



NATIONAL
SOCIETY OF
PROFESSIONAL
ENGINEERS

What a PE Says with their Signature and Stamp: *A Resource for Professional Engineers*

PREPARED BY

NSPE Committee on Policy and Advocacy

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FOREWORD

Disclaimer: This National Society of Professional Engineers (NSPE) document is intended to convey a general awareness of the PE Signature and Stamp process and includes best practices and lessons learned for those considering developing or improving their own process. This is not intended to supersede applicable licensing laws and the following should be noted:

- ▶ Individual states will have specific rules to follow in their respective jurisdictions.
- ▶ Each state's licensing board should be considered the final authority on PE Sign/Stamp requirements for that state.
- ▶ The Standard of Care for engineering rarely changes.
 - ▶ Standard of Care is defined as "care and skill ordinarily used by members of the subject profession practicing under similar circumstances at the same time and in the same locality is expected."
 - ▶ For more information on Standard of Care, refer to:
 - ▶ <https://www.nspe.org/resources/pe-magazine/spring-2021/having-the-talk-explaining-the-standard-care-clients>
 - ▶ <https://www.ejcdc.org/standard-care-spearin-doctrine-kevin-obeirne>

INTRODUCTION



[®] Founded in 1934, the National Society of Professional Engineers (NSPE) supports over 500,000 professional engineers, and the public. Through education, licensure advocacy, leadership training, multidisciplinary networking, and outreach, NSPE enhances the image of professional engineers and their ability to ethically and professionally practice engineering.

VISION

A world where the public can be confident that engineering decisions affecting their lives are made by qualified and ethically accountable professionals.

MISSION

To foster licensed professional engineers in service to society.

One of NSPE's Values is that of Ethics and Accountability, namely that NSPE is the "recognized and authoritative expert in licensure, ethics, and professional practice."

This PE Signature and Stamp process guide aligns with the NSPE Vision and Mission as a safeguard demonstrating a work product, such as a design, was done by someone that is qualified and has an ethical commitment to public health, safety, and welfare.

INTRODUCTION (Continued)

This resource is shaped from expertise and input from NSPE members and leadership, and references other applicable professional organizations such as the National Council of Examiners for Engineering and Surveying (NCEES).

This resource as intended guidance from this expertise to those who may:

- ▶ Now be required to PE Sign/Stamp by respective state(s)
- ▶ Wish to voluntarily incorporate a PE Sign/Stamp process
- ▶ Wish for increased focus on public health, safety, and welfare
- ▶ Seek to establish a demonstrable process for professional and not general liability, which may impact insurance coverage decisions

For firms whose PEs are, for the first time, performing work that needs to be PE signed/stamped, it would be appropriate to consider carrying Errors and Omissions (E&O) professional liability insurance, since the licensed work product (a defined term) is generally not covered by general liability insurance.

If a PE performs work outside their scope of employment, the employer's E&O/ professional liability insurance does not provide coverage for the outside work.

For more information on opinions from insurance companies on this item, refer to:

- ▶ Victor Insurance Link: <https://www.victorinsuranceus.com/>
- ▶ Entry point for E&O insurance information: <https://www.victorinsuranceus.com/vsquared/>

LEARNING OBJECTIVES

Inform the reader of the purpose of Professional Engineer Signature and Stamping process (PE Sign/Stamp process) to:



- ▶ Protect public health, safety, and welfare
- ▶ Reflect Responsible Charge of a signing PE on contents of work product and expected involvement
- ▶ Emphasize importance in following work as stamped/signed by PE, or working with PE to modify accordingly
- ▶ Provide potential benefit to company/corporation regarding liability in future challenges on design and construction

- ▶ Collect and share to a larger audience a process that is traditionally institutional knowledge;
- ▶ Guide engineering-related technical personnel (such as those that support “exempt” industry) from “ground-floor” (no process) to a successful PE Sign/Stamp process; and
- ▶ Identify the value and importance of the PE Sign/Stamp process to other stakeholders such as technical personnel, licensed and non-licensed engineers, other non-engineering team members, and management and companies/corporations.

What is the PE Sign/Stamp Process?

