

## 820-010-0720

### Advertising for or Offering to Perform Services without Employing a Licensee or Certificate Holder; Engineering, Land Surveying and Photogrammetry Offices

(1) A licensee or firm, partnership, corporation, limited liability company, joint stock company, or other organization shall not advertise for or offer to perform or perform professional services for which a license or certificate is required unless the licensee or organization has a full-time partner, manager, officer or employee licensed and certified to practice in the discipline for which a license is required or certificate to practice in accordance with Oregon Revised Statute Chapter 537.

(2) Licensees and organizations shall not advertise for or offer to perform or perform professional services for which a license is required but for which they do not hold, or have a qualified person who holds, a license and thereafter seek to employ persons who hold a qualifying license.

(3) As used in this rule, a “full-time partner, manager, officer or employee” refers to a person who:

(a) Is physically present **in the office or at a project site of the licensee or organization** at least one half of the **time the licensee or organization is open for business** ~~*person’s working time in the offices of the licensee or organization during normal business hours unless the full-time partner’s, manager’s, officer’s or employee’s professional duties require that the person be elsewhere;*~~ and

(b) Is not working for the licensee or organization under a contract or as a consultant for specific projects.

(4) A licensee or person employing or having a licensee as its partner, manager, or officer, may operate a project office for which no licensed professional engineer, land surveyor or photogrammetrist is physically present at least one half of the person’s working time, provided that the project office qualifies under this section and that no services are advertised or offered making reference to or in connection with the project office, its address or phone number. For purposes of this section, a project office is a workstation for a specific project, the use of which will not extend beyond the scope or duration of the specific project.

Stat. Auth.: ORS 670.310 & 672.255

Stats. Implemented: ORS 672.002 - 672.325

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