

Building Official's Guide to Engineering Requirements

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Mississippi Board of Licensure for Professional Engineers & Surveyors

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BUILDING OFFICIAL'S GUIDE TO ENGINEERING REQUIREMENTS

INTRODUCTION

Building officials are responsible for reviewing plans to ensure conformance with building codes as well as state and local requirements. Their purpose is to safeguard life, health, and property and to promote public good. Engineers have the same general responsibility by state law. State boards were created to establish licensure or registration of these professionals and to generally enforce the laws of the state regarding the practice of engineering.

Occasionally, building officials encounter questions regarding development of building plans and the responsibility of engineers. This guide is intended as a ready reference to address issues commonly encountered by building officials. It attempts to address most, but not all, questions and concerns a building official will encounter. This guide is related to engineering services provided in accordance with Miss. Code. Ann. §§73- 13-1, et seq. It also does not include all applicable laws, rules, or code requirements as they can vary by situation and jurisdiction.

Any questions with respect to engineering services should be referred to the Mississippi Board of Licensure for Professional Engineers and Surveyors. Please contact the appropriate licensure board for additional clarification or information:

[Mississippi Board of Licensure for Professional Engineers and Surveyors](#)

455 North Lamar Street, Suite 208

Jackson, MS 39202

Phone: [601-359-6160](tel:601-359-6160)

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You can access our rules and regulations at the following link on our website:

<https://www.pepls.ms.gov/rules-regulations>

[Mississippi State Board of Architecture](#)

2 Professional Parkway, #2B

Ridgeland, MS 39157

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1.0 INCIDENTAL PRACTICE

Can engineers prepare and seal architecture plans?

Although architectural activities are incidental to an engineering project, engineers generally should not seal architectural drawings. An engineer should perform professional services only when they are qualified in the specific technical areas involved.

2.0 UNLICENSED PRACTICE

Can an individual licensed as an engineer in another jurisdiction engage in the temporary practice of engineering before obtaining a license here?

No. The practice of engineering in the state of Mississippi requires both individuals and /or firms to be licensed with the Mississippi Board of Licensure for Professional Engineers & Surveyors, per Mississippi Code of 1972, Annotated Title 73, Chapter 13 Professional Engineers and Surveyors, Section 73-13-1.

Can an individual licensed as an engineer in another jurisdiction engage in practice on exempted building projects without obtaining a license here?

Yes. If the individual is an employee of the United States government, but only when the individual is acting in his or her capacity as an employee of the United States as required in Miss. Code Ann. Section 73-13-41(d).

3.0 NON-EXEMPT AND EXEMPT BUILDING PROJECTS

Which projects require a licensed engineer?

Refer to the flow chart on the following page.

Are plans for oneself exempted?

No, except for otherwise noted exemptions illustrated in the Attachment.

Are plans for changes or alterations to non-exempt structures exempted?

No.

Are plans for alterations or up-fitting of a shell or unfinished structure exempted?

No, except for otherwise noted exemptions (see flow chart).

Are shop drawings exempted?

Yes. Shop drawings are intended as contractor or fabricator details. These are not part of the building official's approved design plans.

Are church plans exempt?

No, except for otherwise noted exemptions (see flow chart).

If the plans are for an exempt building, who may prepare the construction documents?

For most exempt building projects, plans and specifications may be prepared by anyone. However, the designer and builder are not relieved of the responsibility of compliance with locally adopted building codes, special requirements set forth by the building official and other applicable ordinances and laws. The plans should demonstrate a level of technical competence expected from a licensed engineer.

Must an engineer seal plans the engineer prepared for exempt building projects?

Yes. The engineer must sign and seal all original sheets of any bound or unbound set of working drawings or plans the engineer prepares, including the cover page.

If an unlicensed person (such as a freelance designer or draftsman) prepares construction documents for a non-exempt project and applies for a building permit with unsealed plans, what is the best course of action for the project (if the project is one which cannot be permitted without sealed documents)?

In such cases, the owner should be directed to engage a registered design professional to prepare the construction documents, which must be prepared under that professional's responsible control and supervision. As for the design work by the unlicensed individual, the designer may not be aware of state regulations requiring a registered design professional, or the situation may constitute unlicensed practice. Also, the project may be ripe for the unlawful practice of plan stamping. Any concerns of public safety or illegal activity should be reported to the appropriate licensing board in order to protect the public and to prevent similar actions in the future.

If an unlicensed person prepares construction documents for a non-exempt project, may the individual obtain a report or written approval from an engineer, and thereby obtain a building permit?

