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Ohio Engineering Laws and Rules 2022 - 2023 Biennium

by

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Abstract

This course presents Ohio laws and rules regarding professional engineers, the practice of engineering, engineering firms, renewal of registration, the state board of professional engineers and surveyors, and disciplinary actions of the state board. This course is tailored to the registered professional engineer in the 2022 – 2023 biennium seeking credit for the ethics/ laws and rules requirement. Upon successful completion of this course, the participant will earn **two** hours of the required two hours in professional ethics or rules relevant to the practice of engineering.



Ohio Engineering Laws and Rules
A SunCam online continuing education course

TABLE OF CONTENTS

Abstract ii

1. INTRODUCTION 1

 1.1 Overview 1

2. THE PROFESSIONAL ENGINEER 2

 4733.01 Professional engineer and professional surveyor definitions..... 2

 4733.011 Applicability of chapter to sewage treatment systems..... 2

 4733.02 Registration or exemption..... 3

 4733.021 Restricting use of title engineer by itself or with other terms..... 3

 4733.21 Legally recognized professions not affected..... 4

 Example 1. 4

3. THE ENGINEERING FIRM 6

 4733.16 Business authorized to practice..... 6

 4733-39 Certificate of Authorization..... 7

 4733-39-01 Preamble. 8

 4733-39-02 Definitions. 8

 4733-39-03 Applications and filing requirements. 9

 4733-39-04 Annual renewal filing. 9

 4733-39-05 Certificate of authorization. 10

 Example 2. 12

4. THE STATE BOARD 13

 4733.03 State board of registration for professional engineers and surveyors. 13

 4733.10 Annual listing of registered professional engineers, registered professional surveyors,
 and firms. 13

 4733.14 Certificate of registration - seals. 14

 4733-21-01 Certificate of registration. 14

5. RENEWAL OF REGISTRATION..... 15

 4733.15 Renewals..... 15

 4733.151 Continuing professional development credit required beginning in 2008..... 16

 Continuing Education Policy for the 2022 – 2023 Biennium..... 16



Ohio Engineering Laws and Rules
A SunCam online continuing education course

4733-25-01 Reinstatement of an expired certificate of registration. 19

Example 3. 20

Example 4. 20

6. DISCIPLINARY ACTIONS 21

4733.20 Disciplinary actions. 21

4733.22 Prohibited acts..... 23

4733.23 Injunctions..... 23

4733.27 Effect of child support default on registration or certificate..... 23

4733.28 Compliance with law regarding sanctions for human trafficking..... 24

4733-35-07 Improper conduct. 24

Example 5. 24

7. CONCLUSION..... 26

REFERENCES 27



Ohio Engineering Laws and Rules
A SunCam online continuing education course

1. INTRODUCTION

1.1 Overview

The laws and rules governing engineers and the practice of engineering in the State of Ohio, can be found in the Ohio Revised Code, [Chapter 4733 PROFESSIONAL ENGINEERS AND PROFESSIONAL SURVEYORS](#), and the Ohio Administrative Code, [Chapter 4733 State Board of Registration for Professional Engineers and Surveyors](#), respectively.

This course focuses on laws and rules germane to a practitioner currently registered as a professional engineer in the State of Ohio and seeking renewal of registration. Therefore, this course does not cover the laws and rules on qualifying or examinations, or applying for registration as a professional engineer in the State of Ohio, nor does this course provide an in-depth coverage of the organization, administration and functioning of the Ohio State Board of Registration for Professional Engineers and Surveyors.

This course will enable the current Ohio registered professional engineer earn **two (2)** continuing professional development **hours** on the subject of “professional ethics or rules relevant to the practices of engineering or surveying” required during the 2022 – 2023 biennium in order for the registrant to seek renewal of Ohio registration for the 2024 – 2025 biennium. Beyond this time frame, this course may be used to earn general credit towards completing continuing education requirements. Engineers registered in other states may use this course to obtain credit in ethics/ laws and rules of practice or general credit depending on the rules of that state.

Upon completion of this course, participants will be familiar with the State of Ohio laws and rules regarding professional engineers, the practice of engineering, engineering firms, renewal of registration, the state board of professional engineers and surveyors, and disciplinary actions of the state board.

The names of individuals and business entities, and the cases used in the illustrative examples throughout this course are entirely fictitious. Any similarity or resemblance to actual persons, businesses, cases or events is purely coincidental. In this manuscript, regular font indicates the author’s narrative, whereas italicized font represents a direct quote from the underlined linked source. In this manuscript, the terms “State Board of Registration for Professional Engineers and Surveyors”, “Ohio Board of Engineers and Surveyors”, “Ohio Board”, “State Board”, and “the Board” are used interchangeably.



