

## Position Statement on Sealed Truss Placement Diagrams for Residential Projects in the Commonwealth of Kentucky

Updated September 1, 2006

### Issue:

Reviewing Truss Placement Diagrams (TPD) (also known as a truss placement plan, truss layout, framing plan or framing layout) is normally the responsibility of the Building Designer or Registered Design Professional (RDP). This information is based on the Kentucky Revised Statutes<sup>1</sup> (KRS) and the 2002 Kentucky Residential Code for One- and Two-Family Dwellings along with the 2003 Kentucky Residential Code supplement (Effective 3-24-03)<sup>2</sup> (*Kentucky Residential Code 2002*).

### Key Definitions:

#### **TRUSS DESIGN DRAWING (TDD):**

The graphic depiction of an individual truss, which describes the design and physical characteristics of the truss.<sup>3</sup>

#### **TRUSS PLACEMENT DIAGRAM (TPD):**

The illustration supplied by the Truss Manufacturer identifying the location assumed for each Truss, which references each individually designated Truss Design Drawing. The truss placement diagram shall be provided as part of the truss submittal package, and with the shipment of trusses delivered to the job site. Truss placement diagrams shall not be required to bear the seal or signature of the truss designer.

**Exception:** When the truss placement diagram is prepared under the direct supervision of a registered design professional, it is required to be signed and sealed.

#### **CONSTRUCTION DOCUMENTS:**

Written, graphic and pictorial documents prepared or assembled for describing the design, location and physical characteristics of the elements of a project necessary for obtaining a building permit. Construction drawings shall be drawn to an appropriate scale.<sup>4</sup>

#### **REGISTERED DESIGN PROFESSIONAL (RDP):**

An individual who is licensed to practice their respective design profession as defined by the statutory requirements of the professional registration laws of the state of Kentucky.<sup>5</sup>

<sup>1</sup> [www.lrc.ky.gov/KRS/322-00/CHAPTER.HTM](http://www.lrc.ky.gov/KRS/322-00/CHAPTER.HTM)

<sup>2</sup> This comprehensive, stand-alone residential construction code, which incorporates approved changes from the 1999 code development cycle, establishes minimum regulations for one- and two-family dwellings and townhouses using prescriptive provisions. Additionally, the *Kentucky Residential Code* is designed as a stand-alone document for construction of one- and two-family residences and townhouses; whereas the 2002 *Kentucky Building Code* governs the construction of all other buildings and it is based on the 2000 *International Building Code*, with Kentucky changes incorporated within.

<sup>3</sup> [www.ohbc.ky.gov/bce/FormsPublications.htm](http://www.ohbc.ky.gov/bce/FormsPublications.htm)

<sup>4</sup> As defined by the *Kentucky Residential Code 2002*.

<sup>5</sup> As defined by the *Kentucky Residential Code 2002*.



Prepared with assistance from SBCA-Kentucky, a local chapter of SBCA.

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SBCA • 6300 Enterprise Lane • Madison, WI 53719  
608/274-4849 • 608/274-3329 (fax) • [www.sbcindustry.com](http://www.sbcindustry.com)

## Unique Definitions for Structures that require a RDP:

### **BUILDING DESIGNER:**

The Owner of the Building contracts with a Registered Design Professional for the design of the Building Structural System and who is responsible for the Construction Documents.<sup>6</sup>

### **TRUSS DESIGN ENGINEER:**

The individual or organization responsible for the design of Trusses. Each individual truss design drawing shall bear the seal and signature of the Truss Design Engineer.<sup>7</sup>

## Unique Definitions for Structures that do not require a RDP:

### **BUILDING DESIGNER:**

The Owner of the Building or the individual or organization that contracts with the Owner for the design of the Building Structural System and/or who produces the Construction Documents.<sup>8</sup>

### **TRUSS DESIGNER:**

The individual or organization responsible for the design of trusses.<sup>9</sup>

## Background:

The TPD is not to be viewed as an engineering document except as stated below; rather it is provided to assist the installer in properly locating the trusses within the structure. All the necessary truss engineering and analysis is found on the Truss Design Drawings (TDD).

