination. Good luck in your career.

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701-258-0786
Contact@ndpelsboard.org
www.ndpelsboard.org
Section 2
CHAPTER 43-19.1
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

43-19.1-01. General provisions. In order to safeguard life, health, and property, and to promote the public welfare, the practice of engineering and land surveying in this state is hereby declared to be subject to regulation in the public interest, and it hereby is declared necessary that a state board of registration for professional engineers and land surveyors be established, which in the exercise of its powers is deemed to be an administrative agency within the purview of chapter 28-32. It is unlawful for any person to practice, or to offer to practice, professional engineering or land surveying in this state, as defined in the provisions of this chapter, or to use in connection with the person's name or otherwise assume, or advertise any title or description tending to convey the impression that the person is an engineer or land surveyor, unless such person has been duly registered or exempted under the provisions of this chapter. The right to engage in the practice of engineering or land surveying is deemed a personal right, based on the qualifications of the individual as evidenced by the individual's certificate of registration, which is not transferable.

43-19.1-02. Definitions. In this chapter unless the context otherwise requires:

1. "Board" means the state board of registration for professional engineers and land surveyors.

2. "Engineer" means a professional engineer.

3. "Engineer intern" means an individual who complies with the requirements for education, experience, and character and who has passed an examination in the fundamental engineering subjects, as provided in sections 43-19.1-12 and 43-19.1-15.

4. "Land surveying" means any service comprising the determination of the location of land boundaries and land boundary corners; incidental topography; the preparation of maps showing the shape and area of tracts of land and their subdivision into smaller tracts; the preparation of maps showing the layouts of roads, streets, and rights of way of same to give access to smaller tracts; and the preparation of official plats or maps of land within this state.

5. "Land surveyor" means an individual engaged in the practice of land surveying.

6. "Land surveyor intern" means an individual who complies with the requirements for education, experience, and character and who has passed an examination in the fundamentals of mathematics and the basic principles of land surveying as required in this chapter and as established by the board.

7. "Practice of engineering and practice of professional engineering" means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences to such services or creative work as consultation, investigation, evaluation, planning and design of engineering works and systems, engineering teaching of advanced engineering subjects or courses related thereto, engineering surveys, and the inspection of construction for the purpose of assuring compliance with drawings and specifications; any of which embraces such service or work, either public or private, in connection with any utilities, structures, buildings, machines, equipment, processes, work systems, or projects as are incidental to the practice of engineering. A person must be construed to practice or offer to practice engineering if the person practices any branch of the profession of engineering; if the person, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents that the person is an engineer and is able to practice engineering in this state if the person through the
use of some other title implies that the person is an engineer or that the person is registered under this chapter; or if the person holds out as able to perform, or does perform any engineering service or work or any other service that is recognized as engineering, for a valuable consideration for others, including the public at large. The practice of engineering does not mean or include the practice of engineering by a person exempt under the provisions of section 43-19.1-29, nor the work ordinarily performed by a person that operates or maintains machinery or equipment. Notwithstanding the foregoing provisions, a person may not be construed to practice engineering unless that person offers engineering services to, or performs such engineering for, the public.

8. "Professional engineer" means an individual who by reason of special knowledge or use of the mathematical, physical, and engineering sciences and the principles and methods of engineering analysis and design, acquired by engineering education and engineering experience, is qualified to practice engineering, and who has been registered and licensed by the state board of registration for professional engineers and land surveyors.

9. "Professional land surveyor" means a land surveyor who complies with the requirements for education, experience, and character and who has been registered and licensed by the board.

10. "Responsible charge" means direct control and personal supervision of engineering or surveying work.

11. "Retired registrant" means a duly registered professional engineer or land surveyor who is not engaged in active professional practice and is not required to meet the continuing professional education requirements as prescribed by the board. A retired registrant is issued a certificate of registration indicating "retired" status.

12. "The practice or offer to practice surveying" includes the engagement of any person in land surveying or the representation by any person by verbal claim, sign, letterhead, card, or in any other manner, that such person is a land surveyor and is able to perform land surveying in this state.

43-19.1-03. Board - Appointments - Terms. A state board of registration for professional engineers and land surveyors is hereby created the duty of which is to administer this chapter. The board consists of one professional land surveyor and four professional engineers. The board members who are professional engineers must be appointed by the governor from among a list of nominees submitted to the governor by the North Dakota society of professional engineers who must have the qualifications required by section 43-19.1-04, such list must include the names of at least three nominees for each vacancy to be filled. The governor shall appoint the professional land surveyor member of the board from a list of nominees submitted by the North Dakota society of professional land surveyors. The list must include the names of at least three nominees for the vacancy to be filled. The members must possess the qualifications required by section 43-19.1-04. The members of the board must be appointed for five-year terms that are staggered so the term of one member expires June thirtieth of each year. Each member of the board shall receive a certificate of appointment from the governor and shall file with the secretary of state a written oath or affirmation for the faithful discharge of the member's official duties. On the expiration of the term of any member, the governor shall appoint for a term of five years a board member having the qualifications required in section 43-19.1-04 to take the place of the member whose term on the board is about to expire. A member may be reappointed. Each member shall hold office until the expiration of the term for which appointed or until a successor has been duly appointed and has qualified.

43-19.1-04. Board - Qualifications. Each professional engineer board member must be a professional engineer who is a citizen and resident of this state, has been registered in this state a minimum of eight years, has been engaged in the lawful practice of engineering for at least twelve years, and has had responsible charge of important engineering work for at least five
years. Each professional land surveyor board member must be a professional land surveyor who is a citizen and resident of this state, has been registered as a professional land surveyor in this state a minimum of eight years, and has been responsible for important land surveying work for at least five years.

43-19.1-05. Board - Compensation and expenses. Each member of the board is entitled to receive per diem, in an amount established by the board which may not exceed one hundred thirty-five dollars, when attending to the work of the board or any of the board's committees and for the time spent in necessary travel and is entitled to be reimbursed for all actual traveling, incidental, and clerical expenses necessarily incurred in carrying out the provisions of this chapter.

43-19.1-06. Board - Removal of members - Vacancies. The governor may remove any member of the board for misconduct, incompetency, neglect of duty, or for any sufficient cause, in the manner prescribed by law for removal of state officials. Vacancies in the membership of the board must be filled for the unexpired term by appointment by the governor as provided in section 43-19.1-03.

43-19.1-07. Board - Organization and meetings. The board shall hold at least two regular meetings each year. The board shall elect or appoint annually the following officers: a chairman, a vice chairman, and a secretary. A quorum of the board consists of not fewer than three members.

43-19.1-08. Board - Powers. The board may:

1. Adopt and amend all bylaws, rules of procedure, and regulations to administer and carry out the provisions of this chapter and for the conduct of the board's affairs and functions which may reasonably necessary for the proper performance of the board's duties and the regulation of the board's proceedings, meetings, records, and examinations and the conduct thereof, and to adopt a code of ethics that must be binding upon all persons registered under or subject to this chapter.

2. Adopt and have an official seal, which must be affixed to each certificate issued.

3. Employ such clerks, technical experts, and attorneys as the board determines necessary or desirable to carry out this chapter.

4. Hold hearings, administer oaths, and take and record testimony; under the hand of the board's chairman and the seal of the board, subpoena witnesses and compel the witnesses' attendance; require the submission of books, papers, documents, or other pertinent data in any disciplinary matters, or in any case when a violation of this chapter or of the rules or regulations adopted by the board is alleged; and make findings, orders, and determinations that have the force and effect of law which are subject to review by the courts of this state in the manner provided by chapter 28-32. Upon failure or refusal of any person to comply with any such order of the board or to honor the board's subpoena, the board may apply to a court of any jurisdiction to enforce compliance with the order or subpoena.

5. Apply in the name of the state for relief by injunction, without bond, to enforce the provisions of this chapter or to restrain any violation of this chapter. In such proceedings, it is not necessary to allege or prove, either that an adequate remedy at law does not exist or that substantial or irreparable damage would result from the continued violation thereof. The members of the board are not personally liable under this proceeding.

43-19.1-09. Receipts and disbursements. The secretary of the board shall receive and account for all moneys derived under the provisions of this chapter and shall deposit and disburse the money derived under this chapter in accordance with section 54-44-12. The secretary shall give a surety bond to the state in such sum as may be required by the board. The
premium on the bond is a proper and necessary expense of the board. The secretary shall receive such salary as the board shall determine. The board shall employ clerical or other assistants as are necessary for the proper performance of the board's work and shall make expenditures of this fund for any purpose the board determines is reasonably necessary for the proper performance of the board's duties under this chapter, including the expenses of the board's delegates to meetings of and membership fees to the national council of examiners for engineering and surveying and any of the organization's subdivisions. Under no circumstances may the total amount of warrants issued in payment of the expenses and compensation provided for in this chapter exceed the amount of moneys collected.

43-19.1-10. Records and reports. The board shall:

1. Keep a record of the board's proceedings and of all applications for registration. The record must show the name, age, and last-known address of each applicant; the date of application, the place of business of such applicant, the applicant's education, experience, and other qualifications; type of examination required; whether the applicant was rejected; whether a certificate of registration was granted; the date of the action of the board; and such other information as may be deemed necessary by the board. The record of the board is prima facie evidence of the proceeding of the board and a transcript of board proceedings which is certified by the secretary under seal is admissible as evidence with the same force and effect as if the original were produced.

2. Annually, in compliance with state law, submit a report of the board's transactions of the preceding year.

43-19.1-11. Roster. A complete roster showing the names and last-known addresses of all professional engineers and land surveyors must be made available by the secretary of the board at intervals as established by board regulations. Copies of this roster must be made available to each registrant and all county auditors and city auditors and may be distributed or sold to the public.

43-19.1-12. General requirements for registration. To be eligible for registration as a professional engineer or land surveyor or for certification as an engineer intern or land surveyor intern, an applicant must be of good character and reputation and shall submit a written application to the board containing such information as the board may require together with five references, three of which references must be professional engineers in the case of engineers or three of which references must be professional land surveyors in the case of land surveyors, having personal knowledge of the applicant's engineering or land surveying experience, or in the case of an application for certification as an engineer intern or land surveyor intern, by three character references.

43-19.1-12.1. Conviction not bar to registration - Exceptions. Conviction of an offense does not disqualify an individual from registration under this chapter unless the board determines that the offense has a direct bearing upon an individual's ability to serve the public as an engineer or land surveyor or that following conviction of any offense the individual is not sufficiently rehabilitated under section 12.1-33-02.1.

43-19.1-13. Registration without examination - Professional engineers. An applicant otherwise qualified must be admitted to registration as a professional engineer without examination if the applicant is:

1. An individual holding a certificate of registration to engage in the practice of engineering, on the basis of comparable qualifications, issued to that applicant by a proper authority of a state, territory, or possession of the United States, the District of Columbia, or any foreign country and who, in the opinion of the board, based upon verified evidence, meets the requirements of this chapter; or
2. An individual registered as a professional engineer by the state of North Dakota under chapter 43-19, on the thirtieth day of June 1967.

43-19.1-14. Registration with examination - Professional engineers. An applicant otherwise qualified must be admitted to registration as a professional engineer if the applicant has successfully passed a written examination of at least eight hours in the principles and practice of engineering, as prescribed by the board, and has one of the following additional qualifications:

1. Is an engineer intern with a baccalaureate degree in engineering from an institution offering accredited programs approved by the board as being of satisfactory standing, who has a specific record of an additional four years or more of experience in engineering work of a grade and character which indicates to the board that the applicant may be competent to practice engineering.

2. Is an engineer intern with a baccalaureate degree in engineering from a program that is not accredited but is approved by the board, who has eight years or more of progressive experience in engineering work of a character and grade which indicates to the board that the applicant is competent to practice engineering.

3. Is an engineer intern with a specific record of at least twenty years of lawful practice in engineering work during at least ten years of which the applicant has been in responsible charge of important engineering work which is of a grade and character that indicates to the board that the applicant is competent to practice engineering, and who holds a valid engineer intern certificate as of July 1, 2004.

4. Is an engineer intern who meets one of the educational requirements listed in subsection 1, 2, or 5, who has been a teacher of engineering in a college or university offering an approved engineering curriculum of four years or more, and who has had a minimum of two years of nonteaching engineering experience that is of a character and grade that indicates to the board that the applicant is competent to practice engineering.

5. Is an engineer intern with a baccalaureate degree in an engineering-related program, who has at least twelve years of progressive experience in engineering work of a character and grade which indicates to the board that the applicant is competent to practice engineering.

43-19.1-15. Additional qualifications of engineer interns. Except in the case of an individual who filed an application before July 1, 1967, and any subsequent reapplication by such individual, an applicant otherwise qualified must be admitted to certification as an engineer intern. An engineer intern is an individual who has:

1. A baccalaureate degree in engineering from an institution that offers accredited programs approved by the board and has passed the board's written examination of at least eight hours in the fundamentals of engineering shall be certified or enrolled as an engineer intern.

2. A baccalaureate degree in engineering from a program that is not accredited but is approved by the board, who has a specific record of at least four years of experience in engineering work of a grade and character satisfactory to the board, and who passes the board's written examination of at least eight hours in the fundamentals of engineering.

3. A baccalaureate degree in an engineering-related program, who has a specific record of at least six years of experience in engineering work of a grade and character satisfactory to the board, and who passes the board's written examination of at least eight hours in the fundamentals of engineering.
43-19.1-16. **Registration - Professional land surveyor.** Any individual who shows, to the satisfaction of the board, that the individual is otherwise qualified and is over the age of eighteen years is eligible for registration as a professional land surveyor, if the individual:

1. Holds a certificate of registration to engage in the practice of land surveying issued on the basis of a minimum sixteen-hour written examination by proper authority of a state, territory, possession of the United States, the District of Columbia, or any foreign country, based on requirements and qualifications as shown by the individual's application which, in the opinion of the board, are equal to or higher than the requirements of this chapter;

2. Has a baccalaureate degree in engineering or surveying from an institution that offers accredited programs approved by the board, followed by at least four years of land surveying experience of a character satisfactory to the board, who has passed a written examination of at least sixteen hours designed to show that the individual is qualified to practice land surveying;

3. Has at least eight years of active experience in land surveying of a character satisfactory to the board, and who has passed a written examination of at least sixteen hours designed to show that the individual is qualified to practice land surveying; or

4. Is registered as a land surveyor by the state of North Dakota, under the provisions of former chapter 43-24, on the thirtieth day of June 1967.

43-19.1-16.1. **Qualifications of land surveyor interns.** An applicant for certification as a land surveyor intern who has at least four years of qualifying land surveying experience of a character satisfactory to the board, of which a formal education in an accredited engineering or land surveying curriculum may constitute a part thereof, may receive from the board, upon passing a written examination on the fundamentals of mathematics and the basic principles of land surveying, a certificate stating that the applicant has passed the examination and been recorded as a land surveyor intern.

43-19.1-17. **Application for registration.** Application for registration as a professional engineer or land surveyor or for certification as an engineer intern or land surveyor intern must be on a form prescribed and furnished by the board containing statements made under oath, showing the applicant's education, a detailed summary of the applicant's technical experience, and references as required by this chapter and must be accompanied by registration fees.

43-19.1-17.1. **Retired registrant.** The board may recognize an individual who is no longer practicing as an engineer or land surveyor as a retired registrant.

43-19.1-18. **Registration fees.** The board shall establish registration fees for professional engineers, land surveyors, engineer interns, and land surveyor interns in the amount the board determines necessary to accomplish the purposes of the board as provided in this chapter. The registration fees may not exceed the amount of one hundred dollars for a one-year period or two hundred dollars for a two-year period. If the board denies the issuance of a certificate to an applicant, the fee paid may be retained as an application fee.

43-19.1-19. **Examinations.** Written examinations must be held at such times and places as the board shall determine. Examinations required on fundamental engineering or land surveying subjects may be taken at any time prescribed by the board. The final examinations may not be taken until the applicant has completed a period of engineering or land surveying experience as provided in this chapter. The board shall establish the minimum passing grade on any examination. A candidate failing one examination may apply for reexamination, which may be granted upon payment of a fee established by the board. Any candidate for registration having an average grade that does not meet the standards set by the board may not apply for reexamination for one year from the date of such examination.
43-19.1-20. Certificates. The board shall issue a certificate of registration upon payment of the registration fee as provided for in this chapter to any applicant who in the opinion of the board has met the requirements of this chapter. Enrollment cards must be issued to those who qualify as engineer interns or land surveyor interns. Certificates of registration must carry the designation "professional engineer" or "professional land surveyor", must show the full name of the registrant without any titles, must be numbered, and must be signed by the chairman and the secretary under seal of the board. The issuance of a certificate of registration by the board is prima facie evidence that the individual named on the certificate is entitled to all rights and privileges of a professional engineer or land surveyor during the term of which the certificate providing the same has not been revoked or suspended.

43-19.1-21. Seals. Each registrant under this chapter upon registration may obtain a seal of the design authorized by the board, bearing the registrant's name, registration number, and the legend "registered professional engineer" or "registered professional land surveyor". Final engineering drawings, specifications, maps, plats, reports, or other documents prepared by a person required to be registered under this chapter, when presented to a client, contractor, subconsultant, or any public agency, must be signed, dated, and stamped with the seal or facsimile of the seal. A working drawing or unfinished document must contain a statement to the effect the drawing or document is preliminary and not for construction, recording purposes, or implementation. It is unlawful for a registrant to affix or permit the registrant's seal and signature or facsimile thereof to be affixed to any engineering drawings, specifications, maps, plats, reports, or other documents after the expiration or revocation or during the suspension of a certificate, or for the purpose of aiding and abetting any other person to evade or attempt to evade any provision of this chapter.

43-19.1-22. Expirations and renewals. A certificate of registration expires on December thirty-first of the year of issuance if registration is on an annual basis and of the year after issuance if issued on a biennial basis and becomes invalid after that date unless renewed. The secretary of the board shall notify every registrant under this chapter of the date of the expiration of the registrant's certificate of registration and the amount of fee required for its renewal. The notice must be mailed to the registrant at the registrant's last-known address at least one month in advance of the expiration of the registrant's certificate. Renewal may be effected at any time before or during the month of December by the payment of a fee as established by the board, not to exceed the fees established in section 43-19.1-18. Renewal of an expired certificate may be effected under rules adopted by the board regarding requirements for reexamination and penalty fees.

43-19.1-23. Reissuance of certificates. A new certificate of registration to replace any certificate lost, destroyed, or mutilated may be issued subject to the rules of the board. The board may establish a reasonable charge for such issuance.

43-19.1-24. Code of ethics. The board shall cause to have prepared and shall adopt a code of ethics, a copy of which must be made available to every registrant and applicant for registration under this chapter, and which must be published in the roster provided under this chapter. Such publication constitutes due notice to all registrants. The board may revise and amend this code of ethics from time to time and shall notify each registrant of such revisions or amendments. The code of ethics applies to all certificate holders, including specialists in a particular branch of the engineering or surveying profession.

