

TITLE 865 STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

NOTE: Originally adopted by the State Board of Registration for Professional Engineers and Land Surveyors. Name changed by P.L.23-1991, SECTION 42, effective July 1, 1991. Wherever in any promulgated text there appears a reference to State Board of Registration for Professional Engineers and Land Surveyors, substitute State Board of Registration for Land Surveyors.

ARTICLE 1. GENERAL PROVISIONS

Rule 1. General Provisions

865 IAC 1-1-1 Definitions; abbreviations

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. (a) The following definitions apply throughout this title:

- (1) "The act" means the Registration Act, IC 25-21.5, creating a board to regulate the practice of land surveying in Indiana.
- (2) "Land surveyor" means one and the same as a registered land surveyor.
- (3) "Registrant" means an individual land surveyor to whom a certificate of registration has been granted under the act.
- (4) "SIT" means an enrolled land-surveyor-in-training, as defined in IC 25-21.5-1-5.
- (5) "Applicant" means any individual whose application has been received by the board for consideration to be registered as a land surveyor or for enrollment as a SIT in the state of Indiana.
- (6) "Approved land surveying curriculum", when used relative to a land surveyor or SIT applicant, means a four (4) year or more curriculum leading to a bachelor's degree in land surveying which is approved by the board.
- (7) "Work experience", when used relative to a land surveyor, means acceptable experience in land surveying work which conforms to the provisions of IC 25-21.5-5-2.
- (8) "Valid enrollment", when used relative to SIT, means that the certificate of enrollment held by the individual is current and not suspended or revoked.
- (9) "Date of registration" means the date of the certificate which was assigned by the board.
- (10) "Comity" means a principle by which the board licenses persons to practice land surveying on the basis land surveying licenses issued by other states.
- (11) "FE" means the applicable fundamental examination portion of the registration examination for land surveyors, otherwise described as Part I of the respective examinations, IC 25-21.5-6-1.

(b) The terms defined in IC 25-21.5-1 shall have the same definitions when used in this title. (*State Board of Registration for Land Surveyors; Rule 1, Sec 1; filed Feb 29, 1980, 3:40 p.m.: 3 IR 626; filed Oct 17, 1986, 2:20 p.m.: 10 IR 434; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3904; filed Oct 13, 1992, 5:00 p.m.: 16 IR 873; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) *NOTE: 864 IAC 1-1-1-1 was renumbered by Legislative Services Agency as 865 IAC 1-1-1.*

865 IAC 1-1-2 Meetings of board

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-2-11

Sec. 2. In order to establish the regular meetings provided for in IC 25-21.5-2-11 and provide for special meetings of the board, the board adopts the following:

- (1) One (1) of the regular meetings of the board shall be held as soon as practicable after the start of the calendar year, at which meeting the board shall elect a chairman and a vice chairman from among its members. Such officers may be elected also at any other meeting when a vacancy exists.
- (2) Another regular meeting shall be held as near as practicable to the middle of the calendar year.
- (3) The chairman or any three (3) members may call a special meeting by presenting a request to the professional licensing agency.
- (4) The professional licensing agency shall give a notice to all board members of each meeting setting out the time and place of the meeting and including a proposed agenda of the major items for action at the meeting, not less than ten (10) days prior to the meeting, unless such notice has been waived by the chairman.

(*State Board of Registration for Land Surveyors; Rule 1, Sec 3; filed Feb 29, 1980, 3:40 p.m.: 3 IR 627; filed Oct 17, 1986, 2:20 p.m.: 10 IR 435; filed Oct 13, 1992, 5:00 p.m.: 16 IR 874; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) *NOTE: 864 IAC*

1.1-1-3 was renumbered by Legislative Services Agency as 865 IAC 1-1-2.

865 IAC 1-1-3 Conversion of quarter hours to semester hours

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-5-2

Sec. 3. Any provision in this article that requires a specific number of semester credit hours shall be converted to the equivalent if a different grading period is used at the college or university. Unless it is established that a different equivalency applies, it shall be presumed that the correct equivalency is two (2) semester hours for every three (3) quarter hours. (*State Board of Registration for Land Surveyors; 865 IAC 1-1-3; filed Jun 17, 1999, 1:57 p.m.: 22 IR 3415; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

Rule 2. Qualifications for Examination

865 IAC 1-2-1 Land surveyors; education and work experience

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-1-7; IC 25-21.5-5-2

Sec. 1. (a) This section establishes the minimum education and experience requirements under IC 25-21.5-5-2 for admission to the land surveyor examination.

