

Part 1 General Provisions

58-76-101 Title.

This chapter is known as the "Professional Geologist Licensing Act."

Enacted by Chapter 218, 2002 General Session

58-76-102 Definitions.

In addition to the definitions in Section 58-1-102, as used in this chapter:

- (1) "Board" means the Professional Geologist Licensing Board created in Section 58-76-201.
- (2) "Geology" means the science, which treats the study of the earth in general, the earth's processes and history, investigation of the earth's crust and the rocks and other materials of which it is composed, and the applied science of utilizing knowledge of the earth's history, processes, constituent rocks, minerals, liquids, gases, and other materials for the use of mankind.
- (3) "Practice of geology before the public" means the performance of geology including but not limited to consultation, investigation, evaluation, planning, geologic mapping, interpretation of geologic data, preparation of geologic reports, geologic cross-sections and geologic maps, inspection of geological work, and the responsible supervision thereof, the performance of which is relevant to public welfare or the safeguarding of life, health, property, and the environment, except as otherwise specifically provided by this chapter.
- (4) "Professional geologist" means a person licensed under this chapter to engage in the practice of geology before the public.
- (5) "Responsible charge" means the independent control and direction by use of initiative, skill, and independent judgment of geological work or the supervision of the work.
- (6) "Subordinate" means any individual who practices geology or assists a professional geologist in the practice of geology before the public without assuming the responsible charge for the work.
- (7) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-76-501.
- (8) "Unprofessional conduct" is as defined in Section 58-1-501 and as may be further defined by rule by the division in collaboration with the board.

Enacted by Chapter 218, 2002 General Session

58-76-103 Professional Geologist Education and Enforcement Account.

- (1) There is created a restricted account within the General Fund known as the "Professional Geologist Education and Enforcement Account."
- (2) The restricted account shall consist of money from:
 - (a) a surcharge fee established by the department in accordance with Section 63J-1-504, placed on initial, renewal, and reinstatement licensure fees under this chapter not to exceed 50% of the respective initial, renewal, or reinstatement licensure fee;
 - (b) administrative penalties collected pursuant to this chapter; and
 - (c) interest earned on money in the account.
- (3) Money in the account may be appropriated by the Legislature for the following purposes:
 - (a) education and training of licensees under this chapter;
 - (b) education and training of the public or other interested persons in matters concerning geology laws and practices;

- (c) enforcement of this chapter by:
 - (i) investigating unprofessional or unlawful conduct;
 - (ii) providing legal representation to the division when legal action is taken against a person engaging in unprofessional or unlawful conduct; and
 - (iii) monitoring compliance of renewal requirements; and
- (d) education and training of board members.

Amended by Chapter 303, 2011 General Session