Rules & Regulations

455 North Lamar Street
Jackson, MS 39202

Effective: October 16, 2026

Title 30: Professions and Occupations

Part 901: Rules and Regulations of the Mississippi Board of Licensure for Professional Engineers and Surveyors

MISSISSIPPI BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND SURVEYORS

Rules and Regulations

(As of October 7, 2026)

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Part 901 CHAPTER 1: Definitions

Rule 1.1 Definitions in Law

Applicable Mississippi Law (Mississippi Code of 1972, Annotated Title 73, Chapter 13 - Professional Engineers and Surveyors, or otherwise identified as *Miss. Code Ann.* §73-13-1 through §73-13-49) provides for definitions of the following terms:

1. Engineer
2. Professional Engineer
3. Engineer Intern
4. Practice of Engineering
5. Professional Surveyor
6. Surveyor Intern
7. Practice of Surveying
8. Responsible Charge
9. Firm
10. Board

Source: *Miss. Code Ann*. §73-13-15

Rule 1.2 Definitions

1. Statute – The term "Statute" shall refer to Mississippi Code of 1972, Annotated Title 73, Chapter 13 - Professional Engineers and Surveyors which is the legislative action establishing and empowering the Mississippi Board of Licensure for Professional Engineers and Surveyors.
2. Enrollment – The term "Enrollment" is the official recognition by the Board of the applicant's successful completion of requirements to become an Engineer Intern or Surveyor Intern.
3. Licensure – The term "Licensure" is the official recognition by the Board of the applicant's successful completion of requirements to practice the professions of engineering or surveying.
4. Licensee - The term "Licensee" shall mean a Professional Engineer or a Professional Surveyor.
5. Dual Licensee – The term "Dual Licensee" shall mean a person who is licensed as both a Professional Engineer and a Professional Surveyor.
6. Person - The term "Person" shall mean an individual or Firm.
7. Signature - The term "Signature" shall mean a unique name, mark, or writing made by the licensee with the intention of verifying or authenticating a document. Where a signature is required in the rule, a Digital Signature is acceptable.
8. Digital Signature - The term "Digital Signature" shall mean a unique symbol, process, or secure digital code attached to or logically associated with an electronic document and executed or adopted by the professional engineer or professional surveyor with the intent of verifying or authenticating the document.
9. Seal - The term "Seal" shall mean a symbol or image adopted by the Board and applied by the

professional engineer or professional surveyor, representing that the professional is in responsible control of the work shown on the sealed document.

10. Disciplinary Action - The term “Disciplinary Action” shall mean any final written decision or settlement taken against an individual or Firm by a licensing board based upon a violation of the Board’s Statutes and rules. Disciplinary actions include reprimands; sanctions; administrative fines; the Board’s refusal to issue, restore, or renew a license; settlement agreements or consent orders; probation; suspension; revocation; surrendering, relinquishing, or agreeing not to renew the license as part of an agreement or Board order; or any combination thereof.
11. Gross Negligence - The term "gross negligence" as used in the Statute shall mean the practice of engineering or surveying by a licensee characterized by reckless disregard for the rights, health, safety, or welfare of others, which could result in personal injury, damage to property, or financial loss.
12. Incompetency - The term "incompetency" as used in the Statute shall mean the practice of engineering or surveying by a licensee who is either incapable of exercising ordinary care and diligence or who lacks the ability and skill necessary to properly perform the duties undertaken.
13. Misconduct - The term "misconduct" as used in the Statute shall mean the practice of engineering or surveying by a licensee who performs any acts, causes omissions or makes any assertions or representations which are fraudulent, deceitful, or misleading, or which in any manner whatsoever discredits or tends to discredit the profession of engineering or surveying.
14. Supervision - The term “Supervision” will be construed by this Board to mean that the Professional Engineer or Professional Surveyor providing such supervision shall have made the decision on technical matters of policy and design and shall have exercised his or her professional judgment in all engineering and surveying matters that are embodied in the design and related documents.
15. Professional Development Hour – The term professional development hour (PDH) shall mean fifty (50) minutes of instruction or presentation and will serve as the common denominator for other units of credit.

Source: *Miss. Code Ann.* §73-13-15

Rule 1.3 Use of Words Engineer, Engineering, Surveyor, or Surveying

Any person, Firm, partnership, organization, corporation or other entity using the words "Engineer" or "Engineering" or "Surveyor" or "Surveying" or any modification or derivative thereof in its name or form of business activity except as authorized in the Statute, or any person presenting or attempting to use the license or the seal of another, or any person who shall give any false or forged evidence of any kind to the Board or any member thereof in obtaining or attempting to obtain a license, or any person who shall falsely impersonate any other licensee of like or different name, or any person who shall attempt to use an expired or revoked or nonexistent license, or who shall practice or offer to practice when not qualified, or any person who falsely claims that he or she is licensed under the Statute, or any person who shall violate any of the provisions of the Statute, shall be guilty of noncompliance with the Statute.

Source: *Miss. Code Ann.* §73-13-15

Part 901 CHAPTER 2: The Licensure Board

Rule 2.1 Purpose

The Mississippi Board of Licensure for Professional Engineers and Surveyors was created to ensure the safeguarding of life, health, and property and to promote public welfare.

Source: *Miss. Code Ann*. §73-13-15

Rule 2.2 Authorization to Achieve the Purpose

Current Mississippi Statute provides a means for achieving the purpose through:

1. the establishment of minimum qualifications for entry into the professions of Engineering and Surveying,
2. authorizing power to adopt and amend all Rules and Regulations of procedure necessary for the proper performance of the Board's duties, and
3. granting further power and authority to protect the public from the attempts of incompetent or unscrupulous persons to practice the professions of Engineering and Surveying, through provisions which enable swift and effective disciplinary actions.

Source: *Miss. Code Ann*. §73-13-15

Rule 2.3 Summary Description of Organization and Operation

The Board is an agency of the State of Mississippi. All costs of operation of the Board, including administrative, secretarial, clerical, investigative, equipment purchases and office rental, are paid from fees collected by the Board and authorized by annual appropriation by the Legislature. The Board may employ those required, qualified and authorized, including full or part-time, necessary to perform the administration of the Statutes of the State of Mississippi and those rules regulating the practice of engineering and surveying.

Source: *Miss. Code Ann*. §73-13-15

Rule 2.4 Board Members

The Board is composed of nine (9) members - six (6) licensed Professional Engineers and three (3) licensed Professional Surveyors who are not licensed Professional Engineers. The Governor appoints Board Members in accordance with Statute.

The Board shall annually elect the following officers: President, Vice President, and Secretary. The term of office shall coincide with the Fiscal Year of the State of Mississippi, July 1 through June 30.

1. President of the Board - The President shall be the executive officer of the Board. When present he or she shall preside over all meetings. He or she shall appoint such committees as the Board may authorize from time to time. He or she shall cast one (1) vote on all roll calls. He or she shall sign all certificates, the Annual Report to the Governor, and all other official documents. He or she shall, in the absence of a Secretary or Executive Director, sign checks. He or she shall perform all other duties usually pertaining to the office of President and permitted by Statute.
2. Vice-President - The Vice-President, in the absence of the President, shall perform the duties

delegated to the President except that only the President shall sign certificates, checks and the Annual Report to the Governor.

3. Secretary - The Secretary shall conduct all correspondence in the name of the Board except that performed by the President and that delegated to the Executive Director. The Secretary shall countersign all checks with the Executive Director of the Board. Additionally, he or she shall exercise supervisory authority over the Executive Director's administration of Board policy and the processing of its routine operations. He or she shall perform those other duties as prescribed by the Statute.

If, for any reason, a vacancy shall occur in the Board, the President and the Secretary shall prepare a notice to the Governor asking for the appointment of a new member to fill the unexpired term, in accordance with the provisions of the Statute. If the vacancy shall occur in the office of the President, the Vice-President and the Secretary shall prepare the notice to the Governor. Such notice shall designate which appointed position is vacant and which society or association is to furnish the list from which the appointee is to be selected.

If a vacancy occurs in any office, or if any officer becomes incapacitated, the Board will elect a new officer in a regular meeting. If the position of Secretary becomes vacant, the President shall appoint a new secretary to fill the remaining portion of the term.

The Board will delegate authority and responsibility to the Executive Director for assigning duties to and obtaining adequate performance from the employees of the Board.

Source: *Miss. Code Ann.* §73-13-15

Rule 2.5 Executive Director

The Board shall hire an Executive Director who shall be responsible for the administration of Board Policy and for the processing of its routine operations. The duties of the Executive Director shall be as determined by the Board.

1. As an executive officer, the Executive Director shall serve at the pleasure of the Board. In the absence of an Executive Director, the Secretary shall assume the duties of the Executive Director, as necessary.
2. All correspondence to the Board, including requests for information and all submissions and other requests should be addressed to the Executive Director.

Source: *Miss. Code Ann.* §73-13-15

Rule 2.6 Meetings

1. The frequency of meetings and requirements for quorum are prescribed in Statute. Special meetings may be held as needed or as called by an officer or quorum of the Board.
2. A call for a special meeting under emergency conditions may be issued by email or telephone by the Executive Director.
3. Robert's Rules of Order Newly Revised In Brief shall govern the proceedings of the Board except as otherwise provided herein or by Statute.
4. All members of the Board including the President shall be entitled to vote and to make or

second motions. A majority vote of those present is required to pass a motion. A member expecting to be absent for a vote may provide written comments as to his or her position; however, he or she may not grant a vote by proxy.

5. The order of business at all regular and special meetings shall normally be as recommended by the Executive Director and at the pleasure of the President.

Source: *Miss. Code Ann.* §73-13-15

Rule 2.7 Public Attendance at Meetings

In compliance with the Open Meeting Laws of the State of Mississippi, members of the public are welcome to attend meetings of the Board. The Board has adopted the following rules of conduct for members of the public attending meetings of the Board:

1. members of the public in attendance at Board meetings are requested to register with the Executive Director before the start of the meeting,
2. requests to speak at a Board meeting must be submitted in advance of the meeting,
3. organized groups are limited to having one (1) spokesperson for the meeting,
4. upon request, an individual or a spokesperson will be allowed to address the Board, but the speaking time is limited to five (5) minutes unless extended by the presiding officer,
5. when the Board votes to go into Executive Session, all members of the general public must leave the meeting room and they will be advised when they may re-enter,
6. members of the public are expected to behave in a calm, professional manner at all times,
7. failure to comply with these rules will be grounds for dismissal from the meeting, and
8. if members of the public require special provisions accommodating a qualifying temporary or permanent disability to attend a Board meeting, a written request identifying the disability, and accommodations needed must be submitted to the Executive Director ten (10) days before the meeting. If this request is not submitted in advance, accommodations cannot be guaranteed.

Source: *Miss. Code Ann*. §73-13-15

Rule 2.8 Fee Schedule

Fees shall be in accordance with the current Fee Schedule available on the agency's website. Once a payment has been accepted, there will be no refund.

Source: *Miss. Code Ann.* §73-13-15

Part 901 CHAPTER 3: Declaratory Opinions

Rule 3.1 Scope of Declaratory Opinions

The Board will issue declaratory opinions regarding the applicability to specified facts to a Statute administered or enforceable by the Board, a Rule or Regulation promulgated by the Board, or an Order issued by the Board.

