

Louisiana laws and rules examination prior to licensure of the firm.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:688.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 5:112 (May 1979), amended LR 5:365 (November 1979), LR 7:646 (December 1981), LR 11:362 (April 1985), LR 19:57 (January 1993), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1032 (July 2001), LR 30:1717 (August 2004), LR 37:2414 (August 2011), LR 38:2565 (October 2012), LR 39:2283 (August 2013), LR 41:2690 (December 2015).

§1703. Fees

A. Application fees, license fees, certification fees, renewal fees and all other fees shall be established by the board by a majority vote at a regular meeting. The fees so established shall be in accordance with the limits specified in the licensure law.

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Chapter 19. Disciplines of Engineering

§1901. Disciplines

A. The licensure law provides that professional engineers will be issued licenses by the board as a Professional Engineer and that the board shall list a professional engineer in one or more of the disciplines of engineering approved by the National Council of Examiners for Engineering and Surveying (NCEES).

B. Each individual licensed under R.S. 37:693(B)(5) and LAC 46:LXI.903.A.3-6 shall be listed by the board as a professional engineer in the discipline of naval architecture/marine engineering.

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Chapter 21. Certificates of Licensure and Certification of Individuals or Firms

§2101. Expiration and Renewals

A. Licenses and certificates of individuals or firms shall expire on the date specified on the renewal certificate and/or as shown on the board's records and shall become invalid after that date unless renewed within 120 days. After that period, the former licensee or certificate holder may apply to the board to reactivate his/her former license or certificate.

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§2103. Licensure Status

Active Status—the licensure status which exists for a licensee of the board who has complied with all the licensure and licensure renewal requirements of the board.

Expired Status—the licensure status which exists for a licensee of the board who has failed to properly renew licensure as required in R.S. 37:697. A licensee in an *expired status* can no longer practice or offer to practice professional engineering or professional land surveying in Louisiana.

Inactive Status—the licensure status which exists for an individual licensee of the board who has chosen not to practice or offer to practice professional engineering and/or professional land surveying in Louisiana and who has indicated that fact on the board biennial licensure renewal form. This licensee can represent himself/herself to the public as a *P.E. Inactive*, or a *P.L.S. Inactive*, but cannot otherwise practice or offer to practice professional engineering and/or professional land surveying in Louisiana.

Retired Status—the licensure status which exists for an individual licensee of the board who has chosen not to practice or offer to practice professional engineering and/or professional land surveying in Louisiana and who has indicated that fact on the board biennial licensure renewal form. To qualify for the *retired status*, the licensee must be at least 70 years of age or have been a licensee of the board for at least 35 years. Unless the licensee is granted a waiver by the board, the renewal fee for the *retired status* shall be one-half of the current renewal fee for the *active status*. A licensee qualified for the *retired status* may be granted a waiver of this renewal fee if the licensee is at least 70 years of age, has been a licensee of the board for at least 35 years continuously, has never been subject to disciplinary action in any jurisdiction, has never committed any of the offenses described in R.S. 37:698(A)(3), (4) or (5), and is of good character and reputation. A licensee in a *retired status* can represent himself/herself to the public as a *P.E. Retired*, or a *P.L.S. Retired*, but cannot otherwise practice or offer to

practice professional engineering and/or professional land surveying in Louisiana.

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HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 24:2151 (November 1998), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1035 (July 2001), LR 30:1719 (August 2004), LR 36:1034 (May 2010).

Chapter 23. Firms

§2301. General

A. The following rules with regard to firms providing or offering to provide professional services shall apply equally to domestic or foreign firms, partnerships, associations, cooperatives, ventures, corporations, limited liability companies, limited liability partnerships, and any other entities, unless otherwise provided:

1. use of the term *professional services* in this Chapter will refer to either professional engineering services or professional land surveying services; and

2. use of the term *licensed professional* in this Chapter will refer to either a professional engineer or a professional land surveyor duly licensed in Louisiana.

B. A firm must be licensed with the board before it may provide or offer to provide professional services in the state of Louisiana.

1. A firm which has in its title the word *engineering* or *surveying* or any derivative thereof shall be construed to be offering to provide professional services and therefore must be licensed with the board before doing business in the state of Louisiana, unless it has in its title modifying or explanatory words which would, in their ordinary meaning, negate the inference of the professional practice of engineering or land surveying.

2. A firm may provide or offer to provide both professional engineering and professional land surveying services; provided, however, that the firm must be licensed separately as an engineering firm and as a land surveying firm, and the requirements of this Chapter will apply separately to providing or offering to provide professional engineering services and professional land surveying services.

3. A firm may provide or offer to provide both professional services and related licensed professional services, such as architecture and landscape architecture; provided, however, the firm must be licensed under and comply with the provisions of this Chapter.

C. Unless otherwise provided, sole proprietorships which bear the full name of the owner who is a licensed professional are exempt from the application of this Chapter. Such sole proprietorships are not required to be licensed as engineering or land surveying firms with the board. Sole proprietorships that do not bear the full name of the owner

who is a licensed professional must be licensed with the board as an engineering or land surveying firm and must comply with all the provisions of this Chapter.

D. Joint ventures that provide or offer to provide professional services will not be required to be licensed as separate entities. Nevertheless, any firm (including those sole proprietorships otherwise excluded under §2301.C) that provides or offers to provide professional services in conjunction with its participation in a joint venture can do so only if it complies with the provisions of these rules. In addition, any supervising professional who participates in a joint venture shall be responsible for assuring that all professional services performed by the joint venture are rendered in conformity with the provisions of these rules.

AUTHORITY NOTE: Promulgated in accordance with R.S. 37:689.

HISTORICAL NOTE: Promulgated by the Department of Transportation and Development, Board of Registration for Professional Engineers and Land Surveyors, LR 3:502 (December 1977), amended LR 5:116 (May 1979), LR 8:191 (April 1982), LR 16:774 (September 1990), amended by the Department of Transportation and Development, Professional Engineering and Land Surveying Board, LR 27:1035 (July 2001), LR 30:1719 (August 2004), LR 37:2414 (August 2011).

§2305. Supervising Professional

A.1. Each firm licensed with the board shall designate one or more supervising professionals. Each supervising professional shall be a licensed professional:

a. whose primary employment is with the firm on a full-time basis; or

b. whose secondary employment is with the firm, provided the supervising professional is an owner of the firm.

2. The supervising professionals of an engineering firm shall be professional engineers. The supervising professionals of a land surveying firm shall be professional land surveyors.

3. The responsibilities of a supervising professional include:

a. renewal of the firm's license and notification to the board of any change in the firm's supervising professionals;

b. institution and adherence of policies of the firm that are in accordance with the licensure law and the rules of the board; and

c. ensuring that all professional services provided by the firm are performed by or under the responsible charge of a licensed professional.

B. Nothing herein shall prohibit a supervising professional from also being in responsible charge of professional services provided by the firm.

C. A failure to comply with any of the provisions of this Chapter may subject both the licensed firm and the supervising professional to disciplinary action by the board.