If a TPD is provided, it is recommended that the project's Building Designer or RDP, if the local jurisdiction requires one for residential projects, review and approve the TPD to ensure that the intended load paths have not been altered.

If a Truss Design Engineer were to seal a TPD, it has been suggested that they could inappropriately be held responsible for ensuring the proper flow of loads through the truss to the bearing and support structure below the truss and into the foundation.

Truss Designer Engineers would only undertake Building Designer responsibilities under a special set of circumstances, including that they are professionally capable of taking on such responsibility and that they are properly compensated for the work.

## Analysis:

### ***The Commonwealth of Kentucky Does Not Require Engineering on Residential Structures***

Requiring a TPD to be prepared and sealed by the Truss Design Engineer is contrary to Kentucky law. This requirement would hold the building component manufacturing industry to a far greater standard than other similar industries.

According to KRS Section 322.550 (*see Appendix C*), residential structures are not listed as "buildings requiring services of professional engineer or architect". Given this law, there is only a requirement in Kentucky for the registered professional engineer or architect to seal Construction Documents or structural building component related engineering designs for:

#### **KRS 322.550 Buildings requiring services of professional engineer or architect.**

- (1) Factory and industrial use group having a capacity of one hundred (100) persons or more;
- (2) High-hazard use group, regardless of capacity;
- (3) Storage use group having a capacity of one hundred (100) persons or more; and

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<sup>6</sup> Adapted from IBC section 106.1.

<sup>7</sup> Adapted from IBC section 2303.4.

<sup>8</sup> Adapted from IBC 106.1

<sup>9</sup> Adapted from IBC 2303.4

(4) Miscellaneous use groups having a capacity of one hundred (100) persons or more.

KRS Section 323.033 (*see Appendix C*) contains similar language defining which buildings require the services of licensed architect. According to KRS 323.033(e), a licensed architect is needed on a residential project only when the structure will contain more than twelve dwelling units or will house fifty persons or more.

**KRS 323.033 Buildings requiring services of licensed architect.**

(1) Except as otherwise provided in this section, the following buildings, or additions to existing buildings, classified by use group shall require the services of an architect licensed in the Commonwealth of Kentucky; ...  
(e) Residential use group of more than twelve (12) dwelling units or having a capacity of fifty (50) persons or more; ...

The majority of residential structures are furthermore built using the prescriptive code within the building codes. Trusses are simply replacements for the prescriptively applied joists and rafters, which are also highly engineered structural elements.

When the Building Designer involved with a residential project is an RDP, it is up to them to evaluate every structural component, (e.g., rafters, joists, I-joists, and trusses) to ensure their structural adequacy and that they are applied so that the structure's protection of life/safety is assured. The placement of trusses is just one of the elements the RDP must consider. Joists, rafters, I-joists, LVL, PSL, and glulam are other equally important structural elements that must be evaluated and integrated properly. The RDP will seal all his/her engineering work. Commonly the RDP delegates the design of the trusses to a Truss Design Engineer. The RDP will then review and approve all engineering performed by the Truss Design Engineer.

***Residential Construction Documents***

According to the *Kentucky Residential Code 2002* Section R106.1 (*see Appendix B*):

**R106.1 Submittal documents.** ...Construction documents involving the practice of professional architecture or engineering, as defined by KRS Chapters 322 and 323, shall be prepared by and bear the seal of a Kentucky-licensed design professional. ...

