This document was created from existing laws and regulations as of Jan 2025. Changes made after this date will not be reflected herein. This document is intended to be an assimilation of all laws and board rules affecting the profession of land surveying in GA. This document is provided as a convenient resource for GA land surveyors and others but is not to be considered complete or accurate without comparison to actual current laws and board rules.

2023 CODE OF GEORGIA
Title 43 - PROFESSIONS AND BUSINESSES (§§ 43-1-1 — 43-51-15)
Chapter 15 - PROFESSIONAL ENGINEERS AND LAND SURVEYORS (§§ 43-15-1 — 43-15-31)
Section 43-15-13 - Professional land surveyor license; eligibility; land surveyor intern certificate

43-15-1. Short title and purpose.

This chapter shall be known and may be cited as the "Professional Engineers and Land Surveyors Act of 2021" and is enacted to safeguard life, health, and property and to promote the public welfare.

43-15-2. Definitions.

As used in this chapter, the term:

(1) "Board" means the Georgia Professional Engineers and Land Surveyors Board created in subsection (a) of Code Section 43-15-3.

(2) "Certificate" means any certificate issued under Code Section 43-15-8 or 45-15-13.

(3) "Certificate of registration" means any certificate issued under Code Section 43-15-9 or 43-15-16.

(4) "Current certificate of registration" means a certificate of registration which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.

(4.1) "Current license" means a license issued under Code Section 43-15-13 which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.

(5) “Engineer-in-training” means an individual who meets the qualifications for and to whom the board has duly issued an engineer-in-training certificate.

(5.1) “Executive Director” means the executive director appointed by the Georgia Professional Engineers and Land Surveyors Board pursuant to Code Section 43-15-3.

(6) “Land surveying” means any service, work, or practice, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of relevant law in the evaluation and location of property rights, as applied to:

(A) Measuring and locating lines, angles, elevations, natural and manmade features in the air, on the surface of the earth, in underground works, and on the beds of bodies of water, for the purpose of determining and reporting positions, topography, areas, and volumes;

(B) Establishing or reestablishing, locating or relocating, or setting or resetting of monumentation for any property, easement, or right of way boundaries, or the boundary of any estate or interest therein;

(C) The platting and layout of lands and subdivisions thereof, including alignment and grades of streets and roads, excluding thoroughfares;

(D) The design, platting, and layout, incidental to subdivisions of any tract of land by a land surveyor, of:

(i) Grading plans and site plans;

(ii) Erosion and sediment control plans, including detention ponds, provided that no impoundment shall be designed on a live (perennial) stream; provided, further, that such detention ponds:

(I) Contain no more than five acre-feet of water storage at maximum pool (top of dam) or are no more than ten feet in height for a dry storage pond;

(II) Are no more than six feet in height for a permanent (wet) storage pond; or

(III) Contain no more than three acre-feet of water storage at maximum pool (top of dam) if the height is more than ten feet but less than 13 feet for a dry storage pond;

(iii) Storm-water management plans and facilities, including hydrologic studies and temporary sediment basins, provided that the contributing drainage area shall not be larger than 100 acres; and

(iv) Extension of existing water distribution piping and gravity sewers, eight inches in diameter or smaller, provided that off-site length shall not exceed 1,000 feet, the design and construction of

which shall conform to the local government ordinances and regulations, and such extensions shall be subjected to the review and approval of a local government which has been delegated approval authority by the Environmental Protection Division of the Department of Natural Resources,

provided that the design of any storm-water management plans, facilities, water distribution lines, and sanitary sewer collection systems shall be performed only by such professional land surveyors who are qualified to do so as provided in Code Section 43-15-13.1;

(E) Conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, or the preparation of as-built surveys which relate to property, easement, or right of way boundaries;

(F) Utilization of measurement devices or systems, such as aerial photogrammetry, geodetic positioning systems, land information systems, or similar technology for evaluation or location of property, easement, or right of way boundaries; or

(G) The preparation and perpetuation of maps, record plats, drawings, exhibits, field notes, or property descriptions representing these services.

(7) “Land surveyor intern” means an individual who meets the qualifications for and to whom the board has duly issued a certificate as a land surveyor-in-training.

(8) “Person” means an individual or any legal or commercial entity, including, by way of illustration and not limitation, a partnership, corporation, association, or governmental agency.

(9) “Professional engineer” means an individual who is qualified, by reason of knowledge of mathematics, the physical sciences, and the principles by which mechanical properties of matter are made useful to mankind in structures and machines, acquired by professional education and practical experience, to engage in the practice of professional engineering and who possesses a current certificate of registration as a professional engineer issued by the board.

(10) “Professional engineering” means the practice of the arts and sciences, known as engineering, by which mechanical properties of matter are made useful to mankind in structures and machines and shall include any professional service, such as consultation, investigation, evaluation, planning, designing, or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of engineering principles and data and training in the application of mathematical and physical sciences. An individual shall be construed to practice or offer to practice professional engineering, within the meaning of this chapter, who by verbal claim, sign, advertisement,

letterhead, card, or in any other way represents or holds himself or herself out as a professional engineer or engineer or as able or qualified to perform engineering services or who performs any of the services set out in this paragraph. Nothing contained in this chapter shall include the work ordinarily performed by individuals who operate or maintain machinery or equipment.

(11) “Professional land surveyor” or “registered land surveyor” or “land surveyor” means an individual who is qualified to engage in the practice of land surveying and who possesses a current license as a professional land surveyor issued by the board. An individual shall be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform land surveying services.

(12) “Professional structural engineer” means a professional engineer with specialized knowledge and expertise in the practice of structural engineering. Such person shall be qualified by reason of knowledge of mathematics, physical sciences, and principles by which mechanical properties of matter are made useful to man in structures, acquired through professional education and practical experience, to engage in the practice of structural engineering. Such persons shall further possess a current certificate of registration as a professional structural engineer issued by the board.

(13) “Structural engineering” means the practice of a specialized branch of professional engineering involving the design or analysis of designated structures as defined by the board, and shall include any professional service, such as consultation, investigation, evaluation, planning, designing, analyzing, or responsible supervision of construction or operation, in connection with any public or private designated structures, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of structural engineering principles and data and training in the application of mathematical and physical sciences. A person shall be construed to practice or offer to practice structural engineering, within the meaning of this chapter, who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents or holds himself or herself out as a professional structural engineer or as able or qualified to perform structural engineering services or who does perform any of the services set out in this paragraph.

43-15-3. State Board of Registration for Professional Engineers; members; funding; employees.

(a) The State Board of Registration for Professional Engineers and Land Surveyors existing on June 30, 2021, is continued in existence thereafter as the Georgia Professional Engineers and Land Surveyors Board, and the members serving on the board on June 30, 2021, shall continue to serve

out their respective terms of office on the Georgia Professional Engineers and Land Surveyors Board until their respective successors are appointed and qualified.

(b) The board shall consist of six professional engineers, two professional land surveyors, and a member appointed from the public at large who has no connection with the professions of engineering and land surveying, all of whom shall be appointed by the Governor and confirmed by the Senate for a term of five years. Of the professional engineers appointed to the board, one shall be a structural engineer, one shall be a mechanical engineer, one shall be an electrical engineer, two shall be civil or sanitary engineers, and one shall be from any discipline of engineering. Each member of the board shall be a citizen of the United States and a resident of this state.

(c) Each member shall hold office until his or her successor has been duly appointed and qualified. All successors shall be appointed in the same manner as the original appointment.

(d) A vacancy on the membership of the board shall be filled by appointment by the Governor, in the same manner as the original appointment to the position vacated, for the unexpired term.

(e) Professional engineers appointed to the board shall have been engaged in the practice of engineering in their respective disciplines for at least 12 years and shall have been in responsible charge of important engineering work in their respective disciplines for at least five years. Professional land surveyors appointed to the board shall have been engaged in the practice of land surveying for at least 12 years and shall have been in responsible charge of important land surveying work for at least five years. Responsible charge of engineering or land surveying teaching may be construed as responsible charge of important engineering or land surveying work, respectively.

(f) The Governor may remove any member of the board for misconduct, incompetency, neglect of duty, or any other sufficient and just cause.

(g) On and after July 1, 2021, the board shall be a separate and distinct budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the “Budget Act”; provided, however, that the board shall be an attached agency for administrative purposes only to the Secretary of State as provided in Code Section 50-4-3 and shall not be considered a division as that term is defined in Code Section 43-1-1. The board shall neither be under the jurisdiction of the Secretary of State nor be under the direction of the director of the professional licensing boards division of the Secretary of State. The board shall not be subject to the provisions of Chapter 1 of this title.

(h) The responsibility for enforcement of the provisions of this chapter shall be vested in the board, and the board shall have all of the duties, powers, and authority granted by or necessary for the administration and enforcement of this chapter.

(i) The board shall in its discretion appoint and fix the compensation of an executive director who shall be a full-time employee of the board and shall serve at the pleasure of the board. The executive director shall be charged with such other duties and powers as provided in Code Section 43-15-5 or as delegated by the board.

(j) The board members, executive director, and other employees of the board shall be allowed reimbursement for travel and other expenses incurred in the performance of their duties, the same as other state officers and employees.

(k) The venue of any action involving members of the board shall be the county in which is found the primary office of the board. Any notice or legal process necessary to be served upon the board may be served upon the executive director, but the executive director shall not be considered a member of the board in determining the venue of any such action, and no court shall have jurisdiction over any such action solely by virtue of the executive director residing or maintaining a residence within its jurisdiction.

43-15-4. Adoption of rules and regulations; meetings; seal; executive director as secretary of board; advisors.

(a) The board shall adopt all necessary rules, regulations, and bylaws, not inconsistent with this chapter and the Constitution and laws of this state or of the United States, to govern its times and place of meetings for organization and reorganization, for the holding of examinations, for fixing the length of terms of its officers, and for governing all other matters requisite to the exercise of its powers, the performance of its duties, and the transaction of its businesses. The board shall adopt an official seal.

(b) The board shall meet at such times as the business of the board shall require, as the board or its chairperson may determine, but shall hold one annual meeting each year at which time the board shall elect a chairperson and a vice chairperson. The chairperson may delegate the responsibility of setting the location, date, and time of board meetings and providing notice of meetings to the executive director. Board meetings may be conducted by audio or video conference calls, and participation in such a conference call shall constitute attendance at the meeting so conducted. Any action that might have been taken at a meeting of the board may be taken by the unanimous written consent of all members of the board.

(c) A majority of the appointed members of the board shall constitute a quorum for the transaction of business by the board.

(d) The executive director shall serve as the secretary of the board ex officio but shall not be a voting member of the board or member for purposes of constituting a quorum.

(e) The board may appoint such committees or persons, who need not be members of the board, to advise or assist it in administration, investigation, and enforcement of the provisions of this chapter, as the board deems necessary, and shall be authorized to compensate any such members of committees or persons who are not members of the board in such amounts as it shall determine to be reasonable.

43-15-5. Role of executive director.

The executive director shall:

(1) Be a full-time employee of the board and shall serve at the pleasure of the board;

(2) Keep all records related to the board and its proceedings;

(3) With the approval of the board, employ and fix the compensation of personnel as deemed necessary to assist the executive director in his or her duties or the duties of the board. Persons hired for the purpose of conducting investigations on behalf of the board shall have a level of experience or knowledge of the area of practice needing to be investigated, including, but not limited to, engineering or surveying, that is acceptable to the board;

(4) With the consent of the board, schedule the time and location for all examinations, meetings, and hearings and maintain a schedule of all examinations, meetings, and hearings that shall be available for public review;

(5) With the approval of the board, enter into such contracts, leases, agreements, or other transactions with any person or agency as are deemed necessary to carry out the provisions of this chapter or to provide the services required by the board;

(6) Prepare and deliver a written annual report to the Governor and the chairpersons of the House and Senate Appropriations Committees on or before the second Tuesday in January of each year covering the activities of the board for the previous calendar year, which shall also be made available to any member of the General Assembly upon request. The report shall include a summary of all actions taken by the board, a financial report of all income and disbursements, staff personnel, and number of persons licensed by the board. The Governor may request a preliminary financial report for budgetary purposes prior to such an annual report; and

(7) Prepare and maintain a roster containing the names of all current licensees for each type of license issued by the board. A copy of this roster shall be available to any person upon request at a fee prescribed by the executive director sufficient to cover the cost of printing and distribution. The following shall be treated as confidential and need not be disclosed without the approval of the board:

(A) Applications and other personal information submitted by applicants, except to the applicant, staff, and the board;

(B) Information, favorable or unfavorable, submitted by a reference source concerning an applicant, except to the staff and the board;

(C) Examination questions and other examination materials, except to the staff and the board; and

(D) The deliberations of the board with respect to an application, an examination, a complaint, an investigation, or a disciplinary proceeding, except as may be contained in official board minutes.

43-15-6. General powers of board; injunctions; continuing education.

(a) In carrying out this chapter, in addition to other powers conferred upon it under this chapter, the board shall have the power:

(1) To adopt and enforce regulations implementing this chapter, including regulations governing the professional conduct of those individuals registered by it;

(2) Under the hand of its chairperson or his or her delegate and the seal of the board, to subpoena witnesses and compel their attendance and to require thereby the production of books, papers, documents, and other things relevant to such investigation in order to investigate conduct subject to regulation by the board; the chairperson or the member of the board who is his or her delegate may administer oaths to witnesses appearing before the board; and the board may secure the enforcement of its subpoenas in the manner provided by Chapter 13 of Title 50, the "Georgia Administrative Procedure Act";

(3) To maintain in its name an action for injunctive or other appropriate legal or equitable relief to remedy violations of this chapter and, in pursuing equitable remedies, it shall not be necessary that the board allege or prove that it has no adequate remedy at law; and

(4) Through the executive director, to hire investigators for the purpose of conducting investigations. Any person so employed shall be considered to be a peace officer and shall have all powers, duties, and status of a peace officer of this state; provided, however, that, notwithstanding Code Sections 16-11-126 and 16-11-129, such investigators shall only be authorized to carry firearms in the performance of their duties upon written approval of the executive director.