The Board will not issue a declaratory opinion regarding a Statute, Rule, Regulation, or Order which is beyond the "primary jurisdiction" of the Board. Primary jurisdiction means the Board has:

1. a constitutional grant of authority in the subject matter,
2. a statutory grant of authority in the subject matter,
3. issued specific regulations impacting upon the subject matter, or
4. issued a specific order or orders impacting upon the subject matter.

Source: *Miss. Code Ann.*§ 25-43-2.103(2)

Rule 3.2 Scope of Declaratory Opinion Request

A request must be limited to a single transaction or occurrence.

Source: *Miss. Code Ann.* §25-43-2.103(2)

Rule 3.3 Format of the Request

When a person with substantial interest, as required by Section 25-43-2.103 of the Administrative Procedures Act, requests a declaratory opinion, the person must submit a printed, typewritten, or legibly handwritten request on standard letter-sized white paper (8 ½" x 11").

1. The request shall be in the form of a letter addressed to the Board or in the form of a pleading as if filed with a court.
2. All requests shall be mailed, emailed or hand delivered to the Board's office. Oral or telephone requests for a declaratory opinion will not be accepted.
3. Each request shall include the full name, telephone numbers, and mailing address of the requestor(s).

All requests shall be signed by the person filing the request, unless represented by an attorney, in which case the attorney may sign the request.

Each request and its corresponding envelope, if any, and subject line shall clearly state it is a request for a declaratory opinion.

Source: *Miss. Code Ann.* §25-43-2.103(2)

Rule 3.4 Content of Request

Each request shall contain the following:

1. a clear identification of the Statute, Rule, Regulation, or Order at issue,

2. a concise statement of the issue or questions presented for declaratory opinion,
3. a clear and concise statement of all facts relevant to the question presented,
4. the identity of all other known persons involved in or impacted by the facts giving rise to the request including their relationship to the facts, and their name, mailing address, email address(es) and telephone number, and
5. a statement sufficient to show that the requestor has a substantial interest in the subject matter of the request.

Source: *Miss. Code Ann.* §25-43-2.104 (Rev. 2006).

Rule 3.5 Signature Attestation

Each party who signs the request is attesting that the request complies with the requirements set forth in these rules. This includes but is not limited to, the request includes a full, complete, and accurate statement of relevant facts and that there are no related proceedings pending before any agency, administrative, or judicial tribunal.

Source: *Miss. Code Ann.* §25-43-2.103(2)

Rule 3.6 Reasons for Refusal of Declaratory Opinion Request

The Board may refuse to issue a declaratory opinion in certain circumstances which include, but are not necessarily limited to:

1. matters outside the primary jurisdiction of the Board,
2. lack of clarity concerning the question presented,
3. there is pending or anticipated litigation, administrative action or anticipated administrative action, or other adjudication which may either answer the question presented by the request or otherwise make an answer unnecessary,
4. the Statute, Rule, Regulation, or Order on which a declaratory opinion is sought is clear and not in need of interpretation to answer the question presented by the request,
5. the facts presented in the request are not sufficient to answer the question presented,
6. requests which fail to contain information required by these rules or the requestor failed to follow the procedure set forth in these rules,
7. requests seeking to resolve issues which have become moot or are abstract or hypothetical such that the requestor is not substantially affected by the Statute, Rule, Regulation, or Order on which a declaratory opinion is sought,
8. no controversy exists or is certain to arise which raises a question concerning the application of Statute, Rule, Regulation, or Order,
9. questions presented by the request concerning the legal or constitutional validity of a Statute, Rule, Regulation, or Order,
10. requests not based upon facts calculated to aid in the planning of future conduct, but are, instead, based on past conduct to establish the effect of that conduct,

11. no clear answer is determinable,
12. questions presented by the request involve the application of a criminal statute or sets forth facts which may constitute a crime,
13. answering the question presented would require the disclosure of information which is privileged or otherwise protected by law from disclosure,
14. questions currently the subject of an Attorney General's opinion request,
15. questions answered by an Attorney General's opinion,
16. one or more requestors have standing to seek an Attorney General's opinion on the proffered question,
17. requests not made in good faith,
18. requests which are harassing in nature,
19. a similar request is pending before this agency, or any other agency, or a proceeding is pending on the same subject matter before any agency, administrative or judicial tribunal, or
20. questions involve eligibility for a license, permit, certificate, or other approval by the Board or other agency and there is a statutory or regulatory application process by which eligibility for said license, permit, certificate, or other approval may be determined.

Source: *Miss. Code Ann.* §25-43-2.103(2)

Rule 3.7 Board Response

Within forty-five (45) days after receipt of a request for a declaratory opinion which complies with the requirements of these rules, the Board shall, in writing:

1. issue an opinion declaring the applicability of the Statute, Rule, Regulation, or Order to the specified circumstances,
2. agree to issue a declaratory opinion by a specified time but no later than ninety (90) days after receipt of the written request, or
3. decline to issue a declaratory opinion, stating the reasons for its action.

The forty-five (45) day period shall begin on the first business day on or after which the request is received by the Board.

Source: *Miss. Code Ann.* §25-43-2.103(2)

Rule 3.8 Final Opinion

A declaratory opinion shall not become final until the expiration of sixty (60) days after issuance. Prior to expiration of the sixty (60) days, the Board may, in its discretion, withdraw or amend the declaratory opinion for any reason which is not arbitrary or capricious.

Source: *Miss. Code Ann.* §25-43-2.103(2)

Part 901 CHAPTER 4: Public Records Request

Rule 4.1 Public Records Request

Excluding records exempted under Mississippi law, the Board responds to public records requests pursuant to the Mississippi Public Records Act of 1983, Miss. Code Ann. § 25-61-1, et seq. in accordance with the following procedures:

1. Requests for public records must be made in writing and submitted to the Mississippi Board of Licensure for Professional Engineers and Surveyors to the attention of "Requests for Public Records."
2. A public records request is for access to identifiable record(s) and is not a request for information. The Board has no duty to create a record to respond to a public records request.
3. A request for a public record should describe in reasonable detail the records sought and, if possible, include a clear and concise description of the desired record including pertinent information, such as names and dates, that may aid the Board in locating the requested record(s).
4. The Board shall either produce or deny production of the records sought within seven (7) business days after receipt of the request. In no event shall the production of documents responsive to a public records request exceed fourteen (14) business days from the date of receipt of the request.
5. Pre-payment of the cost estimated by the Board to review, search, duplicate or copy the requested records shall be required. All fees will be assessed in accordance with the Public Records Act and charged in advance by the Board. Such fees are intended to reimburse the Board, and in no case shall exceed the actual cost incurred by the Board to research, review, duplicate, copy, or mail the records responsive to the request.
6. If the requested records are exempt or privileged under applicable law, the Board shall deny the request. Furthermore:
    a. applications for licensure, test questions, and applicant recommendations are exempt from the Public Records Act pursuant to Miss. Code Ann. § 73-52-1,
    b. if any public record contains both exempt and non-exempt material, the Board shall redact the exempted material and produce the nonexempted material for inspection or reproduction, and
    c. records provided to the Board by third parties containing trade secrets or confidential information shall not be subject to inspection or reproduction until notice has been given to third parties. Unless subject to other exemption(s) or privilege, these records shall be released no later than twenty-one (21) days from the date the third parties are given notice by the Board unless the third parties have filed in chancery court a petition seeking a protective order on or before the expiration of the twenty-one-day period.
7. In the event a public records request is denied, the Board shall provide a written explanation to the requestor stating, with specificity, the reason(s) for the denial of the production of the requested records.

Source: Miss. Code Ann. §§ 25-61-5, 25-61-7, 73-52-1, and 73-13-15

Part 901 CHAPTER 5: Candidates for Enrollment and Licensure

1. To qualify for enrollment applicants shall meet the education requirements of Statute, the Rules and Regulations of the Board, and have passed the FE or FS examination.
2. To qualify for initial engineering licensure applicants shall meet the education and experience requirements of Statute and the Rules and Regulations of the Board, and have passed the FE and PPE or SE. Candidates for initial licensure as a Professional Engineer that have earned a Doctor of Philosophy (Ph.D.) degree in engineering from a program that has an ABET accredited B.S. or M.S. degree program are exempt from the fundamentals of engineering examination.
3. To qualify for initial surveying licensure applicants shall meet the education and experience requirements of Statute and the Rules and Regulations of the Board, and have passed the FS, PPS and Mississippi Section examination.

Rule 5.1 Education Requirements

1. Engineering Curricula

   The phrase "engineering curriculum of four (4) years or more from a school or college approved by the Board as of satisfactory standing" or "graduation in an accredited engineering curriculum of four (4) scholastic years or more from a school or college approved by the Board as of satisfactory standing" as used in the Statute, is interpreted by the Board to mean:

   a. Baccalaureate Degree Accredited by ABET/EAC – A baccalaureate degree accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET) or its equivalent.

   b. Degrees recognized by the Canadian Engineering Accreditation Board (CEAB) – An applicant with an engineering degree in a curriculum recognized by the Canadian Engineering Accreditation Board (CEAB) will be considered to hold a degree equivalent to the ABET/EAC accredited degree.

   c. Foreign Degrees accredited by the ABET/EAC – Degrees from foreign universities that are evaluated and accredited by the Engineering Accreditation Commission (EAC) of the Accreditation Board for Engineering and Technology (ABET).

   d. Degrees evaluated as meeting the NCEES Engineering Education Standard – Degrees from universities that are evaluated by the Board-approved evaluation service and found to meet the NCEES Engineering Education Standard. The evaluation must be completed prior to submitting the application to the Board office.

      1) If the evaluation finds deficiencies in humanities, social sciences, or general education, and the applicant is applying for the FE examination or the PE examination, or the applicant is a comity applicant who has been licensed less than five (5) years, then the deficiencies must be remediated by taking additional coursework. The Board must approve the additional coursework proposed by the applicant, prior to beginning the course(s).

      2) If the evaluation finds deficiencies in humanities, social sciences, or general education, and the applicant is a comity applicant who has been licensed five (5) years or longer, then additional coursework will not be required.

      3) If the evaluation finds deficiencies in areas other than humanities, social sciences, or

general education, the deficiencies must be remediated by taking additional coursework, regardless of whether the applicant is a comity applicant or an applicant for the FE or PE examinations. The Board must approve the additional coursework proposed by the applicant, prior to beginning the course(s).

e. For Engineer Intern or Professional Engineer applicants, a related science curriculum, to be approved by the Board, must be a four-year curriculum leading to a Bachelor of Science degree in chemistry, biology, geology, physics, mathematics, computer science, or a similar science curriculum deemed acceptable to the Board.

