



**DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSES**

Idaho Board of Professional Engineers and Professional Land Surveyors News Bulletin

**Fall/Winter
2025**

71st Edition



Idaho Board of Professional Engineers and Professional Land Surveyors Board Members

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A Message from Your Executive Officer



Dear Professional Engineers and Professional Land Surveyors,

During 2024, our board underwent an extensive rulemaking process. I want to sincerely thank you for your engagement throughout the Zero-Based Regulation review. Your participation in public hearings and the thoughtful comments you shared on proposed rule changes were invaluable in shaping a regulatory framework that reflects both the high standards of your professions and the collaborative spirit of Idaho's engineering and surveying communities.

In January, I had the privilege of presenting these rules to the legislature. They were approved and officially took effect on July 1, 2025. On the same date, licensing board fees were reduced by 60% in accordance with Idaho Code 67-2608(3).

In this edition of the newsletter, you'll find highlights of recent law changes, answers to frequently asked questions, perspectives from board members, updates on discipline cases, and the latest licensing data. We've included a variety of resources and insights to help keep you informed and supported in your practice.

Serving as your executive officer has been a rewarding experience, and I am deeply grateful for the relationships we've built. I look forward to continuing our work together as we move further into 2025 and beyond. Thank you for your ongoing commitment to your profession and to the people of Idaho.

Warm regards,
Jessica Spoja, Executive Officer

Zero Based Regulation



In compliance with Governor Little's Executive Order 2020-01, the Idaho Board of Professional Engineers and Professional Land Surveyors completed a comprehensive review of its rule chapter as part of the Zero-Based Regulation (ZBR) process. This effort, spanning much of 2024, included four board-led ZBR meetings and two public hearings, which fostered stakeholder engagement and valuable public input.

The board received numerous comments from industry stakeholders, which were carefully considered in shaping proposed changes. Among these changes are refinements to improve clarity and streamline language, the removal of duplicate statutory content, and the inclusion of acronyms where helpful. Additionally, references to national examination procedures have been removed, as these are managed by the National Council of Examiners for Engineering and Surveying (NCEES).

Digital Signatures



Per Idaho Code 54-1215(3)(b) the seal, signature and date shall be placed on all final specifications, land surveys, reports, plats, drawings, plans, design information and calculations whenever presented to a client or any public or governmental agency.

This article addresses the question of what constitutes a signature as related to Idaho Code, Title 54, Chapter 12. This section of Idaho Code no longer defines the term "signature". The definition was removed as part of Senate Bill 1235 (effective 7/1/2022).

The intent of removing the signature definition from 54-1202 was to allow signatures to be any form that is legal in the State of Idaho to be used. The specific digital signature requirements have been removed along with the prohibition of facsimile signatures.

Example forms of signatures allowable per 54-1215 include but are not limited to:

- The traditional "wet" handwritten signature adjacent to or over a rubber stamp, crimp or electronically generated image (stamp).
- A facsimile image of the licensee's signature adjacent to or over an electronically generated stamp.
- A digital signature adjacent to or over an electronically generated stamp.

Another statute, client or agency might have additional requirements and as long as the signature meets both requirements the signature is valid.

Examples of specific or additional requirements include but are not limited to:

- 50-1304. ESSENTIALS OF PLATS. (1) ...Signatures shall be in reproducible black ink...
- 55-1905. RECORDS OF SURVEY -- FILING. (1) ...Signatures shall be in reproducible black ink...

Protecting Your Professional Stamp in the Digital Age

As technology evolves, so do the challenges professionals face in safeguarding their work. The rise of digital tools has unfortunately made it easier for bad actors to misuse professional stamps and signatures, but with awareness and proactive measures, we can work together to protect the integrity of our professions. The Idaho Board of Professional Engineers and Professional Land Surveyors wants to raise awareness about this issue and provide helpful tips for safeguarding your stamp and reputation.

Professional stamps are often found on public documents—such as records of surveys or building plans—that are easily accessible through online databases or public offices. Unfortunately, this accessibility has made it possible for unauthorized individuals to copy a stamp and signature, then reuse them fraudulently on other documents.