43-19.1-24.1. Engineer not liable for contractor's fault unless responsibility assumed - Liability for own negligence. An engineer is not liable for the safety of persons or property on or about a construction project site, or for the construction techniques, procedures, sequences and schedules, or for the conduct, action, errors, or omissions of any construction contractor, subcontractor, or material supplier, their agents or employees, unless the engineer assumes responsibility therefor by contract or by the engineer's actual conduct. Nothing herein may be construed to relieve an engineer from liability for negligence, whether in the engineer's design work or otherwise.
43-19.1-25. Disciplinary action - Revocations, suspensions, or reprimand. The board may suspend, refuse to renew, or revoke the certificate of registration of and may reprimand any registrant. In an order or decision issued by the board in resolution of a disciplinary proceeding in which disciplinary action is imposed against a registrant, the board may direct a registrant to pay the board a sum not to exceed the reasonable and actual costs, including reasonable attorney's fees, incurred by the board and the board's investigative panels in the investigation and prosecution of the case. Notwithstanding section 28-32-50, if a registrant is the prevailing party in an administrative appeal of a disciplinary action taken by the board under this section, the board shall pay the registrant's reasonable and actual costs, including reasonable attorney's fees. These powers apply to any registrant who is found guilty of any of the following:

1. The practice of any fraud or deceit in obtaining a certificate of registration.

2. Any gross negligence, incompetence, or misconduct in the practice of engineering or land surveying.

3. Any offense determined by the board to have a direct bearing upon an individual's ability to serve the public as a professional engineer and land surveyor; or when the board determines, following conviction of any offense, that an individual is not sufficiently rehabilitated under section 12.1-33-02.1.

4. The violation of the code of ethics adopted by the board.

43-19.1-26. Disciplinary action - Procedure. Any person may file charges of fraud, deceit, gross negligence, incompetence, misconduct, or violation of the code of ethics against any individual registrant. Such charges must be in writing and must be sworn to by each person making the charges and must be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, must be heard by the board within six months following the filing of charges unless the accused registrant waives this requirement. The time and place for the hearing must be fixed by the board and a copy of the charges, together with a notice of the time and place of hearing, must be served upon the accused registrant either personally or sent by registered mail to the last-known address of the registrant at least thirty days before the date fixed for hearing. At any hearing the accused registrant has the right to appear in person or by counsel, or both; to cross-examine witnesses appearing against the accused; and to produce evidence and witnesses in defense of the accused. If the accused fails or refuses to appear, the board may proceed to hear and determine the validity of the charges. Following the hearing, the board members who did not serve on the investigative panel shall deliberate in executive session and if a majority of the board members who did not serve on the investigative panel vote in favor of sustaining the charges, the board shall make findings of fact and conclusions of law and shall issue the board's order and serve the findings, conclusions, and order upon the accused. In the order the board may reprimand, suspend, refuse to renew, or revoke the accused registrant's certificate of registration. Any registrant who feels aggrieved by any action of the board in denying, suspending, refusing to renew, or revoking that registrant's certificate of registration may appeal the board's action to the district court under the procedures provided by chapter 28-32.


1. A person may not practice or offer to practice professional engineering or land surveying unless the person is an individual registered to practice under or exempt from the provisions of this chapter.

2. The following are not considered offering to practice engineering or surveying in the solicitation of work if the engineer or surveyor is licensed in another jurisdiction:
   a. Advertising in a publication or electronic media if there is no holding out of professional services in jurisdictions in which not licensed.
b. Responding to a letter of inquiry regarding a request for proposals if there is written disclosure the engineer, surveyor, or firm is not licensed in this state and the response is limited to inquiries regarding scope of project and to demonstrate interest.

c. Responding to a letter of inquiry from a prospective client if there is written disclosure that the engineer, surveyor, or firm is not licensed in this state and the response is limited to inquiries regarding scope of project and to demonstrate interest.

d. Using the title or designation "professional engineer", "licensed engineer", "P.E.", "professional surveyor", "licensed surveyor", "P.L.S.", or similar title or designation in correspondence or on business cards from an office in the jurisdiction in which licensure is held.

3. Notwithstanding subsection 2, a proposal may not be submitted, a contract may not be signed, or work may not be commenced until an engineer, surveyor, or firm becomes licensed as provided under this chapter.

4. A registered professional engineer or registered land surveyor may practice or offer to practice professional engineering or land surveying as an organization or as an individual operating under a trade name if the organization is registered under or exempt from the provisions of this chapter.

5. In addition to and without impairing any rights or exemptions granted others in this chapter, the practice of or offer to practice professional engineering or land surveying by an organization or by an individual operating under a trade name is permitted in this state if:

   a. All officers, employees, and agents of such an organization or the individual operating under a trade name who will perform the practice of engineering or of land surveying within this state are registered under this chapter;

   b. Each person in responsible charge of the activities of any organization or individual operating under a trade name which activities constitute the practice of professional engineering and land surveying, is a professional engineer or land surveyor registered in this state or an individual authorized to practice professional engineering or land surveying as provided in this chapter;

   c. Such organization or individual operating under a trade name has been issued a certificate of commercial practice by the board as provided by subsection 6;

   d. Each organization or individual operating under a trade name is jointly and severally responsible with and for the conduct or acts of its agents, employees, officers, or managers in respect to any professional engineering or land surveying services performed or to be executed in this state. An individual practicing professional engineering or land surveying may not be relieved of the responsibility for the individual's conduct or acts performed by reason of the individual's employment by or relationship with such organization or individual operating under a trade name; and

   e. All final drawings, specifications, plans, reports, or other engineering or land surveying papers or documents involving the practice of professional engineering or land surveying, when presented to a client, contractor, subconsultant, or any public agency, must be dated and bear the seals and signatures of the professional engineers or land surveyors registered under this chapter by whom or under whose responsible charge they were prepared. A working drawing or unfinished document must contain a statement to the effect the drawing or document is preliminary and not for construction, recording
purposes, or implementation. It is unlawful for a registrant to affix or permit the registrant's seal and signature or facsimiles thereof to be affixed to any engineering drawing, specification, map, plat, report, or other document after the expiration or revocation or during the suspension of a certificate or for the purpose of aiding and abetting any other person to evade or attempt to evade any provision of this chapter.

6. An organization or individual operating under a trade name desiring a certificate of commercial practice or the renewal thereof shall file a written application with the board setting forth the names and addresses of all partners, officers, directors, managers, or governors, if any, of such organization and the names and addresses of all employees who are duly registered to practice professional engineering or land surveying in this state, and who are or will be in responsible charge of any engineering or land surveying in this state by such organization or individual operating under a trade name, together with other information as the board may require. Upon the receipt of an application, and of a fee in an amount established by the board for the initial certificate or renewal thereof, but not to exceed the amount of two hundred dollars per year, the board shall issue to such organization or individual operating under a trade name a certificate of commercial practice or a renewal thereof, which certificate of commercial practice is not transferable. If the board finds an error in an application or that facts exist which would entitle the board to suspend or revoke a certificate if issued to the applicant, the board shall deny the application. If a change occurs in any of the information submitted on the application of any organization or individual operating under a trade name within the term of the certificate of commercial practice, the organization or individual operating under a trade name shall file with the board a written report with respect to the change within thirty days after the change occurs. The provisions with respect to issuance, expiration, renewal, and reissuance of the certificates of registration of individuals contained in this chapter also apply to certificates of commercial practice issued to an organization or individual operating under a trade name under this subsection. An organization or individual operating under a trade name is subject to disciplinary proceedings and penalties and certificates of commercial practice are subject to suspension or revocation for cause in the same manner and to the same extent as is provided with respect to an individual and the individual's certificates of registration in sections 43-19.1-26, 43-19.1-29, and 43-19.1-31. "Registrant" and "certificate of registration" in sections 43-19.1-26, 43-19.1-29, and 43-19.1-31, and the provisions of such sections, include and apply respectively to any organization or individual operating under a trade name that holds a certificate of commercial practice issued under this chapter, and to such certificate of commercial practice.

43-19.1-28. Public works. Except as otherwise provided by law, the state and its political subdivisions may not engage in the construction of public works involving the practice of professional engineering when the contemplated expenditure for the project exceeds the sum of one hundred thousand dollars, unless the engineering drawings and specifications and estimates have been prepared by, and the construction administration and construction observation services are executed under the supervision of, a registered professional engineer. Any engineering contract executed in violation of this section is void.

43-19.1-29. Exemption clause. This chapter does not prevent or affect:

1. The practice or offer to practice engineering by an individual not a resident or having no established place of business in this state, if that individual is legally qualified by registration to practice engineering in another state or country that extends similar privileges to individuals registered under this chapter. However, that individual shall make an application accompanied by the appropriate application fee to the board in writing before practicing or offering to practice engineering, and may be granted a one-time temporary permit for a definite period of time not to exceed one year to do a specific job. No right to practice engineering accrues to any applicant with respect
to any other work not set forth in the temporary permit. A land surveyor may not receive a temporary permit under this subsection.

2. The work of an employee or a subordinate of an individual holding a certificate of registration under this chapter, or an employee of an individual practicing lawfully under subsection 1; provided such work does not include final engineering or surveying designs or decisions and is done under the direct supervision of and verified by an individual holding a certificate of registration under this chapter, or an individual practicing lawfully under subsection 1.

3. The practice of any other legally recognized profession or trade, nor does the chapter permit registered professional engineers to perform duties requiring the services of a licensed architect, as provided by the laws of the state of North Dakota licensing and regulating architects and architecture.

4. The practice of engineering or land surveying by any individual regularly employed to perform engineering services solely for that individual's employer or for a subsidiary or affiliated corporation or limited liability company of that individual's employer, providing the services performed are in connection with the property, products, or services of that individual's employer, unless the board determines the property, products, or services are of a unique type requiring registration to protect the public.

43-19.1-30. Duties of recorder. It is unlawful for the recorder of any county or any county or any proper public authority to file or record any map, plat, survey, or other document within the definition of land surveying which does not have impressed thereon and affixed thereto the personal signature and seal of a registered professional land surveyor by whom the map, plat, survey, or other document was prepared.

43-19.1-31. Violation and penalties. Any person that practices or offers to practice engineering or land surveying in this state without being registered in accordance with the provisions of this chapter; any person using or employing the words "engineer", "engineering", "professional engineer", "surveyor", "land surveyor", "professional land surveyor", or any modification or derivative of these terms in that person's name, form of business, or activity, except as authorized in this chapter; any person presenting or attempting to use the certificate of registration or the seal of another; any person giving any false or forged evidence of any kind to the board or to any member of the board in obtaining or attempting to obtain a certificate of registration; or any person falsely impersonating any other registrant of the same or different name; any person attempting to use an expired or revoked or nonexistent certificate of registration practicing or offering to practice when not qualified; any person falsely claiming that person is registered under this chapter; or any person violating any of the provisions of this chapter is guilty of a class B misdemeanor. It is the duty of all duly constituted officers of the state, and of all political subdivisions of the state, to enforce the provisions of this chapter.

43-19.1-32. Duty of attorney general - Legal counsel. The attorney general of the state or the attorney general's assistant shall act as legal adviser to the board and render such legal assistance as may be necessary in carrying out the provisions of this chapter. The board may employ other counsel and necessary assistance to aid in the enforcement or administration of this chapter, and the compensation and expenses therefore must be paid from funds of the board.

43-19.1-33. Continuing professional education - Rules. The board shall adopt rules to establish continuing education requirements for professional engineers and land surveyors. Compliance with these rules must be documented at the times, and in the manner, as is required by the board. A professional engineer or land surveyor who is exempt under subsection 4 of section 43-19.1-29 but who has voluntarily registered under this chapter is exempt from the continuing professional education requirements under this section.
Section 3
ARTICLE 28-01

GENERAL ADMINISTRATION

Chapter
28-01-01 Organization of Board
28-01-02 Board Bylaws and Administration [Superseded]
28-01-02.1 Board Bylaws and Administration

CHAPTER 28-01-01
ORGANIZATION OF BOARD

Section
28-01-01-01 Organization of Board of Registration for Professional Engineers and Land Surveyors

28-01-01-01. Organization of board of registration for professional engineers and land surveyors.

1. History and function. The 1943 legislative assembly first provided for registration of professional engineers by a law codified as North Dakota Century Code chapter 43-19. The 1957 legislative assembly first provided for registration of land surveyors by a law codified as North Dakota Century Code chapter 43-24. In 1967 the legislative assembly repealed both of these chapters and replaced them with one chapter regulating professional engineers and land surveyors under the board of registration for professional engineers and land surveyors. The chapter is codified as North Dakota Century Code chapter 43-19.1. The function of the board is to regulate the practice of engineering and land surveying by registering qualified engineers and land surveyors.

2. Executive director. The executive director is appointed by the board and is responsible for administration of the board’s activities.

3. Inquiries. Inquiries regarding the board may be addressed to the executive director:

North Dakota State Board of Registration for Professional Engineers and Land Surveyors
P.O. Box 1357
Bismarck, ND 58502

History: Amended effective January 1, 1980; February 1, 1984; November 1, 1985; January 1, 1988; August 1, 1994; April 1, 1999; October 1, 2010.
General Authority: NDCC 28-32-02.1
Law Implemented: NDCC 28-32-02.1
CHAPTER 28-01-02.1
BOARD BYLAWS AND ADMINISTRATION

Section
28-01-02.1-01 Meetings
28-01-02.1-02 Rules of Procedure
28-01-02.1-03 Board Quorum
28-01-02.1-04 Officers and Board Staff
28-01-02.1-05 Forms - Records - Roster - Reports
28-01-02.1-06 Statement of Purpose of Rules - Amendments [Repealed]
28-01-02.1-07 Gender and Definitions

28-01-02.1-01. Meetings. The board shall hold meetings at least twice each year, including at least one in January and one in July. The chairman may call special meetings when the chairman deems such meetings necessary. The executive director shall give notice as required by law. The date, time, and place of each meeting must be mutually agreed upon by a quorum of the board. All meetings of the board, whether regular meetings or special meetings, must be open public meetings.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-07

28-01-02.1-02. Rules of procedure. Robert’s Rules of Order must govern procedure of the board except as otherwise provided by this chapter.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-07

28-01-02.1-03. Board quorum. A quorum of the board is required to transact business.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-07

28-01-02.1-04. Officers and board staff.

1. The board shall hold an election at the first meeting after July first of each year and elect a chairman, vice chairman, and secretary.

2. Each officer will be elected for one year and may be reelected.

3. The chairman:
a. Shall be the executive head of the board.

b. Shall preside at all meetings when present.

c. Shall call meetings of the board when the chairman deems such meetings necessary.

d. Shall sign all certificates of registration.

4. The vice chairman shall in the absence or incapacity of the chairman exercise the duties and shall possess all the powers of the chairman.

5. The secretary shall sign all official documents prepared by the board and shall sign all certificates of registration.

6. The executive director shall perform all duties as may be prescribed by the board. The associate executive director shall in the absence or incapacity of the executive director exercise the duties and shall possess all the powers of the executive director.

7. The executive director and any other person with signatory authority on the board's accounts shall give a surety bond in an amount determined by the board.

8. The office of the board may be established at a place designated by the board.

9. The board shall establish, appoint, and create ad hoc or standing committees to study, research, and evaluate such matters as assigned. For each committee a chairman must be designated.

10. Board officers and members serve without compensation except for per diem when engaged in state business approved by the board and for subsistence, lodging, and travel expenses at the rates established for state employees. All per diem and expenses must be requested on the travel voucher approved by the state.

11. The board staff members must be reimbursed expenses for approved travel, lodging, and subsistence at rates established for state employees. All per diem and expenses must be requested on the travel voucher approved by the state.

**History:** Effective January 1, 1988; amended effective April 1, 1999; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-03
28-01-02.1-05. Forms - Records - Roster - Reports.

1. **Forms.** The board shall prescribe forms for applications and other documents. Copies of the forms and the instructions for completing the forms must be made available by the board office. All applications and documents must be completed in accordance with the board’s instructions.

2. **Records.**
   
a. The open records law requires that most records, papers, and reports of the board are public in nature and may be obtained through the executive director or designee upon request and payment of costs of reproduction, handling, and mailing.

b. The board shall keep a record of all its proceedings, including its action on each application coming before the board.

c. The board shall keep a record of all applications received.

d. The board shall keep a record of all certificates issued.

e. The board shall keep a record of all complaints received and of any actions taken on those complaints.

f. All applications, approved or deferred, unless otherwise specified in this or other sections of this chapter, will be retained in accordance with North Dakota Century Code section 54-46-10.

**History:** Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-09, 43-19.1-10, 43-19.1-11


28-01-02.1-07. Gender and definitions.

1. **Gender.** This title is to be read and interpreted in a nongender context without regard to race, creed, or sex.

2. **Definitions.** The terms used throughout this title have the same meaning as in North Dakota Century Code chapter 43-19.1, except:

   a. "Accreditation board for engineering and technology accredited curriculum" means those academic programs offered by institutions of higher learning that the accreditation board for engineering and technology (ABET) certify to have met the criteria and qualifications
required to receive the designations as accredited programs in the education, training, and preparation of the graduates from such programs; engineering curriculum must have the accreditation of the engineering accreditation commission (EAC) within the accreditation board for engineering and technology and land surveying curriculum must have either engineering accreditation commission or technology accreditation commission (TAC) or applied science accreditation commission (ASAC) of the accreditation board for engineering and technology to be acceptable to the board.

b. "Application" means the act of furnishing data, documents, and such information under oath as may be required by the board and on forms prescribed by the board.

c. "Code of ethics" means that set of rules prescribed by the board and adopted herein that govern the professional conduct of all registrants.

d. "Direct supervision" means the activities of that person who is in responsible charge of technical, engineering, or land surveying work in progress, whose professional skill and judgment are embodied in the plans, specifications, reports, plats, or other documents required to be certified pursuant to section 28-02.1-08-01. A person in direct supervision of work directs the work of other registrants, interns, draftspersons, technicians, or clerical persons assigned to that work.

e. "Engineering intern" and "land surveyor (surveying) intern" are recognized by the board as synonymous with engineer-in-training and land surveyor-in-training provided the intern designations are conferred under the same requirements as the "in-training" designations pursuant to these rules.

f. "Examination" means that series of tests prescribed by the board that are developed to ascertain the level of proficiency in the fundamentals and in the practices of the professions regulated by the board.

g. "Gross negligence" means a substantial deviation in professional practice from the standard of professional care exercised by members of the registrant’s profession, or a substantial deviation from any technical standards issued by a nationally recognized or state-recognized professional organization, or both, comprised of members of the registrant’s profession, or a substantial deviation from requirements contained in state laws, board regulations, local ordinances, or regulations related to the registrant’s professional practice.
h. "Incompetence" means to lack the professional qualifications, experience, education, or combination thereof to undertake a professional engagement or assignment. The following acts or omissions, among others, may be deemed to be "incompetence" and to be cause for denial, suspension, or revocation of a certificate of registration to practice engineering or land surveying and the imposition of any other lawful discipline. Incompetence includes:

(1) Recklessness or excessive errors, omissions, or failures in the registrant's record of professional practice.

(2) Mental or physical disability or addiction to alcohol or drugs that leads to the impairment of the registrant's ability to exercise due skill and care in providing professional services so as to endanger the health, safety, and welfare of the public.

i. "Misconduct" means:

(1) Conviction of any crime reasonably related to the practice of the registrant's profession;

(2) An adverse civil adjudication involving dishonesty, gross negligence, or incompetence;

(3) Suspension or revocation or voluntary surrender of a professional license or registration by this state or by any other jurisdiction;

(4) Any act or practice in violation of the rules of professional conduct as set forth in sections 28-03.1-01-01 through 28-03.1-01-17;

(5) Violation of any of the administrative rules set forth in this title; or

(6) Knowingly fail to comply with continuing professional competency requirements set forth in article 28-04.

j. "Registrant" means any individual or organization who has been approved for a certificate of registration as an engineer intern, land surveyor intern, a professional engineer, a professional land surveyor, or any combination thereof, or a temporary permit to practice engineering, or a certificate of commercial practice.

