

21 NCAC 02 .0206 REQUIREMENT FOR AND USE OF PROFESSIONAL SEAL

(a) An architect shall seal his or her work whether or not the work is for an exempt project as defined in G.S. 83A-13. An architect shall not sign nor seal drawings, specifications, reports, or other professional work that were not prepared by the architect or under his or her responsible control. Documents shall be sealed as follows:

- (1) An architect may seal those portions of the professional work that:
 - (A) were prepared by or under the responsible control of persons who are registered architects in this State if the architect has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them into his or her work; and
 - (B) are not required by law to be prepared by or under the responsible control of an architect if the architect has reviewed and adopted in whole or in part such portions and has integrated them into his or her work.
- (2) Individual Seal Design shall be as follows:
 - (A) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile that becomes a permanent addition to original drawings or sets of specifications for use in this State. For the purposes of this Rule, the term "for use in this State" means drawings and sets of specifications prepared for bidding, procurement, permitting, or for construction. For purposes of this Rule, "original" means the version of drawings and sets of specifications from which all copies can be made.
 - (B) The standard design of the seal shall be two concentric circles in which "North Carolina" and the name of the licensee are placed within the outermost circle and in which the license number of the licensee and "Registered Architect" placed within the innermost circle. The size shall be 1 ½ to 1 ¾ inches in diameter.
 - (C) The original, handwritten signature of the individual named on the seal shall be considered part of an individual seal and shall appear across the face of each original seal imprint along with the date of affixation.
- (3) Firm Seal Design shall be as follows:
 - (A) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other facsimile that becomes a permanent addition to drawings or sets of specifications. The design of the seal shall be two concentric circles in which the Architectural Firm's approved name and "North Carolina" shall be between the inner and outer circles and the firm's license registration number is placed within the innermost circle. The size shall be 1 ½ to 1 ¾ inches in diameter.
 - (B) For a Professional Corporation the words "Registered Architectural Corporation, North Carolina" shall be along the inside perimeter of the inner circle. For a Professional Limited Liability Company, the words "Registered Architectural Company" shall be along the inside perimeter of the inner circle.

A sole proprietorship is not required to have firm seal and shall seal all work with the individual seal as set forth in Subparagraph (2) of this Paragraph.
- (4) The use of pre-printed documents bearing a pre-printed facsimile of the signed and dated seal is prohibited.
- (5) Architects shall affix their seal on one original of all their drawings and sets of specifications prepared by them for use in this State as follows:
 - (A) on the cover sheet of each design and on each drawing prepared by the architect for the design;
 - (B) on the index page identifying each set of specifications; and
 - (C) on the index page of all other technical submissions. For the purposes of this Rule, "technical submissions" refer to plans, drawings, specifications, studies, addenda, and other technical reports prepared in the course of practicing architecture.
- (6) Presentation documents, such as renderings used to communicate conceptual information, shall not be sealed or signed.
- (7) Documents considered incomplete by the architect may be released for interim review without the architect's seal or signature affixed, but shall be dated, bear the architect's name, and be marked to indicate the documents are for interim review and not intended for bidding, procurement, permit, or construction purposes.

- (8) Those sheets or pages prepared by licensed professional consultants, such as structural, mechanical or electrical engineers, retained by the architect shall bear the seal and registration number of the consultant responsible therefore and shall not be sealed by the architect.
- (9) Original Signature. The use of signature reproductions such as rubber stamps, computer generated, or other facsimiles are not permitted in lieu of actual handwritten and hand dated signatures. However, a digital signature as defined in Paragraph (e) of this Rule may be used in lieu of a handwritten signature and handwritten date.
- (10) The use of the prescribed seal is an individual act whereby the architect must personally sign over the imprint of the seal. By sealing documents for use in this State, an architect is representing that he or she is in responsible control over the content of such documents and has applied the required professional standard of care. The architect is responsible for security of the seal when not in use.
- (11) Use of Firm Seal. The use of the firm seal does not replace the statutory requirement for an architect's individual seal as required in Paragraph (d). The firm seal must be affixed in addition to the individual seal on the cover sheet.