Instances of this have been reported across various professions, including engineering and architecture, both in Idaho and beyond. Even highly secure digital signatures are not immune to being misused, particularly when consumers or officials don't take steps to verify the authenticity of the credentials associated with a stamped document.

The misuse of professional stamps undermines public trust, exposes professionals to liability, and creates confusion for consumers. While it can be frustrating to encounter these challenges, the good news is that there are steps you can take to mitigate the risks.

How You Can Protect Yourself

Although no system is entirely foolproof, here are some practical steps you can take to safeguard your stamp and signature:

- **Educate Your Clients:** Encourage consumers to verify credentials through the Idaho Division of Occupational and Professional Licenses (DOPL) database. This simple step helps ensure they are working with licensed professionals authorized to practice in Idaho.
- **Stay Informed About Insurance Options:** Many professional liability insurance providers offer riders for cyber protection. These policies can help mitigate financial risks if your stamp or signature is misused. Contact your insurance provider to discuss your options and ensure you have appropriate coverage.
- **Use Watermarks or Security Features:** While not foolproof, adding watermarks or other identifying features to your documents can act as a deterrent and make tampering more difficult.
- **Maintain Strong Digital Security Practices:** Secure your electronic files with passwords and encryption to reduce the chances of unauthorized access to your documents.

Board Inquiries

Question:

HB 646 was signed by Governor Brad Little on March 28, 2024. This statute defines the borders of Bonner, Benewah, Clearwater, Kootenai, Latah & Shoshone Counties.

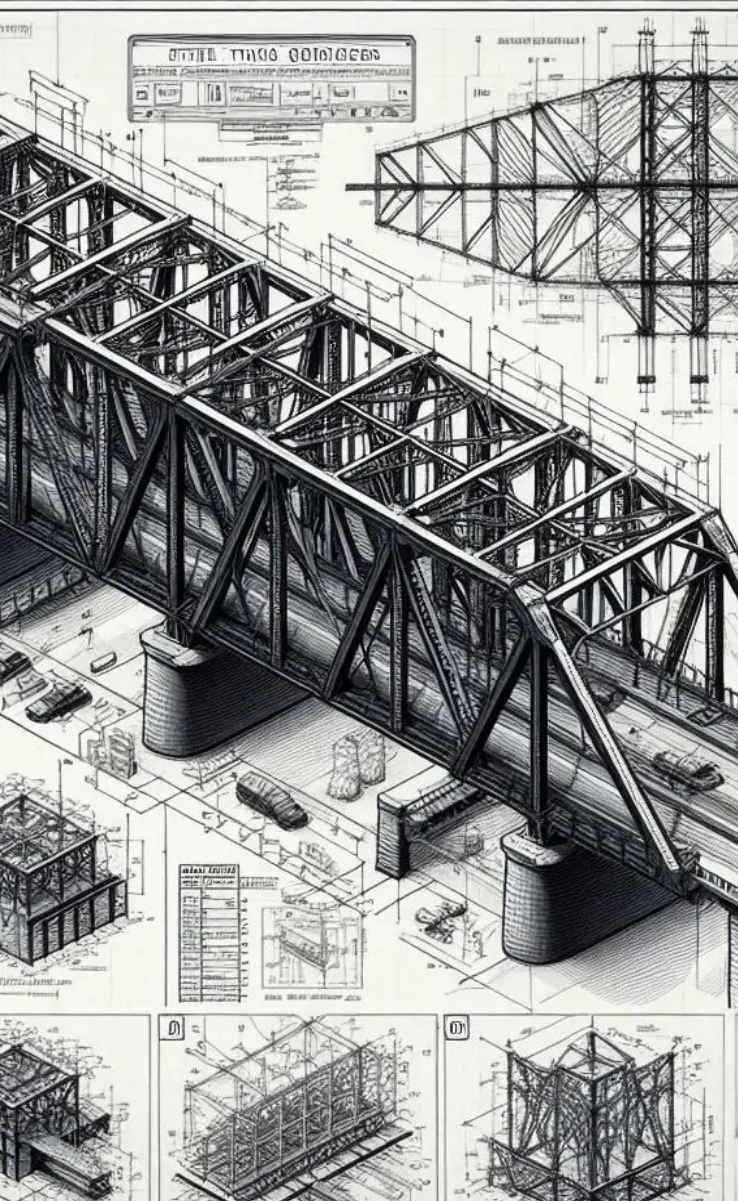
The statement of purpose specifies that the County Assessors enlist the services of a licensed land surveyor to produce new legal descriptions for any land parcels affected by the new County boundaries. The intent of this instruction was to eliminate the potential disruption of title when parcels were split. No lands are being conveyed but over 200 new parcel descriptions will result with parcels being swapped between adjoining counties.

