

STATE OF DELAWARE



DELAWARE ASSOCIATION OF PROFESSIONAL ENGINEERS

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CODE OF ETHICS

(Approved July 9, 2008; Amended April 8, 2026)

PREAMBLE

In order to safeguard life, health and property, and to promote the public welfare, through a high standard of integrity, skills, and practice in the profession of engineering, the following Code of Ethics is promulgated by the Council of the Delaware Association of Professional Engineers in accordance with the Delaware Professional Engineers' Act, Title 24, Chapter 28 of the Delaware Code. The Code of Ethics is binding on all applicants and every person holding a certificate of registration as a Professional Engineer and all partnerships or corporations or other legal entities authorized to perform engineering services in the State of Delaware.

The revocation or suspension of a Professional Engineer's license by another jurisdiction, if for a cause which in the State of Delaware would constitute a violation of this Code of Ethics, may be grounds for a charge of violation of this Code of Ethics.

Persons licensed under the Delaware Professional Engineers' Act shall subscribe to the Code of Ethics as part of that person's application and shall be deemed to be familiar with its several provisions and to understand them.

1. THE ENGINEER SHALL HOLD PARAMOUNT SAFEGUARDING LIFE, HEALTH AND PROPERTY AND PROMOTING THE PUBLIC WELFARE IN THE PERFORMANCE OF THE ENGINEER'S PROFESSIONAL DUTIES.

A. The Engineer shall at all times recognize that the Engineer's paramount duty is to safeguard life, health and property and to promote the public welfare. If the Engineer's professional judgment is overruled under circumstances such that upon investigation the Engineer believes that the life, health and property or public welfare is endangered, the Engineer must so inform the Engineer's employer and the Council of the Delaware Association of Professional Engineers.

B. The Engineer shall approve and seal only those design documents which in the Engineer's considered opinion do not endanger the life, health, property and the public welfare in conformity with accepted engineering standards.

C. The Engineer should be committed to improving the environment by adherence to the principles of sustainable development so as to enhance the quality of life of the general public. Sustainable development is the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development.

D. The Engineer may not permit the use of the Engineer's own, firm's, or associates' name in business ventures with any person or firm which upon investigation the Engineer believes is engaging in fraudulent or dishonest business or professional practices.

E. The Engineer having knowledge of any alleged violation of the Code of Ethics must be forthright and candid in cooperating with the Council in furnishing such information or assistance as may be required.

2. THE ENGINEER SHALL PERFORM SERVICES ONLY IN AREAS OF THE ENGINEER'S COMPETENCE.

A. The Engineer shall undertake to perform engineering only when qualified by education or experience in the areas of professional engineering involved.

B. The Engineer may accept an assignment requiring education or experience outside the Engineer's areas of competence, provided that such areas will be performed by a Professional Engineer or otherwise qualified associates, consultants, or employees. The Engineer may then sign and seal the documents for the total project. The Engineer may not affix the Engineer's seal to any such document not prepared under the Engineer's supervisory control and review.

3. THE ENGINEER SHALL ISSUE PROFESSIONAL STATEMENTS ONLY IN AN OBJECTIVE AND TRUTHFUL MANNER.

A. The Engineer shall be completely objective and truthful in all professional reports, statements, or testimony, and shall include all relevant and pertinent information.

B. The Engineer shall publicly express a professional opinion on technical subjects only when it is founded on adequate knowledge of the facts and competence in the subject matter.

C. The Engineer when acting as a representative of an individual or organization may not issue statements, criticisms, or arguments on engineering matters unless the Engineer has prefaced those comments by explicitly identifying on whose behalf the Engineer is speaking. When the Engineer is acting as a consultant, the Engineer's expression or professional opinion must be prefaced by identifying the Engineer's status as a consultant, without necessarily naming the client. The Engineer shall reveal any personal interest the Engineer may have in the matter.

4. THE ENGINEER SHALL ACT IN PROFESSIONAL MATTERS FOR EACH EMPLOYER OR CLIENT AS FAITHFUL AGENT OR TRUSTEE, AVOIDING CONFLICTS OF INTEREST.

