

**LAND SURVEYOR AMENDMENTS**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: Howard A. Stephenson**

Gene Davis

**This act modifies the Professional Engineers and Land Surveyors Licensing Act by sunsetting the option of persons seeking licensure as professional land surveyors to substitute a program of qualifying experience for the educational requirement. The act also makes technical changes.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**58-22-302**, as last amended by Chapter 133, Laws of Utah 1998

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **58-22-302** is amended to read:

**58-22-302. Qualifications for licensure.**

(1) Each applicant for licensure as a professional engineer shall:

(a) submit an application in a form prescribed by the division;

(b) pay a fee determined by the department under Section 63-38-3.2;

(c) provide satisfactory evidence of good moral character;

(d) **§ [f] (i) [f] §** have graduated and received [~~an earned~~] a bachelors or masters degree from an engineering program meeting criteria established by rule by the division in collaboration with the board; **§ [ f] or [ +]**

**[ +] (ii) have completed the Transportation Engineering Technology and Fundamental Engineering College Program prior to July 1, 1998, under the direction of the Utah Department of Transportation and as certified by the Utah Department of Transportation; [ +] §**

(e) have successfully completed a program of qualifying experience established by rule by the division in collaboration with the board;



28 (f) have successfully passed examinations established by rule by the division in  
 29 collaboration with the board; and

30 (g) meet with the board or representative of the division upon request for the purpose  
 31 of evaluating the applicant's qualification for licensure.

32 (2) Each applicant for licensure as a professional structural engineer shall:

33 (a) submit an application in a form prescribed by the division;

34 (b) pay a fee determined by the department under Section 63-38-3.2;

35 (c) provide satisfactory evidence of good moral character;

36 (d) have graduated and received an earned bachelors or masters degree from an  
 37 engineering program meeting criteria established by rule by the division in collaboration with  
 38 the board;

39 (e) have successfully completed three years of licensed professional engineering  
 40 experience established by rule by the division in collaboration with the board;

41 (f) have successfully passed examinations established by rule by the division in  
 42 collaboration with the board; and

43 (g) meet with the board or representative of the division upon request for the purpose  
 44 of evaluating the applicant's qualification for licensure.

45 (3) ~~§ (a)~~ § Each applicant for licensure as a professional land surveyor shall:

46 § [f] (a) ~~[i]~~ § submit an application in a form prescribed by the division;

47 § [f] (b) ~~[ii]~~ § pay a fee determined by the department under Section 63-38-3.2;

48 § [f] (c) ~~[iii]~~ § provide satisfactory evidence of good moral character;

49 § [f] (d) ~~(iv)(A)~~ (i) § have graduated and received an ~~[earned]~~ associates, bachelors, or masters  
 50 degree from a land surveying program, or an equivalent land surveying program, established by  
 51 rule by the division in collaboration with the board, and have successfully completed a program  
 52 of qualifying experience in land surveying established by rule by the division in collaboration  
 53 with the board; or

54 ~~[(e)]~~ § ~~(B)~~ (ii) § have successfully completed a program of qualifying experience in land  
 55 surveying prior to January 1, 2007, in accordance with rules established [by rule] by the  
 56 division in collaboration with the board;

57 ~~[(f) have successfully completed a program of qualifying experience in land surveying~~  
 58 ~~established by rule by the division in collaboration with the board, which experience is in~~

59 addition to any experience obtained in Subsection (3)(e);]

60 [~~(g)~~] § [~~(v)~~] ~~(e)~~ § have successfully passed examinations established by rule by the division in  
61 collaboration with the board; and

62 [~~(h)~~] § [~~(vi)~~] ~~(f)~~ § meet with the board or representative of the division upon request for the  
63 purpose of evaluating the applicant's qualification for licensure.

64 § [~~(b)~~ ~~In granting a license under Subsection (3)(a), the division shall take note of the~~  
65 ~~following legislative findings:~~

66 ——— ~~(i) ownership of real property by residents of the state is essential to economic~~  
67 ~~prosperity and strong, vibrant communities;~~

68 ——— ~~(ii) since the purchase of real property is the highest cost investment that most residents~~  
69 ~~make in their lifetimes, government has a responsibility to ensure that descriptions of the~~  
70 ~~property are accurate to avoid disputes over property lines and to prevent fraud; and~~

71 ——— ~~(iii) prospective property owners have a right to know that the property they are~~  
72 ~~purchasing is being accurately described and located.] §~~

73 (4) Each applicant for licensure by endorsement shall:

74 (a) submit an application in a form prescribed by the division;

75 (b) pay a fee determined by the department under Section 63-38-3.2;

76 (c) provide satisfactory evidence of good moral character;

77 (d) submit satisfactory evidence of:

78 (i) current licensure in good standing in a jurisdiction recognized by rule by the  
79 division in collaboration with the board; [~~and~~]

80 (ii) [~~have~~] having successfully passed any examination established by rule by the  
81 division in collaboration with the board; and

82 (iii) full-time employment as a licensed professional engineer, professional structural  
83 engineer, or professional land surveyor as a principal for at least five of the last seven years  
84 immediately preceding the date of the application; and

85 (e) meet with the board or representative of the division upon request for the purpose  
86 of evaluating the applicant's qualifications for license.

87 (5) The rules made to implement this section shall be in accordance with Title 63,  
88 Chapter 46a, Utah Administrative Rulemaking Act.

**Legislative Review Note**  
**as of 11-13-02 7:00 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

---

---

**Fiscal Note**  
**Bill Number SB0092**

**Land Surveyor Amendments**

*16-Jan-03*

*5:41 PM*

---

---

**State Impact**

No fiscal impact

---

**Individual and Business Impact**

This bill eliminates licensure by experience which may impact certain individuals.

---

**Office of the Legislative Fiscal Analyst**