(b) In addition to other powers conferred upon the board under this chapter, the board shall through rules and regulations require each individual seeking renewal of a certificate of registration as a professional engineer or a professional structural engineer or a license as a professional land surveyor to complete board approved continuing education of not more than 15 hours annually for professional engineers and professional structural engineers and not more than

7.5 hours annually for professional land surveyors. The board shall be authorized to approve courses offered by institutions of higher learning or offered by other institutions or organizations. The board shall randomly audit some applications for renewal of a certificate of registration or license to enforce compliance with this subsection. The continuing education requirements adopted by the board shall recognize the continuing education requirements imposed by other states to the extent that such continuing education courses meet the requirements imposed by the board. The board shall be authorized to waive the continuing education requirements in cases of hardship, disability, or illness or under such other circumstances as the board deems appropriate. The board shall waive the continuing education requirement for individuals over the age of 65 who have retired from active practice and who apply for an inactive license and for individuals over the age of 65 who are engaged in the active practice of their profession who have had a valid active license for the previous 25 consecutive years. The requirement for continuing education including the exemptions provided for in this subsection shall apply to each licensing renewal cycle which begins after the 1996 renewal cycle.

O.C.G.A. 43-15-7. Unlawful practice as a professional engineer or land surveyor.

(a) It shall be unlawful for any person other than a professional engineer to practice or to offer to practice professional engineering in this state.

(b) It shall be unlawful for any person other than a professional land surveyor to practice or to offer to practice land surveying in this state.

(c) It shall be unlawful for any person other than a professional structural engineer to practice or to offer to practice structural engineering in this state.

does perform land surveying services.

O.C.G.A. 43-15-6.1. Fees and funding.

(a) To pay the expenses of the board's office and operations and the enforcement of this chapter, the board by rule or regulation shall be authorized to charge an examination fee, license fee, license renewal fee, or similar fee and may establish the amount of the fee to be charged by rule or regulation. Fees shall be reasonable and shall be determined in such a manner that the total amount of fees charged by the board shall approximate the total of the direct and indirect costs for the operation of the board. Fees may be refunded for good cause, as determined by the executive director.

(b) All fees collected pursuant to this chapter shall be deposited by the board into the state treasury. Out of the funds thus arising shall be paid the expenses contemplated in this chapter for the administration and enforcement of this chapter. All expenditures authorized by the board shall

be paid from the funds received pursuant to this chapter. The expenses of the board must always be kept within the income collected and deposited in accordance with this chapter, and the expense thereof shall not be supported or paid from any other state fund.

O.C.G.A. 43-15-7. Unlawful practice as a professional engineer or land surveyor.

(a) It shall be unlawful for any person other than a professional engineer to practice or to offer to practice professional engineering in this state.

(b) It shall be unlawful for any person other than a professional land surveyor to practice or to offer to practice land surveying in this state.

(c) It shall be unlawful for any person other than a professional structural engineer to practice or to offer to practice structural engineering in this state.

GA Code § 43-15-13 (2023)

(a) To be eligible for licensure as a professional land surveyor, an applicant shall:

(1) Complete the education and training requirements of subparagraph (A), (B), or (C) of this paragraph as follows:

(A)

(i) Earn a bachelor's degree in a curriculum approved by the board. Such applicant shall complete a minimum of 18 semester hours in land surveying subjects acceptable to the board as a part of or separate from such degree; and

(ii) Acquire not less than three years of combined office and field experience in land surveying of a nature satisfactory to the board;

(B)

(i) Earn an associate's degree in a curriculum approved by the board. Such applicant shall complete a minimum of 18 semester hours in land surveying subjects acceptable to the board as a part of or separate from such degree; and

(ii) Acquire not less than five years of combined office and field experience in land surveying of a nature satisfactory to the board; or

(C)

(i) Earn a high school diploma or its equivalent. Such applicant shall complete a minimum of 18 semester hours in land surveying subjects acceptable to the board; and

(ii) Acquire not less than eight years of combined office and field experience in land surveying of a nature satisfactory to the board; and

(2)

(A) Pass each of the following board approved examinations:

(i) The fundamentals of surveying examination;

(ii) The principles and practices of land surveying examination; and

(iii) The laws and history of land surveying in Georgia examination.

(B) The examinations listed in divisions (i) through (iii) of subparagraph (A) of this paragraph may be taken after completion of the education requirements of paragraph (1) of this subsection; provided, however, that the examination in division (i) of subparagraph (A) of this paragraph shall be taken and passed before the examination in division (ii) of subparagraph (A) of this paragraph is taken, and the examination listed in division (ii) of subparagraph (A) of this paragraph shall be taken and passed before the examination in division (iii) of subparagraph (A) of this paragraph is taken.

(b) The board may issue a land surveyor intern certificate to an applicant who has:

(1) Completed the education requirements set forth in division (a)(1)(A)(i), (a)(1)(B)(i), or (a)(1)(C)(i) of this Code section;

(2) Passed the board approved fundamentals of surveying examination as required under division (a)(2)(A)(i) of this Code section; and

(3) Completed such additional requirements as may be required by the board through rules and regulations.

GA Code § 43-15-13.1 (2023)

For an individual to be eligible to engage in the practices described in divisions (6)(D)(ii) through (6)(D)(iv) of Code Section 43-15-2, he or she shall:

(1) Obtain licensure as a professional land surveyor, registered land surveyor, or land surveyor under this chapter prior to July 1, 2018; or

(2) Complete an additional three semester hours of coursework in hydrology, possess the requisite required by the board, and pass the hydrology exam. The licensing record for such individual as available to the public shall be marked as "hydrology and design authorized."

43-15-14. Examinations.

Board approval of an applicant for examination entitles the applicant to admission to the next four consecutive examination offerings without reapplication. Following the first offering to which the applicant is entitled to admission, the applicant shall not be admitted to any of the succeeding three examination offerings except upon payment of a fee for each examination, to be determined by the board. Admission to any future examinations will be at the discretion of the board which may require the applicant to file a new application. An examination offering occurs regardless of whether the applicant attends.

43-15-15. Applications for certificates, certificates of registration, and licenses.

(a) Applications for certificates, certificates of registration, and licenses shall be made under oath to the board and shall contain such information in the form and manner as shall be prescribed by the board. The application shall be accompanied by a fee in an amount prescribed by the board.

(b) No individual shall be eligible for a certificate, a certificate of registration, or a license under this chapter who is not of good character and reputation.

(c) If the board denies an application on the ground that the applicant lacks the requisite experience to admit him or her to the examination, the board may impose on the applicant a period of deferment on the filing of a new application, during which period the board shall not be required to accept for filing a new application by the applicant. The period of deferment shall not exceed the time reasonably required to acquire the requisite experience.

(d) An application shall contain the names of not less than five individuals, not related to the applicant by blood or marriage, of whom at least three shall be professional engineers or professional land surveyors having personal knowledge of the experience on which the applicant predicates his or her qualifications.

(e) Experience required under this chapter shall be of a character and nature approved by the board and consistent with the purposes of this chapter.

43-15-16. Registration and licensure by comity.

(a) The board may, in its discretion, upon application therefor and the payment of a fee prescribed by the board, issue a certificate of registration as a professional engineer or professional structural

engineer to any individual who holds a certificate of qualification or registration issued to him or her by proper authority of the National Council of Examiners for Engineering and Surveying or of any state or territory or possession of the United States if the requirements of the registration of professional engineers or professional structural engineers under which the certificate of qualification or registration was issued do not conflict with this chapter and are of a standard not lower than that specified in this chapter or if the applicant held such certificate on or before July 1, 1956. The fact that the statute under which the individual was issued a certificate of qualification or registration in another state does not provide that the required written examination be passed subsequent to the acquisition of the required experience shall not be deemed as a conflict with, or lower than, the Georgia requirements, provided that the written examination and the amount of experience required for registration are substantially equivalent to the Georgia requirements.

(b) The board may, in its discretion, upon application therefor and the payment of a fee prescribed by the board, issue a license as a professional land surveyor to any individual who holds a license to practice land surveying issued by a state or territory or possession of the United States obtained:

(1) By written examination of not less than eight hours in duration prior to July 1, 1968;

(2) By written examination of not less than 16 hours in duration prior to July 1, 1978; or

(3) Under qualifications comparable to those prescribed by this chapter; and

in addition passes a written examination on the laws of Georgia relating to land surveying (professional land surveyor examination).

43-15-17. Issuance, expiration, and renewal of certificates and certificates of registration.

(a) Certificates, certificates of registration, or licenses shall be issued to applicants who successfully complete the respective requirements therefor upon the payment of fees prescribed by the board.

(b) Certificates of registration or licenses shall be renewable annually. Renewal may be effected for the succeeding year by the payment of the fee prescribed by the board. Certificates of registration or licenses may be renewed subsequent to their expiration upon the payment of accumulated unpaid fees and of a penalty in an amount to be determined by the board. A certificate of registration or license that has been expired for a period of greater than four years shall be automatically revoked.

(c) The executive director shall give notice to each individual holding a certificate of registration or license under this chapter of the date of the expiration of the certificate of registration or license and the amount of the fee required for renewal, at least one month prior to the expiration date; but

the failure to receive such notice shall not avoid the expiration of any certificate of registration or license not renewed in accordance with this Code section.

Amendments.

The 2018 amendment, effective July 1, 2018, substituted “Certificates, certificates of registration, or licenses” for “Certificates and certificates of registration” near the beginning of subsection (a); in subsection (b), inserted “or licenses” in the first and third sentences, substituted “or license that” for “which” in the fourth sentence; and, in subsection (c), substituted “individual” for “person” near the middle and inserted “or license” three times.

The 2022 amendment, effective May 9, 2022, in subsection (b), substituted “annually” for “biennially” at the end of the first sentence and “succeeding year” for “succeeding two years” in the second sentence; and substituted “The executive director shall give notice to each” for “The division director shall give notice by mail to each” at the beginning of subsection (c).

Opinion Notes

OPINIONS OF THE ATTORNEY GENERAL

Expiration of renewal right for licensees whose licenses expired December 31, 1976,

is subject to this section. 1977 Op. Att'y Gen. No. 77-50.

All licenses which have been expired more than five years are irretrievably lost;

those licenses which expired prior to July 1, 1975, but which have not been expired for five years, may be renewed by the holder by complying with provisions of this section as those licensees have a vested right to renew their licenses at any time within five years of the date of expiration, which right the licenses could not be deprived of by subsequent legislation, and rights of all other licensees are controlled by provisions of the statute. 1977 Op. Att'y Gen. No. 77-50.

Earliest dates for automatic revocation following renewal. —

As the initial expiration date for any certificate of registration under registration law was December 31, 1976, and as this section provides that certificates of registration are to be automatically revoked when they have been expired for a period of greater than four years, the earliest date for automatic revocation of a certificate of registration would be January 1, 1981, in the event a person renewed a certificate of registration for the period January 1, 1977 through December 31, 1978, that certificate of registration could likewise not be automatically revoked prior to January 31, 1983. 1977 Op. Att'y Gen. No. 77-37.

43-15-18. Effect of certificate of registration or license.

(a) In the case of a professional engineer, the certificate of registration shall authorize the practice of professional engineering. In the case of a professional land surveyor, the license shall authorize the practice of land surveying. In the case of a registered professional structural engineer, the certificate of registration shall authorize the practice of structural engineering. A certificate of registration or license shall show the full name of the registrant or licensee, shall have a serial number, and shall be signed by the chairperson of the board and the executive director under the seal of the board.

(b) The issuance of a certificate of registration or license by the board shall be evidence that the individual named therein is entitled to all the rights and privileges of a professional engineer or a professional land surveyor, as the case may be, as long as the certificate or license remains unrevoked, unexpired, or unaffected by other discipline imposed by the board.

43-15-19. Revocation, suspension, or denial of certificates, certificates of registration, or licenses; reprimands.

(a) The board shall have the power, after notice and hearing, to deny any application made to it, to revoke or suspend any certificate, certificate of registration, or license issued by it, or to reprimand any individual holding a certificate, certificate of registration, or license issued by it, upon the following grounds:

(1) Commission of any fraud or deceit in obtaining a certificate, certificate of registration, or license;

(2) Any gross negligence, incompetency, or unprofessional conduct in the practice of professional engineering or land surveying as a professional engineer or a professional land surveyor, respectively;

(3) Affixing a seal to any plan, specification, plat, or report contrary to Code Section 43-15-22;

(4) Conviction of a felony or crime involving moral turpitude in the courts of this state, the United States, or any state or territory of the United States or the conviction of an offense in another jurisdiction which, if committed in this state, would be deemed a felony. “Conviction” shall include a finding or verdict of guilt, a plea of guilty, or a plea of nolo contendere in a criminal proceeding, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon pursuant to Article 3 of Chapter 8 of Title 42 or any comparable rule or statute; or

(5) Any violation of this chapter or any rule or regulation promulgated by the board pursuant to the powers conferred on it by this chapter.

(b) “Unprofessional conduct,” as referred to in paragraph (2) of subsection (a) of this Code section, includes a violation of those standards of professional conduct for professional engineers and professional land surveyors adopted by the board pursuant to the power conferred upon it to

promulgate rules and regulations to effectuate the duties and powers conferred on it by this chapter.

43-15-20. Reissuance of certificates, certificates of registration, and licenses; fee.

(a) The board, in its sole discretion, may reissue a certificate, a certificate of registration, or a license to any individual whose certificate, certificate of registration, or license has been revoked or may terminate any suspension imposed by it upon the affirmative vote of a majority of the members of the board and upon the payment of a fee prescribed by the board.

(b) A new certificate, certificate of registration, or license to replace any certificate or license lost, destroyed, or mutilated may be issued subject to the rules of the board upon the payment of a fee prescribed by the board.

43-15-21. Temporary permit.

(a) The board, or its delegate, in its sole discretion, may issue a temporary permit to an individual who is not a resident of and who has no established place of business in this state, or who has recently become a resident thereof, to permit him or her, in accordance with the conditions of the temporary permit, to practice or offer to practice engineering in this state if:

(1) An application for a certificate of registration has been filed with the board and the fee required by this chapter has been paid;

(2) The applicant is legally qualified to practice such profession in the state or country of the applicant's residence or former residence; and

(3) The requirements and qualifications for obtaining a certificate of registration in that jurisdiction are not lower than those specified in this chapter.

(b) An application under subsection (a) of this Code section shall be made to the board in writing, containing such information and in the form and manner as shall be prescribed by the board.

