

Adoption of Proposed Amendments to Amend Title 16, California Code of Regulations section 425 regarding Experience Requirements – Professional Land Surveyors

At its April meeting, the Board approved beginning the rulemaking process to amend Title 16, California Code of Regulations section 425 (Board Rule 425) regarding the experience requirements for licensure as a professional land surveyor. These proposed amendments were noticed for a 45-day public comment period on August 12, 2016. The 45-day period ended on September 27, 2016. No comments were received.

In order to move forward with this regulatory proposal, the Board needs to adopt the proposed amendments and direct staff to finalize the rulemaking file for submittal to the Department of Consumer Affairs and the Office of Administrative Law.

RECOMMENDED MOTION:

The Board adopts the proposed amendments to Title 16, California Code of Regulations section 425 and directs staff to finalize the rulemaking file for submission to the Department of Consumer Affairs and the Office of Administrative Law.

425. Experience Requirements - Professional Land Surveyors.

(a) An applicant for licensure as a professional land surveyor shall be granted credit towards the experience requirements contained in Sections 8741 and 8742 of the Code, for the following education curriculum:

- (1) Four (4) years experience credit for graduation from an approved land surveying curriculum.
- (2) Two (2) years experience credit for graduation from a non-approved land surveying curriculum.
- (3) Five (5) years of experience credit for graduation from an approved cooperative work-study land surveying curriculum.
- (4) One-half (1/2) year of education credit for each year of study completed in an approved land surveying curriculum that did not result in the awarding of a baccalaureate degree, except that the maximum of such experience shall be two (2) years. A year of study shall be at least 32 semester units or 48 quarter units, no less than 10 semester units or 15 quarter units of which shall be from classes clearly identified as being land surveying subjects.

“Life Experience Degrees” are not acceptable and will not be counted towards the education credit.

(b) All qualifying work experience in land surveying shall be performed under the responsible charge of a person legally authorized to practice land surveying. An applicant shall possess at least two years of actual responsible training experience in land surveying which shall involve at least four of the land surveying activities specified in subdivisions (a) - (g) and (k) - (n) of Section 8726 of the Code. Qualifying experience in activities specified in subdivision (a), (b), (k), (m), and (n) of Section 8726 shall not exceed one year in total. Qualifying experience shall be computed on an actual time worked basis, but not to exceed forty hours per week.

(c) For purposes of Section 8742 of the Code, the ~~term~~ terms “responsible field training” and “responsible office training” include the land surveying activities specified in subdivisions (a) - (g) and (k) - (n) of Section 8726 of the Code performed in a field or office environment. Responsible training means the exercise of independent judgment under the responsible charge of a person legally authorized to practice land surveying.

~~may include, but is not limited to, the land surveying activities listed below. Under the responsible charge, direction, and review of a person legally authorized to practice land surveying, the applicant:~~

- ~~(1) Determines field survey methods and procedures, including selection of accuracy standards.~~
- ~~(2) Selects or verifies that the correct control monumentation is used to establish the designated survey datum(s) (horizontal and vertical) and selects on the ground locations for control monuments.~~
- ~~(3) Determines the relevance of monuments and physical field evidence for the purpose of establishing boundary and property lines.~~
- ~~(4) Reviews measurement observations for the determination of accuracy, completeness, and consistency.~~
- ~~(5) Reviews field notes and records for application of proper field survey procedures.~~
- ~~(6) Plans, performs, and reviews field checks and, based on such checks, determines if completed field surveys are accurate and sufficient.~~

~~(7) Searches for boundary and control monuments; assists in analyzing field evidence for locating boundary points and lines; identifies and describes such evidence; compares record data to found physical evidence; compares record data to measured data; documents discrepancies; assists in acquiring and documenting testimony regarding boundary locations; recommends boundary location and/or establishment; selects or verifies that the correct controlling monuments are used to locate or establish boundary points and lines; and prepares draft record documents.~~

~~(8) Coordinates the fieldwork necessary to prepare maps, plats, reports, descriptions, or other documents.~~

~~(9) Recommends when existing boundary monuments are to be replaced, selects the method(s) to be used for replacing and resetting monuments, and prepares field documentation of such work, including that necessary for Parcel Maps, Final Maps, Record of Survey Maps, and Corner Records.~~