PROFESSIONAL ENGINEER (PE) CLARIFICATIONS

Common theme in expectations for PEs are to:

1. Safeguard trust of public in PE to protect public health, safety, and welfare
2. Perform work in a professional and ethical manner
Reference: "[NSPE PE Definitions](#)" - March 2018

PE title generally:

1. Means PE is accountable in the eyes of authorizing agencies, such as state PE licensing board, for the work product presented with PE Sign/Stamp; and
2. Presents PE's authority for public health, safety, and welfare for the scope of work product, overriding even that of company/corporation.

Specifics of this title differ from state to state:

1. Each state is its own jurisdiction
2. Licensed in one state does not convey licensure in another

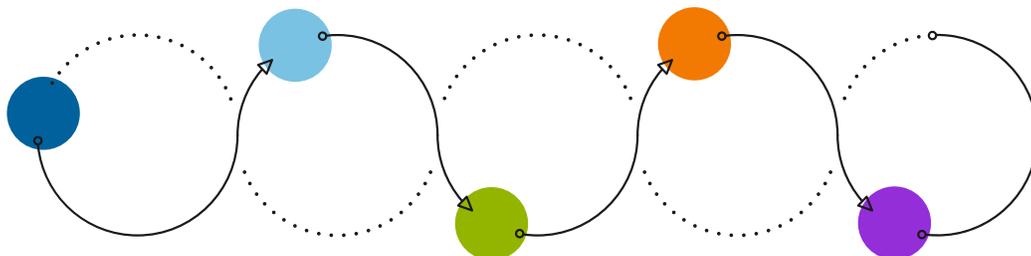
Licensing requirements may vary for Federal or international work

What is the PE Sign/Stamp Process? (Continued)

Responsible Charge

Understanding of Responsible Charge is shaped by several sources:

1. NCEES Model Law defines Responsible Charge as “direct control and personal supervision of engineering work.” Note: the NSPE Board of Ethical Review has reinforced this definition throughout their case evaluations.
2. NSPE Position Statement No. 10-1778 also notes the following regarding Responsible Charge
 - a. Actively engaged in the engineering process, from conception to completion.
 - b. Engineering decisions must be:
 - i. Personally made by the Professional Engineer or
 - ii. By others over which the Professional Engineer provides supervisory direction and control authority.
 - c. The definition of Responsible Charge is not satisfied by just reviewing drawings or documents after preparation without involvement in the design and development process.
3. State-specific definitions of Responsible Charge may vary; check your local state requirements.



What is the PE Sign/Stamp Process? (Continued)

Responsible Charge

Applicability in PE Sign/Stamp:

1. PE Sign/Stamp carries weight of a PE's approval
 - a. PE is signifying to public, local, and state authorities and other entities the work product can be considered safe as designed
 - i. In some states, the PE Sign/Stamp is an affirmation that the PE is acting ethically in their work product.
 - b. PE is putting their professional credentials on the work product.
 - c. PE Sign/Stamp should only be done for areas in which the licensed PE is competent.
2. PE Sign/Stamp states that a PE is responsible for the integrity of the work product, including:
 - a. Engineering aspects of the work product, including the knowledge available at the time of signing; and
 - b. Personal knowledge of technical abilities and acumen applied to work product under their Responsible Charge.



What is the PE Sign/Stamp Process? (Continued)

PE Sign/Stamp

Signature and Stamp of a Professional Engineer functions as both:

1. Legal representation
 - a. That the work product, be it engineering reports, drawings, plans, and specifications, were prepared under the Responsible Charge of the Professional Engineer
2. Certification
 - a. That the work product was prepared competently, meets professional standard of care, and acceptable standards of practice.
 - b. Reference: <https://www.nspe.org/resources/ethics/ethics-resources/board-ethical-review-cases/signing-and-sealing-manufacturer-s>

Specific requirements for PE Sign/Stamp components (placement of signature, etc.) will be established by the jurisdiction.

