

Rules of Professional Conduct

North Carolina Board of Examiners for Engineers and Surveyors

David J. Evans, Assistant Executive Director

www.ncbels.org

2026

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North Carolina Board of Examiners for Engineers and Surveyors

- Regulates the practice of engineering and surveying in North Carolina
 - Licensing
 - Education, Exams and Experience
 - Enforcement
 - G. S. 89C
 - Including non-licensed practice
 - 21 NCAC 56 (Board Rules)

Legal Authority

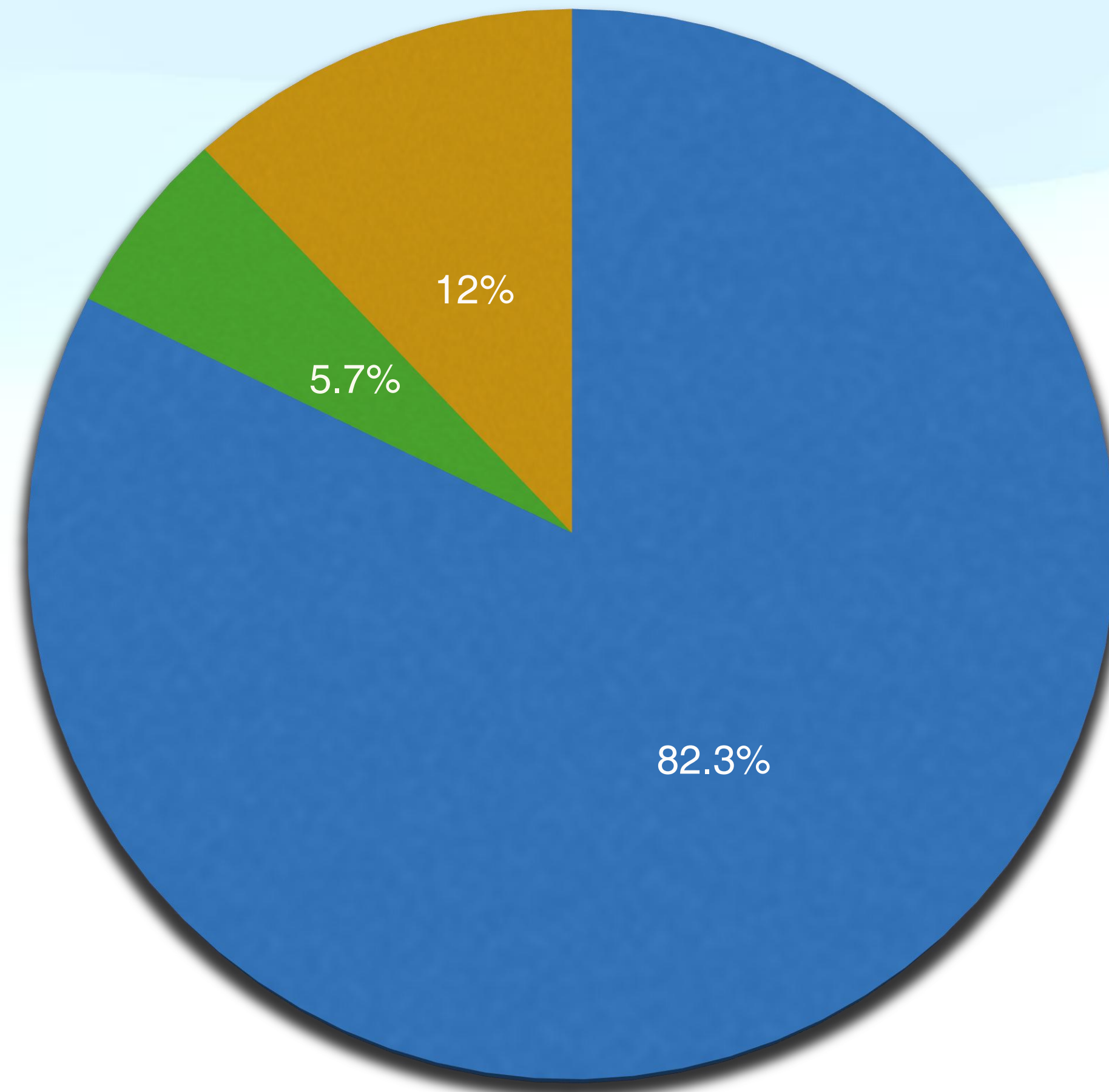
G. S. 89C-2

In order to safeguard life, health, and property, and to promote the public welfare, the practice of engineering and the practice of land surveying in this State are hereby declared to be subject to regulation in the public interest.

