

(PRE-FILED)

By: **Chairman, Economic and Environmental Affairs Committee**
(Departmental - Labor, Licensing and Regulation)

Requested: July 27, 1998
Introduced and read first time: January 13, 1999
Assigned to: Economic and Environmental Affairs

Committee Report: Favorable
Senate action: Adopted
Read second time: January 19, 1999

CHAPTER _____

1 AN ACT concerning

2 **Professional Land Surveyors - Licensing**

3 FOR the purpose of altering the requirements for individuals seeking licensure as
4 professional land surveyors; authorizing the State Board for Professional Land
5 Surveyors to take certain actions against an individual who has had a license to
6 practice land surveying or property line surveying revoked or suspended by
7 another state under certain circumstances; and generally relating to licensing
8 qualifications for professional land surveyors and property line surveyors.

9 BY repealing and reenacting, with amendments,
10 Article - Business Occupations and Professions
11 Section 15-305 and 15-318(a)
12 Annotated Code of Maryland
13 (1995 Replacement Volume and 1998 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Business Occupations and Professions**

17 15-305.

18 (a) (1) In addition to the other qualifications for a license to practice land
19 surveying, an applicant shall qualify under this section by meeting the educational
20 [and], experience, AND EXAMINATION requirements set forth in subsection (b), (c),
21 (d), OR (e) [,or (f)] of this section.

1 (2) AN APPLICANT SHALL COMPLETE THE REQUIREMENTS OF
2 SUBSECTION (B), (C), (D), OR (E) OF THIS SECTION IN THE ORDER THE REQUIREMENTS
3 ARE LISTED.

4 (b) An applicant qualifies under this section if the applicant:

5 (1) has been graduated from a college or university on completion of at
6 least a 4-year curriculum in [civil engineering or] land surveying [, or their
7 equivalent,] that the Board approves;

8 (2) has passed a written examination in the fundamentals of land
9 surveying;

10 (3) [after having completed the examination in the fundamentals of land
11 surveying,] has at least [4] 2 years of [work] experience in land surveying that is
12 satisfactory to the Board and that indicates to the Board that the applicant may be
13 competent to practice land surveying; and

14 (4) [after having met the other requirements,] has passed a written
15 examination in the principles and practice of land surveying.

16 [(c) An applicant qualifies under this section if the applicant:

17 (1) has been graduated from a college or university on completion of at
18 least a 4-year curriculum in civil engineering or land surveying, or their equivalent,
19 that the Board has not approved;

20 (2) has passed a written examination in the fundamentals of land
21 surveying;

22 (3) after having completed the examination in the fundamentals of land
23 surveying, has at least 6 years of work experience in land surveying that is
24 satisfactory to the Board and that indicates to the Board that the applicant may be
25 competent to practice land surveying; and

26 (4) after having met the other requirements, has passed a written
27 examination in the principles and practice of land surveying.

28 (d)] (C) An applicant qualifies under this section if the applicant:

29 (1) has been graduated upon completion of at least a 4-year curriculum
30 from a college or university that is accredited by, or is a constituent unit of an
31 institution accredited by, the Middle States Association of Colleges and Schools or the
32 equivalent regional accrediting association of other regional areas;

33 (2) has passed a written examination in the fundamentals of land
34 surveying;

35 (3) [after having completed the examination in the fundamentals of land
36 surveying,] has at least [8] 4 years of [work] experience in land surveying that is

1 satisfactory to the Board and that indicates to the Board that the applicant may be
2 competent to practice land surveying; and

3 (4) [after having met the other requirements,] has passed a written
4 examination in the principles and practice of land surveying.

5 [(e)] (D) (1) An applicant qualifies under this section if the applicant:

6 (i) is a high school graduate or the equivalent;

7 (ii) subject to paragraph (2) of this subsection, has at least 12 years
8 of [work] experience in land surveying that is satisfactory to the Board and that
9 indicates to the Board that the applicant may be competent to practice land
10 surveying; and

11 (iii) has passed a written examination in the principles and
12 practices of land surveying [given by the Board under this subtitle].

13 (2) For each 30 semester hours OR ITS EQUIVALENT that an applicant
14 completes in [civil engineering or] land surveying courses that the Board approves
15 [at a college or university, including a community college], the Board may allow a
16 1-year credit towards the experience requirements of paragraph (1)(ii) of this
17 subsection for a maximum of 3 years.

18 [(f)] (E) (1) An applicant qualifies under this section if the applicant:

19 (i) is a high school graduate or the equivalent;

20 (ii) subject to paragraph (2) of this subsection, has at least [6] 4
21 years of [work] experience in land surveying that is satisfactory to the Board and
22 that indicates to the Board that the applicant may be competent to practice land
23 surveying;

24 (iii) [after having completed at least 6 years of work experience,]
25 has passed a written examination in the fundamentals of land surveying;

26 (iv) [after having passed the written examination in the
27 fundamentals of land surveying,] has completed at least 4 years of [work] experience
28 in land surveying that is satisfactory to the Board and that indicates to the Board
29 that the applicant may be competent to practice land surveying; and

30 (v) [after having met the other requirements,] has passed a
31 written examination in the principles and practice of land surveying.

32 (2) For each 30 semester hours OR ITS EQUIVALENT that an applicant
33 completes in [civil engineering or] land surveying courses that the Board approves
34 [at a college or university, including a community college], the Board may allow a
35 1-year credit towards the experience requirements of paragraph (1)(ii) of this
36 subsection for a maximum of 3 years.

1 [(g) If an applicant has taught land surveying as an associate professor, or in a
2 higher position, in a college or university, including a community college, the Board
3 may count the teaching experience as work experience for purposes of the experience
4 requirements under any subsection of this section.]

5 15-318.

6 (a) Subject to the hearing provisions of § 15-320 of this subtitle, the Board, on
7 the affirmative vote of a majority of its members then serving, may deny a license to
8 any applicant, reprimand any licensee, or suspend or revoke a license if:

9 (1) the applicant or licensee fraudulently or deceptively obtains,
10 RENEWS, or attempts to obtain OR RENEW a license OR PERMIT for the applicant or
11 licensee or for another;

12 (2) the applicant or licensee fraudulently or deceptively uses a license;

13 (3) under the laws of the United States or of any state, the applicant or
14 licensee is convicted of:

15 (i) a felony; or

16 (ii) a misdemeanor that is directly related to the fitness and
17 qualification of the applicant or licensee to practice land surveying or property line
18 surveying;

19 (4) the applicant or licensee is guilty of gross negligence, incompetence,
20 or misconduct while practicing land surveying or property line surveying;

21 (5) the applicant or licensee knowingly violates any provision of the code
22 of ethics adopted by the Board; [or]

23 (6) the applicant or licensee knowingly violates any provision of this
24 title; OR

25 (7) THE APPLICANT OR LICENSEE HAS HAD A LICENSE TO PRACTICE
26 LAND SURVEYING OR PROPERTY LINE SURVEYING IN ANOTHER STATE REVOKED OR
27 SUSPENDED BY THE OTHER STATE FOR A CAUSE THAT WOULD JUSTIFY REVOCATION
28 OR SUSPENSION UNDER THIS TITLE, EXCEPT FOR THE FAILURE TO PAY A LICENSE
29 OR LICENSE RENEWAL FEE.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 1999.