The construction documents should in turn clearly define the scope of the work proposed by the Building Designer or RDP:

**R106.1.1 Information on construction documents.** ...Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations...

In preparing the construction documents, the Building Designer needs to provide the Truss Designer or Truss Design Engineer with the information necessary to properly design the trusses for the building. According to ANSI/TPI 1-1995 (TPI 1) (*see Appendix A for complete text*), which is adopted by reference in the *Kentucky Residential Code 2002* through Sections R102.4, R502.11.1, R802.10.2, and Part IX, Referenced Standards, Chapter 43 (*see Appendix B*), the following information should be provided:

**ANSI/TPI 1-1995 Appendix A**

**A.3.0 BUILDING DESIGNER RESPONSIBILITIES**

**A.3.2** (The Building Designer shall) prepare the Construction Design Documents, showing all trussed areas, which must provide as a minimum the following:

- A.3.2.1** All truss orientations and locations;
- A.3.2.2** Information to fully determine all truss profiles;
- A.3.2.3** Adequate support of the Truss and all truss bearing conditions;
- A.3.2.4** Permanent bracing design for the structure including the Trusses,...
- A.3.2.5** The location, direction and magnitude of all dead and live loads applicable to each Truss

- A.3.2.6 All Truss anchorage designs required to resist uplift, gravity, and lateral loads;
- A.3.2.7 Allowable vertical and horizontal deflection criteria;
- A.3.2.8 Proper transfer of design loads affecting the Truss; and
- A.3.2.9 Adequate connections between Truss and non-Truss components,
- A.3.3 Review and approve the Truss Placement Plan and each Truss Design Drawing for conformance with the requirements and intent of the Construction Design Documents, the effect of each Truss Design Drawing and Truss Placement Plan on other parts of the structure, and the effect of the structure on each Truss.
- A.3.4 ... specify how the permanent lateral bracing is to be anchored or restrained to prevent lateral movement if all truss members, so braced, buckle together.

### ***Truss Design and Preparation of Truss Design Drawings***

Assuming the requisite information is provided within the construction documents issued by the RDP or Building Designer, the Truss Designer's sole responsibility is to properly design the individual trusses according to this information. Once designed, a truss is then depicted on a TDD. The Truss Designer is therefore specifically responsible for the single truss design depicted on each TDD. In residential structures in Kentucky, which are exempt from the need for engineering, the Truss Designer may not be and does not have to be a registered engineer. Requesting a Truss Design Engineer to seal a non-registered person's work is illegal in Kentucky per section 322.340 (*see Appendix C*), which state in pertinent part:

**322.340 Licensee to obtain seal or stamp -- Use of seal or stamp.**

(4) The seal or stamp and signature shall be used by licensees only if the work being stamped was under the licensee's complete direction and control.

### ***Who Typically Prepares Truss Placement Diagrams?***

Assuming the requisite information is provided in the Construction Documents, TPD are prepared by component manufacturer personnel who are not typically Truss Design Engineers and many times are the Truss Manufacturer's salespeople or are individuals who work as truss technicians or truss take-off specialists (Truss Designers). All these people are highly trained and skilled in the work they do but are generally non-engineers. Because these TPD are typically prepared outside the Truss Designer Engineer's scope of work, they may not be reviewed or even seen by the Truss Design Engineer and are therefore not prepared under the Truss Design Engineer's direct supervision.

### ***To Require Truss Placement Diagrams to be Sealed Would Violate Kentucky Law.***

Because TPDs are generally neither created by nor created under the immediate personal supervision of a licensed design professional they cannot be sealed. To require that they be sealed is contrary to Kentucky Revised Statutes (KRS) violating Sections 322.180 and 322.340 (*see Appendix C*), which state in pertinent part:

**322.180 Grounds for denial of licensure and for disciplinary action.** The board may refuse to issue, refuse to renew, suspend, or revoke a license, may reprimand, place on probation, or admonish a licensee, may impose a fine on a licensee not to exceed one thousand dollars (\$1,000), or may impose any combination of these penalties when it finds that an applicant or licensee:

- (5) Aided or abetted a person not licensed to practice engineering or land surveying in this state...
- (12) Engaged in conduct likely to deceive or defraud the public;
- (16) Provided certification for any plan, specification, plat, report, or physical description not prepared by him or her or under his or her direct supervision.
- (17) Applied the seal, stamp, signature, or title block of another professional engineer or professional land surveyor to a plan, specification, plat, report, or physical description that was not prepared by the other professional engineer or land surveyor.