Must these enlisted licensed land surveyors file records of survey to support these new parcel descriptions?



Board Guidance:

When read in conjunction with Idaho Code 55-1904, a Record of Survey is required and in the best interest of the public.



Board Inquiries

Question:

Our office performs a review of documents submitted to review agencies. Our policy is to only review documents that are sealed, signed and dated by the design professional.

Reading Idaho Code Section 54-1215(3)(b) would suggest that plans, specifications and reports submitted for review by a public agency containing a statement such as "not for construction" would not need to be sealed, signed and dated by the professional in responsible charge for the item's preparation.

Additionally, would you please provide advice on how the relationship between the professional and the client relates to this section of code.

Board Guidance:

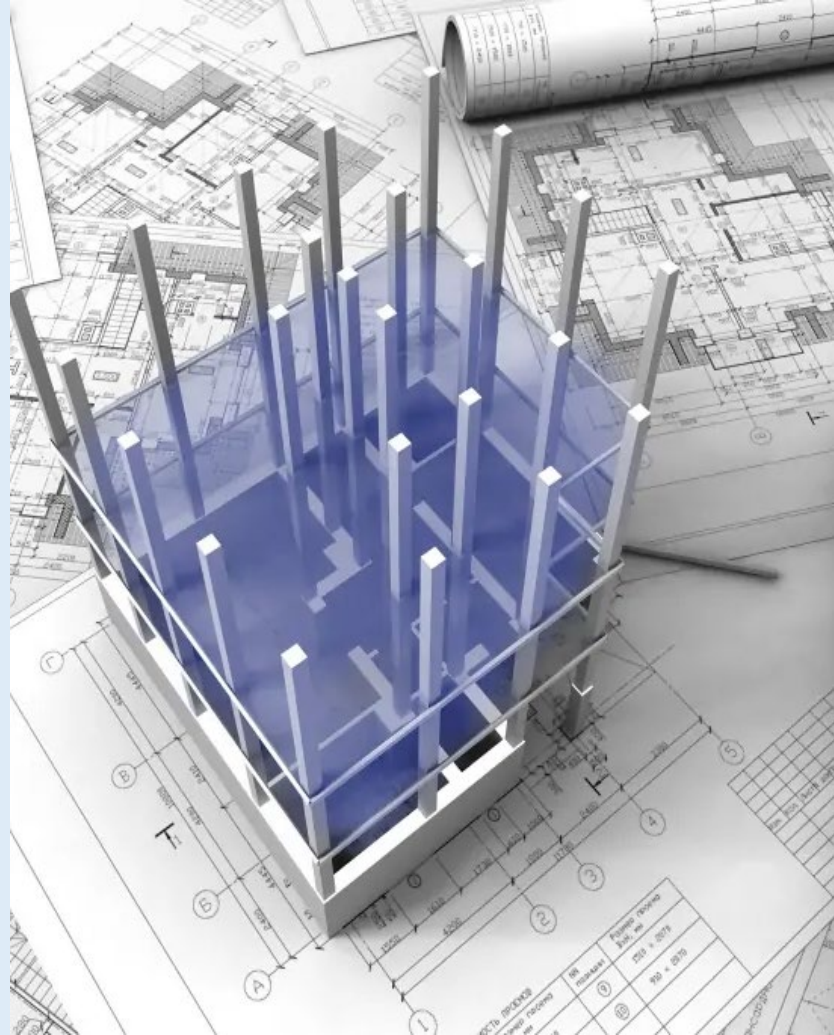
"In process" plans, specifications and reports submitted for review that are clearly and appropriately marked and dated do not need to be sealed, signed and dated. However, the final work product, even if it is intended to be preliminary in nature, shall be sealed, signed and dated as the final document as specified in Idaho Code Section 54-1215(3)(b).