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2. THE PROFESSIONAL ENGINEER

Per the Ohio Revised Code;

[4733.01 Professional engineer and professional surveyor definitions.](#)

As used in this chapter:

(A) *"Professional engineer" means a person registered as a professional engineer under this chapter.*

(B) *"Engineer" means a graduate of an accredited engineering curriculum or a person registered as a professional engineer under this chapter, or both.*

(C) *"Accredited engineering curriculum" means an engineering curriculum accredited by the engineering accreditation commission of ABET, Inc.*

(D) *"ABET, Inc." means the accreditation board for engineering and technology.*

(E) *"The practice of engineering" includes any professional service, such as consultation, investigation, evaluation, planning, design, or inspection of construction or operation for the purpose of assuring compliance with drawings or specifications in connection with any public or privately owned public utilities, structures, buildings, machines, equipment, processes, works, or projects in the proper rendering of which the qualifications of section [4733.11](#) of the Revised Code are required to protect the public welfare or to safeguard life, health, or property.*

[4733.011 Applicability of chapter to sewage treatment systems.](#)

(A) *As used in this section, "sewage treatment system" has the same meaning as in section [3718.01](#) of the Revised Code.*

(B) *This chapter does not apply to the preparation of plans or drawings for a sewage treatment system or components of a system, the measurement of area contours of a portion of land for the installation or modification of a sewage treatment system or components of a system, the measurement and documentation of the lengths and widths of the area of a sewage treatment system or components of a system, or any other measurement that is necessary to comply with [Chapter 3718.](#) of the Revised Code and rules adopted under it.*



Ohio Engineering Laws and Rules
A SunCam online continuing education course

4733.02 Registration or exemption.

Any person practicing or offering to practice the profession of engineering or of surveying shall be registered or exempted under this chapter. No person shall practice or offer to practice the profession of engineering or of surveying, or contract for such services, or use the initials P.E. or P.S. in connection with the person's name, or use in connection with the person's name or otherwise assume, use, or advertise any title or description tending to convey the impression that the person is a professional engineer or a professional surveyor, unless such person has been registered or exempted under this chapter.

4733.021 Restricting use of title engineer by itself or with other terms.

(A) Except for an individual who, as part of the internal classification system of the individual's employer, uses the title "engineer" by itself or in conjunction with another term described in division (B) of this section and who does not represent the individual's self to the public or otherwise advertise the individual's self as an engineer, no individual shall, in connection with the individual's name, assume, use, or advertise:

(1) The title "engineer" by itself unless the individual is an engineer;

(2) The title "engineer" in conjunction with another term that modifies the title "engineer" in a manner that conveys the impression that the individual is a graduate of an accredited engineering curriculum unless the individual is a graduate of an accredited engineering curriculum.

(B) Terms used in conjunction with the title "engineer" under division (A)(2) of this section that imply a person is a graduate of an accredited engineering curriculum include the following: "aerospace," "agricultural," "civil," "chemical," "computer," "electrical," "industrial," "mechanics," "mechanical," "metallurgical," "mining," "naval architectural and marine," "nuclear," and any other term commonly used by an institution of higher learning to apply to graduates of an accredited engineering curriculum.

(C) Nothing in this section shall be interpreted as prohibiting the use, assumption, or advertisement of the title "steam engineer" or "stationary engineer," by or on behalf of a person licensed under [Chapter 4739](#) of the Revised Code, or the term "railroad engineer" or "locomotive engineer," by or on behalf of a person authorized to operate a railroad locomotive, or the term "operating engineer," by or on behalf of a person who operates, maintains, repairs, or manufactures light or heavy construction equipment.



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4733.21 Legally recognized professions not affected.

Sections [4733.01](#) to [4733.23](#), inclusive, of the Revised Code shall not affect or prevent the practice of any other legally recognized profession, or exclude persons licensed as stationary engineers or boiler operators from the operation or the supervision of the operation of steam, power, or refrigeration plants.

Example 1.

Victor Markins earned a master's degree in chemical engineering from an accredited college and has worked for a large chemical company in Ohio for sixteen years, during which time Victor has accumulated a breadth and depth of education, training and experience in the design of systems for manufacturing skin care products. Victor did not become a registered professional engineer because it was not required by the company. At a trade show, Victor gives out his company issued business cards that state Victor's current position in the company as Senior Pharmaceutical Systems Engineer. How would you advise Victor in relation to the use of the word "engineer" on his business cards?

- a) Victor's title violates Ohio Revised Code 4733.021 because he is not a registered professional engineer in the state.
- b) Victor's qualifications meet the definition of "engineer" per Ohio Revised Code 4733.01(B), he may therefore use a title that contains the term "engineer" per Ohio Revised Code 4733.021.
- c) Victor's position is part of the internal classification of his employer, he may lawfully use the title and offer and provide engineering services to the public as long as he is affiliated with the company.

Solution: The correct answer is b). Per 4733.021 the person may use the title "engineer" if it is given by the internal classification system of the employer and the person does not represent self or advertise to the public as an "engineer". If the person is an "engineer" per the definition of Ohio Revised Code 4733.01(B), the person may use title "engineer" or a title that includes a term in conjunction with the term "engineer".

It is pertinent to note in Victor's case that even though he is an "engineer" per Ohio Revised Code 4733.01(B), he can provide engineering services only within his company and not to the



Ohio Engineering Laws and Rules
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public. Per 4733.02 and 4733.021(A) only a “Professional engineer” (or registered engineer) can offer and provide engineering services to the public.



Ohio Engineering Laws and Rules
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3. THE ENGINEERING FIRM

Per the Ohio Revised Code;

[4733.16 Business authorized to practice.](#)

(A) A firm, partnership, association, limited liability company, or corporation may provide professional engineering or professional surveying services in this state as long as the services are provided only through natural persons registered to provide those services in the state, subject to the exemptions in sections [4733.17](#) and [4733.18](#) of the Revised Code and subject otherwise to the requirements of this chapter.