No. An engineer shall not furnish limited services in such a manner as to enable unlicensed people to provide engineering services or to evade federal, state, and local laws and regulations, including building permit requirements.

4.0 DESIGN BUILD PROJECTS

What rules govern design/build projects?

While engineers can prepare plans as part of a design/build endeavor. This does not alleviate the engineer from holding their responsibilities as a design professional paramount over any other considerations. Engineering plans must be sealed, signed, and dated by the engineer. Documents sealed by an engineer should not exclude the engineer's identity. Title blocks must clearly identify the engineer separate and apart from the contractor.

May a Mississippi licensed contractor prepare and submit plans to a building official without engaging an engineer?

In general, no, and not at all if the plans are marked as engineering. However, depending on the nature of the structure, whether the project is exempted, and local code requirements, in some cases a contractor may prepare and submit plans.

5.0 SEALS

What does a properly executed seal look like?

The seal measures 1-1/2" in diameter. The signature of the engineer and the date of execution must appear over the seal.

Can an engineer use an electronic seal?

Yes. Regardless of the seal's format, the engineer is responsible for its use and security.



Example of seal

Can an engineer seal another licensed designer's standard (prototypical) plans?

No. The adapted plans must be prepared under the responsible control of the Mississippi-licensed engineer and must be sealed by the Mississippi-licensed engineer who assumes full responsibility as the engineer of record.

Can someone else use an engineer's seal?

No. Refer to Rule 6.2.2 of the current rules and regulations for additional information on the rules associated with an Engineer's seal.

Must the engineer seal, sign and date each sheet of original drawings issued for bidding, permitting, or construction?

Yes. The engineer must sign, seal and date all original sheets and cover sheets of any bound or unbound set of working drawings, plans, and bid documents. The only exception is that any portions of working drawings or plans prepared by registered consultants should be sealed and signed by the consultant.

Must the engineer seal, sign and date the index page identifying each set of specifications or technical submissions?

Yes. Engineers are required to sign, seal and date the original cover or index page of all specifications prepared by the engineer.

Can an engineer seal sheets or pages prepared by licensed professional consultants?

No. Any portions of working drawings or plans prepared by registered consultants should bear the seal and signature of the consultant who prepared them.

Are change orders, technical submissions or drawings accompanying or related to change orders required to be sealed?

Yes. If the changes, technical submissions, or drawings are of the type that must be prepared by an engineer.

Are addenda and field changes required to be sealed?

Yes. If the documents, technical submissions, or drawings can only be lawfully prepared by an engineer.

Are “record drawings (as-builts)” used to document how an existing project was constructed required to be sealed?

Yes, when the “record drawings (as-builts)” are prepared by the engineer.

Must an engineer seal presentation documents (renderings used to communicate conceptual information only) that are not a part of a set of drawings?

No.

Can an engineer seal a professional opinion letter or report concerning whether plans that the engineer did not prepare comply with the building code?

Yes.

Can an engineer seal a document that was not prepared by the engineer or under the engineer’s responsible control?

No.

6.0 FIRM PRACTICE AND TITLE BLOCKS

Are engineering firms required to be registered with the Board of Licensure for Professional Engineers and Surveyors?

Yes. Firms practicing engineering in Mississippi must be registered with and have received a Certificate of Authority from the Mississippi Board of Licensure for Professional Engineers & Surveyors.

What are the requirements for title blocks?

1. The title block should provide the name of the engineering firm and contact information, as well as the project name and location.
2. If the firm name does not include the name of an engineer licensed in Mississippi, the title block must also include the name of the licensed engineer (Ex. ABC Engineers, John Doe, P.E.).
3. Engineer title blocks cannot contain the name of a business corporation or the designation “Inc.” Engineers are prohibited from practicing through a business corporation.

7.0 BUILDING CODES

What is the current building code reference?

The Mississippi Board of Licensure for Professional Engineers and Surveyors does not establish, regulate, or enforce building code compliance. Interested parties should contact the Mississippi State Fire Marshal at 601-359-1061, or their local code official for details.

Are engineers bound to abide by applicable codes?

Yes. In designing a project, engineers shall take into account all applicable federal, state, and local building laws and regulations. An engineer shall not knowingly design a project in violation of such laws and regulations.

8.0 CONSTRUCTION ADMINISTRATION

What is construction administration?

Construction administration includes conducting periodic site visits, reviewing shop drawings, and reporting to the owner and the building official any code violations or substantial deviations from the contract documents.