Board Inquiries

Question:

A clarification with regards to “responsible charge” was sent to the Board. Company “A”, based outside of Idaho, has contracted with an overseas vendor to design a turnkey plant that will be installed in Idaho.

Company “A” asked if the the Board could provide some guidance on what responsible charge may look like. For example, would responsible charge include weekly meetings, reviews of calculations and drawings and going overseas to supervise the work?



Board Guidance:

Idaho Code 54-1202(15) is silent as to weekly meetings to discuss work, review of calculations and drawings and going overseas to supervise the work. Rather, per Idaho Statute 54.1202(15):

"Responsible charge" means the control and direction of engineering work, or the control and direction of land surveying work, requiring initiative, professional skill, independent judgment and professional knowledge of the content of relevant documents during their preparation. Except as allowed under section 54-1223, Idaho Code, reviewing, or reviewing and correcting, documents after they have been prepared by others does not constitute the exercise of responsible charge.



Board Inquiries

Question:

With regards to firms licensing for federal projects, if an out-of-state firm is contracted with the federal government to provide engineering services, would the firm need to obtain an Idaho engineering certificate of authorization for projects located on federal land? And would that be required for projects not located on federal land, such as when the federal government leases or rents the property being worked on?

Would individual engineers acting as Responsible-In-Charge on projects with the federal government be required to hold an Idaho individual PE license?

Board Guidance:

Firms or individuals would be offering professional engineering or land surveying services to the public and must comply with the statutes and rules relating to the practice, including having a COA for the business entity and having Idaho licensed personnel. Professional Engineering and Professional Land Surveyor work in Idaho requires an Idaho Professional Engineer or Professional Land Surveyor to act as the Responsible Charge.

Board Inquiries

Question:

The original parcel owner wants to deed portions his property to adjoining neighbors. The neighbors then want to combined their parcel with the newly acquired parcel through a County Lot Combination Form process. Does the "remnant" of the original parcel trigger a subdivision as a "new" lot or is it just the "remnant"?

If so, would every Boundary Line Adjustment trigger a subdivision process?

How many Boundary Line Adjustments can be performed on one original parcel before it no longer is a Boundary Line Adjustment?



Board Guidance:

The difference between a subdivision and a boundary line adjustment is dependent on whether new parcels are created, not the quantity of boundary line adjustments. Here, boundary line adjustment does not appear to be creating any new lots. As no new lots have been created, it does not trigger a subdivision.



Board Inquiries

Question:

The original plat for properties within our subdivision was haphazardly done. None of the lots close within contemporary tolerances as defined by Idaho code and the plat contains many obvious errors.

In particular, there are three lots where the distances specified by the plat disagree with the survey stakes placed by the original developer.

In an effort to correct the discrepancy, the three lot owners hired a land surveyor who placed survey pins in the roadway as agreed upon by the three owners. Those survey pins are still in place as of today's date. For some reason, the survey was not recorded at the courthouse and the surveyor has since passed away.

Is the survey conducted by that land surveyor valid even though it was not recorded at the courthouse?

Board Guidance:

It appears that the landowner believes that if a Record of Survey been recorded it would have transferred title according to the owner's intent.

It is doubtful that the county would allow them to do that today since it is in a platted subdivision. Otherwise, they are looking at a replat situation where they would need to do a three-lot subdivision inside of the original subdivision.

Board Inquiries

Question:

The approval process is often a lengthy one and extends far beyond the completion of the field work. Many jurisdictions allow up to a year after approval of the preliminary plat before requiring the submittal of a final plat. To further complicate things, many jurisdictions allow up to one year, and some up to two years, to file the final plat with the Recorder after approval by the jurisdiction. This is long after the field work is done, and sometimes leads to other survey work (easements, especially) being done within the boundaries of or next to the proposed subdivision. The surveyor for those projects does not have the information that would be shown on the plat, nor will the plat show those additional surveys and easements when it is finally filed with the Recorder.