(c) The temporary permit shall continue only for such time as the board requires for the consideration of the application for registration. The temporary permit shall contain such conditions with respect to the scope of the permission granted as the board deems necessary or desirable.

(d) Plans, specifications, plats, and reports issued by an individual holding a temporary permit shall bear his or her signature and a stamp containing his or her name, business address, and "Georgia Professional Engineer Temporary Permit No. ." The signature and stamp shall be affixed only in accordance with the requirements of subsection (b) of Code Section 43-15-22.

(e) An individual who has obtained a temporary permit and practices in accordance therewith is deemed to be a professional engineer for purposes of this chapter, but a temporary permit shall not be deemed to be a registration under any provision of this chapter, including, by way of illustration and not limitation, Code Section 43-15-23.

43-15-22. Registrant or licensee required to obtain seal; inscription; purpose; fraudulent use of seal.

(a) Every professional engineer and professional land surveyor registered or licensed, as applicable, under this chapter shall, upon receipt of a certificate of registration or license, obtain a seal of the design authorized by the board, bearing the registrant's or licensee's name, certificate or license number, and the legend "Professional Engineer," "Registered Professional Structural Engineer," or "Professional Land Surveyor," in accordance with the certificate of registration or license.

(b) Plans, specifications, plats, and reports issued by a registrant or licensee shall be stamped or sealed and countersigned by the registrant or licensee; but it shall be unlawful for the registrant or licensee or any other person to stamp or seal any document with such seal after the certificate of the registrant or license of the licensee named thereon has expired, or has been revoked, or during the period of any suspension imposed by the board. No plans, specifications, plats, or reports shall be stamped with the seal of a registrant or a licensee unless such registrant or licensee has personally performed the engineering or land surveying work involved or, when the registrant or licensee has not personally performed the engineering or land surveying work reflected in any plan, specification, plat, or report, such registrant or licensee has affixed his or her seal thereto only if such document has been prepared by an employee or employees under the registrant's or licensee's direct supervisory control on a daily basis and after the registrant or licensee has thoroughly reviewed the work embodied in such document and has satisfied himself or herself completely that such work is adequate.

(c) No registrant or licensee shall affix his or her seal to any plan, specification, plat, or report unless he or she has assumed the responsibility for the accuracy and adequacy of the work involved.

(d) Any registrant or licensee who has affixed his or her seal to any plan, specification, plat, or report prepared by another individual not under the registrant's or licensee's direct supervisory control on a daily basis, and without having thoroughly reviewed such work, shall be deemed to have committed a fraudulent act of misconduct in the practice of professional engineering or land surveying.

43-15-23. Practice of professional engineering by or through firm, corporation, or other entity.

(a) The practice of or offer to practice professional engineering, as defined in this chapter, by individual professional engineers registered under this chapter through a firm, corporation, professional corporation, partnership, association, or other entity offering engineering services to the public or by a firm, corporation, professional corporation, partnership, association, or other entity offering engineering services to the public through individual professional engineers as agents, employees, officers, members, or partners is permitted subject to the provisions of this chapter; provided, however, that one or more of the principals, officers, members, or partners of said firm, corporation, professional corporation, partnership, association, or other entity and all personnel of such firm, corporation, partnership, association, or entity who act in its behalf as professional engineers in this state shall be registered as provided in this chapter; and further provided that said firm, corporation, professional corporation, partnership, association, or entity has been issued a certificate of authorization by the board as provided in this chapter.

(b) A firm, corporation, professional corporation, partnership, association, or other entity desiring a certificate of authorization shall file with the board an application upon a form to be prescribed by the board and accompanied by the registration fee prescribed by the board.

(c)

(1) A corporation or professional corporation shall file with the board, using a form provided by the board, the names and addresses of all officers and board members of the corporation, including the principal officer or officers duly registered to practice professional engineering in this state and of an individual or individuals duly registered to practice professional engineering within this state who shall be in responsible charge of the practice of professional engineering in this state by said corporation.

(2) A partnership shall file with the board, using a form provided by the board, the names and addresses of all partners of the partnership, including the partner or partners duly registered to practice professional engineering in this state and of an individual or individuals duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of professional engineering in this state by said partnership.

(3) Any firm, limited liability company, association, or entity which is not a corporation, professional corporation, or partnership shall file with the board, using a form provided by the board, the names and addresses of all principals or members of the firm, association, or entity duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of professional engineering in this state by said firm, association, or other entity.

(4) The forms provided in paragraphs (1) through (3) of this subsection must accompany a biennial renewal fee prescribed by the board. In the event there shall be a change in any of these persons,

such change shall be designated on the same form and filed with the board by the firm, corporation, professional corporation, partnership, association, or entity within 30 days after the effective date of the change.

(d)

(1) After all of the requirements of this Code section have been complied with, the board shall issue to such firm, corporation, professional corporation, partnership, association, or other entity a certificate of authorization.

(2) The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate or if the board shall determine that any of the officers, directors, principals, members, agents, or employees of the entity to be licensed are not individuals of good character.

43-15-23.1. Land surveying firms, corporations, or other entities; application; fee; certificate of authorization.

(a) The practice of or offer to practice land surveying, as defined in this chapter, by individual professional land surveyors licensed under this chapter through a firm, corporation, professional corporation, partnership, association, or other entity offering land surveying services to the public or by a firm, corporation, professional corporation, partnership, association, or other entity offering land surveying services to the public through individual professional land surveyors as agents, employees, officers, members, or partners is permitted subject to the provisions of this chapter; provided, however, that one or more of the principals, officers, members, or partners of said firm, corporation, professional corporation, partnership, association, or other entity and all personnel of such firm, corporation, professional corporation, partnership, association, or entity who act in its behalf as professional land surveyors in this state shall be licensed as provided in this chapter; and further provided that said firm, corporation, professional corporation, partnership, association, or entity has been issued a certificate of authorization by the board as provided in this chapter.

(b) A firm, corporation, professional corporation, partnership, association, or other entity desiring a certificate of authorization shall file with the board an application upon a form to be prescribed by the board and accompanied by the registration fee prescribed by the board.

(c)

(1) A corporation or professional corporation shall file with the board, using a form provided by the board, the names and addresses of all officers and board members of the corporation, including the principal officer or officers duly licensed to practice land surveying in this state and of an

individual or individuals duly licensed to practice land surveying within this state who shall be in responsible charge of the practice of land surveying in this state by said corporation.

(2) A partnership shall file with the board, using a form provided by the board, the names and addresses of all partners of the partnership, including the partner or partners duly licensed to practice land surveying in this state and of an individual or individuals duly licensed to practice land surveying in this state who shall be in responsible charge of the practice of land surveying in this state by said partnership.

(3) Any firm, limited liability company, association, or entity which is not a corporation, professional corporation, or partnership shall file with the board, using a form provided by the board, the names and addresses of all principals or members of the firm, association, or entity duly licensed to practice land surveying in this state who shall be in responsible charge of the practice of land surveying in this state by said firm, association, or other entity.

(4) The forms provided in paragraphs (1) through (3) of this subsection must accompany a biennial renewal fee prescribed by the board. In the event there shall be a change in any of these persons, such change shall be designated on the same form and filed with the board by the firm, corporation, professional corporation, partnership, association, or entity within 30 days after the effective date of the change.

(d)

(1) After all of the requirements of this Code section have been complied with, the board shall issue to such firm, corporation, professional corporation, partnership, association, or other entity a certificate of authorization.

(2) The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate of authorization or if the board shall determine that any of the officers, directors, principals, members, agents, or employees of the entity to be licensed are not individuals of good character.

(3) Every firm, partnership, corporation, or other entity which performs or offers to perform land surveying services shall have a resident professional land surveyor in responsible charge in each separate branch office in which land surveying services are performed or offered to be performed. As used in this Code section, the term “resident” means a registrant who spends the majority of his or her normal working time at his or her place of business. The registrant can be the resident licensee at only one place of business at one time.

43-15-25. Procedure for filing charges against holder of certificate, certificate of registration, or license.

(a) Any person may refer charges of fraud, deceit, gross negligence, incompetency, or unprofessional conduct against any individual holding a certificate, certificate of registration, or license. Such charges shall be in writing, shall be sworn to by the person making them, and shall be filed with the board.

(b) All such charges, unless dismissed by the board as unfounded or trivial, shall be acted upon by the board.

43-15-26. Cease and desist orders; civil penalties for violation of order.

(a) After notice and hearing, the board may issue an order prohibiting any person from violating Code Section 43-15-7 and may fine such person at least $100.00 but not more than $5,000.00 per violation.

(b) The violation of any order of the board issued under subsection (a) of this Code section shall subject the person violating the order to an additional civil penalty not in excess of $100.00 for each transaction constituting a violation of such order. The board may maintain an action in the superior courts of this state in its own name to recover the penalties provided for in this Code section.

43-15-27. Enforcement of chapter.

(a) It shall be the duty of all duly constituted law enforcement officers of this state and of the political subdivisions of this state to enforce this chapter and to prosecute any person violating this chapter.

(b) The Attorney General or his or her designated assistant shall act as legal adviser to the board and render such legal assistance as may be necessary in carrying out this chapter.

(c) Except as provided in Code Section 25-2-14, it shall be the duty of all public officials charged with the responsibility of enforcing codes related to construction to require compliance with Code Section 43-15-24 before engineering plans, drawings, and specifications are approved by construction. Except as provided in Code Section 25-2-14, no construction which is subject to Code Section 43-15-24 and which requires the service of an engineer shall be built without such approval prior to construction.

43-15-29. Exceptions to operation of chapter.

(a) Nothing in this chapter shall be construed as excluding a qualified architect registered in this state from such engineering practice as may be incident to the practice of his or her profession or as excluding a professional engineer from such architectural practice as may be incident to the practice of professional engineering.

(b) The following persons shall be exempt from this chapter:

(1) An individual working as an employee or a subordinate of an individual holding a certificate of registration or license under this chapter or an employee of an individual practicing lawfully under Code Section 43-15-21, provided that such work does not include final design decisions and is done under the supervision of, and responsibility therefor is assumed by, an individual holding a certificate of registration or license under this chapter or an individual practicing lawfully under Code Section 43-15-21;

(2) Officers and employees of the government of the United States while engaged within this state in the practice of professional engineering, structural engineering, or land surveying for such government;

(3) All elected officers of the political subdivisions of this state while in the practice of professional engineering, structural engineering, or land surveying in the performance of their official duties;

(4) Officers and employees of the Department of Transportation, except as required by Title 46, while engaged within this state in the practice of professional engineering, structural engineering, or land surveying for such department;

(5) Any defense, aviation, space, or aerospace company. As used in this paragraph, the term "company" shall mean any sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other business entity and any subsidiary or affiliate of such business entity;

(6) Any employee, contract worker, subcontractor, or independent contractor who works for a defense, aviation, space, or aerospace company that is not required to be licensed under the provisions of this chapter pursuant to paragraph (5) of this subsection and who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, missiles, rockets, or other defense, aviation, space, or aerospace related products or services, or any components thereof; and

(7) Any officer or employee of a state government agency or department, county or municipal government, regional commission, or utility authority who is engaged in the gathering, processing, managing, and sharing of geospatial and photogrammetric data for cataloging or mapping purposes for his or her respective agency.

(c) This chapter shall not be construed as requiring registration or licensing for the purpose of practicing professional engineering, structural engineering, or land surveying by an individual, firm, or corporation on property owned or leased by such individual, firm, or corporation unless the same involves the public safety or public health or for the performance of engineering which relates solely to the design or fabrication of manufactured products.

(d) This chapter shall not be construed to prevent or affect the practice of professional engineering, structural engineering, and land surveying with respect to utility facilities by any public utility subject to regulation by the Public Service Commission, the Federal Communications Commission, the Federal Power Commission, or like regulatory agencies, including its parents, affiliates, or subsidiaries; or by the officers and full-time permanent employees of any such public utility, including its parents, affiliates, or subsidiaries, except where such practice involves property lines of adjoining property owners, provided that this exception does not extend to any professional engineer, professional structural engineer, or professional land surveyor engaged in the practice of professional engineering, structural engineering, or land surveying whose compensation is based in whole or in part on a fee or to any engineering services performed by the utility companies referenced in this subsection not directly connected with work on their facilities.

(e) This chapter shall not be construed to affect the lawful practice of a person acting within the scope of a certificate of registration or license granted by the state under any other law.

(f) Nothing in this chapter shall be construed to require a contractor or an employee of a contractor that is performing layouts and measurements for a highway or construction project of such contractor to be licensed as a professional land surveyor; provided, however, that such individuals shall be prohibited from providing or offering to provide any other land surveying services and from performing a layout for a highway or construction project relative to a buffer, setback, or property line.

43-15-30. Unlawful acts.

(a) Any person that violates Code Section 43-15-7 shall be guilty of a misdemeanor.

(b) Any individual presenting or attempting to use as his or her own the certificate of registration or license or the seal of another obtained under this chapter shall be guilty of a misdemeanor.

(c) Any person that gives any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate, certificate of registration, or license shall be guilty of a misdemeanor.

(d) Any person that falsely impersonates any other registrant or licensee or any person that attempts to use an expired or revoked certificate of registration or license shall be guilty of a misdemeanor.

(e) Any person offering services to the public that uses by name, verbal claim, sign, advertisement, directory listing, letterhead, or otherwise the words “Engineer,” “Engineers,” “Professional Engineering,” “Engineering,” “Engineered,” “Professional Structural Engineer,” “Professional Structural Engineers,” “Structural Engineer,” “Structural Engineers,” “Structural Engineering,” or

“Structurally Engineered” shall be guilty of a misdemeanor unless said person has complied with the provisions of this chapter.

(f) Any person offering services to the public that uses by name, verbal claim, sign, advertisement, directory listing, letterhead, or otherwise the words “Professional Land Surveyor,” “Professional Land Surveyors,” “Land Surveyor,” or “Land Surveyors” shall be guilty of a misdemeanor unless such person has complied with the provisions of this chapter.

(g) Each day or occurrence in violation of any provision of this Code section shall be considered a separate offense.