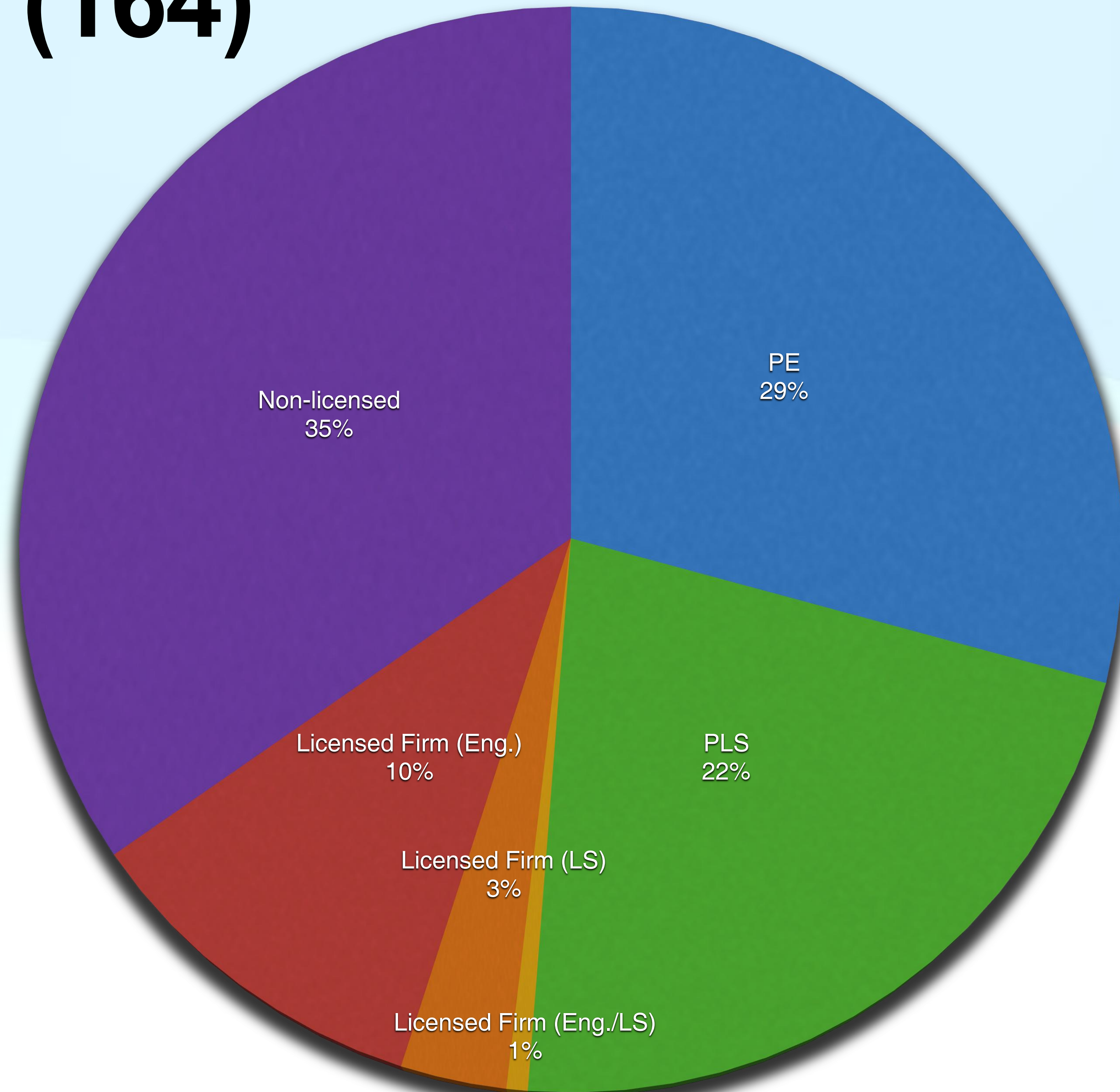
41,369 Licensees

As of 12/5/2025

