

1 21 NCAC 02 .0206 is proposed for amendment as follows:

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3 **21 NCAC 02 .0206 REQUIREMENT FOR AND USE OF PROFESSIONAL SEAL BY AN**
4 **ARCHITECT OR REGISTERED INTERIOR DESIGNER**

5 (a) An architect shall seal ~~his or her~~ their work whether or not the work is for an exempt project as defined in G.S.
6 83A-13. An architect shall not sign nor seal drawings, specifications, reports, or other professional work that were not
7 prepared by the architect or under ~~his or her~~ their responsible control. Documents shall be sealed as follows:

8 (1) An architect may seal those portions of the professional work that:

- 9 (A) were prepared by or under the responsible control of persons who are ~~registered~~ licensed
10 architects in this State if the architect has reviewed in whole or in part such portions and
11 has either coordinated their preparation or integrated them into ~~his or her~~ their work; and
12 (B) are not required by law to be prepared by or under the responsible control of an architect if
13 the architect has reviewed and adopted in whole or in part such portions and has integrated
14 them into ~~his or her~~ their work.

15 (2) A registered interior designer may seal those portions of the professional work that were prepared
16 by or under the responsible control of persons who are registered interior designers in this State if the registered interior
17 designer has reviewed in whole or in part such portions and has either coordinated their preparation or integrated them
18 into their work

19 (3) ~~Individual Architect Seal Design shall be as follows:~~

- 20 (A) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other
21 facsimile that becomes a permanent addition to original paper drawings or sets of
22 specifications for use in this State. For the purposes of this Rule, the term "for use in this
23 State" means drawings and sets of specifications prepared for bidding, procurement,
24 permitting, or for construction. For purposes of this Rule, "original" means the version of
25 drawings and sets of specifications from which all paper copies can be made.
26 (B) The standard design of the seal shall be two concentric circles in which "North Carolina"
27 and the name of the licensee are placed within the outermost circle and in which the license
28 number of the licensee and "~~Registered~~ Licensed Architect" placed within the innermost
29 circle. The size shall be 1 ½ to 1 ¾ inches in diameter.
30 (C) The original, handwritten signature of the individual named on the seal shall be considered
31 part of an individual seal and shall appear across the face of each original seal imprint along
32 with the date of affixation. The use of signature reproductions such as rubber stamps,
33 computer generated, or other facsimiles on paper copies are not permitted in lieu of actual
34 handwritten and hand dated signatures.

35 (4) ~~Architecture Firm Seal Design shall be as follows:~~

- 36 (A) The seal may be a rubber stamp, embossed seal, computer-generated seal, or other
37 facsimile that becomes a permanent addition to drawings or sets of specifications. ~~The~~

1 design of the seal shall be two concentric circles in which the Architectural Firm's approved
2 name and "North Carolina" shall be between the inner and outer circles and the firm's
3 license registration number is placed within the innermost circle. The size shall be 1 ½ to
4 1 ¾ inches in diameter.

5 (B) The design of the seal shall be two concentric circles in which the Architectural Firm's
6 approved name shall be between the inner and outer circles and the firm's license number
7 is placed within the innermost circle. The size shall be 1 ½ to 1 ¾ inches in diameter. For
8 a Professional Corporation the words "Architectural Corporation, North Carolina" shall be
9 along the inside perimeter of the inner circle. For a Professional Limited Liability
10 Company, the words "Architectural Company" shall be along the inside perimeter of the
11 inner circle.

12 (B) ~~For a Professional Corporation the words "Registered Architectural Corporation, North~~
13 ~~Carolina" shall be along the inside perimeter of the inner circle. For a Professional Limited~~
14 ~~Liability Company, the words "Registered Architectural Company" shall be along the~~
15 ~~inside perimeter of the inner circle.~~

16 ~~A sole proprietorship is not required to have firm seal and shall seal all work with the individual~~
17 ~~seal as set forth in Subparagraph (2) of this Paragraph.~~

18 (4)(5) ~~The use of pre-printed documents bearing a pre-printed facsimile of the signed and dated seal is~~
19 ~~prohibited. Individual Registered Interior Designer Seal Design shall be as follows:~~

20 (A) ~~The seal may be a rubber stamp, embossed seal, computer-generated seal, or other~~
21 ~~facsimile that becomes a permanent addition to original paper drawings or sets of~~
22 ~~specifications for use in this State. For the purposes of this Rule, the term "for use in this~~
23 ~~State" means drawings and sets of specifications prepared for bidding, procurement,~~
24 ~~permitting, or for construction. For purposes of this Rule, "original" means the version of~~
25 ~~drawings and sets of specifications from which all paper copies can be made.~~

26 (B) ~~The standard design of the seal shall be two concentric ovals in which "North~~
27 ~~Carolina" and the name of the registrant are placed within the outermost oval and in which~~
28 ~~the registration number of the registrant and "Registered Interior Designer" be placed~~
29 ~~within the innermost oval. The dimensions shall be two inches tall by 2.75 inches wide.~~