### 322.340 Licensee to obtain seal or stamp -- Use of seal or stamp.

(4) The seal or stamp and signature shall be used by licensees only if the work being stamped was under the licensee's complete direction and control.

### ***Why are Truss Placement Diagrams Prepared?***

TPDs are intended to assist customers, erectors and code enforcement officials in positioning or locating the trusses and related structural components supplied by the component manufacturer.

Their function is to serve as detailed installation instructions. They indicate the component manufacturer's assumed location for each truss or related component that has been designed and manufactured.

For example, a truss or related structural building component is no different than a window that is manufactured and in turn installed within a building. A window may be a highly engineered component of a house with specific installation specifications and instructions. However, there is no requirement to provide an engineer's seal on the installation instructions for windows.

Going well beyond the TPD, Kentucky law (*see Appendix C*) recognizes that it would be perfectly appropriate for a Truss Manufacturer employee to design the trusses without the involvement of an engineer, as follows:

#### **KRS 322.030 Exceptions to KRS 322.020.**

KRS 322.020 shall not apply to: ... (c) The practice of engineering related solely to the design or fabrication of manufactured products; ...

This is corroborated in a 2003 survey<sup>10</sup> where the National Council of Examiners for Engineering and Surveying (NCEES) asked all State Engineering Licensing Boards the following question: What exemptions to the Practice Act does your jurisdiction law recognize? Kentucky listed a manufacturer's exemption for engineering:

Employee or subordinate of professional engineer; Employee of public utility or public transportation; Manufacturing or scientific research; Officer or employee of U.S. government; Employee of industrial or manufacturing firm; Miscellaneous building

### ***The International Code Committee (ICC) Has Recently Codified That Truss Placement Diagrams Should Not Be Sealed***

Current versions of the *Kentucky Residential Code* do not clearly define TPD. As such, some may wrongly infer that they are part of the "Truss Design Drawings" which are defined as follows [R502.11.4 and R802.10.1 (*see Appendix B*)]:

**R502.11.4 Truss design drawings.** Truss design drawings, prepared in compliance with Section R502.11.1, shall be provided to the building official and approved prior to installation. ...

**R802.10.1 Truss design drawings.** Truss design drawings, prepared in conformance with Section R802.10.1, shall be provided to the building official and approved prior to installation. ...

To clear up any confusion on this issue, Section 2303 of the 2006 International Building Code (IBC), which is the nationally recognized model building code the *Kentucky Residential Code* and *Kentucky Building Code* are based upon, has been revised to include the following regarding "Truss Placement Diagram":

**2006 IBC 2303.4.3 Truss Placement Diagram.** A diagram supplied by the truss manufacturer that identifies the proposed location for each individually designated truss and references the corresponding Truss Design Drawing. The Truss Placement Diagram shall be provided as part of the Truss Submittal Package, and with

<sup>10</sup> [www.ncees.org/licensure/licensing\\_requirements/2003\\_survey\\_results/e\\_22.pdf](http://www.ncees.org/licensure/licensing_requirements/2003_survey_results/e_22.pdf)

the shipment of trusses delivered to the job site. Truss Placement Diagrams shall not be required to bear the seal or signature of the Truss Designer.

**Exception:** When the Truss Placement Diagram is prepared under the direct supervision of a registered design professional, it is required to be signed and sealed.

This change will provide much greater clarity and better communication and will appear in the 2006 Edition of the International Building Code. Identical language has been proposed and will be included in subsequent versions of the International Residential Code.

**Conclusion:**

The Kentucky professional engineering law and the *Kentucky Residential Code 2002* provide the basis upon which to evaluate the need to provide an engineer's seal on a Truss Placement Diagram (TPD). Based on the building code regulations and professional engineering law, TPDs do not require a professional engineer's seal.