■ PE ■ PLS ■ Firms

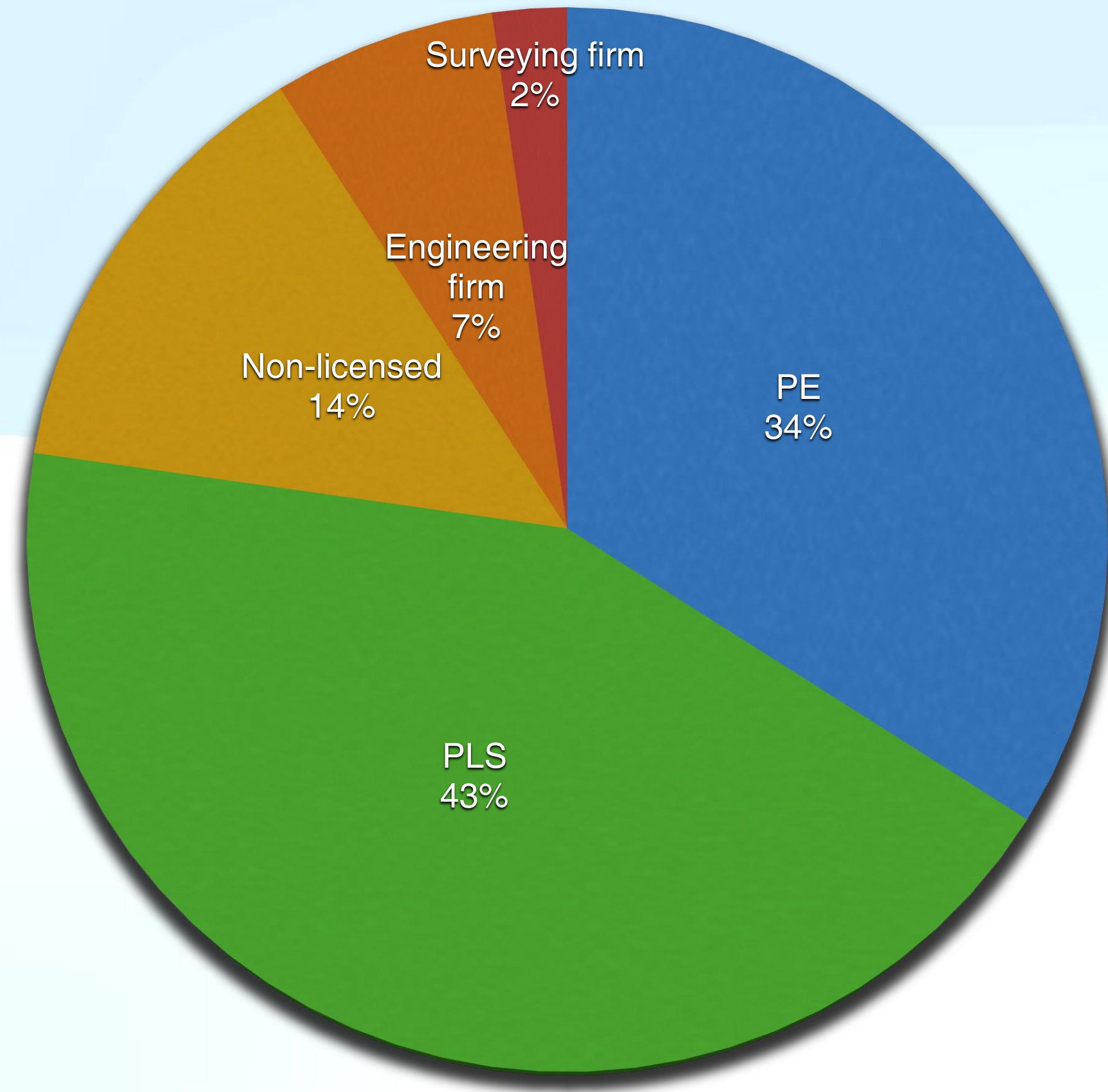


FY2025 Cases (164)

