

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas

As Engrossed: S2/15/01

83rd General Assembly

A Bill

Regular Session, 2001

SENATE BILL 419

By: Senators Horn, Gullett

By: Representative Bond

For An Act To Be Entitled

AN ACT TO AMEND VARIOUS PROVISIONS OF THE ARKANSAS
CODE PERTAINING TO ENGINEERS; AND FOR OTHER PURPOSES.

Subtitle

TO AMEND VARIOUS PROVISIONS OF THE
ARKANSAS CODE PERTAINING TO ENGINEERS.

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

SECTION 1. Arkansas Code 17-30-304(c), concerning the renewal of
certificates for engineers, is amended to read as follows:

(c) All certificates shall be renewed ~~on January 1 in each year. The~~
~~board may, at its discretion, send out certificate renewal fees every two (2)~~
~~years~~ annually or biannually at the discretion of the Board.

SECTION 2. Arkansas Code 17-30-306(b), concerning disciplinary actions
for engineers, is amended to read as follows:

(b) All charges, unless dismissed by the board as unfounded or trivial,
or unless settled informally, shall be heard by the board within ~~three (3)~~ six
(6) months after the date on which they shall have been preferred.

SECTION 3. Arkansas Code 17-48-106 is amended to read as follows:

17-48-106. Failure to file boundary survey.

(a) All licensed ~~engineers and~~ surveyors in this state shall file a
plat of all surveys of property boundary lines made by them in the office of
the circuit clerk of the county wherein a survey was made within thirty (30)

1 days after the survey is completed.

2 (b) The sole purpose of filing the plat shall be to identify the person
3 or persons who made the plat and survey and placed the survey markers and
4 shall not be used to evidence adverse possession or as evidence in boundary
5 disputes.

6 (c) The provisions of this chapter shall not apply to surveys hereafter
7 made of subdivided property located in a municipality where property has
8 previously been surveyed and a plat filed.

9 Any licensed ~~engineer or~~ surveyor who shall fail or refuse to file
10 the survey as provided by this chapter shall be guilty of a misdemeanor and
11 upon conviction shall be subject to a fine of not less than fifty dollars
12 (\$50.00) nor more than one hundred dollars (\$100) or imprisonment for not less
13 than thirty (30) days nor more than six (6) months, or subject to both such
14 fine and imprisonment.

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16 *SECTION 4. Arkansas Code 17-48-204 is amended to read as follows:*

17 *17-48-204. Expiration and renewal - Inactive status - Reinstatement.*

18 *(a) ~~Certificates of registration for land surveyors and land surveyors-~~
19 *~~in-training shall expire on June 30 each year, and the State Board of~~*
20 *~~Registration for Professional Engineers and Land Surveyors shall give thirty~~*
21 *~~(30) days' written notice prior to the expiration of the certificate of~~*
22 *~~registration. All certificates shall be renewed annually or biannually at the~~*
23 *discretion of the board.**

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

31 *(c)(1) Notwithstanding the provisions of subsection (b) of this*
32 *section, a land surveyor or land surveyor-in-training registered under this*
33 *chapter who is not engaged in the practice of land surveying may request the*
34 *board, in writing, to place his name on the board's inactive roll, thereby*
35 *granting him inactive status and protecting his right to obtain a certificate*
36 *of registration pursuant to subsection (b) of this section at such later time*

1 as he may wish to become engaged in the practice of land surveying.

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

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

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

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

20 (3) Successful completion of a written examination designed to
21 show that the land surveyor is qualified to resume the practice of land
22 surveying in this state.

23 /s/ Horn
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