A. The Engineer shall disclose all known or potential conflicts of interest to the Engineer's employer and/or client by promptly informing them of any business association, interest, or other circumstances which could influence the Engineer's judgment or the quality of services.

B. The Engineer may not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.

C. The Engineer may not solicit or accept financial or other valuable consideration, directly or indirectly, from suppliers, contractors, their agents, or other parties in connection with the Engineer's work for employers or clients.

D. The Engineer in public service as a member, advisor or employee of a governmental body may not participate in decisions on work which involves professional services solicited or provided by the Engineer or the Engineer's organization.

E. The Engineer may not solicit or accept a professional contract from a governmental body on which a principal or officer of the Engineer's organization serves as a member, except upon public disclosure of all pertinent facts and circumstances and consent of the appropriate public authority.

F. The Engineer may not reveal proprietary information obtained in a professional capacity without the prior consent of the client or employer, except as authorized or required by law.

5. **THE ENGINEER SHALL AVOID IMPROPER SOLICITATION OF PROFESSIONAL EMPLOYMENT.**

A. The Engineer may not offer, give, solicit, or receive, either directly or indirectly, any commission, gift, or other valuable consideration in order to secure work.

B. The Engineer may not falsify or permit misrepresentation of the Engineer's own, or associates' academic or professional qualifications. The Engineer may not misrepresent the Engineer's degree of responsibility in prior assignments. Brochures or other presentations incident to the solicitation of employment may not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.

C. The Engineer may not submit any proposal for purposes of obtaining professional work in which the Engineer falsifies or misrepresents the Engineer's capability of carrying out that proposal.

6. **THE ENGINEER SHALL SUPPORT AND FAITHFULLY COMPLY WITH THE LAWS OF ANY JURISDICTION WITHIN WHICH THE ENGINEER PRACTICES.**

A. The Engineer, upon conviction for any felony crime not specifically listed in Canon 6.B, must provide within ninety (90) days of conviction, information to the Council in sufficient specificity to enable Council to make a determination of whether the crime is substantially related to the practice of engineering because it constitutes conduct reasonably likely to deceive, defraud, or harm the public.

B. The crimes listed herein have been determined by Council to be substantially related to the practice of engineering. As such, the Engineer must report to Council within ninety (90) days the conviction of any crime specified below, or conviction of the attempt to commit, conspiracy to commit, or solicitation to commit any crime specified below::

11 Del. C. Subchapter I. Inchoate Crimes

§502 Criminal solicitation in the second degree
§503 Criminal solicitation in the first degree
§511 Conspiracy in the third degree
§512 Conspiracy in the second degree
§513 Conspiracy in the first degree

11 Del. C. Subchapter II. Offenses Against the Person

§602(b) Aggravated menacing
§603 Reckless endangering in the second degree
§604 Reckless endangering in the first degree
§605 Abuse of a pregnant female in the second degree
§606 Abuse of a pregnant female in the first degree
§611 Assault in the third degree
§612 Assault in the second degree
§613 Assault in the first degree
§621 Terroristic threatening; felony
§629 Vehicular assault in the first degree
§630A Vehicular homicide in the first degree
§633 Murder by abuse or neglect in the second degree
§634 Murder by abuse or neglect in the first degree
§635 Murder in the second degree
§636 Murder in the first degree
§768 Unlawful sexual contact in the second degree
§769 Unlawful sexual contact in the first degree
§770 Rape in the fourth degree
§771 Rape in the third degree
§772 Rape in the second degree
§773 Rape in the first degree
§776 Sexual extortion

§778 Continuous sexual abuse of a child
§780 Female genital mutilation
§782 Unlawful imprisonment in the first degree
§783 Kidnapping in the second degree
§783A Kidnapping in the first degree