(b) The table in this subsection establishes provisions for evaluating combined education and experience to determine if it is sufficient to satisfy minimum registration requirements under IC 25-21.5-5-2 for land surveyor registration applicants. For all levels of education stated, except for no degree, the required experience must be obtained following receipt of a bachelor's degree. However, experience obtained either before or after graduation may be counted in which case the total amount of experience for each educational level stated in the table, except no degree, shall be increased by one (1) year in addition to the amount stated for the particular education level. The requirements are as follows:

<u>Education</u>	<u>Minimum Years of Work Experience</u>
Doctorate in land surveying discipline following bachelor's degree in a board approved land surveying curriculum	2
Master's degree in land surveying discipline following bachelor's degree in a board approved land surveying curriculum	3
Bachelor's degree in a board approved land surveying curriculum	4
Doctorate in land surveying following a bachelor's degree that is not in a board approved land surveying curriculum	3
Master's degree in land surveying following bachelor's degree that is not in a board approved land surveying curriculum	4
Bachelor's degree that is not in a board approved land surveying curriculum	5
No degree but meets the college course requirements stated in subsection (c)	6

(c) The education of all applicants must include the following minimum level of education:

(1) Twelve (12) semester credit hours in college level mathematics, including at least four (4) semester credit hour course in calculus or differential equations.

(2) Six (6) semester credit hours in college level physics.

(3) Six (6) semester credit hours in any of the following college level physical science subjects:

(A) Chemistry.

(B) Astronomy.

(C) Physics.

(D) Geology.

(E) Botany.

(F) Dendrology.

(4) Twenty-seven (27) semester credit hours in college level land surveying courses consisting of the following:

(A) At least eighteen (18) semester credit hours in courses in each of the following six (6) subjects:

- (i) Land survey systems.
- (ii) Property surveys.
- (iii) Property descriptions, writing, and analysis.
- (iv) Surveying law.
- (v) Surveying calculations, including mensuration statistics.
- (vi) Subdivision planning and design.

(B) At least nine (9) semester credit hours in courses in at least three (3) of the following subjects:

- (i) Topographic surveying.
- (ii) Photogrammetric surveying.
- (iii) Route surveying.
- (iv) Construction surveying.
- (v) Control surveying.

One (1) basic engineering course related to roads, storm drainage, and sanitary sewer extensions may be counted toward this requirement.

(d) No degree requirement under this section will be satisfied by obtaining an honorary or correspondence degree.

(e) College courses with a substantial duplication of content may be counted only one (1) time toward the education requirements in this section.

(f) Applicants for land surveyor registration or surveyor-in-training certification may be required to submit detailed course descriptions of any courses for which credit is claimed.

(g) Notwithstanding other provisions of this section, applicants who hold a valid land surveyor-in-training certificate do not need any additional education beyond that which was required for admission to the land surveyor-in-training examination, so long as they apply for admission to the land surveyor examination no later than January 2, 2003, or five (5) years after the first examination application deadline (as provided for in 865 IAC 1-3-3) subsequent to the date the applicant passed the land surveyor-in-training examination that was the basis for issuance of the land surveyor-in-training certification, whichever is later.

(h) The board may require an evaluation of foreign education to allow the board to compare an applicant's courses with the board's course requirements.

(i) All land surveying experience required by subsection (b) must be acquired under the supervision of a registered land surveyor, or the foreign equivalent to a registered land surveyor, where the experience was obtained.

(j) No experience obtained prior to the applicant's eighteenth birthday shall qualify under this section.

(k) At least half of the required land surveying experience must be acquired in a state or territory in the United States under the supervision of a land surveyor registered in that state or territory.

(l) The land surveying experience must be progressive in nature and show that the applicant has demonstrated the ability to assume continuously increasing levels of responsibility and sophistication in the land surveying activities listed in 865 IAC 1-12-3(a).

(m) Not less than sixty percent (60%) of an applicant's land surveying experience must be in the activities listed in IC 25-21.5-1-7(a)(1) and IC 25-21.5-1-7(a)(3) through IC 25-21.5-1-7(a)(5).

(n) The board may require an applicant to provide additional information relating to the applicant's land surveying experience. *(State Board of Registration for Land Surveyors; Rule 2, Sec 3; filed Feb 29, 1980, 3:40 p.m.: 3 IR 628; filed Oct 17, 1986, 2:20 p.m.: 10 IR 436; errata filed Mar 8, 1990, 5:00 p.m.: 13 IR 1189 voided by the attorney general filed Apr 18, 1990: 13 IR 1863; errata filed Dec 20, 1990, 5:00 p.m.: 14 IR 1071; filed Oct 13, 1992, 5:00 p.m.: 16 IR 874; filed Jun 17, 1999, 1:57 p.m.: 22 IR 3415, eff Jan 3, 2003; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-2-3 was renumbered by Legislative Services Agency as 865 IAC 1-2-1.*

