Louisiana Rules, Laws And Ethics For Engineers And Land Surveyors

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Module 1: Louisiana Engineering Law and Regulatory Framework

Learning Objectives

After completing this module, participants will be able to:

1. Identify the Louisiana statutes and board rules governing professional engineering.
2. Explain the board's authority to regulate engineering practice and investigate violations.
3. Classify professional activities using Louisiana's definition of engineering practice.
4. Distinguish individual PE licensure, engineer intern certification, and firm licensure.
5. Recognize the conditions and limits of selected statutory exemptions.
6. Select appropriate compliance actions before offering or performing engineering services.

1.1 Why the Regulatory Framework Matters

Louisiana regulates engineering to protect people and property. That responsibility begins before an engineer produces a drawing or applies a seal. It includes deciding whether a proposed service constitutes engineering, whether the individual and firm have authority to offer it, and who will exercise responsible charge.

A technically sound deliverable does not resolve an underlying licensure problem. Similarly, hiring a licensed PE does not automatically authorize an unlicensed company to offer engineering services.

Short statutory excerpt, R.S. 37:681:

> "In order to safeguard life, health, and property and to promote the public welfare"

This public protection purpose guides the application of Louisiana's engineering licensure requirements.

For everyday practice, begin with three questions:

1. Does the proposed activity constitute engineering?
2. Who has authority to offer and perform the service?
3. Who will exercise technical control and personal supervision?

These questions establish the foundation for the sealing and ethics decisions addressed later in the course.

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1.2 Louisiana's Sources of Authority

Louisiana's engineering requirements operate through several related sources.

Source	Function	Practical use
Louisiana Revised Statutes, Title 37, Chapter 8	Establishes the licensing framework, board powers, regulated activities, and statutory exceptions	Determine whether licensure is required and identify the board's legal authority
Louisiana Administrative Code, Title 46, Part LXI	Implements the law through detailed board rules	Apply requirements for firms, professional conduct, seals, and continuing professional development
Published board orders and rulings	Address particular proceedings or interpretive questions	Examine the actual findings, scope, and disposition of a specific matter
Board guidance and administrative resources	Explain procedures and support compliance	Locate applications, instructions, and license records

A company policy or client instruction cannot authorize conduct prohibited by statute or board rule. Board guidance should be read together with the governing legal provisions.

Recommended practice: record the specific provision supporting a significant compliance decision. A note stating "approved by management" does not explain how the decision satisfies Louisiana's licensing requirements.

1.3 Board Authority and Enforcement

The Louisiana Professional Engineering and Land Surveying Board, commonly called LAPELS, administers the engineering licensing framework.

Under R.S. 37:688, the board may adopt and enforce rules consistent with Louisiana law. Its investigative powers include subpoenaing witnesses and obtaining relevant records. It may also seek injunctive relief to restrain violations.

The statutory framework distinguishes disciplinary proceedings involving licensees and certificate holders under R.S. 37:698 from enforcement proceedings involving other persons under R.S. 37:700.

This distinction matters because the board's jurisdiction extends beyond people who already hold a PE license. An individual or firm cannot avoid regulation simply by remaining unlicensed while offering regulated services.

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Hypothetical Example: “The Client Approved It”

An engineering manager authorizes an unlicensed business unit to market engineering services. The manager argues that the client understands the arrangement and has accepted it.

Issue to identify: Can client consent replace the required professional authorization?

Analysis: Client consent does not establish licensing authority. The business must determine whether it is offering engineering services and whether the applicable individual and firm requirements are satisfied.

Appropriate action: Resolve the licensing issue before the business unit offers the regulated service. Document the authorized entity, responsible professionals, and scope of services.

1.4 What Constitutes Engineering Practice?

R.S. 37:682(13) defines engineering practice by the nature of the professional service. It includes consultation, investigation, evaluation, planning, design, and construction inspection when the work involves public welfare or protection of life, health, and property and requires engineering principles and interpretation of engineering data.

