# New York Laws and Rules Governing Professional Engineer Seals

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**PDH:** 1

**Approved for:** New York

## State Board Approvals

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# Introduction and Purpose

Professional engineers licensed in New York have a legal and ethical obligation to protect the public health, safety, and welfare. One of the most important ways this duty is enforced is through the proper stamping and sealing of engineering documents.

A professional seal on a plan, drawing, report, or specification is not just a formality. It is a legal attestation that the licensed engineer has prepared, reviewed, or taken responsibility for the work, ensuring it meets all applicable standards, codes, and regulations. The seal signifies that the engineer is professionally accountable for the document's accuracy and safety.

## Statutory Basis: Education Law Article 145 (§7209)

New York State Education Law Article 145, specifically Section 7209, requires professional engineers to affix their seal and signature to any plans, specifications, and reports filed with public authorities. It establishes that only documents prepared by the engineer or under their direct supervision may be sealed. Additionally, any alterations to sealed documents must be clearly labeled as "altered by," with a new signature and date, without obscuring the original seal.

This statute makes sealing a legal requirement in NY, and violating it can lead to professional discipline, fines, or loss of licensure.

## Regulatory Basis: 8 NYCRR Part 68.13

The Commissioner's Regulations, found at 8 NYCRR Part 68.13, set detailed standards for what a professional engineer's seal must look like. It describes the required size, shape, and text of the seal to ensure uniformity and prevent misuse. Compliance with these design requirements is mandatory for all PEs licensed on or after July 1, 1984.

These regulations turn the statutory obligation into specific, enforceable rules that engineers must follow when acquiring and using their seals.

## Why the Board Enforces It

The New York State Board for Engineering, Land Surveying and Geology enforces these laws and regulations to uphold professional responsibility and protect the public welfare.

By requiring engineers to seal their work, the Board ensures that only qualified, licensed professionals take responsibility for critical engineering documents. This system prevents unlicensed or unqualified individuals from producing unsafe or substandard designs and holds engineers personally accountable for the quality, safety, and compliance of their work.

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Proper stamping and sealing is therefore both a professional obligation and an ethical duty, reinforcing public trust in the engineering profession.

# Learning Objectives

By the end of this course, participants will be able to:

- Explain the legal and ethical significance of sealing and signing engineering documents in New York.
- Identify when sealing is required, including obligations for alterations and revisions.
- Describe the statutory authority of Education Law Article 145 (§7209) and its requirements for professional engineers.
- Recognize the detailed design and content requirements for seals under 8 NYCRR Part 68.13.
- Understand the rules and best practices for electronic seals and signatures under ESRA.
- Review and assess work prepared by others, document evaluations, and maintain required records for compliance.
- Apply best practices to control access to seals, ensure legibility, and safeguard public health, safety, and welfare.

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# The Meaning of the PE Seal

The professional engineer's seal is far more than a simple mark on a document. In New York, it carries both ethical and legal significance, serving as a formal declaration that the work has been prepared or thoroughly reviewed by a licensed professional who accepts full responsibility for its contents.

The seal represents personal responsibility for the content of engineering documents. When an engineer stamps and signs plans, specifications, or reports, they affirm that the work meets applicable standards, codes, and regulations. It confirms that the engineer has exercised their professional judgment and due diligence in the design or analysis presented. This personal accountability is central to the integrity of the engineering profession.

The seal also provides public assurance of competency. It tells clients, regulatory agencies, and the general public that the work was performed under the supervision of someone with the training, experience, and ethical obligation to protect health, safety, and welfare. The presence of a licensed engineer's seal is a critical safeguard that helps maintain trust in the built environment and infrastructure systems.

However, misuse of the seal can constitute professional misconduct with serious consequences. Sealing documents not prepared under one's supervision, failing to perform adequate review, or using someone else's seal are violations that can result in disciplinary action by the licensing board, including suspension or revocation of the license. Misuse undermines public trust and puts lives, property, and the environment at risk. It is the engineer's duty to use their seal carefully, honestly, and in compliance with all legal and ethical standards.

# When Sealing is Required

In New York, professional engineers are required by law to seal and sign any engineering plans, drawings, specifications, or reports that are filed with public authorities or used for regulatory approval. This requirement ensures that all critical engineering documents have been prepared under the direct supervision of, or reviewed and approved by, a licensed professional who accepts full responsibility for their accuracy and safety.

Sealing is not a one-time act that applies to all future versions of a document. Changes to documents after they have been sealed require a new seal and signature from the responsible engineer. Any alteration must be clearly identified, labeled as "altered by," and include the date of the new signature. The original seal and signature must remain visible and intact to show the document's revision history and maintain accountability for each stage of development.

It is important to distinguish between the scope of work that constitutes engineering work and other types of tasks. Only work that meets the statutory definition of professional engineering—such as analysis, design, and preparation of technical documents affecting public safety—

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requires sealing. Administrative or clerical changes, for example, do not require a new engineering seal, but any technical changes do.

New York law also includes limited exemptions for projects of a minor nature. These might include certain small-scale water supply or sanitary sewer designs within existing districts, provided the work does not involve complex engineering judgment or specialized design. Even in these cases, engineers must be aware of the specific limitations of the exemption and when professional sealing remains mandatory. It is always the engineer's responsibility to determine whether sealing is required under the law and applicable regulations.

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