**History:** Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-08
ARTICLE 28-02.1

ENGINEER AND LAND SURVEYOR REGISTRATION

Chapter

28-02.1-01 Applications
28-02.1-02 Processing Applications
28-02.1-03 Types of Registration
28-02.1-04 General Requirements
28-02.1-05 Qualifications and Requirements for Engineers
28-02.1-06 Qualifications and Requirements for Land Surveyors
28-02.1-07 Certificates of Authorization - Partnerships - Corporations
28-02.1-08 Certificates and Seals
28-02.1-09 Expirations - Renewals - Reinstatements
28-02.1-10 Examinations and Fees
28-02.1-11 Emergency and Remote Practice by Foreign Practitioners
28-02.1-12 Retired Status
28-02.1-13 Documents Used to Convey Real Property or Any Interest Therein

CHAPTER 28-02.1-01
APPLICATIOnS

Section

28-02.1-01-01 Applications - Kinds of Applications
28-02.1-01-02 Completing Applications
28-02.1-01-03 Applications From Nonresidents [Repealed]
28-02.1-01-04 Applications From Applicants With Degrees From Foreign Schools
28-02.1-01-05 Disposition of Applications
28-02.1-01-06 Reconsideration of Applications
28-02.1-01-07 Retention of Records of Applications [Repealed]

28-02.1-01-01. Applications - Kinds of applications. Applications may be submitted to the board for registration as a:

1. Engineer intern.

2. Land surveyor intern.

3. Professional engineer.

   a. Examination.

   b. Endorsement.

4. Professional land surveyor.

   a. Examination.
b. Endorsement.

5. Professional engineer temporary permitholder.

6. Business with a certificate of commercial practice to practice engineering or land surveying.

7. Reinstatement for lapsed registration of a certificate holder.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-08

28-02.1-01-02. Completing applications.

1. All data and information requested on the board’s application forms must be furnished accurately and completely.

2. When space provided on forms is inadequate, use supplementary sheets of a good grade of white paper, eight and one-half by eleven inches [215.90 by 279.40 millimeters].

3. All applications made to this board must be subscribed and sworn to on the forms used by the applicant before a notary public or other persons qualified to administer oaths.

4. In order to allow sufficient time for processing and for securing examinations, all applications for examinations must be filed with this board prior to January first for the spring examinations and July first for the fall examinations.

5. Withholding information or providing statements that are untrue or misrepresent the facts may be cause for denial of an application.

6. It is the responsibility of the applicant to supply correct addresses of all references and to be sure that the completed references forms are supplied as requested.

7. In relating experience, the applicant must account for all employment or work experience for the period of time that has elapsed since the beginning of the employment record. If not employed, or employed in other kinds of work, this should be indicated in the experience record.

8. Applications for registration properly executed and issued with verification by the national council of examiners for engineers and surveyors (NCEES) may be accepted in lieu of the same information that is required on the form prescribed by this board.
9. Provide the name and address of the corporate officers and directors or the business partners.

10. To list the names and addresses of all employees who are duly registered to practice professional engineering or professional land surveying in North Dakota.

11. Provide the name and address of the registered agent for those business entities required to have a registered agent.

12. Submitted application records become the property of the board.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-12


28-02.1-01-04. Applications from applicants with degrees from foreign schools.

1. All foreign language documentation submitted with the completed application must be accompanied with translations certified to be accurate by a competent authority.

2. All applicants shall furnish evidence of experience that can be verified.

3. All applicants seeking registration must be prepared to write examinations that are administered in the English language.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-13

28-02.1-01-05. Disposition of applications. Applications may be approved; deferred for further information, more experience, acceptable references, or other reasons as determined by the board; or may be denied.

1. Approved applications. When an application is approved by the board showing that the applicant has met all the requirements for registration or certification required by the statutes of this state, the applicant must be granted registration or certification with notification by the executive director of the board.

2. Deferred applications. Applications deferred for any reason require proper remedy as requested before further consideration by the board.
3. **Denied applications.** Applications may be denied when in the board’s judgment:

   a. Reinstatement is requested after revocation and there is insufficient rehabilitation;

   b. An application has been denied for cause in other jurisdictions; or

   c. The applicant has failed to establish the applicant is of good character and reputation.

**History:** Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-25

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**28-02.1-01-06. Reconsideration of applications.** Reconsideration may be requested of an application that has been denied or deferred when the request is based on additional information. Request must be made within one year after the decision of the board to deny or defer the original application.

**History:** Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-08, 43-19.1-14, 43-19.1-17

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CHAPTER 28-02.1-02
PROCESSING APPLICATIONS

Section
28-02.1-02-01  Processing of Applications

28-02.1-02-01. Processing of applications.

1. All information received from references named by the applicant must be received at the board office. No member of the board or relative of the applicant may be named as a reference.

2. An applicant may not be admitted to the examination until the applicant’s application has been received, processed, and approved by the board.

3. An applicant may not confer with any member of the board regarding an applicant’s case while it is pending before the board. Any applicant may appear before the board at a scheduled meeting.

4. Applicants whose applications have been approved, but who fail to appear for examination four consecutive times, must be deemed to have withdrawn their applications. Further consideration must be based on reapplication.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-08, 43-19.1-12
28-02.1-03-01. Types of registration. Engineers and land surveyors may become registered professional practitioners by examination, endorsement, or by temporary permit.

1. Registration by examination. Registration by examination is generally a two-step process for those applicants who have met the general qualification requirements; who have met certain education requirements or who have the experience deemed to be satisfactory and acceptable to the board, or both; and who have successfully passed the examinations prescribed by the board.

   a. The board accepts the written examination prepared by the national council of examiners for engineers and surveyors as its standard of examinations and qualifications.

   b. The board may require one or more questions in examinations measuring familiarity with the code of ethics. Similarly, in furtherance of the board's determination of rehabilitation, an examination on the code of ethics may be required.

2. Registration by endorsement. Registration by endorsement is for engineers or land surveyors who hold a current registration in another jurisdiction who substantially meet, in the opinion of the board, the requirements and qualifications required by North Dakota statutes governing registration. Registration as a professional land surveyor also requires successful completion of an orientation examination pertaining to state laws and procedures.

3. Temporary permit - Temporary registration for practicing engineering. A temporary permit must be reviewed and approved by the board and is not a means of expedited registration. Educational and experience requirements must comply with North Dakota law. A one-time temporary permit may be issued on the basis of one project and may not exceed one year. The applicant must be legally qualified to practice and hold current registration in the state or country of residence. A temporary permit must be approved prior to practicing or
offering to practice engineering. Temporary permits for professional land surveyors are not authorized by North Dakota law.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010.

General Authority: NDCC 43-19.1-08

28-02.1-04-01. General requirements. All applicants must:

1. Complete the applications on forms approved by the board.

2. Complete the application under oath. An affidavit is required.

3. Furnish references as required but may not include board members or relatives of the applicant as references.

4. In the case of student applicants for the fundamentals of engineering and for the fundamentals of land surveying examinations, certification by the dean of the college or the dean’s appropriate designee agreed upon by the board may be used in lieu of references.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-12

28-02.1-04-02. Experience. The following describes what the board considers acceptable experience. The applicant must provide proof that the experience meets these requirements.

1. The experience gained through military service must be substantially equivalent in character to civilian experience in similar fields or disciplines. Generally, military experience is not favored by the board unless the applicant served in a military engineering or surveying related component of the armed services.

2. Experience must be of a grade and character that indicates to the board that the applicant is competent to practice and preferably be gained under the supervision of a registered professional engineer or professional land surveyor.

3. Experience must be substantially related to engineering or land surveying. Dual registration must fulfill experience requirements for each application without duplicate credits for time of gaining experience.

4. The board requires progressive experience in applying the principles and methods of engineering analysis and design for an applicant in fulfilling experience requirements if the applicant is seeking professional engineering registration.
5. The board requires progressive experience on surveying projects to indicate that it is of increasing quality and requiring greater responsibility. A substantial portion of the experience must be spent in charge of work related to property conveyance or boundary line determination, or both. The experience must demonstrate adequate experience in the technical field aspects of the profession.

6. An engineering or land surveying applicant may be granted one year’s experience for each postgraduate degree in the field of practice following a baccalaureate degree in the field of practice, not to exceed two years.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.

General Authority: NDCC 43-19.1-08

CHAPTER 28-02.1-05
QUALIFICATIONS AND REQUIREMENTS FOR ENGINEERS

Section
28-02.1-05-01 Qualifications and Requirements - Engineer Intern
28-02.1-05-02 Qualifications and Requirements - Professional Engineer by Examination


History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08

28-02.1-05-02. Qualifications and requirements - Professional engineer by examination. A person applying for registration as a professional engineer by examination must have an engineer intern certificate, and appropriate experience as required by North Dakota Century Code section 43-19.1-14. The experience must be subsequent to graduation and prior to writing the principles and practice of engineering examination.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-14
CHAPTER 28-02.1-06
QUALIFICATIONS AND REQUIREMENTS FOR PROFESSIONAL LAND SURVEYORS

Section
28-02.1-06-01 Qualifications and Requirements - Land Surveyor Intern
28-02.1-06-02 Qualifications and Requirements - Professional Land Surveyor by Examination


History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-16.1

28-02.1-06-02. Qualifications and requirements - Professional land surveyor by examination. A person applying for registration as a professional land surveyor by examination must have a land surveyor intern certificate and the appropriate experience as required by North Dakota Century Code section 43-19.1-16. The experience must be subsequent to graduation and prior to writing the principles and practice of surveying examination.

Upon successful completion of the principles and practice of surveying examination, professional land surveyor applicants must pass an examination pertaining to land procedures and practices in North Dakota.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-16, 43-19.1-16.1
CHAPTER 28-02.1-07
CERTIFICATES OF COMMERCIAL PRACTICE

Section
28-02.1-07-01 Applications [Repealed]
28-02.1-07-02 Issuance of Certificate of Commercial Practice


28-02.1-07-02. Issuance of certificate of commercial practice. Certificates of commercial practice are not transferable and require the organization to:

1. Advise the board within thirty days of any change of officers, directors, partners, business addresses, registered agents, or of any disciplinary actions that impair the registration and right to practice of any employee or officer of record.

2. Renew and update annually the names and addresses of the registered agent, officers, directors, or partners, and employees licensed to practice engineering or land surveying in North Dakota.

3. Keep and maintain its annual filing requirements with the secretary of state’s office current and provide a copy to the board office.

4. A certificate of commercial practice is subject to the same disciplinary actions by the board as any individual registrant.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-27
CHAPTER 28-02.1-08
CERTIFICATES AND SEALS

Section
28-02.1-08-01 Certificates
28-02.1-08-02 Seals
28-02.1-08-03 Use of Seals

28-02.1-08-01. Certificates.

1. Certificates of registration and certificates of commercial practice issued by the board shall be displayed by the registrant in a prominent place in the registrant’s office or principal place of business.

2. In case a certificate is lost or destroyed, a duplicate certificate will be issued upon request. The charge for a duplicate certificate shall be determined by the board.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2010.
General Authority: NDCC 43-19.1-08

28-02.1-08-02. Seals.

1. The board has adopted standard seals or stamps similar to those illustrated in this section for use by registered professional engineers and professional land surveyors as prescribed by law. The seal authorized by the state board of registration for professional engineers and land surveyors for registrants is of the crimp type or rubber stamp, or electronic. Seals prepared after July 1, 2005, shall be of a design so the seal consists of two concentric circles with the diameter of the outer circle being one and three-fourth inches [44.45 millimeters] and the diameter of the inner circle being one and one-fourth inches [31.75 millimeters]. The upper portion between the two circles shall bear whichever of the following phrases is applicable to the registrant: "Registered Professional Engineer", "Registered Professional Land Surveyor", or "Registered Professional Engineer & Land Surveyor". Professional land surveyors who purchased a seal with the phrase "Registered Land Surveyor" prior to January 1, 2011, are not required to purchase a new seal. At the bottom of the annular space between the two circles shall appear the inscription "North Dakota"; the inner circle shall contain the name of the registrant, registration number, and the word "Date". The registration number assigned should be centered in the inner area of the seal in the space occupied by the word "NUMBER" and the size of the numbers should not be larger than the word "NAME". The words and parentheses "(NUMBER)" and "(NAME)" should not appear on the seal.
2. Seals may be of rubber stamp, metal impression type, computer-generated, or electronically generated. Electronic seals may be used but an electronic seal may not be used in any document that is being transmitted in an editable digital format.

3. A registrant shall superimpose the registrant’s personal original signature. A rubber stamp or facsimile signature is not allowed. The signature must be placed across the face and beyond the circumference of the seal. The signature and seal must also be dated. No further certification need accompany the seal and signature.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-21

28-02.1-08-03. Use of seals.

1. The original copies of all drawings, plan sheets, specifications, studies, reports, plats, maps, and other engineering and surveying work product other than earthwork cross sections must receive a seal and original signature.

   a. Studies, reports, and project specifications need the seal and original signature only on a single introductory sheet.

   b. Every sheet or drawing in an original set of engineering plans must receive a seal and original signature.

2. Registrants may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering and land surveying documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers or land surveyors who prepared the segment.
3. Registrants shall not affix their signatures or seals to any engineering or land surveying plan or document dealing with subject matter for which the registrant lacks competence by virtue of education or experience, nor to any such plan or document not prepared under the registrant’s direct supervisory control.

4. A registrant shall not contract with a nonlicensed individual to provide these professional services.

5. A registrant may affix the seal and signature to drawings and documents depicting the work of two or more professionals, either from the same or different disciplines, provided it is designated by a note under the seal the specific subject matter for which each is responsible.

6. Any changes made to the final plans, specifications, drawings, reports, or other documents after final revision and sealing by the registrant are prohibited by any person other than the registrant, or another registered individual who assumes responsible charge for the directly related documents, except as provided herein. A duly registered individual making changes to final sealed documents must assume responsible charge and reseal the directly related final documents unless the changes are construction phase revisions, including record drawings, which do not affect the functional design, and such revisions adequately reflect that changes have been made and the original plans are available for review.

7. Mere review of work prepared by another person, even if that person is the registrant’s employee, does not constitute responsible charge.

8. A registrant may not affix the registrant’s seal or signature to documents having titles or identities excluding the registrant’s name unless:

   a. Such documents were developed by the registrant or under the registrant’s responsible charge and the registrant has exercised full authority to determine their development.

   b. A registrant who is required to use the standard drawings of a sponsoring agency need not affix the registrant’s seal and signature to said standard drawings.

   c. The registrant is providing the registrant’s opinion as to the compliance of the document with specific identified rules or statutes and it is clearly identified that the registrant only reviewed the document and had no technical control over the contents of the document.

9. Electronic reproductions of drawings, plan sheets, specifications, studies, reports, plats, maps, and other engineering and surveying work product that are distributed to reviewing agencies, owners,
clients, contractors, suppliers, and others shall be accompanied by the following statement: "This document(s) was originally issued and sealed by (name), Registration Number (number) on (date) and the original documents are stored at (location)". Sets of plans or drawings must have this statement attached to every sheet of the set. For specifications, reports, and studies, only the cover or introductory sheet need include this statement.

10. Paper or hard copy reproductions of drawings, plan sheets, specifications, studies, reports, plats, maps, and other engineering and surveying work product that are distributed to reviewing agencies, owners, clients, contractors, suppliers, and others shall contain a reproduction of the seal and signature. A new seal and original signature will not be required with such paper distribution.


History: Effective October 1, 2004; amended effective October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-21
28-02.1-09-01. Expirations of certificates of registration. The certificate of registration issued to land surveyor interns or engineer interns has no expiration.

History: Effective January 1, 1988; amended effective October 1, 2010.
General Authority: NDCC 43-19.1-08

28-02.1-09-02. Renewals. Individual registrations and certificates of commercial practice may be renewed as follows:

1. Every other year, beginning with 1999, the board shall mail renewal notices prior to December first to the last address of record for each registration and certificate holder. The renewal notice shall contain the amount of the renewal fee and the pending expiration date.

2. Every year, or every other year for biennial renewals, the board shall mail certificate of commercial practice renewal notices prior to December first to the last address of record for the organization. The renewal notice shall contain the amount of the renewal fee and the pending expiration date.

3. A late fee as determined by the board shall be imposed on renewals postmarked after December thirty-first.

History: Effective January 1, 1988; amended effective November 1, 1998; April 1, 1999; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-22

28-02.1-09-03. Reinstatements.

1. An individual registration that has lapsed for more than one year, but less than five years, may become reinstated by paying the renewal fee for the current registration period plus two years' back renewal fee provided the lapsed registrant meets all other requirements. A holder of a certificate of commercial practice who has allowed the certificate to lapse for more than one year, but less than five years, may become reinstated by paying the current year renewal fee plus one year back renewal fee.
2. Registrations and certificates that have lapsed five years or more require reapplication updating all the required information of the applicant as if an original application. The board may require reexamination of registrants for all or a portion of the examination qualification requirements.

3. A retired registrant, upon written request to the board and payment of the current renewal fee, may resume active engineering or land surveying practice provided the retired registrant meets all other requirements. All rights and responsibilities of a valid or active registration will be in effect, including compliance with continuing professional competency requirements.

4. A registrant whose license has been lapsed or retired for one year or more and who meets all other requirements is required to file an interim continuing professional competency report within one year of the date of reinstatement verifying that a minimum of fifteen professional development hours have been accomplished.

5. A registrant whose license has been lapsed or retired for less than one year and who meets all other requirements must show compliance within the previous two years with the continuing professional competency requirements set forth in article 28-04.

**History:** Effective January 1, 1988; amended effective November 1, 1998; April 1, 1999; October 1, 2004; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-22
CHAPTER 28-02.1-10
EXAMINATIONS AND FEES

Section
28-02.1-10-01 Examinations
28-02.1-10-02 Fees

28-02.1-10-01. Examinations.

1. The engineering and land surveying examinations are held when offered by the national council of examiners for engineering and surveying.

2. An examination for registration as a professional land surveyor pertaining to land surveying laws, procedures, and practices in North Dakota shall require a passing score determined by the board.

3. An applicant failing to pass a professional examination may take the next scheduled examination after six months by payment of the examination fee.

4. The board may require one or more questions in examinations measuring familiarity with the code of ethics. Similarly, in furtherance of the board’s determination of rehabilitation of a registrant whose registration has been subject to disciplinary action, an examination on the code of ethics may be required.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-19

28-02.1-10-02. Fees. The following fees will be charged for an initial two-year period:

Registration Fees

- Professional engineer $150.00
- Professional land surveyor $150.00
- Certificate of commercial practice $100.00
- Temporary permit $200.00

Examination fee (in addition to the registration and renewal fees) at board cost, including scoring and proctoring and ten dollars for postage and handling.
Cost of administration of continuing education or professional competency programs may be assessed and billed annually to the registrant. Billings will be separately identified apart from the renewal fees.

Renewal Fees
The following biennial renewal fees may not exceed the following:

<table>
<thead>
<tr>
<th>Professional</th>
<th>If Renewal Received Prior to December 31</th>
<th>If Renewal Received After December 31</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional engineer</td>
<td>$150.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Professional land surveyor</td>
<td>$150.00</td>
<td>$200.00</td>
</tr>
<tr>
<td>Professional engineer and land surveyor</td>
<td>$280.00</td>
<td>$400.00</td>
</tr>
<tr>
<td>Retiree</td>
<td>$20.00</td>
<td>$20.00</td>
</tr>
</tbody>
</table>

The following annual renewal fees will be charged:

| Certificate of commercial practice | $100.00 |

**History:** Effective January 1, 1988; amended effective August 1, 1994; November 1, 1998; April 1, 1999; October 1, 2004; January 1, 2011.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-18, 43-19.1-27
CHAPTER 28-02.1-11
EMERGENCY AND REMOTE PRACTICE BY FOREIGN PRACTITIONERS

Section
28-02.1-11-01 Definitions
28-02.1-11-02 Indirect Practice Without a License
28-02.1-11-03 Emergency Practice Without a License
28-02.1-11-04 Direct Practice Without a License

28-02.1-11-01. Definitions. These definitions shall apply to this chapter only:

1. "Board" means the state board of registration for professional engineers and land surveyors provided for by North Dakota Century Code chapter 43-19.1.

