**02 DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION**

**322 STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS**

**Chapter 2: LICENSURE**

**SUMMARY:** This chapter contains provisions relating to licensure requirements and exemptions for Professional Engineers and Engineer-Interns.

**SECTION 1: Licensure**

1. Any person desiring to practice professional engineering in the State of Maine must apply for licensure on forms furnished by the Board. The forms may be obtained from the Board’s website or by contacting the Board office.

2. The Act makes no specific designations as to the professional engineering discipline for which licensure is granted; however, Licensees are required to practice within their area of competence.

3. In administering the Act and formulating its procedures, the Board recognizes the following fundamental obligations:

A. To protect the public from such dangers affecting life, health, and property as may arise from the actions of incompetent or unethical persons practicing professional engineering; and

B. To regulate compliance with the Act and the Rules by licensed Professional Engineers and certified Engineer-Interns.

**SECTION 2: Classes of Licensure or Certification**

1. **Professional Engineer:** An applicant for licensure as a Professional Engineer must fulfill the requirements of one of the following statutory classes of licensure:

A. By endorsement or comity, without further examination. Applicants must provide documentation that they meet the requirements of 32 M.R.S.A. Section 1352‑A(1)(A) or (1)(B); or

B. By Graduation, Experience and Examination. Applicants must provide documentation that they meet the requirements of 32 M.R.S.A. Section 1352-A(1)(C), (1)(D) or (1)(E). Graduate-level education may be counted toward the required experience as follows:

(1) A master’s degree in engineering from an approved curriculum may be counted as 1 year of experience; or

(2) A doctorate degree or combination of a doctorate degree and master’s degree in engineering from an approved curriculum may be counted as 2 years of experience.

2. **Professional Engineer Temporary:** Applicants for a Temporary Professional Engineer License must apply pursuant to 32 M.R.S.A. Section 1255(1) and (2). **The applicant may not perform any professional engineering in the State of Maine until he or she is in actual possession of the Temporary Professional Engineer License.**

3. **Professional Engineer Retired:** Licensees who meet the requirements of 32 M.R.S.A. Section 1361 may apply for Retired Status by paying the appropriate fee.

4. **Engineer-Intern:** An applicant for certification as an Engineer-Intern must fulfill the requirements of 32 M.R.S.A. Section 1352-A (2)(B), (2)(C) or (2)(D).

**SECTION 3: Application and Licensure**

1. The Executive Director or staff reviews all applications for conformity with the Act and the Rules. Only complete applications will be considered by the Board for licensure.

2. An application not accompanied by proper fees will be returned to the applicant. An application not conforming to the Act or the Rules will be returned to the applicant with instructions for correction.

3. An applicant meeting all other qualifications but lacking the full number of reference letters may be allowed to sit for the examination pending receipt of the appropriate references. In no case will final licensure be granted by the Board until all licensure requirements are satisfied.

4. The Board will issue a professional engineering license to each successful applicant. Each license is numbered and contains the authorized signatures of the Chair of the Board and the Executive Director.

5. A duplicate license will be issued upon payment of the appropriate fee, unless the fee is waived for cause by the Board.

**SECTION 4: Examinations**

1. Examinations are required of all applicants who do not qualify for licensure by endorsement or comity.
2. The requisite examinations are national examinations prepared, administered and scored by NCEES.
3. Examinations are held at locations and on dates established by NCEES.
4. As soon as practicable, the Board notifies the candidate of the results and may permit the release of scores to candidates electronically.
5. A candidate failing an examination may be reexamined in accordance with 32 M.R.S.A. Section 1354.

**SECTION 5: References**

Each applicant for licensure as a Professional Engineer must submit the names and addresses of at least 5 persons, 3 of whom are licensed Professional Engineers, who can verify all or part of the information submitted.

**SECTION 6: Rejection**

Anyindividual whose application is rejected will be notified in writing. The written notice will advise the applicant of the reasons for rejection and the right to appeal pursuant to 5 M.R.S.A. Section 10003. The applicant may also submit additional evidence for consideration by the Board.

**SECTION 7: Licensure Obligations**

1. Licensees doing business with the public as a Professional Engineer must post the license in a location that is accessible to the public.