(B) No firm, partnership, association, limited liability company, or corporation, except a corporation that was granted a charter prior to August 7, 1943, to engage in providing professional engineering or professional surveying services in this state or that was otherwise lawfully providing engineering services in this state prior to November 15, 1982, shall engage in providing professional engineering or professional surveying services, hold itself out to the public as being engaged in providing professional engineering or professional surveying services, or use a name including one or more of the words "engineer," "engineering," "surveyor," or "surveying" or any modification or derivation of those words, unless the firm, partnership, association, limited liability company, or corporation obtains a certificate of authorization from the state board of registration for professional engineers and surveyors and files all information required to be filed under this section with the state board of registration for professional engineers and surveyors and otherwise complies with all requirements of this chapter. A nonprofit membership corporation may use a name including one or more of the words "engineer," "engineering," "surveyor," or "surveying" or any modification or derivation of those words without complying with this section.

(C) A corporation may be organized under [Chapter 1701.](#) of the Revised Code, a professional association may be organized under [Chapter 1785.](#) of the Revised Code, or a limited liability company may be formed under [Chapter 1705.](#) of the Revised Code for the purpose of providing professional engineering, professional surveying, architectural, or landscape architectural services or any combination of those services. A corporation organized under [Chapter 1701.](#) of the Revised Code for the purpose of providing those services also may be organized for any other purpose in accordance with that chapter.



Ohio Engineering Laws and Rules
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(D) Each firm, partnership, association, limited liability company, or corporation through which professional engineering or professional surveying services are offered or provided in this state shall designate one or more full-time partners, managers, members, officers, or directors as being responsible for and in responsible charge of the professional engineering or professional surveying activities and decisions, and those designated persons shall be registered in this state. Each firm, partnership, association, limited liability company, or corporation shall annually file with the state board of registration for professional engineers and surveyors the name and address of all owners and all persons designated as being in responsible charge of the professional engineering or professional surveying activities and decisions and any other information the board may require.

(E) The state board of registration for professional engineers and surveyors shall issue a certificate of authorization to each firm, partnership, association, limited liability company, or corporation that satisfies the requirements of this chapter, including providing information that the board may require pursuant to division (D) of this section.

(F) This section does not modify any law applicable to the relationship between a person furnishing a professional service and a person receiving that service, including liability arising out of that service.

(G) Nothing in this section shall restrict or limit in any manner the authority or duty of the state board of registration for professional engineers and surveyors with respect to natural persons providing professional services or any law or rule pertaining to standards of professional conduct.

(H) Corporations, partnerships, associations, limited liability companies, or firms organized under the laws of another state or country wishing to provide professional engineering or professional surveying services shall obtain a certificate of authorization and meet the applicable requirements of this section.

Per the Ohio Administrative Code;

[4733-39 Certificate of Authorization](#)



Ohio Engineering Laws and Rules
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[4733-39-01 Preamble.](#)

Pursuant to section [4733.16](#) of the Revised Code, these rules shall be implemented to define the filing requirements for a firm, partnership, association, limited liability company or corporation to obtain a "Certificate of Authorization" to practice professional engineering and/or professional surveying in the state of Ohio.

[4733-39-02 Definitions.](#)

As used in this rule:

(A) "Responsible charge" means being in control of, accountable for and in either direct or indirect supervision of the engineering and/or surveying activities of the business enterprise.

(B) "Fulltime" as stated in division (D) of section [4733.16](#) of the Revised Code means working more than thirty hours per week or working substantially all the engineering or surveying hours for a firm, partnership, association, limited liability company or corporation that holds a certificate of authorization.

(C) "Corporation" or "domestic corporation" means a corporation for profit formed under the laws of this state as defined in section [1701.01](#) of the Revised Code or "foreign corporation" as defined by division (B) of section [1703.01](#) of the Revised Code which has obtained a license from the secretary of state of Ohio and has complied with all the provisions of [Chapter 1703.](#) of the Revised Code.

(D) "Partnership" means an association of two or more persons to carry on as co-owners of a business for profit as defined in section [1775.05](#) of the Revised Code.

(E) "Limited partnership" is a partnership formed by two or more persons under the provisions of section [1782.02](#) of the Revised Code, having as members one or more general partners and one or more limited partners. The limited partners as such shall not be bound by obligation of the partnership as defined in section [1782.01](#) of the Revised Code.

(F) "Limited partnership association" means when any number of persons, not less than three nor more than twenty-five form a limited partnership association as defined by [Chapter 1783.](#) of the Revised Code.



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(G) "Professional association" means any association organized under sections [1785.01](#) to [1785.08](#) of the Revised Code, for the sole purpose of rendering one of the professional services authorized under [Chapters 4703.](#) and [4733.](#) of the Revised Code.

(H) "Limited liability company" means any company organized under [Chapter 1705.](#) of the Revised Code.

[4733-39-03 Applications and filing requirements.](#)

(A) Under provisions of section [1701.03](#) of the Revised Code, a corporation formed under [Chapter 1701.](#) of the Revised Code after November 14, 1982 may offer architectural, landscape architectural, professional engineering or professional surveying services or any combination thereof provided these corporations file with the appropriate board and meet the requirements of each board or filing and procuring a "Certificate of Authorization" in accordance with [Chapters 4703.](#) and [4733.](#) of the Revised Code.

(B) Any firm, partnership, association, limited liability company or corporation which holds a "Certificate of Authorization" under these rules and which otherwise meets the requirements of [Chapter 4733.](#) of the Revised Code may be organized for any purposes for which business enterprises may be organized under [Chapter 1701.](#), [1705.](#), [1775.](#), [1782.](#), [1783.](#) and [1785.](#) of the Revised Code and shall not be limited to the purposes of providing professional engineering, surveying, architectural, or landscape architectural services or any combination thereof.

