

21 NCAC 26 .0207 APPLICATION OF PROFESSIONAL SEAL

(a) The seal(s) of the landscape architect(s) responsible for the work and the landscape architectural corporation seal, if appropriate, shall be applied to the following documents:

- (1) Drawings and specifications prepared for public agency approval;
- (2) Drawings and specifications issued for the purpose of bidding, negotiation or construction;
- (3) Reports of technical nature; and
- (4) Letters and certificates of professional opinion.

(b) The seal(s) shall be applied only to documents prepared personally or under the immediate supervision of the landscape architect whose seal is affixed, except that seals may be applied to documents that were not prepared by the landscape architect in the following circumstances:

- (1) Documents that were initially sealed by an out of state individual who is a licensed landscape architect in the state of origin of such plans may then be reviewed by a North Carolina Landscape Architect for code conformance, design adequacy, and site adaptation for the specific application within North Carolina. Standard plans, which bear the seal of an individual who is a licensed landscape architect, shall be sealed by the North Carolina Landscape Architect who is assuming responsibility. In addition to the seal, a statement shall be included as follows: "These plans have been examined by the undersigned. I have determined that they comply with existing local North Carolina codes, and have been properly site adapted for use in this area."
- (2) Documents that are prepared by another licensed professional and obtained by the Landscape Architect may be used to prepare landscape architectural design documents provided the origin of the documents and information prepared by another licensed professional shall appear on each drawing or sheet of the documents sealed by the landscape architect.

(c) The individual's seal or facsimile thereof shall have the landscape architect's original signature across its face and the effective date shall be indicated below or elsewhere on the document.

(d) When a document requiring seals has been co-authored by the landscape architect and another licensed design professional of another discipline, the landscape architect shall indicate by notation each portion for which he or she is responsible.

(e) Failure to use the professional seal according to this Rule may be deemed by the Board to be "gross malpractice" within the meaning of G.S. 89A-7.

(f) Electronically transmitted documents and electronic seals shall be allowed. Documents, including drawings, specifications and reports, that are transmitted electronically to a client or a governmental agency shall have the computer-generated seal removed from the original file, unless signed with a digital signature as defined in Paragraph (g) of this Rule. After removal of the seal, the electronic media shall have the following language inserted in lieu of the signature and date:

This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing). This medium shall not be considered a certified document. Hardcopy documents containing the original seal, signature, and date may be obtained from (name of sealer).

(g) The scanned digital files of certified documents that cannot be altered electronically shall not be subject to the requirements of Paragraph (f) of this Rule. The electronic transmission of CAD, vector or other similar files subject to easy editing shall be subject to the requirements of this Rule. Easy editing means the file consists of separate elements that can be modified or deleted in part or in whole.

(h) Documents to be electronically transmitted that are signed using a digital signature shall contain the authentication procedure in a secure mode and a list of the hardware, software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has protective measures to prevent alteration or overriding of the authentication procedure. The term "digital signature" shall be an electronic authentication process that is attached to or logically associated with an electronic document. The digital signature shall be:

- (1) Unique to the licensee using it;
- (2) Capable of verification;
- (3) Under the sole control of the licensee; and
- (4) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.

*History Note: Authority G.S. 89A-3.1; 89A-7;
RRC Objection Eff. June 17, 1993 Due to Lack of Statutory Authority and Ambiguity;
Eff. August 1, 1993;
RRC Objection cured Eff. January 20, 1994;*

*Amended Eff. January 1, 2008; February 1, 1994;
Readopted Eff. April 1, 2018.*