## Appendix A

The language in RED signifies sections of the code or law that have been used in the foregoing document to make it easier for the reader to see the language in context.

### ANSI/TPI 1-1995

#### National Design Standard for Metal Plate Connected Wood Truss Construction

#### Appendix A – Standard Responsibilities in the Design Process Involving Metal Plate Connected Wood Trusses

##### A.1.0 SCOPE AND DEFINITIONS

A.1.2.2 “**Building Designer**” is the individual or organization having responsibility for the overall building or structure design in accordance with the state’s statutes and regulations governing the professional registration and certification of architects or engineers. This responsibility includes but is not limited to foundation design, structural member sizing, load transfer, bearing conditions, and the structure’s compliance with the applicable building codes. Also referred to as a registered architect or engineer, building designer, and registered building designer, but hereinafter will be referred to as Building Designer.

A.1.2.8 “**Truss Designer**” is the design professional, individual or organization, having responsibility for the design of metal plate connected wood trusses. This responsibility shall be in accordance with the state’s statutes and regulations governing the professional registration and certification of architects or engineers. Also referred to as truss engineer, design engineer, registered engineer, and engineer, but hereinafter will be referred to as Truss Designer.

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##### A.3.0 BUILDING DESIGNER RESPONSIBILITIES

A.3.1 Design a structure suitable to ensure that the intended function of each Truss is not affected by adverse influences including, but not limited to, moisture, temperature, corrosive chemicals and gases;

A.3.2 Prepare the Construction Design Documents, showing all trussed areas, which must provide as a minimum the following:

A.3.2.1 All truss orientations and locations;

A.3.2.2 Information to fully determine all truss profiles;

A.3.2.3 Adequate support of the Truss and all truss bearing conditions;

A.3.2.4 Permanent bracing design for the structure including the Trusses, except as provided in A.3.4 (see below) and A.6.2.12 (required permanent Truss member bracing location).

A.3.2.5 The location, direction and magnitude of all dead and live loads applicable to each Truss including, but not limited to, loads attributable to: roof, floor, partition, mechanical, fire sprinkler, attic, storage, wind, snow drift and seismic;

A.3.2.6 All Truss anchorage designs required to resist uplift, gravity, and lateral loads;

A.3.2.7 Allowable vertical and horizontal deflection criteria;

A.3.2.8 Proper transfer of design loads affecting the Truss; and

A.3.2.9 Adequate connections between Truss and non-Truss components, except as noted in Section A.6.2.9 (Truss to Truss girder; Truss ply to ply; and Field Splices).

A.3.3 Review and approve the Truss Placement Plan and each Truss Design Drawing for conformance with the requirements and intent of the Construction Design Documents, the effect of each Truss Design Drawing and Truss Placement Plan on other parts of the structure, and the effect of the structure on each Truss.

A.3.4 Specify permanent lateral bracing where indicated by the Truss Designer on the Truss Design Drawings, to prevent buckling of the individual truss members due to design loads. The Building Designer shall specify how the permanent lateral bracing is to be anchored or restrained to prevent lateral movement if all truss members, so braced, buckle together. This shall be accomplished by: (a) anchorage to solid end walls; (b) permanent diagonal bracing in the plane of the web members; or (c) other means when demonstrated by the Building Designer to provide equivalent bracing.

## Appendix B

Kentucky Residential Code 2002  
Part I — Administration  
Chapter 1: ADMINISTRATION  
SECTION 102: APPLICABILITY

### 102.4 Referenced codes and standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply; and newer editions of any standards may be used to meet the intent of the code in lieu of the adopted edition.

**Exception:** Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing and manufacturer's instructions shall apply.

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Kentucky Residential Code 2002  
Part I — Administration  
Chapter 1: ADMINISTRATION  
SECTION 106: ADMINISTRATION

**R106.1 Submittal documents.** One set of Construction documents, special inspection and structural observation programs, and other data shall be submitted with each application for a permit. Additional plans and documents may be required by the Kentucky Division of Plumbing or by local ordinance for buildings under local plan review jurisdiction. Construction documents involving the practice of professional architecture or engineering, as defined by KRS Chapters 322 and 323, shall be prepared by and bear the seal of a Kentucky-licensed design professional. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

**Exception:** The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that reviewing of construction documents is not necessary to obtain compliance with this code.