(C) If all requirements of this rule are met, the board may issue a "Certificate of Authorization" to the firm, partnership, association, limited liability company or corporation. Forms for initial application will be provided by the board. This "Certificate of Authorization" must be renewed annually.

[4733-39-04 Annual renewal filing.](#)

(A) Under provisions of section [4733.16](#) of the Revised Code, each firm, partnership, association, limited liability company or corporation holding a "Certificate of Authorization" shall annually file no later than June thirtieth with the board on forms provided by this board, the name and address of each owner and the name and address of all persons designated as being in responsible charge of the professional engineering and/or professional surveying activities and decisions, who must be registered in Ohio as appropriate.



Ohio Engineering Laws and Rules
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(B) If there is any change in any of the above between intervals of filing, the change will be filed with the board by notarized letter within ninety days of the change.

(C) If all the requirements of this rule are met, this board shall issue a renewal "Certificate of Authorization" to the firm, partnership association or corporation for the ensuing state fiscal year upon application and payment of the appropriate fee.

(D) Annual renewal "Certificate of Authorization" will be issued by the board within thirty days after the approval of the renewal application.

(E) The "Certificate of Authorization" for all firms, partnerships, associations, limited liability companies or corporations whose annual renewal filing is not received by the close of business on June thirtieth will expire and be invalid. The "Certificate of Authorization" for all firms, partnerships, associations, limited liability companies or corporations which have expired may be renewed within twelve months of the expiration date. The delinquent fee established by rule [4733-39-06](#) of the Administrative Code, which shall be fifty per cent greater than the annual renewal fee, must be paid to the board. The requirements of paragraph (A) of this rule must also be met. If a "Certificate of Authorization" is not renewed within twelve months from the expiration date, the said firm, partnership, association, limited liability company or corporation must make application for a new "Certificate of Authorization" in accordance with the requirements of rule [4733-39-03](#) of the Administrative Code and pay the appropriate fee.

[4733-39-05 Certificate of authorization.](#)

(A) A "Certificate of Authorization" shall be issued by this board to all firms, partnerships, associations, limited liability companies or corporations which meet the requirements of [Chapter 4733.](#) of the Revised Code and pay the appropriate fee.

(B) If there is any change in the identity of any of the persons designated as being in responsible charge of the professional engineering or professional surveying activities and decisions of an entity holding a "Certificate of Authorization" under [Chapter 4733.](#) of the Revised Code, the board shall be notified per rule [4733-39-04](#) of the Administrative Code.

(C) A new "Certificate of Authorization" shall be required in the following situations:



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(1) Upon the change of the name of any corporation, partnership, limited liability company or professional association holding a "Certificate of Authorization" performing engineering or surveying services in this state.

(2) Upon the failure of any holders of a "Certificate of Authorization" to renew the "Certificate of Authorization" within twelve months of the expiration date.

(D) A "Certificate of Authorization" shall authorize the firm, partnership, association, limited liability company or corporation to provide the professional service for which they qualified for that state fiscal year. A renewal will be required at the end of each fiscal year. The "Certificate of Authorization" renewal letter shall indicate the professional service or services the business enterprise is authorized to provide.

(E) Any firm, partnership, association, limited liability company or corporation offering the services of professional engineering and/or professional surveying shall post the current "Certificate of Authorization" issued by this board conspicuously in its place of business where the public can readily examine said certificate.

It is pertinent to note that in some states an individual licensed professional engineer/ sole proprietor may offer and provide engineering services directly to the public without a certificate of authorization provided they are a natural person offering and engaging in engineering activities using their real name and not a fictitious name, in which case a certificate of authorization is required.

As an illustration, a natural person named Arnold Stallone who is a licensed professional engineer in such state may offer and provide engineering services in that state under his real name "Arnold Stallone, P.E" without a certificate of authorization but "Arnold Stallone Engineering LLC" is required to obtain a certificate of authorization.

This common exemption of a natural person/ sole proprietor from the requirement of obtaining a certificate of authorization to offer and provide engineering services does NOT apply in the State of Ohio. By Ohio law, a sole proprietor is technically a firm. Although a sole proprietor is not required to register with the Ohio Secretary of State as other business entities are, a sole proprietor shall obtain a certificate of authorization before offering and providing engineering services in Ohio.



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Example 2.

Joel Abbey & Partners is a new Ohio firm yet to conduct business in the state. The fulltime partners are Tim Joel, an Ohio registered professional engineer with expertise in roadway design, Lara Annunziata, an Ohio registered professional engineer with expertise in residential subdivision design, and Jim Roy who specializes in traffic engineering and is licensed in several states' but is currently not an Ohio registered professional engineer. The firm

- a) can use Jim as a designated person in responsible charge for the certificate of authorization for up to six months if he holds similar status in another state.
- b) cannot use Jim as a designated person in responsible charge for the certificate of authorization.
- c) cannot obtain a certificate of authorization because not all three partners are considered full time per Ohio law.

Solution: The correct answer is b). Because they are registered professional engineers in the state, Tim or Lara or both may be designated as being in responsible charge of all engineering activities for the certificate of authorization.



