



Idaho Board of Licensure of Professional Engineers and Professional Land Surveyors

Professional Engineering Guidance Document

TABLE OF CONTENTS

BUILDING AND AGENCY OFFICIALS.....	4
BOARD URGES ENGINEERS TO COOPERATE WITH BUILDING OFFICIALS.....	4
BUILDING OFFICIALS DESIGN REVIEW	5
CITY ENGINEER PE REQUIRED	6
LICENSING FOR FEDERAL PROJECTS.....	7
PRACTICE OF ENGINEERING	7
BOARD EXPRESSES OPINION ON “BUILDING COMMISSIONING”	7
THE ENGINEER OF RECORD AND SHOP DRAWINGS.....	8
LIMITS OF SURVEYING BY ENGINEERS.....	9
PRACTICE OF ENGINEERING - BRIDGE INSPECTION AND RATING	9
EXPERT WITNESS TESTIMONY	10
PRACTICE OF ENGINEERING SPCC PLANS	11
PRACTICE OF ENGINEERING SWPPP PLANS	11
USE OF TITLE “P.E.” IF YOU’RE LICENSED ONLY IN ANOTHER STATE	11

ABOUT

The purpose of this document is to promote consistency, transparency, and fairness in the administration of the Board's regulatory responsibilities. It is intended to help licensees, applicants, and members of the public understand how the Board generally interprets and applies the statutes and administrative rules within its jurisdiction.

This document does not have the force or effect of law, and it does not establish new rights, obligations, or defenses beyond those contained in applicable statutes and rules. In the event of any conflict between this guidance and Idaho law, the statutes and rules control. Because each licensing matter may present unique facts or circumstances, the Board retains the discretion to evaluate situations on a case-by-case basis.

This document is provided solely for informational purposes under the Idaho Public Records Law, which requires the Board's deliberative materials to be publicly accessible. It is not legal advice, nor should it be relied upon as a substitute for consulting the governing law or seeking assistance from qualified legal counsel. Licensees and applicants are strongly encouraged to obtain independent legal advice regarding how Idaho law applies to their specific facts, circumstances, or concerns.



BUILDING AND AGENCY OFFICIALS

BOARD URGES ENGINEERS TO COOPERATE WITH BUILDING OFFICIALS

A Kootenai County Building Official asked the Board some questions relating to the authority of building code plan examiners and building inspectors who are not licensed engineers. The Board responded as follows:

Question 1. Is it acceptable and allowable for an unlicensed plans examiner or building inspector to require an engineer's supporting calculations for any specific design, even though the licensed engineer may say that the design is based on their "best judgment"?

Board opinion: The 2018 International Building Code (107.1-107.2.1) authorizes the Building Official to require submittal of calculations to substantiate the design. The engineer must follow the laws and rules adopted by the state and local jurisdictions and therefore should cooperate with the legitimate requirements of the plans examiner or building inspector.

Question 2. Is it acceptable and allowable for an unlicensed plans examiner to review these calculations and make requirement comments for:

- a. Compliance with specific requirements of the adopted building codes and referenced standards.
- b. That the design addresses complete load paths as required in the adopted building codes.
- c. That the design uses the correct design criteria as adopted by the jurisdiction.

Board Opinion: The 2018 International Building Code (107.1-107.2.1) authorizes the Building Official to require submittal of construction documents (as described in IBC 107.1 and 107.2). The plans examiner or building inspector may comment on anything contained in the construction documents but is not allowed to practice engineering unless duly licensed. The engineer must follow the laws and rules adopted by the state and local jurisdictions and therefore should cooperate with the legitimate requirements of the plans examiner or building inspector.

Question 3. Is it acceptable and allowable for an unlicensed plans examiner or building inspector to ask for justification by calculation for use of prescriptive methods of construction on the building code that are beyond the design limits set forth in the code?

Board Opinion: It is appropriate for engineers to provide documentation of their use of prescriptive methods of construction when they are beyond the design limits set forth in the code.