**R106.1.1 Information on construction documents.** Construction documents shall be dimensioned upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

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Kentucky Residential Code 2002  
Part III — Building Planning and Construction  
Chapter 5: FLOORS  
SECTION R502: WOOD FLOOR FRAMING

### R502.11 Wood trusses.

#### R502.11.1 Design.

Wood trusses shall be designed in accordance with approved engineering practice. The design and manufacture of metal plate connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with Section R106.1.

R502.11.4 Truss design drawings. Truss design drawings prepared in compliance with Section R502.11.1, shall be provided to the building official prior to the framing inspection. The truss design drawing shall be provided with the shipment of trusses delivered to the job site. Truss design drawings shall include, at a minimum, the information specified below:

1. Slope or depth, span, and spacing;
  2. Location of all joints;
  3. Required bearing widths;
  4. Design loads as applicable;
    - 4.1 Top chord live load (including snow loads);
    - 4.2 Top chord dead load;
    - 4.3 Bottom chord live load;
    - 4.4 Bottom chord dead load;
    - 4.5 Concentrated loads and their points of application;
    - 4.6 Controlling wind and earthquake loads.
  5. Adjustments to lumber and joint connector design values for conditions of use;
  6. Each reaction force and direction;
  7. Joint connector type and description (e.g., size, thickness or gauge); and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface;
  8. Lumber size, species and grade for each member;
  9. Connection requirements for:
    - 9.1 Truss-to-truss girder;
    - 9.2 Truss ply-to-ply;
    - 9.3 Field splices.
  10. Calculated deflection ratio and/or maximum description for live and total load;
  11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents; and,
  12. Required permanent truss member bracing location.
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Kentucky Residential Code 2002  
Part III — Building Planning and Construction  
Chapter 8: ROOF-CEILING CONSTRUCTION  
SECTION R802: WOOD ROOF FRAMING

R802.10 Wood trusses.

R802.10.1 Truss design drawings. Truss design drawings, prepared in conformance with Section R802.10.1, shall be provided to the building official and approved prior to installation. Truss design drawings shall include, at a minimum, the information specified below. Truss design drawing shall be provided with the shipment of trusses delivered to the job site.

1. Slope or depth, span, and spacing;
2. Location of all joints;
3. Required bearing widths;
4. Design loads as applicable;
  - 4.1 Top chord live load (including snow loads);
  - 4.2 Top chord dead load;
  - 4.3 Bottom chord live load;
  - 4.4 Bottom chord dead load;
  - 4.5 Concentrated loads and their points of application;
  - 4.6 Controlling wind and earthquake loads.
5. Adjustments to lumber and joint connector design values for conditions of use;
6. Each reaction force and direction;

7. Joint connector type and description (e.g., size, thickness or gauge); and the dimensioned location of each joint connector except where symmetrically located relative to the joint interface;
8. Lumber size, species and grade for each member;
9. Connection requirements for:
  - 9.1 Truss-to-truss girder;
  - 9.2 Truss ply-to-ply;
  - 9.3 Field splices.
10. Calculated deflection ratio and/or maximum description for live and total load;
11. Maximum axial compression forces in the truss members to enable the building designer to design the size, connections and anchorage of the permanent continuous lateral bracing. Forces shall be shown on the truss drawing or on supplemental documents; and,
12. Required permanent truss member bracing location.

**R802.10.2 Design.** Wood trusses shall be designed in accordance with accepted engineering practice. The design and manufacture of metal plate connected wood trusses shall comply with ANSI/TPI 1. The truss design drawings shall be prepared by a registered professional where required by the statutes of the jurisdiction in which the project is to be constructed in accordance with Section R106.1.