2023 CODE OF GEORGIA
Title 15 - COURTS (§§ 15-1-1 — 15-25-3)
Chapter 6 - SUPERIOR COURTS (§§ 15-6-1 — 15-6-100)
Article 2 - CLERKS OF SUPERIOR COURTS (§§ 15-6-50 — 15-6-100)
Section 15-6-67 - Recordation of plats and condominium plans; specifications

Universal Citation:

GA Code § 15-6-67 (2023)

(a) As used in this Code section, the term:

(1) "Condominium plan" means a drawing that is required to be recorded prior to the first conveyance of a condominium unit pursuant to subsection (b) of Code Section 44-3-83, including, but not limited to, a condominium floor plan, condominium plot plan, or condominium site plan.

(2) "Plat" means a drawing prepared by a land surveyor that describes and depicts real property boundaries, including, but not limited to, a map, condominium plat, subdivision plat, as-built survey, easement survey, or retracement survey.

(b) All plats and condominium plans submitted for filing with the clerk of superior court shall be submitted electronically. The clerk of superior court shall file and record plats and condominium plans relating to real estate in the county when submitted for filing as provided in this Code section and accompanied with any required filing fees or costs.

(c) Each plat and condominium plan to be filed and recorded in the office of the clerk of superior court shall be in conformance with the following requirements:

(1) Format for plats and condominium plans. All images of a plat or condominium plan submitted for filing shall be at full size of the drawing scale stated thereon and shall:

(A) Be an electronic image of a plat or condominium plan presented to the clerk electronically in conformance with all specifications set forth in any rules and regulations promulgated by the Georgia Superior Court Clerks' Cooperative Authority; and

(B) Provide a box of not less than three inches square, if at full size, in the upper left-hand corner which shall be reserved for the clerk to append filing information;

(2) Required data for plats. Each plat shall comply with the minimum standards and specifications adopted in the rules and regulations of the State Board of Registration for Professional Engineers and Land Surveyors and provide the following information:

(A) The county where the property lies;

(B) Any municipality wherein the property lies;

(C) The name of the property owner or owners of the subject property as stated on the most current or applicable title instrument;

(D) The type of plat;

(E) The name of any subdivision if the property lies within a named subdivision or if the plat is creating a new subdivision;

(F) The name of any condominium if the property is within a condominium development;

(G) The applicable units, pods, blocks, lots, or other subdesignations of any named subdivision or condominium;

(H) The name or names of the developer or developers of any new subdivision or condominium;

(I) All applicable land lots, land districts, sections, reserves, or militia districts wherein the platted property lies;

(J) The date of initial preparation and issuance, and any revision dates, including a brief explanation of each revision;

(K) The name, address, and telephone number of the land surveyor who prepared and sealed the plat and, if working for or through a firm, corporation, partnership, association, limited liability company, or other entity, then also the certificate of authorization number of that entity, in which case the address and telephone number of such entity are acceptable in lieu of the individual surveyor's address and telephone number;

(L) The registration number of the land surveyor or a statement that he or she is the county surveyor and is not required by law to be a registered surveyor;

(M) The seal of the land surveyor who has prepared the plat and is signing the surveyor certification, which shall be placed within or next to the surveyor certification box;

(N) If the plat has multiple pages, the page number for each applicable page and the total number of sheets in the set shall be placed on each sheet in the same or similar location. The information required by this paragraph may be placed on all sheets or on different sheets within the set submitted for filing; and

(O) The scale of the plat stated and shown graphically; and

- **(3) Land surveyor certifications required for plats.**

  (A) Surveyor certification box for plats. Each plat shall have depicted thereon a box which contains one of the following applicable certifications of the land surveyor:

    (i) As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdictions for recording as evidenced by approval certificates, signatures, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

    (ii) As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor. This plat has been approved by

all applicable local jurisdictions that require prior approval for recording this type of plat or one or more of the applicable local jurisdictions do not require approval of this type of plat. For any applicable local jurisdiction that requires approval of this type of plat, the names of the individuals signing or approving this plat, the agency or office of that individual, and the date of approval are listed in the approval table shown hereon. For any applicable local jurisdiction that does not require approval of this type of plat, the name of such local jurisdiction and the number of the applicable ordinance or resolution providing that no such approval is required are listed in the approval table shown hereon. Such approvals, affirmations, or ordinance or resolution numbers should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

(iii) This plat is a retracement of an existing parcel or parcels of land and does not subdivide or create a new parcel or make any changes to any real property boundaries. The recording information of the documents, maps, plats, or other instruments which created the parcel or parcels are stated hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

(iv) The property hereon lies completely within a jurisdiction which does not review or approve any plats or this type of plat prior to recording. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR

SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

(B)Other certification information required for plats.

(i) The land surveyor shall sign on a line immediately beneath the certification on the plat. At the discretion of the land surveyor and in conformity with local regulations, the surveyor may electronically sign the certification using a facsimile signature. The facsimile signature may be a reproduction of an original signature or an electronically created signature. If the land surveyor elects to use a facsimile signature, the surveyor must maintain full control over the application and use of such signature.

(ii) Additional dates, certifications, and signatures, which may be electronically created signatures, may be placed on plats. Such certifications may include, but are not limited to, those that may be required by local jurisdictions or agencies, the United States Small Business Administration, the United States Department of Housing and Urban Development, and the American Land Title Association.

(iii) The approval table required by division (c)(3)(A)(ii) of this Code section shall be data in a tabular format which shall include the name of each governmental body or agency that has approved the plat, the name of each individual who issued such approval, and the date that each approval was granted.

(iv) Plats that meet the requirements of a municipal or county governing authority ordinance or resolution specifying that no approval of such plat is necessary prior to recording may be recorded using the certification set forth in division (c)(3)(A)(ii) or (c)(3)(A)(iv) of this Code section, as applicable.

(v) In the case of a plat that is a retracement survey, the land surveyor shall state clearly the recording information of any document, map, plat, or other instrument which created any of the parcels depicted. The depiction of gores, overlaps, or other parcel delineation as may be

necessary to remedy or address title issues or deficiencies shall be allowed as part of the retracement function. Plats that depict existing or proposed easements for utilities or for conservation purposes may be recorded using the certification set forth in division (c)(3)(A)(iii) of this Code section, provided that there are no changes to any real property boundaries.

(vi) Plats bearing the certification provided for in division (c)(3)(A)(iii) of this Code section shall be entitled to recordation without further review or local approval.

(d) Whenever the municipal planning commission, the county planning commission, the municipal-county planning commission, or, if no such planning commission exists, the appropriate municipal or county governing authority prepares and adopts subdivision regulations or land use regulations, or both, then no plat of a subdivision of land within the municipality or the county shall be presented for filing with the office of the clerk of superior court of a county without the approval of the municipal planning commission, county planning commission, municipal-county planning commission, or appropriate municipal or county governing authority.

(e) Any land surveyor who fraudulently makes any certification required under this Code section shall, upon conviction thereof, be guilty of a misdemeanor.

(f) The clerk of superior court shall make available a public computer terminal which provides a filer access to the Georgia Superior Court Clerks' Cooperative Authority's electronic filing portal.

(g) The Georgia Superior Court Clerks' Cooperative Authority shall have the power and authority to promulgate such rules and regulations deemed necessary or convenient for implementation of the provisions of this Code section.

(h) The clerk of superior court shall be held harmless for the filing of any plat or condominium plan that fails to meet any requirement of this Code section.

(i) Any plats or condominium plans prepared prior to May 8, 2017, in compliance with previous statutory requirements may be recorded pursuant to this Code section so long as such documents are submitted as electronic images and presented to the clerk of superior court electronically.

15-6-68. Public access to maps, plats, and plans.

(a) The clerk of each superior court shall provide books, binders, or any other alternative system, either manual or electronic, for providing public access to maps, plats, and plans.

(b) The clerk of superior court shall provide an electronic, computer-based indexing system in which shall be indexed all maps, subdivision plats, condominium plats, and other plats, condominium site plans, condominium plot plans, and condominium floor plans under the caption or name of the subdivision, if any, under the name of the owner or owners of the property mapped or platted, and also under the land lot number and district number if the land lies in that portion of the state which has been surveyed into land lots and districts.

(c) In counties of this state that are divided into land lots, the clerk of superior court shall provide an electronic, computer-based system for maintaining and searching a record for each land lot and land district by listing all surveys made for each lot and where they are recorded.

(d) The clerk shall electronically note the filing date, book, and page numbers on the image and shall electronically transmit a copy of the map, plat, or plan with such filing information to the e-mail address of the person filing the same for record.

Department 180. GEORGIA PROFESSIONAL ENGINEERS AND LAND SURVEYORS BOARD
Board Rules

Rule 180-2-.01 General

(1) All applications shall be made to the Board through the licensing portal available on the Board's website. Applications made otherwise will not be accepted.

(2) An application will not be considered on file or complete, until the Board has received all data pertinent to the application. It is the applicant's responsibility to ensure that the Board receives all necessary data, including the established fee, reference forms, education transcripts, and other required documents.

(3) Applicants applying for licensure as a Land Surveyor are required to submit a minimum of four plats or maps which meet Georgia minimum technical standards. Two shall be boundary surveys, and two shall be topographic or elevation surveys. Each plat or map shall include a unique certification by the sealing land surveyor certifying that the applicant prepared the plat under their direct supervision. Comity applicants may submit plats or maps prepared and sealed by the applicant in another state. These plats should be edited appropriately to meet the standards and requirements of the State of Georgia before submittal to the board.

Rule 180-2-.02 Board Action on Applications

(1) Notice of the Board's action approving or rejecting an application will be given to an applicant at the email address on file with the Board.

(2) In the event the Board makes a preliminary determination that grounds may exist for rejection of an application under O.C.G.A. 43-15-15(b), it will give notice of that determination to the applicant at the email address on file with the Board. The applicant so notified may request a hearing before the Board in accordance with the Administrative Procedure Act.

(3) In the event the Board rejects an application on any ground other than those set forth in O.C.G.A. 43-15-15(b) or 43-15-19, no formal hearing will be permitted before the Board. The Board may, in its sole discretion and upon the applicant's request, permit an applicant an informal conference with the Board or with a designated member thereof for the purpose of permitting the applicant to explain, but not to supplement, his/her application. No recording of such a conference will be permitted.

(4) In the event the Board rejects an application based on insufficient experience and/or education, the applicant should not file a new application until such time as the minimum period of deferment has expired. [A period of deferment may be imposed by the Board in accordance with O.C.G.A. 43-15-15(c)]. However, the applicant may file prior to the end of the deferment period if; in the applicant's opinion, there have been substantive changes in the rate in which experience has been earned or education obtained. The new information may be filed either as a new application or as a supplement to the original application. In either case, the required fee shall accompany each application submitted.

(5) For applications requiring that the applicant be examined, experience will be considered through the date on which such application was notarized. Experience earned between the date the application was filed and date of the next examination will be considered valid only if the applicant remains in the same, equivalent, or higher position in which he/she was employed at the time of filing and may only be claimed when the applicant files a new application or supplemental application as applicable. It is the responsibility of the applicant to keep the Board informed of substantive changes in job duties and responsibilities.

Rule 180-2-.03 Examinations, General

(1) With exception of a locally prepared examination on hydrology and the legal aspects of land surveying in Georgia, all examinations will be in accordance with the National Council of Examiners for Engineering and Surveying (NCEES).

(2) Examinations may be taken only after the applicant has met the other minimum requirements as set forth in O.C.G.A. 43-15-8 and 43-15-9 and has been approved by the Board for admission to the examination as follows:

(a) Fundamentals of Engineering. Consists of a six-hour examination on the fundamentals of engineering. Passing this examination qualifies the examinee for an engineer-in-training certificate, provided he/she has met all other requirements for certification by this Chapter.

(b) Principles and Practice of Engineering Passing this examination qualifies the examinee for registration as a professional engineer, provided he/she has met the other requirements for registration required by this Chapter. Applicants shall designate the branch of engineering in which they intend to practice. The Board, after consideration of the designation and a review of the experience and other information listed in the application, shall identify the appropriate NCEES exam to be administered to the Applicant.

(1) Except as provided in paragraph (2), the Applicant will be directed to take the eight-hour NCEES exam that is applicable to the branch of engineering identified by the Applicant.

(2) If the Applicant designates that he/she will engage in the branch identified as structural engineering or the Applicant's experience is deemed to be within the branch of structural engineering, the Applicant shall be directed to take the NCEES 16-hour Structural Engineering Exam.

For purposes of this rule, “structural engineering" shall be defined as engaging in the design or analysis of "Designated Structures. "Designated Structures" are defined as follows:

a. For buildings and other structures requiring a building permit as required by the International Building Code, adopted edition, with Georgia Amendments in current effect in the state of Georgia, a Designated Structure is any building or other structure which meets any one of the following criteria:

I. Any building structure which has risk Category of III or IV in accordance with Table 1604.5 of the International Building Code, adopted edition, with Georgia Amendments.

II. Any building structure which has a covered gross area of 100,000 square feet or greater or has an occupied floor elevation that is 45 feet or more above the average ground level of the building.

III. Any building structure which with height to least width aspect ratio of the structural lateral load resisting system greater than or equal to seven.

IV. Any building structure which is designed using nonlinear time history analysis or with special seismic energy dissipation systems.

b. For bridges and other related transportation structures, a Designated Structure is one that is considered to be a "complex bridge", as described in the Georgia Department of Transportation Consultant Prequalification Manual, which includes the following:

I. Bridges of spans longer than 300 feet

II. Tunnels

III. Cable-stayed bridges

IV. Suspension bridges

V. Movable bridges

VI. Trusses with spans longer than 300 feet

VII. Arch bridges

VIII. Segmental bridges

IX. Balance-cantilever bridges

X. Other bridges requiring unique analytical methods or design features not commonly addressed in standards set forth by the American Association of State Highway and Transportation Officials.

(3) Civil Engineering applicants who engage in the design of structural elements but will not perform Structural Engineering as defined in Paragraph (2), will be directed to take the eight-hour Civil Breadth and Structural Depth exam.

(c) Fundamentals of Land Surveying. Consists of a six-hour examination on the elementary disciplines of land surveying. Passing this examination qualifies the examinee for a land surveyor-in-training certificate provided he/she has met all other requirements for certification of this Chapter.