Question 4. Is it acceptable and allowable for an unlicensed plans examiner to perform calculations for verification purposes as long as the results are not provided to others as a design or requirement? This scenario historically may result in a request for the licensed engineer to review their calculations and make any changes they determine to be necessary?

Board Opinion: Performing calculations for verification purposes (i.e. to check the math on a calculation) is not the practice of engineering.

In addition, the Board suggested that if the Building Official does not have the expertise to do a thorough and appropriate review of the construction documents, they should seek assistance from a person who possesses that expertise.

Approved 11/01/2011, NB48 Updated 06/10/2020, 01/23/2026

BUILDING OFFICIALS DESIGN REVIEW

At its meeting on November 16, 17 & 18, 2006 the Board reviewed an email from a Kootenai County Building Official. In that communication, he asked several questions. While the Board does not generally answer “hypothetical” questions, his questions seem to address real current situations, so the Board chose to answer them, even though there was a limited amount of detail on the background. Listed below are his questions followed by the Board answers.

Question: In the definition of “Engineer”, what exactly does “special knowledge” mean? Does it mean the accumulation of ALL knowledge that one receives when the result is a degree in engineering? If that interpretation is accurate, that would then allow a person with SOME training to determine reasonably simple vertical and lateral load path solutions if the methods are readily available (and they are, even in the IBC). To go even further, there is software available either from engineered wood manufacturers or for purchase (in our office we have StruCalc). I understand the concept of “bad input = bad output”, but does one ALWAYS need an engineering degree to provide good input? If some solutions don’t have to be sealed and signed, where do we draw the line?

Answer: The Board would only be willing to consider a response to this question when we know the specific provisions provided to the Building Official by the Code and what latitude is provided to the Building Official by the Code under which the plans are being reviewed. If the Code requires that a design professional prepare the plans, they must be prepared by someone licensed as a design professional by an agency of the State of Idaho.

Question: If structural solutions are for one’s own project and not offered to another person, does that require the seal and signature of a licensed engineer? The definition of the “Practice of Engineering” seems to indicate that to be the case.

Answer: Ownership is immaterial. If professional engineering is being practiced, it must be by a licensed individual.

Question: Is “partial engineering” of a structure allowed? We have some very vocal licensed engineers who insist that partial engineering is illegal and we should not accept such submittals.

Answer: The Board has issued an opinion in the past that allows an engineer to “qualify” his responsibility by including a statement such as “Structural Only” alongside the seal. More specifically, an engineer who stamps a plan which contains work done by others must clearly identify the work for which he or she is responsible. If an engineer were to be involved only in a portion of a structure, such as a beam, the engineer would have a responsibility to ensure the load path and connections to the beam and beyond the beam are properly analyzed and appropriate components specified.

Question: We always ask for supporting calculations. A few licensed engineers become outraged that we ask for them. We aren’t qualified to review them. Actually, one of our plans examiners is [a] licensed engineer, although he doesn’t perform all the structural review. Even if we don’t review the accuracy of the calculating, we still need to determine if the correct design criteria have been used. It’s very common to have a cover page with the correct design criteria listed, only to find that other factors have been used in the calculations. Are we wrong to require supporting calculations?

Answer: In the Board’s opinion, asking for design calculations is a reasonable request to make of an engineer.

Approved 04/2007, NB 39 Updated 06/10/2020, 01/23/2026

CITY ENGINEER PE REQUIRED

Questions

- A. In the State of Idaho is it required for a City Engineer to have a professional engineer’s license?
 - B. If one is not required what limitations are placed on a non-licensed City Engineer?
 - C. Can a non-licensed City Engineer review and approve subdivision and capital improvements plans submitted to the City by a licensed engineer?
 - D. Can a non-licensed City Engineer manage construction of public works project that require a licensed engineer to design?
- P.E. from southeastern Idaho

Answers

- A. Prior opinions stated that it is not possible or practicable for a party to hold the office of city engineer without an Idaho P.E. license.
- B. Not applicable based on the answer above.
- C. City or other government officials decide who they want to review documents and there is no requirement that reviewing official be licensed engineers unless they hold the title of City Engineer, County Engineer, etc.
- D. City or other government officials decide who they want to manage construction of public works projects. However, 54-1218, Idaho Code requires the construction to be reviewed by a professional engineer. In some cases, record drawings must be completed by a P.E.