865 IAC 1-2-2 Land surveyors-in-training; education and work experience

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-5-3

Sec. 2. (a) The education and experience requirements of section 1 of this rule for land surveyor applicants apply for land

surveyor-in-training applicants, except that:

- (1) applicants who do not have a degree but meet the education requirements of section 1(c) of this rule shall be required to obtain only two (2) years of work experience;
- (2) applicants with a bachelor's degree that is not in a board approved land surveying curriculum but meet the education requirements of section 1(c) of this rule shall be required to obtain only one (1) year of work experience; and
- (3) applicants with the other degrees listed in section 1(b) of this rule shall not be required to obtain any work experience.

(b) An applicant who is enrolled as a senior in a land surveying curriculum in a college or university that has an approved land surveying curriculum may take the last land surveyor-in-training examination offered on the individual's campus prior to the applicant's scheduled graduation. This subsection does not apply to any applicant enrolled in any other bachelor's degree program. (*State Board of Registration for Land Surveyors; Rule 2, Sec 5; filed Feb 29, 1980, 3:40 p.m.: 3 IR 628; filed Oct 17, 1986, 2:20 p.m.: 10 IR 438; errata filed Mar 8, 1990, 5:00 p.m.: 13 IR 1189 voided by the attorney general filed Apr 18, 1990: 13 IR 1863; errata filed Dec 20, 1990, 5:00 p.m.: 14 IR 1071; filed Oct 13, 1992, 5:00 p.m.: 16 IR 875; filed Jun 17, 1999, 1:57 p.m.: 22 IR 3417, eff Jan 3, 2003; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-2-5 was renumbered by Legislative Services Agency as 865 IAC 1-2-2.

Rule 3. Applications

865 IAC 1-3-1 Land surveyor application

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. (a) The board shall require at least three (3) favorable reports of the land surveying applicant's competence from registered land surveyors familiar with the applicant's land surveying work before admitting the applicant to examination. (*State Board of Registration for Land Surveyors; Rule 3, Sec 2; filed Feb 29, 1980, 3:40 p.m.: 3 IR 629; filed Oct 17, 1986, 2:20 p.m.: 10 IR 439; filed Oct 13, 1992, 5:00 p.m.: 16 IR 875; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-3-2 was renumbered by Legislative Services Agency as 865 IAC 1-3-1.

865 IAC 1-3-2 Land-surveyor-in-training; application

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 2. (a) A student enrolled in an approved land surveying curriculum shall submit the application to sit for the SIT examination to the designee of the board located on the student's campus.

(b) All other applicants shall submit their applications to the board's office. (*State Board of Registration for Land Surveyors; Rule 3, Sec 3; filed Feb 29, 1980, 3:40 p.m.: 3 IR 630; filed Oct 17, 1986, 2:20 p.m.: 10 IR 439; filed Oct 13, 1992, 5:00 p.m.: 16 IR 875; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-3-3 was renumbered by Legislative Services Agency as 865 IAC 1-3-2.

865 IAC 1-3-3 Examination applicants filing dates

Authority: IC 25-21.5-2-14

Affected: IC 4-21.5-3-1; IC 25-21.5

Sec. 3. (a) Completed examination applications including:

- (1) the applicable application fee;
- (2) certified copy of educational transcripts; and
- (3) required references;

shall be filed with the board on or before January 1 for the April examination or July 1 for the October examination.

(b) As used in this section, the date an application is filed shall be calculated in the manner provided for in IC 4-21.5-3-1(f). (*State Board of Registration for Land Surveyors; 865 IAC 1-3-3; filed Oct 13, 1992, 5:00 p.m.: 16 IR 876; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

Rule 4. Examinations

865 IAC 1-4-1 Scope of rule

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. This rule applies to the taking of examinations for registration as a land surveyor, and certification as a land-surveyor-in-training. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-1; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3905; filed Oct 13, 1992, 5:00 p.m.: 16 IR 876; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-1 was renumbered by Legislative Services Agency as 865 IAC 1-4-1.

865 IAC 1-4-2 Admission to examinations

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-5

Sec. 2. The board will admit an applicant to an examination only if the applicant otherwise qualifies for the registration or certification for which application has been made including meeting the applicable education and experience requirements established in IC 25-21.5-5 and 865 IAC 1-2. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-2; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3905; filed Oct 13, 1992, 5:00 p.m.: 16 IR 876; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-2 was renumbered by Legislative Services Agency as 865 IAC 1-4-2.

