

Chapter 625 of NAC

LCB File No. T047-09

**ADOPTED TEMPORARY REGULATION OF THE STATE BOARD
OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS**

(Filed with the Secretary of State on July 16, 2009)

[] - Delete
***Italics* - Add**

NAC 625.610 Stamps, seals and signatures on documents. (NRS 625.140, 625.565, 625.383)

1. A stamp authorized by the board ~~[must]~~ *may* be obtained at the office of the board at the expense of the licensee.
2. A person who is licensed in more than one discipline of engineering shall use a separate stamp for each discipline, except that a person who is licensed in the discipline of civil and structural engineering may use a single stamp for both disciplines.
3. The impression made by a stamp or seal:
 - (a) Must be opaque and permanent;
 - (b) Must state the name of the licensee;
 - (c) Must contain the license number of the licensee;
 - (d) Must state the particular discipline in which the licensee is licensed; and
 - (e) May state the expiration date of the license of the licensee.
4. Each licensee shall validate a stamp or seal by signing his name *legibly* in opaque ink across the face of the impression made by the stamp or seal, entering the date of stamping, ~~[and]~~ *or* sealing and *the date of expiration*, unless such information is included in a stamp or seal pursuant to subsection 3 ~~[entering the date of the expiration of his license immediately below the impression of the stamp or seal. The signature must not obliterate the name of the licensee or his discipline or the number of his license.]~~ *The name of the licensee, discipline or license number must be legible.* The licensee may not use a stamp ~~[or computer]~~ to produce his signature.
5. When a licensee signs, stamps or seals a document containing the work of others, the licensee represents that he has prepared or has been in responsible charge of the production of the entire document unless he includes a written statement adjacent to his signature, stamp or seal identifying the portion of the document that he prepared or for which he had responsible charge of the work.
6. For the purposes of NRS 625.565, a professional engineer has “responsible charge of the work” and may sign, stamp or seal plans, specifications, plats or reports which were not prepared by him:
 - (a) If he personally supervised the work on the plans, specifications, plats or reports to the degree that he is satisfied that the work is completed in a proper and professional manner.
 - (b) Where the plans, specifications, plats or reports are not prepared under his personal supervision, if he or persons under his personal supervision review the plans, specifications, plats

or reports and make tests, calculations or changes in the work as necessary for the professional engineer to determine that the work has been completed in a proper and professional manner.

7. A licensee who signs, stamps or seals a document which was not prepared by him but for which he had responsible charge of the work is subject to disciplinary proceedings pursuant to chapter 625 of NRS for any errors in that document as if he prepared it himself. This subsection does not exempt any other licensee who prepared the document from disciplinary action for his errors in that document.

8. Pursuant to NRS 625.565, all surveying maps and records, and all engineering plans, specifications, reports or other documents that are submitted to obtain permits, are released for construction or are issued as formal or final documents to clients, public authorities or third parties must bear:

- (a) The signature of the licensee;
- (b) The stamp or seal of the licensee;
- (c) The date of signing; and
- (d) The expiration date of the license of the licensee.

9. An interim document *that is required to be stamped by the reviewing agency* must be clearly marked in substantially the following manner to show the intended purpose of the document:

- (a) "For review only";
- (b) "Not for construction"; or
- (c) "Preliminary."

10. A licensee is not required to stamp the following documents:

- (a) An engineering as-built plan or record plan;
- (b) A report which includes observations concerning the progress of the construction of a project;
- (c) An estimate of the costs of a project; or
- (d) A shop drawing that is not required by the specifications of a project.

11. The license expiration date must be entered upon submittal to a public entity. If the license expiration date expires after submittal, it does not require restamping unless changes are made to the submittal.

12. A Nevada professional engineer or land surveyor may revise or change original plans prepared by another Nevada licensee under the following conditions:

- (a) Every reasonable effort must be taken to notify and obtain concurrence from the original design professional with respect to changes to the original plans.*
- (b) The work must be within the scope of their practice.*
- (c) The engineer or land surveyor initiating changes to the plans assumes full responsibility for those changes and their effects upon the remainder of the project.*
- (d) Changes to the plans must comply with applicable state and local laws.*
- (e) If the original engineer or land surveyor does not give permission or the plans are not prepared by the same firm, then new plans must be prepared.*

13. Engineering and Survey Documents may, at the sole option of the professional engineer or land surveyor with responsible charge of the work, have an electronically prepared seal and signature applied to plans submitted electronically to a reviewing agency or client under the following conditions:

- a) Files are electronically locked to prevent changes to any document that has had an electronic seal and signature applied.*

b) Secure encryption methods are in place to prevent copying, transferring, or removing the seal and signature and to prevent changes to the electronic drawings once submitted.

c) The electronic signature may only be applied by the licensee in responsible charge of the work.

d) Any licensee who does not believe adequate protections are in place to prevent fraud or misuse of the electronic signature is not required to use electronic signature.

NOTICE OF ADOPTION OF TEMPORARY REGULATION
LCB File No. T047-09

The State Board of Professional Engineers and Land Surveyors adopted temporary regulations assigned LCB File No. T047-09 which pertain to chapter 625 of the Nevada Administrative Code.

INFORMATIONAL STATEMENT

The Nevada State Board of Professional Engineers and Land Surveyors (the “State Board”) presents this informational statement to the Legislative Counsel Bureau in accordance with NRS 233B.066 and presents the required information with respect to the State Board’s adoption of temporary amendments to Regulation NAC 625.610 pursuant to NRS 625.140. This Informational Statement is submitted together with additional Informational Statements of the State Board concerning the adoption of temporary amendments to other existing Regulations.

1. A description of how public comment was solicited, a summary of the public response, and an explanation how other interested persons may obtain a copy of the summary.