Are engineers required to provide construction administration services?

Engineers are not required to provide construction administration services, but the Mississippi Board of Licensure for Professional Engineers and Surveyors strongly suggests engineers provide written notification to the building officials, the Mississippi Board of Licensure for Professional Engineers and Surveyors, the owner, the client, and the contractor if they are not providing those services for a project of which they have Responsible Charge (Rule 1.2.17).

This notice assures that all parties to the construction project are aware that construction administration is not being performed by the Engineer of Record or is limited in scope. A form is available on the Board's website for this purpose, although engineers are not required to use the form.

How can I obtain a copy of the laws and rules for engineers?

The laws and rules are available on the website of the Mississippi Board of Licensure for Professional Engineers and Surveyors. You can find them at the following link:

<https://www.pepls.ms.gov/rules-regulations>

Define “Registered Design Professional.”

In Mississippi, the only design professionals that are licensed or registered in accordance with Mississippi law are architects, engineers, and landscape architects.

Attachments:

Attachment 1 - Flow chart

Attachment 2 – Red Flags questions

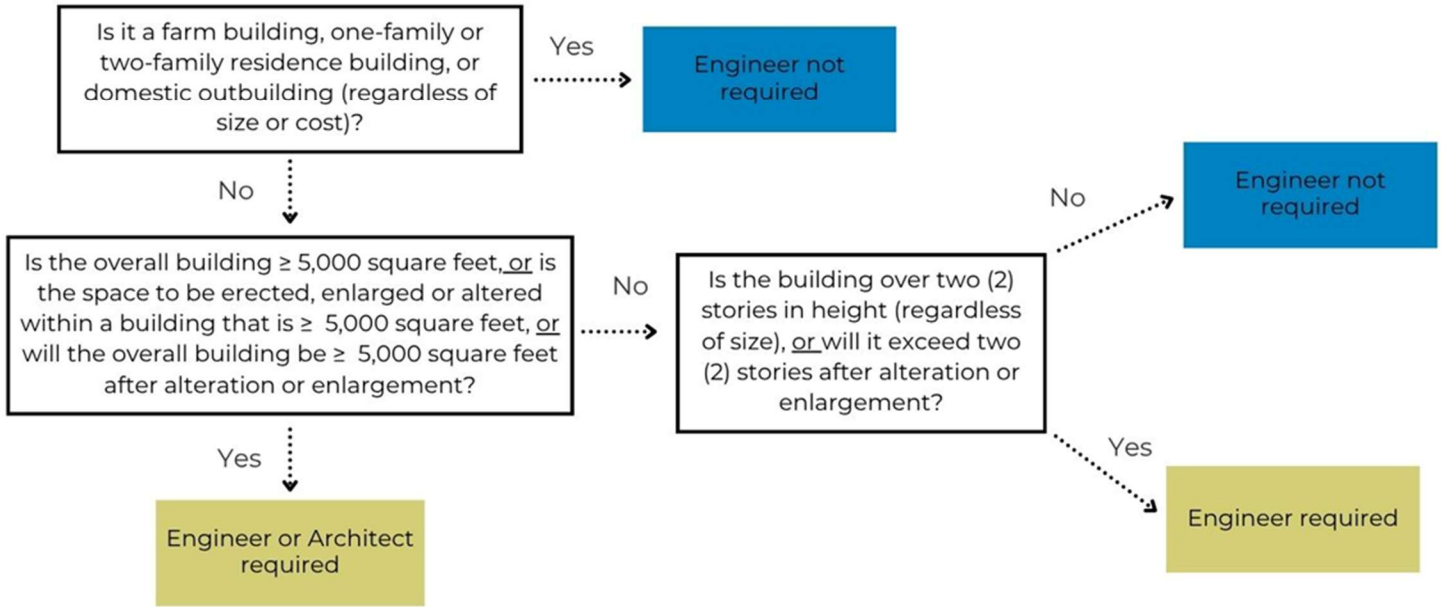
Attachment 1

WHICH PROJECTS REQUIRE A LICENSED ENGINEER?