When is the map "in preparation for recording" under Title 50, Chapter 13 or Title 55, Chapter 15, complete and no longer "in preparation"?

Board Guidance:

First, we need to make sure we're talking about the same thing when we use the term "in preparation". Most subdivisions are a multi-phase developments of a single larger parcel. They will require approval of a "Preliminary Plat" that is then used to develop and build the various phases. It is reasonable to consider a subdivision plat to be preliminary until it has been recorded. Developers can make changes to things such as lot lines and easements and sometimes those changes are substantial enough to warrant a re-review by the various approving authorities.

Best practice when a surveyor begins work on a new subdivision, is that the surveyor should record a Record of Survey showing the boundary they have determined for the "Preliminary Plat" once they have determined its limits. This is important, especially on larger multi-phase subdivisions, because it puts something on record for future surveyors platting up against that boundary. This helps to prevent a future problem where a surveyor surveys a large parcel for development but doesn't record the larger parcel and discovers several years later a new subdivision is encroaching on their plat.

The Idaho Board of Professional Engineers and Professional Land Surveyors wants to highlight three important legislative changes from recent years that impact licensed engineers and surveyors. Senate Bill 1061 (2023) introduced new requirements for documenting natural gas and petroleum pipelines on plats and Senate Bill 1298 (2024) clarified the definition of "basis of bearing" in plats and surveys. Senate Bill 1083 (2025) added section 31-3805 to require that community wells within municipal service areas or areas of impact be compatible with the municipal system and that surface water be used for irrigation when available.

Senate Bill 1061

In the 2023 legislative session, Idaho enacted Senate Bill 1061, introducing new requirements to improve the visibility and documentation of natural gas and petroleum pipelines within the state.

Key Provisions of SB 1061:

- **Mandatory Pipeline Representation on Plats:** The bill added a new section to IC § 50-1304
 - "Any existing interstate natural gas transmission pipeline or interstate petroleum products pipeline, as recognized by the pipeline and hazardous materials safety administration, with a center point one thousand (1,000) feet or less from the planned subdivision, provided that the pipeline company operating the interstate natural gas transmission pipeline or interstate petroleum products pipeline is in compliance with section [62-1104](#), Idaho Code"

Senate Bill 1061 was signed into law with an effective date of July 1, 2023.

Senate Bill 1298

In the 2024 legislative session, Senate Bill 1298 was passed, aiming to refine the definitions related to the "basis of bearing" in plats and surveys.

Key Provisions of SB 1298:

- **Enhanced Definition of 'Basis of Bearing':** The bill revised Section IC § 50-1301(1) and IC § 55-1902(1) of the Idaho Code to clarify the definition of "basis of bearing"
 - "'Basis of bearing" means the bearing in degrees, minutes and seconds, or equivalent, of a line between two (2) monuments or two (2) monumented corners that serves as the reference bearing for all other lines on the survey; or a description of the bearing system used to include a complete citation of the datum, epoch, and name of the published projection must be shown on the survey. If a custom projection is used, the datum, epoch, and defining parameters of the projection sufficient to replicate the bearing system shall also be shown on the survey. For surveys where the bearing system is shown in accordance with this subsection, the convergence angle computed at a minimum of one monument on the survey must be shown."

Senate Bill 1298 was signed into law with an effective date of July 1, 2024.

We encourage all engineers and surveyors to review relevant legislation regularly to ensure compliance with Idaho law. For detailed information, please refer to the respective sections of statute.

Law Updates

Senate Bill 1083

In the 2023 legislative session, Idaho enacted Senate Bill 1061, introducing new requirements to improve the visibility and documentation of natural gas and petroleum pipelines within the state.