1. Some jurisdictions may allow an electronic PE Sign/Stamp process.
2. Where permitted, PEs should ensure sole control of electronic PE Sign/Stamp.
3. NSPE has a supplemental resource for specifics of electronic PE Sign/Stamp.
 - a. Reference: <https://www.nspe.org/resources/digital-signing-and-sealing-of-engineering-documents> (Sept 2018)

What is the PE Sign/Stamp Process? (Continued)

PE Sign/Stamp

Signature and Stamp of a Professional Engineer functions as both:

- ▶ Only work clearly identified in the work product covered by the PE Sign/Stamp is considered certified by the PE.
- ▶ PE assumes liability for only the specified work product.
 - ▶ No one but a PE should be in Responsible Charge of work product that affect the health, safety, and welfare of the public.
- ▶ If the initial work product scope currently covered by PE Sign/Stamp requires modification, the PE signing the initial work product must be consulted, and, if warranted, Sign/Stamp a revised set of work covering the modifications are to be created, signed, and stamped by the PE doing the modification.
 - ▶ For an example, see: <https://www.nspe.org/resources/ethics/ethics-resources/board-ethical-review-cases/signing-and-sealing-manufacturer-s>

Did You Know?

The [Alliance for Responsible Professional Licensing \(ARPL\)](#) promotes a responsible, balanced approach to professional licensing and aims to educate policymakers and the public on the importance of protecting rigorous licensing for professionals with high public impact.

Guidance - PE Sign/Stamp Process

Characteristics of all work products, such as designs:

1. PE is final authority for the protection of public health, safety, and welfare for work product scope
2. Each work product is unique
3. Each PE Sign/Stamp is specific
4. Even if conditions of scope appear similar, review for differences. Do not “copy and paste”

Key steps of a successful PE review and work product approval process before PE Sign/Stamp:

1. Supervise preparation of plans, plats (in some states), specifications, drawings, reports, or other documents and have input into their preparation prior to completion.
2. Review the work product, including final plans, plats, specifications, site-specific details, drawings, reports, or other documents.
3. Demonstrate authority and ability to make any necessary and appropriate changes to the final plans, plats, specifications, drawings, reports, or other documents.
4. Understand and support sources of data.
5. Document sources, assumptions, standards/guidelines followed.
6. Either perform the work, or understand and support work done by others.

Guidance - PE Sign/Stamp Process (Continued)

Critical elements of a typical work product to receive PE Sign/Stamp

Examples of critical elements include, but are not limited to:

1. Site-specific assessment
2. Final engineering specifications
3. Reports
4. Drawings
5. Details
6. Plans
7. Other applicable design information
8. Operations and Maintenance manuals
9. Calculations whenever presented to a client or public agency
10. Supporting materials that document work product was prepared by the Professional Engineer or under the Responsible Charge of the Professional Engineer

Expected involvement of PE in the development of items for PE Sign/Stamp

PEs are to be involved enough that they can demonstrate Responsible Charge, speak from a position of authority/expertise of the work product and how public health, safety, and welfare is protected by decisions made in the work product.

Guidance - PE Sign/Stamp Process (Continued)

- ▶ *PE should only Sign/Stamp for the discipline for which the PE meets standards of competency by means of education, examination, and experience based on individual state requirements or for which discipline is specifically licensed by the state, when applicable.*
 1. Refer to individual state requirements for specific certification/stamp requirements.

- ▶ Making PE Sign/Stamp “lockable” (free from tampering or change) after PE Sign/Stamps is highly recommended.

- ▶ If more than one page, PE should Sign/Stamp:
 1. Cover or title page of report; or
 2. First page of drawing set and other pages as required by client, individual state, or other reviewing agency.

- ▶ If more than one PE in Responsible Charge of differing parts of work product, then:
 1. All PEs Sign/Stamp title sheet; and
 2. All PEs specifically identify for what work product they are signing
 - a. This identification should be sufficient to demonstrate what part of the work product their PE Sign/Stamp covers (e.g., with notes or clouding around the specific section).
 3. PE Sign/Stamp on each sheet where that PE performed work.