11 Del. C. Subchapter III. Offenses Involving Property

§801 Arson in the third degree
§802 Arson in the second degree
§803 Arson in the first degree
§824 Burglary in the third degree
§825 Burglary in the second degree
§826 Burglary in the first degree
§831 Robbery in the second degree
§832 Robbery in the first degree
§835 Carjacking in the second degree
§836 Carjacking in the first degree
§841 Theft
§843 Theft; false pretenses
§845 Theft of services
§846 Extortion
§854 Identity theft
§861 Forgery
§862 Possession of forgery devices
§871 Falsifying business records
§873 Tampering with public records in the second degree
§876 Tampering with public records in the first degree
§877 Offering a false instrument for filing
§878 Issuing a false certificate
§881 Bribery
§882 Receiving a bribe

§906 Deceptive business practices
§907 Criminal impersonation
§907B Criminal impersonation of a police officer
§909 Securing execution of documents by deception
§913 Insurance fraud
§933 Theft of computer services
§934 Interruption of computer services
§935 Misuse of computer system information
§936 Destruction of computer equipment
§937 Unrequested or unauthorized elec. mail or use of network or software to cause same

11 Del. C. Subchapter V. Offenses Relating to Children and Vulnerable Adults

§1100 Dealing in children
§1102 Endangering the welfare of a child
§1108 Sexual exploitation of a child
§1109 Unlawfully dealing in child pornography
§1111 Possession of child pornography

11 Del. C. Subchapter VI. Offenses Against Public Administration

§1201 Felony Bribery
§1203 Felony receiving a bribe
§1205 Giving unlawful gratuities
§1206 Receiving unlawful gratuities
§1207 Improper influence
§1211 Official misconduct
§1212 Profiteering
§1221 Perjury in the third degree
§1222 Perjury in the second degree
§1223 Perjury in the first degree
§1233 Making a false written statement
§1240 Terroristic threatening of public officials or public servants
§1261 Bribing a witness
§1262 Bribe receiving by a witness
§1263 Tampering with a witness
§1264 Bribing a juror
§1266 Tampering with a juror
§1269 Tampering with physical evidence

11 Del. C. Subchapter VII. Offenses Against Public Health, Order and Decency

§1445 Unlawfully dealing with a dangerous weapon

§1447 Possession of a deadly weapon during commission of a felony
§1447 Possession of a deadly weapon during commission of a felony
§1447A Possession of a firearm during commission of a felony
§1448 Possession and purchase of deadly weapons by persons prohibited
§1454 Giving a firearm or projectile weapon to person prohibited
§1455 Engaging in a firearm or projectile weapon transaction on behalf of another
§1457 Possession of a weapon in a Safe Recreation Zone
§1458 Removing a weapon from the possession of a law-enforcement officer
§1504 Criminal penalties, organized crime and racketeering
§3532 & §3533 Victim or witness intimidation
§4751(a), (b) and (c) Prohibited Acts A under the Uniform Controlled Substances Act
§4751(a), (b) and (c) Prohibited acts A under the Uniform Controlled Substances Act
§4752(a) and (b) Prohibited acts B under the Uniform Controlled Substances Act.
§4752 Drug Dealing - Aggravated Possession; class B felony
§4753 Drug Dealing - Aggravated Possession; class C felony
§4753A (a)(1)-(9) Trafficking in marijuana, cocaine, illegal drugs, methamphetamines, Lysergic Acid Diethylamide (L.S.D.), designer drugs, or 3,4-methylenedioxymethamphetamine (MDMA)
§4754 Drug Dealing - Aggravated Possession; class D felony
§4755 Drug Dealing - Aggravated Possession; class E felony
§4756 Drug Dealing - Aggravated Possession; class F felony
§4756(a)(1)-(5) and (b) Prohibited acts under the Uniform Controlled Substances Act
§4761 Distribution to persons under 21 years of age
§4761A Purchase of drugs from minors
§4767 Distribution, delivery, or possession of controlled substance within 1,000 feet of school property; penalties; defenses
§4771 (a) and (b) Drug paraphernalia; felony

C. Crimes substantially related to the practice of engineering are deemed to include any crimes under federal law, state law, or valid town, city, or county ordinance that are substantially similar to the crimes identified in Canon 6.B.

(04/28/2026 Rev)