865 IAC 1-4-3 Content of land surveying examinations; scheduling of examinations

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-6-1

Sec. 3. (a) The examination for registration as a land surveyor shall consist of two (2) parts as described in IC 25-21.5-6-1. Part I shall be known as the fundamentals of land surveying examination. Part II shall be known as the principles and practice examination and shall be divided into two (2) sections. Section A shall consist of matters concerning principles and practice except for laws applicable to land surveying specific to Indiana. Section B shall concern laws applicable to land surveying specific to Indiana. In order to be granted registration as a land surveyor, the applicant must pass Part I, Part IIA, and Part IIB.

(b) The examination for certification as a land-surveyor-in-training shall be the fundamentals examination described in subsection (a).

(c) Regularly scheduled examinations will be held in April and October each year. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-3; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3906; filed Jul 24, 1989, 5:00 p.m.: 12 IR 2284; filed Oct 13, 1992, 5:00 p.m.: 16 IR 876; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-4 was renumbered by Legislative Services Agency as 865 IAC 1-4-3.

865 IAC 1-4-4 Notice of examination; failure to sit

Authority: IC 25-31-1-7

Affected: IC 25-31-1-14

Sec. 4. (a) If admission to an examination is granted, those parts of the examination which the applicant will be required to take and pass will be stated on a notice sent to the applicant.

(b) An applicant who has received the notice described in subsection (a) must take either the examination to which admission was granted or one (1) of the next two (2) examinations thereafter. If the applicant fails to sit for at least one (1) of the three (3) examinations, the application for the registration or certification being sought shall be deemed terminated and, if the applicant thereafter desires to seek the registration or certification for which application had been made, a new application must be filed with, and approved by, the board. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-4; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3906; filed Jul 24, 1989, 5:00 p.m.: 12 IR 2284; filed Nov 15, 1990, 1:35 p.m.: 14 IR 757; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-5 was renumbered by Legislative Services Agency as 865 IAC 1-4-4.

865 IAC 1-4-5 Exemption from Part I of examination for land-surveyor-in-training

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 5. (a) An applicant for registration as a land surveyor who holds a valid certificate as a land-surveyor-in-training shall be exempt from Part I of the examination for land surveyors. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-5; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3906; filed Oct 13, 1992, 5:00 p.m.: 16 IR 876; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)
NOTE: 864 IAC 1.1-4.1-6 was renumbered by Legislative Services Agency as 865 IAC 1-4-5.

865 IAC 1-4-6 Examination attempts for registration as a land surveyor

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 6. (a) This section and section 7 of this rule apply to the examination for registration as a land surveyor.

(b) An applicant who does not pass the entire examination in the first attempt shall be entitled to take it two (2) additional times provided that both of the applicant's additional examinations are taken no later than the fourth regularly scheduled examination after the failure of the first examination.

(c) Notwithstanding subsection (b), an applicant who has two (2) or more examination attempts remaining prior to July 1, 2001, shall only have two (2) additional examination attempts remaining after June 30, 2001. Both of those examination attempts must be used prior to June 30, 2003.

(d) Notwithstanding subsection (b), an applicant who has one (1) examination attempt remaining prior to July 1, 2001, shall only have one (1) additional examination attempt remaining after June 30, 2001. The examination attempt must be used prior to June 30, 2002.

(e) An applicant who passes one (1) or two (2) parts of the land surveyor examination:

- (1) Part I;
- (2) Part IIA; or
- (3) Part IIB;

in any prior taking of the examination allowed under subsection (b), shall not be required to again take and pass that part or those parts in the remaining examination attempts allowed by subsection (b).

(f) Upon exhaustion of all of the examination attempts allowed under subsection (b), the application shall be deemed terminated. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-6; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3906; filed Jul 24, 1989, 5:00 p.m.: 12 IR 2284; filed Oct 13, 1992, 5:00 p.m.: 16 IR 877; filed May 4, 2001, 11:10 a.m.: 24 IR 2696, eff Jul 1, 2001; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) *NOTE: 864 IAC 1.1-4.1-7 was renumbered by Legislative Services Agency as 865 IAC 1-4-6.*

865 IAC 1-4-7 Terminated applications; reapplication for admission, qualifications

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-5-2

Sec. 7. (a) An individual whose application has been deemed terminated under section 6(f) of this rule may reapply for admission to the examination.

(b) In order for readmission to be granted, the applicant must have completed the following:

- (1) Since the termination of the application, nine (9) or more semester hours credit (or its equivalent) of college level courses in land surveying.
- (2) Appropriate experience of the type required under IC 25-21.5-5-2 for the period of at least three (3) years immediately preceding the filing of the reapplication.