Copies of the Temporary Regulation, Notices of Workshops and Notice of Intent to Act Upon the Regulation were sent via U.S. Mail and e-mail to persons who are known to have an interest in the temporary amendments to Regulations of the State Board as well as to those persons who had specifically requested such notice. Those documents were also made available at the website of the State Board at <http://www.boe.state.nv.us> and at the office of the State Board located at 1755 E. Plumb Lane, Suite 135, Reno, NV 89502. Copies of the temporary Regulations were e-mailed to the main public libraries in all Nevada counties and were posted at the following locations:

Nevada State Board of Professional
Engineers and Land Surveyors
1755 East Plumb Lane
Suite 135
Reno, Nevada 89502

City of Sparks, Engineering Division
431 Prater Way
Sparks, Nevada 89431

Nevada State Board of Professional
Engineers and Land Surveyors
7251 West Lake Mead Blvd.
Suite 520
Las Vegas, Nevada 89128

Clark County Building Department
500 S. Grand Central Parkway
Las Vegas, Nevada 89155-3530

City of Las Vegas, Building and Safety
400 E. Stewart Street
Las Vegas, Nevada 89101

City of Reno, Engineering Division
450 Sinclair, 3rd Floor
Reno, Nevada 89501

Elko County Recorder
571 Idaho Street
Elko, Nevada 89801

Public comment was solicited by holding two (2) workshops on the temporary amendments to the Regulations. The first workshop was held on April 14, 2009 at the State Board's office at 1755 E. Plumb Lane, Suite 135, in Reno, Nevada. The second workshop was held on April 16, 2009 at the State Board's office at 7251 W. Lake Mead Blvd., Suite 520, Las Vegas, Nevada. The comments received at the workshops were discussed at the May 14, 2009 public meeting of the State Board held at the State Board's office at 7251 W. Lake Mead Blvd., Suite 520, Las Vegas, Nevada. Thereafter, on or about May 21, 2009, the Executive Director of the State Board issued Notices of Intent to Act upon Regulations. On June 24, 2009, a public hearing was held at the State Board's office at 1755 E. Plumb Lane, Suite 135, in Reno, Nevada, at which time the State Board adopted the temporary Regulations.

Substantial public comment was received on the proposed temporary amendment to Regulation NAC 625.610. A summary of the discussion of the temporary amendment at the May 14, 2009 State Board meeting and at the June 24, 2009 hearing at which the temporary amendment was adopted may be obtained by calling the State Board at (772) 688-1231 or by writing to the State Board at 1755 E. Plumb Lane, Suite 135, Reno, Nevada 89502, or by e-mailing the State Board at <http://www.boe.state.nv.us>.

2. The number of persons who:

- (a) attended each workshop:** April 14, 2009 - 13; April 16, 2009 - 19;
- (b) testified at each workshop:** April 14, 2009 - 9; April 16, 2009 - 10;
- (c) submitted written comments to the State Board concerning the temporary amendment to the Regulation, NAC 625.610 - 9**
- (d) attended the State Board's May 14, 2009 meeting in Las Vegas, Nevada - 0;**
- (e) attended the State Board's June 24, 2009 hearing in Reno, Nevada - 16;**
- (f) submitted to the State Board written comments at either the State Board's May 14, 2009 meeting or the June 24, 2009 hearing concerning the temporary amendments to the Regulation referenced in this Informational Statement - 0**

3. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.

Comments were solicited from affected businesses and members of the engineering and land surveying professions as outlined in number 1 above. The State Board received several comments from the engineering and land surveying professions. A copy of the State Board's minutes concerning the temporary amendment to the Regulation and the subsequent adoption of the amended Regulation can be obtained by calling the Nevada State Board of Professional Engineers and Land Surveyors at (775) 688-1231 or by writing to the State Board at 1755 E. Plumb Lane, Suite 135, Reno, Nevada 89502.

4. If the temporary amendments to the Regulation were adopted without changing any part of the temporary amendments, a summary of the reasons for adopting the temporary amendments to the Regulation without change.

The temporary amendments to the Regulation were drafted by the State Board which subsequently held two (2) workshops and a public hearing concerning the temporary amendments. Additionally, the temporary amendments were discussed at the State Board's May 14, 2009 meeting at the State Board's office at 7251 W. Lake Mead Blvd., Suite 520, Las Vegas, Nevada. The State Board adopted the temporary amendments at the public meeting held on June 24, 2009 and included several of the changes suggested at both Workshops and the June 24, 2009 hearing.

5. The estimated economic effect of the adopted temporary amendments to the Regulation on the businesses that it is to regulate and on the public. These must be stated separately, and each case must include:

- (a) Both adverse and beneficial effects; and**
- (b) Both immediate and long term effects.**

(a) The temporary amendments are not expected to have either an adverse or a beneficial economic effect upon the regulated professions or on the public. The temporary amendments to NAC 625.610 clarify the type of buildings and structures which may only be designed by a Nevada licensed structural engineer. The amendments further clarify that except as specifically provided in NAC 625.610, all other structural and bridge designs may be designed by qualified civil engineers.

(b) There will be no economic effect either immediate or long term on the public or on the engineering or land surveying professions. See item 5(a) above.

6. The estimated cost to the Agency for enforcement of the temporary amended Regulation.

There is no additional cost to the agency for enforcement of the adopted temporary amendments to the existing Regulation referenced in this Informational Statement.

7. A description of any Regulations of other state or government agencies that the adopted temporary amendments to Regulation NAC 625.610 overlap or duplicate, and a statement explaining why the duplication or overlapping is necessary. If the adopted temporary amendments to Regulation duplicates a federal regulation, the name of the regulating federal agency.

There are no other state or government agency regulations that the temporary amendments to the Regulation duplicate.