(b) Prototypical Building design documents prepared by architects who are registered in this State or in their state of origin may be sealed by a succeeding licensed architect registered in North Carolina provided:

- (1) the seal of the original architect appears on the documents to authenticate authorship;
- (2) the words "Prototypical Design Documents/Not for Construction" appear on each sheet of the documents by the original architect;
- (3) the succeeding North Carolina architect identifies all modifications to the standard design documents;
- (4) the succeeding North Carolina architect assumes responsibility for the adequacy of the design for the specific application in North Carolina and for the design conforming with applicable building codes, local conditions, site condition; and
- (5) the succeeding North Carolina architect affixes his or her seal to the prototypical design documents with a statement as follows: "These documents have been examined by the undersigned. I have determined that they comply with existing local North Carolina codes, and I assume responsibility for the adequacy of the design for the specific application in North Carolina."

(c) Post Construction record drawings prepared by an architect, but based upon representations of contractors, are not plans that are for "bidding, procurement, permit, or construction purposes" and therefore shall not be sealed by the architect as long as the documents bear the name of the architect and include language stating "these drawings are based in part upon the representations of others and are not for bidding, procurement, permit, or construction purposes".

(d) Responsible Control. No architect shall affix his or her seal and signature to contract documents developed by others not under the architect's responsible control. "Responsible control" means that amount of control over and professional knowledge of the content of technical submissions during their preparation as is exercised by an architect applying the required professional standard of care, including:

- (1) Dissemination of programmatic requirements;
- (2) Ongoing coordination and correlation of services with other aspects of the total design of the project;
- (3) Verification with consultant that owner's requirements are being met;
- (4) Authority over the services of those who assisted in the preparation of the documents;
- (5) Assumption of responsibility for the services;
- (6) Incorporation of services and technical submissions into design documents to be issued for permitting purposes; and
- (7) Incorporation and integration of information from manufacturers, suppliers, installers, the architect's consultants, owners, contractors, or other sources the architect trusts that is incidental to and intended to be incorporated into the architect's technical submissions if the architect has coordinated and reviewed such information

(e) The procedure for digitally signing and electronically sealing electronically transmitted plans, specifications, reports, or other documents prepared for use in this State in the course of practicing architecture is as follows:

- (1) Information stored in electronic files representing plans or specifications that must be sealed under the provisions of G.S. 83A-10 shall be signed, dated, and sealed by the architect in responsible control.

- (A) A scanned image of an original signature shall not be used in lieu of a digital or electronic signature.
 - (B) The date that the electronic signature file was created or the digital signature was placed in to the document must appear on the document in the same manner as date is required to be applied when a licensee uses the manual sealing procedure set out in Subparagraph (a)(5) of this Rule.
- (2) An architect utilizing a digital signature to seal electronic documents for use in this State shall ensure that the digital signature is:
- (A) Unique to the person using it;
 - (B) Capable of verification;
 - (C) Under the sole control of the person using it; and
 - (D) Linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.
- (3) Each electronically signed file shall have an authentication code defined as a "message digest," as set forth in the Federal Information Processing Standards (FIPS)180-4, "Secure Hash Standard," amended August 2015. The standard is incorporated by reference, including subsequent amendments and editions, and may be accessed at no cost at <http://nvlpubs.nist.gov/nistpubs/FIPS/NIST.FIPS.180-4.pdf>.
- (4) The architect is responsible for the security of the digital seal.

*History Note: Authority G.S. 83A-6; 83A-10; 83A-12;
Eff. February 1, 1976;
Readopted Eff. September 29, 1977;
Amended Eff. December 1, 2010; July 1, 2006; October 1, 1995; July 1, 1993; May 1, 1989;
October 1, 1985;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13, 2015;
Amended Eff. November 1, 2017.*