

CHAPTER 40

STATE BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Authority

N.J.S.A. 45:8-27 et seq.

Source and Effective Date

R.2006 d.80, effective January 26, 2006. See: 37 N.J.R. 3253(a), 38 N.J.R. 1202(a).

Chapter Expiration Date

Chapter 40, State Board of Professional Engineers and Land Surveyors, expires on January 26, 2011.

Chapter Historical Note

Chapter 40, State Board of Professional Engineers and Land Surveyors, was adopted and became effective prior to September 1, 1969.

Subchapter 7, Permissible Division of Responsibility in Submission of Site Plans and Major Subdivision Plats, was adopted as R.1981 d.320, effective September 10, 1981. See: 13 N.J.R. 231(a), 13 N.J.R. 607(a).

Pursuant to Executive Order No. 66(1978), Subchapter 6, Fees, was readopted as R.1983 d.418, effective September 15, 1983. See: 15 N.J.R. 1077(a), 15 N.J.R. 1667(a).

Subchapter 8, Maintenance of Project Records, was adopted as R.1985 d.225, effective May 6, 1985. See: 16 N.J.R. 1027(a), 17 N.J.R. 1133(a).

Subchapter 9, Responsible Charge of Engineering or Land Surveying Work, was adopted as R.1985 d.222, effective May 6, 1985. See: 16 N.J.R. 206(b), 17 N.J.R. 1134(a).

Subchapter 1, Title Blocks for Professional Engineers, was repealed and Subchapter 1, Title Blocks and Seals for Professional Engineers and Land Surveyors, was adopted as new rules, and Subchapter 2, Title Blocks for Land Surveyors, was repealed by R.1985 d.694, effective January 21, 1986. See: 17 N.J.R. 2602(b), 18 N.J.R. 205(a).

Subchapter 2, Application Requirements, was adopted as new rules by R.1987 d.355, effective September 8, 1987. See: 19 N.J.R. 851(a), 19 N.J.R. 1649(b).

Subchapter 10, Contract to Provide Professional Services, was adopted as R.1989 d.64, effective February 6, 1989. See: 20 N.J.R. 2243(b), 21 N.J.R. 339(a).

Pursuant to Executive Order No. 66(1978), Chapter 40, State Board of Professional Engineers and Land Surveyors, was readopted as R.1990 d.434, effective August 3, 1990. See: 22 N.J.R. 1867(a), 22 N.J.R. 2747(b).

Petition for Rulemaking. See: 25 N.J.R. 3032(a), 25 N.J.R. 3871(a).

Subchapter 11, Land Surveyors; Continuing Competency, was adopted as R.1995 d.305, effective June 19, 1995. See: 26 N.J.R. 4314(a), 27 N.J.R. 2415(a).

Pursuant to Executive Order No. 66(1978), Chapter 40, State Board of Professional Engineers and Land Surveyors, was readopted as R.1995 d.474, effective August 2, 1995. See: 27 N.J.R. 1748(a), 27 N.J.R. 3370(a).

Subchapter 12, Retired License and No-Fee Retired License Status, was adopted as R.1998 d.224, effective May 4, 1998. See: 30 N.J.R. 290(a), 30 N.J.R. 1618(a).

Pursuant to Executive Order No. 66(1978), Chapter 40, State Board of Professional Engineers and Land Surveyors, was readopted as R.2000 d.355, effective August 1, 2000. See: 32 N.J.R. 1906(a), 32 N.J.R. 3328(a).

Subchapter 15, Home Inspection Advisory Committee, was adopted as new rules by R.2002 d.169, effective June 3, 2002. See: 33 N.J.R. 1318(a), 34 N.J.R. 1935(a).

Chapter 40, State Board of Professional Engineers and Land Surveyors, was readopted by R.2006 d.80, effective January 26, 2006. See: Source and Effective Date. See, also, section annotations.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS

- 13:40-1.1 Purpose
13:40-1.2 Scope
13:40-1.3 Definitions
13:40-1.4 through 13:40-1.6 (Reserved)

SUBCHAPTER 2. APPLICATION REQUIREMENTS; LICENSING; BIENNIAL RENEWAL; INACTIVE STATUS

- 13:40-2.1 Application submission
13:40-2.2 Scheduling of examination
13:40-2.3 Cancellation of application; reapplication
13:40-2.4 Engineer-in-training: application procedure; eligibility requirements; requirements for juniors and seniors to sit for Part F portion
13:40-2.5 Professional engineer: application procedure; eligibility requirements
13:40-2.6 Surveyor-in-training; application procedure; eligibility requirements
13:40-2.7 Land surveyor; application procedures; eligibility requirements
13:40-2.8 Education requirements: engineer-in-training and professional engineer
13:40-2.9 Education requirements: land surveyor-in-training; land surveyor
13:40-2.10 Experience requirements; professional engineer
13:40-2.11 Experience requirements; land surveyor
13:40-2.12 Waiver of the fundamentals of engineering examination
13:40-2.13 References
13:40-2.14 Language comprehension requirement
13:40-2.15 Biennial license renewal; license suspension; reinstatement of suspended license; inactive status
13:40-2.16 Comity
13:40-2.17 (Reserved)

SUBCHAPTER 3. LICENSURE REQUIREMENT; EXEMPTIONS; STANDARDS OF PRACTICE; MISCONDUCT

- 13:40-3.1 Licensure requirement; issuance and display of certificate; advertising
13:40-3.2 Licensure exemptions: acceptable measurements by professional engineers