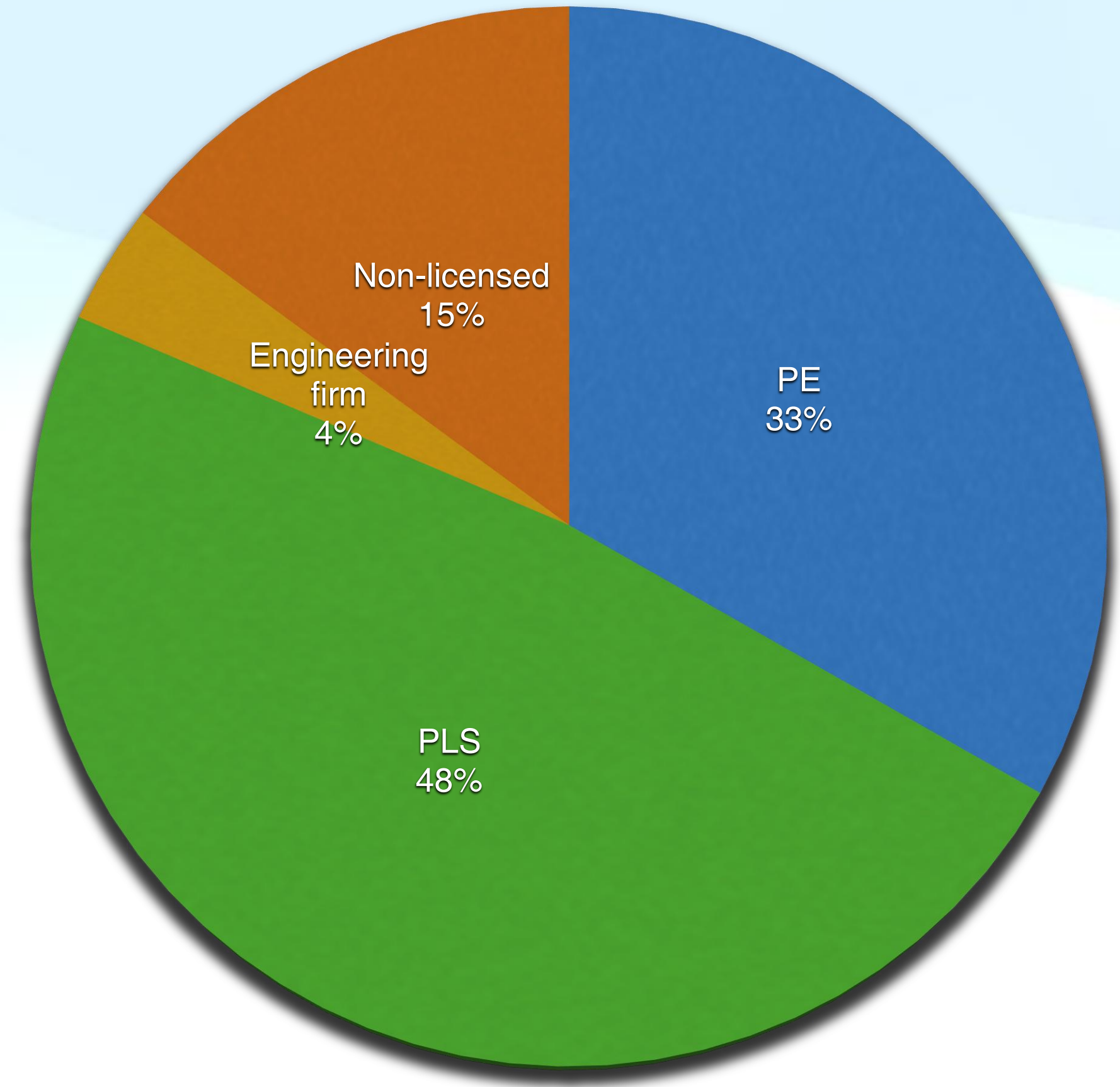


FY2025 Priors

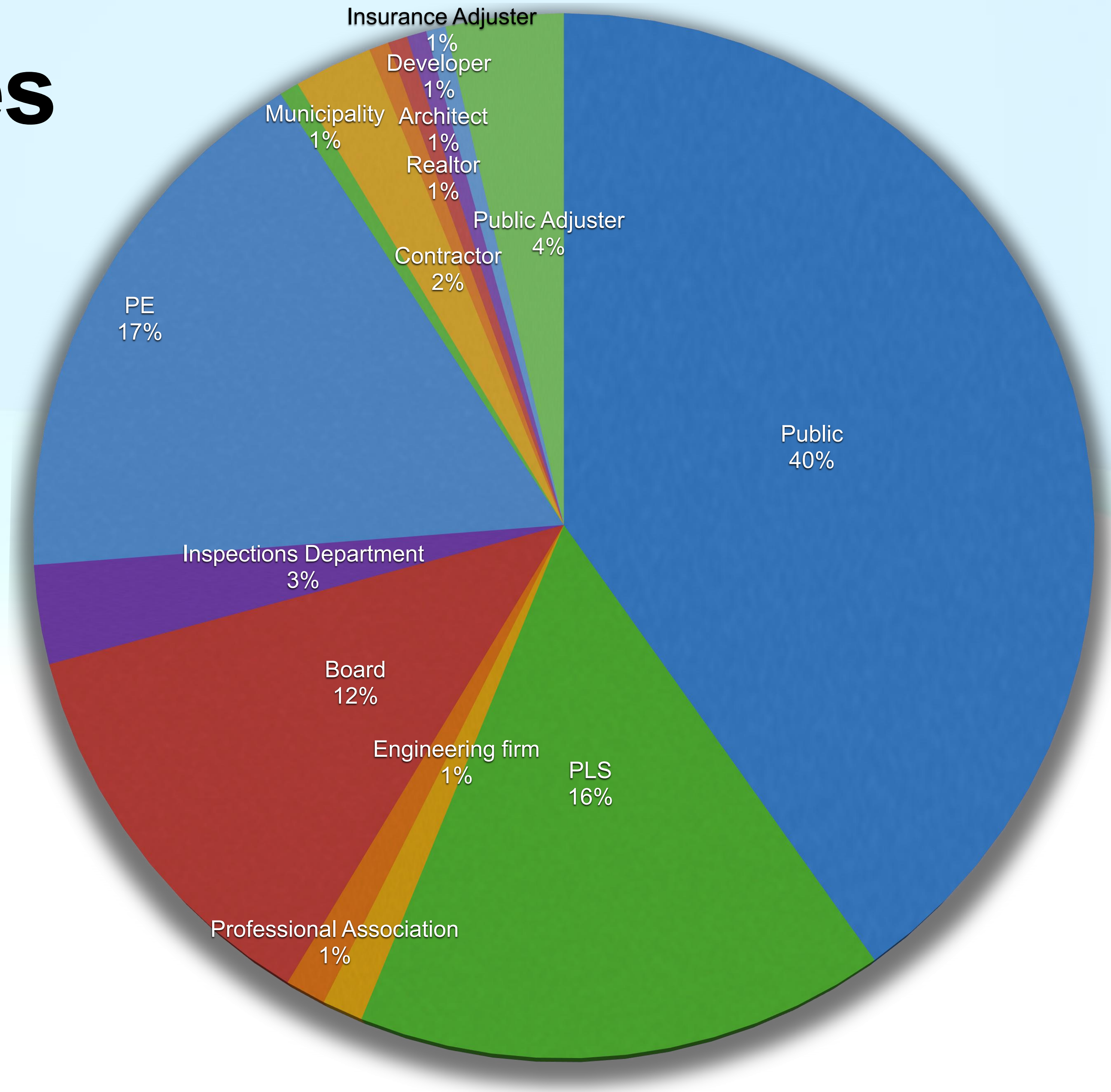
44 Respondents with 113 Prior Cases



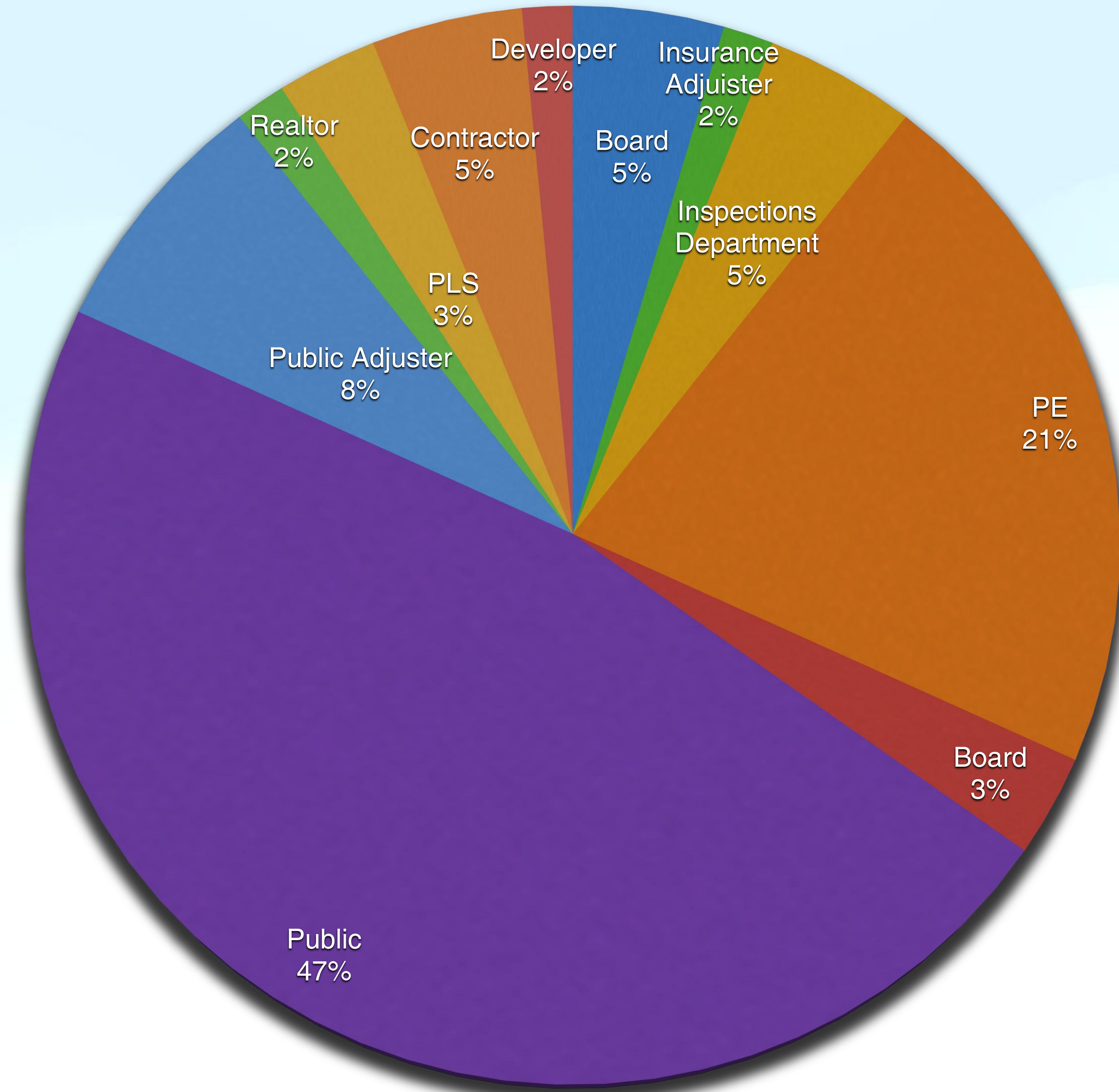
28 Respondents with 42 Prior Actions



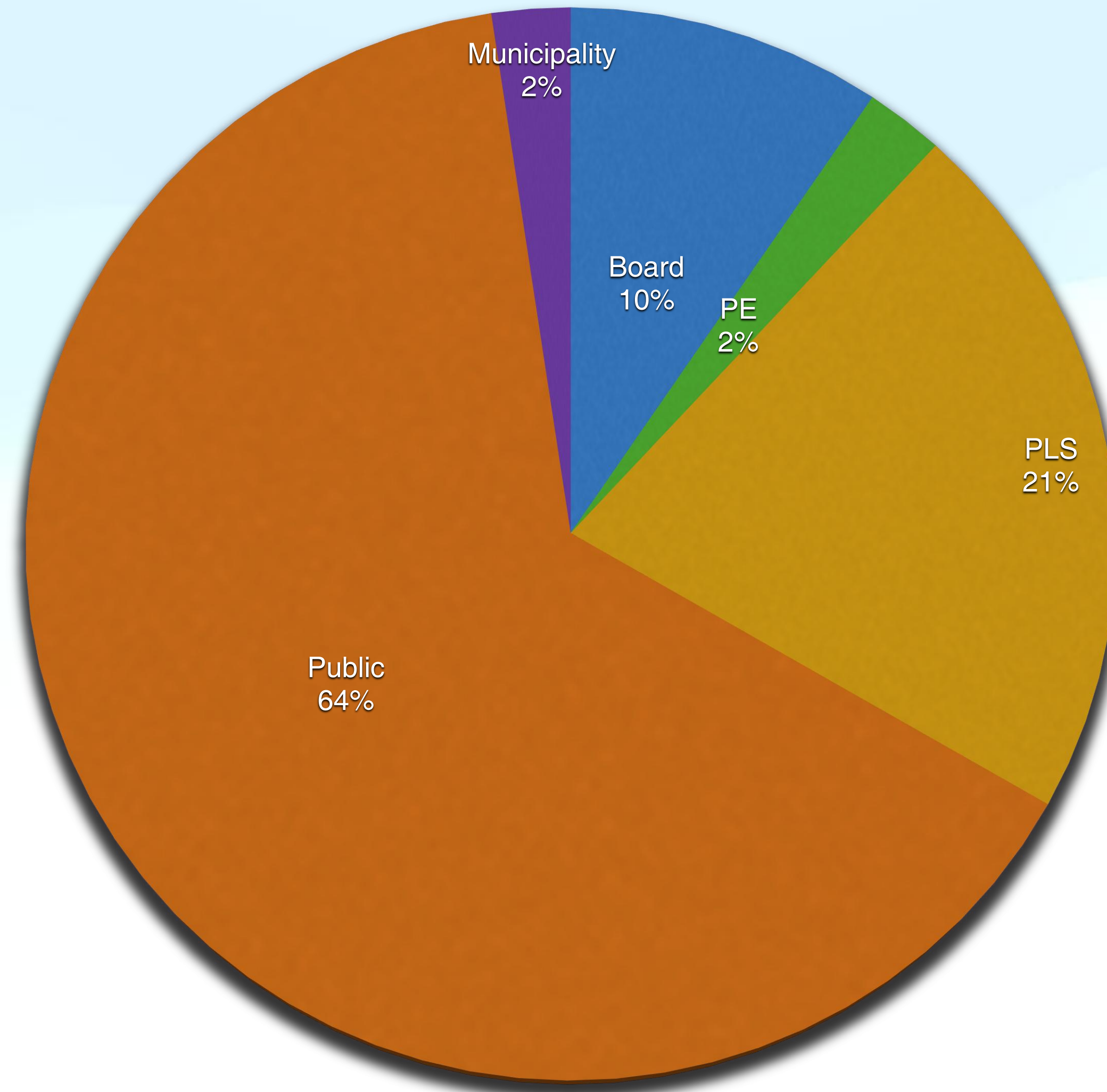
Source of Cases



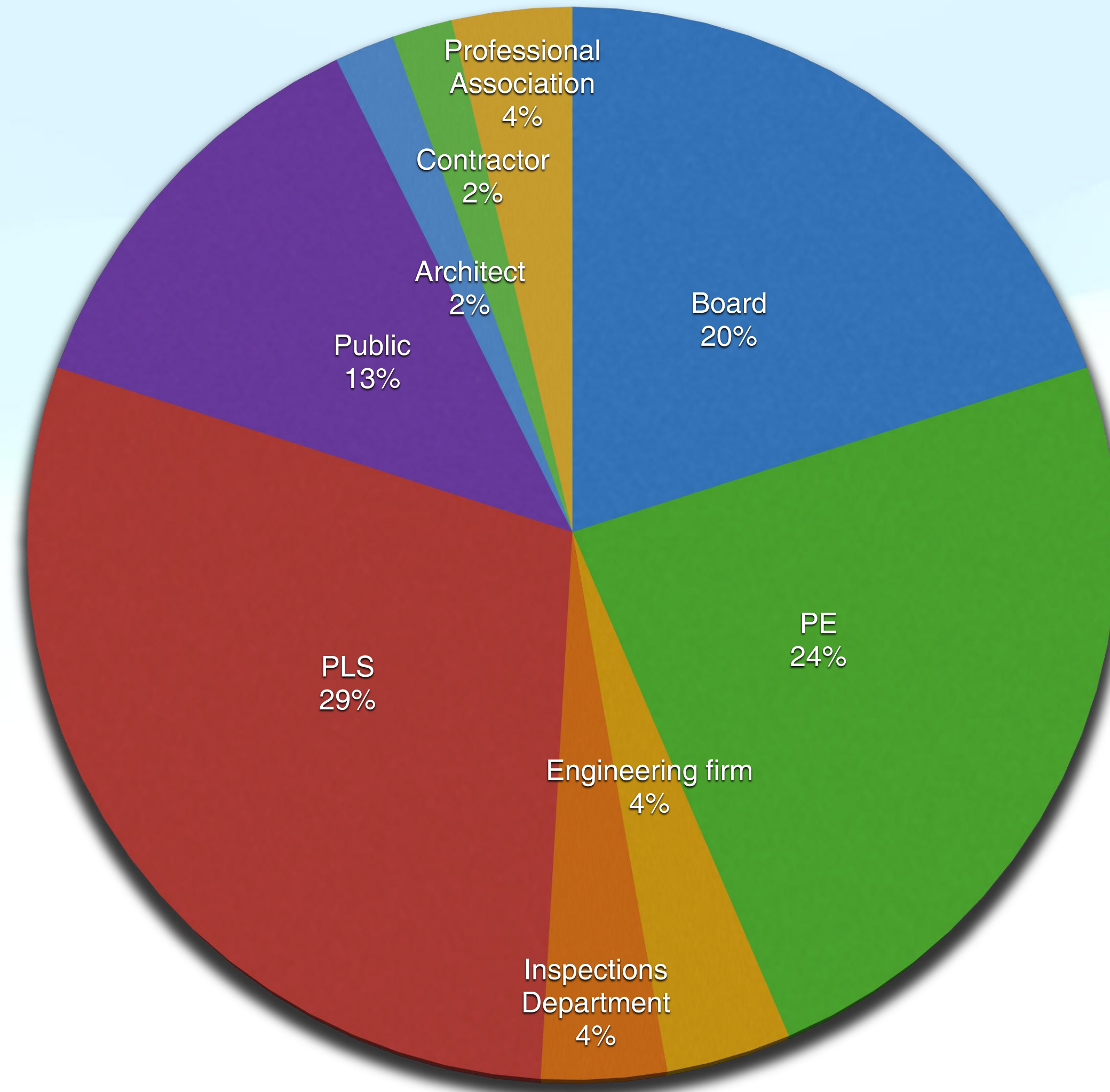
Source of Engineering Cases



Source of Surveying Cases



Source of Non-licensed Cases



Fraudulent use of the seal

- Upward trend nationally of fraudulent use of the seal
- Commonality is the use of freelancer websites like Upwork, Fiverr and Freelancer
 - Projects for hire posted by the public
 - Some freelancers post fraudulent profiles
 - Negotiate to perform projects
 - Work issued with fraudulent credentials (often using real license numbers)

Fraudulent use of the seal

- Fraud often discovered when questions arise about the work
- Victims file complaints with platforms, no clear action taken, other than removing the offending profile
 - Can simply create a new fraudulent one
- Many of the freelancers are overseas
- Board has requested assistance from the Attorney General's Office

Why Ethics and Rules Matter