2. Surveying Curricula

a. For Surveyor Intern or Professional Surveyor applicants, a related science curriculum, to be approved by the Board, must be a four-year curriculum leading to a Bachelor of Science degree in engineering, mathematics, forestry, GIS, cartography, or a similar science curriculum deemed acceptable to the Board.

b. The phrase "62 semester hours in surveying curriculum" in the Statute is interpreted by the Board to mean successful completion of the curriculum from a school or college approved by the board as demonstrated by a GPA of 2.00 or higher on a 4.00-point scale. The courses taken must include the following subject areas:

Subject	**Required Minimum Semester Hours**
Surveying (e.g. Elementary Surveying, Control Surveying, Boundary Control, Legal Principals, Remote Sensing, etc.)	12
Mathematics (e.g. Algebra, Trigonometry, Calculus or higher-level math, etc.)	6
Technical Courses (e.g. Advanced Mathematics, Advanced Surveying, Statistics, GIS, etc.)	6
Graphics (e.g. CAD, Computer Science, Drawing, GIS, etc.)	6
English (e.g. Composition, Oral Communication, Technical Writing, etc.)	6
Electives*	26
Minimum Total Hours	**62**

* Recommended Electives include Accounting, Astronomy, Business Law, Dendrology, General Business, Land Law, Legal Research, Public Policy, Real Estate Law, and Urban Planning.

Source: *Miss. Code Ann.* §73-13-15

Rule 5.2 Experience

1. Anticipated Work Experience for Licensure Applicants - Experience must be completed at the time the application is submitted. Experience which is anticipated to be obtained after the submission of the application will not be considered in the evaluation. Furthermore, postdating the application so that anticipated experience can be included is not permitted and the application will not be evaluated.
2. As a Professional Engineer - In evaluating experience that indicates to the Board that the applicant may be competent to practice engineering, the following will be considered:
    a. Acceptable experience should be completed before the submission of the application.
    b. Experience must be progressive on engineering projects and must demonstrate an increasing quality and responsibility.
    c. Only work of an engineering nature that follows graduation from a program that meets the criteria set forth in Rule 5.1 is acceptable except as outlined in Rule 5.2.2.e.
    d. Successful completion of a Master of Science degree in engineering acceptable to the board will be credited as one (1) year of engineering experience. Completion of a Doctor of Philosophy (Ph.D) in engineering acceptable to the board will be credited as two (2) years of experience. No more than a total of three (3) years of experience may be credited through graduate degrees. A graduate degree that is used to satisfy education requirements cannot be applied for experience credit toward licensure. To be eligible for experience credit, graduate degrees shall be relevant to the applicant's area of professional practice. Experience credit for a graduate degree cannot be earned concurrently with work experience credit.
    e. Engineering students who complete a formal cooperative engineering education (ABET/EAC accredited) program of three semesters or more will be granted six (6) months of experience credit. Engineering students who complete a formal cooperative engineering (ABET/EAC accredited) education program of at least two semesters but less than three semesters, will be granted three (3) months of experience credit. No experience credit of less than three (3) months will be granted.
    f. Experience must be obtained in compliance with Statute.
    g. Experience gained in the armed services must be of a character equivalent to that which would have been gained in the civilian sector doing similar work.
    h. Experience should be gained under the Supervision or mentorship of a licensed Professional Engineer. If it is not, an explanation must be made showing why the experience should be considered acceptable. Experience gained under the Supervision of an unlicensed individual may be considered if the appropriate credentials of the unlicensed supervisor are submitted to the Board.
    i. Experience in sales must demonstrate the application of engineering principles.
    j. Teaching experience must be in engineering or engineering-related courses at a junior-, senior-, or graduate-level in a college or university offering an ABET/EAC accredited engineering program of four years or more that is approved by the Board.

k. Experience may be gained in engineering research or design projects by industry or government employees or by engineering faculty members.

l. Experience in construction must demonstrate the application of engineering principles.

m. Experience must include demonstration of a knowledge of engineering mathematics, physical and applied science, properties of materials, and the fundamental principles of engineering design.

n. Experience must include demonstration of the application of engineering principles in the practical solution of engineering problems.

o. The Board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum Board requirements established by regulations for professional experience in that jurisdiction.

3. As a Professional Surveyor - In evaluating experience that indicates to the Board that the applicant may be competent to practice surveying, the following will be considered:

a. Work experience must be progressive and of an increasing standard of quality and responsibility. It should include field assignments, office assignments, records research, and boundary line surveying. An applicant for initial PS licensure (first licensure in any state) must have boundary line surveying experience for at least fifty percent (50%) of the minimum required experience.

b. Experience gained in the armed services must be of a character equivalent to that which would have been gained in the civilian sector doing similar work.

c. Qualifying professional surveying experience must be obtained under the Supervision of a licensed Professional Engineer or Professional Surveyor. If the experience was not obtained under the direct Supervision of a licensed Professional Engineer or Professional Surveyor, then the indirect Supervision must be satisfactorily explained with respect to the degree and type of Supervision received.

d. Teaching experience must be in surveying or surveying related courses at a junior-, senior-, or graduate-level in surveying or surveying-related courses approved by the Board.

e. Experience in the technical field aspects of the profession must be demonstrated.

f. Anticipated Work Experience for Licensure Applicants - Experience must be completed at the time the application is submitted. Experience which is anticipated to be obtained after the submission of the application will not be considered in the evaluation. Furthermore, postdating the application so that anticipated experience can be included is not permitted and the application will not be evaluated.

g. Experience must include demonstration of the application of surveying principles in the practical execution of surveying tasks.

h. Experience may be gained in surveying research projects by industry or government employees or by surveying faculty members.

i. The Board may deem professional experience acquired by applicants outside the United States to be equivalent to the minimum Board requirements established by regulations for professional experience in that jurisdiction.

j. Surveyor Intern applicants qualifying based solely on education shall not be required to submit experience verification documentation. Surveyor Intern applicants qualifying based on experience, or a combination of education and experience, will be required to submit experience verification form(s) from a Professional Surveyor supervisor sufficient to verify the required amount of qualifying experience; a minimum of one (1) experience verification form is required.

4. As a Dual Licensee

   With reference to Statute applicants seeking dual licensure (both Professional Engineer and Professional Surveyor) must meet the experience requirements for each license. Experience applied to meet the requirements for one license will not be applied to meet the requirements of the second license.

5. Comity Applications

   a. Professional Engineer or Professional Surveyor applicants for comity licensure who have been licensed and practicing for ten (10) years or more should submit character reference forms from Professional Engineers or Professional Surveyors who are familiar with the applicant's work.

   b. Professional Engineer or Professional Surveyor applicants for comity licensure who have been licensed and practicing for less than ten (10) years must submit experience verification forms from Professional Engineer or Professional Surveyor supervisors who had review and approval authority over the applicant's work.

   c. If the comity licensure applicant's experience cannot be verified and documented in accordance with this rule, the Board may deny licensure, or, in the alternative, may require substantial additional documentation to verify the applicant's qualifying experience to the Board's satisfaction.

6. Professional Mentoring

   a. An applicant may acquire qualifying engineering experience through a mentoring arrangement.

   b. The mentoring arrangement must have pre-approval by the Board. The applicant must submit a written proposal for a mentoring arrangement to the Board describing: the applicant's current employment status, description of job responsibilities, qualifications of the non-licensee supervising the applicant daily, biographical data of the mentoring PE, written certification from the mentoring PE agreeing to serve, proposed format of meetings. Meetings between the applicant and the mentoring PE must occur at least monthly.

   c. Once the Board has approved the mentoring arrangement, it may begin. The applicant shall prepare a report of each meeting, a statement indicating whether it was a responsible charge of work and if the work was performed according to industry standards, and the mentoring PE's seal and signature. A copy of this monthly report shall be sent to the Board.

   d. At the conclusion of the mentoring relationship, the mentoring PE shall provide a statement bearing his or her seal and signature recommending the applicant for licensure.

   e. When the applicant submits his or her PE application, he or she shall submit in a separate binder a compilation of all the monthly reports, any notes, drawings, and miscellaneous

items, and the original final statement of recommendation from the mentoring PE.

Source: *Miss. Code Ann.* §73-13-15

Rule 5.3 References and Experience Verification

The applicant shall furnish on his or her application the names, addresses, and if applicable, the states in which references are licensed as Professional Engineers or Professional Surveyors. It is the sole responsibility of the applicant to provide all reference information.

Reference forms which are signed and dated within the previous two (2) years may be transferred from a closed application to a new application at the applicant's request. However, applicants seeking initial licensure must submit at least one (1) reference form from their licensed supervisor or professional mentor dated within the past six (6) months, comity applicants submitting an NCEES Record must submit at least one reference form dated within the past twelve (12) months from another licensee who has knowledge of the applicant's experience during the most recent twelve (12) months, and comity applicants who are not submitting an NCEES Record must submit at least one (1) reference form dated within the past six (6) months, from another licensee who has knowledge of the applicant's experience during the most recent six (6) months.

At least three (3) of the five (5) references must be currently licensed; however, it is desirable that all the references be qualified to evaluate the applicant's training and experience. All references should know the applicant personally. A "referencing" Professional Engineer or Professional Surveyor may be licensed in any state or territory of the United States or other national licensing authorities as approved by the Board.

It is the responsibility of the licensee to provide an honest appraisal of applicants considered for enrollment or licensure.

The Board may find it necessary to correspond directly with a reference to seek clarification of the reference's statements. If any reference fails or declines to cooperate with the Board within a reasonable time, all information submitted by the reference may be disregarded.

Note: References are considered by the Board to include the Professional Engineer and Professional Surveyor who bore the responsibility for actual work experience.

Source: *Miss. Code Ann.* §73-13-15

Rule 5.4 Examinations

The Board uses examinations offered by the National Council of Examiners for Engineers and Surveyors (NCEES) for all examinations except the Mississippi Section examination for surveyors. The phrase "written examination" as used in the Statute, is interpreted to include computer-based format examinations.

1. Classification of Engineering Examinations
    a. Fundamentals of Engineering - This is known as the FE examination and is offered by discipline.
        1) Graduate Engineers applying for the FE examination may apply though NCEES without approval of the Board if an official transcript is part of their NCEES profile.

2) Engineering Students enrolled in an ABET/EAC curriculum, and an in-state college or university may apply for the FE examination with approval of the Dean of the College. These individuals shall apply for the FE examination in accordance with the process established by the Board and the school.

b. Principles and Practice of Engineering - This examination is known as the PPE examination and is offered by discipline. Individuals applying for the PPE may apply though NCEES without approval of the Board.

c. PE Structural Examinations – These examinations are known as the SE examinations. Individuals applying for the SE examinations may apply though NCEES without approval of the Board.

2. Classification of Surveying Examinations

a. Fundamentals of Surveying - This examination is known as the FS examination. Individuals applying for the FS may apply though NCEES without approval of the Board.

b. Principles and Practice of Surveying - This examination is known as the PPS examination. Individuals applying for the PPS may apply though NCEES without approval of the Board.

c. Mississippi Section - This examination is a closed book examination prepared by the Board.

1) To be cited to the Mississippi Section examination individuals shall apply for initial licensure after passing the FS and PPS, obtaining all required experience, and satisfying the requirements of Statute and the Rules and Regulations of the Board.

2) To be cited to the Mississippi Section examination individuals applying for comity licensure shall satisfy the requirements of Statute and the Rules and Regulations of the Board.

3) A separate fee will be charged for each administration of the Mississippi Section examination in accordance with the Fee schedule.

3. Compliance with Examination Policies and Procedures

a. Examinees shall abide by the examination administrator's published examination policies and procedures. An examinee who does not fully comply with the examination administrator's requirements may, in addition to any action by the Board, be subject to dismissal from the remainder of the examination.

b. Noncompliant Conduct in Association with Examinations. An examinee may be dismissed from the examination and subject to disciplinary or other Board action for conduct including, but not limited to:

1) cheating on the examination,

2) giving assistance to, or receiving assistance from, another person,

3) compromising the integrity of the examination,

4) disruptive or abusive behavior,

5) participating in any form of violation of examination policies or procedures during an examination.