(c) An applicant who is readmitted to an examination under this section shall be treated as if the applicant had not previously taken the examination for all purposes under sections 4 and 6 of this rule. However, if the applicant has previously passed Part I of this land surveyor examination, the applicant shall not be required to retake Part I as long as the applicant's second examination was taken at either of the next two (2) regularly scheduled examinations after the failure of the first examination. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-7; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3907; errata filed Feb 5, 1990, 4:15 p.m.:*

13 IR 1066; filed Nov 15, 1990, 1:35 p.m.: 14 IR 757; filed Oct 13, 1992, 5:00 p.m.: 16 IR 877; filed May 4, 2001, 11:10 a.m.: 24 IR 2696, eff Jul 1, 2001; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-4.1-8 was renumbered by Legislative Services Agency as 865 IAC 1-4-7.

865 IAC 1-4-8 Examination attempts for certification as a land-surveyor-in-training

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 8. (a) This section applies to the examination for certification as a land-surveyor-in-training.

(b) An applicant who does not pass the examination may take it one (1) additional time provided that the applicant applies for the second examination within two (2) years of the date of the first examination. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-8; filed Jun 21, 1988, 4:00 p.m.: 11 IR 3907; filed Oct 13, 1992, 5:00 p.m.: 16 IR 878; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-9 was renumbered by Legislative Services Agency as 865 IAC 1-4-8.

865 IAC 1-4-9 Examination grades; review of examination; retention of answer sheets

Authority: IC 25-31-1-7

Affected: IC 25-31-1-14

Sec. 9. (a) An individual who has taken an examination will be informed by mail of the results of the examination. An applicant may review his or her examination answer sheet in the board's office at any time during regular business hours after they become available which usually will be two (2) weeks after the mailing of the results of the examination.

(b) All examination answer sheets will be retained in the board's office for one (1) year after the examination date after which they will be destroyed. (*State Board of Registration for Land Surveyors; 865 IAC 1-4-9; filed Jun 21, 1988, 4:00 pm: 11 IR 3907; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-4.1-10 was renumbered by Legislative Services Agency as 865 IAC 1-4-9.

Rule 5. Comity Registration

865 IAC 1-5-1 Comity registration standards

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-7-4

Sec. 1. In order to define "a standard not lower than that specified in the applicable registration act in effect in the state at the time such certificate (in other state) was issued" IC 25-21.5-7-4, the board adopts the following:

(1) An applicant for comity registration shall have a valid certificate as a land surveyor in another state.

(2) When the basis of registration in the other state of registration was at a standard lower than Indiana at the time the original license was secured, the board will assign to the applicant those parts of the examination as are needed, in the board's judgment, to meet the standards.

(*State Board of Registration for Land Surveyors; Rule 5, Sec 1; filed Feb 29, 1980, 3:40 p.m.: 3 IR 630; filed Oct 13, 1992, 5:00 p.m.: 16 IR 878; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-5-1 was renumbered by Legislative Services Agency as 865 IAC 1-5-1.

865 IAC 1-5-2 Land surveyor applicant

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 2. (a) A land surveyor, registered in another state, making application for registration in Indiana and who is otherwise qualified shall be assigned Part IIB of the land surveyor examination as described in 865 IAC 1-4-3.

(b) Subject to passing the examination set out in subsection (a), registration may be granted to an applicant having education and acceptable work experience which meets one (1) of the following conditions:

(1) Passed a sixteen (16) hour written examination in land surveying which included eight (8) hours in land surveying

fundamentals and had four (4) years of work experience.

(2) Originally registered between July 10, 1961, and August 17, 1969, inclusive, passed a sixteen (16) hour written examination in land surveying, and had one (1) year of work experience.

(3) Originally registered between January 1, 1950, and July 9, 1961, inclusive, passed the complete written examination given at that time in the state of registration but not less than eight (8) hours, and had one (1) year of work experience.

(4) Originally registered between July 1, 1935, and December 31, 1949, inclusive, graduated from an approved land surveying curriculum, and had two (2) years of work experience.

(5) Originally registered prior to June 30, 1935.

(State Board of Registration for Land Surveyors; Rule 5, Sec 3; filed Feb 29, 1980, 3:40 p.m.: 3 IR 631; filed Jul 24, 1989, 5:00 p.m.: 12 IR 2285; filed Oct 13, 1992, 5:00 p.m.: 16 IR 878; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-5-3 was renumbered by Legislative Services Agency as 865 IAC 1-5-2.

