

Sec. 20-300-12. Code of ethics

(a) The Board adopts the following rules of professional conduct as the code of ethics for professional engineers and land surveyors.

In order to establish and maintain a high standard of integrity, skills and practice in the profession of engineering and land surveying and to safeguard the life, health, property, and welfare of the public, the following rules of professional conduct are promulgated and shall be binding upon every person holding a license as a professional engineer or land surveyor and on all partnerships or corporations or other legal entities authorized to offer or perform engineering and/or land surveying services in Connecticut.

The rules of professional conduct as promulgated herein are an exercise of the police power vested in the board by virtue of the acts of the legislature, and as such, the board is authorized to establish conduct, policy, and practices in accordance with the powers hereinabove stated.

All persons licensed under the provisions of Chapter 391 of the general statutes of Connecticut are charged with having knowledge of the existence of these rules of professional conduct, and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering and land surveying is a privilege, as opposed to a right, and the licensee shall be forthright and candid in his or her statements or written response to the board or its representatives on matters pertaining to professional conduct.

(1) The engineer or land surveyor shall at all times recognize his or her primary obligation to protect safety, health, and welfare of the public in the performance of his or her professional duties. If his or her professional judgment is overruled under circumstances where the safety, health and welfare of the public are endangered, he or she shall inform his or her employer of the possible consequences and notify such other proper authority of the situation, as may be appropriate.

(2) The engineer or land surveyor shall undertake to perform engineering or land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved.

(3) The engineer or land surveyor may accept an assignment requiring education or experience outside of his or her own field of competence, but only to the extent that such services are restricted to those phases of the project in which he or she is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees.

(4) The engineer or land surveyor shall not affix his or her seal to any plan, map, survey, sketch, drawing, specification, or other document not prepared personally or under his or her supervisory control.

A licensee may seal, or sign and seal, documents not prepared by the licensee or by an employee under the licensee's supervisory control, provided the licensee shall prepare, and retain for a period of not less than six years, a thorough written evaluation of the professional services represented by the documents, including but not limited to, drawings, specifications, reports, design calculations and references to applicable codes and standards. Such written evaluation shall clearly identify the project and the documents to which it relates, the sources of the documents and the name of the person or organization for which the written evaluation was conducted and the date of the evaluation; and the seal and signature of the licensee

shall also be affixed thereto.

(5) The engineer or land surveyor shall be completely objective and truthful in all professional reports, plans, maps, surveys, sketches, drawings, specifications, other documents, statements, or testimony. He or she shall include all relevant and pertinent information in such reports, plans, maps, surveys, sketches, drawings, specifications, other documents, statements, or testimony.

(6) The engineer or land surveyor when serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of his or her testimony.

(7) The engineer or land surveyor shall issue no statement, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless he or she has prefaced such comment by explicitly identifying himself or herself by disclosing the identities of the party or parties on whose behalf he or she is speaking, and by revealing the existence of any pecuniary interest he or she may have in the instant matter.

(8) The engineer or land surveyor shall conscientiously avoid conflicts of interest with his or her employer or client, but, when unavoidable, the engineer or land surveyor shall forthwith disclose the circumstances to his or her employer or client. The engineer or land surveyor shall not review or influence the decision of his or her own or his or her firm's work for any public body on which he or she may serve.

(9) The engineer or land surveyor shall avoid all known conflicts of interest with his or her employer or client and shall promptly inform his or her employer or client of any business association, interest, or circumstances which could influence his or her judgment or the quality of his or her services.

(10) The engineer or land surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties. The engineer or land surveyor shall not permit any person to share in the fees for professional services, other than: A partner, employee, associate in a professional firm or corporation, subcontractor or consultant. This prohibition shall include any arrangement or agreement whereby the amount received in payment for furnishing professional services, personnel services, space, facilities, or equipment used by a professional licensee constitutes a percentage of, or is otherwise dependent upon, the income or receipts of the licensee from such practice.

(11) The engineer or land surveyor shall not solicit or accept financial or other valuable consideration from material or equipment suppliers for specifying his or her product.

(12) The engineer or land surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with his or her client or employer in connection with work for which he or she is responsible.

(13) The engineer or land surveyor shall not solicit or accept an engineering or land surveying contract from a governmental body on which the principal or officer of his or her organization serves as a member. He or she shall not participate as a member, advisor or employee of a governmental body in those actions or deliberations which pertain to services

provided to the governmental body by the practitioner or his or her organization.

(14) The engineer or land surveyor shall not offer to pay, agree to pay, conspire to pay, or pay either directly or indirectly, any commission, political contribution or gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(15) The engineer or land surveyor shall not falsify or permit misrepresentation of his or her, or his or her associates', academic or professional qualifications. He or she shall not misrepresent or exaggerate his or her degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or this or their past accomplishments with the intent and purpose of enhancing his or her qualifications and work.

(16) The engineer or land surveyor shall not knowingly associate with or permit the use of his or her name or firm name in a business venture by any person or firm which he or she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(17) If the engineer or land surveyor has knowledge or reason to believe that another person or firm may be in violation of any of these provisions, he or she shall present such information to the board in writing, as specified in section 20-300-14a, and shall cooperate with the board in furnishing such further information or assistance as may be required by the board.

(Effective August 23, 1994)