

(EXHIBIT "B")

A BILL TO BE ENTITLED AN ACT

To amend Chapter 15 of Title 43 of the Official Code of Georgia Annotated, relating to **professional engineers and land surveyors definitions**; to change requirements for eligibility for certification as a land surveyor-in-training and for a certificate of registration as a land surveyor; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1

Chapter 15 of Title 43 of the Official Code of Georgia Annotated, relating to professional engineers and land surveyors, is amended by striking Code Section 43-15-2, relating to definitions, and inserting in lieu thereof a new Code Section 43-15-2 to read as follows:

43-15-2

As used in this chapter, the term:

- (1) 'Board' means the State Board of Registration for Professional Engineers and Land Surveyors.
- (2) 'Certificate' means any certificate issued under Code Section 43-15-8 or 43-15-12.
- (3) 'Certificate of registration' means any certificate issued under Code Section 43-15-9, 43-15-13, or 43-15-16.
- (4) 'Current certificate of registration' means a certificate of registration which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.
- (5) 'Engineer-in-training' means an individual who meets the qualifications for and to whom the board has duly issued an engineer-in-training certificate.
- (6) 'Land surveying' means any service, work, or practice, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of relevant law in the evaluation and location of property rights, as applied to:
 - (A) Measuring and locating lines, angles, elevations, natural and manmade features in the air, on the surface of the earth, in underground works, and on the beds of bodies of water, for the purpose of determining and reporting positions, topography, areas, and volumes;
 - (B) Establishing or reestablishing, locating or relocating, or setting or resetting of monumentation for any property, easement, or right of way boundaries, or the boundary of any estate or interest therein;
 - (C) The platting and layout of lands and subdivisions thereof, including alignment and grades of streets and roads, excluding thoroughfares;
 - (D) The design, platting, and layout, **including** incidental to subdivisions of any tract of land by a land surveyor, of:
 - (i) Grading plans and site plans;
 - (ii) ~~Erosion and sediment control plans, including detention ponds provided that no impoundment shall be designed on a live (perennial) stream; provided, further, that such detention ponds:~~
 - (I) ~~Contain no more than five acre feet of water storage at maximum pool (top of dam) or are no more than ten feet in height for a dry storage pond;~~
 - (II) ~~Are no more than six feet in height for a permanent (wet) storage pond; or~~
 - (III) ~~Contain no more than three acre feet of water storage at maximum pool (top of dam) if the height is more than ten feet but less than 13 feet for a dry storage pond;~~
 - (iii) (ii) Storm water management plans and facilities, hydrologic studies, including erosion, sedimentation, and pollution control plans, detention ponds, **water quality ponds and facilities**, and non-regulated

impoundments defined in Code Section 12-5-372 (v) ~~temporary sediment basins, provided that the contributing drainage area shall not be larger than 100 acres and;~~

~~(iv) (iii) Extension of existing water distribution piping and gravity sewers, eight inches in diameter or smaller, provided that off-site length shall not exceed 1,000 feet, the design and construction of which shall conform to the local government ordinances and regulations, and such extensions shall be subjected to the review and approval of a local government which has been delegated approval authority by the Environmental Protection Division of the Department of Natural Resources;~~

(E) Conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, or the preparation of as-built surveys which relate to property, easement, or right of way boundaries;

(F) Utilization of measurement devices or systems, such as aerial photogrammetry, geodetic positioning systems, land information systems, or similar technology for evaluation or location of property, easement, or right of way boundaries; or

(G) The preparation and perpetuation of maps, record plats, drawings, exhibits, field notes, or property descriptions representing these services.

(7) 'Land surveyor' means an individual who is qualified to engage in the practice of land surveying and who possesses a current certificate of registration as a land surveyor issued by the board. A person shall be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform any of the services defined as land surveying.

(8) 'Land surveyor-in-training' means an individual who meets the qualifications for and to whom the board has duly issued a certificate as a land surveyor-in-training.

(9) 'Person' means an individual and any legal or commercial entity, including, by way of illustration and not limitation, a partnership, corporation, association, or governmental agency.

(10) 'Professional engineer' means an individual who is qualified, by reason of knowledge of mathematics, the physical sciences, and the principles by which mechanical properties of matter are made useful to man in structures and machines, acquired by professional education and practical experience, to engage in the practice of professional engineering and who possesses a current certificate of registration as a professional engineer issued by the board.