2. "Foreign practitioner" means an individual who currently holds and maintains a license in good standing to engage in engineering or land surveying in a state or jurisdiction other than North Dakota and who is not the subject of a pending disciplinary action in any state or jurisdiction.

3. "Good standing" means a foreign practitioner holds a current license to practice engineering or land surveying that is not issued on a temporary or restricted basis and is not encumbered or on probation and is not suspended or revoked.

4. "License" means a license, certificate, permit, or similar authorization to practice engineering or land surveying that is issued by a government agency in another state or jurisdiction that imposes requirements for obtaining and maintaining a license, which are at least as stringent as the requirements imposed in North Dakota to obtain and maintain a license to practice engineering or land surveying.

History: Effective November 1, 2002; amended effective October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-51-03

28-02.1-11-02. Indirect practice without a license. A foreign practitioner shall not provide services in this state without obtaining a license from the board unless such services are provided pursuant to subsection 1 of North Dakota Century Code section 43-51-03, North Dakota Century Code section 43-51-04, or the successor statutes thereto, or any other statutes or an administrative rule adopted by the board.

History: Effective November 1, 2002; amended effective October 17, 2002.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-51-03
28-02.1-11-03. Emergency practice without a license. A foreign practitioner offering land surveying services under North Dakota Century Code section 43-51-04 shall be limited to services comprising the determination of incidental topography within the meaning of subsection 4 of North Dakota Century Code section 43-19.1-02.

History: Effective November 1, 2002; amended effective October 17, 2002.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-51-04

28-02.1-11-04. Direct practice without a license. Notwithstanding the provisions of North Dakota Century Code section 43-51-05 no foreign practitioner may provide services in this state without obtaining a license from the board unless allowed to do so by some other statute or an administrative rule adopted by the board.

History: Effective November 1, 2002; amended effective October 17, 2002.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-51-05
CHAPTER 28-02.1-12
RETIRED STATUS

Section
28-02.1-12-01 Eligibility for Retired Status
28-02.1-12-02 Affidavit
28-02.1-12-03 Continuing Professional Competency Exemption
28-02.1-12-04 Privileges
28-02.1-12-05 Restrictions
28-02.1-12-06 Ineligibility for Retired Status
28-02.1-12-07 Penalties for Noncompliance

28-02.1-12-01. Eligibility for retired status. Any individual who has been issued a certificate of registration, as a professional engineer or professional land surveyor, having discontinued active practice as an engineer or land surveyor, or both, may be eligible to apply for a retired status of registration. For the purpose of this provision, "active practice" is defined as exercising direct supervision and control over the development and production of an engineering or land surveying document or any related activities pertaining to the offer of or the providing of professional engineering or land surveying services.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-27

28-02.1-12-02. Affidavit. Those persons wishing to obtain the status of a retired registration shall complete an affidavit on a form as provided by the board. Affidavits shall be sent to the board office. Upon receipt of said affidavit and, if deemed eligible by the board, the retired status would become effective on the date of approval by the board. It shall not be necessary that an expired certificate of registration be renewed to be eligible for this status. The board will not provide refund of renewal fees if the application for retired status is made and granted before the date of expiration of the certificate of registration.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-27

28-02.1-12-03. Continuing professional competency exemption. Retired registrants are exempt from continuing professional competency requirements.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-27

28-02.1-12-04. Privileges. A retired registrant is permitted to:

1. Retain the board-issued wall certificate of registration;
2. Use the title professional engineer or registered land surveyor, or professional land surveyor provided that it is supplemented by the term "retired", or the abbreviation "ret";

3. Work as an engineer or land surveyor in a volunteer capacity, provided that the retired registrant does not create an engineering or land surveying document, and does not use the individual’s seal, except as provided for in subsection 4;

4. Provide experience verifications and references for persons seeking registration. When completing reference or experience verification forms and if using the person's professional seal, the retired registrant shall place the word "retired" in the space designated for the date of expiration;

5. Serve in an instructional capacity on engineering and land surveying topics;

6. Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to engineering or land surveying work performed by the registrant before the person was granted a retired registration; and

7. Serve in a function that supports the principles of registration and promotes the professions of engineering and land surveying, such as members of commissions, boards, or committees.

**History:** Effective October 1, 2004; amended effective October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-27

**28-02.1-12-05. Restrictions.** A retired registrant is not permitted to:

1. Perform any engineering or land surveying activity unless said activity is under the direct supervision of a North Dakota registered professional engineer or professional land surveyor who has a valid or active registration in the records of the board;

2. Act as the designated engineer or the engineer in responsible charge for a North Dakota engineering organization or act as the designated land surveyor or land surveyor in responsible charge for a North Dakota land surveying organization; or
3. Apply the person’s professional engineer’s or professional land surveyor’s seal to any plan, specification, plat, or report, except as provided for in subsection 4 of section 28-02.1-12-04.

History: Effective October 1, 2004; amended effective October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-27

28-02.1-12-06. Ineligibility for retired status. Under no circumstances shall a registrant be eligible for a retired registration if the person’s certificate of registration has been revoked, surrendered, or in any way permanently terminated by the board. Registrants who are suspended from practice or who are subject to terms of a board order, or both, at the time they request retirement status shall not be eligible for a retired registration until such time that the board has removed the restricting conditions.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-27

28-02.1-12-07. Penalties for noncompliance. Any violations of this chapter shall be considered misconduct or malpractice, or both. Such violations are subject to disciplinary action.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-08
CHAPTER 28-02.1-13
DOCUMENTS USED TO CONVEY REAL PROPERTY OR ANY INTEREST THEREIN

Section
28-02.1-13-01 Survey Requirements for Preparation of Legal Descriptions and Conveyance of Property

28-02.1-13-01. Survey requirements for preparation of legal descriptions and conveyance of property. Any registrant preparing a description, including without limitation a legal, property, or boundary description for, or assisting in the filing of, a document that will, or may, be used to convey real property or any interest therein, other than easements, including without limitation an auditor’s plat, outlot, deed, or conveyance of rights of way, must conduct a survey of the property being conveyed and comply with all the requirements related thereto contained in North Dakota Century Code sections 40-50.1-01 and 40-50.1-02.

Descriptions used in conveyances of rights of way in which possession of title is obtained may be prepared without the setting of all exterior monuments if all four of the following requirements are met:

1. The rights of way are retraceable by using established monuments;

2. Exterior monuments are set wherever there is a change of width to the rights of way;

3. Exterior monuments are set wherever there is a change in direction of the rights of way other than changes of direction at section corners; and

4. Monuments are set at intersections of rights of way with section lines or section line rights of way.

Descriptions used in the conveyance of easements having a term of five years or more must be retraceable in each section of land over which they cross by using established subdivision or public land survey system monuments existing or placed at the time of the easement conveyance.

History: Effective October 1, 2004; amended effective July 1, 2009.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-01, 43-19.1-08
ARTICLE 28-03.1
RULES OF PROFESSIONAL CONDUCT

Chapter
28-03.1-01 Code of Ethics

CHAPTER 28-03.1-01
CODE OF ETHICS

Section
28-03.1-01-01 General Statement
28-03.1-01-02 Action by Another Jurisdiction
28-03.1-01-03 Standards of Integrity
28-03.1-01-04 Protection of Public
28-03.1-01-05 Advertising
28-03.1-01-06 Aid Public Understanding [Repealed]
28-03.1-01-07 Issuance of Public Statements Related to Engineering or Surveying
28-03.1-01-08 Qualification for Work Projects
28-03.1-01-09 Disclosure of Confidential Information
28-03.1-01-10 Disclosure of Conflict of Interest
28-03.1-01-11 Compensation From Other Parties
28-03.1-01-12 Solicitation of Work
28-03.1-01-13 Reporting of Unethical or Illegal Practice
28-03.1-01-14 Professional Relationships
28-03.1-01-15 Proprietary Interests of Others
28-03.1-01-16 Professional Enhancement [Repealed]
28-03.1-01-17 Professional Registration Applications
28-03.1-01-18 Public Understanding and Professional Enhancement

28-03.1-01-01. General statement. In order to establish and maintain a high standard of integrity, skills, and practice in the profession of engineering and land surveying, the code of ethics contained in this chapter is binding upon every person holding a certificate of registration as a professional engineer or professional land surveyor, and upon all agents, employees, officers, or partners.

This chapter is specifically designed to further safeguard the life, health, property, and public welfare of the citizens of North Dakota, and must be construed to be a reasonable exercise of the police power vested in the board of registration for professional engineers and land surveyors by virtue of North Dakota Century Code chapter 43-19.1, and as such the board can establish conduct, policy, and practices to be adopted.

These rules are to be read and interpreted without regard to race, creed, or sex.

The engineer or land surveyor who holds a certificate of registration from the board is charged with having knowledge of the existence of this chapter for
professional conduct as an engineer or land surveyor, and also must be deemed to be familiar with the provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering and land surveying is a privilege as opposed to a right, and the engineer or land surveyor must be forthright and candid in statements or written responses to the board or its representatives on matters pertaining to professional conduct.

**History:** Effective January 1, 1988; amended effective April 1, 1999; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-24

28-03.1-01-02. **Action by another jurisdiction.** A registrant who acts, either as an individual or through a business entity, may be deemed by the board to be guilty of misconduct in professional practice for an action that in this state would constitute a violation of North Dakota Century Code chapter 43-19.1, or of this title, and:

1. The registrant has received a reprimand or civil penalty as a result of a disciplinary action in another jurisdiction.

2. The registrant’s license has been suspended, revoked, denied, or voluntarily surrendered as a result of disciplinary action in another jurisdiction.

3. The registrant is convicted in a court of competent jurisdiction of a felony without restoration of civil rights.

**History:** Effective January 1, 1988; amended effective October 1, 2004.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-25

28-03.1-01-03. **Standards of integrity.** Registrants shall be guided in all their professional relations by the highest standards of integrity. The registrant will act in professional matters as a faithful agent or trustee for each client or employer.

1. Registrants shall admit and accept their own errors when proven wrong and refrain from distorting or altering the facts in an attempt to justify their decisions.

2. Registrants shall advise their clients or employers when they believe a project will not be successful.

3. Registrants shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering or land surveying employment, registrants shall notify their employer.

4. Registrants shall not employ or attempt to employ an individual by false or misleading pretenses.
5. Registrants shall not engage in any act tending to promote their own interests to the detriment of the profession.

6. Registrants shall be truthful in professional reports, statements, or testimony. Registrants shall include all relevant and pertinent information in such reports, statements, or testimony.

7. Registrants shall not willfully engage in any conduct or practice that intentionally deceives the public.

8. Registrants shall not use statements containing a material misrepresentation of fact or omitting a material fact necessary to keep statements from being misleading or statements intended or likely to create an unjustified expectation.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24

28-03.1-01-04. Protection of public. Registrants shall be cognizant that their first and foremost responsibility is to the public welfare in the performance of services to clients and employers. The registrant:

1. Will regard one’s duty to the public welfare as paramount.

2. Will not complete, sign, or seal plans or specifications that are not of a design safe to the public health and welfare and in conformity with accepted standards. In the course of work on a project, if a registrant becomes aware of an action taken by the client or employer against the registrant’s advice that violates applicable state or municipal laws and regulations and which, in the registrant’s judgment, will adversely affect the public life, health, or safety, the registrant shall take the following actions:

   a. Advise the client or employer in writing of the registrant’s refusal to consent to the decision and give reasons for that refusal; and

   b. If the registrant’s advice is ignored despite the objection, the registrant shall provide a copy of the registrant’s objection and reasoning to the public official charged with the enforcement of the applicable state or municipal laws and regulations.

History: Effective January 1, 1988; amended effective October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24
28-03.1-01-05. Advertising. Registrants shall not falsify or permit misrepresentation of their, or their associates’, academic or professional qualifications. They shall not misrepresent or exaggerate their degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the advertisement shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments with the intent and purpose of enhancing their qualifications and their work.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24


28-03.1-01-07. Issuance of public statements related to engineering or surveying. Registrants shall express a professional opinion publicly only when it is founded upon an adequate knowledge of the facts and a competent evaluation of the subject matter.

1. Registrants shall not willfully engage in any conduct or practice that deceives the public.

2. Registrants shall not use statements containing a material misrepresentation of fact or omitting a material fact.

3. Registrants shall express an opinion only when it is founded upon accurate information.

4. The registrant shall be completely objective and truthful in all professional reports, statements, or testimony. Registrants shall include all relevant and pertinent information in such reports, statements, or testimony.

5. The registrant, when serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of the testimony.

6. The registrant will issue no statements, criticisms, or arguments on professional matters connected with public policy that are inspired or paid for by an interested party or parties, unless such statement is prefaced with a comment explicitly identifying the registrant, by disclosing the identity of the party or parties on whose behalf the
statement is being made, and by revealing the existence of any pecuniary interest the registrant may have in the instant matter.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24

28-03.1-01-08. Qualification for work projects. The registrant will undertake assignments for which the registrant will be responsible only when qualified by education or experience. The registrant will engage, or advise engaging, experts and specialists whenever the client’s or employer’s interests are best served by such service.

1. The registrant may accept an assignment requiring education, training, or experience outside of the registrant’s own field of competence, but only to the extent that such services are restricted to those phases of the project in which the registrant is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.

2. The registrant shall not affix the registrant’s signature or seal, or both, to any plan or document dealing with subject matter in which the registrant lacks competence acquired through education or experience, nor to any plan or document not prepared by the registrant or under the registrant’s responsibility. In the event a question as to the competence of a registrant to perform a professional assignment in a specific technical field arises and cannot be otherwise resolved to the satisfaction of the board, the board, upon request of the registrant or by its own volition, may require the registrant to submit to whatever examination it deems appropriate.

3. In providing services, the registrant shall take into account all applicable federal, state, and local laws and regulations. The registrant shall not knowingly provide services resulting in violation of such laws and regulations.

History: Effective January 1, 1988; amended effective October 1, 2004; October 1, 2010.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24

28-03.1-01-09. Disclosure of confidential information. Registrants shall not disclose confidential information concerning the business affairs or technical processes of any present or former client or employer without the client’s or employer’s consent.

1. Registrants in the employ of others, without the consent of all interested parties, shall not enter promotional efforts or negotiations for work or
make arrangements for other employment as a principal or to practice in connection with a specific project for which the registrant has gained particular and specialized knowledge.

2. Without the consent of all interested parties, registrants shall not participate in or represent an adversary interest in connection with a specific project or proceeding in which the registrant has gained particular specialized knowledge on behalf of a former client or employer.

General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24

28-03.1-01-10. Disclosure of conflict of interest. Registrants shall make full prior disclosures to their employers or clients of all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.

1. If the employer or client objects to such an association or financial interest, the registrant shall either terminate the association or interest or offer to give up the employment.

2. Registrants serving as members, advisors, or employees of a governmental body or department, who are the principals or employees of a private concern, shall not participate in decisions with respect to professional services offered or provided by said concern to the governmental body that they serve.

3. Registrants shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member.

4. A registrant shall not accept employment when duty to the client or the public would conflict with the personal interest of the registrant or the interest of another client and would influence the registrant’s judgment or the quality of the registrant’s services.

History: Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24

28-03.1-01-11. Compensation from other parties. The registrant will not accept compensation, financial or otherwise, from more than one interested party for the same service. The registrant:
1. Will not accept financial or other considerations, including free engineering designs or land surveying plans, from material or equipment suppliers for specifying their product.

2. Will not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with the registrant’s clients or employer in connection with work for which the engineer or land surveyor is responsible.

3. Shall not solicit or accept gratuities, gifts, travel, lodging, loans, entertainment, or other favors, directly or indirectly, from contractors, their agents, or other third parties dealing with a client or employer in connection with work for which the registrant is responsible, which can be determined to be an effort to improperly influence the registrant’s professional judgment. Minor expenditures such as advertising trinkets, novelties, and meals are excluded. Neither shall a registrant make any such improper offer.

History: Effective January 1, 1988; amended effective August 1, 1994; April 1, 1999; October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24

28-03.1-01-12. Solicitation of work. A registrant shall seek and engage in only the professional work or employment the professional is competent and qualified to perform by reason of education, training, or experience.

1. A registrant shall not falsify or misrepresent the extent of the registrant’s education, training, experience, or qualifications to any person or to the public or misrepresent the extent of the registrant’s responsibility in connection with any prior employment or projects.

2. A registrant shall not transmit, distribute, or publish or allow to be transmitted, distributed, or published, any false or misleading information regarding the registrant’s own qualifications, training, or experience or that of the registrant’s employer, employees, associates, or joint venturers.

3. Registrants shall not offer, give, solicit, or receive, either directly or indirectly, any political contribution in an amount intended to influence the award of a contract by public authority, or which may be reasonably construed by the public of having the effect or intent to influence the award of a contract.

4. Registrants shall not pay a commission, percentage, or brokerage fee in order to secure work except to a bona fide employee.

5. A registrant shall not tender any gift, pay, or offer to pay, directly or indirectly, anything of substantial value, whether in the form of a
commission or otherwise, as an inducement to secure employment. A registrant is not prohibited from paying a commission to an employment agency for securing a position.

6. A registrant shall not knowingly seek or accept employment for professional services for an assignment for which another registrant is employed or contracted to perform. This prohibition shall not preclude a registrant from responding to a client-initiated or owner-initiated solicitation.

**History:** Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-24

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**28-03.1-01-13. Reporting of unethical or illegal practice.** A registrant who has knowledge or reasonable grounds for believing that another registrant has violated any statute or rule regulating the practice of the profession shall have the duty of presenting such information to the board.

1. A registrant possessing knowledge of a violation shall report such knowledge to the board in writing and shall cooperate with the board in furnishing such further information or assistance as it may require.

2. A registrant, when questioned concerning any alleged violation on the part of another person by any member or authorized representative of the board commissioned or delegated to conduct an official inquiry, shall neither fail nor refuse to divulge such information as the registrant may have relative thereto.

3. Registrants must notify the board within thirty days if another state has disciplined them with a reprimand, censure, suspension, temporary suspension, probation, revocation, or refusal to renew a license, or if they have voluntarily surrendered their license as part of a settlement proceeding.

4. If a registrant, during the course of the registrant’s work, discovers a material discrepancy, error, or omission in the work of another registrant, which may impact the life, health, property, and welfare of the public, the discoverer shall make a reasonable effort to inform, in writing, the registrant whose work is believed to contain the discrepancy, error, or omission. Such communication shall reference specific codes, standards, or physical laws that are believed to be violated and identification of documents that are believed to contain the discrepancies. The registrant whose work is believed to contain the discrepancy shall respond in writing within thirty calendar days to any question about the work raised by another registrant. Failure to respond on the part of the registrant whose work is believed to contain the discrepancy shall be considered a violation of these rules. The
discoverer shall notify the board in the event a response satisfactory to the discoverer is not obtained within thirty days.

**History:** Effective January 1, 1988; amended effective April 1, 1999; October 1, 2004; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-24

### 28-03.1-01-14. Professional relationships. The registrant shall not knowingly associate professionally with or allow the use of one's name with persons not legally qualified to render the professional services for which the association is intended.

1. Registrants in private practice shall not review the work of another registrant for the same client, except with the knowledge of such registrant, or unless the connection of such registrant with the work has been terminated. This prohibition shall not preclude a registrant from responding to a client-initiated or owner-initiated solicitation for a second opinion.