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4. THE STATE BOARD

Per the Ohio Revised Code;

[4733.03 State board of registration for professional engineers and surveyors.](#)

A state board of registration for professional engineers and surveyors is hereby created to administer this chapter. The board shall consist of four professional engineers, at least one of whom also is a professional surveyor, and one professional surveyor. Members shall be appointed by the governor, with the advice and consent of the senate. Terms of office shall be for five years, commencing on the twenty-fifth day of September and ending on the twenty-fourth day of September. Each member shall hold office from the date of appointment until the end of the term for which appointed. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. Any member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office. Appointments to the board shall be so limited that no more than one member shall have served more than two consecutive terms. Every member of the board shall receive a certificate of appointment from the governor and before beginning the member's term of office shall file with the secretary of state the member's written oath or affirmation for the faithful discharge of official duties. The governor may remove any member for misconduct, incompetency, neglect of duty, or for other sufficient cause.

[4733.10 Annual listing of registered professional engineers, registered professional surveyors, and firms.](#)

The state board of registration for professional engineers and surveyors shall prepare annually a listing of all registered professional engineers, registered professional surveyors, and firms that possess a certificate of authorization. The board shall provide a copy of this listing upon request to registrants of the board and to firms possessing a certificate of authorization without charge and to the public upon request and payment of copy costs.

Additionally, the board shall issue an official verification of the status of any person registered as a professional engineer or professional surveyor in this state upon receipt of a verification form and the payment of a fee established by the board.

The current listings of individual licensees and authorized firms can be reviewed and downloaded via this [link](#) to the Board's website.



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4733.14 Certificate of registration - seals.

The state board of registration for professional engineers and surveyors shall, upon payment of the registration fee, register and issue a certificate showing initial registration of an applicant who, in the opinion of the board, has satisfactorily met all the requirements of this chapter. In the case of a registered professional engineer, the certificate shall authorize the practice of "professional engineering," and in the case of a registered professional surveyor, the certificate shall authorize the practice of "professional surveying." Certificates of registration shall show the full name of the registrant, shall have a serial number, and shall be signed by the chairperson and the secretary of the board under seal of the board. Registration by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered professional engineer, or of a registered professional surveyor, while the registration remains unrevoked or unexpired. Each registrant may, upon completing registration, obtain a seal of the design authorized by the board, bearing the registrant's name and the legend, "registered professional engineer," or "registered professional surveyor," provided, however, that any registered surveyor's seal obtained prior to the amendment of this section effective April 4, 1985, 140 Ohio Laws 4092, shall remain as a legal seal for any registrant who was registered as a "registered surveyor." Plans, specifications, plats, reports, and all other engineering or surveying work products issued by a registrant shall be stamped with the seal and be signed and dated by the registrant or bear a computer-generated seal and electronic signature and date, but no person shall stamp, seal, or sign any documents after the registration of the registrant named thereon has expired or the registration has been revoked or suspended, unless the registration has been renewed or reissued.

Per the Ohio Administrative Code;

4733-21-01 Certificate of registration.

Professional engineers or professional surveyors shall keep their certificates of registration issued by the board posted conspicuously in their places of business where the public could examine said certificates.



Ohio Engineering Laws and Rules
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5. RENEWAL OF REGISTRATION

Per the Ohio Revised Code;

4733.15 Renewals.

(A) Registration expires on the last day of December 2011, and becomes invalid on that date unless renewed. For renewals after that date, registration expires biennially on the last day of December following initial registration or renewal of registration and becomes invalid on that date unless renewed. Renewal may be effected by the applicant's payment to the treasurer of state of a fee of forty dollars for a renewal of registration as either a professional engineer or professional surveyor and demonstration of completion of the continuing professional development requirements of section [4733.151](#) of the Revised Code. When notified as required in this section, a registrant's failure to renew registration shall not deprive the registrant of the right of renewal within the following twelve months, but the fee to renew a registration within twelve months after expiration shall be increased fifty per cent, and the registrant shall certify completion of continuing professional development hours as required in section [4733.151](#) of the Revised Code.

The state board of registration for professional engineers and surveyors may, upon request, waive the payment of renewal fees or the completion of continuing professional development requirements for a registrant during the period when the registrant is on active duty in connection with any branch of the armed forces of the United States or a reserve component of the armed forces of the United States, including the Ohio national guard or the national guard of any other state.

(B) Each certificate of authorization issued pursuant to section [4733.16](#) of the Revised Code shall authorize the holder to provide professional engineering or professional surveying services, through the registered professional engineer or professional surveyor designated as being in responsible charge of the professional engineering or professional surveying practice, from the date of issuance until the second immediately succeeding thirtieth day of June, unless the certificate has been revoked or suspended for cause as provided in section [4733.20](#) of the Revised Code or has been suspended pursuant to section [3123.47](#) of the Revised Code. Thereafter, the certificate shall expire biennially on the thirtieth day of June.

(C) If a registrant fails to renew registration as provided under division (A) of this section, renewal and reinstatement may be effected under rules the board adopts regarding requirements



Ohio Engineering Laws and Rules
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for reexamination or reapplication, and reinstatement penalty fees. The board may require a registrant who fails to renew registration to complete the required hours of continuing professional development as a condition of renewal and reinstatement if the registrant seeks renewal and reinstatement under this division.

4733.151 Continuing professional development credit required beginning in 2008.

(A) For registrations expiring on the last day of December 2011, each registrant for renewal shall have completed, in calendar year 2011, at least fifteen hours of continuing professional development for professional engineers and surveyors. Thereafter, each registrant shall complete at least thirty hours of continuing professional development during the two-year period immediately preceding the biennial renewal expiration date.

