

**R156. Commerce, [Occupational and] Professional Licensing.**

**R156-22. Professional Engineers and Professional Land Surveyors Licensing Act Rule.**

**R156-22-101. Title.**

This rule is known as the "Professional Engineers and Professional Land Surveyors Licensing Act Rule".

**R156-22-302c. Qualifications for Licensure -- Education Requirements for Professional Land Surveyor.**

In accordance with Subsection 58-22-302(3)(d), an applicant for licensure as a professional land surveyor shall verify completion of one of the following land surveying programs [affiliated with an institution that is recognized by the Council for Higher Education Accreditation (CHEA), and approved by the Division in collaboration with the Board]:

- (1) an associates in applied science degree in land surveying or geomatics;
- (2) a bachelors, masters or doctorate degree in land surveying or geomatics;
- (3) an equivalent land surveying program that includes completion of a bachelors, masters or doctorate degree in a field related to land surveying or geomatics comprised of a minimum of 30 semester hours or 42 quarter hours of coursework in land surveying or geomatics which shall include completion of the following courses:
  - (a) a minimum of one course in each of the following content areas:
    - (i) boundary law;
    - (ii) writing legal descriptions;
    - (iii) photogrammetry;
    - (iv) public land survey system;
    - (v) studies in land records or land record systems; and
    - (vi) surveying field techniques; and
  - (b) the remainder shall be from any or all of the following content areas:
    - (i) algebra, calculus, geometry, statistics, trigonometry, not to exceed six semester hours or eight quarter hours;
    - (ii) control systems;
    - (iii) drafting, not to exceed six semester hours or eight quarter hours;
    - (iv) geodesy;
    - (v) geographic information systems;
    - (vi) global positioning systems;
    - (vii) land development; and
    - (viii) survey instrumentation; or
- (4) an equivalent land surveying program that includes completion of a bachelors, masters or doctorate degree in a field related to land surveying or geomatics that does not include some of the coursework specified in Subsection (3) as part of the degree program, provided that the deficient requirements have been completed post-degree; and
- (5) if the degree was earned in a foreign country, the land surveying curriculum shall be determined by the NCEES Credential Evaluations to fulfill the required curricular content of the NCEES Education Standard; deficiencies in coursework may be satisfied by completion at a recognized college or university approved by the Division in collaboration with the Board.

**R156-22-302j. Qualifications for Licensure -- Examination Requirements for Professional Land Surveyor.**

In accordance with Subsection 58-22-302(3)(~~e~~<sup>d</sup>), the examination requirements for licensure as a professional land surveyor are defined, clarified, or established as the following:

- (1) the NCEES FS examination with a passing score as established by the NCEES;
- (2) the NCEES PS examination with a passing score as established by the NCEES; and
- (3) the Utah Professional Land Surveyor Examination, with a passing score of at least ~~75~~70%.
- (4) An applicant who fails the Utah Professional Land Surveyor Examination may retake the examination:
  - (a) no sooner than 30 days following any failure, up to three failures; and
  - (b) no sooner than six months following any failure thereafter.
- (5) Prior to registering directly with NCEES to sit for the NCEES PS examination, an applicant shall:
  - (a) complete the education requirement set forth in Section R156-22-302c; and
  - (b) provide verification to NCEES of passing the NCEES FS examination.
- (6) An applicant for licensure as a professional land surveyor by endorsement shall comply with the examination requirements in Section R156-22-302j, except that the Board may waive either the NCEES FS examination or the NCEES PS examination, or both, for an applicant who:
  - (a) has been a principal for five of the last seven years preceding the date of the license application; and
  - (b) was not required to pass the NCEES FS examination or the NCEES PS examination for initial licensure from the recognized jurisdiction the applicant was originally licensed.

**R156-22-502. Unprofessional Conduct.**

"Unprofessional conduct" includes:

- (1) submitting an incomplete final plan, specification, report or set of construction plans to:
  - (a) a client, when the licensee represents, or could reasonably expect the client to consider the plan, specification, report or set of construction plans to be complete and final; or
  - (b) to a building official for the purpose of obtaining a building permit;
- (2) failing as a principal to exercise responsible charge;
- (3) failing as a supervisor to exercise supervision of an employee, subordinate, associate or drafter;
- (4) receiving gratuities from material, product, or services suppliers for specifying or endorsing their goods or services;

- (5) failing to fully disclose and obtain consent in writing of the principal employer and all interested parties prior to accepting or engaging in supplemental professional engineering, structural engineering, or land surveying services; and
- (6) failing to conform to the accepted and recognized standards and ethics of the profession, including those established in the "Rules of Professional Conduct", as published in the NCEES Model Rules, revised August ~~[2016]~~ 2024, which is hereby incorporated by reference.

**R156-22-503. Administrative Penalties.**

~~[(+)] Administrative penalties issued under Title 58, Chapters 1 and 22 shall be [4]in accordance with Subsection 58-22-503[5]. [the following fine schedule shall apply to citations issued under Title 58, Chapters 1 and 22:~~

~~TABLE~~

~~FINE SCHEDULE~~

<del>Violation</del>	<del>First Offense</del>	<del>Second Offense</del>
<del>58-1-501(1)(a)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(1)(b)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(1)(c)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(1)(d)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(1)(e)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(a)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(b)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(c)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-1-501(2)(d)</del>	<del>\$ 250.00</del>	<del>\$ 500.00</del>
<del>58-1-501(2)(e)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-1-501(2)(f)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-1-501(2)(g)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(h)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(i)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(j)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(k)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(l)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-1-501(2)(o)</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>
<del>58-22-501(1)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-22-501(2)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-22-501(3)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-22-501(4)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-22-501(5)</del>	<del>\$ 800.00</del>	<del>\$1,600.00</del>
<del>58-22-502.5</del>	<del>\$1,000.00</del>	<del>\$2,000.00</del>

~~(2) Citations shall not be issued for third offenses, except in extraordinary circumstances approved by the investigative supervisor. If a citation is issued for a third offense, the fine is double the second offense amount, with a maximum amount not to exceed the maximum fine allowed under Subsection 58-22-503(1)(i).~~

~~(3) If multiple offenses are cited on the same citation, the fine shall be determined by evaluating the most serious offense.~~

~~(4) An investigative supervisor may authorize a deviation from the fine schedule based upon the aggravating or mitigating circumstances.~~

~~(5) In all cases the presiding officer shall have the discretion, after a review of the aggravating and mitigating circumstances, to increase or decrease the fine amount based upon the evidence reviewed.]~~

**KEY: professional land surveyors, professional engineers, professional structural engineers**

**Date of Last Change: August 21, 2017**

**Notice of Continuation: May 19, 2022**

**Authorizing, and Implemented or Interpreted Law: 58-22-101; 58-1-106(1)(a); 58-1-202(1)(a)**