2. Registrants in governmental, industrial, or educational employment may review and evaluate the work of other registrants when so required by their employment duties.

3. Registrants in sales or industrial employment may make engineering comparisons of represented products with products of other suppliers.

4. Registrants shall not use association with a nonregistrant, a corporation, or partnership, as a cloak for unethical acts.

5. The registrant shall not furnish limited services in such a manner as to enable unregistered persons to evade:
   a. Federal, state, and local laws and regulations, including building permit requirements; or
   b. Registration requirements.

6. The registrant may not take over, review, revise, or sign or seal drawings or revisions thereof when such plans are begun by persons not properly registered and qualified or do any other act to enable either such persons or the project owners, directly or indirectly, to evade the registration requirements.

**History:** Effective January 1, 1988; amended effective October 1, 2004; October 1, 2010.

**General Authority:** NDCC 43-19.1-08

**Law Implemented:** NDCC 43-19.1-24
28-03.1-01-15. Proprietary interests of others.

1. Whenever possible, the registrant will name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.

2. When a registrant uses designs supplied by a client, the designs remain the property of the client and should not be duplicated by the registrant for others without express permission.

3. Before undertaking work for others in which the registrant may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, the registrant should enter into an agreement regarding the ownership of the improvements, plans, designs, inventions, or other records.

4. Designs, data, records, and notes made by a registrant and referring exclusively to the employer's work are the employer's property.

History: Effective January 1, 1988; amended effective October 1, 2004; October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24


28-03.1-01-17. Professional conduct.

1. Registrants shall indicate any reservation on a reference for an applicant if they have reason to believe the applicant is unqualified by education, training, or experience to become licensed. The registrant's opinion shall be based on the qualifications a reasonable and prudent professional would require an applicant to possess.

2. A registrant shall not submit a materially false statement or fail to disclose a material fact requested in connection with the application for certification or licensure in this state or any other state.

3. Registrants shall comply with the licensure laws and rules governing their professional practice in any United States jurisdiction.

4. A registrant shall not further the application for certification or licensure of another person known by the registrant to be unqualified in respect to character, education, or other relevant factor.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24
28-03.1-01-18. Public understanding and professional enhancement. Sections 28-03.1-01-01 through 28-03.1-01-17 of this code of ethics are requirements of professional conduct and noncompliance with any of those sections is subject to disciplinary action. To enhance the professions of engineering and land surveying, the board also encourages, but does not require, a registrant to:

1. Seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health, and well-being of the registrant’s community.

2. Cooperate in extending the effectiveness of the profession by interchanging information and experience with other engineers or land surveyors and students.

3. Extend public knowledge and appreciation of engineering or land surveying and its achievements and to protect the profession from misrepresentation and misunderstanding.

4. Maintain interest in the public welfare and be ready to apply the registrant’s special knowledge, skill, and training for the use and benefit of the public.

5. Seek opportunities to provide career guidance for youths.

6. Provide opportunity for the professional development and advancement of engineers or land surveyors under the registrant’s supervision by:

   a. Encouraging efforts to improve the registrant’s education.

   b. Encouraging attendance and presentation of papers at professional and technical society meetings.

   c. Promoting professional registration at the earliest possible date.

History: Effective October 1, 2010.
General Authority: NDCC 43-19.1-08
Law Implemented: NDCC 43-19.1-24
ARTICLE 28-04
CONTINUING PROFESSIONAL COMPETENCY

Chapter 28-04-01 Continuing Education

CHAPTER 28-04-01
CONTINUING EDUCATION

Section
28-04-01-01 Purpose
28-04-01-02 Definitions
28-04-01-03 General Requirements
28-04-01-04 Recordkeeping
28-04-01-05 Qualifying Activities
28-04-01-06 Audit
28-04-01-07 Exemptions

28-04-01-01. Purpose. The purpose of mandatory continuing education is to reinforce the need for lifelong learning in order to stay current with everchanging technology, equipment, procedures, processes, tools, and established standards. Qualifying activities must have a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the registrant’s field of practice. Registrants are encouraged to select meaningful activities that will be of benefit in the pursuit of their chosen fields.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-33
Law Implemented: NDCC 43-19.1-33

28-04-01-02. Definitions. The terms used throughout this chapter have the same meaning as in North Dakota Century Code chapter 43-19.1 and North Dakota Administrative Code section 28-01-02.1-07. Additional terms are:

1. "Active participation" means making a regular, substantial contribution to an organization. Membership by itself does not constitute active participation.

2. "Contact hour" is a minimum of fifty minutes of actual instruction not to include any breaks.

3. "Continuing education units" is equivalent to ten contact hours of instruction, i.e., ten professional development hours. Continuing education units are nationally recognized and are a uniform unit of measure for continuing education and training.

4. "International association for continuing education and training programs" means those continuing education and training courses...
offered by various organizations that meet the minimum requirements for a qualifying continuing education and training course as established by the international association for continuing education and training.

5. "Professional development hour" is defined as one contact hour of instruction or presentation. It is the common denominator for the other units of credit. Round off professional development hours to the nearest one-half hour. No activity under one-half hour will be accepted for credit.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-33
Law Implemented: NDCC 43-19.1-33

28-04-01-03. General requirements. All individual registrants must acquire thirty professional development hours every two years before renewing their license.

1. At least twenty professional development hours must be in technical subjects that directly safeguard the public's health, safety, and welfare, including technical professional management subjects such as total quality process or technical engineering or land surveying software training.

2. A maximum of ten professional development hours may be in nontechnical professional management subjects such as ethics-oriented or administration-oriented computer classes.

3. All registrants will be required to submit a list of continuing professional development activities that they participated in and sign a statement that they have met this requirement as part of the renewal process.

4. Registrants holding both professional engineering and surveying registrations must earn a minimum of one-third, or ten professional development hours in each profession with a total of thirty professional development hours every two years. A dual registrant is not required to obtain more than thirty professional development hours per biennial renewal period because of dual registrations.

5. A maximum of fifteen qualifying professional development hours may be forwarded to the subsequent biennial renewal period.

6. Comity for continuing professional development is allowed if the registrant is currently licensed in a jurisdiction or state that requires mandatory continuing professional competency and meets the minimum requirements as established by the North Dakota state board of registration for professional engineers and land surveyors.
7. New registrants shall comply with continuing education requirements as follows: registrants who receive their license prior to the fourth quarter in an odd-numbered year shall report the full biennial requirement of thirty professional development hours at the time of next renewal; and registrants who receive their license prior to the fourth quarter in an even-numbered year shall report one-half of the biennial requirement, i.e., fifteen professional development hours, at the time of next renewal.

History: Effective October 1, 2004
General Authority: NDCC 43-19.1-33
Law Implemented: NDCC 43-19.1-33

28-04-01-04. Recordkeeping. Recordkeeping is the responsibility of the registrant. Adequate records must be maintained for a minimum of four years from the date of last biennial renewal for auditing purposes. Records may be maintained by a professional registry, such as the professional development registry for engineers and surveyors. Records that are maintained by such a registry do not necessarily require approval of these courses by this board. Records required include:

1. A log showing the type of activity claimed, sponsoring organization, location, duration, date, instructor's or speaker's name, and professional development hour credits claimed. This permits the proper completion of professional development hour activities at renewal time. Specific information on each activity is required. Simply stating "attending education activities at ABC Company" is not acceptable.

2. Attendance verification records in the form of certificates or other documents supporting evidence of attendance. The registrant must have sufficient verification for all credits claimed.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-33
Law Implemented: NDCC 43-19.1-33

28-04-01-05. Qualifying activities. The board may preapprove courses, providers, or activities. Until the board preapproves such courses or activities, it is the responsibility of the registrant to determine whether the activity qualifies under this board’s requirements. The board has final approval of professional development hour credit. Examples of typical qualifying and nonqualifying activities are available by contacting the office of the board or visiting the board’s web site. All professional development hour allowances stated in this section are biennial allowances. Qualifying activities include:

1. College unit, semester, or quarter hour credit for college courses. A course must be regularly offered and participants tested with a passing grade required. One semester hour generally consists of fifteen class meetings of fifty to fifty-five minutes duration. It is assumed
that twice as much study time is required as class contact time, thus equating to forty-five professional development hours. Similarly, a quarter hour qualifying course meets ten times and thus thirty professional development hours are allowed. Monitoring courses do not require a test, and therefore only the actual class contact hours are allowed. On occasion, educational institutions may offer a one-day seminar and award fractional quarter hour credit such as one-half of a quarter hour. These courses do not qualify on the quarter hour basis since they are not part of the regular curriculum of the educational institution, do not require testing, and have no provision for additional out-of-class requirements. For courses such as this, only actual contact hours will be allowed for professional development hour credit.

2. **Interactive activities.** Other qualifying courses, seminars, employer-sponsored educational activities, programs, and activities are allowed one professional development hour credit for each contact hour. A correspondence course, videotaped programs, and online courses (self-study) must require the participant to show evidence of achievement with a final graded test.

3. **Teaching credit for short courses.** Teaching credits for the instructor are twice that of the participants in qualifying courses and seminars. However, repetitive teaching of the same course will not earn additional credit.

4. **Published paper, article, or book.** A published paper, article, or book must be a serious effort to qualify. For example, a news article in a technical or professional bulletin is not considered a published paper. Although it is recognized that often many more hours are spent in being an author of a publication, ten professional development hours are allowed for publication. Only one publication may be claimed for professional development hours per renewal period. Repetitive publication of the same paper or article will not earn additional credit.

5. **Active participation in professional and technical societies.** Active participation in professional and technical societies is to encourage registrants to participate fully in appropriate technical and professional societies. Contact with one’s peers at such meetings is considered one way to stay abreast of current topics, issues, technical developments, ethical situations, and learning opportunities. Two professional development hours per biennium can be earned for each organization with a maximum of six professional development hours per biennium allowed. All technical and professional societies are included, but this does not include civic or trade organizations.
6. **Patents.** Patents are allowed ten professional development hours after a patent is issued and the inventor submits details to the board. The invention must be related to the registrant’s profession.

**History:** Effective October 1, 2004.
**General Authority:** NDCC 43-19.1-33
**Law Implemented:** NDCC 43-19.1-33

**28-04-01-06. Audit.** Audits can be conducted anytime up to three years after the biennial renewal is submitted to ensure compliance with continuing education requirements. If selected for audit, the registrant will be contacted to provide necessary documentation. Each registrant selected for audit must respond with detailed information on the professional development hour activities within thirty days. If the audit conducted indicates a failure to comply with continuing education requirements, the registrant has sixty calendar days after receipt of written notice to further reinforce the claim of professional development hour credits or to acquire sufficient professional development hour credit to meet the requirements. The board may also audit a registrant’s professional development hour activities based on complaints or charges against a registrant. Registrants who refuse to comply with continuing professional competency requirements may be subject to disciplinary action as allowed by North Dakota Century Code section 43-19.1-25.

**History:** Effective October 1, 2004.
**General Authority:** NDCC 43-19.1-33
**Law Implemented:** NDCC 43-19.1-33

**28-04-01-07. Exemptions.** A registrant may be exempt from the continuing education requirements for one of the following reasons:

1. A registrant serving on temporary active duty in the armed forces of the United States, or a registrant serving on regular active duty who is deployed for a period of time exceeding one hundred twenty consecutive days in a year, shall be exempt from obtaining the professional development hours required during that year.

2. Registrants experiencing physical disability, illness, temporary leave from professional activity, or other extenuating circumstances as reviewed and approved by the board may be exempt. Supporting documentation must be furnished to the board. In the event such a person elects to return to active practice of professional engineering or land surveying, fifteen professional development hours must be earned before returning to active practice for each year exempted not to exceed the biennial requirement of thirty professional development hours.

3. Professional engineer registrants exempt from registration by North Dakota Century Code section 43-19.1-29 but voluntarily registered are exempt from continuing professional competency requirements. A
claim of exemption under this provision must be verified by the board. This exemption is based on the registrant’s primary employment. If the registrant provides engineering services outside the scope of primary employment, the exemption will be voided and the registrant will be required to comply with the continuing professional competency requirements. A person who is registered because of a requirement in the person’s job description or qualification for a pay grade is not voluntarily registered. Noncompliance with the provisions of this exemption shall be grounds for disciplinary action as allowed by North Dakota Century Code section 43-19.1-25.

4. Registrants who qualify for retired status on the board-approved renewal form shall be exempt from the continuing education requirements. A registrant whose license has been retired for one year or more and who meets all other requirements may reinstate a retired license. A registrant who has reinstated a license is required to file an interim continuing professional competency report within one year of the date of reinstatement verifying that a minimum of fifteen professional development hours have been accomplished. A registrant whose license has been retired for less than one year and who meets all other requirements may reinstate a retired license. A registrant who has reinstated a license must show compliance within the previous two years with the continuing professional competency requirements set forth in this chapter.

History: Effective October 1, 2004.
General Authority: NDCC 43-19.1-33
Law Implemented: NDCC 43-19.1-33
Section 4
## North Dakota
### Land Surveying Experience Worksheet

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<th>Engmt B</th>
<th>Engmt C</th>
<th>Engmt D</th>
<th>Engmt E</th>
<th>Engmt F</th>
<th>Engmt G</th>
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### Total

| Total | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Name**  ____________________________  **FS or PS**  ________________  **Date**  ________________

**This form must be signed and dated.**

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Page 75
<table>
<thead>
<tr>
<th>Activity</th>
<th>Time Spent in Each Activity By Respective Engagement (Measured in tenths of a year)</th>
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</table>

Name ___________________________ FE or PE ________ Date __________

This form must be signed and dated.
THE COMPLAINT PROCESS

A complaint is received in the Board office and filed with the secretary of the board. A hearing date is set.

Respondent is notified of complaint and asked for a response. A preliminary investigation is conducted.

Complaint, response and preliminary investigation materials are reviewed by the Board’s Legal and Investigations committee to determine:

**NO PROBABLE CAUSE**

The Committee makes a recommendation to the Board to dismiss at an open public meeting. Respondent and Complainant are notified of committee recommendation and the date of the meeting.

**PROBABLE CAUSE**

Charges are filed.

All parties are notified of hearing date.

A full investigation is conducted.

The Legal and Investigations Committee meets to review all materials. The committee will recommend dismissal or ask for a hearing.

**DISMISSAL**

The Committee makes a recommendation to the Board to dismiss at an open public meeting. Respondent and Complainant are notified of committee recommendation and the date of the meeting.

Correspondence to all parties indicating the decision of the Board. Case is closed.

**HEARING**

A hearing is conducted before the Board excluding the Legal and Investigation committee. The Board will either make an adverse decision or dismiss the charges.

**DISMISSAL**

Correspondence to all parties indicating the decision of the Board. Case is closed.

**ADVERSE DECISION**

Findings of Fact, Conclusions of Law and an Order determined by the Board will be issued to the Respondent.
Instructions for Completion of the Application for the Principles and Practice of Engineering Examination

- Carefully read Title 28 of the North Dakota Administrative Code (NDAC). Title 28 contains all rules, regulations and requirements pertaining to registration in North Dakota. In addition, all definitions of terms necessary for completion of the application are also contained in Title 28. The complete text of Title 28, NDAC is available on the State Board’s webpage at www.ndpelsboard.org.

- Complete the application form in its entirety, preferably typed. Illegible applications will be returned.

Instructions for Application Form A

1. General Information
   a. Date the application.
   b. Provide your social security number for required background check.
   c. Provide first, middle and last name; if you do not have a middle name, please indicate so.
   d. Provide your name as you sign drawings, etc. If you do not use a middle initial, please indicate so. If you desire to use your full name, indicate “same”.
   e. Provide the address you want the Board to use to correspond with you and indicate a email address (if applicable)
   f. Provide your place and date of birth.
   g. Provide your email address.
   h. Answer yes or no. If you have had registration refused or revoked in any jurisdiction, please attach a statement giving full details and include any correspondence from the jurisdiction that refused or revoked your registration.
   i. Answer yes or no. If you have been convicted of a criminal offense in any jurisdiction, please attach a statement giving full details.

2. Company Information
   All businesses except sole proprietors who are not operating under a trade name must have a Certificate of Commercial Practice issued by the Board of Registration prior to practicing or offering to practice engineering in North Dakota. Application forms and instructions for a Certificate of Commercial Practice are on our web site at www.ndpelsboard.org.

   a. Provide the full name of the company you work for.
   b. Provide the mailing address for the company.
   c. Provide the Certificate of Commercial Practice number issued to your company by the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. If you are not sure if your company has been issued such a number, please call the Board office at (701) 258-0786. If your company is in the process of applying for a Certificate of Commercial Practice, check the “Pending” box. If your employer is a sole practitioner who is using a trade name, a Certificate of Commercial Practice is required.

3. References
   a. Provide the name, registration number, address, position, and telephone number of five individuals you wish to provide reference letters in support of your application.
   b. At least 3 of the 5 references must be licensed Professional Engineers who can verify at least a portion of your experience. The remaining two references may be personal.
   c. Refer to the instructions for completing the Reference Letter Form B.

4. Education
   a. Provide, in chronological order, the name and location of each school you have attended.
   b. Indicate the duration of time you spent in each school.
   c. If you graduated from the school, provide the date of your graduation.
   d. List any degrees received from each school.
   e. Official transcripts of all courses and grades of colleges, universities, or technical schools attended are required. The transcript must be sent to the Board office directly from the issuing university or arrive in a sealed envelope with the university registrar’s seal or signature.

5. NCEES Examinations
a. Check the appropriate box and give the date and jurisdiction where you have already taken the Fundamentals of Engineering examination.
b. Please list the date, jurisdiction and type of any other NCEES examination you have already taken.

6. Technical and Other Examinations

a. If you have taken any technical examinations for trade certification, please list.
b. If you have taken any state specific examinations as in another jurisdiction, please list.

7. Experience Record

a. Show the title of position, name of employer, and character of each engagement. This should be a detailed statement as to the duties performed, degree of responsibility, and character of work. If necessary, attach additional sheets. Inadequate experience descriptions are a frequent cause for deferral of applications.
b. Provide name, title, address, telephone number, state of professional engineering registration, and registration number of the supervisor for each engagement.
c. When calculating time in columns 1 – 5, follow the instructions on Form A carefully.
d. **All time must be accounted for and be current to the date of the application!** Make certain that there are no time gaps in your experience record even if that time is a period of non-professional work, unemployment, or even a short time gap during the transition period from one place of employment to another.

8. Code of Ethics

a. Your professional practice in North Dakota is bound not only by statutes and rules, but also by the Code of Ethics. The Code of Ethics is located in North Dakota Administrative Code § 28-03.1-01-01. Read the Code of Ethics carefully. When you have read the Code of Ethics, sign your name on the line provided.

9. Affidavit

a. When you are satisfied that all information in your application is true and accurate, sign your name to the application in the presence of a notary public. Be sure the notary seals the affidavit.
b. All signatures must be original and in blue or black ink.

**Additional Information**

**Fees**

1. Principles and Practices of Engineering Examination
   a. A nonrefundable examination processing fee of $50.00 is required at the time the application is submitted. The check is payable to the “ND Board of Registration”. **Effective December 1, 2011, the $50.00 processing fee is no longer required for new exam applications.**
   b. If you are approved by the State Board to take an examination, you will be directed to go to [www.ncees.org](http://www.ncees.org) where you will register for the examination and pay the appropriate examination fee.

