

STATE OF VERMONT  
SECRETARY OF STATE  
OFFICE OF PROFESSIONAL REGULATION  
BOARD OF PROFESSIONAL ENGINEERING

GUIDANCE DOCUMENT:  
SEALING OF RECORD DRAWINGS DISCOURAGED

The Board is sometimes asked whether the preparation of Record Drawings constitutes the delivery of instruments of service requiring an engineer's seal. "Plans, specifications, reports, and other instruments of service issued by a licensee shall be signed and sealed by the licensee." 26 V.S.A. § 1188(b). "[S]igning or sealing instruments of service for which the engineer is not in responsible charge, or negligently allowing use of the engineer's professional stamp on such an instrument" may constitute unprofessional conduct. *Id.* § 1191(c)(2).

Vermont law defines relevant terms as follows:

*"Professional engineering" means any service or creative work, the adequate performance of which requires engineering education, training, and experience in the application of special knowledge of the mathematical, physical, and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and engineering experience, insofar as the service or work involves safeguarding life, health, and property...*

--26 V.S.A. § 1161(2).

*"Instruments of service" means project deliverables such as reports, specifications, drawings, plans, construction documents, or engineering surveys, which have been prepared under the licensee's responsible charge.*

--*Id.* § 1161(4)

*"Responsible charge" means direct control and personal supervision of engineering work.*

--*Id.* § 1161(8)

A standard definition of the term *record drawings* can be found in the Agreement between Owner and Engineer for Professional Services prepared by the Engineers Joint Contract Documents Committee (EJCDC):

*Record Drawings – Drawings depicting the completed Project, or a specific portion of the completed Project, prepared by the Engineer and based on Contractor's record copy of all Drawings, Specifications, Addenda, Change Orders, Work Change Directives, Field Orders, and written interpretations and clarifications, as delivered to Engineer and annotated by Contractor to show changes made during construction.*

The construction contractor is solely responsible for constructing the work in general conformance with the design documents and recording any deviations from the design (e.g. adjustments in alignment, relocation of valves, etc.). Information produced by the contractor is used to produce record drawings.

The individual who prepares record drawings relies on the accuracy of the Contractor's record copy of construction documents, annotated by the Contractor to show changes made during

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construction. He or she is not in a position of responsible charge relative to the collection and documentation of relevant information.

Unlike design documents, record drawings are not instruments of service, but instead serve to document “as-built” construction. Relevant design notes commonly are deleted from record drawings to provide more space for as-built information, such as the record dimensions. The appearance of an engineer’s seal on record drawings may lead recipients to mistake record drawings for a subsequent version of actual instruments of services.

For the foregoing reasons, the Vermont Board of Professional Engineering concludes that record drawings do not need to be sealed by a professional engineer to conform to state statute and generally should not be sealed.

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