WHEN TO “CERTIFY” YOUR REPORTS
By Dennis Martenson, PE

Since the board has recently become aware of several instances of engineering reports not being certified (aka stamped or sealed) by a professional engineer, this article is to remind Professional engineers of their responsibilities.

Minnesota Statute 326.12, subd. 3, requires a licensee to provide a certified signature for “each plan, drawing specification, plat, report or other document … prepared by a … licensed engineer … must bear the signature of the licensed … person preparing it or the signature of the licensed … person under whose direct supervision it was prepared.” In addition, Minnesota rule 1800.4200, subp. 1, requires “the certification and signature on … reports … is mandatory, as provided by Minnesota statutes, section 326.12, subdivision 3.” (Bolded for emphasis).

You may wonder, and maybe that is why some recent instances were brought to our attention, when does this requirement apply for reports? It does not apply in all instances, i.e. there are some exceptions. In addition, only a licensed engineer either preparing, or under whose direct supervision a report is prepared, may certify/stamp/seal the report. When in question, it is suggested you err on the side of including the certification for any report either prepared by you or under your direct supervision as a licensed professional engineer.

Examples of reports that do not need to be certified:
- Intra-office or intra-company engineering reports
- Engineering reports that are clearly marked as drafts and/or preliminary

Examples of reports that do need to be certified:
- Engineering reports that are submitted to a public agency for either review or permitting purposes
- Engineering reports (signature and certification is only required on the first page)

Who may certify/stamp/seal reports?
- Only the licensed professional who either prepared the work or under whose direct supervision the work was prepared

All licensed professional engineers are reminded that you may not certify/stamp/seal any reports if your license has expired, been revoked or suspended. In Minnesota, a stamp, printed signature, or electronically-created signature may be used for certification on reports, or other documents requiring same, so long as it creates an accurate depiction of the licensed professional’s actual signature. Licensees also may not sign reports, or other documents requiring same, if the licensee is not qualified to certify/stamp/seal by virtue of education and licensure.

Each licensee should consider their education and level of expertise prior to certifying/stamping/sealing a report, i.e. does it cover an area for which you are qualified in due to education and/or experience? The licensee may approve, i.e. certify/stamp/seal, only those reports which protect the health, safety and welfare of the public.

Please consult Minnesota statute 326.12, subd. 3, and Minnesota rule 1800.4200, subp. 1, for the full statutory and rule language on this issue.