(d) Principles and Practice of Land Surveying and the Laws of Georgia. This examination tests the applicant's understanding of the theory and practice of land surveying. This examination may be taken after passage of the Fundamentals of Land Surveying Examination.

(e) Laws and History of Land Surveying in Georgia. This examination tests the applicant’s knowledge and proficiency in the laws of Georgia which apply to land surveying as well as the history of the land division systems of Georgia.

(f) Hydrology. This examination is available to land surveyors who meet the requirements of OCGA 43-15-13.1 to become recognized as a Land Surveyor whose licensure is “Hydrology and Design Authorized”. This examination tests the applicant’s knowledge and proficiency in the

engineering principles of hydrology, open channel flow, pressurized flows, sanitary sewer collection, and stormwater management.

(4) After administration of an examination, the contents of the examination will be treated as confidential and will not be disclosed, except in such circumstances and under such conditions as may be approved by the Board. No reuse, copying or reproduction in any manner of any portion of the examination materials is permitted without the Board's permission.

(5) The Board will not conduct with examinees reviews of any portion of any examination. Further, the Board will not permit an examination to be re-scored.

(6) In case of an applicant seeking registration by comity under O.C.G.A. 43-15-16, the Board shall review the prior experience of the applicant in determining which exam is required for licensure in Georgia.

Rule 180-4-.01 Education

(a) The Board's approval or disapproval of the applicant's education as required under O.C.G.A. 43-15-12 or 43-15-13 will be made upon the applicant's submission of his/her application to the Board.

(b) Eighteen semester hours of land surveying course work must be earned at an accredited and recognized college or university acceptable to the board. The required eighteen hours shall not include necessary prerequisites that are required prior to said land surveying courses.

Rule 180-4-.02 Experience

In evaluating experience offered by an applicant to qualify under OCGA §§ 43-15-13, the Board will consider the following factors:

(a) Prior Education. The applicant's prior education at the time the experience was acquired will be considered. Land surveying experience gained prior to completion of at least 9 hours of the required eighteen semester hours of land surveying course work shall be credited to the applicant at a maximum rate of 50% credit, and at the discretion of the board.

(b) Kind of Experience.

1. The experience should involve the special knowledge of the mathematical and physical sciences including those of the land surveying profession. It should also involve the preparation and interpretation of maps, plats, and other related data, as used in the land surveying profession.

2. A maximum of one year of experience equivalent may be granted for successful completion of undergraduate or graduate studies in a curriculum of land surveying, geomatics, civil engineering, civil engineering technology, or law, provided that any such education record to be applied as experience equivalent is in addition to the education used to meet the education requirement for OCGA §§ 43-15-13.

(c) Quality of Experience.

1. The quality of experience should demonstrate that the applicant has developed technical skills and initiative in the correct application of land surveying. The experience should also demonstrate sound judgment in the application of principles and in review of such applications of principles by others. It should also indicate the capacity to assume responsibility for work of a highly technical character.

2. Experience credit will not be granted if the experience is determined by the Board to be the unlicensed practice of land surveying.

3. For experience evaluated in regard to OCGA § 43-15-13,"responsible charge" shall consist of working independently in a leadership and/or decision-making role where the applicant is directly responsible for progress of land surveying projects, provided however that all such experience shall be under the direct supervisory control on a daily basis by a professional land surveyor as required by OCGA § 43-15-22. Work in responsible charge reflects the applicant's ability to take land surveying projects from beginning to finished product and shall demonstrate the ability to competently complete all research prior to field work, competently perform a compliant field traverse that adequately identifies all applicable field evidence and elements of possession, properly analyze all field work through thorough calculations and evaluation, and prepare maps and plats that adequately depict all required elements of such maps and plats. A minimum of twenty-four months of the required experience shall be in the form of an apprenticeship. Said apprenticeship shall consist of work experience in responsible charge of land surveying projects under the direct supervision and tutelage of a professional land surveyor and will not be recognized as beginning until at least nine of the eighteen required semester hours of land surveying course work have been successfully completed. The board shall provide an endorsement form specifically for the supervising professional land surveyor regarding the apprenticeship of the applicant. The apprenticeship shall be strictly full-time work experience. The supervising registered land surveyor shall agree to focusing on the applicant’s proficiency in a

minimum of 3 prescribed skill sets and evaluate the applicant on such proficiency at the conclusion of the apprenticeship. The prescribed skill sets shall be boundary surveying, topographic surveying, and a third skill set to be chosen from GPS/GNSS surveying, Geographic Information Systems, construction layout, or photogrammetry (which may include LIDAR collection and laser scanning) or other skill sets acceptable to the Board. The supervising professional land surveyor must attest that in his or her opinion the applicant is competent to practice land surveying in the state of Georgia.

(d) Scope. The experience should demonstrate sufficient breadth and scope within the basic land surveying field rather than highly specialized technical skill in a very narrow and limited branch of that field.

(e) Progression. The record of work experience should indicate successive and continued progress from initial work of simple character to recent work of greater complexity, difficulty, and responsibility.

(f) Capacity and Viewpoint. The record of experience should indicate that the applicant has attained those attributes of clear thinking and keen analysis essential to competence.

Rule 180-5-.01 Fees

Fees may be imposed, revised or changed at the discretion of the Board. A copy of the schedule of fees published by the Board may be obtained upon request.

Chapter 180-6 RULES OF PROFESSIONAL CONDUCT

Rule 180-6-.01 General

(1) In order to safeguard the life, health, property and welfare of the public and to establish and maintain a high standard of integrity, skills, and practice in the professions of engineering and land surveying, the following Rules of Professional Conduct are promulgated in accordance with O.C.G.A. 43-15-6(1). The following rules shall be binding upon every individual who possesses a certificate or a certificate of registration issued by the Board and upon every firm, professional corporation, association, governmental agency, partnership, corporation or other legal or commercial entity offering engineering or land surveying services to the public and to all personnel of such firm, corporation, partnership, association, or entity who act in its behalf in the practice of engineering or land surveying in this state.

(2) The Rules of Professional Conduct as promulgated herein are an exercise of the police power vested in the Georgia Board of Registration for Professional Engineers and Land Surveyors by

virtue of the acts of the legislature. By that investment, the said Board is authorized to establish conduct, policy, and practices in accordance with the powers hereinabove stated.

(3) All persons registered under O.C.G.A. Chapter 15, Title 43, are charged with having knowledge of the existence of these Rules of Professional Conduct and shall be deemed to be familiar with their several provisions and to understand them. Such knowledge shall encompass the understanding that the practice of engineering or land surveying is a privilege as opposed to a right. The registrant shall be forthright and candid in his/her statements or written response to the Board or its representatives on matters pertaining to professional conduct.

Rule 180-6-.02 Protection of the Public

The engineer or land surveyor shall at all times practice in such a manner as to protect the safety, health and welfare of the public. If a registrant's engineering or land surveying judgment is overulled under circumstances where the safety, health or welfare of the public are endangered, he/she shall inform the proper authorities and his/her employer of the situation as may be appropriate.

Rule 180-6-.03 Rules of Practice

(1) The engineer or land surveyor shall perform services only in areas of his/her competence. The engineer or land surveyor shall undertake to perform engineering or land surveying assignments only when qualified by education or experience in the specific technical field of professional engineering or land surveying involved.

(2) The engineer or land surveyor may accept an assignment requiring education or experience outside of his/her own field of competence, but only to the extent that his/her services are restricted to those phases of the project in which he/she is qualified. All other phases of such project shall be performed by qualified associates, consultants or employees who shall sign, seal, and be responsible for such other phases or technical segments of the project.

(3) The professional engineer who develops the design criteria and engineering concept for a project, provides analysis, and is responsible for the preparation of the construction documents shall be responsible for the design of the project within his/her contractual area of engineering services and shall be known as the engineer of record.

(4) In the event that a professional engineer who is not the engineer of record is used for specific portions of the work, that individual shall be a registered engineer in the State of Georgia and shall seal, sign, and date his/her own reports, calculations, and drawings. He/she shall coordinate his/her work with the engineer of record and shall be responsible to the engineer of record for that specific portion of the project design. He/she shall be known as the specialty engineer.

(5) The engineer or land surveyor shall not affix his/her signature and/or seal to any engineering or land surveying plan, document, or plat unless such plan, document, or plat is prepared by the registrant or an individual in the employ of the registrant. All plans, documents, and plats prepared by non-registrants must be prepared under the direct supervisory control of the registrant on a daily basis.

(6) "Direct supervisory control" shall require the registrant to have daily interaction with and provide guidance and direction to any non-registrant employee or non-registrant contract employee in the preparation of engineering or land surveying plans, documents or plats, in each phase of the preparation of the calculations, drawings, specifications, reports, surveys and all other documents completed by the non-registrant. Direct supervisory control may be typically established at a location (address) where both the registrant and the non-registrant employee (whether full time or part time or contract) are employed and there is a direct connection between the registrant and the non-registrant employee. If the registrant and the non-registrant employee are not located at the same location, then the registrant shall be able to demonstrate how direct supervisory control is maintained over the non-registrant and how the registrant and the employee maintain a direct connection for the direct supervisory control of the engineering or surveying work as indicated above, upon an inquiry from the Board. Satisfactory proof of direct supervisory control from the registrant over the non-registrant employee includes, but is not limited to, written guidance or directions to the non-registrant employee; written records of ongoing communication during the project; and work product mark-ups by the registrant to the non-registrant. The Board shall determine if such direct supervisory control is being provided by the registrant is acceptable to the Board.

(7) In the event a question arises as to the competence of an engineer or land surveyor to perform an assignment, the Board may require him/her to submit to an appropriate examination, as determined by the Board. That action by the Board shall be required only if the question cannot be otherwise resolved to the Board's satisfaction.

(8) Renovation or the retrofitting of a building or structure is considered as the practice of engineering when the work involves the addition or reduction of weight or loading; analysis of structural systems or members; removal or addition of structural elements; analysis of drainage systems on or below the roof surface; changes to the drainage characteristics; or changes required for the building or structure to conform to current jurisdictional building codes. Nothing in this rule is intended to restrict the normal practice by registered architects. Nothing in this rule is intended to restrict the normal practice of roofing contractors insofar as repairing or the replacement of like kind of roofing systems so long as no additional weight is added.

Rule 180-6-.04 Statement and Testimony

(1) The engineer or land surveyor shall be completely objective and truthful in issuing public statements, reports or testimony. He/she shall include all relevant and pertinent information in those statements, reports or testimony.

(2) The engineer or land surveyor, when serving as an expert or technical witness before any court, commission, or other tribunal, shall express an opinion only when it is founded upon adequate knowledge of the facts at issue. That expression shall reflect a background of technical competence in the subject matter, and an honest conviction of the accuracy and propriety of his/her testimony.

(3) No engineer or land surveyor licensed under O.C.G.A. Chapter 15, Title 43, shall issue statements, criticisms, or arguments on engineering or land surveying matters connected with public policy which are inspired or paid for by an interested party or parties unless he/she has prefaced such comments by explicitly identifying the party on whose behalf he/she is speaking. The engineer or land surveyor must at the same time reveal the existence of any pecuniary interest he/she may have in the matters.

Rule 180-6-.05 Conflict of Interest

(1) The engineer or land surveyor shall avoid conflicts of interest. The engineer or land surveyor shall conscientiously avoid conflict of interest with his/her employer or client, but, when unavoidable, the engineer or land surveyor shall forthwith disclose the circumstances to his employer or client.

(2) The engineer or land surveyor shall avoid all known conflicts of interest with his/her employer or client and shall promptly inform his/her employer of any business association,

interests, or circumstances which could influence his/her judgment or the quality of his/her services.

(3) The engineer or land surveyor shall not accept compensation, financial or otherwise, from more than one party for services on the same project or for services pertaining to the same project unless the circumstances are fully disclosed to and agreed to by all interested parties.

(4) The engineer or land surveyor shall not solicit or accept financial or other valuable considerations, directly or indirectly, from material or equipment suppliers, or their representatives, for specifying their products.

(5) The engineer or land surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties in connection with work for which he/she is responsible.

(6) The engineer or land surveyor in public service as a member, advisor, or employee of a governmental body or department shall not participate in considerations or actions with respect to matters involving him/her or his/her organization's private or public engineering or land surveying practices.

(7) The engineer or land surveyor shall not solicit or accept an engineering or land surveying contract from a governmental body on which a principal or officer of his/her organization serves as a member.

Rule 180-6-.06 Conduct

(1) The engineer or land surveyor shall solicit or accept professional employment only on the basis of his/her qualifications and competence for proper accomplishment of the work. No engineer or land surveyor may provide a fee proposal to a potential client until he/she (a) established or reviewed the scope of services for the project, (b) determined that, based on his/her review of the scope of services, that he/she is competent to provide the professional services required, and (c) made his/her qualifications known to the prospective client. On proposals including more than one engineer or land surveyor, each individual shall be responsible for complying with this rule for his/her respective portion of the proposal. The engineer or land surveyor shall not offer to pay, either directly or indirectly, any commission,

political contribution, gift, or other consideration in order to secure work, exclusive of securing salaried positions through employment agencies.

(2) The engineer or land surveyor shall not falsify or permit misrepresentation of his/her or his/her associate's academic or professional qualifications. He/she shall not misrepresent or exaggerate his/her degree of responsibility for prior assignments in brochures or other presentations for the solicitation of employment. He/she shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or his/her or their past accomplishments with the intent and purpose of enhancing his/her qualifications or work.

Rule 180-6-.07 Ethics

(1) The engineer or land surveyor shall associate only with reputable persons or organizations. The engineer or land surveyor shall not knowingly associate with or permit the use of his/her name, or firm name, in a business venture by any person or firm which he/she knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature.

(2) If the engineer or land surveyor has knowledge or reason to believe that another person or firm may be in violation of any of these provisions or of O.C.G.A. 43-15, he/she shall promptly present such information to the Board in writing and shall cooperate with the Board in furnishing such further information or assistance as may be required by the Board.

Rule 180-6-.08 Convictions

A violation of O.C.G.A. Chapter 15, Title 43, or of the rules of another jurisdiction, if for a cause which in the State of Georgia would constitute a violation of O.C.G.A. 43-15 or these rules, shall be grounds for a charge of violation of these rules.