Continuing Education Policy for the 2022 – 2023 Biennium

The state Board's policy for the satisfaction of the requirements of Ohio Revised Code section [4733.151](#)., are as follows (State Board of Registration for Professional Engineers and Surveyors, 2022):

1. Professional engineers and professional surveyors will be required to complete two hours of the 30-hour biennial continuing professional development requirement in professional ethics or rules relevant to the practices of engineering or surveying.
2. Professional engineers will be required to complete two hours of the 30-hour biennial continuing professional development requirement in professional ethics or rules relevant to the practice of engineering.
3. Board policy allows up to a maximum of three (3) hours continuing professional development per year for the completion of correspondence courses (paper, online, or other formats) provided the course and the course provider meet the requirements of the Ohio Revised Code [4733.151](#)
4. Correspondence courses are courses that involve participants reading articles or other documents that may be received by mail or online and the course is conducted at the participant's own pace and participation is not monitored by the provider.
5. A person registered as both a professional engineer and professional surveyor shall complete a minimum of 10 of the 30 hours in engineering-related coursework or activities and a minimum of 10 of the 30 hours in surveying-related coursework or activities.



Ohio Engineering Laws and Rules
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6. If the registrant completes more than the required 30 hours in any biennial renewal period, up to 15 of the overage of hours may be carried forward and applied towards the following renewal period.
7. The following activities are considered **acceptable** for earning continuing professional development (CPD) hours:
 - *Successful completion or auditing of college credit courses relevant to the practice of engineering or surveying.*
 - *Successful completion of continuing education courses offered by a professional or trade organization, university or college, or offered in-house by a corporation relevant to the practice of engineering or surveying.*
 - *Completion or attendance a seminar, conference, convention or workshop, relevant to the practice of engineering or surveying. Successful completion of online courses relevant to the practice of engineering or surveying.*
 - *Successful completion of structured engineering or surveying related LEED coursework, with credit granted for verified class attendance on an hour-for-hour basis, provided the coursework meets the requirements of Ohio law.*
 - *Authoring published papers, articles or books (to be used only once and only in the year that it was published).*
 - *Teaching or instructing relevant courses, seminars or workshops for the first time only.*
 - *Being an officer or active committee member of an engineering or surveying society.*
 - *Attending satellite video courses where attendance is verified and program material meets requirements.*
 - *Completing advanced computer software instructional courses that relate to the improvement of one's profession or business. Advanced computer software instruction courses do not include spreadsheet, word processing, presentation, or web design software (e.g. Excel, Word, Dreamweaver, etc.).*
 - *Spreadsheet courses can be accepted only if the course incorporates engineering or surveying applications. Documentation must prove that engineering or surveying applications were included in the spreadsheet course.*
 - *Technical articles found in publications, trade journals, or trade magazines requiring successful completion of a test — the Board will allow a maximum of 3.0 hours per year.*
 - *Patents granted in the United States (to be used only once and only in the year that it was awarded).*
 - *Live web seminars — the Board will not allow credit for live web seminars unless the provider is able to verify and confirm attendance and participation.*



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- *Financial Management courses.*
8. The following activities are considered **unacceptable** for earning continuing professional development (CPD) hours:
- *Elementary and entry-level training normally expected to have been completed by registered engineers and registered surveyors prior to registration.*
 - *Regular full-time employment.*
 - *Any level of computer courses in spreadsheet, word processing, presentation, or web design software (Excel, Word, Dreamweaver, etc.).*
 - *Real estate courses, financial planning, foreign language courses, attending trade show displays.*
 - *Self-directed study.*
 - *Topics not relevant to the engineering or surveying profession.*
 - *Personal self-improvement.*
 - *Attending general committee or business meetings as required by your employment.*
 - *A patent or a published book, article, or paper prior to the applicable reporting period.*
 - *Speed Reading courses.*
 - *State-specific courses that are specific to, and based on, another state's laws, rules, policies and practices.*
 - *The Board does not give credit for examinations.*
 - *Peer-review of professional papers, articles, books or manuscripts.*
9. The conversion of regular hours to CPD hours is as follows:
- *1 university or college semester hour = 45 CPD hours*
 - *1 university or college quarter hour = 30 CPD hours*
 - *1 continuing education unit (CEU) = 10 CPD hours*
 - *1 published paper, article or book (only in the year published) = 10 CPD hours*
 - *1 patent awarded (ONLY U.S. patents in the year awarded) = 10 CPD hours*
 - *1 year of service as an officer or active committee member of a professional or technical society or association = 2 CPD hours*
 - *1 year of participation on the Ohio professional surveyor exam workshop committee or member of the Board's expert panel = 2 CPD hours*
 - *1 hour of attendance at a conference, seminar or workshop = 1 CPD hour*
 - *1 contact hour of teaching a class for the first time = 1 CPD hour*
10. A registrant shall be responsible for keeping records that support CPD activities. Such records shall include but are not limited to:
- *A log showing the type of activity claimed, sponsoring organization, location, duration, instructors or speaker's name and hours earned.*



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- *Documents supporting evidence of attendance: completion certificates, attendance log or other documents supporting evidence of completion.*

The records shall be maintained for at least four years and shall be made available to the Board upon request. A CPD activity log designed by the Board may be downloaded via this [link](#).

11. Exemptions to the CPD requirements may be granted by the Board upon request for active duty in the United States Military and for medical reasons.
12. CPD compliance is a condition for registration renewal. Subsequent discovery of noncompliance will result in disciplinary action by the Board. Falsification of records will be referred to the Attorney General's office.

