



Louisiana Professional Engineering and Land Surveying Board

Order/Ruling Number:	_____
Subject Reference:	_____

Petition for Declaratory Order and Ruling

- Name of Petitioner: Donald Todd Drummond, PE Sigma Engineers and Constructors
 Address: 11585 Lake Sherwood Ave North
 Telephone No.: 225-388-5102
 Email: todd.drummond@sigmaec.com
- List all statutes, rules or orders of the Board to which this petition relates:
Chapter 25, section 2503, part D
- Clearly and concisely state all the facts necessary to show the manner in which the petitioner is aggrieved by the statute, rule or order or by its potential application, or in which the petitioner is uncertain of its effects: I am not aggrieved by the statute however I would like guidance on third party review and comment of another firm's work where I am not being asked to assume responsible charge of the work.
- Clearly and concisely state the declaratory order or ruling requested by the petitioner:
If a client requests a third party review of another firm's work to review that firm's compliance with their engineering standards, procedures, and general acceptable design practices, presentation, and completeness, would the Board have any advice on this matter? Sigma is not being asked to assume responsible charge of the other firm's drawing package, nor are we being asked to affix a PE stamp to the comments.
The client is asking for support and another set of eyes to assist them in their review of the drawing package.
- State whether the petitioner has an application or is involved in a disciplinary or enforcement investigation or proceeding, or in any other matter which is presently pending before or under consideration by the Board. If so, explain in detail: No
- State whether the declaratory order or ruling requested by the petitioner relates to, is similar to or is connected with any pending litigation or with any disciplinary or enforcement investigation or proceeding presently pending before or under consideration by the Board. If so, explain in detail: No

Signature of Petitioner:  Date: 10/24/19

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD
9643 Brookline Avenue, Suite 123
Baton Rouge, Louisiana 70809**

RULING ON PETITION FOR DECLARATORY ORDER

RULING NO. 2019-1

1.

On October 24, 2019, Donald T. Drummond, P.E. (“Petitioner”) filed with the Louisiana Professional Engineering and Land Surveying Board (the “Board”) a petition for declaratory order and ruling pursuant to LAC Title 46:LXI§727.

2.

Petitioner states that a client has asked him to conduct a third party review of the Louisiana engineering work of another professional engineer for compliance with the client’s engineering standards and procedures and with generally accepted engineering design practices, presentation and completeness. However, the client has not asked petitioner to assume responsible charge of such work or to apply his professional engineer seal to his comments.

3.

Petitioner seeks a declaratory order as to whether the Board’s laws and rules (particularly LAC Title 46:LXI§2503(D)) would prohibit him from reviewing and commenting upon the Louisiana engineering work of another professional engineer without assuming responsible charge of such work.

4.

LAC Title 46:LXI§2503(D) provides as follows:

D. Licensees shall submit to a client only that work prepared by the licensee or under their responsible charge; however, licensees, as third parties, may complete, correct, revise, or add to the work of another licensee or other related design professional, if allowed by Louisiana law, when engaged to do so by a client, provided:

1. the client furnishes the documentation of all such work submitted to him/her by the previous licensees or other related design professionals;

2. the previous licensees or other related design professionals are notified in writing by the licensee of the engagement referred to herein immediately upon acceptance of the engagement; and

3. all work completed, corrected, revised, or added to shall contain a notation describing the work done by the licensee now in responsible charge, shall have the seal and signature of the licensee affixed thereto, shall contain the date of execution, and shall become the responsibility of the licensee.

5.

LAC Title 46:LXI§2701(A)(4)(a)(i) provides as follows:

Professional engineers shall affix their seal, sign their name, and place the date of execution on all engineering documents that have been issued by them to a client or any public or governmental agency as completed work.

ORDER

After due consideration of the petition for declaratory order and ruling filed by Petitioner and after discussion by the Board during its meeting on November 18, 2019:

IT IS THE RULING of the Board that:

6.

The Board's laws and rules do not prohibit a professional engineer from reviewing and commenting upon the Louisiana engineering work of another professional engineer without assuming responsible charge of such work. If the professional engineer conducting the review prepares and submits to the client written comments or opinions in connection with his/her review, such written comments or opinions must be properly sealed, signed and dated by such professional engineer.

7.

A professional engineer is only required to comply with LAC Title 46:LXI§2503(D)(1)-(3) if he/she is engaged by the client to "complete, correct, revise, or add to" the work of another professional engineer or related design professional.

THUS DONE at Baton Rouge, Louisiana, on the 18th day of November, 2019.

**LOUISIANA PROFESSIONAL ENGINEERING
AND LAND SURVEYING BOARD**

By: Alan Krouse
ALAN D. KROUSE, P.E., Chairman