The definition reaches beyond construction drawings. An engineering evaluation or technical consultation can constitute practice even when the assignment produces no sealed plan.

The statute also addresses offering services and representations of professional ability. Therefore, licensing questions can arise during marketing and proposal preparation.

Ordinary operation or maintenance of machinery or equipment is excluded from the statutory definition. However, describing an assignment as “maintenance support” does not establish that exclusion when the actual work involves engineering design or evaluation.

Hypothetical Example: “It Is Only a Maintenance Assignment”

A consultant is asked to evaluate whether a modified lifting frame can safely carry a larger load. The client describes the assignment as maintenance assistance.

Issue to identify: Does the client’s description determine whether the work is engineering?

Analysis: The task requires evaluation of structural behavior and load capacity using engineering principles. Its substance points to engineering practice.

Appropriate action: Treat the assignment as an engineering service and establish the required professional authorization and responsibility before proceeding.

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1.5 Individual Licensure, Intern Certification, and Professional Titles

R.S. 37:681 prohibits unlicensed practice and offers to practice, subject to applicable statutory exceptions. It also restricts titles and descriptions that convey the impression that a person is a professional engineer.

An engineering degree demonstrates education. Engineer intern certification recognizes a separate statutory status. Neither, by itself, establishes authority to practice independently as a Louisiana PE.

A license issued by another state does not automatically authorize Louisiana practice. Louisiana provides licensing and temporary permit pathways, but an applicant must obtain the applicable authorization.

Hypothetical Example: “We Will Obtain the License Later”

A PE licensed in another state agrees to provide engineering services for a Louisiana project. The engineer intends to obtain Louisiana authorization shortly before issuing final drawings.

Issue to identify: Does the absence of final drawings postpone the licensing question?

Analysis: Louisiana regulates offering engineering services as well as performing them. Waiting until document issuance can leave earlier activities unauthorized.

Appropriate action: Obtain the applicable Louisiana authorization before engaging in activities that require it.

Recommended practice: review proposals, websites, staff biographies, and business cards for representations that accurately reflect professional status.

1.6 Individual Licensure Versus Firm Licensure

Louisiana regulates both professionals and firms.

R.S. 37:689 establishes board regulation of firms. Rule §2301 generally requires firm licensure before providing or offering professional services in Louisiana.

An LLC owned by a Louisiana PE remains a separate entity. The owner’s individual license does not replace the LLC’s firm license.

Rule §2301.C provides a limited exception for a sole proprietorship that is not a legal entity and bears the full name of its licensed professional owner. A sole proprietorship outside those conditions must obtain firm licensure.

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Secretary of State authorization and LAPELS licensure serve different purposes. Rule §2301.E also requires applicable Secretary of State certificates to remain active and in good standing.

Hypothetical Example: "The Owner Is Already Licensed"

A Louisiana PE forms an LLC and begins advertising engineering services using the PE's personal license number.

Issue to identify: Does the personal license authorize the LLC?

Analysis: The LLC must satisfy the firm licensing requirements. It does not qualify for the nonentity sole proprietorship exception.

Appropriate action: Establish the LLC's required authorization before it offers engineering services.

1.7 Supervising Professionals and Responsible Charge

Rule §2305 requires licensed firms to designate supervising professionals. Their responsibilities include firm renewal, required notifications, compliance policies, and ensuring professional services are performed by or under the responsible charge of active licensed professionals.

The October 2026 amendments require notification within five business days of changes in supervising professionals or loss of required qualifications.

A supervising professional's firm compliance role should be distinguished from responsibility for an individual assignment.

Short statutory excerpt, R.S. 37:682(15):

> "the direct control and personal supervision"

That language defines responsible charge. A management title or organizational chart does not, by itself, demonstrate the required technical involvement.

Recommended practice: establish project responsibility at the start of the assignment. Identify who directs technical decisions, supervises contributors, resolves deficiencies, and authorizes release of the work.

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