- Protect public health, safety, and welfare
- Maintain public trust
- Avoid legal and disciplinary issues
- Professional reputation

What Guides the Licensee

- 21 NCAC 56.0701(a-j)
 - Rules of Professional Conduct
 - Board Rules provide the framework for ethical and professional practice

What Guides the Licensee

- Codes of conduct of professional and technical societies
- Canons of Ethics for Engineers
- Employer or corporate culture
- Societal norms
- One's own moral compass - choosing right over wrong

Public Protection

21 NCAC 56.0701(a)

- Hold paramount the safety, health, and welfare of the public
- Rules adopted to establish and maintain high standard of integrity, skills and practice in the professions
- Rules of Professional Conduct binding on all professionals, including business entities
- Licensees charged with having knowledge of Rules of Professional Conduct

Licensee's Obligations

21 NCAC 56.0701(b)

- Shall not violate Rules
- Conduct practice to protect the public health, safety and welfare
- Take action when professional judgment is overruled when public is endangered
 - Notify employer, client, contractor or other affected parties, and regulatory agencies of possible consequences

Competence

21 NCAC 56.0701(c)

- Practice only in areas of competence
 - Training, education and/or experience
 - Only undertake assignments when qualified
 - When accepting assignments/projects outside own area of competence, work must be done by qualified/competent licensee for other disciplines
- As a result of discipline the Board can:
 - Restrict a licensee's area of practice
 - Impose additional education
 - Require reexamination

Responsible Charge

21 NCAC 56.0701(d)

- Exercise responsible charge over all professional work
 - Have direct control and supervision over work certified
 - Possess full professional knowledge of and control over work
- Exercise authority to review, change, reject or approve work in progress and final work, through examination, evaluation, communication and direction throughout development of work

Responsible Charge

21 NCAC 56.0701(d)

- Be personally aware of scope of work, its needs, parameters, limitations and special requirements
- Be capable of answering questions relevant to surveying or engineering decisions made
- Accept full responsibility for the work

Responsible Charge

21 NCAC 56.0701(d)

- Maintain records, calculations, drawings, surveys, specifications and other documents associated with work
- The burden for demonstrating responsible charge lies with you!
- Two or more professionals can certify work
 - Provided each notes under the seal the specific subject matter for which each is responsible

Public Statements

21 NCAC 56.0701(e)

- Be objective and truthful in all reports, statements and testimony
 - Include all relevant and pertinent information
- When serving as an expert or technical witness
 - Only express opinions based upon adequate knowledge
 - Have technical competence in area

Public Statements

21 NCAC 56.0701(e)

- Be objective and truthful
 - No paid statements on engineering/surveying matters connected with public policy without disclosure
 - Indiscriminate criticism of another licensee is prohibited
 - If believed to be in violation, file a complaint
- Also, under Rules of Conduct of Advertising [21 NCAC 56.0702] *...shall not make exaggerated, misleading, deceptive or false statements or claims about professional qualifications, experience or performance....*