Rule 6. Certificates

865 IAC 1-6-1 Registration of engineer or land surveyor

Authority: IC 25-31-1-7; IC 25-31-1-8

Affected: IC 25-31-1-15

Sec. 1. (a) Failure of the applicant to pay the certificate fee will cause the application to be terminated one year after the board's action granting registration. If the certificate fee has not been paid before the commencement date of the next biennial renewal period the amount of the next renewal fee and the delinquent fee shall be paid in addition to the certificate fee in order to complete registration and validate it during the following renewal period;

(b) The professional licensing agency is authorized to issue, upon the request of a registrant and the payment of the prescribed fee, a duplicate or replacement certificate. Such new certificate shall be assigned the original certificate number with the word "Re-issue" inserted above the number and shall be signed by the current board members. *(State Board of Registration for Land Surveyors; Rule 6, Sec 2; filed Feb 29, 1980, 3:40 pm: 3 IR 631; filed Oct 17, 1986, 2:20 pm: 10 IR 441; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-6-2 was renumbered by Legislative Services Agency as 865 IAC 1-6-1.*

Rule 7. Registrant's Seal

865 IAC 1-7-1 Design and contents of seal

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. (a) The land surveyor seal shall be not less than one and five-eighths (1 5/8) inches or more than one and seven-eighths (1 7/8) inches in outside diameter, using the following design:



(b) The seal may be embossed or applied by a rubber stamp in conformance with the design as shown in subsection (a). The seal may have a milled edge, as shown, or two (2) concentric circles with the outer and inner circles corresponding with the respective edges of the milling.

(c) The name and registration number of the registrant inscribed on the seal shall correspond to the name and certificate number inscribed on the certificate of registration. *(State Board of Registration for Land Surveyors; Rule 7, Sec 2; filed Feb 29, 1980, 3:40*

p.m.: 3 IR 632; filed Oct 17, 1986, 2:20 p.m.: 10 IR 441; filed Oct 13, 1992, 5:00 p.m.: 16 IR 878; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-7-2 was renumbered by Legislative Services Agency as 865 IAC 1-7-1.

865 IAC 1-7-2 Application of seal; signature

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 2. (a) The seal shall be affixed to documents and instruments only during the time the certificate of registration is current and has not been suspended or revoked and then only on such documents and instruments which have been created by the registrant or by the regularly employed and directly supervised subordinates of the registrant. The registrant shall be responsible for seeing that the seal, however affixed, shall be legible on the document.

(b) Whenever a registrant affixes the seal, it shall have:

(1) the registrant's signature; and

(2) the date the seal is being affixed;

directly adjacent to the seal, but not across the seal.

(c) As an alternative to placing the items required by subsection (b) directly adjacent to the seal, the items may be at another location on the sheet provided the sheet is inscribed as "This document is certified by _____".

(d) When a registrant is in responsible charge of land surveying work for which one (1) or more:

(1) specifications;

(2) plans; and

(3) drawings;

are required to be submitted for review by the state building commissioner or other governmental body, the registrant shall apply the seal in the full manner required by this section on each page of all drawings or plans and on the title page of all specifications.

(e) A registrant who is not in responsible charge of the entire work, but assumes responsibility for portions of the work included on any page of:

(1) specifications;

(2) plans; or

(3) drawings;

shall affix the seal in the manner required by this section on all title pages and on all pages on which the registrant's work appears.

(f) When affixing the seal under the requirements of subsection (e), the registrant shall denote the registrant's part of the work by inserting below the registrant's signature and date, the following:

COVERING _____ DESIGN.

(State Board of Registration for Land Surveyors; Rule 7, Sec 3; filed Feb 29, 1980, 3:40 p.m.: 3 IR 632; filed Oct 17, 1986, 2:20 p.m.: 10 IR 441; filed Jun 8, 1989, 4:45 p.m.: 12 IR 1903; filed Oct 13, 1992, 5:00 p.m.: 16 IR 879; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-7-3 was renumbered by Legislative Services Agency as 865 IAC 1-7-2.

865 IAC 1-7-3 Use of seal and signature; acceptance of full responsibility

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 3. (a) The seal and signature of a registrant on any drawings, documents, or instruments signifies the registrant's acceptance of full responsibility for the professional work represented thereon, except as another registrant shall have assumed a limited responsibility for portions of the work in accordance with the provisions of section 2(e) of this rule.

(b) A registrant may include in the registrant's plans certain predesigned manufactured equipment or products which have become established as acceptable for the proposed use when such items:

(1) meet standards established by nonprofit trade organizations;

(2) meet the requirements for the proposed use as indicated by tests performed by a competent, unbiased testing agency; or

(3) are mechanical or other types of machinery or systems guaranteed by a reputable manufacturer; or

(4) do not affect the structural safety of the project.

(State Board of Registration for Land Surveyors; Rule 7, Sec 4; filed Feb 29, 1980, 3:40 p.m.: 3 IR 633; filed Oct 13, 1992, 5:00 p.m.: 16 IR 879; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-7-4 was renumbered by Legislative

Services Agency as 865 IAC 1-7-3.