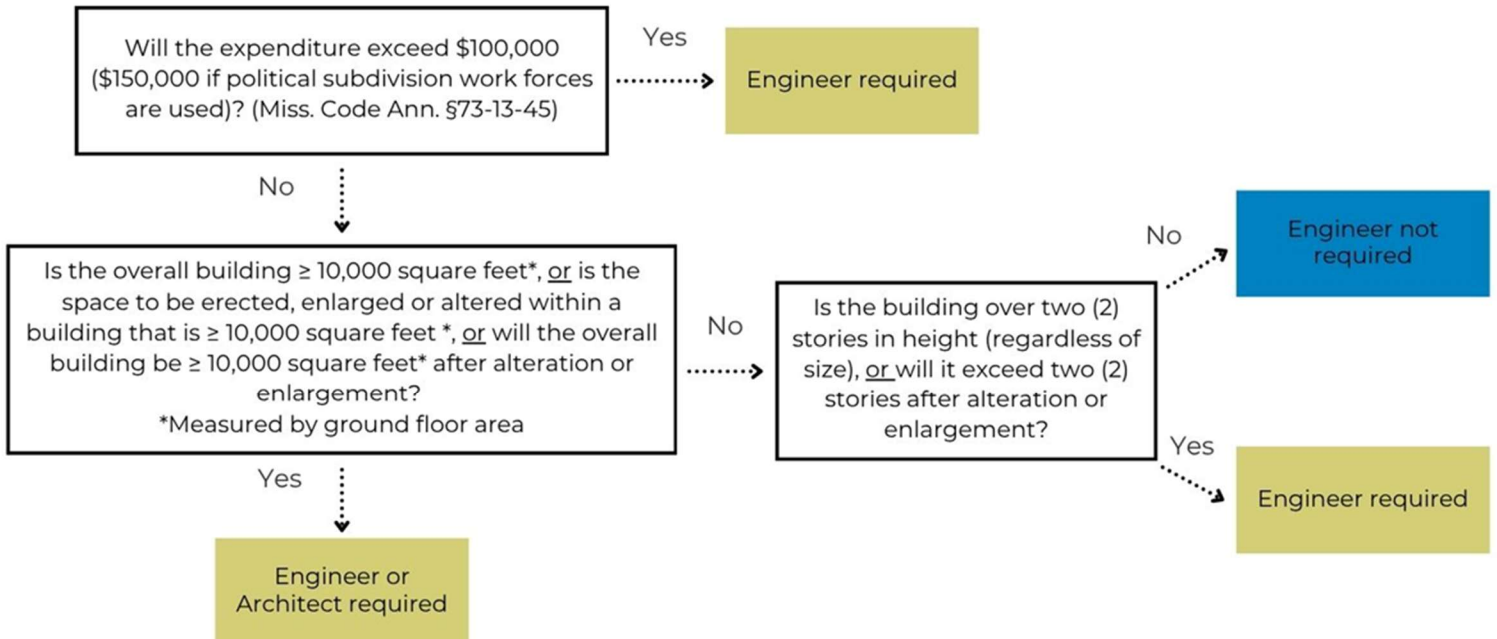
(Miss. Code Ann. §73-13, et seq.)

Note: All questions of exempt status are subject to more stringent local code requirements.

Private/Commercial Projects



Publicly Owned Projects



Note: For the purpose of this guidance, a building includes the total gross floor area, both heated and unheated, within the surrounding exterior walls. Areas of the building not provided with surrounding walls shall be included in the building area if such areas are included within the horizontal projection of the roof or floor above.

Attachment 2

RED FLAGS

Watch out for these issues:

1. Engineering sheets (“C”, “E”, “M”, “P”, “S” sheets) sealed by an engineer
2. Drawings and specifications sealed by an unlicensed individual or with an out-of-state seal
3. Title blocks or documents that do not identify the engineer and his or her firm
4. Incomplete or preliminary documents sealed without a disclaimer
5. Drawings and specifications that have not been sealed, signed and dated by the engineer(s)
6. Prototypical, standard drawings and specifications that do not bear the seal of an engineer licensed in Mississippi
7. Seals that appear to be “cut and pasted” or fraudulently applied • Individuals listed or named as engineers are not the sealing professionals
8. The engineer is difficult to contact
9. Drawings and specifications, details, letters, reports, etc. do not appear to apply to the project
10. Drawings and specifications have numerous or serious code violations
11. Non-dated revisions
12. Revisions or changes that are missing seal, signature, and date
13. The primary contact is not the sealing professional or an employee in the professional’s office

What to do if you suspect that something is wrong?

1. Question the engineer as to the circumstances and qualifications
2. Get the issue corrected or reject the documents

What to do if you find something is wrong?

1. Check online roster to confirm that the sealing professional is licensed
2. File a complaint with the applicable licensing board
3. Contact the applicable licensing board and provide the supporting documentation