Approved 11/09/2018, NB62, 01/23/2026

LICENSING FOR FEDERAL PROJECTS

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?

Answer: 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.

Approved 01/23/2026

PRACTICE OF ENGINEERING

BOARD EXPRESSES OPINION ON “BUILDING COMMISSIONING”

In response to an inquiry, the Board expressed an opinion regarding services provided by a Commissioning Authority or Commissioning Agent or Commissioning Consultant. Services performed include participation in design, installation and start-up. The Board opinion stated, in pertinent part,

“After reviewing the services performed by the Commissioning Agents, the Board concluded that persons performing those services would be practicing professional engineering as defined in Idaho Code and that those services could only be performed under the responsible charge of a person licensed as a professional engineer.”

Approved 06/2001, NB31, 01/23/2026

THE ENGINEER OF RECORD AND SHOP DRAWINGS

The president of the American Institute of Steel Construction, Inc. wrote Governor Cecil D. Andrus and asked for a clarification of the responsibilities of the engineer-of-record and the fabricator on projects in Idaho. The Governor's office routed the request to the Board for an interpretation and the following are excerpts from the Board's letter to the president:

"In current practice, the level of design effort put forth by the engineer-of-record and the subsequent level of involvement of the fabricator seems to fall into one of two categories. In the first category, the engineer-of-record designs the entire structure including beams, columns, base plates, connections, etc. In this instance, the fabricator's preparation of shop drawings which are used to reduce the engineers design to individual fabricated steel members, and the submittal of shop drawings to the engineer-of-record, is to allow the engineer-of-record to confirm that the fabricator has properly interpreted the project design drawings.

In the second instance, the engineer-of-record may design the major components of the structure, but leave the preparation of the details of the connections, etc. to the fabricator. These details, in the form of shop drawings, are submitted to the engineer-of-record to allow the engineer-of-record to confirm that the fabricator has properly interpreted the intent of the engineer-of-record in view of the overall design.

Idaho Code Section 54-1202 defines the "practice of professional engineering" as "any service or creative work offered to or performed for the public for any project physically located in this state, such as consultation, investigation, evaluation, planning, designing, design coordination, teaching upper division engineering design subjects, and the responsible charge of observation of construction in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, or to certify elevation information, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such service requires the application of engineering principles and data."

In the first instance cited above, the engineer-of-record would be practicing engineering as defined in Idaho Code, but the fabricator would not, since the preparation of shop drawings by the fabricator is only to facilitate the manufacture or fabrication of the engineer's details in a form necessary for use within the fabricator's shop. The engineer-of-record would be

required to place their professional engineer seal, signature and the date on the design documents.

In the second instance cited above, the engineer-of-record would be practicing engineering as defined in Idaho Code and would be required to place their professional engineer seal and signature and the date on the design documents. Because the fabricator is designing connection details, etc. for the structure that would be compatible with the overall needs of the structure, and since such design would require the application of engineering principles and data, the fabricator would also be practicing engineering. Since the fabricator in this instance would be practicing engineering, the person in responsible charge of the design of the connections, etc. would be required to be licensed as a Professional Engineer in the State of Idaho. The shop drawings that resulted from this effort by the fabricator would have to bear the seal and signature of the professional engineer in responsible charge of those activities, as well as the date. Sealing of the shop drawings by the fabricator does not relieve the engineer-of-record of the ultimate responsibility for the adequacy of the overall design."

Approved 07/1992, NB 18 Updated 06/10/2020, 01/23/2026

LIMITS OF SURVEYING BY ENGINEERS

The law requires the surveying activities to be both **necessary** and **incidental** to an engineering project being performed by the P.E. This creates a two-part test layered on the other questions above. In laymen's terms, the surveying tasks must be a **required** part of an engineering project, but they cannot be the **primary** purpose. In short, professional engineers cannot accept responsible charge of survey projects or provide stand-alone survey services. Their survey work is limited to non-boundary tasks within their expertise and in support of their own projects.

