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CHAPTER 820
BOARD OF EXAMINERS FOR ENGINEERING AND LAND SURVEYING

FILING CAPTION: Clarification of language related to seals; adding CWRE to United States Military Registrants renewal waiver.

EFFECTIVE DATE: 09/11/2024

AGENCY APPROVED DATE: 09/10/2024

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RULES:
820-010-0530, 820-025-0005, 820-025-0010

AMEND: 820-010-0530

RULE TITLE: United States Military Registrants

NOTICE FILED DATE: 07/09/2024

RULE SUMMARY: Language adopted to include that the biennial renewal fees and continuing professional development requirements for certified water right examiners may be waived for US military registrants while on active duty

RULE TEXT:
(1) Upon written request, biennial renewal fees and continuing professional development units may be waived while a registrant holding a registration to practice engineering, land surveying, photogrammetry, or certified water right examination in Oregon is on active duty with the Armed Forces of the United States.
(2) An active duty registrant with the Armed Forces of the United States may return a registration to its former status upon written notification to the Board within 60 days of the date of honorable discharge. Former status will be restored by satisfying and submitting proof of completion of 15 PDH units per year for each year (or part of a year) in active military status on the Continuing Professional Development Organizational Form. Biennial renewal fees will not be required until the biennial renewal period following the date of honorable discharge.
(3) If a registrant fails to notify the Board in writing within 60 days from the date of honorable discharge, or within the registration biennial renewal period in which the honorable discharge becomes effective, whichever is the longer period of time, that person may be subject to fees, including late-payment fees, assessed by the Board or other registration requirements in accordance with ORS Chapter 672.

STATUTORY/OTHER AUTHORITY: ORS 408.450, 672.255(1)(g)

STATUTES/OTHER IMPLEMENTED: ORS 672.020(1), 672.025(1), 672.028(1), 672.045(1)

AMEND: 820-025-0005

RULE TITLE: Official Seal

NOTICE FILED DATE: 07/09/2024

RULE SUMMARY: Language approved to include that the seal must be legible and a size of at least 2 inches from point to point. Removed language related to "pending".

RULE TEXT:

(1) Seals, as referenced by ORS 672.020(2) and 672.025(2), must be legible and contain the printed name of the registrant, the date of registration, the number of the registrant's certificate of registration, and the registrant's professional title. The registrant's printed name on the seal will be exactly the same as the registrant's name on file with the Board.

(2) The size of the seal must be at least 2 inches from point to point. The design and content of the seal will be an exact replica, in style, of the examples shown in Exhibit 1 (Official Seals) for the profession or branch of the profession in which the registrant is licensed. The expiration or renewal date may be made part of the seal. If the expiration or renewal date is not made part of the seal, it must be handwritten, in permanent ink, after the word "Expires" or "Renews." Reduced or enlarged seals are not permitted on final documents. In addition to these requirements, registrants will use the following seals:

(a) Professional engineers holding a structural engineering certificate will use the seal with the designation "Structural" above the words "Registered Professional Engineer," as shown in Exhibit 1-b. Other registered professional engineers will use the seal shown in Exhibit 1-a; [Exhibit not included. See ED. NOTE.]

(b) Registered professional traffic engineer, who may practice only traffic engineering will use the seal shown in Exhibit 1-f; [Exhibit not included. See ED. NOTE.]

(c) Registered professional land surveyors will use the seal shown in Exhibit 1-c; [Exhibit not included. See ED. NOTE.]

(d) Registered professional photogrammetrists will use the seal shown in Exhibit 1-d; [Exhibit not included. See ED. NOTE.]

(e) Registered water right examiners will use the seal shown in Exhibit 1-e. [Exhibit not included. See ED. NOTE.]

(3) The seal may be applied to a document by rubber stamp or it may be computer-generated onto the document.

(4) The registrant will sign through the middle of the seal or in the place on the seal as indicated for signature, in handwriting, and in permanent ink.

(5) A digital signature, for final documents is acceptable as an alternative to a handwritten signature in permanent ink if the digital signature:

(a) Is unique to the registrant using it;

(b) Is independently verifiable by a Certificate Authority (3rd Party);

(c) Is under the sole control of the registrant using it;

(d) Is linked to the document in such a manner that the digital signature is invalidated if any data in the document is changed; and

(e) Bears the phrase "digitally signed" in place of a handwritten signature.

(6) Only individuals registered as professional engineers, professional traffic engineers, professional land surveyors, professional photogrammetrists, or certified water rights examiners may use a seal with a shape, form or wording similar to those shown in Exhibit 1. Using such a seal without registration constitutes falsely representing that the person is authorized to practice the profession.

[ED. NOTE: Exhibits referenced are available from the agency.]

STATUTORY/OTHER AUTHORITY: ORS 670.310, 672.255

STATUTES/OTHER IMPLEMENTED: ORS 672.002 - 672.325

AMEND: 820-025-0010

RULE TITLE: Official Seal – Digital Seal and Signature for Electronic Final Documents

NOTICE FILED DATE: 07/09/2024

RULE SUMMARY: Language approved to include that the seal must be legible and a size of at least 2 inches from point to point when printed. Clean-up of language for files containing multiple pages.

RULE TEXT:

(1) A “Digital Seal and Signature” is a signature and electronic authentication process that is attached to an electronic document.

(2) A “Digital Seal and Signature” is not a photocopy, scanned copy, or other facsimile of a signed and sealed hard copy document, nor is it a copy or facsimile of a rubber stamp seal and ink signature, nor is it a copy of a computer-generated image of a seal and ink signature. Seals and signatures described in this subsection (2) of the rule are not allowed on final documents.

(3) For electronic final documents, a “Digital Seal and Signature” (“digital signature”) is acceptable as an alternative to a stamped or computer-generated image of a seal with handwritten signature in permanent ink, if:

(a) The digital signature is unique to the registrant using it;

(b) The digital signature is independently verifiable by a Certificate Authority (3rd Party);

(c) The digital signature is under the sole control of the registrant using it;

(d) The digital signature is linked to the document in such a manner that the digital signature is invalidated if any data in the document is changed;

(e) The electronic file that is the final electronic document contains one digital signature that is permanently linked to it; and,

(f) The computer-generated image of a seal must be of a stamp as described in OAR 820-025-005(1) and (2), and must be at least 2 inches from point to point when the page is printed;

(g) For final electronic files containing a single page, the registrant affixes a computer–generated image of a stamp that bears the phrase “digitally signed” in lieu of and in the location designated for a hand-written signature on that page. The computer-generated image of the stamp must be of a stamp as described in OAR 820-025-0005(1) and (2), and must be at least 2 inches from point to point when the page is printed; and,

(h) For final electronic files containing multiple pages, the registrant affixes a computer-generated image of a stamp that bears the phrase “digitally signed” in lieu of and in the location designated for a hand-written signature to the title page, an index page, or a seals page. The computer-generated image of the stamp must be of a stamp as described in OAR 820-025-0005(1) and (2), including the size prescribed in OAR 820-025-0005 when the page is printed to full size.

STATUTORY/OTHER AUTHORITY: ORS 670.310, 672.255

STATUTES/OTHER IMPLEMENTED: ORS 672.002 - 672.325