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Board of Registration of Professional Engineers and Land Surveyors
Advisory on the Use of Job Titles that include the term “Engineer” or “Surveyor”

In response to questions received from the engineering and land surveying business community, the Board of Registration of Professional Engineers and Land Surveyors (“the Board”) issues this advisory opinion on the use of engineering or land surveying job titles by unlicensed individuals working within the engineering and land surveying business community.

Massachusetts state law prohibits an individual who is not licensed as a professional engineer in the Commonwealth from using a job title which implies to the public that the individual is capable of performing engineering services. See M.G. L. c. 112, §§ 81D, 81T. Similarly, state law prohibits an individual who is not licensed as a professional land surveyor in the Commonwealth from using a job title which implies to the public that the individual is capable of practicing land surveying. These laws are implemented by Section 5.08 of Board regulations which states the following:

5.08: Use of Title Engineer or Land Surveyor

No person, other than a Registrant holding a current License to practice in the applicable profession, shall advertise or hold themselves out as either a Professional Engineer or a Professional Land Surveyor, or use any other title to imply that they are qualified to practice engineering or land surveying in the Commonwealth, or in any other way hold themselves out as able to perform any of the Licensed Branches of engineering or land surveying.

For companies that offer engineering or land surveying services to the public, a job title that includes the term “engineer” or “surveyor” implies to the public that the individual holding that job title is qualified to perform engineering or surveying work without supervision and therefore requires licensure by the Board. See Opinion of the Attorney General, dated August 12, 1965 & Opinion of the Attorney General dated March 9, 1971. For this reason, the Board cautions against engineering or land surveying firms allowing unlicensed employees to hold themselves out to the public as a “Civil Engineer,” “Electrical Engineer,” “Graduate Engineer/Surveyor,” “Project Engineer,” or “Associate Engineer/Surveyor.” If the Board



receives a complaint about a title being used by an unlicensed employee in an engineering or land surveying firm, the Board would consider whether there is clear notice to the public that the unlicensed individual is not qualified to provide unsupervised engineering or land surveying services. If the title contains the term “engineer” or “surveyor” and is used in a manner that could mislead or deceive the public into believing that the unlicensed individual is qualified to practice engineering or surveying, the Board may initiate disciplinary proceedings against the unlicensed individual and his or her employer.

There are a few statutory exemptions to the general rule that the job title “engineer” or “surveyor” requires licensure by the Board.

Exemptions to general rule that use of the term “engineer” or “surveyor” in job title requires licensure as a professional engineer:

The individual is licensed as a 1st, 2nd or 3rd class Engineer by the Boiler & Pressure Vessel Licensing Program under M.G.L. c. 146, and uses the title Engineer as authorized by that licensing law.

The individual holds a certificate as an Engineer-In-Training/Surveyor-In-Training issued by the Board and uses the title “Engineer-In-Training”/”Surveyor-In-Training.”

The individual is an employee of a manufacturing company and is lawfully performing engineering work under the Manufacturing Exemption in G.L. c. 112, s. 81R.

The individual is licensed in another state and lawfully practicing with a Temporary Permit or clearly qualifies his or her title in a manner that makes clear the individual’s states of licensure. G.L. c. 112, s. 81R(b) and (c) and 250 CMR 5.08.

The individual is using “engineer” or “surveyor” in a manner which makes clear that the individual is not qualified to practice engineering without supervision. For example, under certain circumstances, the titles “apprentice engineer” or “junior engineer” would not imply to the public that the holder of that title is capable of independently practicing engineering and therefore may be permissible.

As stated above, this advisory is issued in response to questions received from members of the engineering and land surveying business community. Nothing in this advisory shall be construed to waive or modify any applicable provision of law or regulation. In addition, advisory opinions may be rescinded or modified by the Board at any time.