**Instructions for Reference Letter Form B**

1. On the first blank line on page 1 of Form B, type your name. The remainder of page 1 is to be completed by your references.
2. On page 2 of the form, enter your name on the top line. Complete the remainder of the form giving a detailed description of each term of employment with the beginning and ending month and year. The experience must include all of the information you furnished on Form A in Section 7 “Experience Record”. If the experience record submitted on Form A is of such length that the record cannot be typed on the back of Reference Letter Form B, use additional sheets.
3. Each professional reference must initial that part of your experience record with which the reference has personal knowledge. Failure of the reference to initial that portion of the experience listed with which the reference has personal knowledge will result in voiding the opinion of that reference. Be sure to tell your references to initial the form. **Reference letters that are not initialed is a frequent cause for deferral of applications.**
4. **All time must be accounted for to the date of the application!** Make certain that there are no time gaps in your experience record even if that time is a period of non-professional work, unemployment, or even a short time gap during the transition period from one place of employment to another.
5. Make five (5) copies of the completed Reference Letter Form B.
6. Send the forms directly to the references listed on Form A, Section 3 along with a stamped envelope addressed to the Board. The references are to return the completed Reference Letter Form B directly to the Board office.
Instructions for Engineering Experience Worksheet Form C

1. The Engineering Experience Worksheet is attached to this application in Word format. An Excel version is also available on our web site at www.ndpelsboard.org.
2. Print your name on the line at the top left corner above the column labeled “Activity”.
3. The “Activity” column on the left of the worksheet is a listing of the most common engineering activities. Blank lines are left for you to list any other activities that are not contained on the list. The Board does not expect you to have experience in all areas. The Board uses this worksheet as a tool to determine the scope and variety of the engineering experience you have listed in the Experience Record.
4. In the Time/Engagement columns, list the amount of time (by engagement) that you have obtained for each of the activity descriptions. The engagement identifiers such as Engmt A must refer back to engagement A as listed in the experience portion of your application. When adding up all of the “activity” totals in a column, the total time cannot exceed the total time as listed for that engagement in the experience portion of your application. If you have five engagements listed on your application, you should be completing the columns for Engmt A – Engmt E on the Experience Worksheet. When you list the time spent in an activity for a particular engagement, be sure you list the time in tenths of a year. For example a ½ year would be listed as .5 yr. The total amount of experience recapped on this form cannot exceed the total amount of experience listed in your application.
5. Add the time in each activity and place the total in the shaded boxes on the far right. Also, add the time listed in each engagement and place the total in the shaded boxes in the bottom row. The total of the far right column and the total of the bottom row must be the same.
6. Sign and date the Experience Worksheet. If the Experience Worksheet is not signed and dated, it will not be accepted by the Board and may result in deferral of your application.

Instructions for Verification of Registration Form D

The North Dakota Board requires verification of your successful completion of the NCEES or state licensure examinations. Only the state in which you took the examinations can make this verification. Follow the instructions below to complete the Verification of Registration form, send it to the verifying state, and have the verification form sent to the North Dakota Board. Your application is not complete and will not be sent to the Board for review without the appropriate verification form(s).

1. In the upper right hand corner, fill in your name, address, and date of birth.
2. On the left side under “From:” fill in the name and address of the state board(s) from which you are requesting verification of your examinations.
3. Under “I.”, check the appropriate lines for the type of registration you hold in that state.
4. Contact the board(s) from which you are requesting verification to find out if they charge a fee for completing verification forms. Send the form to the board per their instructions with the correct fee, if required. It is your responsibility to pay any required fees and complete the process to request verification.
5. Request that the completed verification be sent to the North Dakota Board of Registration. The North Dakota Board will not accept a verification form from an individual. The verification must be mailed directly from the state that is making the verification.
6. The North Dakota Board office will add the verification form to your application file.
7. If you took any NCEES examination in North Dakota, mark it in Section 5 on Form A. You do not need to send Form D to the North Dakota board office.
Checklist

In order for your application to be completed, the Board office must receive the following documentation from the appropriate sources:

a. Completed application, signed and notarized
b. Signed Code of Ethics statement
c. Completed Engineering Experience Worksheet, signed and dated
d. Official college transcripts sent directly from the university or in a sealed envelope bearing the university registrar’s seal or signature.
e. Five completed reference letter forms; signed, dated and initialed where appropriate. Reference letters must be sent directly to the Board office by the reference.
f. A verification of examinations from the jurisdiction in which you took your examinations. The verification form must come directly from the verifying Board.

Board Contact Information.

ND State Board of Registration
PO Box 1357
Bismarck, ND 58502-1357
Telephone: 701-258-0786
Fax: 701.258.7471
Email: contact@ndpelsboard.org

ND State Board of Registration
723 Memorial Highway
Bismarck, ND 58504

THE RESPONSIBILITY FOR COMPLYING WITH ALL REQUIREMENTS FOR REGISTRATION RESTS WITH THE APPLICANT
1. GENERAL INFORMATION

Date

Social Security No.

Name in full

Name as desired on roster and seal

Mailing Address

City    State   Zip   Tel

Birthplace    Date    Email Address

Have there ever been any formal sanctions imposed against you including but not limited to fine, reprimand, probation, censure, admonition, revocation, suspension, surrender, restriction or limitation?  ☐ Yes  ☐ No
If yes, provide a written explanation on a separate sheet of paper.

Have you ever been convicted of a criminal offense?  ☐ Yes  ☐ No

In what discipline(s) of engineering (Civil, Electrical, Mechanical, etc.) do you consider yourself qualified to practice by reason of your training and experience?

Have you ever applied for or been granted licensure in North Dakota?  ☐ Yes  ☐ No
If yes, please give details:

2. COMPANY INFORMATION

Company Name in full

Mailing Address

City    State   Zip   Tel

North Dakota Certificate of Commercial Practice number for this company is  ☐  ☐ Pending

3. REFERENCES

Give name and address of five (5) or more references, not relatives, not members of the Board, having personal knowledge of your character and professional reputation, and from whom you have requested Reference Letters. At least three (3) references must be from individuals registered as professional engineers.

<table>
<thead>
<tr>
<th>Name</th>
<th>Reg. No.</th>
<th>Address</th>
<th>Position</th>
<th>Telephone #</th>
</tr>
</thead>
<tbody>
<tr>
<td>1)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4. EDUCATION
State in chronological order the name and location of each high or preparatory school, college, university or technical school attended, the time spent at each, and if graduated, the year of graduation. Also list graduate work, evening school, correspondence school, research work, etc. Request a transcript of courses and grades be sent to the Board office for each college attended.

<table>
<thead>
<tr>
<th>Name and Location of Institution</th>
<th>Years From-To</th>
<th>Date Graduated</th>
<th>Technical Course</th>
<th>Degree Received</th>
</tr>
</thead>
</table>

5. NCEES EXAMINATIONS
Have you taken the Fundamentals of Engineering (FE) Examination?

☐ Yes ☐ No
If "Yes": Date ___ State ___

Have you taken any other NCEES Examinations?

☐ Yes ☐ No
If "Yes": Date ___ State ___ Exam ___

6. TECHNICAL AND OTHER EXAMINATIONS
(Give information regarding any technical examinations or other state specific examinations.)

<table>
<thead>
<tr>
<th>Conducted By</th>
<th>Address</th>
<th>Classification</th>
<th>Date</th>
<th>Rating</th>
</tr>
</thead>
</table>
7. EXPERIENCE RECORD
APPLICANT MUST FILL OUT ALL COLUMNS

Instructions: Each of the five columns under "Time" shall be filled out for each engagement. Use zeros where necessary, but do not leave blank spaces, and do not use the word "yes". The time in "Sub-Professional Work" plus the time in "Professional Work" must equal the time entered under "Total Time". Any of the time entered in column (2) as "Professional Work" which has been in "Responsible Charge" must also be entered in column (4), and any time which has been in "Design" must also be entered in column (5); if appropriate, all or part of the time entered in column (2) must also be entered in both columns (4) and (5).

The Board requires a detailed description of each engagement. List several representative projects on each engagement and describe the magnitude and complexity of the work as well as your duties and degree of responsibility. If you need additional space, you may attach an additional sheet. Inadequate experience descriptions are a frequent cause for deferral of applications. Designate each engagement or change in position by separate letter.

All time must be accounted for and be current to the date of application! Make certain that there are no time gaps in your experience record even if that time is a period of non-professional work, unemployment, or even a short time gap during the transition period from one place of employment to another.

<table>
<thead>
<tr>
<th>DATE FROM</th>
<th>ENGAGEMENT</th>
<th>TIME</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name, Title, Address, Telephone, Email &amp; Registration Number</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Detailed description of Engagement:
<table>
<thead>
<tr>
<th>E N G A G E M E N T</th>
<th>DATE</th>
<th>TIME (Years in Decimals to Tenths)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FROM</td>
<td>TO</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

1. Title of Position, Name of Employer, and Character of Each Engagement - Include Name, Title, Registration No., Address & Telephone Number of Some Person (Not Deceased) Familiar with Each Engagement, Preferably the Person to Whom You Reported

<table>
<thead>
<tr>
<th>Time</th>
<th>(1) Sub-professional Work</th>
<th>(2) Professional Work</th>
<th>(3) Total Time (1)+(2)</th>
<th>(4) Responsible Charge</th>
<th>(5) Design</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name, Title, Address, Telephone, Email &amp; Registration Number</th>
</tr>
</thead>
</table>

Detailed description of Engagement:

<table>
<thead>
<tr>
<th>Name, Title, Address, Telephone, Email &amp; Registration Number</th>
</tr>
</thead>
</table>

Detailed description of Engagement:
8. CODE OF ETHICS

I certify that I have read the Code of Ethics contained in Title 28 of the North Dakota Administrative Code and that I have knowledge and understanding of the requirements outlined. I have also read the remainder of Title 28 of the North Dakota Administrative Code. I have a general knowledge and understanding of the administrative rules and laws relevant to the practice of professional engineering or professional land surveying in North Dakota. I further certify that I will abide by and subscribe to the Code of Ethics to the best of my ability.

__________________________________________
Signature of Applicant

9. AFFIDAVIT

STATE OF ___________________________________
COUNTY OF ___________________________________

being first duly sworn, deposes and says: I am the Applicant named in this application and, to the best of my knowledge and belief, the foregoing statements are true and correct in every respect. Dated this __________ day of __________, 20____

__________________________________________
(Signature of Applicant)

__________________________________________
(Signature of Notary Public)

My commission expires _______________________________________________________________________

10. RECORD OF THE BOARD

(This space not to be used by Applicant)

Examination given:

□ Principles & Practice of Engineering

Date ____________________  Score ______
Reference Letter for the Principles and Practice of Engineering Exam Application

__________________________ has applied to take the Principles and Practice of Engineering examination in the State of North Dakota under the Act to regulate the practice of professional engineering and land surveying.

The applicant has referred to you as having knowledge of his/her personal and professional qualifications and the Board requests your cooperation in making its evaluation of the applicant more complete by giving a true answer to the following questions. These answers are to be given by you of your own personal knowledge, without the assistance of the applicant. The record of the applicant, as verified here by you, will be accepted by the Board as a deliberate act made for the express purpose of acquainting the Board with facts, as you see them, relative to the applicant’s competency to practice the profession for which he/she has applied for licensure. All information secured from references is for use by the Board. Please give the information requested below and make any comments that may be of value to the Board in evaluating this application. Please be sure to initial any engagements on the experience abstract with which you are familiar! Sign and return this form to the above address at your earliest convenience.

1. A. How many years have you known the applicant? ____________________________
   B. What is his/her usual occupation? ____________________________
   C. Has the applicant ever rendered you professional services as an engineer? ________________
      What Year? ________ Explain the nature of the employment ____________________________

2. A. Have you ever been associated with the applicant as ___ employer ___ partner ___ professional associate or ___client?
   If so, during what period of time? __________________________________________
   ______________________________________________________________________

3. A. Would you recommend the applicant be approved to take the Principles & Practice of Engineering Examination?
   ___ Yes ___ No
   Comments __________________________________________________________________
   ______________________________________________________________________
   ______________________________________________________________________

4. A. ___ I have reviewed the attached experience record and have initialed those engagements I can substantiate.
   B. ___ I am familiar with the applicant but cannot substantiate any of the engagements on the attached experience sheet.

Reference Information

Signature ______________________ Licensed in the Profession of ______________________

Date ______________________ Licensed and in good standing in the state(s) of ______________________

Printed Name ______________________ Registration Number ______________________

Address ______________________ Daytime Telephone Number ______________________

City, State, Zip Code ______________________ Email address ______________________
Abstract of applicant’s Practical and Professional Experience:

Name of Reference

☐ I am not able to verify any experience

Please Initial
# North Dakota Engineering Experience Worksheet for the Principles and Practice of Engineering Exam

Name ____________________________________________

<table>
<thead>
<tr>
<th>Activity</th>
<th>Time Spent in Each Activity By Respective Engagement (Measured in tenths of a year)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Engmt A</td>
</tr>
<tr>
<td>Research</td>
<td></td>
</tr>
<tr>
<td>Specifications</td>
<td></td>
</tr>
<tr>
<td>Engineering Report Writing</td>
<td></td>
</tr>
<tr>
<td>Engineering Calculations</td>
<td></td>
</tr>
<tr>
<td>Engineering Design</td>
<td></td>
</tr>
<tr>
<td>Engineering Drafting</td>
<td></td>
</tr>
<tr>
<td>Engineering Studies</td>
<td></td>
</tr>
<tr>
<td>Engineering Surveys</td>
<td></td>
</tr>
<tr>
<td>Engineering/Material Testing</td>
<td></td>
</tr>
<tr>
<td>Engineering Evaluation/Analysis/Modeling</td>
<td></td>
</tr>
<tr>
<td>Construction Observation/Monitoring/Review</td>
<td></td>
</tr>
<tr>
<td>Teaching Advanced Engineering Subjects</td>
<td></td>
</tr>
<tr>
<td>QA/QC/Peer Review</td>
<td></td>
</tr>
<tr>
<td>Business Management</td>
<td></td>
</tr>
<tr>
<td>Personnel Management</td>
<td></td>
</tr>
<tr>
<td>Project Management</td>
<td></td>
</tr>
<tr>
<td>Non-Engineering Employment</td>
<td></td>
</tr>
<tr>
<td>Other (List Activity)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
</tr>
</tbody>
</table>

Signature ____________________________________________ Date ________________________________

This form must be signed and dated.
VERIFICATION OF REGISTRATION

To: North Dakota State Board of Registration for Professional Engineers and Land Surveyors
PO Box 1357
Bismarck, ND  58502-1357

Name of Applicant

From:

City                     State                 Zip

Date of Birth

I. The above person was registered as:

<table>
<thead>
<tr>
<th>Certification</th>
<th>Cert. Number</th>
<th>Date Issued</th>
<th>Valid Until</th>
<th>Branches of Reg.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineer Intern</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Engineer</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Land Surveyor Intern</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professional Land Surveyor</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

II. Basis of Registration:

1. Written Examination:
   - FE Examination
   - PE Examination
   - LSIT Examination
   - LS Examination
   - Public Domain

   EIT accepted from:

2. Reciprocity with:

3. Educational Experience: If less than 8 years experience including graduation from CPD engineering curriculum, details are on other side if checked here:

III. Questions:

1. Has disciplinary action ever been taken against the applicant? □ Yes □ No
2. If so, has this disciplinary case been satisfied to the Board’s requirements? □ Yes □ No
3. Was the NCEES Cut Score used? □ Yes □ No
   If "No", please explain: ____________________________

BY: ____________________________
TITLE: ________________________  (BOARD SEAL)
DATE: ________________________
Instructions for Completion of the Application for the Principles and Practice of Surveying Examination

- Carefully read Title 28 of the North Dakota Administrative Code (NDAC). Title 28 contains all rules, regulations and requirements pertaining to registration in North Dakota. In addition, all definitions of terms necessary for completion of the application are also contained in Title 28. The complete text of Title 28, NDAC is available on the State Board’s webpage at www.ndpelsboard.org.

- Complete the application form in its entirety, preferably typed. Illegible applications will be returned and the application fee will be forfeit.

Instructions for Application Form A

1. General Information
   a. Date the application.
   b. Provide your social security number for required background check.
   c. Provide first, middle and last name; if you do not have a middle name, please indicate so.
   d. Provide your name as you sign drawings, etc. If you do not use a middle initial, please indicate so. If you desire to use your full name, indicate “same”.
   e. Provide the address you want the Board to use to correspond with you and indicate a email address.
   f. Provide your place and date of birth.
   g. Provide your email address.
   h. Answer yes or no. If you have had registration refused or revoked in any jurisdiction, please attach a statement giving full details and include any correspondence from the jurisdiction that refused or revoked your registration.
   i. Answer yes or no. If you have been convicted of a criminal offense in any jurisdiction, please attach a statement giving full details.

2. Company Information
   All businesses except sole proprietors who are not operating under a trade name must have a Certificate of Commercial Practice issued by the Board of Registration prior to practicing or offering to practice engineering in North Dakota. Application forms and instructions for a Certificate of Commercial Practice are on our web site at www.ndpelsboard.org.
   a. Provide the full name of the company you work for.
   b. Provide the mailing address for the company.
   c. Provide the Certificate of Commercial Practice number issued to your company by the North Dakota State Board of Registration for Professional Engineers and Land Surveyors. If you are not sure if your company has been issued such a number, please call the Board office at (701) 258-0786. If your company is in the process of applying for a Certificate of Commercial Practice, check the “Pending” box. If your employer is a sole practitioner who is using a trade name, a Certificate of Commercial Practice is required.

3. References
   a. Provide the name, registration number, address, position, and telephone number of five individuals you wish to provide reference letters in support of your application.
   b. At least 3 of the 5 references must be licensed Professional Land Surveyors who can verify at least a portion of your experience. The remaining two references may be personal.
   c. Refer to the instructions for completing the Reference Letter Form B.

4. Education
   a. Provide, in chronological order, the name and location of each school you have attended.
   b. Indicate the duration of time you spent in each school.
   c. If you graduated from the school, provide the date of your graduation.
   d. List any degrees received from each school.
   e. Official transcripts of all courses and grades of colleges, universities, or technical schools attended are required. The transcript must be sent to the Board office directly from the issuing university or arrive in a sealed envelope with the university registrar’s seal or signature.

5. NCEES Examinations
a. Check the appropriate box and give the date and jurisdiction where you have already taken the Fundamentals of Surveying examination.
b. Please list the date, jurisdiction and type of any other NCEES examination you have already taken.

6. Technical and Other Examinations

a. If you have taken any technical examinations for trade certification, please list.
b. If you have taken any state specific examinations as in another jurisdiction, please list.

7. Experience Record

a. Show the title of position, name of employer, and character of each engagement. This should be a detailed statement as to the duties performed, degree of responsibility, and character of work. If necessary, attach additional sheets. Inadequate experience descriptions are a frequent cause for deferral of applications.
b. Provide name, title, address, telephone number, state of professional registration, and registration number of the supervisor for each engagement.
c. When calculating time in columns 1 – 5, follow the instructions on Form A carefully.
d. **All time must be accounted for and be current to the date of the application!** Make certain that there are no time gaps in your experience record even if that time is a period of non-professional work, unemployment, or even a short time gap during the transition period from one place of employment to another.

8. Code of Ethics

a. Your professional practice in North Dakota is bound not only by statutes and rules, but also by the Code of Ethics. The Code of Ethics is located in North Dakota Administrative Code § 28-03.1-01-01. Read the Code of Ethics carefully. When you have read the Code of Ethics, sign your name on the line provided.

9. Affidavit

a. When you are satisfied that all information in your application is true and accurate, sign your name to the application in the presence of a notary public. Be sure the notary seals the affidavit.
b. All signatures must be original and in blue or black ink.