- 13:40-3.3 Advertising
- 13:40-3.4 Release of project records
- 13:40-3.5 Enumeration of prohibited acts
- 13:40-3.6 Reporting incidents of professional misconduct

SUBCHAPTER 4. GENERAL PROVISIONS

- 13:40-4.1 Notification of change of address; service of process
- 13:40-4.2 Scope of practice; home inspections

SUBCHAPTER 5. LAND SURVEYORS; PREPARATION OF LAND SURVEYS

- 13:40-5.1 Land surveyors; preparation of land surveys
- 13:40-5.2 Waiver of corner marker

SUBCHAPTER 6. FEES

- 13:40-6.1 Fee schedule

SUBCHAPTER 7. PERMISSIBLE DIVISION OF RESPONSIBILITY IN SUBMISSION OF SITE PLANS AND MAJOR SUBDIVISION PLATS

- 13:40-7.1 General provisions
- 13:40-7.2 Depiction of existing conditions on a site plan
- 13:40-7.3 Preparation of site plan
- 13:40-7.4 Preparation of a major subdivision plan
- 13:40-7.5 Effect of local ordinances

SUBCHAPTER 8. SEALING AND TITLE BLOCK REQUIREMENTS FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS

- 13:40-8.1 Sealing documents
- 13:40-8.2 Title block on drawings; forms; removal
- 13:40-8.3 Title block contents
- 13:40-8.4 Proposed title block form
- 13:40-8.5 Title block use for professional engineer and land surveyor work project
- 13:40-8.6 Subtitle block of independent professional

SUBCHAPTER 9. RESPONSIBLE CHARGE OF ENGINEERING OR LAND SURVEYING WORK

- 13:40-9.1 Supervision of subordinates; maintaining records of adequate supervision; acts reflecting inadequate supervision

SUBCHAPTER 10. CERTIFICATES OF AUTHORIZATION

- 13:40-10.1 Issuance of certificates of authorization
- 13:40-10.2 Biennial renewal of certificates of authorization
- 13:40-10.3 Contract requirement

SUBCHAPTER 11. LAND SURVEYORS; CONTINUING COMPETENCY

- 13:40-11.1 Continuing professional competency requirements; failure to comply
- 13:40-11.2 Definitions
- 13:40-11.3 Credit-hour requirements
- 13:40-11.4 Approval of course offerings
- 13:40-11.5 Continuing competency programs and other sources of continuing competency credits
- 13:40-11.6 Credit calculation
- 13:40-11.7 Reporting and documenting of PDHs
- 13:40-11.8 Waiver of continuing competency requirement
- 13:40-11.9 License restoration
- 13:40-11.10 Out-of-jurisdiction resident
- 13:40-11.11 Criteria for continuing competency programs
- 13:40-11.12 Responsibilities of program providers

SUBCHAPTER 12. RETIRED LICENSE AND NO-FEE RETIRED LICENSE STATUS

- 13:40-12.1 Eligibility requirements
- 13:40-12.2 Retired licensee: application; entitlement
- 13:40-12.3 No-fee retired licensee

- 13:40-12.4 Resumption of practice

SUBCHAPTERS 13 AND 14. (RESERVED)

SUBCHAPTER 15. HOME INSPECTION ADVISORY COMMITTEE

- 13:40-15.1 Purpose; scope; applicability
- 13:40-15.2 Definitions
- 13:40-15.3 Office of the Committee
- 13:40-15.4 Requirements for initial licensure as home inspector (grandfathering)
- 13:40-15.5 (Reserved)
- 13:40-15.6 Requirements for initial licensure as home inspector
- 13:40-15.7 (Reserved)
- 13:40-15.8 Insurance requirement
- 13:40-15.9 Identification cards
- 13:40-15.10 License renewal
- 13:40-15.11 Change of license status: inactive to active
- 13:40-15.12 Reinstatement of suspended license
- 13:40-15.13 Change of address provision; service of process
- 13:40-15.14 Continuing education requirements
- 13:40-15.15 Pre-inspection agreements
- 13:40-15.16 Standards of practice
- 13:40-15.17 Mandatory tools and equipment
- 13:40-15.18 Advertising; identification of licensee
- 13:40-15.19 Prohibited practices
- 13:40-15.20 Suspension, revocation or refusal to renew license
- 13:40-15.21 Requirements for licensure as a home inspector by comity
- 13:40-15.22 Inspection services requiring additional experience, education, training, or license or certification
- 13:40-15.23 Fee schedule
- 13:40-15.24 Issuance of home inspector license based on associate home inspector license or experience

SUBCHAPTER 1. PURPOSE AND SCOPE; DEFINITIONS

13:40-1.1 Purpose

The purpose of this chapter is to regulate the practices of professional engineering, land surveying and home inspection in the State of New Jersey pursuant to N.J.S.A. 45:8-27 et seq.

New Rule, R.2006 d.80, effective February 21, 2006.
See: 37 N.J.R. 3253(a), 38 N.J.R. 1202(a).

Former N.J.A.C. 13:40-1.1, Sealing documents, recodified as N.J.A.C. 13:40-8.1.

13:40-1.2 Scope

This chapter shall apply to all applicants seeking licensure as professional engineers, land surveyors and/or home inspectors and all licensees practicing professional engineering, land surveying and home inspecting in the State of New Jersey.

New Rule, R.2006 d.80, effective February 21, 2006.
See: 37 N.J.R. 3253(a), 38 N.J.R. 1202(a).

Former N.J.A.C. 13:40-1.2, Title block on drawings; forms; removal, recodified as N.J.A.C. 13:40-8.2.

13:40-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise: