54-1215.  License — Seals — Intern certificates. (1) The board shall issue a license upon payment of the fee as provided for in this chapter to any applicant who, in the opinion of the board, has satisfactorily met all of the requirements of this chapter for licensure as a professional engineer or professional land surveyor, and a certificate shall be issued to those who qualify as an engineer intern or a land surveyor intern. In the case of a professional engineer, the license shall authorize the practice of "professional engineering," and in the case of a professional land surveyor the license shall authorize the practice of "professional land surveying." Licenses shall show the full name of the licensee, shall give a license number, and shall be signed by the chairman and the secretary of the board under seal of the board.

(2)  The issuance of a license by the board shall be prima facie evidence that the person named therein is entitled to all the rights, privileges and responsibilities of a licensed professional engineer or of a licensed professional land surveyor, provided that said license has not expired or has not been retired or suspended or revoked.

(3)  ~~Each~~ Except for faculty restricted licensees, each licensee hereunder shall, upon licensure, obtain a seal, the use and design of which are described below. It shall be unlawful for any person to affix or to permit his seal and signature to be affixed to any documents after the license of the licensee named thereon has expired or has been retired or suspended or revoked, unless said license shall have been renewed, reinstated, or reissued, or for the purpose of aiding or abetting any other person to evade or attempt to evade any portion of this chapter.

(a)  The seal may be a rubber stamp, crimp or electronically generated image. Whenever the seal is applied, the licensee’s signature and date shall also be included. If the signature is handwritten, it shall be adjacent to or across the seal. No further words or wording is required. A facsimile signature generated by any method will not be acceptable unless accompanied by a digital signature.

(b)  The seal, signature and date shall be placed on all final specifications, land surveys, reports, plats, drawings, plans, design information and calculations, whenever presented to a client or any public or governmental agency. Any such document presented to a client or public or governmental agency that is not final and does not contain a seal, signature and date shall be clearly marked as "draft," "not for construction" or with similar words to distinguish the document from a final document. In the event the final work product is preliminary in nature or contains the word "preliminary," such as a "preliminary engineering report," the final work product shall be sealed, signed and dated as a final document if the document is intended to be relied upon to make policy decisions important to the life, health, property, or fiscal interest of the public.

(c)  The seal and signature of the licensee and date shall be placed on all original documents in such a manner that such seal, signature and date are reproduced when the original document is copied. The application of the licensee’s seal and signature and the date shall constitute certification that the work thereon was done by him or under his responsible charge. Each plan or drawing sheet shall be sealed and signed and dated by the licensee or licensees responsible for each sheet. In the case of a business entity, each plan or drawing sheet shall be sealed and signed and dated by the licensee or licensees involved. Copies of electronically produced documents, listed in paragraph (b) of this subsection, distributed for informational uses such as for bidding purposes or working copies, may be issued with the licensee’s seal and a notice that the original document is on file with the licensee’s signature and the date. The words "Original Signed By:" and "Date Original Signed:" shall be placed adjacent to or across the seal on the electronic original. The storage location of the original document shall also be provided. Only the title page of reports, specifications and like documents need bear the seal and signature of the licensee and the date.

(d)  The seal and signature shall be used by licensees only when the work being stamped was under the licensee’s responsible charge.

(e)  The design of the seal shall be as determined by the board.

(4)  The board shall issue to any applicant who, in the opinion of the board, has met the requirements of this chapter, a certificate as an engineer intern or land surveyor intern. The engineer intern or land surveyor intern certificate does not authorize the certificate holder to practice as a professional engineer or a professional land surveyor.

History:

[54-1215, added 1939, ch. 231, sec. 15, p. 516; am. 1957, ch. 234, sec. 10, p. 547; am. 1961, ch. 258, sec. 6, p. 422; am. 1978, ch. 170, sec. 11, p. 371; am. 1986, ch. 140, sec. 14, p. 375; am. 1996, ch. 357, sec. 12, p. 1185; am. 1997, ch. 49, sec. 1, p. 83; am. 2000, ch. 289, sec. 10, p. 991; am. 2001, ch. 247, sec. 5, p. 889; am. 2002, ch. 6, sec. 2, p. 6; am. 2007, ch. 219, sec. 3, p. 657; am. 2008, ch. 378, sec. 13, p. 1037.]

54-1216.  Expirations and renewals — Fees. ~~Following issuance or renewal of licenses for professional engineers and professional land surveyors, expiration shall be on~~ (1) Each licensee or intern shall apply for renewal by the last day of the month during which the licensee was born, in even-numbered state of Idaho fiscal years for those born in even-numbered calendar years and in odd-numbered state of Idaho fiscal years for those born in odd-numbered calendar years, and shall become invalid on that date unless renewed.

(2) Certificates of authorization for business entities shall expire annually on the last day of the month in which the certificates were initially issued and shall become invalid on that date unless renewed. ~~It shall be the duty of the board to notify every person licensed and every business entity certified under this chapter of the date of the expiration of said license or certificate of authorization and the amount of the fee that shall be required for its renewal. Such notice shall be mailed to the last known address of the licensee or business entity at least one (1) month in advance of the date of the expiration of said license or certificate of authorization.~~

(3) Renewal shall be effective ~~at any time in the appropriate year during the month in which the licensee was born or during the month in which the certificates were initially issued in the case of business entities, by~~ after the payment of a renewal fee to be fixed by the board at not more than one hundred fifty dollars ($150) and upon completion of any requirements for renewal required by this chapter or administrative rule.

(4) The failure on the part of any licensee or certificate holder to renew his or its license or certificate ~~biennially in the month in which they were born or annually in the month in which the certificates were initially issued in the case of business entities, as required above~~ before expiration shall not deprive such person or business entity of the right of renewal, but the fee to be paid for the renewal of a license or certificate after the month in which it is due shall be increased fifty percent (50%) for each month or fraction of a month that payment of renewal is delayed; provided however, that the maximum fee for delayed renewal shall not exceed five hundred dollars ($500).

(5) Any work performed after a license or certificate of authorization has expired, but before delayed renewal has been effected, shall become valid upon delayed renewal as if the license or certificate of authorization had not expired, but the licensee or certificate holder may be subject to disciplinary action by the board for practice on an expired license or such other action as provided pursuant to this chapter.

~~Following issuance or renewal of certificates for engineer interns and land surveyor interns, expiration shall be on the last day of the month during which the certificate holder was born, in even-numbered state of Idaho fiscal years for those born in even-numbered calendar years and in odd-numbered state of Idaho fiscal years for those born in odd-numbered calendar years. The notification to holders of~~

(6) The renewal of intern certificates shall be processed as prescribed ~~above~~ in subsection (1) and (4) of this section for licensees, except that the biennial renewal fee shall not be more than thirty dollars ($30.00). The failure on the part of any ~~holder of a certificate~~ intern to effect renewal shall not invalidate his status as an engineer intern or land surveyor intern, but his name shall be removed from the board’s mailing list.

History:

[54-1216, added 1939, ch. 231, sec. 16, p. 516; am. 1953, ch. 162, sec. 1, p. 257; am. 1961, ch. 258, sec. 7, p. 422; am. 1963, ch. 24, sec. 1, p. 166; am. 1970, ch. 95, sec. 3, p. 238; am. 1978, ch. 170, sec. 12, p. 381; am. 1979, ch. 111, sec. 1, p. 355; am. 1984, ch. 254, sec. 3, p. 607; am. 1986, ch. 140, sec. 15, p. 389; am. 1990, ch. 192, sec. 6, p. 430; am. 1996, ch. 357, sec. 13, p. 1197; am. 2000, ch. 289, sec. 11, p. 1001; am. 2001, ch. 247, sec. 6, p. 895; am. 2008, ch. 378, sec. 14, p. 1038; am. 2010, ch. 111, sec. 4, p. 226; am. 2015, ch. 114, sec. 4, p. 295.]