2. Licensees shall notify the Board of any change of address within 10 business days.

3. Licensees shall notify the Board of any criminal conviction within 30 days of final adjudication.

4. Licensees shall notify the Board of any discipline in any other jurisdiction within 30 days of final action.

**SECTION 8: Expiration, Renewal and Reinstatement of Licenses**

1. All professional engineering licenses expire on December 31 of each odd-numbered year.

2. The Executive Director of the Board notifies each Licensee of the expiration date of the license and the fee required for its renewal. The notice is provided at least 30 days in advance of the date of expiration.

3. A Licensee may reinstate an inactive license within 3 years by meeting the requirements of the Act and by obtaining all delinquent PDHs and paying the appropriate fee. If the total number of PDHs required to become current exceeds 30 PDHs, then 30 PDHs shall be the maximum required.

**SECTION 9: Application of the Professional Engineer Seal**

1. Each Licensee is authorized to obtain a seal of the size and design prescribed by the Board. The seal may be an embossed seal, a rubber stamp or an electronically generated image.

2. Each Licensee is responsible for the proper use of the Licensee’s seal.

3. The Licensee’s signature and the date must accompany the seal. Effective signature may be an electronic signature as defined by 10 M.R.S.A. Section 9402.

4. Sealed documents may be transmitted electronically.

5. A seal shall be applied, signed and dated, including hardcopy or electronic versions, in the following cases:

A. On all professional engineering plans, specifications, reports, or calculations prepared by or under the direction of the responsible licensed Professional Engineer;

B. On all professional engineering plans, specifications, reports or calculations formally filed or offered for filing with any public body or agency; and

C. On all professional engineering plans, specifications, reports or calculations formally submitted to contractors for bids or estimates, or when released for construction.

6. A seal need not be applied in the following cases:

A. On any professional engineering plans, specifications, reports or calculations which are prepared and clearly identified as “PRELIMINARY,” “PROGRESS,” or the like;

B. On individual specification sections which are part of an integrated document assembled and sealed by another licensed engineer or licensed architect;

C. On electronic files (such as CAD files) submitted as a deliverable to a client, IF the Licensee affixes a statement specifying the original date of issue and sealing, such as the following: “This document was originally issued and sealed by (Licensee Name, PE License #), on (Date of original sealing)”; or

D. On administrative correspondence.

7. Any licensed Professional Engineer may apply a seal on any plans, specifications, reports or calculations, provided such documents are prepared or reviewed personally by or under the supervision of that licensed Professional Engineer. By affixing his or her seal to any professional engineering document the licensed Professional Engineer takes full legal responsibility for it, regardless of whether the Professional Engineer receives any compensation.

8. Licensees may accept assignments for coordination of an entire project, provided that each design segment is signed and sealed by the licensed professional responsible for preparation of that design segment.

9. Where plans, specifications, reports or calculations are bound together, the application of the seal on the first sheet or page is considered sufficient if the intent is to cover the entire document, otherwise the first sheet must also include a statement of the number of sheets covered by each Licensee’s seal.

10. Any revision to a document containing the seal and signature of a Licensee shall be described and dated. If revisions are not done by original Licensee, the revisions must also be signed and sealed by the Licensee in responsible charge of those revisions.

11. Licensees holding a Temporary License shall stamp all plans, specifications, reports or calculations with the seal of their home jurisdiction and write beneath that seal the Maine Temporary License number, along with their signature and the date.

STATUTORY AUTHORITY: 32 M.R.S.A. Section 1306(2)

EFFECTIVE DATE:

 June 30, 1978 – filing 78-11 under the title “Registration of Professional Engineers”

AMENDED:

 November 22, 1983 – Sec. 7(D)

 February 10, 1988

 April 30, 1990

 October 1, 1990

 October 9, 1991

 March 11, 1996

EFFECTIVE DATE (ELECTRONIC CONVERSION):

 October 2, 1996

AMENDED:

 October 9, 2000

NON-SUBSTANTIVE CORRECTIONS:

 November 7, 2000

AMENDED:

 March 12, 2003 - filing 2003-66

NON-SUBSTANTIVE CORRECTION:

 March 24, 2003 - Section 11(3)

AMENDED:

 May 25, 2004 - filing 2004-162

 July 8, 2006 – filing 2006-300

REPEALED AND REPLACED:

 September 9, 2014 – filing 2014-215 under the title “Licensure”

REPOSTED:

 September 23, 2014 as a separate chapter

MINOR CORRECTIONS:

 April 14, 2015 – Section headings