Georgia Rules and Regulations

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Module 1. Georgia Engineering Law and Regulatory Framework

Module Purpose

Professional responsibility begins before an engineer prepares calculations or applies a seal. It begins when an individual or business offers engineering services, defines an assignment, and decides who will control the work.

This module explains how Georgia's regulatory framework applies to those decisions. It addresses the distinction between individual licensure and firm authorization, the activities that constitute engineering practice, and the limits of selected exemptions.

Learning Outcomes

After completing this module, participants will be able to:

1. Identify the principal Georgia statutes and board rules governing engineering practice.
2. Recognize engineering services and representations that trigger licensing requirements.
3. Distinguish an individual PE license from a business entity's Certificate of Authorization.
4. Evaluate whether an assignment falls within an applicable exemption or requires licensed professional involvement.

1.1 Georgia's Regulatory Framework

Georgia regulates engineering through O.C.G.A. Title 43, Chapter 15 and the rules in Department 180 of the Georgia Rules and Regulations.

The Georgia Professional Engineers and Land Surveyors Board administers the licensing framework and investigates unauthorized, negligent, unethical, or incompetent practice. Its responsibilities include evaluating applicants, setting professional standards, and enforcing requirements intended to protect the public.

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Three types of sources serve different purposes:

Source	Function	Practical use
Georgia statutes	Establish licensing requirements, board authority, prohibited conduct, and exceptions	Determine whether the law requires individual licensure or firm authorization
Adopted board rules	Establish detailed professional and administrative requirements	Determine how supervision, competence, professional conduct, and document issuance must be handled
Board guidance	Explains board procedures and communicates implementation information	Locate application instructions, licensing services, and compliance resources

Board guidance helps engineers apply the requirements, but it should be read alongside the governing statutes and adopted rules.

A client's contract, an employer's procedure, or a permit reviewer's acceptance does not independently establish compliance with professional licensing requirements. Treat these as separate questions: whether the client accepts the deliverable, whether the permitting authority accepts it, and whether the engineer and business have complied with professional obligations.

1.2 What Constitutes Professional Engineering?

Statutory Excerpt

O.C.G.A. § 43-15-2(10) includes professional services such as:

> "consultation, investigation, evaluation, planning, designing, or responsible supervision of construction or operation"

The definition connects these services to engineering principles and the protection of public welfare, life, health, or property.

Plain-Language Explanation

Engineering practice extends beyond producing construction drawings. An investigation, technical evaluation, or operating recommendation can constitute engineering even when the assignment produces no drawing set.

The nature of the service matters more than its label. Calling an assignment "technical assistance" or "consulting support" does not resolve whether it involves professional engineering.

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For an initial screening, ask:

- Does the assignment require engineering analysis or judgment?
- Will the work influence the safety, suitability, or performance of equipment, structures, processes, or facilities?
- Is the individual or business representing that it can provide engineering services?
- Does a specific statutory exception apply?

These questions are a practical screening method, not a replacement for the statutory definition.

Hypothetical Example: “It Is Only a Technical Letter”

A property owner asks a consultant to evaluate whether an existing equipment platform can support a heavier machine. The owner requests a short letter rather than drawings and says no construction permit is planned.

Identify the Issue

Does the absence of drawings or a permit remove the assignment from engineering practice?

Pause and identify the facts that matter before reading the analysis.

Analysis

The requested evaluation involves structural capacity and engineering judgment. The format of the deliverable does not change the underlying service.

The consultant should identify the required professional authority and technical competence before accepting responsibility for the evaluation.

Appropriate Action

Define the equipment loads, platform conditions, available records, and intended use of the evaluation. Assign the analysis to an appropriately authorized and competent professional. State the scope and limitations of the resulting opinion clearly.

1.3 Licensure and Representations to the Public

Georgia’s licensing framework addresses both performing engineering services and offering those services.

O.C.G.A. § 43-15-7 establishes restrictions on unlicensed practice and offers to practice. The statutory definition of engineering also addresses representations made through advertising, letterhead, business cards, and other communications.

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An engineering degree, an engineer-in-training certificate, or a license issued by another state does not itself establish Georgia PE registration. The board provides a comity application pathway for engineers licensed elsewhere.

Rule 180-2-.01 requires applications through the board's licensing portal and places responsibility on applicants to provide the necessary information. Submitting an application should not be treated as equivalent to receiving professional authority.

Practical Application

Review public-facing descriptions before pursuing Georgia work. Recommended review items include:

- Website descriptions of available services.
- Proposal language identifying professional qualifications.
- Staff biographies and professional designations.
- Statements about who will direct and take responsibility for the work.
- The identity of the business offering the services.

Represent qualifications accurately. Avoid language that implies a Georgia authorization the individual or business does not hold.

1.4 Individual Licensure and Firm Authorization

An individual license and a firm authorization address different responsibilities.

Authorization	Applies to	Principal purpose
Georgia PE registration	An individual	Establishes the individual's authority to practice professional engineering
Certificate of Authorization, commonly called a COA	A business entity subject to the requirement	Authorizes the entity to offer or provide engineering services
Secretary of State business registration	The business organization	Establishes or registers the entity for business purposes

O.C.G.A. § 43-15-23 governs engineering practice through business entities. The board explains that a COA is separate from registration with the Secretary of State's Corporations Division.

The board's business-entity guidance identifies an exception for sole proprietors where no legal distinction exists between the owner and the business. A single-member LLC remains a separate legal entity and should not be treated as a sole proprietorship merely because it has one owner.

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Hypothetical Example: A PE Opens an LLC

A Georgia PE forms an LLC to provide drainage design services. The LLC is registered with the Secretary of State. The PE plans to submit proposals immediately and apply for a COA after obtaining the first contract.

Identify the Issue

Does the owner's PE registration authorize the LLC to begin offering engineering services?

Analysis

The individual's professional registration and the LLC's authorization are separate. Business registration does not supply the board's COA.

Appropriate Action

Obtain the required COA before the LLC offers or performs engineering services. As a recommended business control, retain the authorization record with the firm's licensing information and review it before issuing proposals.

1.5 Responsible Charge Requires Actual Authority

Rule Excerpt

Rule 180-10-.01 describes responsible charge through:

> "independent control, direction and supervision"

The rule requires the individual in responsible charge of the entity's engineering practice to be a full-time employee regularly engaged in that practice. Availability only as an occasional consultant or independent contractor does not satisfy that requirement.

Plain-Language Explanation

A firm cannot establish responsible charge by placing a PE's name on an application while withholding meaningful control over engineering decisions.

The responsible engineer must have an ongoing relationship with the business and authority consistent with the role. The organizational arrangement should support professional judgment when technical concerns conflict with commercial preferences.

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Purchase this course to see the remainder of the technical materials.