54-1220.  Disciplinary action — Procedures. (1) Any affected party may prefer charges of fraud, deceit, gross negligence, incompetence, misconduct or violation of any provision of this chapter, or violation of any of the rules promulgated by the board against any individual licensee or certificate holder or against any business entity holding a certificate of authorization or against a person applying for a license or against a business entity applying for a certificate of authorization. Repeated acts of negligence may be considered as a gross act for disciplinary action. Such charges shall be in writing, and shall be sworn to by the person or persons making them and shall be filed with the executive director of the board. The executive director of the board shall be considered an affected party and may be the person making and filing the charges.

(2)  All charges, unless dismissed by the board as unfounded or de minimis, or unless settled informally, shall be heard by the board within six (6) months after the date they were received at the board office unless such time is extended by the board for justifiable cause.

(3)   Administrative proceedings shall be governed by the provisions of [chapter 52, title 67](https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH52), Idaho Code.

(4)  If, after an administrative hearing, the board votes in favor of sustaining the charges, the board may, in its discretion, impose an administrative penalty, not to exceed five thousand dollars ($5,000) for deposit in the general fund of the state of Idaho. In addition, the board, in its discretion, may admonish, reprimand, suspend, revoke, refuse to renew, refuse to grant, or any combination thereof, the individual’s license or certificate or a business entity’s certificate of authorization. The board may also, in its discretion, require the individual to practice under the supervision of another licensee, or require the individual to successfully complete continuing education courses as may be prescribed by the board.

(5)  Notwithstanding the provisions of subsection (4) of this section, any person who has violated the recordkeeping or continuing professional development requirements imposed by the rules of the board may, in lieu of disciplinary proceedings under this chapter or [chapter 52, title 67](https://legislature.idaho.gov/statutesrules/idstat/Title67/T67CH52), Idaho Code, elect to pay the board a penalty in the amount of four hundred dollars ($400) for a first-time violation. Upon successful completion of the recordkeeping or continuing professional development requirements and payment of the penalty, the violation shall not be considered disciplinary action under the provisions of this section and shall not be reported to any national disciplinary database.

(6)  The board shall have jurisdiction over licensees and certificate holders whose licenses and certificates are not current, provided the action relates to services performed when the license was current and valid.

History:

[54-1220, added 1939, ch. 231, sec. 20, p. 516; am. 1957, ch. 234, sec. 12, p. 547; am. 1963, ch. 25, sec. 1, p. 167; am. 1978, ch. 170, sec. 16, p. 384; am. 1986, ch. 140, sec. 18, p. 391; am. 1991, ch. 21, sec. 1, p. 44; am. 1993, ch. 216, sec. 63, p. 646; am. 1996, ch. 357, sec. 16, p. 1199; am. 2000, ch. 289, sec. 12, p. 1002; am. 2001, ch. 247, sec. 7, p. 896; am. 2004, ch. 84, sec. 4, p. 318; am. 2007, ch. 219, sec. 4, p. 659; am. 2008, ch. 378, sec. 17, p. 1040; am. 2010, ch. 111, sec. 5, p. 227; am. 2013, ch. 339, sec. 2, p. 888; am. 2015, ch. 114, sec. 5, p. 296.]

54-1221.  Reissuance of wall licenses and ~~wall~~ certificates. ~~The board may, upon petition of an individual or a business entity and following a hearing, reissue or reinstate a license or certificate or certificate of authorization, provided three (3) or more members of the board vote in favor of such reissuance or reinstatement.~~ A new wall license or certificate to replace any ~~wall certificate~~ that was previously revoked, lost, destroyed or mutilated may be issued upon payment of ~~such reasonable charge therefor as shall be fixed by the board to cover the estimated cost of such reissuance, but not exceeding~~ ten dollars ($10.00) ~~in any case~~.

History:

[54-1221, added 1939, ch. 231, sec. 21, p. 516; am. 1957, ch. 234, sec. 13, p. 547; am. 1963, ch. 26, sec. 1, p. 168; am. 1986, ch. 140, sec. 19, p. 392; am. 2001, ch. 247, sec. 8, p. 897; am. 2008, ch. 378, sec. 18, p. 1041; am. 2013, ch. 339, sec. 3, p. 888.]