

APA-2
11/96

Alabama Board of Licensure for Professional Geologists

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Licensure for Professional Geologists

RULE NO. & TITLE: 364-X-11-.03 Seals on Documents

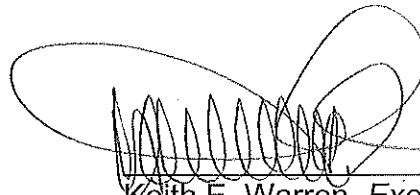
INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Board proposes to amend this rule to allow the electronic or digital reproduction of the seal or stamp that is allowed for official documents.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written comments will be received by the Board until 4:00 p.m. on Tuesday, December 5, 2017. Comments should be directed to Keith E. Warren, Executive Secretary at 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at keith@alstateboard.com or via telephone at 334-420-7237.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:
Tuesday, December 5, 2017.

CONTACT PERSON AT AGENCY: Keith E. Warren
Executive Secretary
2777 Zelda Road
Montgomery, AL 36106
(334) 420-7236



Keith E. Warren, *Executive Secretary*
Alabama Board of Licensure for Professional Geologists

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**TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION**

Control _____ Department or Agency: Alabama Board of Licensure for Professional Geologists

Rule No.: 364-X-11-.03

Rule Title: Seals on Documents

_____ New X Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's Police power and the protection of the public health, Safety, or welfare? Yes

Is there another, less restrictive method of regulation Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or Indirectly increasing the costs of any goods or services Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public Than the harm that might result from the absence of The proposed rule? No

Are all facets of the rulemaking process designed solely For the purpose of, and so they have, as their primary Effect, the protection of the public? Yes

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama, 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer [Signature]

Date: October 20, 2017

REC'D & FILED

OCT 20 2017

(DATE FILED)
(STAMP)

LEGISLATIVE REF SERVICE

364-X-11-.03 Seal On Documents.

(1) The seal, signature, and serial number of a licensee on a document constitute a certification that the document was prepared by the licensee or under his/her direct supervision or that he/she has reviewed the document in sufficient depth to fully coordinate and assume responsibility for plans prepared by another geologist. A geological report, document, or illustration cannot be submitted in the name of a corporation, company, or partnership without the signature and seal of the licensed geologist accepting the responsibility for the work described. Geological documents include any document, illustration, or paper (including those electronically or photostatically reproduced), resulting from professional services or supervision of professional services, where such services requires the application of geological principles or data. ~~Electronic or photostatic reproduction and use of a seal or stamp in lieu of the actual stamp or seal is prohibited.~~ When appropriate, use of electronic or digital reproduction of the seal or stamp is allowed, provided the reproduction is in accordance with 364-X-11-.02 and 364-X-11-.03(3).

(2) Each sheet of plans, drawings, documents, specifications and reports shall be signed, sealed, and dated by the licensee or permit holder preparing them, or directing and controlling their preparation.

(3) Where more than one (1) sheet is bound together in one (1) volume, the licensee or permit holder who prepared said volume, or under whose direction and control said volume was prepared, may sign, seal, and date only the title or index sheet, providing that the signed sheet clearly identifies all of the other sheets comprising the bound volume, and provided that any of the other sheets which were prepared by or under the direction and control of, another licensee or permit holder, be signed, sealed, and dated by said other licensee or permit holder.

(4) Additions, deletions or other revisions affecting public health and safety or State and local codes shall not be made unless signed, sealed, and dated by the licensee or permit holder who made the revisions or under whose direction and control said revisions were made.

(5) Working drawings consisting of sketches, reports or other work products which are in a/whole or part intended to communicate work to be performed or for use in specific

proposals and/or becomes a part of defining the scope of a contract for work, written or verbal, must be sealed by the licensed professional geologist who prepared these drawings or under whose supervision they were prepared.

Author: Thornton L. Neathery

Statutory Authority: Code of Ala. 1975, §34-41-14.

History: New Rule: Filed May 10, 1996; effective June 14, 1996. **Amended:** Filed March 5, 2002; effective April 9, 2002. **Amended:** Filed October 20, 2017;