---

**Instructions for Reference Letter Form B**

1. On the first blank line on page 1 of Form B, type your name. The remainder of page 1 is to be completed by your references.
2. On page 2 of the form, enter your name on the top line. Complete the remainder of the form giving a detailed description of each term of employment with the beginning and ending month and year. The experience must include all of the information you furnished on Form A in Section 7 “Experience Record”. If the experience record submitted on Form A is of such length that the record cannot be typed on the back of Reference Letter Form B, use additional sheets.
3. Each professional reference must initial that part of your experience record with which the reference has personal knowledge. Failure of the reference to initial that portion of the experience listed with which the reference has personal knowledge will result in voiding the opinion of that reference. Be sure to tell your references to initial the form. **Reference letters that are not initialed is a frequent cause for deferral of applications.**
4. **All time must be accounted for to the date of the application!** Make certain that there are no time gaps in your experience record even if that time is a period of non-professional work, unemployment, or even a short time gap during the transition period from one place of employment to another.
5. Make five (5) copies of the completed Reference Letter Form B.
6. Send the forms directly to the references listed on Form A, Section 3 along with a stamped envelope addressed to the Board. The references are to return the completed Reference Letter Form B directly to the Board office.

---

**Instructions for Surveying Experience Worksheet Form C**

1. The Surveying Experience Worksheet is attached to this application in Word format. An Excel version is also available on our web site at [www.ndpelsboard.org](http://www.ndpelsboard.org).
2. Print your name on the line at the top left corner above the column labeled “Activity”.
3. The “Activity” column on the left of the worksheet is a listing of the most common surveying activities. Blank lines are left for you to list any other activities that are not contained on the list. The Board does not expect you to have experience in all areas;
however you must have some boundary and cadastral surveying experience. The Board uses this worksheet as a tool to determine the scope and variety of the surveying experience you have listed in the Experience Record.

4. In the Time/Engagement columns, you will list the amount of time (by engagement) that you have obtained for each of the activity descriptions. The engagement identifiers such as Engmt A must refer back to engagement A as listed in the experience portion of your application. When adding up all of the “activity” totals in a column, the total time cannot exceed the total time as listed for that engagement in the experience portion of your application. If you have five engagements listed on your application, you should be completing the columns for Engmt A – Engmt E on the Experience Worksheet. When you list the time spent in an activity for a particular engagement, be sure you list the time in tenths of a year. For example a ½ year would be listed as .5 yr. The total amount of experience recapped on this form cannot exceed the total amount of experience listed in your application.

5. Add the time in each activity and place the total in the shaded boxes on the far right. Also, add the time listed in each engagement and place the total in the shaded boxes in the bottom row. The total of the far right column and the total of the bottom row must be the same.

6. **Sign and date the Experience Worksheet.** If the Experience Worksheet is not signed and dated, it will not be accepted by the Board and may result in deferral of your application.

---

**Instructions for Verification of Registration Form D**

The North Dakota Board requires verification of your successful completion of the NCEES or state licensure examinations. Only the state in which you took the examinations can make this verification. Follow the instructions below to complete the Verification of Registration form, send it to the verifying state, and have the verification form sent to the North Dakota Board. Your application is not complete and will not be sent to the Board for review without the appropriate verification form(s). If you are submitting an NCEES record, you do not need to complete Form C; it is contained within your council record.

1. In the upper right hand corner, fill in your name, address, and date of birth.
2. If you took the Fundamentals exam and the Principles and Practice exam in different states, make a copy of the form and prepare a separate verification form for each state.
3. On the left side under “From:”, fill in the name and address of the state board(s) from which you are requesting verification of your examinations.
4. Under “I.”, check the appropriate lines for the type of registration you hold in that state.
5. Contact the board(s) from which you are requesting verification to find out if they charge a fee for completing verification forms. Send the form to the board per their instructions with the correct fee, if required. **It is your responsibility to pay any required fees and complete the process to request verification.**
6. Request that the completed verification be sent to the North Dakota Board of Registration. The North Dakota Board will not accept a verification form from an individual. The verification must be mailed directly from the state that is making the verification.
7. The North Dakota Board office will add the verification form to your application file.
8. If you took any NCEES examination in North Dakota, mark it in Section 5 on Form A. You do not need to send Form D to the North Dakota board office.

---

**Additional Information**

**Fees**

1. Principles and Practices of Surveying Examination
   a. Effective December 1, 2011, there is no processing fee for new exam applications.
   b. If you are approved by the State Board to take an examination, you will be directed to go to [www.ncees.org](http://www.ncees.org) where you will register for the examination and pay the appropriate examination fee.

**North Dakota Orientation Examination**

2. North Dakota Land Surveying Orientation Examination
   a. If you pass the Principles and Practice of Surveying examination, you will be eligible to take the North Dakota Land Surveying Orientation Examination. This is a two- hour, 60- question, open book, multiple choice examination. **You do not need to complete an additional application form to take this examination.** The examination covers the standards of practice, rules, and laws specific to land surveying in North Dakota. A compendium titled the “Digest of Laws” is available on the board’s web site at [www.ndpelsboard.org](http://www.ndpelsboard.org).
   b. You will receive additional information about scheduling the examination as well as a list of other acceptable reference materials when you are notified that you have passed the Principles and Practice of Surveying examination. The examination is given in Bismarck at the board office. No other exam locations are permitted.
Checklist

In order for your application to be completed, the Board office must receive the following documentation:

a. Completed application, signed and notarized
b. Signed Code of Ethics statement
c. Completed Surveying Experience Worksheet, signed and dated
d. Official college transcripts sent directly from the university or in a sealed envelope bearing the university registrar’s seal or signature.
e. Five completed reference letter forms; signed, dated and initialed where appropriate. Reference letters must be sent directly to the Board office by the reference.
f. A verification of examinations from the jurisdiction in which you took your examinations. The verification form must come directly from the verifying Board.

Board Contact Information

ND State Board of Registration
PO Box 1357
Bismarck, ND 58502-1357
Telephone: 701-258-0786
Fax: 701.258.7471
Email: contact@ndpelsboard.org

ND State Board of Registration
723 Memorial Highway
Bismarck, ND 58504

THE RESPONSIBILITY FOR COMPLYING WITH ALL REQUIREMENTS FOR REGISTRATION RESTS WITH THE APPLICANT
1. GENERAL INFORMATION

Date ____________________

Social Security No. ____________________

Name in full ____________________

Name as desired on roster and seal ____________________

Mailing Address ____________________

City ____________________ State _______ Zip _______ Tel _______

Birthplace ____________________ Date _______ Email Address ____________________

Have there ever been any formal sanctions imposed against you including but not limited to fine, reprimand, probation, censure, admonition, revocation, suspension, surrender, restriction or limitation?  □ Yes  □ No

If yes, provide a written explanation on a separate sheet of paper.

Have you ever been convicted of a criminal offense?  □ Yes  □ No

In what discipline(s) of engineering (Civil, Electrical, Mechanical, etc.) do you consider yourself qualified to practice by reason of your training and experience? ____________________

Have you ever applied for or been granted licensure in North Dakota?  □ Yes  □ No

If yes, please give details: ____________________

2. COMPANY INFORMATION

Company Name in full ____________________

Mailing Address ____________________

City ____________________ State _______ Zip _______ Tel _______

North Dakota Certificate of Commercial Practice number for this company is  □ _______  □ Pending

3. REFERENCES

Give name and address of five (5) or more references, not relatives, not members of the Board, having personal knowledge of your character and professional reputation, and from whom you have requested Reference Letters. At least three (3) references must be from individuals registered as professional land surveyors.

<table>
<thead>
<tr>
<th>Name</th>
<th>Reg. No.</th>
<th>Address</th>
<th>Position</th>
<th>Telephone #</th>
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<td>5)</td>
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</table>
4. EDUCATION
State in chronological order the name and location of each high or preparatory school, college, university or technical school attended, the time spent at each, and if graduated, the year of graduation. Also list graduate work, evening school, correspondence school, research work, etc. Request a transcript of courses and grades be sent to the Board office for each college attended.

<table>
<thead>
<tr>
<th>Name and Location of Institution</th>
<th>Years From-To</th>
<th>Date Graduated</th>
<th>Technical Course</th>
<th>Degree Received</th>
</tr>
</thead>
</table>

5. NCEES EXAMINATIONS
Have you taken the Fundamentals of Surveying (FS) Examination?

- Yes
- No

If "Yes": Date _______ State _______

Have you taken any other NCEES Examinations?

- Yes
- No

If "Yes": Date _______ State _______ Exam _______

6. TECHNICAL AND OTHER EXAMINATIONS
(Give information regarding any technical examinations or other state specific examinations.)

<table>
<thead>
<tr>
<th>Conducted By</th>
<th>Address</th>
<th>Classification</th>
<th>Date</th>
<th>Rating</th>
</tr>
</thead>
</table>
7. EXPERIENCE RECORD
APPLICANT MUST FILL OUT ALL COLUMNS

**Instructions:** Each of the five columns under "Time" shall be filled out for each engagement. Use zeros where necessary, but do not leave blank spaces, and do not use the word "yes". The time in "Sub-Professional Work" plus the time in "Professional Work" must equal the time entered under "Total Time". Any of the time entered in column (2) as "Professional Work" which has been in "Responsible Charge" must also be entered in column (4), and any time which has been in "Design" must also be entered in column (5); if appropriate, all or part of the time entered in column (2) must also be entered in both columns (4) and (5).

The Board requires a detailed description of each engagement. List several representative projects on each engagement and describe the magnitude and complexity of the work as well as your duties and degree of responsibility. If you need additional space, you may attach an additional sheet. Inadequate experience descriptions are a frequent cause for deferral of applications. Designate each engagement or change in position by separate letter.

All time must be accounted for and be current to the date of application! Make certain that there are no time gaps in your experience record even if that time is a period of non-professional work, unemployment, or even a short time gap during the transition period from one place of employment to another.

<table>
<thead>
<tr>
<th>DATE</th>
<th>TIME</th>
<th>EN...</th>
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<tbody>
<tr>
<td>FROM</td>
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<td>TITLE OF POSITION, NAME OF EMPLOYER, AND CHARACTER OF EACH ENGAGEMENT - INCLUDE NAME, TITLE, REGISTRATION NO., ADDRESS &amp; TELEPHONE NUMBER OF SOME PERSON (NOT DECEASED) FAMILIAR WITH EACH ENGAGEMENT, PREFERABLY THE PERSON TO WHOM YOU REPORTED</td>
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<td>TO</td>
<td></td>
<td>(1) Sub-professional Work</td>
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<td>(3) Total Time (1)+(2)</td>
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<td>(5) Design</td>
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<td>(1)</td>
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</table>

Detailed description of Engagement:
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<tr>
<th>DATE</th>
<th>ENGAGEMENT</th>
<th>TIME</th>
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</thead>
<tbody>
<tr>
<td>FROM</td>
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<td>TO</td>
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<td>(5)</td>
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</table>

**Title of Position, Name of Employer, and Character of Each Engagement** - Include name, title, registration no., address & telephone number of some person (not deceased) familiar with each engagement, preferably the person to whom you reported.

**Name, Title, Address, Telephone, Email & Registration Number**

**Detailed description of Engagement:**

**Name, Title, Address, Telephone, Email & Registration Number**

**Detailed description of Engagement:**
8. CODE OF ETHICS

I certify that I have read the Code of Ethics contained in Title 28 of the North Dakota Administrative Code and that I have knowledge and understanding of the requirements outlined. I have also read the remainder of Title 28 of the North Dakota Administrative Code. I have a general knowledge and understanding of the administrative rules and laws relevant to the practice of professional engineering or professional land surveying in North Dakota. I further certify that I will abide by and subscribe to the Code of Ethics to the best of my ability.

Signature of Applicant

9. AFFIDAVIT

STATE OF  
COUNTY OF  

ss.

, being first duly sworn, deposes and says: I am the Applicant named in this application and, to the best of my knowledge and belief, the foregoing statements are true and correct in every respect. Dated this __________ day of __________, 20___

(Signature of Applicant)

(SEAL -)

(Signature of Notary Public)

My commission expires

10. RECORD OF THE BOARD

(This space not to be used by Applicant)

Examination given:

☐ Principles & Practice of Surveying

Date _______________ Score ___________
Reference Letter for Principles and Practice of Surveying Exam Application

________________________________ has applied to take the Principles and Practice of Surveying examination in the State of North Dakota under the Act to regulate the practice of professional engineering and land surveying.

The applicant has referred to you as having knowledge of his/her personal and professional qualifications and the Board requests your cooperation in making its evaluation of the applicant more complete by giving a true answer to the following questions. These answers are to be given by you of your own personal knowledge, without the assistance of the applicant. The record of the applicant, as verified here by you, will be accepted by the Board as a deliberate act made for the express purpose of acquainting the Board with facts, as you see them, relative to the applicant’s competency to practice the profession for which he/she has applied for licensure. All information secured from references is for use by the Board. Please give the information requested below and make any comments that may be of value to the Board in evaluating this application. **Please be sure to initial any engagements on the experience abstract with which you are familiar!** Sign and return this form to the above address at your earliest convenience.

1. A. How many years have you known the applicant? ___________________________________________________
   B. What is his/her usual occupation? ______________________________________________________________
   C. Has the applicant ever rendered you professional services as a land surveyor? ________________
      What Year? ________ Explain the nature of the employment ________________________________________
                                                ___________________________________________________________________________________________

2. A. Have you ever been associated with the applicant as ___ employer ___ partner ___ professional associate or
      client ___? If so, during what period of time? _____________________________________________________
                                                ___________________________________________________________________________________________

3. A. Would you recommend the applicant be approved to take the Principles & Practice of Surveying Examination?
   ___ Yes ___ No
   Comments _______________________________________________________________________________________
                                                ___________________________________________________________________________________________
                                                ___________________________________________________________________________________________

4. A. ___ I have reviewed the attached experience record and have **initialled** those engagements I can substantiate.
   B. ___ I am familiar with the applicant but cannot substantiate any of the engagements on the attached experience sheet.

Reference’s Information:

Signature _______________________________________________________________________________________

Licensed in the Profession of _______________________________________________________________________

Date ___________________________________________________________________________________________

Licensed and in good standing in the state(s) of ___________________________________________________________________________________________

Printed Name _____________________________________________________________________________________

Registration Number ____________________________________________________________________________

Address _______________________________________________________________________________________

Daytime Telephone Number __________________________________________________________________________

City, State, Zip Code _______________________________________________________________________________

Email address ___________________________________________________________________________________
Professional Record of

Abstract of applicant’s Practical and Professional Experience:

Name of Reference

☐ I am not able to verify any experience

Please Initial
North Dakota
Land Surveying Experience Worksheet for the
Principles and Practice of Surveying Exam

Name ________________________________

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>Time Spent in Each Activity By Respective Engagement (Measured in tenths of a year)</th>
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<tbody>
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<td>Engmt A</td>
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<td>As Built Surveys</td>
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<tr>
<td>Boundary Surveys</td>
<td></td>
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<tr>
<td>Cadastral Surveys (PLSS)</td>
<td></td>
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<tr>
<td>Construction Staking</td>
<td></td>
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<tr>
<td>H&amp;V Control Surveys</td>
<td></td>
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<tr>
<td>Legal Descriptions</td>
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<tr>
<td>Preliminary Engineering Surveys</td>
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<tr>
<td>R/W Surveys</td>
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<tr>
<td>Subdivision Surveys</td>
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<tr>
<td>Survey Calculations/Drafting</td>
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<tr>
<td>Survey Research</td>
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<tr>
<td>Topographic Surveys</td>
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<tr>
<td>Non Surveying Work</td>
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<td>Total</td>
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Signature ____________________________ Date ______________________________

This form must be signed and dated.
VERIFICATION OF REGISTRATION

To: North Dakota State Board of Registration for Professional Engineers and Land Surveyors  
PO Box 1357  
Bismarck, ND  58502-1357

Name of Applicant

From:

Address

City                     State                 Zip

Date of Birth ________________________________

I. The above person was registered as:

<table>
<thead>
<tr>
<th>Branches of Reg.</th>
<th>Cert. Number</th>
<th>Date Issued</th>
<th>Valid Until</th>
</tr>
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<tbody>
<tr>
<td>Engineer Intern</td>
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</tr>
<tr>
<td>Professional Engineer</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Land Surveyor Intern</td>
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<tr>
<td>Professional Land Surveyor</td>
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</table>

II. Basis of Registration:

1. Written Examination:  Hours  Grade   NCEES Exam

<table>
<thead>
<tr>
<th>Examination</th>
<th>Hours</th>
<th>Grade</th>
<th>NCEES Exam</th>
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</thead>
<tbody>
<tr>
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<td>PE Examination</td>
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<td>Public Domain</td>
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EIT accepted from: ________________________________

2. Reciprocity with: ________________________________

3. Educational Experience: If less than 8 years experience including graduation from CPD engineering curriculum, details are on other side if checked here: ________________________________

III. Questions:

1. Has disciplinary action ever been taken against the applicant? □ Yes  □ No

2. If so, has this disciplinary case been satisfied to the Board’s requirements? □ Yes  □ No

3. Was the NCEES Cut Score used? □ Yes  □ No

If "No", please explain: ________________________________

BY: ________________________________

TITLE: ________________________________ (BOARD SEAL)

DATE: ________________________________
Section 5
Land Surveying Experience Descriptions

As Built Surveys

“As Built Surveys” are created by doing field work to locate physical improvements (buildings, earthwork, etc.) on a parcel of land. This is frequently done for projects with recent construction. The information gathered can be used in an office environment to produce a drawing showing the actual physical location of the features of the parcel.

- Unlike many land surveys, as-built surveys are utilized during the middle or at the end of a construction project. As-built surveys show improvements to the land, as they appeared in a particular point of time.
- As-built surveys may be used for commercial or residential properties. Surveys are crucial tools in the construction industry from the planning stage to the actual construction and future maintenance. A construction project begins with a site plan or plot plan, laying out the plan for the project from beginning to end. This plan incorporates any conditions already existing on a given site.
- As-built surveys may be conducted several times throughout the duration of a construction project. Their frequency and the number of surveys undertaken depend on the scope of the construction project. The purpose of an as-built survey is to verify to local and state boards that the construction work authorized has been completed according to the same specifications set during the planning stage and shown in the site plan. The as-built survey is most often used to show the building inspector that a project under construction is conforming to zoning regulations. As-built surveys may be required for nearly every type of land project, from roads and trails to utility improvements and building construction.

Boundary Surveys

“Boundary Surveys” are surveys made to establish or to re-establish a boundary line on the ground or to obtain data for constructing a map or plat showing a boundary line. If you are conducting a boundary survey, your work will include:

- **Client Consultation.** The first step would be initial contact with the client, where property description, location and any questions or concerns about what needs to be done will be addressed. With the amount of data readily available to surveyors on the internet a site visit is not always needed to come up with a plan of action to best achieve the client’s goals. Once a plan of action has been agreed upon the next step would typically be for the surveyor to start doing research.
- **Research.** You will research records to gather all the information you will need to help with the rest of the survey process. These records may include deeds, maps, legal descriptions, easements, highway plans, benchmark information, government corners and control points. Record keeping is a very important part of the surveying profession, without the proper
knowledge going into the field the final boundary determination could vary significantly. Once the research has been completed the next step is to perform the field work.

- **Field Work.** When performing the field work, you will find all available evidence such as monuments, fences, and roadways that affect the area being surveyed. Measurements are made to create a direct relationship between all the pieces of the puzzle. Often times all structures and various other improvements on the parcel are also located including driveways, water bodies, wells or anything that looks like it may encroach onto the parcel or an adjacent parcel. Once everything in the field has been located the process of computing the boundary can begin.