Per the Ohio Administrative Code;

[4733-25-01 Reinstatement of an expired certificate of registration.](#)

Any registrant whose certificate of registration has expired for non-payment of renewal fees pursuant to division (A) of section [4733.15](#) of the Revised Code may apply in writing for reinstatement. The application so filed must be supported with a detailed notarized experience statement covering all experience subsequent to the date of expiration. This statement shall describe the nature of work performed, degree of responsibility, and dates of each engagement. This statement must also show how the applicant maintained competency in his field during the period since expiration. The application so filed must also include proof of completion of fifteen hours of continuing professional development for each lapsed year. Upon receipt of the application the board will review it and determine the steps required for reinstatement. If more than four consecutive years have elapsed since the date of expiration, the applicant shall be required to take and pass the principles and practice of engineering examination and/or principles and practice of surveying examination as a condition of reinstatement unless the applicant has maintained continuous, uninterrupted registration in any other state or United States territory. The amount of the reinstatement fee shall be as prescribed in paragraph (L) of rule [4733-19-01](#) of the Administrative Code. Payment of reinstatement fees does not validate any illegal practice performed during the period between expiration and reinstatement. Reinstatement shall require a majority affirmative vote of the board at a board meeting where the reinstatement application is considered.



Ohio Engineering Laws and Rules
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Example 3.

Review CPD Activity Log file *CPD_Log_Alpha* provided with your course materials.
 Deficiencies in the registrants CPD activities include

- a) insufficient hours in a core area of practice
- b) out of state hours are not eligible
- c) a course specific to another state's laws and rules is unacceptable
- d) self-directed study is not permitted

Solution: The correct answer is c). State-specific courses that are specific to, and based on, another state's laws, rules, policies and practices are not acceptable to the Ohio state board.

Example 4.

Review CPD Activity Log file *CPD_Log_Beta* provided with your course materials.
 Deficiencies in the registrants CPD activities include

- a) self-directed study is not permitted
- b) topics not relevant to the engineering profession are unacceptable.
- c) more than allowable hours by correspondence courses
- d) meetings that are required as part of one's regular employment.

Solution: The correct answer is c). Board policy allows up to a maximum of three (3) hours continuing professional development per year for the completion of correspondence courses (paper, online, or other formats) provided the course and the course provider meet the requirements of the Ohio Revised Code 4733.151. Correspondence courses are courses that involve participants reading articles or other documents that may be received by mail or online and the course is conducted at the participant's own pace and participation is not monitored by the provider.



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6. DISCIPLINARY ACTIONS

Per the Ohio Revised Code;

4733.20 Disciplinary actions.

(A) Pursuant to this section, the state board of registration for professional engineers and surveyors may fine, revoke, suspend, refuse to renew, or limit the registration, or reprimand, place on probation, deny an applicant the opportunity to sit for an examination or to have an examination scored, or impose any combination of these disciplinary measures on any applicant or registrant, or revoke the certificate of authorization of any holder found to be or to have been engaged in any one or more of the following acts or practices:

- (1) Any fraud or deceit in obtaining registration or a certificate of authorization;*
- (2) Any gross negligence, incompetency, or misconduct in the practice of professional engineering or professional surveying as a registered professional engineer or registered professional surveyor;*
- (3) Aiding or abetting any person to practice professional engineering or professional surveying illegally in the state;*
- (4) Conviction of or plea of guilty to any felony or crime involving moral turpitude;*
- (5) Violation of this chapter or any rule adopted by the board;*
- (6) Violation of any condition of limitation placed by the board upon the registration of any professional engineer or professional surveyor;*
- (7) Failure to abide by or comply with examination instructions.*

(B) The board shall cause to have prepared and shall adopt a code of ethics, which it shall make known to every registrant. The board may revise and amend this code of ethics from time to time in accordance with [Chapter 119](#) of the Revised Code.



Ohio Engineering Laws and Rules
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(C) Any person may file with the board a complaint alleging fraud, deceit, gross negligence, incompetency, misconduct, or violation of this chapter or any rule adopted by the board pursuant to section [4733.07](#) of the Revised Code. Complaints shall be in writing.

(D) The board may investigate any registrant or holder of a certificate of authorization to determine whether the registrant or certificate holder is or has been engaged in any one or more of the acts or practices listed in division (A) of this section. The board, by subpoena, may compel witnesses to appear and testify in relation to any investigation under this chapter and may require, by subpoena duces tecum, the production and copying of any book, paper, or document pertaining to an investigation. If a person fails to comply with the subpoena or subpoena duces tecum, the board may apply to the Franklin county court of common pleas for an order compelling the person to comply or, for the failure to do so, to be held in contempt of court.

(E) If the board determines there is cause to believe that an applicant, registrant, or a holder of a certificate of authorization is or has been engaged in any act or practice listed in division (A) of this section, the board shall issue a written charge and notify the applicant, registrant, or certificate holder of the right to an adjudication hearing, in accordance with [Chapter 119](#). of the Revised Code. If the accused applicant, registrant, or holder of a certificate of authorization fails or refuses to appear, or does not request a hearing within the time period specified in [Chapter 119](#). of the Revised Code, the board may determine the validity of the charge and issue an adjudication order in accordance with [Chapter 119](#). of the Revised Code.