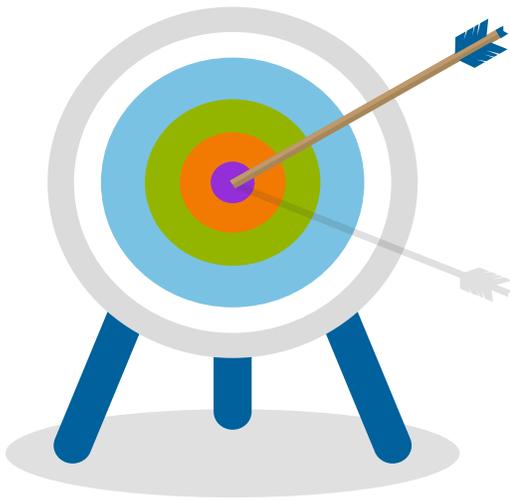
Guidance - PE Sign/Stamp Process (Continued)

- ▶ Common pitfalls to be avoided in the review and work product approval process and PE Sign/Stamp process:
 1. Not documenting sources of data, calculations, assumptions.
 2. Entrusting technical abilities of those contributing work without confirmation of abilities or acumen.
 3. Allowing digital PE signatures to be applied to documents outside of the direct control of the PE.
 4. Misunderstanding industry or utility exemptions and what work scope requires PE Sign/Stamp, as exemption differs from state to state.

- ▶ Managing changes of existing PE Sign/Stamped work product:
 1. Communicate to all involved in work product that field adjustments or design changes must be reviewed by PE in Responsible Charge and who initially applied the PE Sign/Stamp
 - a. Changes can be documented through either revised drawings or change order/request-for-information process
 - b. Conversation about field adjustments or design changes should include the PE in Responsible Charge and be documented to protect the client, the PE, and the constructing contractor

 2. When transitioning from an original PE in Responsible Charge to a new PE, the new PE in Responsible Charge must:
 - a. Review all work product calculations;
 - b. Develop complete file with work product or design criteria;
 - c. Be able to endorse the design and its components and demonstrate compliance with this effort; and
 - d. Follow a sound process for tracking PE Sign/Stamped Revisions and Versions.

Guidance - PE Sign/Stamp Process (Continued)



Other recommendations, best practices, lessons learned:

1. A document bearing a PE Sign/Stamp must not be used as an extended reference, used as an overlay for a different project, or duplicated for another project. A disclaimer is recommended regarding re-use.
2. Mark clearly any documents NOT PE Signed/Stamped with notes such as but not limited to:
 - a. "PRELIMINARY" - "NOT FOR CONSTRUCTION, RECORDING PURPOSES, OR IMPLEMENTATION" - "FOR ESTIMATING ONLY" - "FOR REVIEW" - "DRAFT"
 - b. Could be included in document footer.

Source: NCEES Model Rules, section 240.20 Seal on Documents

Guidance - PE Sign/Stamp Process (Continued)

Importance of PE Sign/Stamp process to other stakeholders

- ▶ The public should be confident that engineering decisions affecting their lives are made by qualified and ethically accountable professionals.

The PE Sign/Stamp is a symbol of that confidence.

- ▶ Professional engineers shoulder the responsibility not just for a project, but for public safety. PEs conceptualize, plan, design, and construct bridges, tunnels, buildings, pipelines, wastewater treatment facilities, plants, factories, processing centers, and many other public and private development projects.

The PE Sign/Stamp is a badge of that responsibility.

- ▶ To become licensed, a PE must meet specific education, examination, and experience requirements. Violation of state license requirements can result in disciplinary actions and even license revocation.

The PE Sign/Stamp is a statement of the PE accepting that accountability.

- ▶ A Professional Engineer's foremost responsibility is to protect the public health, safety, and welfare.

The PE Sign/Stamp is a statement of the PE accepting that accountability.

- ▶ Licensure ensures the public that those engaged in professional activities impacting their lives are competent to do so.

The PE Sign/Stamp is that assurance.

Guidance - PE Sign/Stamp Process (Continued)

Importance of PE Sign/Stamp process to other stakeholders

This resource seeks to specifically expand knowledge of stakeholder groups in the following manner:

- ▶ **Technical Personnel:**
General awareness of the expectations of PE Sign/Stamp process
- ▶ **Licensed and Non-Licensed Engineers:**
Understanding expectations and accountability involved in the PE Sign/Stamp process
- ▶ **Other Non-Engineering Team Members and Management (such as Regulators and Public Staff):**
Education on the role of the PE who is signing/stamping and the support it brings to safety, health, and welfare of the public
- ▶ **Companies/Corporations:**
Discuss Risk Management in relation to General Liability versus Professionality/E&O Liability

