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**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**BOARD OF REGISTRATION FOR GEOLOGISTS**

CHAPTER 131

Statutory Authority: 1976 Code Section 40-77-290

131-11. Seals.

**Synopsis:**

 The South Carolina Department of Labor, Licensing and Regulation, Board of Registration for Geologists proposes to amend Regulation 131-11 to permit the use of electronic signatures and seals.

 A Notice of Drafting was published in the *State Register* on September 26, 2014.

**Instructions:**

 Regulation 131-11 is amended as shown below.

**Text:**

131‑11. Seals.

 (A) Each registered professional geologist shall obtain a seal, which may be an embosser or a rubber stamp bearing the registrant's name, registration number, and the legend "Registered Professional Geologist." The seal of the registrant shall be used in accordance with this section.

 (B) The seal and signature of a registrant on a document constitutes a certification that the document was prepared by the registrant or under his direct supervision, and that the registrant has reviewed the document in sufficient depth to fully coordinate and assume responsibility for materials prepared by another registrant.

 (C) When sealing of documents is required by statute, other authority or contract, an imprint of the registrant's valid seal shall appear, along with his signature and date, on the cover page of geologic reports or other geologic documents bound in book form as well as on each sheet of unbound geologic drawings, cross sections, or maps prepared by or under the responsible charge or direct supervision of the registrant whenever these documents are relevant to public welfare or the safeguard of life, health, property and the environment, pursuant to Section 40‑77‑290, South Carolina Code of Laws 1976, as amended.

 (D) Additions, deletions, or other revisions to sealed documents shall not be made unless such changes are sealed, dated, and signed by the registrant who made the revisions or under whose direction and control said revisions were made.

 (E) An electronic seal and signature are permitted to be used in lieu of an original seal and signature when the following criteria, and all other requirements of this section, are met:

 (1) it is a unique identification of the professional;

 (2) it is verifiable;

 (3) it is under the professional’s direct and sole control;

 (4) it is linked to a document in such a manner that changes are readily determined and visually displayed if any data contained in the document file was changed subsequent to the electronic seal and signature having been affixed to the document; and

 (5) changes to the document after affixing the electronic seal and signature shall cause the electronic seal and signature to be removed or altered in such a way as to invalidate the electronic seal and signature;

 (6) once applied, the document shall be available in a view only format if the document is to be electronically transmitted;

 (7) the graphic image shall be readily available and produced in a manner consistent with Reg. 131-11.A and shall contain the same words and shall have substantially the same graphic appearance and size as required when the image of the electronically transmitted document is viewed at the same time as the document in its original form;

 (8) the graphic display of the seal shall be in compliance with state law; and

 (9) the electronic seal and signature must be acceptable to the receiving entity.

**Fiscal Impact Statement:**

 There will be no cost incurred by the State or any of its political subdivisions for this regulation.

**Statement of Rationale:**

 The updated regulation will modernize the process of signing and sealing documents.