Key Provisions of SB 1083:

Here are the key provisions of Idaho Code §31-3805 (Delivery of Water Within Subdivisions):

1. **Applicability:** Applies to all proposed subdivisions in Idaho or those under stricter local zoning ordinances.
2. **Municipal Service Areas:**
 1. Subdivisions within a municipal provider's service area or area of impact must design shared wells or public water systems to meet the provider's requirements and allow future connection.
 2. The municipal provider must be consulted during system design.
 3. Upon connection, the subdivision's water rights must be transferred to the municipal provider.
3. **Surface Water Requirement:** If surface water for irrigation is reasonably available, the subdivision plat cannot be approved unless the developer provides for irrigation using that water.
4. **Irrigation System Design and Approval:**
 1. Subdivisions using water from an irrigation entity must include a description of the irrigation delivery system on or with the plat.
 2. The irrigation system must be approved by the city (if within city limits) or the county (if outside city limits), with input from the irrigation entity.
5. **Required Plat Notes:** Subdivision plats must disclose:
 1. The irrigation entity's name and contact info.
 2. That an irrigation delivery system is provided and approved.
 3. That property owners are responsible for irrigation assessments, which become liens if unpaid.

Senate Bill 1083 was signed into law with an effective date of July 1, 2025.

NCEES Meeting Updates



At the 2025 NCEES annual meeting, delegates approved several key actions, including amending the Engineering and Surveying Education Standards to remove the requirement for 12 semester credit hours in general education. This aligns NCEES policy with ABET's approach, allowing universities to determine their own general education requirements, while NCEES Credentials Evaluations will continue to report those credits for boards' reference.

The Council also approved transferring roughly \$9.4 million—half of the Mission Initiatives and Capital Projects reserve—to the NCEES Foundation's investment corpus to generate income for future mission-based initiatives. In addition, the Council adopted new position statements promoting the responsible and ethical use of artificial intelligence in engineering and surveying and establishing standardized experience reporting guidelines for professional engineering licensure, supporting use of the *Experience Record for Initial Licensure as a Professional Engineer* to ensure consistency in documenting progressive engineering experience.



FY25 Licensing Data

New Licenses Issued

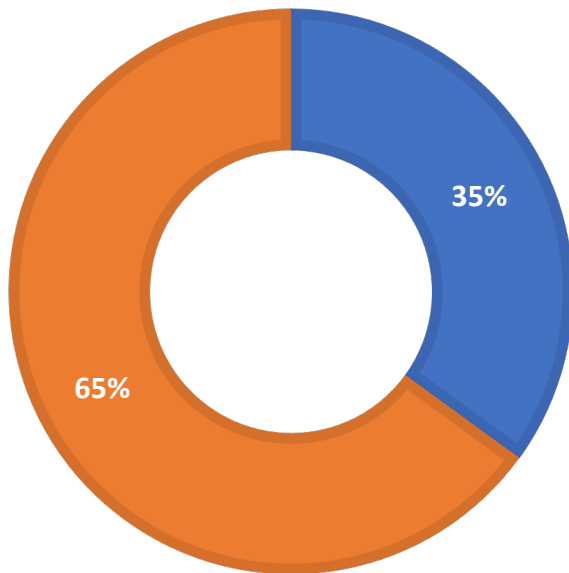
License Type	No. of Licenses
Intern Certificates	65
Professional Engineer	1,523
Professional Engineer Faculty Restricted	5
Professional Land Surveyor	57
Certificate of Authorization	79



FY24 Discipline Trends

CASE BREAKDOWN

- Engineer Complaints
- Land Surveyor Complaints



11%

Of cases involved someone who had been disciplined out of state. These were all engineering cases.

23% of cases involved unlicensed practice allegations.



Most Common Engineer Violation



Most Common Land Surveyor Violation

Unlicensed Practice

54-1604

Corner Perpetuation and Filing

Announcement

License Fee Reductions

License Type	Application Fee*	Renewal Fee*	Late Fee*
Professional Engineer	\$30	\$60	\$30/mo
Professional Land Surveyor	\$30	\$60	\$30/mo
Interns	-	-	-
Certificate of Authorization	\$80	\$50	\$25/mo

*Reduced licensing fees effective July 1, 2025

The Board of Licensure of Professional Engineers and Land Surveyors is thrilled to share some exciting news with our valued professionals and future engineers and land surveyors!

To support and encourage both experienced professionals and those just beginning their careers, the Board is pleased to announce a reduction in fees for Engineering and Land Surveyor licenses and a significant change to intern application fees.