30 (C) ~~The original, handwritten signature of the individual named on the seal shall be~~
31 ~~considered part of an individual seal and shall appear across the face of each original seal~~
32 ~~imprint along with the date of affixation. The use of signature reproductions such as rubber~~
33 ~~stamps, computer generated, or other facsimiles on paper are not permitted in lieu of actual~~
34 ~~handwritten and hand dated signatures.~~

35 (6) ~~Registered Interior Design Firm Seal Design shall be as follows:~~

36 (A) ~~The seal may be a rubber stamp, embossed seal, computer-generated seal, or other~~
37 ~~facsimile that becomes a permanent addition to drawings or sets of specifications.~~

1 (B) The design of the seal shall be two concentric ovals in which the Registered Interior Design Firm's
2 approved name shall be between the inner and outer ovals and the firm's registration number is
3 placed within the innermost oval. The size shall be 2 to 2 ¾ inches in diameter. For a Corporation
4 the words "Registered Interior Design Corporation, North Carolina" shall be along the inside
5 perimeter of the inner circle. For a Limited Liability Company, the words "Registered Interior
6 Design Company" shall be along the inside perimeter of the inner oval.

7 ~~(5)~~(7) Architects and registered interior designers shall affix their seal on one original of all their drawings
8 and sets of specifications prepared by them for use in this State as follows:

9 (A) on the cover sheet of each design and on each drawing prepared by the architect or
10 registered interior designer for the design;

11 (B) on the index page identifying each set of specifications; and

12 (C) on the index page of all other technical submissions. For the purposes of this Rule,
13 "technical submissions" refer to plans, drawings, specifications, studies, addenda, and other
14 technical reports prepared in the course of practicing architecture or registered interior
15 design.

16 ~~(6)~~ (8) Presentation documents, such as renderings created by an architect or registered interior designer
17 used to communicate conceptual information, shall not be sealed or signed.

18 ~~(7)~~ (9) Documents considered incomplete by the architect or registered interior designer may be released
19 for interim review without the architect's or registered interior designers seal or signature affixed,
20 but shall be dated, bear the architect's or registered interior designer's name, and be marked or
21 designated to indicate the documents are for interim review and not intended for bidding,
22 procurement, permit, or construction purposes. as follows "Incomplete - for interim review only
23 and not intended for bidding, procurement, permit, or construction purposes."

24 ~~(8)~~(10) Those sheets or pages prepared by licensed professional consultants, such as structural, mechanical
25 or electrical engineers, retained by the architect or registered interior designer shall bear the seal and
26 registration or license number of the consultant responsible therefore and shall not be sealed by the
27 architect or registered interior designer.

28 ~~(9)~~ Original Signature. The use of signature reproductions such as rubber stamps, computer generated,
29 or other facsimiles are not permitted in lieu of actual handwritten and hand dated signatures.
30 However, a digital signature as defined in Paragraph (e) of this Rule may be used in lieu of a
31 handwritten signature and handwritten date.

32 ~~(10)~~(11) The use of the prescribed seal on paper is an individual act whereby the architect or registered
33 interior designer must personally sign over the imprint of the seal. By sealing documents for use in
34 this State, an architect or registered interior designer is representing that he or she is they are in
35 responsible control over the content of such documents and has applied the required professional
36 standard of care. The architect or registered interior designer is responsible for security of the seal
37 when not in use.

1 ~~(11)~~(12) Use of Firm Seal. The use of the firm seal does not replace the statutory requirement for an architect's
2 or registered interior designer's individual seal as required in ~~Paragraph (d)~~, 21 NCAC 02 .0203(4).

3 The firm seal must be affixed in addition to the individual seal on the cover sheet.

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

7 (1) the seal of the original architect or registered interior designer appears on the documents to
8 authenticate authorship;

9 (2) the words "Prototypical Design Documents/Not for Construction" appear on each sheet of the
10 documents by the original ~~architect~~; architect or registered interior designer;

11 (3) the succeeding North Carolina architect or registered interior designer identifies all modifications
12 to the standard design documents;

13 (4) the succeeding North Carolina architect or registered interior designer assumes responsibility for
14 the adequacy of the design for the specific application in North Carolina and for the design
15 conforming with applicable building codes, local conditions, site condition; and

16 (5) the succeeding North Carolina architect or registered interior designer affixes ~~his or her~~ their seal to
17 the prototypical design documents with a statement as follows: "These documents have been
18 examined by the undersigned. I have determined that they comply with existing local North Carolina
19 codes, and I assume responsibility for the adequacy of the design for the specific application in
20 North Carolina."

DRAFT Use for RID SEAL only.