Kentucky Residential Code 2002  
 Part IX — Referenced Standards  
 Chapter 43: Referenced Standards

<b>TPI</b>	Truss Plate Institute 583 D'Onofrio Drive, #200 Madison, WI 53719	
Standard reference number	Title	Referenced in code section number
1—95	National Design Standard for Metal-Plate-Connected Wood Truss Construction	<a href="#">R502.11.1</a> , <a href="#">R502.11.2</a> , <a href="#">R802.10.2</a> , <a href="#">R802.10.3</a> , R802.11.1

## Appendix C

### Kentucky Revised Statutes

#### KRS 322.030 Exceptions to KRS 322.020.

KRS 322.020 shall not apply to:

- (1) (a) A pupil or engineer in training engaging in engineering under the direction of a professional engineer, if that practice does not include responsible charge of engineering; or  
(b) A pupil or land surveyor in training engaging in land surveying under the direction of a professional land surveyor, if that practice does not include responsible charge of land surveying;
  - (2) The practice of engineering or land surveying by officers and employees of the United States government while engaged in engineering or land surveying for the government;
  - (3) The practice of engineering or land surveying by a person on property he or she leases or owns unless:
    - (a) The practice involves the public safety, health, or welfare;
    - (b) The land surveying relates to the location or determination of any existing or proposed land boundaries; or
    - (c) The practice of engineering relates solely to the design or fabrication of manufactured products;
  - (4) An engineer or land surveyor engaged solely as an officer or employee of a privately owned public utility or of a business entity engaged in interstate commerce as defined in the Interstate Commerce Act (24 Stat. 379) as amended;
  - (5) A licensed architect who engages in the practice of engineering incident to the practice of architecture.
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#### KRS 322.180 Grounds for denial of licensure and for disciplinary action.

The board may refuse to issue, refuse to renew, suspend, or revoke a license, may reprimand, place on probation, or admonish a licensee, may impose a fine on a licensee not to exceed one thousand dollars (\$1,000), or may impose any combination of these penalties when it finds that an applicant or licensee:

- (1) Engaged in any practice of fraud or deceit in obtaining a license;
  - (2) Engaged in gross negligence, incompetence, or misconduct in the practice of engineering or land surveying;
  - (3) Violated any provision of this chapter, the administrative regulations promulgated by the board, or the code of professional practice and conduct adopted by the board and incorporated in administrative regulations;
  - (4) Employed, procured, or induced a person not licensed to practice engineering or land surveying in this state;
  - (5) Aided or abetted a person not licensed to practice engineering or land surveying in this state;
  - (6) Been granted a license upon a mistake of material fact;
  - (7) Been convicted by a court of law of a felony involving moral turpitude;
  - (8) Become a chronic or persistent alcoholic or has become drug-addicted so that continued practice is dangerous to clients or to the public safety;
  - (9) Developed a physical or mental disability or other condition so that continued practice is dangerous to clients or to the public safety;
  - (10) Violated any order of suspension or the terms or conditions of any order of probation issued by the board;
  - (11) Had a license or registration certificate to practice as an engineer or land surveyor denied, limited, suspended, probated, or revoked in another jurisdiction on grounds sufficient to cause licensure to be denied, limited, suspended, probated, or revoked in this state;
  - (12) Engaged in conduct likely to deceive or defraud the public;
  - (13) Presented or attempted to use as his or her own the license, seal, or stamp of another;
  - (14) Falsely impersonated any other licensee;
  - (15) Attempted to use an expired, suspended, or revoked license;
  - (16) Provided certification for any plan, specification, plat, report, or physical description not prepared by him or her or under his or her direct supervision; or
  - (17) Applied the seal, stamp, signature, or title block of another professional engineer or professional land surveyor to a plan, specification, plat, report, or physical description that was not prepared by the other professional engineer or land surveyor.
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KRS 322.340 Licensee to obtain seal or stamp -- Use of seal or stamp.