Rule 180-6-.09 Certification

(1) The term "Certification" as used in Rule 180-6-.09(2) and (3) and relating to professional engineering or land surveying services, as defined in O.C.G.A. 43-15-2(6) and (11), shall mean a signed statement based upon facts and knowledge known to the registrant and is not a guarantee or warranty, either expressed or implied.

(2) When an engineer or land surveyor is presented with a certificate to be signed or sealed, he or she should carefully evaluate that certification to determine if the certification:

(a) relates to matters which are within the technical competence of the engineer or land surveyor;

(b) involves matters which are within the scope of services actually provided by the engineer or land surveyor or;

(c) relates to matters which were prepared under the supervision, direction and control of the engineer or land surveyor.

(3) Engineers or land surveyors who sign or seal certification not meeting criteria in subsection (2) are subject to discipline pursuant to O.C.G.A. 43-15-19(a)(5).

(4) Engineers or land surveyors who prepare or issue maps, drawings, plats, plans, or electronic files which include contours or other elevation data shall note the source thereof. For land surveyors such shall adhere to Rule 180-7-.04. For engineers, the source of contour or elevation data shall be stated which shall include the name of the surveyor (or firm) that prepared it and is responsible for it, or when depicting contours or elevation data obtained from a public source, shall include the following statement: "The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this engineer. Users of this data do so at their own risk". Failure to provide this statement and the required data shall be both a violation of this rule and an acceptance of responsibility for accuracy of the depicted contours or elevation data.

Department 180. GEORGIA PROFESSIONAL ENGINEERS AND LAND SURVEYORS BOARD
Board Rules
Chapter 180-7 TECHNICAL STANDARDS FOR PROPERTY SURVEYS

Rule 180-7-.01 Preamble

In order to assure the public that proper and adequate surveys, maps, plats and writings are executed in connection with property, for whatever purpose, Technical Standards are hereby established. These standards establish the minimum degrees of accuracy, completeness and/or quality in the several areas of concern in order to be considered acceptable.

Rule 180-7-.02 Land Titles and Location

(1) (a) Every parcel of land whose boundaries are surveyed by a land surveyor should be made conformable with the record title boundaries of such land. The land surveyor prior to making such a survey shall acquire the following prerequisite data: deeds, maps, certificates of title, centerline data, right of way data, adjacent descriptions, and other boundary line locations in the vicinity as necessary or available. The land surveyor shall compare and analyze all of the data obtained and make most nearly correct legal determination possible of the position of the boundaries of such parcel. He shall make a field survey traversing and connecting all available monuments appropriate or necessary for the location, and coordinate the facts of such survey with the pre-determined analysis. Not until then shall the monuments marking the corners or such parcel be set, and such monuments shall be set in accordance with the full and most satisfactory analysis obtainable. It shall be the responsibility of the land surveyor to evaluate conformity with adjacent tracts for overlaps and gores and to report the same on all maps, plats, and reports.

(b) In the event that the land surveyor determines that it is not possible to make the survey of a parcel of land conformable with the record title of such land or that it is not possible to coordinate the predetermined analysis with the field survey, the surveyor shall explain the reason for his determination and shall denote in indisputable language, the source and reason for the corners, lines, and/or areas as shown on the plat. Such reasons may include, but are not limited to, the following: Disputed, property lines or areas; possession lines; acquiescence; adverse possession; unrecorded deeds; proposed purchase (new parcels); dubious and nebulous deed descriptions;

and any adverse claim. This paragraph shall not be construed in any way to allow the surveyor to evade his/her responsibilities under the law.

(2) Any description written for conveyance or other purpose, defining land boundaries, shall be complete and accurate from a title standpoint, providing definite and unequivocal identification of the lines or boundaries, and definite recitals as to use or rights to be created through such descriptions. A description shall include the general location of the tract or lot with sufficient accuracy such that the tract can be readily located on the ground. The land lot, district, section, militia district number (in Headright Grant areas), city (if known to be within the city limits) and county shall be called out in said description. Description shall start at a point of commencement and/or a point of beginning that can be readily re-established. The description shall include the names of adjoining subdivision and/or property owners on all lines, as can be determined at the time of commencement of the survey through public records such as the county tax assessor and/or clerk of court records. (A title search is not required for this.) A metes and bounds description shall describe all courses in logical sequence around a tract or lot in a clockwise direction such that the ending point is the beginning point, the exception to this would be a description for a linear easement. The monument at each corner shall be described. All lines adjacent to streets, roads, or other rights-of-way shall be referenced to these and all pertinent distances and curve data shall be listed (arc length, chord length, chord bearing and radius) in addition to the parcel's area. All descriptions, being a form of report, shall bear the land surveyor's name, address, seal and signature.

Rule 180-7-.03 Measurements-Horizontal

Measurements shall be made with instruments capable of attaining the required accuracy for the particular problem involved. Angles and distances shall be measured to obtain an accuracy of not less than 1:10,000 in urban or suburban areas and 1:5,000 in rural areas except as follows:

(a) The allowable positional tolerance of property corners with respect to each other within a given survey may not be greater than:

1. 0.1 foot in urban blocks wherein buildings can be erected along the property line, or where high land values so warrant;

2. 0.25 foot in suburban subdivisions interior blocks and/or suburban lots or parcels;

3. 0.50 in rural areas, except as follows:

(i) Closer tolerance is required where land value in rural areas is increased by adjacency to major highway intersections or thruway complexes, building congestion, oil or mineral rights or any other reason;

(ii) When a parcel of land is extremely long or narrow, closer tolerance is required on the shorter narrow dimensions to qualify acceptable corner positioning in relation to the narrow width;

(iii) Where original surveys in rural areas were made with a compass, retracement may be made by compass in order to "follow the footsteps" of the original surveyor. However, such retracement also must be reduced to a non-magnetic traverse so that the error of closure as specified above is obtained.

Rule 180-7-.04 Topography and Vertical Measurements

(1) **Definitions.** As used in this rule, the following definitions apply.

(a) Field run precision leveling. A circuit of levels between precise benchmarks or a circuit closed upon the initial benchmark shall not differ more than 0.02 foot multiplied by the square root of the number of miles in the circuit, and in no case to exceed 0.05 foot.

(b) Field run local or temporary benchmark leveling. Levels run for control to topographic mapping of a site or project shall have an error of closure of not less than 0.1 foot per square root of the number of miles. The surveyor and client may agree upon different precision specifications that are deemed to be more applicable to individual situations.

(c) Positional check. A position whose location and elevation is determined by traditional or GNSS surveying equipment independently of the remainder of the survey effort or data collection exercise. When determining where to measure positional checks, the surveyor may use whatever approach and location choice that is deemed to be most applicable and feasible for the individual project. Running cross sections through a surveyed area is considered to be the most desirable, though most intensive, positional check approach. Positional checks should not be limited to easily visible and accessible areas but should include a reasonable portion in areas with ground cover and within the interior of the project. If firms or individuals are employed in the

production of topographic or elevation surveys which are not regular employees under the direct supervision of the surveyor who is responsible for the work, special care must be given to providing adequate Direct Supervisory Control as defined by Rule 180-6-.03(6). Production of contour maps and elevation data to typical survey precision or for use in applications typical for surveying works, and the advertising thereof, is considered to be the practice of Land Surveying and must be performed by properly licensed individuals and authorized firms.

(2) This rule applies to all topographic maps and plats, delineated either by contours or by points, digital terrain models, or other geospatial format with indicated elevation data, whether prepared from traditional surveying techniques or other remote sensing techniques including but not limited to aerial photography, Light Detection and Ranging (LIDAR), or any other remote sensing technology whether implemented from fixed stations, vehicles, manned aircraft, or unmanned aerial systems (UAS) and also includes existing data obtained from public agencies.

(3) All drawings or electronic work product which depict or provide contours or elevation data shall contain the following information:

(a) The vertical datum of the elevations provided or reported, how the datum was verified or placed on the site (whether by level loop, GNSS observations, published benchmark, etc.),

(b) The type of survey performed to produce contours or elevation data (see paragraph 4 for each type).

(c) The contour interval or vertical precision. Contours and elevation data provided shall be of such accuracy that no more than 10% of the area covered shall be in error by more than one half (1/2) of the contour interval shown; or such that no part of the surveyed area fails to achieve a 95% confidence level in the three-dimensional positioning provided. If initial results do not confirm required accuracy, the surveyor may either:

1. collect replacement data and retest for precision

2. identify areas which are not reliable in accordance with subparagraph e below

3. or increase the contour interval until measured precision conforms

(d) Depiction of the location of at least 3 fixed positions which can be used to situate future works into the vertical datum of the survey. Such fixed positions should include at least one stable survey monument and can also include fixed artificial positions such as fire hydrant bolts, pipe inverts, concrete surfaces, or finished floor elevations of structures.

(e) A clear explanation and delineation of any portion of the contours or elevation data which is not certified or reliable, such as areas which are obscured, shadowed, or otherwise which cannot be certified to the required mapping precision. This shall also apply to data which was obtained from a public agency or other lawful source. The following statement shall accompany any such obscured or uncertified topographic map or portion thereof: "The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this surveyor. Users of this data do so at their own risk".

(f) All pertinent data that may be required particular to the type of survey as set forth in paragraph 4).

(4) The following types of elevation surveys are envisioned by this rule. Should any equipment or methodology be considered which is not clearly addressed, the most applicable type shall apply.

(a) Field run topographic surveys. Traditional surveying equipment and techniques are employed to produce a contour map. Field ran topographic surveys must state the date(s) of field work and the equipment used. Additional positional checks are not required for field ran topographic surveys.

(b) Traditional stereo photogrammetric maps. Traditional or digital photography of sufficient specifications is obtained by a manned aircraft. Contours and features are generated using stereoscopes or software. A minimum of four (4) three-dimensional ground control targets or photo-identifiable positions (known as "control points") shall be surveyed and incorporated into the preparation of such maps, and more are required as dictated by project size, photo overlap, and height of camera. The surveyor responsible for the accuracy of the survey shall perform positional checks at a number

of locations that is at least that of the number of control points required, and shall report the vertical accuracy of each point or an average of the points checked. Such photogrammetric maps shall state the date of photography, the height flown, the firm or individual who performed portions of the survey, including which portions, if not the surveyor or firm issuing the map, and the results of the positional checks by the surveyor either listed individually or as an average.

(c) Ground based remote sensing (LIDAR, laser scanning, etc.). LIDAR equipment is used either from motor vehicles or fixed tripods to survey an area. Control points shall be placed and surveyed sufficiently along the perimeter of the mapped area to ensure adequate confidence level of the contours or elevation data. Positional checks shall be measured at positions deemed relevant by the surveyor who shall report the vertical accuracy of each point or an average of the points checked. Surveys and reports produced under this section shall provide the type of equipment used, the date(s) of data collection, the firm or individual who performed portions of the survey, including which portions, if not the surveyor or firm issuing the map, and the results of the positional checks by the surveyor either listed individually or as an average.

(d) Unmanned Aerial Systems (UAS) data collection. LIDAR, optical camera, or other remote sensing equipment is used to collect data used to prepare contour maps or elevation data. The surveyor shall survey ground control targets or photo-identifiable positions (known as "control points") along the flight lines of the UAS sufficient to provide adequate three-dimensional constraint of the data used to prepare the contours or elevation data.

1. The surveyor shall perform positional checks along the perimeter of and within the surveyed area. The minimum number of such positional checks shall be determined as follows:

   (i) For project size 1-10 acres, a minimum of 4 positional checks are required

   (ii) For project size 10-25 acres, a minimum of 8 positional checks are required

   (iii) For project size 25-100 acres, a minimum of 12 positional checks are required

(iv) For project size 100-200 acres, a minimum of 24 positional checks are required

(v) For project size 300 acres or more, a minimum of 36 positional checks are required

2. Topography or elevation data produced in this manner must provide the date(s) of UAS data collection, the type of UAS including model or other identifying description, the type of LIDAR sensor or camera used, how many ground control points were used, the firm or individual who performed portions of the survey, including which portions, if not the surveyor or firm issuing the map, and the results of the positional checks by the surveyor either listed individually or as an average.

(5) Incorporation of publicly available contour or elevation data. When the surveyor incorporates contour or elevation data into a survey, map, or electronic work product, and such data is from a public source which is exempt from professional licensing and oversight by O.C.G.A. 43-15-29(b)(7), the surveyor must state the source of the data (such as the specific agency or department), the date of data acquisition if known, the contour interval shown, the type of collection used for such data (such as photogrammetric, LIDAR, etc.), and any other pertinent information available. The work product (whether map, electronic drawing file, or other terrain model format) shall include the following statement:" The topographic and elevation data shown hereon was obtained from (state source) and is not certified as correct by this surveyor. Users of this data do so at their own risk". Failure to provide this statement and the required data shall be both a violation of this rule and an acceptance of responsibility for the depicted work by the surveyor. The surveyor may also identify which portion(s) of elevation data is from a public source in situations where the surveyor has also verified some of the data provided.

Rule 180-7-.05 Monuments

(1) In order to prevent boundary conflicts, the public must have assurances that the corners of real property boundaries as determined from an accurate survey are durably marked with survey monuments that may be identified on the ground with the aid of the survey plat. In

meeting this objective, surveyors must meet the following minimum standards of accuracy, completeness and quality.

(2) The land surveyor shall set monuments as defined herein, unless monuments already exist or cannot be set due to physical obstructions. Said monuments shall be set at all boundary corners. Those monuments that cannot be set due to physical obstructions shall have a reference monument set. Said reference monument shall be referenced on the plat by bearing and distance from the true position of said monument. Also, said reference monument shall be set far enough away from the true corner so as not to be confused with the position of the true corner.

(3) All monuments set shall be composed of a durable material and shall incorporate a ferrous material to aid in location by magnetic locators. Said monuments shall have a minimum length of 18 inches. Longer monuments are required in soils less likely to hold and maintain the true position of the monument. Said monuments composed of solid metal rods shall have a minimum cross sectional area of 0.2 square inches. Concrete, composite or stone monuments shall have a minimum dimension of 3 inches by 3 inches. Monuments placed at land lot corners, district corners or county corners shall if a rod have a minimum diameter of 5/8 inches, a pipe of 1 inch diameter or a concrete or stone monument of not less than 4 inches square.