Source: *Miss. Code Ann.* §73-13-15

Rule 5.5 Classifications

1. Licensure or Enrollment - Applicants shall be licensed as "Professional Engineers" or "Professional Surveyors" or enrolled as "Engineer Interns" or "Surveyor Interns."
2. Disciplines of Engineering - Mississippi Statute makes no specific designations as to the disciplines of engineering practice for Licensure as Professional Engineer however, Rule 6.3.5 Competency for Assignments provides that a Professional Engineer shall practice only in the disciplines in which he or she is qualified by education and experience.

Source: *Miss. Code Ann.* §73-13-15

Rule 5.6 Applications for Enrollment and Licensure

1. Form of Application
    a. All applications for enrollment or initial licensure shall be made on forms provided by the Board.
    b. Application fees are as established by the Board in the fee schedule.
    c. An application not properly completed, or not containing all the required information, will be deemed incomplete and may be rejected with a statement of the reason for non-approval.
    d. Applicants should allow at least thirty (30) days after the application is completed, with all required documentation submitted, for the Board to review and officially act upon the application.
2. Acceptance of Applications
    a. Withholding of information, misrepresentations, or untrue statements will be cause for denial of an application.
    b. Persons who have been previously disciplined by the Board shall appear before the Board and show cause why he or she should be accepted as an applicant for licensure or enrollment.
3. Transcript - When the Board requires an official transcript showing the degree issued and date of issuance, it is the responsibility of the applicant to see that such a record is sent directly from the institution to the Board office. The Board will not take any action until such information is received.
4. Experience Record - In relating experience, an applicant must account for the entire period which has elapsed since the beginning of the experience record.
5. Residency Requirements
    a. Only applicants who are residents of Mississippi may apply for initial enrollment as an Engineer Intern or Surveyor Intern or for initial licensure as a Professional Engineer or Professional Surveyor except as noted below. The Board may require the applicant to furnish proof that he or she is a legal resident of Mississippi. For the purposes of this rule, "legal resident" shall mean a natural person whose domicile is within the State of Mississippi. "Domicile" shall likewise mean the place where such a person resides with the intention of remaining there indefinitely or of returning there permanently when temporarily absent. Proof of legal residency may be shown by producing a valid Mississippi driver's

license, a valid voter registration card, or a certificate evidencing homestead exemption status.

b. Military personnel, their spouse or dependents who are otherwise qualified to sit for examinations, but whose legal residence is located outside the State of Mississippi, may apply if sufficient proof is produced showing permanent party or temporary duty assignment to a military installation located within this state.

c. Mississippi residency is not required for an applicant for Engineer Intern currently enrolled as an undergraduate or graduate student in an ABET/EAC accredited engineering curriculum within the State of Mississippi.

6. Applications from Applicants with Degrees from Foreign Schools

a. Degrees recognized by the Canadian Engineering Accreditation Board (CEAB) - An applicant with an engineering degree in a curriculum recognized by the Canadian Engineering Accreditation Board (CEAB) will be considered to hold a degree equivalent to the ABET/EAC accredited degree.

b. Non-ABET/EAC or Foreign Degrees – Undergraduate engineering degrees from universities that are not ABET/EAC accredited must be evaluated by the NCEES Engineering Education Standard. If the evaluation finds that a degree does not meet the NCEES Engineering Education Standard, the applicant will not be allowed to apply but will be advised of the courses necessary to cure the deficiency. An applicant with an undergraduate non-ABET/EAC or foreign degree plus a graduate degree from a university in a curriculum which is ABET/EAC accredited at the undergraduate level will qualify for application; the undergraduate degree will not need to be evaluated.

c. Language Comprehension - An initial applicant for licensure as a Professional Engineer or Professional Surveyor whose primary language is other than English, shall submit to the Board the results of an English language test, either the TOEFL examination or IELTS examination. If a TOEFL examination, a score of five hundred fifty (550) or higher is required if a paper-based test (PBT) or seventy-nine (79) if an internet-based test (iBT). A score of 6.5 or higher is required if the examination is IELTS. The test shall be taken within two years of the application date. An applicant who has received a degree from an institution in an English-speaking country will be exempt from this requirement.

7. Reconsideration of Action on an Application

a. Reconsideration request - An applicant may submit a written request for reconsideration of a denial of application if the request is based on additional information or evidence. Such additional information or evidence must be included with the applicant's written request for reconsideration. Such a request must be filed with the Board no later than thirty (30) days following the date of the notice of denial.

8. Disposition of Applications - Applications may be approved; deferred for more experience or additional references or other reasons; closed; or denied.

a. Approved applications - When an applicant has met the qualifications for licensure, the applicant shall be notified of licensure, and the action of the Board shall be spread on the minutes.

b. Deferred applications – Deferred applications shall remain on file for one (1) year from date

of deferment. If the reason for deferment is not removed within this time, the application will be closed.

9. Reapplication - Any applicant not otherwise prohibited by the Board may reapply.
10. Retention of Applications - Records will be retained in the licensure system for the period indicated:
    a. Enrollees and Licensees – as required by Mississippi Department of Archives and History
    b. Closed or denied applications – two (2) years

Source: *Miss. Code Ann.* §73-13-15

Rule 5.7 Comity Licensure

1. Requirements - Licensure as Professional Engineer or Professional Surveyor by comity will be granted provided the applicant is currently licensed and in good standing with other NCEES member Boards and meets all current Mississippi requirements. A PE comity applicant licensed prior to 1970 by examination requirements differing from these current rules may be deemed to meet current Mississippi examination requirements if the Board determines that the examinations completed are equivalent.
2. Surveyor Requirements - Licensure as a Professional Surveyor by comity will be granted only to applicants who are licensed after having passed the NCEES FS and PS examinations, or its equivalency as determined by the Board. The Mississippi Section examination will be required of all applicants for licensure by comity.
3. Engineer Requirements - If a properly executed NCEES Record, prepared by the NCEES Records office, is provided with certified copies verifying applicant's educational qualifications, experience record, responses from references and licensure in another state or states, and verification that the NCEES FE and PE examinations have been passed, the applicant will be required to complete only those sections of the application form dealing with General Information, Licensure in other states, and the Affidavit.
4. License - The license issued through comity for a Professional Engineer will bear the date the application is approved by the Board in accordance with Board procedures. The license issued through comity for a Professional Surveyor will bear the date the Mississippi Section examination is successfully completed.
5. Limited Licensure for Expert Technical Testimony
    a. Subject to the provisions of item b. below, any person not licensed to practice engineering in the State of Mississippi and who desires to provide expert testimony in the field of engineering in the form of an opinion or otherwise in any judicial or administrative proceeding, must apply to the Board for a limited license. Said license shall be administratively granted, provided each such person shall:
        1) provide his or her full name, residence address, office address, voice and facsimile telephone numbers, and email address,
        2) provide the full name, office address, voice and facsimile telephone numbers, and email address for each Firm, practice group of other entity with which he or she is associated in the practice of engineering,

3) provide evidence that he or she is licensed to practice engineering in another jurisdiction and is in good standing in that jurisdiction,

4) bind himself or herself to adhere to the principles of ethics and professional responsibility generally applicable to persons licensed to practice engineering in Mississippi,

5) give notice to the Board within fifteen (15) days after conclusion of the case in which such testimony was provided at which time the limited license will no longer be valid,

6) pay the current application fee for the initial appearance and, if desired, renew the limited license when it expires, and

7) submit himself or herself to the authority of the Board of Licensure for the application, administration, and enforcement of this rule.

b. This rule does not apply to any practice, work or service exempt from Statute and shall not be construed to prevent or affect the right of any person to provide testimony concerning any such practice, work or service. By way of example, and not of limitation, a person, who provides work or service "under the responsibility, checking and Supervision" of a licensee, may, without the limited license, testify fully in any judicial or administrative proceeding in the State of Mississippi concerning such work or services, including his or her opinions, other findings, and the grounds therefore relating to such work or services, including expert testimony in the field of engineering to the extent permitted or required by the court or agency within whose jurisdiction the testimony is provided and the judicial or administrative processes pertaining thereto.

c. Nothing contained in this rule or in the Board's administration thereof may unreasonably burden any state or federal court or any administrative agency in the administration of rules governing the permissibility of, and admissibility of, testimony by expert witnesses in the form of an opinion or otherwise.

Source: *Miss. Code Ann.* §73-13-15

Rule 5.8 Universal Recognition of Licenses

The board may, upon application therefor and the payment of a fee, issue a license as a Professional Engineer to any person who holds a license issued by proper authority of any state or territory or possession of the United States, provided that the applicant's qualifications meet the requirements of Statute and Rules and Regulations of the Board. The Board may also, upon application therefore and the payment of a fee, issue a license as a Professional Engineer to any person who holds a license or charter issued by proper authority of any country that has a Mutual Recognition Agreement with NCEES.

Source: *Miss. Code Ann.* §73-13-15 & §73-50-2

Part 901 CHAPTER 6: Enrollees and Licensees

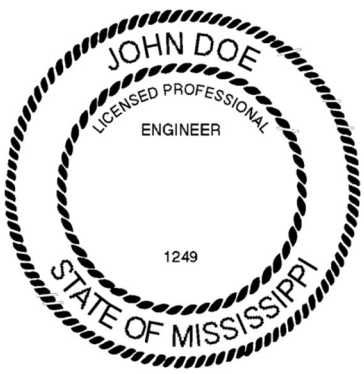
Rule 6.1 Enrollment or Licensure

1. At the time an applicant is granted enrollment or licensure by the Board, he or she will be assigned an enrollment or license number. These numbers are unique to the applicant and will be issued consecutively.
2. Enrollment – Upon board approval of the enrollment application and receipt of the enrollment fee the Executive Director will provide each enrollee with the following:
    a. a letter which includes the effective date, basis of enrollment, and an assigned enrollment number as an Engineer Intern or Surveyor Intern, and
    b. a certificate of enrollment.
3. Licensure – Licensure replaces enrollment status. Upon board approval of the application for licensure and receipt of the licensure fee the Executive Director shall provide each licensee with the following:
    a. a letter which includes the effective date, basis of licensure, and an assigned license number as a Professional Engineer or Professional Surveyor, and
    b. a certificate of licensure.
4. Replacement or Duplication of Certificates – An enrollee or licensee in good standing may submit a written request for a new certificate. The payment of a fee in the amount specified in the Fee Schedule is required.
5. Contact Information - It is the responsibility of each licensee to ensure the Board always has current information regarding his or her name, mailing address, phone number, employer, and e-mail address.