(11) 'Professional engineering' means the practice of the art and sciences, known as engineering, by which mechanical properties of matter are made useful to man in structures and machines and shall include any professional service, such as consultation, investigation, evaluation, planning, designing, or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of engineering principles and data and training in the application of mathematical and physical sciences. A person shall be construed to practice or offer to practice professional engineering, within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents or holds himself out as a professional engineer or engineer or as able or qualified to perform engineering services or who does perform any of the services set out in this paragraph. Nothing contained in this chapter shall include the work ordinarily performed by persons who operate or maintain machinery or equipment.

(E) Conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, or the preparation of as-built surveys which relate to property, easement, or right of way boundaries;

(F) Utilization of measurement devices or systems, such as aerial photogrammetry, geodetic positioning systems, land information systems, or similar technology for evaluation or location of property, easement, or right of way boundaries; or

(G) The preparation and perpetuation of maps, record plats, drawings, exhibits, field notes, or property descriptions representing these services.

(7) 'Land surveyor' means an individual who is qualified to engage in the practice of land surveying and who possesses a current certificate of registration as a land surveyor issued by the board. A person shall

be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform any of the services defined as land surveying.

(8) 'Land surveyor-in-training' means an individual who meets the qualifications for and to whom the board has duly issued a certificate as a land surveyor-in-training.

(9) 'Person' means an individual and any legal or commercial entity, including, by way of illustration and not limitation, a partnership, corporation, association, or governmental agency.

(10) 'Professional engineer' means an individual who is qualified, by reason of knowledge of mathematics, the physical sciences, and the principles by which mechanical properties of matter are made useful to man in structures and machines, acquired by professional education and practical experience, to engage in the practice of professional engineering and who possesses a current certificate of registration as a professional engineer issued by the board.

(11) 'Professional engineering' means the practice of the art and sciences, known as engineering, by which mechanical properties of matter are made useful to man in structures and machines and shall include any professional service, such as consultation, investigation, evaluation, planning, designing, or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of engineering principles and data and training in the application of mathematical and physical sciences. A person shall be construed to practice or offer to practice professional engineering, within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents or holds himself out as a professional engineer or engineer or as able or qualified to perform engineering services or who does perform any of the services set out in this paragraph. Nothing contained in this chapter shall include the work ordinarily performed by persons who operate or maintain machinery or equipment.

SECTION 2

Said chapter is further amended by striking Code Section 43-15-12, relating to land surveyor-in-training certificate, and inserting in lieu thereof a new Code Section 43-15-12 to read as follows:

43-15-12

(a) To be eligible for certification as a land surveyor-in-training, an applicant applying prior to July 1, 2011, must meet the following minimum requirements:

(1)(A) Earn a bachelor's degree in a curriculum approved by the board; or

(B) Earn an associate degree, or its equivalent, in a curriculum approved by the board and acquire not less than two years of combined office and field experience in land surveying of a nature satisfactory to the board; or

(C) Earn a high school diploma, or its equivalent, and acquire not less than four years' experience in land surveying of a nature satisfactory to the board; and

(2) Acquire a minimum of ~~15 quarter~~ 12 semester hours' credit, or its equivalent, in land surveying subjects in a course of study approved by the board; provided, however, that ~~on and after January 1, 1995, the minimum requirement shall be 20 quarter hours' credit, five of which shall be~~ six semester hours are in hydrology; and

(3) Subsequently pass the ~~board's written examination in the fundamentals of land surveying (land surveyor in training examination)~~ Fundamentals of Land Surveying (FLS) examination, prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board.

(b) To be eligible for certification as a land surveyor-in-training, an applicant applying on or after July 1, 2011, must meet the following minimum requirements:

- (1)(A) Earn a bachelor's degree in a curriculum approved by the board and acquire a minimum of 18 semester hours' in land surveying subjects, including a minimum of six semester hours of hydrology; and acquire not less than two years of combined office and field experience in land surveying of a nature satisfactory to the board; or
- (B) Earn an associate degree, or its equivalent, in a curriculum approved by the board and acquire a minimum of 18 semester hours' in land surveying subjects, including a minimum of six semester hours of hydrology; and acquire not less than ~~two~~ four years of combined office and field experience in land surveying of a nature satisfactory to the board; or
- (C) Earn a high school diploma, or its equivalent and acquire not less than seven years of progressive practical experience, six years of which shall have been under a practicing professional land surveyor of a nature satisfactory to the board; and
- (2) acquire a minimum of 18 semester hours' in land surveying subjects, including a minimum of six semester hours in hydrology from a curriculum approved by the board; and
- (3) Subsequently pass the Fundamentals of Land Surveying (FLS) examination, prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board.