(1) Each professional engineer or professional land surveyor shall, upon licensure, obtain a seal or stamp of the design authorized by the board, bearing his or her name, license number, and the words "Licensed Professional Engineer" or "Licensed Professional Land Surveyor."

(2) Use of the stamp, seal, or signature in an electronic transaction shall be conducted in accordance with administrative regulations promulgated by the board under KRS 322.290(13).

(3) The seal or stamp, signature, and the date shall be used to provide certification for all reports, specifications, drawings, and plans, if presented to a client or any public or governmental agency. Reproduction of original signatures shall be adequate to meet the requirements of this subsection.

**(4) The seal or stamp and signature shall be used by licensees only if the work being stamped was under the licensee's complete direction and control.**

(5) Every survey plat and physical description prepared by a professional land surveyor and submitted to a client or any public or governmental agency shall display the certification by the professional land surveyor under whose supervision the plat or description was prepared.

(6) It shall be unlawful for a licensee to affix, or permit to be affixed, his or her seal, stamp, or signature to any document described in subsection (3) or (5) of this section:

(a) After the expiration of a license; or

(b) For the purpose of aiding or abetting any other person to evade or attempt to evade any provisions of this chapter.

(7) A professional engineer shall check and have complete dominion and control of the design and engineering work of any engineer not licensed to practice in this state. Complete dominion and control shall include possession of the sealed and signed reproducible construction documents with all supporting design calculations, indicating all changes in the design.

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#### **KRS 322.550 Buildings requiring services of professional engineer or architect.**

If the drawings and specifications are signed by the authors with the true titles of their occupations as may be required by law, **the following buildings and additions to buildings, classified by use group, shall require the services of a professional engineer or architect registered in this state:**

(1) Factory and industrial use group having a capacity of one hundred (100) persons or more;

(2) High-hazard use group, regardless of capacity;

(3) Storage use group having a capacity of one hundred (100) persons or more; and

(4) Miscellaneous use groups having a capacity of one hundred (100) persons or more.

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#### **323.033 Buildings requiring services of licensed architect.**

(1) Except as otherwise provided in this section, **the following buildings, or additions to existing buildings, classified by use group shall require the services of an architect licensed in the Commonwealth of Kentucky:**

(a) Assembly use group having a capacity of one hundred (100) persons or more, except church buildings having a capacity of four hundred (400) persons or less or six thousand (6,000) square feet or less;

(b) Business use group having a capacity of one hundred (100) persons or more;

(c) Institutional use group, regardless of capacity;

(d) Mercantile use group having a capacity of one hundred (100) persons or more;

(e) Residential use group of more than twelve (12) dwelling units or having a capacity of fifty (50) persons or more;

(f) Educational use groups regardless of capacity; and

(g) Mixed use group containing one (1) or more of the use group classifications and capacities listed under paragraphs (a) through (f) of this subsection.

(2) Alterations or new construction requiring compliance with the Kentucky Building Code for any building containing one (1) or more of the use group classifications and capacities listed under subsection (1) of this section shall require the services of an architect licensed in the Commonwealth of Kentucky; except that, when such alterations or new construction predominantly involve primarily structural components or mechanical or electrical systems, services may be performed by one (1) or more licensed professional engineers.

(3) Buildings, or additions to existing buildings, containing one (1) or more of the use group classifications and capacities listed under subsection (1) of this section shall require, in addition to the services of an architect, the services of one (1) or more licensed engineers.

(4) The following buildings and additions to existing buildings, classified by use group, shall require the services of either an architect or a professional engineer registered in the Commonwealth of Kentucky:

- (a) Factory and industrial use group having a capacity of one hundred (100) persons or more;
- (b) High hazard use group, regardless of capacity;
- (c) Storage use group having a capacity of one hundred (100) persons or more; and
- (d) Utility and miscellaneous use groups having a capacity of one hundred (100) persons or more.

(5) The services required in subsections (1) to (4) of this section shall include the administration of construction contracts.



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