1	LAND SURVEYOR AMENDMENTS
2	2003 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: Howard A. Stephenson
5	Gene Davis
6	This act modifies the Professional Engineers and Land Surveyors Licensing Act by
7	sunsetting the option of persons seeking licensure as professional land surveyors to
8	substitute a program of qualifying experience for the educational requirement. The act
9	also makes technical changes.
10	This act affects sections of Utah Code Annotated 1953 as follows:
11	AMENDS:
12	58-22-302 , as last amended by Chapter 133, Laws of Utah 1998
13	Be it enacted by the Legislature of the state of Utah:
14	Section 1. Section 58-22-302 is amended to read:
15	58-22-302. Qualifications for licensure.
16	(1) Each applicant for licensure as a professional engineer shall:
17	(a) submit an application in a form prescribed by the division;
18	(b) pay a fee determined by the department under Section 63-38-3.2;
19	(c) provide satisfactory evidence of good moral character;
20	(d) [(i)] have graduated and received [$an earned$] a bachelors or masters degree from an
21	engineering program meeting criteria established by rule by the division in collaboration with
22	the board; [or]
23	[(ii) have completed the Transportation Engineering Technology and Fundamental
24	Engineering College Program prior to July 1, 1998, under the direction of the Utah Department
25	of Transportation and as certified by the Utah Department of Transportation;]
26	(e) have successfully completed a program of qualifying experience established by rule
27	by the division in collaboration with the board;



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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	[(a)] (i) submit an application in a form prescribed by the division;
47	[(b)] (ii) pay a fee determined by the department under Section 63-38-3.2;
48	[(e)] (iii) provide satisfactory evidence of good moral character;
49	[(d)] (iv) (A) 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) 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

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59	addition to any experience obtained in Subsection (3)(e);]
60	[(g)] (v) have successfully passed examinations established by rule by the division in
61	collaboration with the board; and
62	[(h)] (vi) 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	Land Surveyor Amendments	16-Jan-03
Bill Number SB0092		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