Rule 8. Renewal

865 IAC 1-8-1 Renewal

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. (a) The board has adopted the following to clarify and implement the payment of renewal fees on a biennial basis:

(1) For purposes of biennial renewal, the postmark on the envelope containing the remittance will be considered the date of payment.

(2) When any required fees are not paid on time:

(A) the certificate of registration becomes invalid;

(B) the individual cannot lawfully practice or offer to practice land surveying; and

(C) the individual's name will be deleted from future rosters;

until the renewal fee and required delinquent fee is [*sic.*, *are*] paid.

(b) A registered land surveyor applying for license renewal shall certify on the application that the registered land surveyor has complied with the continuing education requirements under 865 IAC 1-13.

(c) The board may require verification of any information submitted by the registered land surveyor and may require the registered land surveyor to submit evidence supporting the course credit claimed. (*State Board of Registration for Land Surveyors; Rule 8, Sec 1; filed Feb 29, 1980, 3:40 p.m.: 3 IR 633; filed Oct 17, 1986, 2:20 p.m.: 10 IR 422; filed Oct 13, 1992, 5:00 p.m.: 16 IR 880; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1024; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-8-1 was renumbered by Legislative Services Agency as 865 IAC 1-8-1.

Rule 9. Roster

865 IAC 1-9-1 Publication and contents of rosters

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. In order to establish the time of publication of rosters in conjunction with the biennial collection of renewal fees, the board adopts the following:

(1) As soon as practicable after the completion of the biennial renewals in each even-numbered year, the board will publish a roster showing the names and addresses of land surveyors who are valid registrants until the date shown in the roster.

(2) It shall be the responsibility of each registrant to keep the board advised of the registrant's latest address and such supplementary roster information, if any, which is to be included in the roster.

(*State Board of Registration for Land Surveyors; Rule 9, Sec 1; filed Feb 29, 1980, 3:40 p.m.: 3 IR 634; filed Oct 17, 1986, 2:20 p.m.: 10 IR 442; filed Oct 13, 1992, 5:00 p.m.: 16 IR 880; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-9-1 was renumbered by Legislative Services Agency as 865 IAC 1-9-1.

Rule 10. Rules of Professional Conduct

865 IAC 1-10-1 Ethical, economic, and legal principles; professional incompetence

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. (a) This rule establishes requirements concerning ethical, economic, and legal principles and unprofessional conduct in the practice of land surveying.

(b) The failure of a registered land surveyor to comply with the provisions of this rule constitutes professional incompetence. (*State Board of Registration for Land Surveyors; Rule 11, Sec 1; filed Feb 29, 1980, 3:40 p.m.: 3 IR 634; filed Jun 21, 1988, 4:05*

p.m.: 11 IR 3908; filed Oct 13, 1992, 5:00 p.m.: 16 IR 880; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-1 was renumbered by Legislative Services Agency as 865 IAC 1-10-1.

865 IAC 1-10-2 Agreement to abide by act and rules

Authority: IC 25-31-1-7; IC 25-31-1-8

Affected: IC 25-31-1-13

Sec. 2. Each applicant shall certify on the application that he has read and agrees to abide by the Act and the Rules of the Board in force at the time. *(State Board of Registration for Land Surveyors; Rule 11, Sec 2; filed Feb 29, 1980, 3:40 pm: 3 IR 634; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-2 was renumbered by Legislative Services Agency as 865 IAC 1-10-2.*

865 IAC 1-10-3 Privilege to practice; responses to board pertaining to professional conduct

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 3. Such knowledge shall encompass the understanding that the practice of land surveying is a privilege, as opposed to a right, and the registrant shall be forthright and candid in statements or written response to the board or its representatives on matters pertaining to professional conduct. *(State Board of Registration for Land Surveyors; Rule 11, Sec 3; filed Feb 29, 1980, 3:40 p.m.: 3 IR 634; filed Oct 13, 1992, 5:00 p.m.: 16 IR 881; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-3 was renumbered by Legislative Services Agency as 865 IAC 1-10-3.*

865 IAC 1-10-4 Public safety, health, and welfare

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 4. The land surveyor shall at all times recognize the primary obligation to protect the safety, health, and welfare of the public in the performance of professional duties. If the land surveyor's professional judgment is overruled under circumstances where the safety, health, and welfare of the public are endangered, the land surveyor shall inform the land surveyor's employer of the possible consequences and notify such other proper authority of the situation, as may be appropriate. *(State Board of Registration for Land Surveyors; Rule 11, Sec 4; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 881; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-4 was renumbered by Legislative Services Agency as 865 IAC 1-10-4.*

