

GENERAL ASSEMBLY OF NORTH CAROLINA  
1983 SESSION

CHAPTER 970  
SENATE BILL 543

AN ACT TO REGULATE ARCHITECTS AND ENGINEERS IN THEIR  
RELATIONS WITH CONTRACTORS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 133-1.1(b) is rewritten to read:

"(b) On all projects requiring the services of an architect or engineer, or both, the architect or engineer, or both, whose names and seals appear on the plans and specifications shall conduct frequent and regular inspections or such inspections as required by the contract and shall issue a signed and sealed certificate of compliance to the awarding authority that:

- (1) the inspections of the construction, repairs, or installations have been conducted with the degree of care and professional skill and judgment ordinarily exercised by a member of that profession; and
- (2) to the best of his knowledge and in the professional opinion of the architect or engineer the contractor has fulfilled the obligations of such plans, specifications, and contract.

No certificate of compliance shall be issued until the architect and/or engineer is satisfied that the contractor has fulfilled the obligations of such plans, specifications, and contract."

Sec. 2. G.S. 87-13 is rewritten to read:

"Any person, firm, or corporation not being duly authorized who shall contract for or bid upon the construction of any of the projects or works enumerated in G.S. 87-1, without having first complied with the provisions hereof, or who shall attempt to practice general contracting in the State, except as provided for in this Article, and any person, firm, or corporation presenting or attempting to file as his own the licensed certificate of another or who shall give false or forged evidence of any kind to the Board or to any member thereof in maintaining a certificate of license or who falsely shall impersonate another or who shall use an expired or revoked certificate of license, and any architect or engineer who recommends to any project owner the award of a contract to anyone not properly licensed under this Article, shall be deemed guilty of a misdemeanor and shall for each such offense of which he is convicted be punished by a fine of not less than five hundred dollars (\$500.00) or imprisonment of three months, or both fine and imprisonment in the discretion of the court. And the Board may, in its discretion, use its funds to defray the expense, legal or otherwise, in the prosecution of any violations of this Article. No architect or engineer shall be guilty of a violation of this section if his recommendation to award a contract is made in reliance upon current

written information received by him from the appropriate Contractor Licensing Board of this State which information erroneously indicates that the contractor being recommended for contract award is properly licensed."

Sec. 3. This act shall become effective October 1, 1984.

In the General Assembly read three times and ratified, this the 25th day of June, 1984.