

SECTION .0900 - BUSINESS ENTITIES: GENERAL

21 NCAC 56 .0901 OFFICES

(a) Professional Engineering Services. Every firm, partnership, corporation, or limited liability company that performs or offers to perform engineering services, as defined in G.S. 89C-3(6), within the State of North Carolina shall have a resident Professional Engineer in each separate office located in North Carolina where those services are performed or offered to be performed. Out-of-state office locations where engineering services are performed or offered to be performed for North Carolina projects shall have Professional Engineers in responsible charge of only those specific projects in compliance with Rule .0701(d) of this Chapter.

(b) Land Surveying Services. Every firm, partnership, corporation, or limited liability company that performs or offers to perform land surveying services, as defined in G.S. 89C-3(7), within the State of North Carolina shall have a resident Professional Land Surveyor in each separate office located in North Carolina where those services are performed or offered to be performed. Out-of-state office locations where surveying services are performed or offered to be performed for North Carolina projects shall have Professional Land Surveyors in responsible charge of only those specific projects in compliance with Rule .0701(d) of this Chapter.

(c) Resident. The terms "resident Professional Engineer" and "resident Professional Land Surveyor" are defined as a licensee who spends a majority of the licensee's normal working time in that office. Such time shall not be less than a majority of the operating hours of the business. A Professional Engineer or Professional Land Surveyor shall be the resident professional at only one place of business at one time unless each business is at least one-third owned by the resident professional. The Board shall specifically approve such arrangement after a determination that the businesses are integrated in operation, ownership, and office location and that the resident professional will be in responsible charge of the professional services.

(d) No firm, partnership, corporation, or limited liability company shall practice, offer to practice, or market either engineering or land surveying services unless there is a licensed resident professional for that service in responsible charge at that office. Advertisements, signs, letterheads, business cards, directories, or any other form of representation shall not include any reference to any service that cannot be provided under the responsible charge of a properly qualified resident professional. The licensed entity shall give notice to the Board of a change of resident professional within 30 days after the change.

(e) A licensed entity shall not practice, offer to practice, or market professional services during any period of time without a resident professional.

*History Note: Authority G.S. 55B-12(b); 89C-10; 89C-24;
Eff. February 1, 1976;
Readopted Eff. September 29, 1977;
Amended Eff. August 1, 2014; August 1, 2002; April 1, 2001; August 1, 1998; May 1, 1994;
January 1, 1992; April 1, 1989;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27, 2019;
Amended Eff. April 1, 2025.*