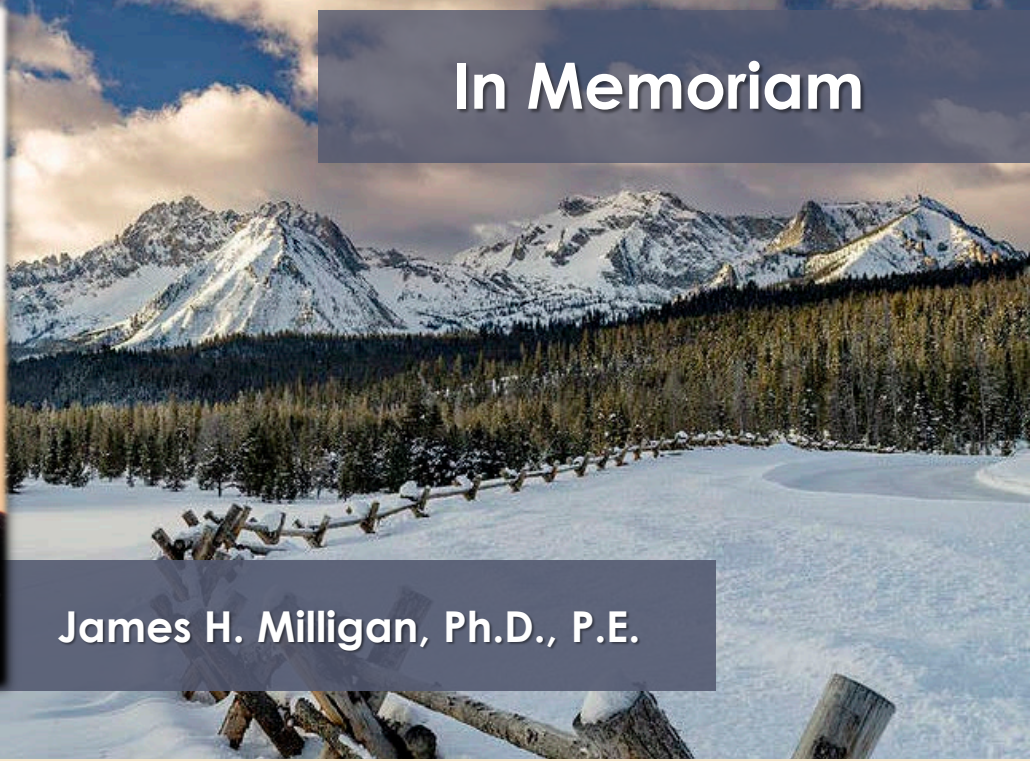
All licensing fees were reduced by 60%, making it easier and more affordable to maintain your professional credentials. Additionally, there will be no charge for intern applications.

The fee reductions went into effect on July 1, 2025.

Thank you for your continued dedication to excellence in engineering and land surveying!



In Memoriam



James H. Milligan, Ph.D., P.E.

Former Board Member James H. Milligan, Ph.D., P.E. passed away on April 12, 2024. Jim was appointed to the board in 1999 to serve the last three years of an unexpired term and was subsequently appointed to two consecutive five-year terms (2002-2012). He served as Board Secretary, Vice Chair and Chair three times each and was a valuable source of information concerning academics and examinations for the other board members and staff throughout his tenure.

Dr. Milligan, Professor Emeritus, retired from the University of Idaho in 2001 after a 29-year career serving as a professor, department chair and associate dean of the College of Engineering.

Jim was an active member of the Idaho Society of Professional Engineers (ISPE) and American Society of Civil Engineers (ASCE) and served on numerous committees and task forces for the National Council of Examiners for Engineering and Surveying (NCEES). Jim received the NCEES Distinguished Service Award with Special Commendation in 2012 and was inducted into the ISPE Idaho Engineering Hall of Fame in 2013 recognizing his significant contributions to engineering in Idaho.

Jim Milligan served his students, engineering peers, and Idaho's PE and PLS licensees with conviction, adhering to highest technical, professional, and ethical standards. Jim will truly be missed.

- Ray Watkins, Former Board Chair, Emeritus Member