LAWS OF DELAWARE
VOLUME 85
CHAPTER 322
153rd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 319

AN ACT TO AMEND TITLE 24 OF THE DELAWARE CODE RELATING TO THE DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 2803, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2803. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meaning ascribed to them, except where the context clearly indicates a different meaning;

(31) "Successor professional engineer" shall mean a "professional engineer," as defined in this section, who assumes "responsible charge," as defined in this section, of a project or component of a project and uses or relies upon the work, findings, or recommendations of the professional engineer who previously was in responsible charge and sealed pertinent documents. The successor professional engineer may assume responsible charge of a project or component of a project only when qualified to do so as detailed in § 2817 ~~by education or experience in the areas of professional engineering involved~~. A professional engineer who uses or relies upon work performed by another qualified engineer, associate, consultant, or employee is not a successor professional engineer and may sign and seal the documents for the total project. A professional engineer who uses or relies upon work such as, but not limited to, geotechnical reports, soil investigation reports, legal surveys, and other works that may be sealed by others, in order to assume responsible charge of a project, is not considered a successor engineer. The professional engineer shall not affix their professional engineer's seal to any document not prepared under their supervisory control and review.

Section 2. Amend § 2817, Title 24 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 2817. Requirements for licensure.

The following requirements for the 3 essential components of education, experience, and examination shall be considered as the minimum satisfactory evidence that an applicant is qualified for licensure as a professional engineer:

(7) *Additional requirements.* — a. Every applicant shall give not less than 5 references, people who state that in their opinion and by their personal knowledge the applicant is qualified to practice as a professional engineer. At least 3 such references shall be registered or licensed professional engineers in this or any other state or territory or possession of the United States, the District of Columbia, other Council-approved foreign jurisdiction, or an IntPE registrant under the IEA.

b. An applicant, otherwise qualified, shall not be required to be actively practicing the applicant's profession at the time of the applicant's application.

c. Every applicant must demonstrate knowledge of the Delaware Professional Engineers Act and the code of ethics to the satisfaction of the Council.

d. The required examination shall consist of a Fundamentals of Engineering examination and a Principles and Practice of Engineering examination furnished by, and scored by, the National Council of Examiners for Engineering and Surveying, or other nationally normed examinations which are approved by the Council.

e. ~~The examination in the Fundamentals of Engineering shall be taken after graduation, except it may be taken by a college or university senior in good academic standing in an educational program leading to a baccalaureate degree in engineering, related science or engineering technology. The Council may permit other students in such programs to take the Fundamentals of Engineering examination prior to graduation.~~ There is no requirement as to when the examination in the Fundamentals of Engineering is taken, other than it is required to be successfully passed before licensure, except for applicants exempt under § 2817(a)(8); or as specified under § 2817(a)(7)f.

f. The examination in Principles and Practice of Engineering shall not be taken until after the satisfactory completion of the educational requirements as outlined in paragraphs (1)-(4) of this section or the experience requirements of paragraph (5) of this section. ~~The order in which examinations are taken relative to when an applicant's professional experience under paragraphs (1)-(4) of this section is acquired shall not be considered.~~ Applicants that are using the engineering experience and examination pathway

(licensure without degree) under paragraph (5) of this section must pass the Fundamentals of Engineering examination prior to taking the Principles and Practice of Engineering examination.

Approved June 24, 2026