Conflicts of Interest

21 NCAC 56.0701(f)

- Avoid conflicts of interest
 - Disclosure required regarding any business association, interests or circumstances that could influence judgment or quality of services
 - Shall not accept compensation from more than one party for service on the same project without written agreement from both parties
 - Shall not solicit or accept financial or other considerations for specifying material or equipment suppliers
 - Shall not solicit or accept gratuities from contractors, or others, dealing with client or employer in connection with your work

Conflicts of Interest

21 NCAC 56.0701(f)

- Avoid conflicts of interest
 - In public service, shall not participate in consideration to services provided by you or your firm
 - Shall not solicit a contract from a governmental body on which a principal or officer serves as a member
 - Shall not supplant or attempt to supplant another licensee

Solicitation of Work

21 NCAC 56.0701(g)

- Solicit and accept work on the basis of qualifications
 - Shall not offer to pay, directly, or indirectly, any commission, contribution, gift or other consideration to secure work
 - Compete for work based upon qualifications and competence
 - Don't falsify or misrepresent qualifications and past accomplishments

Solicitation of Work

21 NCAC 56.0701(g)

- Solicit and accept work on the basis of qualifications
 - Shall, with regard to fee bidding on public projects, comply with the provisions...(of Federal and State Acts)...and shall not knowingly cooperate in any violation of any provision....

Ethical and Lawful

21 NCAC 56.0701(h)

- Perform services in ethical and lawful manner
 - Don't associate with individuals or firms that are engaged in fraudulent practice, are dishonest or are practicing without licenses
 - It's unlawful to aid or abet non-licensed practice [G. S. 89C-16]

Discipline

21 NCAC 56.0701(i)

- Report violations of G. S. 89C or Board Rules
 - Cooperate with investigations
- Timely respond to Board inquiries

Discipline

21 NCAC 56.0701(j)

- Comply with other jurisdiction's requirements
 - Report actions to the Board within 30 days [21 NCAC 56.0505(a)/.0606(a)]
 - Revocation
 - Suspension
 - Refusal to renew (disciplinary)
 - Restriction of practice

Complaints

- Investigations are confidential until citation issued to licensee or action taken against non-licensee [G. S. 89C-10(f)]
- Professional obligation to file complaint if aware of violation [21 NCAC 56.0701(i)]
- Every licensee shall cooperate in the course of any investigation [G. S. 89C-20]

Authority

- Authority to discipline [G. S. 89C-21]
- Disciplinary actions, charges and procedures
 - G. S. 89C-22
 - 21 NCAC 56.1301 - Licensees
 - 21 NCAC 56.1302 - Non-licensees

Resources

- Website (www.ncbels.org)
 - Rules and Laws
 - G. S. 89C
 - 21 NCAC 56 (Board Rules)
 - Policies and Guidelines
 - Newsletters & Articles
 - Current Board News
 - Continuing Education page

Use of Artificial Intelligence Guidelines

- AI may assist but does not replace professional judgment
- Licensee must remain in responsible charge at all times
- Oversight required for inputs, processes, and outputs
- Work must be reproducible without AI

Artificial Intelligence

Responsible Charge

- Licensee must:
 - Be directly involved in work in progress and final product
 - Retain authority to approve, reject, or change work
 - Possess full professional knowledge of scope, data, and decisions
 - Be able to answer questions about professional judgments made

Artificial Intelligence

Responsible Charge (Documentation)

- Maintain detailed records:
 - Calculations
 - Drawings
 - Data inputs and outputs
- Document control to prove oversight and compliance
- Accept full professional responsibility, regardless of AI use

Artificial Intelligence

Data Integrity and Control

- Only use verified, accurate, and complete data
- Licensee must maintain direct control over inputs
- Validate AI outputs against professional standards
- Ensure outputs can be understood, replicated, and reproduced

Artificial Intelligence

Professional Competence

- Use AI only within areas of your demonstrated competence
- AI cannot be used to expand a licensee's competence
- Professional judgment remains mandatory
- Stay current with AI technology, capabilities, and limitations

Artificial Intelligence

Ongoing Oversight

- Regularly review AI-assisted work
- Update processes to maintain quality and compliance
- Ensure no compromise of public health, safety, and welfare

Artificial Intelligence

- Licensee - not AI - remains fully responsible
- AI may enhance work, but never reduce accountability
- Oversight, verification, and documentation are essential
- Compliance with Board Rules is non-negotiable

Artificial Intelligence

Key Takeaway

“By adhering to these guidelines, licensees ensure that AI use strengthens - not undermines - the professional responsibility, integrity, and public trust required in engineering and surveying practice.”

Artificial Intelligence

- National Council of Examiners for Engineering and Surveying (NCEES) has also adopted a Position Statement on the use of AI
- AI has been used to create fraudulent documents
 - Seal security will be key to combat it
 - At some point, will engineers and surveyors need to only use electronic certification that is authenticated?

Avoiding Pitfalls

- Know what you do well and stick to that line of work
- Solidify scope of work with written agreement
- Deal with reputable clients
- Keep current with Board Rules and interpretations
- Review Board disciplinary cases

Avoiding Pitfalls

- Use peer reviews
- Be wary of getting involved with any project in litigation or likely to enter litigation
- Slow down
- If it doesn't "feel" right, then don't do it
- Contact the Board with questions

Questions

djevans@ncbels.org

wtripp@ncbels.org