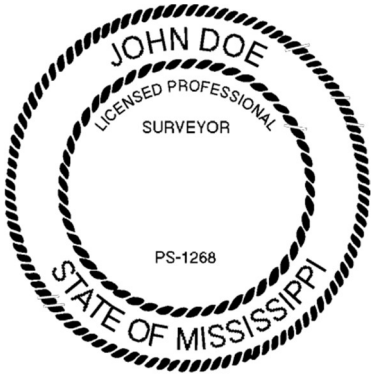
Source: *Miss. Code Ann.* §73-13-15

Rule 6.2 Seals

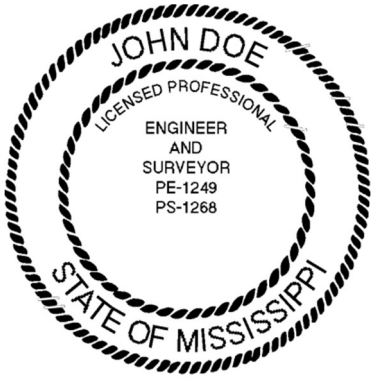
1. Seal of the Board - The seal of the Board shall be circular in form two (2) inches in diameter and shall be imprinted on all certificates issued by the Board.
2. Seal of the Licensee
    a. Upon completion of licensure, the licensee will be advised that he or she shall secure an official seal which shall be applied to engineering drawings, specifications, reports and other engineering or surveying documents prepared by the licensee or under his or her responsible supervisory control. Failure to secure a seal may result in disciplinary action by the Board.
    b. The seals to be used by the licensees are to be circular in form and from 1 5/8 inches to 2 inches in diameter. Illustrations of the seal designs are below:



PE



PS



Dual

c. Seals obtained prior to the adoption of this rule, and which are in conformance with prior Board rules are acceptable.

3. Seal on Documents

a. The seal, signature and date on a document constitute a certification that the document was prepared by the licensee or under his or her Responsible Charge. The board has final authority regarding the determination of whether work was prepared under the Responsible Charge of a licensee.

1) Each sheet of plans, drawings, documents, specifications and reports for engineering practice shall be signed, sealed and dated by the licensee in Responsible Charge.

2) Each sheet of maps, plats, charts, documents, and reports for land surveying practice shall be signed, sealed, and dated by the licensee in Responsible Charge.

b. Where more than one (1) sheet is bound together in one (1) volume, the licensee who is in Responsible Charge may sign, seal and date only the title or index sheet, providing that the signed sheet clearly identifies all of the other sheets comprising the bound volume, and provided that any of the other sheets which were prepared under the Responsible Charge of another licensee must be signed, sealed and dated by that licensee.

c. By applying his or her seal and signature to the final documents they signify that they have complied with the requirements of Statute and the Rules and Regulations of the Board.

d. Drawings, reports, documents and digitally delivered work products may use Digital Signatures and Seals. Digital signatures must have an electronic authentication process attached to or logically associated with the electronic document and must be:

1) Unique to the individual using it

2) Capable of verification

3) Under the sole control of the individual using it

4) Linked in such a manner that the digital signature is invalidated if any data is changed.

Any hard copy printed from the transmitted electronic file shall bear the facsimile of the signature and seal and confirmation shall be provided stating that the electronic file was not altered after the initial digital signing of the file. Any alterations to the file shall cause the

facsimile of the signature to be voided.

e. Additions, deletions, or other revisions affecting public health and safety, or state and local codes may be made only if they are subsequently signed, sealed, and dated by the licensee who made the revisions or under whose Responsible Charge were made.

4. Prototypical Projects

   Documents prepared for projects that are designed by other engineers to be built in various locations with few changes, except site adaptation, may be sealed by a Mississippi Professional Engineer licensee under the following conditions:

   a. written permission of the original engineer(s) to adapt the documents,

   b. each sheet of plans, drawings, documents, specifications, and reports shall be signed, sealed, and dated by the engineer who performed the original design and shall also be signed, sealed, and dated by the Mississippi licensee who has reviewed the documents in sufficient depth to fully coordinate and assume responsibility,

   c. documentation of all changes made to the original documents, and

   d. the following written certification shall accompany the seal and signature on each sheet: "I have reviewed this document in sufficient depth to accept full responsibility for its contents and to assure code compliance and coordination."

5. Seal Care and Custody - The licensee shall exercise due and reasonable care in maintaining physical possession of his or her seal and its use. The licensee shall not willingly allow others to possess or use his or her seal in any way.

Source: *Miss. Code Ann.* §73-13-15

Rule 6.3 Code of Professional Conduct

The rules of professional conduct provided in this section are intended to safeguard the health, safety, and welfare of the public. They assure high standards of skill and practice in the engineering and surveying professions and maintain the integrity and reputation of the professions. The rules of professional conduct provided in this section shall be binding upon every licensee and on all Firms authorized to offer or perform engineering or surveying services in the State of Mississippi.

1. Licensee's Obligation to the Public

   a. Licensees shall be cognizant that their first and foremost responsibility is to safeguard the health, safety, and welfare of the public when performing services for clients and employers.

   b. Licensees shall sign and seal only those plans, surveys, and other documents that conform to accepted engineering and surveying standards and that safeguard the health, safety, and welfare of the public.

   c. Licensees shall notify their employer or client, and such other authority as may be appropriate when their professional judgment is overruled when the health, safety, or welfare of the public is endangered.

   d. Licensees shall, to the best of their knowledge, include all relevant and pertinent information in an objective and truthful manner within all professional documents, statements, and testimony.

e. Licensees shall express a professional opinion publicly only when it is founded upon adequate knowledge of the facts and a competent evaluation of the subject matter.

f. Licensees shall issue no statements, criticisms, or arguments on engineering and surveying matters that are inspired or paid for by interested parties, unless they explicitly identify the interested parties on whose behalf they are speaking and reveal any interest they have in the matters.

g. Licensees shall not partner, practice, or offer to practice with any person or Firm that they know is engaged in fraudulent or dishonest business or professional practices.

h. Licensees who have knowledge or reason to believe that any person or Firm has violated any rules or Statutes applying to the practice of engineering or surveying that involve a material discrepancy, error, or omission that may impact the health, safety, or welfare of the public shall report it to the Board, should report it to appropriate legal or regulatory authorities, and shall cooperate with the Board and those authorities as requested.

i. Licensees shall not knowingly provide false or incomplete information regarding an applicant seeking licensure.

j. Licensees shall comply with the licensing Statutes and rules governing their professional practice in each of the areas in which they practice.

2. Licensee's Obligation to Employer and Clients

a. Licensees shall undertake assignments only when qualified by education or experience in the specific technical fields of engineering or surveying involved.

b. Licensees shall not affix their signatures or seals to any plans or documents dealing with subject matter in which they lack competence, nor to any such plan or document not prepared under their responsible charge.

c. Licensees may accept assignments and assume responsibility for coordination of an entire project if each technical segment is signed and sealed by the licensee responsible for preparation of that technical segment.

d. Licensees shall not reveal facts, data, or information obtained in a professional capacity without the prior consent of the client, employer, or public body on which they serve except as authorized or required by Statute or rules.

e. Licensees shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for employers or clients.

f. Licensees shall disclose to their employers or clients all known or potential conflicts of interest or other circumstances that could influence or appear to influence their judgment or the quality of their professional service or engagement.

g. Licensees shall not accept compensation, financial or otherwise, from more than one party for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to in writing by all interested parties.

h. Licensees shall not solicit or accept a professional contract from a governmental body on which a principal or officer of their organization serves as a member. Conversely, licensees serving as members, advisors, or employees of a government body or department, who are the principals or employees of a private concern, shall not participate in decisions with

respect to professional services offered or provided by said concern to the governmental body that they serve.

i. Licensees shall not use confidential information received during their assignments as a means of making personal profit without the consent of the party from whom the information was obtained.

3. Licensee's Obligation to Other Licensees

   a. Licensees shall not falsify or permit misrepresentation of their academic or professional qualifications or those of their associates. They shall not misrepresent or exaggerate their degree of responsibility in prior assignments nor the complexity of said assignments. Presentations incidental to the solicitation of employment or business shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.

   b. Licensees shall not offer, give, solicit, or receive, either directly or indirectly, any commission, or gift, or other valuable consideration to secure work, and shall not make any political contribution with the intent to influence the award of a contract by public authority.

   c. Licensees shall not injure or attempt to injure, maliciously or falsely, directly, or indirectly, the professional reputation, prospects, practice, or employment of other licensees, nor indiscriminately criticize other licensees' work.

   d. Licensees shall make a reasonable effort to inform another licensee whose work is believed to contain a material discrepancy, error, or omission that may impact the health, safety, or welfare of the public, unless such reporting is legally prohibited.

4. Character and Reputation

   The licensee shall be responsible for maintaining good character and reputation. Grounds for a disciplinary hearing which may result in the revocation of their license include suspension of a license by another jurisdiction, being a habitual drunkard, demonstrating gross immorality, being addicted to narcotics or illegal drugs, have been adjudged insane or incompetent by a court of competent jurisdiction, or being convicted of a felony or misdemeanor.

5. Competency for Assignments

   a. The licensee may accept an assignment requiring education or experience outside his or her area of competence, but only to the extent that his or her services are restricted to those phases of the project in which he or she is qualified. All other phases of such projects shall be performed by licensees who may be associates, consultants or employees, qualified in the specific disciplines involved.

   b. Professional Engineer, if properly qualified by training, education and experience, may perform construction management services without obtaining any additional license or certification, provided that the Professional Engineer does not perform any construction work on the project being managed.

6. Solicitation of Work

   a. The Professional Engineer and the Engineering Firm, is to seek professional employment based primarily on the qualifications and competencies required for proper accomplishment of the work. This process restricts the Professional Engineer or Firm from submitting a price

for services until the prospective client has selected that Engineer or Firm, based primarily on stated qualifications and competencies, for final contractual negotiations.

Competitive price proposals may not be submitted or solicited for professional services unless all of the following restrictions are met:

1) the prospective client has first sought statements of qualifications from interested licensees,
2) a short-list of no more than five (5) licensees chosen by the client based on qualifications and competence for proper accomplishment of the work received in writing a comprehensive and specific Scope of Work,
3) when the Scope of Work has been prepared, signed and sealed by a licensed Professional Engineer who has attested to the completeness and adequacy of the Scope of Work assuring that it fully identifies and describes the factors affecting the required engineering services,
4) assurances have been given by the prospective client that factors in addition to price were considered in selecting the Professional Engineer, and
5) neither the Professional Engineer that sealed the Scope of Work, nor this Professional Engineer's Firm will be allowed to submit a price proposal.

b. The Professional Surveyor, and the surveying Firm, is to seek professional employment based primarily on the qualifications and competencies required for proper accomplishment of the work. This process restricts the Professional Surveyor or Firm from submitting a price for services until the prospective client has selected that Surveyor or Firm, based primarily on stated qualifications and competencies, for final contractual negotiations.

Competitive price proposals may not be submitted or solicited for professional surveying services unless all the following restrictions are met:

1) the prospective client has first sought statements of qualifications from interested licensees,
2) a short-list of no more than five (5) licensees chosen by the client based on qualifications and competence for proper accomplishment of the work received in writing in response to a comprehensive and specific Scope of Work prepared by the client or the client's representative that completely describes the factors affecting the required surveying services, and
3) assurances have been given by the prospective client that factors in addition to price were considered in selecting the Professional Surveyor.

Source: *Miss. Code Ann.* §73-13-15

Rule 6.4 Continuing Professional Competency

The purpose of the Continuing Professional Competency (CPC) requirement is to demonstrate a continuing level of competency of licensees in their respective fields of engineering and surveying practice.