(F) If a majority of the board votes in favor of sustaining the charge, the board shall impose one or any combination of the following disciplinary measures:

(1) Reprimanding the individual;

(2) Imposing a fine on the individual of not more than one thousand dollars for each offense committed by the individual;

(3) Refusing to renew, suspending, or revoking the individual's registration, or revoking the holder's certificate of authorization;

(G) Any applicant, registrant, or certificate holder aggrieved by any action of the board in fining the registrant or denying, suspending, refusing to renew, or revoking the registrant's registration or a certificate of authorization, or denying an applicant the opportunity to take an examination



Ohio Engineering Laws and Rules
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or to have an examination scored may appeal such action to the proper court under section [119.12](#) of the Revised Code.

(H) A new certificate of authorization to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, upon payment of a fee established by the board at an amount adequate to cover the expense of issuing a duplicate certificate of authorization.

[4733.22 Prohibited acts.](#)

No person shall practice, or offer to practice, the profession of engineering or the profession of surveying without being registered or exempted in accordance with this chapter, or present or attempt to use as the person's own the registration, the certificate of authorization, or the seal of another, or give any false or forged evidence of any kind to the state board of registration for professional engineers and surveyors or to any member thereof in obtaining registration or a certificate of authorization, or falsely impersonate any other registrant or holder of a certificate of authorization of like or different name, or attempt to use an expired, suspended, or revoked registration or certificate of authorization, or otherwise violate this chapter.

[4733.23 Injunctions.](#)

Except as otherwise provided in divisions (B), (C), and (D) of section [4733.18](#) of the Revised Code, no public authority, as defined in division (A) of section [153.65](#) of the Revised Code, shall accept or use any engineering or surveying plan prepared by any person not registered as a professional engineer or professional surveyor under this chapter. The state board of registration for professional engineers and surveyors is hereby authorized to apply for relief by injunction or restraining order to enjoin or restrain a person from the commission of any act which is prohibited by this chapter. The remedy provided by this section shall be in addition to any other remedy provided by law. The attorney general or the attorney general's designated assistant shall act as legal adviser of the board and render such legal assistance as may be necessary.

[4733.27 Effect of child support default on registration or certificate.](#)

On receipt of a notice pursuant to section [3123.43](#) of the Revised Code, the state board of registration for engineers and surveyors shall comply with sections [3123.41](#) to [3123.50](#) of the



Ohio Engineering Laws and Rules
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Revised Code and any applicable rules adopted under section [3123.63](#) of the Revised Code with respect to registration and certificates of authorization issued pursuant to this chapter.

[4733.28 Compliance with law regarding sanctions for human trafficking.](#)

The state board of registration for professional engineers and surveyors shall comply with section [4776.20](#) of the Revised Code.

Per the Ohio Administrative Code;

[4733-35-07 Improper conduct.](#)

(A) The engineer or surveyor shall not sign and/or seal professional work for which he or she does not have personal professional knowledge and direct supervisory control and responsibility. This is interpreted by the board to mean that an engineer or surveyor shall not sign and/or seal professional work unless that work was prepared under his/her supervision and direction. The engineer or surveyor shall be involved in the project and must be closely involved in the preparation of the work product.

(B) The engineer or surveyor shall not knowingly associate with, or permit the use of his or her name or firm name in, a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(C) If the engineer or surveyor has knowledge or reason to believe that another person or firm is guilty of violating any of the provisions of [Chapter 4733.](#) of the Revised Code, or any of these rules of professional conduct, he or she shall present this information to the board in writing.

(D) If a professional engineer or professional surveyor is found guilty of a felony or had his or her registration revoked or suspended by another jurisdiction, the professional engineer or professional surveyor shall notify the board in writing within sixty days.

Example 5.

Michael McManus is a licensed general contractor working on a commercial parking lot project in Ohio. Michael has drawn up a set of plans which has his company's title block on each sheet. Michael took these plans to the relevant municipality for a permit but was told the municipality



Ohio Engineering Laws and Rules
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requires the plans to be sealed and signed by an engineer registered in the state. Michael's company is duly registered in the state but it does not have a certificate of authorization from the state board of engineering and surveying. Michael approached his friend Steve Coppel who is an engineer registered in the state. Steve reviewed the plans and conducted his own design calculations and concluded that Michael's plans meet all applicable design standards and land development regulations. Steve then sealed and signed Michael's set of plans. Which of the following is correct?

- a) Sealing and signing plans by others through any business entity is legal if the professional engineer can demonstrate independent engineering calculations, analyses, etc., that demonstrate that the plans meet all applicable standards and regulations
- b) Steve has just practiced engineering through an unauthorized entity, which is unlawful, and he may be subject to disciplinary action by the Board.
- c) Michael did not have to go to a registered engineer, his general contractor licensing allows him to sign as a delegated licensed professional provided the construction phase will be supervised by a registered engineer and no sub-contractors are involved.

Solution: The correct answer is b). Michael's company does not have a certificate of authorization from the state board of engineers and surveyors. Therefore, it cannot lawfully provide engineering services in the state. To his credit, Steve conducted his own independent engineering design and calculations, but he should have reproduced his own plans with a title block of a duly authorized entity before affixing his seal and signature. Steve has therefore practiced engineering through an unauthorized entity and may be subject to disciplinary action by the board.



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7. CONCLUSION

This course presented the State of Ohio laws and rules regarding professional engineers, the practice of engineering, engineering firms, renewal of registration, the state board of professional engineers and surveyors, and disciplinary actions of the state board.

It is recommended that participants remain familiar with these topics and update their knowledge intermittently. Practitioners should consider this information in their day-to-day activities and decisions as registered professional engineers.

It has been my utmost pleasure presenting this topic to you. Thank you.



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REFERENCES

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Images were all drawn/ prepared by Kwabena Ofofu