(4) Every boundary monument set shall be identified with a durable marker or cap bearing the Georgia registration number of the land surveyor in responsible charge or the name of the business entity and/or Certification of Authorization number (COA #).

(5) If a boundary corner falls in a hard surface such as concrete or asphalt; alternate monumentation may be used that is durable and identifiable.

(6) For irregular boundaries such as non-engineered roads, rivers, streams, lakes, beach, etc. a dimensioned meander or survey line may be used. If a meander or survey line is used, monuments shall be set at the meander or survey line's terminus points on real property boundary lines.

(7) All monuments found or placed shall be described on the survey plat. The corner descriptions shall state the size, material and cap identification of the monument as well as whether the monument was set or found.

Rule 180-7-.06 Coordinates and Triangulation

(1) The use of state plane coordinates may be incorporated in any land survey.

(2) State plane coordinates used and shown on surveys shall meet the requirements of O.C.G.A. Sections 44-4-1 through 44-4-31.

Rule 180-7-.07 Maps and Plats

All maps, plats and similar documents which depict and describe real property boundaries shall comply with all requirements of O.C.G.A. § 15-6-67 and conform to the following minimum standards and specifications: The sealing of documents, reports, preliminary subdivision plats, topographic surveys, and other drawings that do not depict and describe real property boundaries shall be subject to Rule 180-12 (Sealing of documents). Preliminary subdivision plats shall state the source of the boundary information shown thereon and also bear a note to the effect that it is a preliminary subdivision plat that has been prepared for the purpose of review and approval, is not to be recorded, and is not to be used to convey property. Topographic surveys shall state the source of the boundary information shown thereon and also bear a note to the effect that the surveyor's certification extends only to the topographic and/or geospatial aspects shown thereon, and that the topographic survey does not constitute a boundary survey and is not to be recorded or used to convey title or interest in the property.

(a) Material.

1. Any such surveys, maps, or plats shall be clearly legible;

2. The minimum line widths and letters or character heights delineated on such maps or plats shall be sufficient to be legible when copied or scanned at a resolution of 300 d.p.i.

(b) Required Data. The maps or plats shall have a title or name, and shall also provide the following information:

1. The name of the entity who authorized the survey, the entity for whom the survey is prepared, or the subject of the survey such as a subdivision name or site name;

2. The county, municipality; land district and land lot (if within an area of Georgia that is divided into land lots and districts); Georgia Militia District, Reserve, or other qualifying notation (if within an area of Georgia that is not divided into land lots and districts); and subdivision, if the property lies within a particular subdivision;

3. The date(s) of field work, plat preparation and all subsequent revisions including a brief explanation of each revision;

4. A square box three inches by three inches shall be placed in the upper left-hand corner of the map or plat, which shall be left blank and reserved for recording information by the Clerk of court;

5. The scale, stated and shown graphically;

6. The name, address, telephone number, and registration number of the registered land surveyor who prepared and sealed the survey and, if working for a firm, the name and Certificate of Authorization Number of the firm that prepared the survey (the address and telephone number of the firm are acceptable in lieu of the individual surveyor's address and telephone number) or the statement that he is the county surveyor and is not required by law to be a registered surveyor; and

7. All maps or plats are to contain the applicable Surveyor Certification from O.C.G.A. § 15-6-67(b)(2) and signature in accordance with Board Rule 180-12-.02, in order to be a valid and recordable map or plat. The original maps or plats shall be retained by the land surveyor or land surveying firm in either hard copy or electronic file, along with all applicable work material which includes, but is not limited to, field notes, field data, computations, coordinate data, electronic drawing files and property research for a period of six years from the more recent date on the map or plat.

(c) Size. Maps and plats shall be of a size that is commonly available. The map or plat shall be drawn to a scale in feet commonly found on an engineer's scale or to a scale in chains commonly found on a forester's scale. Scans or images created electronically shall be at full size and legible at a resolution of 300 d.p.i., so that future users may be able to plot all or part of the map or plat at full size and resolution. The issue of printed reductions of maps or plats which meet this requirement is allowable.

(d) Required Content. All maps and plats shall be made in a professional manner and in accordance with the standards of good drafting procedures and shall show the following information, as specified:

1. The direction and distance from a point of reference to a point on the boundary of the individual survey, and such additional data as may be required to relocate the boundary point from the point of reference with the same degree of accuracy required of the parcel surveyed. The point of reference shall be an established, monumented position which can be identified or relocated from maps, plats or other documents on public record, including state plane coordinates when applicable. The point of reference may lie on or within the boundary of the survey;

2. Bearings of all lines of the boundary or lot lines, and distances of all boundary or lot lines, and area of the parcels expressed in acres or square feet. All bearings, distances, and areas shown on the survey shall be based upon the measurements of the surveyor, except that both the measured and the record measurements may be shown if the surveyor feels that such comparison is necessary or otherwise required, in which case a clear distinction shall be made as to which are measured and which are record. Distances that are shown for proximity purposes only and have not been measured shall be clearly labeled as "approximate";

3. The closure precision of the field survey as the ratio of one foot to the traversed distance in which an error of one foot would occur, angular error, and a statement as to the method of adjustment. The field closure stated shall be the actual linear error of closure calculated from the surveyor's actual field measurements, whether a closed traverse or otherwise, and shall not be a generalization.

   If the surveyor determines that a closure precision statement is not appropriate for the survey because a substantial portion of the field measurements were obtained using Global Positioning Systems, then a note of precision or positional accuracy may be placed in compliance with Rule 180-7-.09; or if the surveyor feels that a closure precision statement is not appropriate for the survey because redundant linear measurements were used to verify accuracy, the calculated positional tolerance shall be stated and shall comply with Rule 180-7-.03;

4. The closure precision of the data shown on the map or plat. The closure may be stated as follows: "This map or plat has been calculated for closure and is found to be accurate within one foot in _____ feet". The closure precision placed on the survey shall be based on an actual map closure that has been independently calculated by the surveyor by using the bearings and distances from the face of the plat, and shall not be a generalization. All lots or parcels shown on the plat shall be map checked for closure

and area. In the case of a subdivision plat or a survey that depicts more than one tract, the closure precision stated may be that of the exterior or an average of the tracts;

5. The width and the former widths, if pertinent, of easements or rights-of-way adjacent to or crossing the property;

6. Apparent encroachments and observed evidence of human burials or cemeteries;

7. In the case of curved lines, the curve shall be defined by curve data to include the radius, arc length, chord bearing, and distance of regular curves. Chord distances and directions shall be given for irregular curves;

8. All land lot lines, land district lines, land section lines, and city, county, and state boundaries intersecting or adjacent to the surveyed property indicated by lines drawn upon the map or plat with appropriate words and figures, it shall be acceptable for the surveyor to label such lines as "apparent", "accepted", or "approximate", or other such qualifying language as the surveyor considers necessary or appropriate;

9. All corner markers and markers of pertinent reference points shall be fully described and indicated as to the material or types, size or dimensions, and whether set, found, or replaced. In the case of badly disturbed or deteriorated monuments that are replace for the purpose of position preservation, the survey shall indicate the size, type, and material of both the found monument and the monument with which it was replaced;

10. An arrow to indicate the principal meridian and a notation as to the reference of bearings to magnetic north, astronomic north, record or grid north. A grid north reference shall indicate the zone. Record north shall reference the document or survey to which the meridian is oriented and the line of the survey to which the "record bearing" was applied;

11. All linear distances shown on maps or plats shall be expressed as follows:

    a. Distances shall be horizontal distances.

    b. Distances shall be stated as "ground" distances (which shall also be the basis for any corresponding area calculations). Should it be necessary to state "grid"

distances, both "ground" and "grid" distances shall be stated, along with the grid scale factor used, the elevation scale factor used, and the combined factor used.

c. When expressed in feet, the definition of the foot shall be based on the conversion of the meter equals 3.280839895 feet or 1 foot equals 30.48 centimeters. Nothing in this rule shall prohibit the stating of distances in meters or units other than feet, provided that a conversion factor to the foot must be stated;

12. All angular directions shall be represented in degrees, minutes, and seconds. All angular directions shall be referenced to the meridian of the survey and be denoted starting with the letter N or S (for North or South), and the degrees, minutes, and seconds, followed by the letter E or W (for East or West). All bearings and distances around the perimeter of the property shall progress consistently in either a clockwise or counter-clockwise direction so as to form a closed shape. Azimuths, or interior (or exterior) angles may also be shown for reference but not in lieu of bearings and shall also be stated in degrees, minutes, and seconds;

13. A statement to indicate the type of equipment used to obtain the linear and angular measurements used in the preparation of the map or plat, or the proper notations required by Rule 180-7-.09 when GPS equipment is used in performing the survey;

14. The names of adjacent property owners on all lines, along with a notation as to what documents were reviewed for each adjacent property as required by Rule 180-7-.02(1)(a). Such notation may be the deed book and page of the record title description, recorded plats, and other documents or surveys that were obtained through the course of the survey. In cases where the adjacent property is a recorded subdivision, it is sufficient to state the name, phase if applicable, and recording information of the subdivision plat, along with lot lines and lot numbers. (A title search is not required for this.);

15. All water boundaries or similar irregular boundaries shown in sufficient detail to clearly identify the surveyed tract and the adjoining tract;

16. The character of any and all evidence of possession along or related to boundary lines clearly depicted and stated, and overlaps and gores in property lines along or within the surveyed property in compliance with Rule 180-7-.02;

17. Any features within or along the boundary located as requested by the client, or in conformity with the rules or requirements of any mortgagor or insurer, provided the technical standards of such rules or requirements are not less than those provided for by this chapter;

18. The surveyor shall state the type of survey depicted, whether it is a retracement survey of an existing tract (or combination of tracts), a subdivision plat, a division from a parent tract, a depiction of a disputed area or other special purpose limited survey, a utility or easement survey, or other classification of land survey as may be deemed necessary. The source of title description of the property depicted shall be stated, along with the name of the current owner(s) as indicated by the tax records or deeds.

Rule 180-7-.08 Violations

The Board may initiate action in cases where a person's actions are in violation of the law beyond reasonable doubt.

Rule 180-7-.09 Global Positioning Systems

It shall be acceptable practice to incorporate the use of Global Positioning Systems (commonly known as GPS) equipment into any survey. The precision of all measurements made with such equipment must, at a minimum, meet all other precision standards required otherwise by law or rules under Chapter 180-7. When using GPS equipment in the course of a survey, the Land Surveyor shall state on the face of the plat, or within the report in cases where there is no plat, the following:

a. A note stating what portion (or all) of the survey was performed using GPS equipment.

b. The type of GPS equipment used, including manufacturer and model number, and whether single or dual frequency receivers were used.

c. The type of GPS survey that was performed, such as static, real time kinemeatic ("RTK"), network adjusted real time kinematic, etc.

d. A note that discloses the precision of the GPS work done, either in relative positional accuracy, vector closure, or other mathematical expression chosen by the Land Surveyor.

Chapter 180-8 RENEWAL OF LICENSE

Rule 180-8-.01 Reinstatement of Expired License

(1) A certificate of registration which has been administratively revoked for having been expired for greater than four (4) years may be reinstated at the discretion of the Board.

(2) The applicant must complete the reinstatement application and include a summary of all experience since the date of original Georgia licensure as a Professional Engineer or Land Surveyor with accompanying experience endorsements for each engagement from professionals who are familiar with the experience provided.

(3) Applicant must include the reinstatement application fee, and upon final Board review, all other fees as provided to reinstate license registration.

Rule 180-8-.02 Inactive Licensure Status

In accordance with Chapter 295-15 of the Rules and Regulations of the Division Director regarding Inactive Status Licensing, a registrant may apply for inactive licensure status under the following conditions:

(1) A registrant who is over the age of 65 and retired; or who may become disabled may apply to the Board for inactive status by submitting the required application and paying the proper fees.

(2) While on inactive status, a registrant is exempt from payment of the biennial renewal fee and continuing education requirements.

(3) An inactive registrant may not practice professional engineering or land surveying in this State.

(4) In order to reactivate an inactive license, the registrant must submit a completed application, show compliance with continuing education requirements as set forth in

Rule 180-11-.08, and submit the reactivation fee as set forth by the Board. The Board must approve the application before the license is reactivated.

Chapter 180-10 COMPLIANCE AND ENFORCEMENT

Rule 180-10-.01 Corporate Practice: Professional Engineering

(1) As used in O.C.G.A. § 43-15-23(c), the phrase "responsible charge" means the independent control, direction and supervision, by the use of initiative, skill and independent judgment of the practice of professional engineering as defined in O.C.G.A. § 43-15-2(11).

(2) In order to be considered eligible for a certificate of authorization, any individual who is in responsible charge of the practice of professional engineering for the firm, corporation, professional corporation, partnership or association or other entity shall be a full-time employee of the firm, corporation, professional corporation, partnership, association or other entity, regularly engaged in the practice of professional engineering. Such individual shall not be:

(a) available to perform engineering services only on a part-time, independent contractor basis at the call of such firm, corporation, partnership, association or other business entity; or

(b) available on an if-and-when needed consulting basis; or,

(c) not actively practicing professional engineering with such firm, corporation, partnership, association or other business entity.

(3) The practice of professional engineering for any firm, corporation, partnership, association or other business entity shall not be considered to be under the direction of a professional engineer unless such professional engineer bears a continuing bonafide relation thereto and has such authority from the governing body of such business entity as would result in its being legally liable for all such professional engineer's professional acts and judgments.

Rule 180-10-.02 Corporate Practice: Land Surveying

(1) As used in O.C.G.A. § 43-15-23.1(c), the phrase "responsible charge" means the independent control, direction and supervision, by the use of initiative, skill and independent judgment of the practice of land surveying as defined in O.C.G.A. § 43-15-2(6).

(2) In order to be considered eligible for a certificate of authorization, any individual who shall be in responsible charge of the practice of land surveying for the firm, corporation, professional corporation, partnership, association or other entity shall be a full-time employee of the firm, corporation, professional corporation, partnership, association or other entity, regularly engaged in the practice of professional land surveying. Such individual shall not be:

(a) available to perform land surveying services only on a part-time, independent contractor basis at the call of such firm, corporation, partnership, association or other business entity; or

(b) available on an if-and-when needed consulting basis; or,

(c) not actively practicing land surveying with such firm, corporation, partnership, association or other business entity.