1. Introduction

a. As a condition for renewal, every licensee shall meet the CPC requirements of the Rules and Regulations of the Board, or the requirements of the licensee's jurisdiction of residence provided that jurisdiction's CPC requirements are substantially equivalent to the NCEES CPC Standard. Surveyors meeting the requirements of their jurisdiction of residence must still meet the Mississippi Standards of Practice requirement.

b. All courses and activities shall have a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the licensee's field of practice in engineering or surveying. Regular duties are not considered qualifying activities.

2. Requirements

a. Professional Engineers are required to obtain thirty (30) PDHs during every biennial renewal period.

b. Professional Surveyors are required to obtain twenty-four (24) PDHs during every biennial renewal period.

c. Professional Surveyors and Dual Licensees are required to obtain training in Mississippi Standards of Practice as part of CPC requirements. A Professional Surveyor with five (5) years or less licensure in Mississippi is required to obtain one (1) PDH in Mississippi Standards of Practice annually. Professional Surveyors with more than five (5) years licensure in Mississippi are required to obtain one (1) PDH in Mississippi Standards of Practice every biennial renewal period. Courses in surveying standards in other states may not be used to meet this requirement. However, standard courses from other states may be used as a portion of the licensee's remaining PDHs. Excess Mississippi Standards of Practice PDHs may not be carried forward.

d. Dual Licensees are required to obtain thirty-six (36) PDHs during every biennial renewal period, at least one third (1/3) of which shall be obtained in each profession.

e. All licensees are required to obtain one (1) PDH of ethics training as part of the CPC requirement every biennial renewal period. Excess ethics PDHs may not be carried forward.

f. If a licensee exceeds the requirement in any biennial renewal period, PDHs may be carried forward into the subsequent biennial renewal period as follows: a maximum of fifteen (15) PDHs by a Professional Engineer licensee; a maximum of twelve (12) PDHs by a Professional Surveyor licensee; a maximum of eighteen (18) PDH units by a Dual licensee. PDH units must be submitted during renewal to be considered for carryover.

3. Qualifying Activities to Earn PDHs

a. Successful completion of college courses.

b. Successful completion of short courses, tutorials, webinars, and distance-education courses.

c. Presenting or attending qualifying seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions, conferences, or educational institutions.

d. Preparing and instructing the activities listed above.

e. Authoring published papers, articles, books, or accepted licensing examination items.

f. Membership or active participation in professional or technical societies, accrediting

organizations, or regulatory boards. A licensee may claim the PDH credit for either membership or active participation for any organization but not both.

g. Obtaining a patent based on the creative work of the licensee.

h. Participation in educational outreach activities pertaining to professional licensure or the surveying and engineering professions that involve K-12 or higher education students.

i. Providing technical assistance to the Board.

4. Determination of Credit - The Board does not pre-approve PDHs but does have final authority with respect to approval of courses, credit, PDH value for courses, and other methods of earning credit.

   a. Credit for college or community college approved courses will be based upon course credit established by the college.

   b. Credit for qualifying seminars and workshops will be based on one (1) PDH unit for each hour of attendance. Attendance at qualifying programs presented at professional or technical society meetings will earn PDH units for the actual time of each program.

   c. Credit determination for activities 3.e, publishing paper, article, book, or accepted licensing examination items and 3.g, obtaining a patent is the responsibility of the licensee (subject to review as required by the Board) but shall not exceed ten (10) PDH units per year.

   d. Credit for activity 3.f (PDHs are not earned until the end of the year):

      1) Active participation in professional or technical societies requires that a licensee serves as an officer or actively participates in a committee of the organization.

      2) Active participation in an accrediting organization requires serving as a program evaluator or evaluation team chair.

   e. No more than eight (8) PDHs obtained during a twenty-four (24) hour period will be applied to meet the continuing professional competency requirements.

5. Units - The conversion of other units of credit or activities to PDH units is as follows:

   a. One (1) semester hour ..... 45 PDH

   b. One (1) quarter hour ..... 30 PDH

   c. One (1) Hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, or conferences ..... 1 PDH

   d. Preparing and instructing a. through c. above, multiply the PDHs by two (2)

   e. Each published peer-reviewed paper or book in the licensee's area of professional practice ..... 10 PDH

   f. Each published paper or article (other than 6.f. above) in the licensee's area of professional practice ..... 5 PDH

   g. Each Patent ..... 10 PDH

   h. Membership or active participation in a professional society, technical society, or accrediting organization with a maximum of two (2) PDH per organization

per year

1) membership ..... 1 PDH

2) active participation ..... 2 PDH

i. Participation in educational outreach activities, one (1) hour per activity with a maximum of six (6) PDH per renewal period ..... 1 PDH

j. One (1) hour of voluntary technical assistance as requested by the Board ..... 1 PDH

6. Teaching credit is valid for teaching a course or seminar for the first time only. Full-time faculty may not claim teaching credit associated with their regular duties.

7. Record keeping - The responsibility of maintaining records to be used to support credits claimed is the responsibility of the licensee.

   a. Records required include, but are not limited to:

      1) a log showing the type of activity claimed, sponsoring organization, location, duration, name of the instructor or speaker, and PDH credits earned, and

      2) attendance verification records in the form of completion certificates or other documents supporting evidence of attendance.

   b. These records must be maintained for three (3) years. Copies must be provided if requested by the Board for audit verification purposes.

8. Exemptions - A licensee may be exempt from the professional development educational requirements for one of the following reasons:

   a. New licensees by way of initial licensure or comity shall be exempt in the year they obtain their license.

   b. Licensees serving on temporary active duty in the armed forces of the United States for a period exceeding one hundred twenty (120) consecutive days in a year shall be exempt during that year. Supporting documentation must be furnished to the Board.

   c. Licensees experiencing physical disability, illness, or other extenuating circumstances as reviewed and approved by the Board may be exempt. Supporting documentation must be furnished to the Board upon request by the Board for audit verification purposes.

   d. Professional Engineers and Professional Surveyors currently in Retired Status are exempt.

9. Forms - All renewal applications will require a certification by the licensee that the CPC requirement for that year has been met and must be entered into the NCEES database or Board website portal.

10. Audits – Each licensee's Continuing Professional Competency records are subject to audit by the Board or its authorized representative.

Source: *Miss. Code Ann.* §73-13-15

Rule 6.5 Retired Licensees

1. Qualifications - A Professional Engineer or Professional Surveyor who chooses not to practice or offer to practice engineering or surveying in the State of Mississippi and having twenty (20)

years of aggregate practice may request Retired Status on the licensure renewal form. The renewal fee for Retired Status is presented in the Fee Schedule. A licensee in Retired Status can continue to represent himself or herself to the public as a Professional Engineer or Professional Surveyor but cannot otherwise practice or offer to practice engineering or surveying in the State of Mississippi without completing the requirements to establish Active Status.

2. Listing in Roster - Licensees in Retired Status will be listed in the Roster as PE, Retired or PS, Retired.

Source: *Miss. Code Ann.* §73-13-15

Rule 6.6 Expirations and Renewals

1. Enrollment as Engineer Intern or Surveyor Intern does not expire.
2. Professional Engineer, Professional Surveyor, and Certificate of Authority renewals are biennial. Unless renewed, a license becomes invalid on its expiration date.
    a. All initial, comity, and reinstated licenses shall expire on December 31st of the year they were issued.
    b. All renewed licenses shall expire on December 31st of their biennial renewal period.
    c. For dual licensees, the date of expiration of both licenses shall be determined by the date of expiration of the license to practice engineering.
3. Notification of Renewal
    a. Each licensee shall be provided notice of the expiration date of the license and the renewal fee at least thirty (30) days prior to the expiration date thereof by email to the email address on record with the Board. Should the Board not have an e-mail address for a licensee, notices shall be mailed to the licensee's mailing address of record by first class United States mail at least thirty (30) days prior to the expiration date.
    b. The responsibility for renewal rests solely with the individual licensee. Failure to receive notice does not relieve a licensee from the duty to timely renew their license prior to its expiration.
4. Renewal Filing
    a. To renew an expiring or expired license, a licensee shall complete the renewal application electronically using the Board's on-line portal located at https://www.pepls.ms.gov.
    b. The applicable renewal fee must likewise be paid on-line by credit or debit card only.
5. Late renewal is subject to a ten percent (10%) additional fee per month that payment is delayed.
6. After a license has expired for more than six (6) months, an application for reinstatement shall be required.

Source: *Miss. Code Ann.* §73-13-15

Rule 6.7 Reinstatement of Enrollment or License

1. Continuing Education Requirements for Reinstatement

A licensee with a lapsed license, revoked license, or a licensee in retired status must obtain one half of the PDH units required for a biennial period, which must include one (1) PDH unit of ethics and apply to the board. Dual licensees bringing only one (1) license to active status are required to obtain only the PDH units required for the license being reinstated. If the license being brought to active status is a Professional Surveyor's license, one (1) PDH unit of Standards of Practice must be obtained.

2. Reinstatement

   Applicants with a lapsed license or in retired status must include in the application evidence that the continuing education requirements for licensure have been met during the past year and that the applicant is in good standing with the Board. Upon receipt of such an application, the Board shall grant reinstatement of the license.

3. Reinstatement after Revocation

   Any person whose enrollment or license has been revoked may not apply to the Board for reinstatement of the enrollment or license until two (2) years have elapsed since the final, effective date of revocation, except a person convicted of a crime of moral turpitude in which case five (5) years shall have elapsed since the final effective date of revocation and the person's civil rights shall have been restored. In the application for reinstatement, the application should state why the enrollment or license should be reinstated. Applicants must include in the application evidence that the current requirements for licensure or enrollment have been met and that the applicant is in good standing with the Board. Upon receipt of such an application, the Board shall grant a hearing on reinstatement, at which time the applicant may appeal to the Board for reinstatement of the licensure or enrollment.

Source: *Miss. Code Ann.* §73-13-15

Part 901 CHAPTER 7: Standards of Practice for Surveying

Rule 7.1 Types of Surveys

Whenever a survey is performed, it shall comply with Statute, and the Standards of Practice for Surveying in Mississippi as described below. Types of surveys shall include, but not be limited to the following as described:

1. Boundary survey, route survey, easement survey, and lease survey shall mean a survey, the primary purpose of which includes, but is not limited to, determining the perimeter of a parcel or tract of land by establishing or re-establishing corners, and monuments, for the purposes of describing, platting, or dividing the parcel and preparing a description(s) of the parcel of land.
    a. If an easement survey is performed in conjunction with a boundary survey, route survey, or lease survey, and the easement is adjacent to and parallel with the boundary lines(s) created or re-established, then monumentation of the easement is not required.
    b. If an easement survey is performed in conjunction with a boundary survey, route survey, or lease survey, and the easement is temporary in nature, then monumentation is not required.
2. “Topographic Survey” shall mean a survey of the natural and select man-made features of a part of the earth's surface by ground measurements or remote sensing to determine horizontal and vertical spatial relations of the features.
3. “Hydrographic Survey” shall mean a survey having for its principle purpose the determination of data relating to bodies of water and which may consist of the determination of one or several of the following classes of data: depth of water and configuration of bottom, directions and force of current, water stages, and location of fixed objects for survey and navigation purposes.
4. “Control Survey” shall mean a survey which provides horizontal or vertical position data for the support or control of subordinate surveying, mapping, or construction layout purposes.