- **Computations.** Boundary computations can be done in a variety of ways. A smaller more simple boundary can often be solved right in the field with the help of the surveyor’s data collector and reliable field notes. More complex boundary solutions are often solved in the office on the computer using drafting software that can show the whole picture in a much clearer detail. Once the surveyor arrives at the final boundary solution the lot is ready to be monumented.

- **Monumenting.** Monumenting the parcel boundary can be accomplished in many different ways. Sometimes there will be acceptable monuments already in place that will be held as the corner of referenced to the actual corner if within tolerance. Other times no monuments exist and the surveyor will place all new monuments at all the corners of the parcel boundary. A map will be provided to the client showing all monuments set and or found and their relationship to the boundary.

- **Survey Completion.** Once the survey has been completed a map will be provided to the client and to the appropriate recording agency with the county. This map will be a visual representation of the parcel as well as any other pertinent information that needs to be shown. The map will show the basic solution of the surveyor’s computations for all land surveyors to reference in the future. All questions and concerns the landowner had prior to the survey should have been addressed by this time and the client should have peace of mind knowing exactly where their property lines are.

**Cadastral Surveys (PLSS)**

“Cadastral Surveys” relate to the laws of land ownership and the definition of property boundaries. It involves interpreting and advising on boundary locations, on the status of land ownership and on the rights, restrictions and interests in property, as well as the recording of such information for use on plans, maps, etc. It also involves the physical monumenting of property boundaries and determination of dimensions, areas and certain rights associated with properties, whether they are on land, water or defined by natural or artificial features.

“Public Land Survey System (PLSS). In order to understand cadastral surveying, you must understand the PLSS. In each state, except for the original thirteen states and a few in the southwest that were originally surveyed based on Spanish land grant boundaries, early surveyors established a principal meridian running north-south, and a base line running east-west. These initial survey lines served as a
basis for subsequent survey lines spaced at 24 mile intervals along the eastern, western, and southern boundaries. Further subdivision of these ‘squares’ led to the creation of 16 smaller squares measuring six miles on a side (see diagram). When measuring in a north-south direction, each of these squares is called a township.

When measuring in an east-west direction, each of these squares is called a range. So, a 36 square mile area located between six and twelve miles east of the principal meridian and twelve to eighteen miles north of the base line would be called township three north, range two east (written as T3N., R2E). Each township is further subdivided into 36 smaller squares covering roughly 1 square mile. These areas are called sections and are numbered within a township from the upper right to the lower right in an alternating manner (1 to 6 are numbered from right to left, 7 to 12 from left to right, etc.). These one mile squares are the smallest formal subdivisions in the PLSS system.

But to describe a location the squares are quartered, and then the quarters are quartered again, as shown. The location of the star in the figure above would be described as the southeast quarter of the northeast quarter, section thirteen, township two south, range two west. The shorthand for this is: SE1/4, SE1/4, NE1/4, sec. 13, T2S., R2W.
Construction Staking

“Construction staking” is the activity required to set stakes for horizontal and vertical positions on a construction site. The stakes are used to guide the contractor in the construction of a particular project. **The Board allows only 10% of time spent in construction staking to count towards your experience requirement for registration.** Construction staking may include the following:

- Surveying existing conditions of the future work site, including topography, existing buildings and infrastructure, and underground infrastructure whenever possible (for example, measuring invert elevations and diameters of sewers at manholes);
- Staking out reference points and markers that will guide the construction of new structures
- Verifying the location of structures during construction.

H & V Control Surveys

“H & V Control Surveys” refer to Horizontal and Vertical Control Surveys. This type of survey requires a combination of office and field work to produce a very accurate survey that establishes horizontal and vertical measurements used in survey work. Well established H & V controls are a valuable reference for future surveys in the same area. Work on this type of survey will include:

- Placing stakes and reference points.
- Documenting the location of the stakes, both horizontally and vertically.

Legal Descriptions

A “Legal description” is the proper combination of words, recognized by law that definitely locates property. The description may reference government surveys, coordinate systems or recorded maps. Elements of the description include land, sun, air, sky and water.

Preliminary Engineering Surveys

Preliminary engineering surveys gather data for use by planners and engineers. The products resulting from engineering surveys are generally topographic maps and/or a digital terrain model (DTM). Both conventional (on the ground) and photogrammetric methods are used to gather data for engineering surveys. Engineering surveys have following types:

- **Reconnaissance Survey**
  The Survey which is done for the feasibility* and rough cost of the project is known as Reconnaissance Survey.

- **Preliminary Survey**
  The survey in which more precise information is required for the choice of best location for the project and to estimate the exact quantities and costs of project is known as Preliminary Survey.

- **Location Survey**
  The survey for setting out the work on the ground is known as location survey.
**Right-of-Way Survey**

A “Right of Way” is strip or area of land, granted by deed or easement that gives a designated use of the land to someone other than the owner. A right-of-way gives an “interest” in the land to someone else but does not necessarily grant ownership. Ownership is granted when the “interest” in the land is transferred by deed. Utility companies, such as a gas or telephone company, have an easement where their equipment is located on a parcel of land. The easement gives the company the right to enter the land to inspect or maintain their equipment.

A “Right of Way Survey” establishes the boundary of the right-of-way. A utility truck that is entering land to inspect or maintain their equipment must stay on the right-of-way. An accurate boundary for the right-of-way is essential.

In North Dakota, right-of-way surveys are regulated by the North Dakota Administrative Code. The regulations are located in NDAC §28-02.1-13 “Documents Used to Convey Real Property or Any Interest Therein”. Rights-of-way are only one type interest in land covered under this section. Easements, deeds and any other document that gives an interest in land are included in this section. A properly executed right-of-way survey, when completed, will be retraceable, have exterior monuments set whenever there is a change in width or change in direction of the right-of-way, and will have monuments set whenever the right-of-way intersects another right-of-way or a section line.

**Subdivision Survey**

Subdivision Survey (commonly referred to as subdivision platting) is the process of splitting a tract of land into smaller parcels. This shows monumentation and survey data on a map in conformance with local subdivision ordinances. Subdivision ordinances give standards for designating residential and commercial lots, roads, rights-of-way, parkland dedication, drainage and utility easements, and how city services will be extended to each lot. These standards are created to improve public health and safety.

Subdivisions are basically splits of property. Although they may be made for any purpose, usually they serve the purpose of selling the individual lots of land. A subdivision can be as simple as dividing a one acre lot in half or as complex as dividing 100 acres into many lots with roads and utilities.

A subdivision survey is done to delineate individual lots within the main tract. Each lot on the plat map is assigned an identifier, usually a number or letter. The plat map is then officially recorded with a government entity such as a city engineer or a registrar of deeds. This plan becomes the legal description of all the lots in the subdivision. A mere reference to the individual lot and the map's place of record is usually all that is required for a proper legal description.

Subdivision design and layout considerations must include creating good building sites, an effective street and utility layout, and assured drainage. Also, an accurate layout ensures that the improvements
can be easily and correctly constructed at later stages. Generally, a subdivision project involves a survey of the exterior boundaries of the tract to be divided, followed by a topographic survey, design of the subdivision, and the layout of the interior of the tract.

Survey Calculations and Drafting

All of the math classes you took in Algebra, Geometry and Trigonometry are going to be vital in performing accurate surveys. Survey mathematics generally consists of applications of formulas and equations that have been adapted to work toward the specific needs of the surveyor such as:

- Units of measurement and conversions
- Check and adjustment of raw field data
- Closure and adjustment of survey figures
- Calculations for missing elements of a figure
- Working with coordinates
- Intersections of straight lines and of circles

After collecting field information, making all of the necessary calculations and checking the accuracy of your work, the information must be put into a format that everyone can understand. The usual method of doing this is to make a graphic representation, or map, of the land you surveyed. Making the maps requires drafting. The days of the drafting table, ruler and compass are long gone. Drafting is usually done on a computer with very complex software programs such as CADD.

Survey Research

Research is a critical part of land surveying. Good research can save time and money as well as prevent redundant work and mistakes. When doing research, you will probably spend time at the city or county courthouse. Land ownership and tax records are located there. Corner recordation forms that document the location of PLSS corners are also located in the county courthouse.

Good research will include many different records. These records may include deeds, maps, legal descriptions, easements, highway plans, benchmark information, government corners and control points. In some counties, many of their records are available online. While researching, keep an eye out for any previous surveys that have been conducted in the area where you will be surveying. Always keep an accurate record of your research. Record keeping is a very important part of the surveying profession. Without the proper knowledge going into the field the final boundary determination could vary significantly.

Topographic Surveys

Much like any other type of survey, a topographic survey, or topo survey for short, is done to locate natural and man-made features on a particular parcel of land. The topo survey is different in that the elevation of the surface of the land is surveyed and represented on the resulting map of the survey.
Topo survey usually also includes any man-made underground features, like utility lines. The survey will also show above ground improvements like buildings, utility poles, retaining walls, etc.

The elevation or differences in elevation on the surface is usually shown as contours. A contour line is a line that connects points of equal elevation. These contours are a way to represent the relative elevations of the surface of the land.

![Topographic Survey Illustration]

Topographic surveys are usually carried out in order to have an accurate record of the existing conditions of a parcel of land that is about to undergo some type of construction activity.

Design Engineers use a topo survey as the beginning surface of their design and then plan what the proposed final surface will be like. Having this original surface allows the Engineer to calculate the amount of earthwork that might be needed to bring the site to the final grade. Many times a topo survey is very helpful on a severely limited site. The site might be limited by extreme terrain (steep slopes) by existing features or adjacent structures. A precise topo survey will insure the designed improvement will fit on the site within those limitations.

A topographic survey is done by land surveyors on the surface of the land, usually with an instrument called a total station. Some surveyors now may also use a survey grade GPS unit to do this type work. Either way, this is somewhat manual work. A surveyor walks the entire site taking shots (horizontal location and elevation) at a specific interval in order to meet the project accuracy requirements. The final product from a topographic survey is a map with all of the required features shown along with the contours representing elevations. An electronic map may also be supplied to an Engineer and/or Architect for their use in further design.
Non-Surveying Work

Non-surveying work is any work that does not fall into one of the above categories. Work such as scheduling and supervising personnel, vehicle maintenance, organizing equipment or job planning is considered non-surveying work. Some of your daily duties may include some of these tasks but these tasks should not constitute the majority of your workday.
Engineering Experience Descriptions

Research

Research is most easily defined as “systematic investigation to establish facts or principles or to collect information on a subject”. How does that apply to engineering? In essence, research in engineering is research to improve the practice of engineering – it gives engineers better ways to do their job.

Engineering research seeks to advance the practice of engineering by means such as:

- Discovery of new materials, theoretical models and processes which can enhance the performance, quality, efficiency, cost effectiveness and life of engineering systems
- Increasing the quality of models by which predictions are made, thereby improving process understanding
- Investigating and defining the properties of new or existing materials, systems and resources so that their use can be more appropriate and reliable to the end-user
- Developing improved design methodologies so that the resultant outcome is more efficient or reliable, or poses less risk to its end-users
- Improving control and risk management frameworks around particular families of engineering problems

Major contributors to engineering research around the world include governments, private business, and academia. The results of engineering research can emerge in journal articles, at academic conferences, and in the form of new products on the market.

Military-related research into science and technology has led to "dual-use" applications, with the adaptation of weaponry, communications and other defense systems to civilian use. For example programmable digital computers and the Internet which connects them, the GPS satellite network, fiber-optic cable, radar and lasers were originally military-related research.

Specifications

A specification is very detailed set of requirements that must be met by a material, product or service. In engineering, manufacturing, and business, it is vital for suppliers, purchasers, and users of materials, products, or services to understand and agree upon all requirements. A specification is a type of a standard that is often referenced by a contract or procurement document. It provides the necessary details about the specific requirements.

A specification might include:

- Descriptive title and scope of the specification
- Date of last effective revision and revision designation
• Person, office, or agency responsible for questions on the specification, updates, and deviations.
• The significance or importance of the specification and its intended use.
• Terminology and definitions to clarify the meanings of the specification
• Test methods for measuring all specified characteristics
• Material requirements: physical, mechanical, electrical, chemical, etc. Targets and tolerances.
• Performance requirements. Targets and tolerances.
• Drawings, photographs, or technical illustrations
• Workmanship
• Certifications required.
• Safety considerations and requirements
• Environmental considerations and requirements
• Quality requirements, Sampling (statistics), inspections, acceptance criteria
• Person, office, or agency responsible for enforcement of the specification.
• Completion and delivery.
• Provisions for rejection, reinspection, rehearing, corrective measures

**Engineering Report Writing**

Language, to an engineer, is a tool as important as a calculator or sophisticated software. Engineers are writers. On the job, they prepare reports, submit proposals, create guides and manuals, and distribute information in letters and emails. Engineers may spend as much as 60% of their working hours writing.

Each document written by an engineer is produced to achieve a specific purpose. Each document is targeted to a specific audience who plays an essential role in a project in progress. Engineers who are skilled at using language as a precision tool enhance their potential for successful careers. The final report of any project is not just a formality. It is a primary product of the effort and is often the basis for the evaluation of the reporter's professional abilities. The report is also a service to those in need of the information.

Requirements for style, purpose and organization can differ greatly; the format required for one report may not be appropriate for another. They have, however, certain characteristics in common. Once submitted, it should stand on its own. It tends to be circulated, reviewed and filed. During this process it is subject to critical analysis by a variety of readers. Report writing is one of the primary professional responsibilities of the practicing engineer.
**Engineering Calculations**

Calculating is the process of working out the answer to a mathematical problem, or a step in this process. Engineers and scientists make many calculations and estimates and base decisions on these calculated or estimated values. Often these skills are overlooked as trivial, but are probably the most common source of errors even for experienced engineers. As an example, the rules determining the proper number of significant digits for a measured value are really not that difficult to follow. But if these rules are either not known or are forgotten then errors may be made. Even if these errors are small (i.e. one digit) the consequences may still be significant since most values are used for subsequent calculations. Another reason a single digit error may be important is that the one digit may mean additional costs to your company or a client.

**Engineering Design:**

Engineering Design can be defined as “The systematic and creative application of scientific and mathematical principles to practical ends such as the design, manufacture, and operation of efficient and economical structures, machines, processes, and systems.” In basic terms, engineering design means to identify a problem or goal, come up with some ideas, and use math to make it work.

- The process to develop a design is called the “Engineering Design Process”. The engineering design process is the set of steps that a designer takes to go from first, identifying a problem or need to, at the end, creating and developing a solution that solves the problem or meets the need.

- The steps of the engineering design process are to:
  - Define the Problem
  - Identify Criteria and Constraints
  - Brainstorm Possible Solutions
  - Generate Ideas
  - Explore Possibilities
  - Select an Approach
  - Build a Model or Prototype
  - Test and Redesign

- During the engineering design process, designers frequently jump back and forth between steps. Going back to earlier steps is common. This way of working is called *iteration*, and it is likely that your process will do the same!
Engineering Drafting:

The process of producing engineering drawings, and the skill of producing them, is often referred to as engineering drafting or drawing. Engineering drafting is more than just the drawing of pictures. Engineering drafting communicates all needed information from the engineer who designed a part to the workers who will make it.

Engineering drafts may use technical standards that define practical symbols, perspectives, units of measurement, notation systems, visual styles, or layout conventions. These enable a drafter to communicate more concisely by using common symbols. The use of common symbols creates a visual language that helps to ensure the drawing is unambiguous and relatively easy to understand.

Engineering Studies

An engineering study is most commonly used to determine if a project will be successful. This type of study is call an engineering feasibility study.

An engineering feasibility study is an in-depth analysis of a potential engineering project that looks at the complete picture of the costs required to complete the project as well as the potential benefits of completion. When the engineering feasibility study indicates that the benefits are significant enough, the project moves forward to the final engineering and construction phases.

There are many components to a complete engineering and feasibility study, but generally all of them include eight essential elements: schematics, yield studies, comprehensive plan amendments, rezoning, special use permits, special exceptions, renderings, and environmental constraint analysis.

- **Schematics.** These detailed descriptions include everything about a project. For example, building schematics might include floor plans, furniture, budgets for equipment, energy efficiency plans, and even narrative descriptions of each space.
- **Yield studies.** These address the potential yield of a given resource.
- **Comprehensive plan amendments.** Amendments of this nature are necessary for projects that do not fit within the current plan for a city.
- **Rezoning.** This can be costly but is necessary when a project is planned for a location where the zoning is not appropriate for its use.
- **Special use permits.** These permits can be an alternative to rezoning and allow a property to be used for something other than the use for which it is zoned.
- **Special exceptions.** Similar to permits, these exceptions allow a project to be exempt from the rules that would normally apply.
- **Renderings.** Drawings of the project include facades, land use, landscaping, etc.
- **Environmental constraint analysis.** Addresses any environmental restrictions on the land or area affected by the project in question.
Engineering/Material Testing:

During the implementation of any engineering design, certain materials will be used to complete the project. These materials might include concrete, steel, specified soils, or plastics. There are millions of materials that may be specified in an engineering design. During the design phase, certain materials and their required qualities were included in the specifications.

When a material is purchased and brought into a project, it has to be tested to make sure it meets the requirements listed in the engineering design specifications. For example, concrete for foundations needs to be mixed to withstand certain amounts of ground movement, steel beams must be able to support a certain weight, or the soils of a construction site must be compacted to a certain density. All of these items need to be tested to make sure they conform to the design specifications.

Many materials have national design standards and they come from the manufacturer with a certification that the materials meet a certain standard. Other materials are tested in a laboratory.

Engineering Evaluation/Analysis/Modeling:

“Evaluation” is to judge or determine the significance, worth, or quality of something.

“Analysis” is the process of breaking down something into its parts to learn what they do and how they relate to one another.

“Modeling” is the act of creating a standard or example for imitation or comparison.

Taken together, these terms are the foundation upon which good engineering design rests. Any project must be evaluated (judged) to make sure it is relevant, cost effective and worthwhile. Once an evaluation is made, the project is broken down into its component parts to make sure there is a clear understanding of how everything works and fits together. Finally, a model or a representation is made, to show the construction or appearance of a completed project.

Construction Observation/Monitoring/Review:

After all of the detailed work and mathematic calculations you included in your engineering design, it is important that the project is actually completed as specified. This requires that an engineer physically go to the construction site and observe what is being done. During construction observation, you will make certain that all materials have been tested to make sure they comply with the specifications and ensure the project is being constructed in accordance with the design parameters.
Teaching of Advanced Engineering Subjects

Teaching at a university counts toward part of your engineering experience. The credit is only given if you are teaching 300 and 400 level courses. You will still need two years of non-teaching experience to qualify for the Principles and Practice of Engineering examination.

QA/QC/Peer Review

“Quality Assurance” refers to the engineering activities implemented in a system so that requirements for a product or service will be fulfilled. It is the systematic measurement, comparison with a standard, monitoring of processes and an associated feedback loop that prevents errors. “Quality Control” is focused on actual production of a product.

Two principles included in QA/QC are: "Fit for purpose", the product should be suitable for the intended purpose; and "Right first time", mistakes should be eliminated. QA/QC includes management of the quality of raw materials, assemblies, products and components, services related to production, and management, production and inspection processes.

“Peer Review” is the evaluation by an engineer of the work by one or more other engineers (peers). Peer review is done to maintain standards of quality and improve performance.

Business Management

As you progress in your career, you may become more involved with the management of your company. Business Management includes the activities associated with running a company, such as controlling, leading, monitoring, organizing, and planning. As a general rule, business management does not count towards fulfilling your experience requirements for registration.

Project Management

Project management is the discipline of planning, organizing, motivating, and controlling resources to achieve specific goals. The primary challenge of project management is to achieve all of the project goals and objectives while honoring constraints. The primary constraints are scope, time, quality and budget.