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

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

30 ~~(1) — Dissemination of programmatic requirements;~~

31 ~~(2) — Ongoing coordination and correlation of services with other aspects of the total design of the project;~~

32 ~~(3) — Verification with consultant that owner's requirements are being met;~~

33 ~~(4) — Authority over the services of those who assisted in the preparation of the documents;~~

34 ~~(5) — Assumption of responsibility for the services;~~

35 ~~(6) — Incorporation of services and technical submissions into design documents to be issued for~~
36 ~~permitting purposes; and~~

1 ~~(7) — Incorporation and integration of information from manufacturers, suppliers, installers, the architect's~~
2 ~~consultants, owners, contractors, or other sources the architect trusts that is incidental to and~~
3 ~~intended to be incorporated into the architect's technical submissions if the architect has coordinated~~
4 ~~and reviewed such information~~

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

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

10 ~~(A) — A scanned image of an original signature shall not be used in lieu of a digital or electronic~~
11 ~~signature.~~

12 ~~(B) — The date that the electronic signature file was created or the digital signature was placed in~~
13 ~~to the document must appear on the document in the same manner as date is required to be~~
14 ~~applied when a licensee uses the manual sealing procedure set out in Subparagraph (a)(5)~~
15 ~~of this Rule.~~

16 ~~(2) — An architect utilizing a digital signature to seal electronic documents for use in this State shall ensure~~
17 ~~that the digital signature is: Documents to be electronically transmitted beyond the direct control of~~
18 ~~the licensee or registrant that are signed using a digital signature, shall contain the authentication~~
19 ~~procedure in a secure mode and a list of the hardware, software and parameters used to prepare the~~
20 ~~document(s). Secure mode means that the authentication procedure has protective measures to~~
21 ~~prevent alteration or overriding of the authentication procedure. The term "digital signature" shall~~
22 ~~be an electronic authentication process that is attached to or logically associated with an electronic~~
23 ~~document. The digital signature shall be:~~

24 ~~(A) Unique to the person using it;~~

25 ~~(B) Capable of verification;~~

26 ~~(C) Under the sole control of the person using it; and~~

27 ~~(D) Linked to a document in such a manner that the digital signature is invalidated if any data~~
28 ~~in the document is changed.~~

29 ~~(3) — Each electronically signed file shall have an authentication code defined as a "message digest," as~~
30 ~~set forth in the Federal Information Processing Standards (FIPS)180-4, "Secure Hash Standard,"~~
31 ~~amended August 2015. The standard is incorporated by reference, including subsequent~~
32 ~~amendments and editions, and may be accessed at no cost at~~
33 ~~<http://nvlpubs.nist.gov/nistpubs/FIPS/NIST.FIPS.180-4.pdf>.~~

34 ~~(4) — The architect is responsible for the security of the digital seal. Documents for use in this state, that~~
35 ~~are transmitted electronically beyond the direct control of the licensee or registrant shall have the~~
36 ~~computer-generated image of the seal removed from the original file, unless signed with a digital~~
37 ~~signature as defined in this Rule. After removal of the image of seal the electronic media shall have~~

1 the following inserted in lieu of the signature and date: "This document was originally issued and
2 sealed by (name of sealer), (license or registration number), on (date of sealing). This medium shall
3 not be considered a certified document." Hardcopy documents containing the original seal, signature
4 and date of the licensee or registrant may be duplicated by photocopy or electronic scanning
5 processes and distributed either in hardcopy or electronic medium. The scanned digital files of
6 certified documents are not subject to the requirements of this Paragraph. The electronic
7 transmission beyond the direct control of the licensee or registrant of Computer Aided Design
8 (CAD), vector or other files subject to easy editing are subject to the requirements of this paragraph.
9 Easy editing is based on the file consisting of separate elements that can be individually modified
10 or deleted. Documents that are excepted from certification by a statement meeting the following
11 requirements are not subject to the requirements of this Paragraph:

- 12 (1) "Preliminary - Do not use for construction";
- 13 (2) "Progress Drawings - Do not use for construction";
- 14 (3) "Final Drawing - Not released for construction";
- 15 (4) "Final Drawing - For Review Purposes Only";
- 16 (5) "Not a Certified Document – This document was originally issued and sealed by
17 (name of licensee or registrant), (license or registration number), on (date of sealing). This document
18 shall not be considered a certified document";

19 ~~(6) "Not a Certified Document as to the Original Document but Only as to the~~
20 ~~Revisions - This document originally issued and sealed by (name of licensee or registrant), (license~~
21 ~~or registration number), on (date of sealing). This document is only certified as to the revisions".~~

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23 History Note: Authority G.S. 83A-6; 83A-10; 83A-12;
24 Eff. February 1, 1976;
25 Readopted Eff. September 29, 1977;
26 Amended Eff. December 1, 2010; July 1, 2006; October 1, 1995; July 1, 1993; May 1, 1989; October
27 1, 1985;
28 Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 13,
29 2015;
30 Amended Eff. November 1, 2017.
31 Amended Eff. XXXXXXXXXXXXXXXXXXXXXXXXXX