Source: *Miss. Code Ann. §73-13-15*

Rule 7.2 Attesting to Quality and Responsibility for Surveys

To provide the client with the assurance that the work was performed under the direct Supervision of a licensee, and was performed in accordance with these Standards of Practice, documentation shall be sealed, signed, and dated by the licensee in responsible charge, including, but not limited to, the following:

1. When a boundary, route, easement, or lease survey is performed, a plat shall be prepared, and the plat shall bear the seal and signature of the Professional Surveyor in responsible charge as well as the date the seal was affixed to the plat.
2. When a topographic survey, hydrographic survey, or control survey is performed at the request of a client, any plat, map or report that is the final product of that licensee for that project shall bear the seal and signature of the Professional Surveyor or the Professional Engineer in responsible charge as well as the date the seal was affixed to the plat. If a topographic survey, hydrographic survey, or control survey is performed by a licensee to obtain data to be used by that licensee to perform calculations or to be incorporated into a final product of that project, then the final product of that project shall bear the seal and signature of the Professional Surveyor or the Professional Engineer in responsible charge as well as the date the seal was

affixed to the plat.

Source: *Miss. Code Ann. §73-13-15*

Rule 7.3 Requirements

The boundary, route, easement, and lease survey plat shall conform to the following requirements and shall include the following information:

1. The plat shall be displayed on any reasonably stable and durable drawing paper, vellum, linen, or film of reproducible quality. No plat or map shall have dimensions of less than 8-1/2 x 11 inches.
2. The plat shall show the scale, area, and classification of the survey (A, B, or C). These classifications are based upon both the purposes for which the property is being used at the time the survey is performed and any proposed developments which are disclosed by the client. This classification must be based on the criteria set forth in Rule 7.4, and the survey must meet the minimum specifications set forth in Rule 7.5. The scale shall be sufficient to show detail for the appropriate classification.
3. The survey must be referenced to either true north, grid north, or the record bearing of a well-defined and monumented line found in (a) existing subdivisions; (b) city or town plats; or, (c) a previous survey when the current survey is a division of said previous survey and enough monumentation is available to establish the original orientation.
    a. A definitive north arrow shall be shown on the plat.
    b. The reference meridian used must be clearly stated on the plat along with the method used to obtain it.
    c. If a reference line is used as the reference meridian, the monuments used to determine the meridian shall be clearly shown and described on the plat and the reference line noted as such. The recording information of the source material used as the reference meridian shall also be stated.
4. All monuments, natural and artificial, found or set shall be shown and described on the survey plat. The monuments shall be noted as found or set. All monuments set shall be ferrous metal, or contain ferrous metal, not less than one-half (1/2) inch in diameter, and not less than eighteen (18) inches in length. All monuments set shall display the license number of the Professional Surveyor, the COA number of the Firm, or the name of the responsible government agency. Alternate monument types may be used in asphalt, concrete, rock, or other like materials where appropriate (e.g. nail with washer, cotton picker spindle, etc.). Use of alternate monument types does not relieve the surveyor from the obligation to display the license number, COA number, or name of the government agency. When a monument is found with a cap that contains the license number of the Professional Surveyor or the COA number of the Firm, the license or COA number shall be stated on the plat.
5. All corners shall be monumented, either by a found monument clearly described on the survey plat, or by a monument set as described above, except however:
    a. a corner which falls in a creek, stream or ditch, or in a gravel or asphalt road. Courses that intersect a creek, stream, ditch, or road that is to be used as a boundary of the parcel being

surveyed should have witness corners set on the line intersecting same and be clearly shown on the plat.

b. a corner which falls upon solid rock, concrete or other like materials which prevents displaying the license number of the Professional Surveyor, the COA number of the Firm, or the name of the responsible government agency. Such corners shall be marked in a permanent manner (chiseled mark, drilled hole, etc.) and clearly identified on the plat or witnessed by Witness Corners.

6. Witness Corners shall be set whenever a corner monument cannot be set (e.g. lake or pond) or is likely to be disturbed.

7. Any time witness corners are set, they shall be set as close as practical to the true corner and shall meet the same physical standards that would be required for the true corner. If only one (1) witness corner is set, it must be set on the actual boundary line or prolongation thereof. Otherwise, at least two (2) witness corners shall be set and so noted on the plat of the survey. The bearing and distance referencing the witness corners from the true corner shall be shown on the plat. If the witness corner is set on the boundary line, only the distance from the true corner is required to be shown.

8. The plat of a metes and bounds survey must clearly describe and show the monument marking the commencing point and the point of beginning for the survey. Commencing Point is a well-defined, monumented point referenced to the U.S. Public Land (GLO) Survey system or other recorded subdivision plat, recorded and monumented City or County plat or map, compatible with Mississippi Statutes for filing and recording of land ownership that is used in a metes and bounds description. Point of Beginning is a well-defined monumented point referenced to the U.S. Public Land (GLO) Survey system or recorded subdivision plat, recorded and monumented City or County plat or map, compatible with Mississippi Statutes for recording land ownership that is used as the beginning and ending point in a metes and bounds land description.

9. All discrepancies between the survey and the recorded description(s), and the source of all information used in making the survey shall be indicated. When an inconsistency is found, including a gap or overlap, excess or deficiency, erroneously located boundary lines or monuments, or when any doubt as to the location on the ground of the true boundary or property rights exists, the nature of the inconsistency shall be clearly shown on the drawing.

10. A description and location of any physical evidence of occupation found along a boundary line, including but not limited to fences, walls, buildings, or monuments.

11. The horizontal length (distance) and direction (bearing or azimuth) of each line as specified in the legal description and as determined in the actual survey process.

12. Four (4) elements of all circular curves shall be shown (radius, arc length, chord bearing and chord length).

13. When a property description is required by the client, the description prepared by the Professional Surveyor should list all pertinent information that is shown on the survey plat to include, but not limited to: commencing point, point of beginning, course bearing and distances, description of all corner monuments, description and offset of witness corners and basis of bearings. If state plane coordinates are referenced as a part of the description, the items in Rule 7.3.18 shall also be included.

14. The lot and block or tract numbers or other designations, including those of adjoining lots and tracts if the survey is within a recorded subdivision.
15. Visible encroachments onto or from adjoining property or abutting streets with the extent of such encroachment. No sub-surface encroachments are required to be located unless their existence and location is furnished to the surveyor by the client.
16. All public and private rights-of-way or easements which are observed, adjoining, or crossing the land surveyed and pertinent to the survey. If streets or street rights-of-way abutting the land surveyed are not physically open, a note to this effect shall be shown upon the drawing.
17. Location of all permanent improvements which are relevant to the purpose of the survey being performed with reference to the boundaries.
18. Any time State Plane Coordinates are used in the process of conducting a survey, the following information shall be shown on the plat:
    a. the State Plane Coordinates System Zone,
    b. the horizontal or vertical datum used,
    c. the method used to derive information such as Global Positioning System or conventional survey, including any published horizontal and vertical control points used (if any),
    d. a combined or correctional factor,
    e. the convergence angle,
    f. the coordinates of a minimum of two (2) reference points relevant to the survey.
19. Regardless of the type of survey, a plat or survey shall bear the name, address, date of field survey, signature, and seal of the licensee in responsible charge. This signature and seal are certification that the survey meets the requirements of the Standards of Practice for Surveying in Mississippi as adopted by the Mississippi Board of Licensure for Professional Engineers and Surveyors. Other regulations including the Manual of Instructions for the Survey of U.S. Public Lands and all subdivision Laws and regulations of the State of Mississippi Statutes shall be followed.

Source: *Miss. Code Ann. §73-13-15*

Rule 7.4 Classification of Surveys

Class A Surveys - Surveys of extensively developed and expensive properties which require maximum surveying accuracy. This includes, but is not limited to, surveys of urban business district properties and highly developed commercial properties.

Class B Surveys - Surveys of properties which are subject to costly improvements and justify a high degree of surveying accuracy. This includes, but is not limited to, surveys of commercial properties and higher priced residential properties located outside urban business districts and highly developed commercial areas.

Class C Surveys - Surveys of all remaining properties which cannot be classified as Class A or B surveys.

Source: *Miss. Code Ann. §73-13-15*

Rule 7.5 Minimum Accuracy

1. Any time the survey utilizes a conventional traverse loop or traverse between known control monuments, the following parameters shall be satisfied.

PARAMETER	Survey Classification			Remarks and Formula
	A	**B**	**C**	
Unadjusted Closure (Minimum)	**1:10,000**	**1:7,500**	**1:5,000**	Loop or Between Control Monuments
Angular Closure (Minimum)	**15" √ N**	**25" √ N**	**30" √ N**	N=Number of Angles in Traverse
Accuracy of Bearing	**± 1 Min.**	**± 2 Min.**	**± 3 Min.**	Relative to Source
Accuracy of Distances	**0.03 ft. + 50ppm**	**0.05 ft. + 100ppm**	**0.07 ft. + 150ppm**	100 ppm = 1:10,000
Elevations for Boundaries Controlled by Tides, Contours, Rivers, etc. Accurate to:	**± 0.05 ft.**	**± 0.10 ft.**	**± 0.20 ft.**	Based on NGVD/NAVD
Location of Improvements Structures, Paving, etc. (Tie Measurement)	**± 0.1 ft.**	**± 0.2 ft.**	**± 1.0 ft.**	

2. If radial survey methods such as global positioning systems (GPS) or other acceptable technologies or procedures are used to locate or establish points on the boundary survey, the Professional Surveyor shall apply acceptable surveying procedures and perform adequate quality control measures to ensure that the allowable positional accuracy and/or positional tolerance of such points are not exceeded.

Source: *Miss. Code Ann. §73-13-15*

Rule 7.6 Enforcement

Licensees failing to meet these standards of practice will be subject to appropriate disciplinary action by the Board.

Source: *Miss. Code Ann. §73-13-15*

Part 901 CHAPTER 8: Certificate of Authority

Rule 8.1 General Requirements for Certificates of Authority

1. Any Firm practicing or offering to practice engineering or surveying in the State of Mississippi must be licensed to practice with a Certificate of Authority from this Board.
2. An individual licensee practicing in their own name as a sole proprietorship shall not be required to obtain a Certificate of Authority.

Rule 8.2 Managing Agent

1. To qualify for an engineering or surveying Certificate of Authority, the Firm must designate at least one Mississippi licensee who is either a principal officer, partner, or the designated principal licensee of the Firm with management responsibility for the Firm's practice in Mississippi. The managing agent's responsibilities include:
    a. Making significant technical or contractual judgments on behalf of the Firm which would affect the Firm's professional reputation and liability.
    b. Renewal of the firm's certificate of authorization and notification to the board of any change in managing agent.
    c. Overall administrative supervision of the firm's licensed and subordinate personnel providing the engineering or surveying work in the State of Mississippi.
    d. Institution and adherence of policies of the firm that are in accordance with the Code of Professional Conduct.
2. A licensee may not be designated as a managing agent for more than one firm.
3. A licensee who renders occasional, part-time, or consulting services may not, for the purposes of this rule, be designated as being responsible for the professional services of the Firm.

