

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: S1/30/97 H4/3/97

A Bill

SENATE BILL 171

4
5 By: Senator Scott
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For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 17-48-201 TO
10 GRANT THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL
11 ENGINEERS AND LAND SURVEYORS THE AUTHORITY TO DISCIPLINE
12 NONREGISTRANTS; TO AMEND ARKANSAS CODE ANNOTATED
13 § 17-48-204 TO INCREASE THE MAXIMUM ANNUAL REGISTRATION FEE
14 FOR LAND SURVEYORS; AND FOR OTHER PURPOSES."

Subtitle

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17 "TO GRANT THE STATE BOARD OF
18 REGISTRATION FOR PROFESSIONAL ENGINEERS
19 AND LAND SURVEYORS THE AUTHORITY TO
20 DISCIPLINE NONREGISTRANTS AND TO
21 INCREASE THE MAXIMUM ANNUAL REGISTRATION
22 FEE FOR LAND SURVEYORS"
23

24 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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26 SECTION 1. Arkansas Code Annotated § 17-48-201 is amended to read as
27 follows:

28 "17-48-201. Registration required - Sole or group practice - Trainees.

29 (a)(1) It shall be unlawful for any person who is not a registered land
30 surveyor but holds himself out as a registered land surveyor to practice or
31 offer to practice land surveying in the state, as defined in the provisions of
32 this chapter, or to use in connection with his name or otherwise assume or
33 advertise any title or description tending to convey the impression that he is
34 a land surveyor, unless the person has been registered under the provisions of
35 this chapter.

36 (2) The Board shall have the power to discipline nonregistrants

1 that violate provisions of this chapter by the levy of a fine in an amount not
2 to exceed two thousand dollars (\$2,000.00) for each offense.

3 (b) Admission to practice land surveying shall be determined upon the
4 basis of individual personal qualifications. The right to engage in the
5 practice of land surveying shall be deemed a personal right, based upon the
6 qualifications of the individual, evidenced by his registration certificate,
7 and shall not be transferable.

8 (c) Any registered land surveyor may practice his profession through
9 the medium of, or as a member or employee of, a partnership, firm, joint-stock
10 association, or corporation, provided that all surveys are signed and stamped
11 with the signature and seal of the registered land surveyor in responsible
12 charge. The registered land surveyor signing and sealing the surveys shall be
13 personally and professionally responsible therefor, and his participation in
14 any form of business organization such as a partnership, firm, joint-stock
15 association, or corporation, either as a partner, principal, or employee,
16 shall not limit his individual liability.

17 (d) A land surveyor-in-training may engage in the practice of land
18 surveying only as an employee of or under the supervision of a registered land
19 surveyor."

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21 SECTION 2. Arkansas Code Annotated § 17-48-204 is amended to read as
22 follows:

23 "17-48-204. Expiration and renewal - Inactive status - Reinstatement.

24 (a) Certificates of registration for land surveyors and land
25 surveyors-in-training shall expire on June 30 each year, and the board shall
26 give thirty (30) days' written notice prior to the expiration of the
27 certificate of registration.

28 (b) Certificates of registration for land surveyors and land
29 surveyors-in-training shall be renewed by the board to persons who are holders
30 of certificates issued under this chapter who shall have furnished evidence
31 satisfactory to the board of compliance with the requirements of
32 § 17-48-206(a). There shall be an annual fee of not more than ~~fifteen dollars~~
33 ~~(\$15.00)~~ fifty dollars (\$50.00) for land surveyors and not more than five
34 dollars (\$5.00) for land surveyors-in-training.

35 (c)(1) Notwithstanding the provisions of subsection (b) of this
36 section, a land surveyor or land surveyor-in-training registered under this

1 chapter who is not engaged in the practice of land surveying may request the
2 board, in writing, to place his name on the board's inactive roll, thereby
3 granting him inactive status and protecting his right to obtain a certificate
4 of registration pursuant to subsection (b) of this section at such later time
5 as he may wish to become engaged in the practice of land surveying.

6 (2) If, upon receipt of notification, the board determines that
7 the registered land surveyor is not engaged in the practice of land surveying,
8 the registered land surveyor will be permitted to retain his initial
9 certificate of registration by paying an annual registration fee not to exceed
10 ~~fifteen dollars (\$15.00)~~ fifty dollars (\$50.00).

11 (d) In the event a registered land surveyor or land
12 surveyor-in-training shall fail either to apply for an annual certificate of
13 registration or to be placed on the board's inactive roll within six (6)
14 months from the expiration date of the certificate of registration last
15 obtained pursuant to subsections (b) or (c) of this section, it shall deprive
16 him of the right to apply for a certificate of registration or inactive status
17 unless the board, in its discretion, determines the failure to have been due
18 to a reasonable cause. In that case, in its discretion, the board may require
19 any or all of the following:

20 (1) A reinstatement fee not to exceed one hundred dollars (\$100);

21 (2) The total annual registration fees which would have been paid
22 under this section during the period when neither a certificate of
23 registration nor inactive status was maintained; or

24 (3) Successful completion of a written examination designed to
25 show that the land surveyor is qualified to resume the practice of land
26 surveying in this state."

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28 SECTION 3. All provisions of this act of a general and permanent nature
29 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
30 Revision Commission shall incorporate the same in the Code.

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32 SECTION 4. If any provision of this act or the application thereof to
33 any person or circumstance is held invalid, such invalidity shall not affect
34 other provisions or applications of the act which can be given effect without
35 the invalid provision or application, and to this end the provisions of this
36 act are declared to be severable.

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SECTION 5. All laws and parts of laws in conflict with this act are hereby repealed.

/s/Scott