Approved 07/30/2020, 01/23/2026

PRACTICE OF ENGINEERING - BRIDGE INSPECTION AND RATING

Question: Is a PE required for Bridge Inspections and Load Ratings? A procurement solicitation from a state agency initially advertised a contract for bidding bridge inspection services and bridge load rating analysis. Later it was determined that the solicitation needed to follow the Qualifications Based Selection (QBS) process as the contracted work required a licensed professional engineer. The solicitation was modified and followed the QBS process. The question is whether bridge inspections and load ratings require a PE license?

Answer: A PE license is not required to conduct bridge inspections; however, it is required to perform load ratings.

EXPERT WITNESS TESTIMONY

Generally, expert witnesses who testify in court need not become licensed in the state simply because they assist a litigant and render an opinion. However, it is not unusual for engineers from other states to do more than testify. For example, in one recent matter, an out-of-state engineer came to Idaho, made several tests, applied engineering principles, wrote an engineering opinion letter and billed the client for engineering services, all without becoming licensed.

Hence, the Board will examine each matter coming to its attention on a case-by-case basis. The statute defining the practice of engineering is the key to any determination made by the Board. The relevant language of Idaho Code § 54-1202 is as follows:

“Professional engineering” and “practice of professional engineering” mean any service or creative work offered to or performed for the public for any project physically located in this state, such as consultation, investigation, evaluation, planning, designing, design coordination, teaching upper division engineering design subjects, and responsible charge of observation of construction in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works or projects or to certify elevation information, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such service requires the application of engineering principles and data. A person shall be construed to practice or offer to practice professional engineering within the meaning and intent of this chapter who practices or offers to practice any of the branches of the profession of engineering for the public for any project physically located in this state or who, by verbal claim, sign, advertisement, letterhead, card, or in any other way represents himself to be a professional engineer or through the use of some other title implies that he is a professional engineer or that he is licensed under this chapter, or holds himself out as able to perform or who does perform for the public for any project physically located in this state, any engineering service or work or any other service designated by the practitioner which is the practice of professional engineering.

Idaho Code § 54-1202(10).

In short, if an out-of-state engineer intends to perform services as described above on a project within Idaho, then that person should seek a license by comity, irrespective of whether the person performs the service in preparation for testifying as an expert.

- Michael J. Kane, Board Attorney

PRACTICE OF ENGINEERING SPCC PLANS

Are SPCC plans required to be signed and sealed by a P.E.?

A question came up regarding a requirement on whether Spill Prevention, Control and Countermeasure Plans (SPCC) are required to be sealed by a PE from another state.

Answer: The initial SPCC plan must be stamped by a PE. If there have been no modifications, then annual verification does not have to be done by a PE. If there have been any changes then the plan must be reviewed and stamped by a PE. See EPA guidance at: https://www.epa.gov/emergencies/docs/oil/spcc/qualfac_fs.pdf.

Approved 11/2013, NB 52, 01/23/2026

PRACTICE OF ENGINEERING SWPPP PLANS

SWPPPs that contain engineering work are required to be signed and sealed by an Idaho P.E. for all projects physically located in Idaho.

Approved 6-2-2016, NB 57, 11/21/2025

USE OF TITLE “P.E.” IF YOU’RE LICENSED ONLY IN ANOTHER STATE

Persons licensed in other jurisdictions may use the title “P.E.” on business cards, etc. for identification purposes, but they must clearly show that they are not licensed as a professional engineer in Idaho and they may not offer their professional services until such time as they become licensed in Idaho. When working as an exempt employee or subordinate to the Idaho P.E. on an Idaho project, such person should avoid the use of the title “P.E.” entirely.

Approved 10/2002, NB 33 Updated 06/10/2020, 01/23/2026