Source: *Miss. Code Ann.* §73-13-15

Rule 8.3 Liability Not Affected

The Firm shall be responsible for the conduct or acts of its agents, employees, officers, partners, members, or managers operating or practicing under the Certificate of Authority. No individual practicing engineering or surveying services shall be relieved of responsibility for those services performed by reason of employment or other relationship with a Firm, corporation, or partnership holding a Certificate of Authority.

Source: *Miss. Code Ann.* §73-13-15

Rule 8.4 Applications

1. All applications for a Certificate of Authority shall be made on forms provided by the Board.
2. Application fees are as established by the Board.
3. An application not properly completed, or not containing all the required information, will be deemed incomplete and rejected with a statement of the reason for non-approval.
4. Applicants for a Certificate of Authority should allow at least thirty (30) days after the

application is completed, with all required documentation submitted, for the Board to review and officially act upon the application.

5. If any of the information on the initial or any subsequent renewal application changes for the firm, the firm shall notify the board in writing within thirty (30) days of the change by filing an amended application.

Source: *Miss. Code Ann.* §73-13-15

Rule 8.5 Expirations and Renewals

1. Expiration Date and Renewal Periods

   Certificate of Authority renewals are biennial. Unless renewed, the Certificate of Authority becomes invalid on its expiration date.

   a. All initial Certificates of Authority shall expire on December 31st of the year they were issued.

   b. All renewed Certificates of Authority shall expire on December 31st of their biennial renewal period.

2. Notification of Renewal

   a. Each Firm shall be provided with notice of the expiration date of the Certificate of Authority and the renewal fee at least thirty (30) days prior to the expiration date thereof by email to the email address on record with the Board. Should the Board not have an e-mail address for a Firm, notices shall be mailed to the Firm's mailing address of record by first class United States mail at least thirty (30) days prior to the expiration date.

   b. The responsibility for renewal rests solely with the individual Firm. Failure to receive notice does not relieve a Firm from the duty to timely renew their Certificate of Authority prior to its expiration.

3. Renewal Filing

   a. To renew an expiring or expired Certificate of Authority, a Firm shall complete the renewal application electronically using the Board's on-line portal located at https://www.pepls.ms.gov/.

   b. The applicable renewal fee must likewise be paid on-line by credit or debit card only.

4. Late renewal is subject to a ten percent (10%) additional fee per month that payment is delayed.

5. After a Certificate of Authority has expired for more than six (6) months, an application for reinstatement shall be required.

Source: *Miss. Code Ann.* §73-13-15

Part 901 CHAPTER 9: Disciplinary Actions

Rule 9.1 Anonymous Charges/Complaint

In instances in which the Board is presented with prima facie evidence of a violation of the Statute or the Rules and Regulations of the Board, a written charge by another will not be required.

Source: *Miss. Code Ann.* §73-13-15

Rule 9.2 Grounds for Disciplinary Action

1. The Board shall have the power to impose such disciplinary action as provided by Miss. Code Ann. Section 73-13-37 for any of the following reasons:
    a. fraud or deceit in obtaining or attempting to obtain or renew a License or Certificate of Authority,
    b. gross negligence, incompetence, or misconduct in the practice of engineering or surveying,
    c. conviction of, or entry of a plea of guilty or nolo contendere, to any crime that is a felony, whether related to the practice of engineering or surveying or not,
    d. conviction of, or entry of a plea of guilty or nolo contendere, to any crime, when an essential element of which is dishonesty or which is related to the practice of engineering or surveying,
    e. violating any of the provisions of Statute, these administrative rules or the standards of ethics or conduct duly adopted and promulgated by the Board,
    f. discipline (including voluntary surrender of an engineering or surveying license to avoid disciplinary action) by another jurisdiction,
    g. failure to provide information requested by the Board,
    h. knowingly making false statements or signing false statements, certifications, or affidavits in connection with the practice of engineering or surveying,
    i. violating the terms of a Board Order or assisting another in violating the Statute, rules or Order of the Board,
    j. violating the Code of Professional Conduct, and
    k. providing false testimony or information to the Board.
2. In addition to any other sanction provided in this section, the Board shall have the power to sanction any Firm when one or more of its managing agents, officers, directors, owners, or managers have been found guilty of any conduct which would constitute a violation under the provisions of the Statute or the Rules, Regulations, or Orders of the Board:
    a. place on probation, fine, recover costs from, or reprimand, and
    b. revoke, suspend, or refuse to issue, or renew the Certificate of Authority.

Source: *Miss. Code Ann.* §73-13-15

Rule 9.3 Investigative Procedures

Upon the filing of a charge, the Executive Director shall refer the charge to a member of the Board, who is not otherwise disqualified, to undertake an investigation to determine whether the facts as alleged and evidence presented by the charge constitute a violation of Statute, rule, or the code of conduct.

During the next regular meeting of the Board after the investigation has been completed, the investigating Board member shall present the charge and his/her findings to the Board for its consideration and vote.

1. If the Board determines the charge is frivolous, unfounded or filed in bad faith, the charge shall be dismissed upon a majority vote of a quorum present. Such action shall be reflected in the Board's minutes, and written notice of the Board's decision shall be sent to the complainant by mail to his/her address as provided by the charge.
2. If the Board finds there are reasonable grounds to indicate a violation of Statute or rule has occurred, the Board shall, by majority vote of a quorum present, cause a hearing to be held upon the filing of its own formal Complaint and Notice of Hearing.

Neither the investigating Board member nor any Board member otherwise disqualified shall vote or otherwise participate in the disciplinary hearing resulting from that investigation.

Source: *Miss. Code Ann*. §73-13-15

Rule 9.4 Pre-Hearing Discovery.

There shall be no pre-hearing discovery. However, at least seven (7) working days prior to the date of a disciplinary hearing, the parties shall provide each other with a list containing the name, address, and telephone number of intended witnesses and copies of all exhibits intended to be introduced at hearing.

Source: *Miss. Code Ann*. §73-13-15

Rule 9.5 Notice of Formal Complaint and Disciplinary Hearing.

The respondent shall be served with the Board's formal Complaint and Notice of Hearing by certified mail, return receipt requested, to the respondent's address of record with the Board, at least thirty (30) days prior to the date of the scheduled hearing.

1. The Complaint shall state the facts which form the basis of the alleged violation of Statute or rule with reasonable specificity to enable the respondent to defend against the same. The Notice shall inform the respondent as to the date, time, and location of the hearing, and shall enclose a copy of these administrative rules.
2. The respondent may respond in writing to the allegations of the Complaint and may choose to be represented by counsel at the disciplinary hearing.
3. A motion for a continuance must be made in writing no later than five (5) business days prior to the date of a scheduled disciplinary hearing.

Source: *Miss. Code Ann.* § 73-13-15

Rule 9.6 Informal Conference

A respondent may request an informal conference or may be requested to attend an informal conference with the investigative committee. The investigative committee shall be composed of the investigating Board member, the Executive Director, and Board counsel. The respondent has the right to have counsel present at the informal conference, but he/she may only serve in an advisory capacity. An informal conference is not an adversarial proceeding nor an administrative hearing.

1. Informal conferences are not official meetings of the Board.
2. Informal conferences shall be completed at least ten (10) days prior to any scheduled disciplinary hearing.
3. An informal conference resulting in settlement of the complaint shall be memorialized by Consent Order, subject to presentment and approval of the Board.
    a. Should the Board approve the order as proposed by a majority vote of a quorum present, the action shall be reflected in by the Board's minutes.
    b. Should the Board reject the order as proposed with no suggested amendment by a majority vote of a quorum present, the rejection shall be reflected by the Board's minutes, and the complaint shall be resolved by disciplinary hearing as scheduled or rescheduled if necessary.
    c. Should the Board reject the order as proposed yet suggest an amendment by a majority vote of a quorum present, the amended order shall be presented to the respondent for concurrence, in which case the Board shall approve the amended order by majority vote of a quorum present, with both votes reflected by the Board's minutes. If the respondent shall not concur with the terms of the amended order, the complaint shall be resolved by disciplinary hearing as scheduled or rescheduled if necessary.

Source: *Miss. Code Ann.* § 73-13-15

Rule 9.7 Consent Order

If, after receipt of the formal Complaint but prior to the scheduled disciplinary hearing, a respondent wishes to admit to the allegations of the Complaint and the consequent violation(s) of Statute or rule, a consent order may be entered into between the Board and the respondent, in settlement and in lieu of the disciplinary hearing. A consent order is subject to the approval of the Board. A consent order is voluntarily entered into by the respondent and shall not be subject to an appeal.

Source: *Miss. Code Ann.* § 73-13-15

Rule 9.8 Conflict, Bias, and Disqualification

1. A respondent in a disciplinary proceeding may assert conflict or bias by filing with the Board at least three (3) days prior to a scheduled disciplinary hearing an affidavit asserting a conflict or bias against any member(s) of the Board, setting forth in sufficient detail the factual bias for the assertion.
2. A Board member shall not be entitled to participate in any disciplinary action if the Board determines such Board member is personally biased. The recusal or disqualification of Board members shall be considered on the record as a preliminary matter at the hearing before any other questions are decided.

Source: *Miss. Code Ann.* §73-13-15

Rule 9.9 Disciplinary Hearings

Conduct of Hearing

1. The Board may conduct disciplinary hearings with its Chair, or such other member of the Board as may be designated by the Chair, acting as the presiding officer or, the Board may appoint a hearing officer to preside. The presiding officer shall have the power to administer oaths, take witness testimony, receive evidence and rule upon all motions and objections.
2. Disciplinary hearings may be recorded and transcribed by a court reporter.
3. The Mississippi Rules of Civil Procedure and the Mississippi Rules of Evidence are inapplicable to the conduct of disciplinary hearings.
4. The Board, through its counsel, and the respondent each shall be permitted to make an opening statement and closing statement.
5. The Board, through its counsel, shall present its evidence first, followed by the respondent. Rebuttal witnesses may be called if necessary. Each witness called may be subject to direct examination, cross-examination, re-direct examination, and re-cross examination, if necessary and in that order. Each witness may be subject to additional examination by the members of the Board.
6. At the conclusion of the hearing, the Board may either decide the issue at that time or take the case under advisement for further deliberation. The presiding officer may make recommendations to the Board as to its adjudication and appropriate sanctions to impose upon the respondent.
7. The Board shall render its decision not more than ninety (90) days after the conclusion of the hearing and shall forward to the last-known business or residence address of the respondent, by certified or registered mail, return receipt requested, its written Order.

Source: *Miss. Code Ann*. §73-13-15

Rule 9.10 Discipline

In determining the sanction to impose upon a respondent found to have violated the Statute, rules, or code of conduct, the Board shall consider all relevant factors, including, but not limited, to the following:

1. the severity of the violation(s),
2. the actual or possible danger to the public resulting from the accused's past and present violation(s),
3. the actual damage resulting from the accused's past and present violation(s),
4. the number of past repetitions of the accused's present violation(s),
5. the length of time since the occurrence of the accused's present violation(s),
6. the number and seriousness of previous violations,

7. the length of time the licensee has practiced,
8. the deterrent effect of the penalty imposed,
9. the effect of the penalty upon the accused's livelihood,
10. any efforts of rehabilitation, and
11. any other mitigating or aggravating circumstances.

Source: *Miss. Code Ann*. §73-13-15