~~(10) Functions as a party chief, chief of parties, or lead person in charge of field crew(s) in the performance of field surveys.~~

~~(11) Plans and performs field observations using Global Positioning System technology and determines if completed field surveys are accurate and sufficient in geodetic and land surveying applications.~~

~~(12) Performs surveys to facilitate the location or construction of infrastructure and fixed works of improvement.~~

~~The enumeration of the above tasks does not preclude the Board from awarding “responsible field training” credit for training of a similar character in other current or future land surveying activities not specifically enumerated herein. It is also understood that the listed tasks are only some of those that may be considered as responsible training, and that this list is not in any way intended to enumerate all of the tasks which may be performed by licensed Professional Land Surveyors.~~

~~(d) For purposes of Section 8742 of the Code, the term “responsible office training” experience may include, but is not limited to, the land surveying activities listed below. Under the responsible charge, direction, and review of a person authorized to practice land surveying, the applicant:~~

~~(1) Performs the planning and analysis necessary for the preparation of survey documents, such as Parcel Maps, Final Maps, Record of Survey Maps, Corner Records, legal descriptions, topographic maps, plat maps, lot line adjustments, annexations, and boundary line agreements.~~

~~(2) Reduces and evaluates field data.~~

~~(3) Develops procedures and systems for the collection, reduction, adjustment, and use of land surveying data.~~

~~(4) Prepares data to be used by field surveyors or field crews.~~

~~(5) Coordinates the processing of maps, plats, reports, descriptions, or other documents with local agencies, other licensed surveyors, or County Surveyors Offices.~~

~~(6) Coordinates the office work necessary to prepare maps, plats, reports, descriptions, or other documents.~~

~~(7) Coordinates survey and design efforts for improvement plans as required for sufficiency to enable proper location of improvements in the field.~~

~~(8) Researches public and private records to obtain survey and title data.~~

~~(9) Performs boundary analysis and determination using record descriptions, survey, and title data.~~

~~(10) Plans and coordinates the application of Global Positioning System technology for geodetic and land surveying applications.~~

~~(11) Plans, coordinates, performs, and reviews the entry of property boundary related geo-referenced data into an electronic database.~~

~~(12) Prepares topographic mapping utilizing photogrammetric methods.~~

~~The enumeration of the above tasks does not preclude the Board from awarding “responsible office training” credit for training of a similar character in other current or future land surveying activities not specifically enumerated herein. It is also understood that the listed tasks are only some of those that may be considered as responsible training, and that this list is not in any way intended to enumerate all of the tasks which may be performed by licensed professional land surveyors.~~

~~(e) (d)~~ Computation of qualifying experience for a license as a professional land surveyor shall be to the date of filing of the application, or it shall be to the final filing date announced for the examination if the application is filed within a period of thirty (30) days preceding the final filing date announced for such examination.

~~(f) (e)~~ An applicant for licensure as a land surveyor who holds a valid and unexpired license as a civil engineer is exempt from the application requirements of ~~(subdivisions (b) and (c), and (d))~~ of this section provided he or she submits sufficient documentation that he or she has a minimum of two years of actual broad based progressive experience in land surveying as required by Business and Professions Code Section 8742(a)(3). For purposes of this subdivision and Section 8742(a)(e) of the Code, “actual broad based progressive experience in land surveying” shall involve at least four of the land surveying activities specified in subdivisions (a) - (g) and (k) - (n) of Section 8726 of the Code. All qualifying work experience in land surveying shall be performed under the responsible charge of a person legally authorized to practice land surveying. Qualifying experience in activities specified in subdivisions (a), (b), (k), (m), and (n) of Section 8726 shall not exceed six months in total. Qualifying experience shall be computed on an actual time worked basis, but not to exceed forty hours per week. Time used to qualify for the civil engineer license, including that given for educational credit, shall not be used to qualify for the land surveyor license, except for the six months allowed for the activities specified in subdivisions (a), (b), (k), (m), and (n) of Section 8726.

Note: Authority cited: Section 8710, Business and Professions Code. Reference: Sections 8726, 8741 and 8742, Business and Professions Code.