(3) The practice of land surveying for any firm, corporation, partnership, association or other business entity shall not be considered to be under the direction of a land surveyor unless such land surveyor bears a continuing bonafide relation thereto and has such authority from the governing body of such business entity as would result in its being legally liable for all such land surveyor's professional acts and judgments.

Chapter 180-11 CONTINUING PROFESSIONAL COMPETENCY

Rule 180-11-.01 Introduction

Beginning January 1, 1997, as stated in O.C.G.A. 43-15-6(b), ". . . which begins after the 1996 renewal cycle," every registrant shall meet the continuing professional competency requirements of these rules for professional development as a condition for licensure renewal.

Rule 180-11-.02 Definitions

Terms used in this section are defined as follows:

(a) Professional Development Hour. A contact hour (nominal) of instruction or presentation. The common denominator for other units of credit. The numerical unit of measure used in calculating compliance with this Chapter is a Professional Development Hour or PDH. All units and hours attributed to the courses and activities acceptable in satisfying this Chapter's requirement are translated into PDH's by operation of Rule 180-11-.04 of this Chapter.

(b) Course/Activity. Any qualifying course or activity with a clear purpose and objective which will maintain, improve, or expand the skills and knowledge relevant to the land surveyor's or professional engineer's practice.

(c) Continuing Education Course/Unit.

1. Continuing Education Course. A course, seminar, workshop or other professional or technical presentation or activity taken or attended for the purpose of maintaining, improving, or expanding the skills and knowledge relevant to the registrant's practice.

2. Continuing Education Unit. The unit of measure attributed to Continuing Education Courses is a Continuing Education Unit or CEU. Ten (10) hours of class in a Continuing Education Course equals one (1) Continuing Education Unit.

(d) College Courses/Unit Measure.

1. College Course. When used in this Chapter, a College course is a technical course in a curriculum which has been accredited by the Accreditation Board for Engineering and Technology, or a technical course that is specifically relevant to engineering or surveying, which is offered by a college, university, or other institution.

(e) College/Unit Semester/Quarter Hour. A College/Unit Semester/ Quarter Hour is a unit of measure attributed by the offering college, university, or institution, to a

particular course, which is translated into PDH's by operation of Rule 180-11-.04 of this Chapter.

(f) Registrant. When used in this Chapter, a person who is licensed as either a professional engineer or a land surveyor is deemed to be a registrant.

(g) Dual Registrant. When used in this Chapter, a person who is licensed as both a professional engineer and a land surveyor is deemed to be a dual registrant.

(h) Board. The State Board of Registration for Professional Engineers and Land Surveyors.

(i) Sponsor. A sponsor is an organization, college, university, institution, or individual which provides a course/activity for which the professional engineer or land surveyor seeks to obtain Professional Development Hour credit.

(j) Successful Completion of a Course/Activity. Satisfactory completion of a course/activity taken for the purpose of obtaining PDH's means fulfilling the course or activity's requirements and obtaining a certificate of completion or its equivalent.

Rule 180-11-.03 Requirements

(1) Professional Engineers. Every professional engineer is required to obtain fifteen (15) PDH's each twelve (12) month (Annual) renewal period. If a professional engineer exceeds the requirements in any annual renewal period, a maximum of seven and one half (7.5) PDH's may be carried forward into the subsequent renewal period.

(2) Land Surveyors. Every land surveyor is required to obtain seven and one half (7.5) PDH's each twelve (12) month annual renewal period. In addition, every land surveyor must ensure that, once every two (2) years, at least three (3) PDH's in "Minimum Technical Standards" be included in their PDH's acquired. The "Minimum Technical Standards" material shall include a review of all board rules and applicable state laws pertaining to the practice of land surveying specific to the state of Georgia. If a land surveyor exceeds the requirements in any annual

period, a maximum of three and three quarters (3.75) PDH's may be carried forward into the subsequent renewal period.

(3) Dual Registrants. The person with a dual license is required to obtain fifteen (15) PDH's each twelve (12) month (Annual) renewal period. If a dual registrant exceeds the requirement in any annual renewal period, a maximum of seven and one half (7.5) PDH's may be carried forward into the subsequent renewal period. At least one-third (1/3) of the PDH's in a renewal period must be obtained in engineering, and one-third (1/3) in surveying. The remaining units may be in either field, at the discretion of the registrant.

(4) PDH's may be earned as follows:

(a) Successful completion of college courses.

(b) Successful completion of continuing education courses.

(c) Successful completion of correspondence, televised, videotaped, audiotaped, and other short courses/tutorials taken for the purpose of maintaining, improving, or expanding the skills and knowledge relevant to the land surveyor's or professional engineer's practice.

(d) Presenting or attending seminars, in-house courses, workshops, or professional or technical presentations made at meetings, conventions or conferences which are relevant to the land surveyor's or professional engineer's practice.

(e) Teaching or instructing in any area relevant to the land surveyor's or professional engineer's practice.

(f) Authoring published papers, articles, or books in any area relevant to the land surveyor's or professional engineer's practice.

(g) Active participation in professional or technical societies. (For professional engineers only).

(h) Receiving patents in any area relevant to the land surveyor's or professional engineer's practice.

Rule 180-11-.04 Units

The conversion of other units of credit to Professional Development Hours is as follows:

(1) One (1) college or unit semester hour: 45 PDH

(2) One (1) college or unit quarter hour: 30 PDH

(3) One (1) Continuing Education Unit: 10 PDH

(4) One (1) Hour of professional development in coursework, seminars, or professional or technical presentations made at meetings, conventions, conferences, or examination preparation.

(5) For teaching of professional development coursework as in 180-11-.04, apply a multiple of two (2). Teaching credit valid for teaching a course or seminar for the first time only. Teaching does not apply to full-time faculty.

(6) Authorizing published papers, articles, or books in any area relevant to the land surveryor's or professional engineer's practice: 10 PDH

(7) Active participation in professional and technical society (for professional engineers only): 2 PDH

(8) Each patent in any area relevant to the land surveyor's or professional engineer's practice: 10 PDH

Rule 180-11-.05 Determination of Credits

The Board has the final authority regarding:

(a) Approval of courses, classes, seminars, meetings, and all other methods of satisfying the requirements of this Chapter; and

(b) The number of PDH's allocated to each course, class, seminar, meeting, and any other method of satisfying the requirements of this Chapter.

Rule 180-11-.06 Recordkeeping

To ensure compliance of continuing education, the Board shall randomly audit a number of registrants. Registrants licensed by way of examination or comity, shall be exempt from continuing education requirements for their first renewal period. Maintaining records to be used to support PDH's Claimed, is the responsibility of the registrant. Records required include:

(a) A log showing the type of activity, sponsoring organization, location, duration, instructor's or speaker's name, and PDH's earned.

(b) Attendance verification records in the form of completion certificates, or other documents supporting evidence of attendance; or records as maintained by professional organizations, or other similar repositories designated by the Board.

(c) The log and records described in Rule 180-11-.06(a) and (b) must be maintained for a period of four years and copies may be requested by the Board for audit verification purposes.

Rule 180-11-.07 Exemptions

A registrant is exempt from the professional development education requirements under any of the following circumstances:

(1) Registrants licensed by way of examination or comity, shall be exempt for their first renewal period.

(2) A professional engineer serving on temporary duty in the armed forces of the United States for a period of time exceeding one hundred twenty (120) consecutive days shall be exempt from obtaining 15 of the professional development hours required during that biennial period in which the majority of the days of duty fall. Likewise, a land surveyor shall be exempt from obtaining 7.5 professional development hours during that biennial period.

(3) Registrants experiencing physical disability, illness, or other extenuating circumstances as approved by the Board may be exempt. Supporting documentation must be furnished to the Board.

(4) Registrants over the age of 65 who have applied for an inactive license, who list their occupation as "Retired" or "Inactive" on the Board-approved renewal form, and who further certify that they are no longer receiving any remuneration from providing professional engineering or land surveying services shall be exempt from professional development hours. In the event such a person elects to return to active practice of professional engineering or land surveying, professional development hours must be earned as described in " 180-11-.08 Reinstatement" before returning to active practice.

(5) Individuals who qualify for exemption by way of paragraph (4) above may continue to use the words Professional Engineer (or P.E.), or Land Surveyor (or L.S.) as appropriate, after their names as long as they continue to fall under the restrictions specified and are not actively practicing engineering or land surveying.

(6) Registrants over the age of 65 who are engaged in the active practice of their profession and who have held a valid Georgia license for the previous 25 consecutive years shall be exempt from professional development requirements.

Rule 180-11-.08 Reinstatement

A registrant may bring an inactive or suspended (provided all other conditions of the suspension are filled) license to active status by obtaining all delinquent PDH's. A MINIMUM OF 15 PDH's are required for each year in an inactive or suspended status for professional engineers and 7.5 PDH's for land surveyors, up to a maximum of 30 PDH's for professional engineers and 15 PDH's for land surveyors.

Rule 180-11-.09 Comity/Out-of-Georgia Resident

The Board shall recognize the continuing education requirements imposed by other states to the extent that such continuing education courses meet the requirements imposed by the Board. Comity/Out-of-Georgia residents will be required to keep recordkeeping as listed under Rule 180-11-.06.

Rule 180-11-.10 Forms

Included with all license renewal applications will be a continuing education summary log form that the registrant must use to summarize the professional development hours for which he/she has requested credit during the current biennial period. In order to ensure compliance with O.C.G.A. 43-15-6(b), the Board shall audit some registrants at a later date and will instruct them to submit this form to the Board office, signed and certified. The form must supply sufficient detail relevant to continuing education hours claimed in order to permit the Board to complete its audit.

Chapter 180-12 SEALING OF DOCUMENTS

Rule 180-12-.01 Description

The seal authorized by the State Board of Registration for Professional Engineers and Land Surveyors for registrants may be of the crimp type and/or rubber stamp facsimile or may be computer generated. The seal design is to be circular in form, the diameter of the outer circle being 1 1/2 inches, and the diameter of the inner circle being one inch. The registration seal design will be furnished to each registrant as part of the licensure process.

Rule 180-12-.02 Sealing of Documents

(1) The term, "documents," as used herein shall mean engineering and/or land surveying work issued in the form of plans, drawings, maps, surveys, reports, specifications, design information, and calculations, including such work issued in digital form.

(2) The term "issued" as used herein shall mean documents in the final form which bear the seal, signature and date of the registrant and the entity's Certificate of Authorization Name, Authorization Number and Expiration date of the COA (as required by GA Law 43-15-23. Practice of professional engineering by or through firm, corporation, or other entity for COA requirements.)

(3) The registrant shall seal, sign and date and provide COA name, Authorization Number and expiration date of the COA all original final documents which are issued to a client or any public agency. The sealing of documents by the registrant shall certify that the work was performed by the registrant or under the direct supervisory control of the registrant on a daily basis. For engineering documents, the date of signature shall be placed immediately under the seal and signature.

(4) No registrant shall issue or allow to be issued draft, incomplete, preliminary, in-progress, or for-review document or any type that contains the seal of the registrant unless such document does not contain a signature. Further, any such draft shall display the date of issue and a notation under or adjacent to the seal in bold lettering, such as "PRELIMINARY", "DRAFT", "NOT FOR CONSTRUCTION or "FOR REVIEW ONLY," which clearly identifies the purpose for which the document is issued. Any document containing a seal, signature, date and COA information as required in (2) above shall be considered to be issued.

(5) Seals, signatures, dates, COA Information and/or other notations required by this Rule shall be placed on original documents such that the seal, signature, date, COA Information and/or notations, will be reproduced when copies or scans are made. A "facsimile signature" that is to be placed on a property survey map or plat in accordance with O.C.G.A. 15-6-67 may be a scanned image of an actual signature or a computer generated signature, and must be kept in the strict control of the land surveyor.

(6) Each drawing sheet, whether bound or unbound, shall be sealed, signed and dated by the registrant(s) responsible for the work on that sheet and contain the entity's COA information. If necessary due to number of sheets, in lieu of providing a seal, signature, date, and COA information on each drawing sheet, a summary sheet may be included in the form of a clearly drafted table or other format that identifies each registrants seal, signature, date, and COA information and which includes a narrative that clearly describes the element of work for which each registrant is responsible and indicates the most current version of each sheet. This summary sheet shall be included within the final documents. If a document is sealed, signed and dated and contains the entity's COA information by more than one registrant, the portion of the work for which each registrant is responsible shall be clearly noted.

(7) Each document that is sealed, signed and dated by a registrant shall contain the name, address, and contact information of the firm or sole practitioner certifying the work. Each document shall have the entity's COA information included.

(8) Documents as defined in Paragraph (1) that are transmitted electronically beyond the direct control of the licensee shall have the computer-generated seal removed from the original file, unless signed with an electronic signature as defined in Paragraph (9) of this Rule. After removal of the seal the electronic media shall have the following inserted in lieu of the signature and date: "This document originally issued and sealed by (name of sealer), (license number), on (Date of sealing) and the entity's COA Information. This medium shall not be

considered a certified document." Hardcopy documents containing the original seal, signature, date and entity's COA information of the licensee may be duplicated by photocopy or electronic scanning processes and distributed either in hardcopy or electronic medium. The scanned digital files of certified documents are not subject to the requirements of this Paragraph. The electronic transmission beyond the direct control of the licensee of CAD, vector or other files subject to easy editing are subject to the requirements of this paragraph. Easy editing is based on the file consisting of separate elements that can be individually modified or deleted.

(9) Documents to be electronically transmitted beyond the direct control of the licensee that are signed using an electronic signature shall contain the authentication procedure in a secure mode and a list of the hardware, software and parameters used to prepare the document(s). Secure mode means that the authentication procedure has protective measures to prevent alteration or overriding of the authentication procedure. This paragraph does not apply to property survey maps and plats governed by O.C.G.A. 15-6-67 which may be submitted in an electronic file format that is regulated by the Georgia Superior Court Clerks Cooperative Authority. The term "electronic signature" shall be an electronic authentication process that is attached to or logically associated with an electronic document. The electronic signature shall be:

(a) Unique to the licensee using it;

(b) Capable of verification;

(c) Under the sole control of the licensee; and

(d) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.