SECTION 3

Said chapter is further amended by striking Code Section 43-15-13, relating to land surveyor certificate of registration, and inserting in lieu thereof a new Code Section 43-15-13 to read as follows:

43-15-13

- (a) To be eligible for a certificate of registration as a land surveyor, an applicant applying before July 1, 2014, must meet the following minimum requirements:
- (1)(A) Obtain certification as a land surveyor-in-training under subparagraph (a)(1)(A) of paragraph (1) and paragraph and paragraphs (2) and (3) of subsection (a) of Code Section 43-15-12; and
- (B) Acquire a specific record of the equivalent of not less than four years of combined office and field experience in land surveying with a minimum of three years' experience in responsible charge of land surveying projects under the supervision of a registered land surveyor or such other supervision deemed by the board to be the equivalent thereof; and
- (C) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of this state relating to land surveying (land surveyor examination); or
- (2)(A) Obtain certification as a land surveyor-in-training under subparagraph (a)(1)(B) of paragraph (1) and paragraph and paragraphs (2) and (3) of subsection (a) of Code Section 43-15-12; and
- (B) Acquire an additional specific record of the equivalent of not less than four years of combined office and field experience in land surveying which, together with the qualifying experience under subparagraph (a)(1)(B) of paragraph (1) of Code Section 43-15-12, includes not less than four years' experience in responsible charge of land surveying projects under the supervision of a registered land surveyor or such other supervision deemed by the board to be the equivalent thereof; and
- (C) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of Georgia relating to land surveying (land surveyor examination); or
- (3)(A) Obtain certification as a land surveyor-in-training under subparagraph (a)(1)(C) of paragraph (1) and paragraph and paragraphs (2) and (3) of subsection (a) of Code Section 43-15-12; and
- (B) Acquire an additional specific record of not less than four years of experience in land surveying which, together with the qualifying experience under subparagraph (a)(1)(C) of paragraph (1) of

Code Section 43-15-12, includes not less than six years' experience in responsible charge of land surveying under the supervision of a registered land surveyor or such other supervision deemed by the board to be the equivalent thereof and of a grade and character satisfactory to the board indicating that the applicant is competent to practice land surveying; and

(C) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of this state relating to land surveying (land surveyor examination); or

(4)(A) Obtain certification as a land surveyor-in-training under subsection (b)(1)(A),(b)(1)(B), or (b)(1)(C) of Code Section 43-15-12; and

(B) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of Georgia relating to land surveying (land surveyor examination)

(b) To be eligible for a certificate of registration as a land surveyor, an applicant **applying on or after July 1, 2014**, must meet the following minimum requirements:

(1)(A) Obtain certification as a land surveyor-in-training under subsection (b)(1)(A) of Code Section 43-15-12;

(B) Acquire a specific record of the equivalent of not less than four years of combined office and field experience in land surveying with a minimum of three years' experience in responsible charge of land surveying projects under the supervision of a registered land surveyor or such other supervision deemed by the board to be the equivalent thereof; and

(C) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of this state relating to land surveying (land surveyor examination); or

(2)(A) Obtain certification as a land surveyor-in-training under subsection (b)(1)(B) of Code Section 43-15-12;

(B) Acquire an additional specific record of the equivalent of not less than four years of combined office and field experience in land surveying which, together with the qualifying experience under subparagraph (a)(1)(B) of paragraph (1) of Code Section 43-15-12, includes not less than four years' experience in responsible charge of land surveying projects under the supervision of a registered land surveyor or such other supervision deemed by the board to be the equivalent thereof; and

(C) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of Georgia relating to land surveying (land surveyor examination); or

(3)(A) Obtain certification as a land surveyor-in-training under subsection (b)(1)(C) of Code Section 43-15-12;

(B) Acquire an additional specific record of not less than three years of experience in land surveying which, together with the qualifying experience under subparagraph (a)(1)(C) of paragraph (1) of Code Section 43-15-12, includes not less than ten years' experience in responsible charge of land surveying under the supervision of a registered land surveyor or such other supervision deemed by the board to be the equivalent thereof and of a grade and character satisfactory to the board indicating that the applicant is competent to practice land surveying; and

(C) Subsequently pass a written examination on the principles and practices of land surveying (PLS), prepared and graded by the National Council of Examiners for Engineering and Surveying (NCEES), or any other examination as may be approved and required by the board, and a written examination on the laws of this state relating to land surveying (land surveyor examination);

SECTION 4

Nothing in this chapter shall be construed as to limit or exclude design professionals within any county, municipality, or consolidated government in this state from performing such professional services incidental to the practice of his or her profession.

All laws and parts of laws in conflict with this Act are repealed.