865 IAC 1-10-5 Qualification to undertake assignment

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 5. The land surveyor shall undertake to perform land surveying assignments only when qualified by education or experience in the specific technical field of land surveying involved. *(State Board of Registration for Land Surveyors; Rule 11, Sec 5; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 881; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-5 was renumbered by Legislative Services Agency as 865 IAC 1-10-5.*

865 IAC 1-10-6 Restricted services for assignment outside field of competence

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 6. The land surveyor may accept an assignment requiring education or experience outside of the land surveyor's field of competence, but only to the extent that services are restricted to those phases of the project in which the land surveyor is qualified. All other phases of such project shall be performed by qualified associates, consultants, or employees. *(State Board of Registration for Land Surveyors; Rule 11, Sec 6; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 881; readopted*

filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-6 was renumbered by Legislative Services Agency as 865 IAC 1-10-6.

865 IAC 1-10-7 Use of seal restricted

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 7. The land surveyor shall not affix a signature and/or seal to any land surveying plan or document dealing with subject matter in which the land surveyor lacks competence by virtue of insufficient education or experience, or to any such plan or document not prepared as described in 865 IAC 1-7-3. (*State Board of Registration for Land Surveyors; Rule 11, Sec 7; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 881; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-7 was renumbered by Legislative Services Agency as 865 IAC 1-10-7.

865 IAC 1-10-8 Professional reports; statements and testimony

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 8. The land surveyor shall be completely objective and truthful in all professional reports, statements, or testimony. The land surveyor shall include all relevant and pertinent information in such reports, statements, or testimony. (*State Board of Registration for Land Surveyors; Rule 11, Sec 9; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 881; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-9 was renumbered by Legislative Services Agency as 865 IAC 1-10-8.

865 IAC 1-10-9 Expert opinion testimony

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 9. The 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 in issue, upon a background of technical competence in the subject matter, and upon honest conviction of the accuracy and propriety of the land surveyor's testimony. (*State Board of Registration for Land Surveyors; Rule 11, Sec 10; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 882; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-10 was renumbered by Legislative Services Agency as 865 IAC 1-10-9.

865 IAC 1-10-10 Public policy statements; criticisms or arguments

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 10. The land surveyor will issue no statement, criticism, or argument on land surveying matters connected with public policy which are inspired or paid for by an interested party, or parties, unless the land surveyor has prefaced the comment:

- (1) by explicitly identifying himself or herself;
- (2) by disclosing the identities of the party, or parties, on whose behalf the land surveyor is speaking; and
- (3) by revealing the existence of any pecuniary interest the land surveyor may have in the instant matters.

(*State Board of Registration for Land Surveyors; Rule 11, Sec 11; filed Feb 29, 1980, 3:40 p.m.: 3 IR 635; filed Oct 13, 1992, 5:00 p.m.: 16 IR 882; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-11 was renumbered by Legislative Services Agency as 865 IAC 1-10-10.

865 IAC 1-10-11 Conflicts of interest

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 11. The land surveyor shall conscientiously avoid conflicts of interest with an employer or client, but, when unavoidable, the land surveyor shall forthwith disclose the circumstances to the employer or client. (*State Board of Registration for Land Surveyors; Rule 11, Sec 12; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 882; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-12 was renumbered by Legislative Services Agency as 865 IAC 1-10-11.

865 IAC 1-10-12 Disclosure of conflict of interest

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 12. The land surveyor shall avoid all known conflicts of interest with an employer or client and shall promptly inform the employer or client of any business association, interest, or circumstances which could influence judgment or quality of services. (*State Board of Registration for Land Surveyors; Rule 11, Sec 13; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 882; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-13 was renumbered by Legislative Services Agency as 865 IAC 1-10-12.

865 IAC 1-10-13 Compensation from more than one party for same project

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 13. The land surveyor shall not accept compensation, financial or otherwise, from more than one (1) party for services on the same project, unless the circumstances are fully disclosed to, and agreed to, by all interested parties. (*State Board of Registration for Land Surveyors; Rule 11, Sec 14; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 882; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-14 was renumbered by Legislative Services Agency as 865 IAC 1-10-13.

865 IAC 1-10-14 Gratuities prohibited

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 14. The land surveyor shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with the client or employer in connection with work for which the land surveyor is responsible. (*State Board of Registration for Land Surveyors; Rule 11, Sec 15; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 882; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-15 was renumbered by Legislative Services Agency as 865 IAC 1-10-14.

865 IAC 1-10-15 Financial or other considerations from suppliers prohibited

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 15. The land surveyor shall not solicit or accept financial or other valuable considerations from material or equipment suppliers for specifying their products. (*State Board of Registration for Land Surveyors; Rule 11, Sec 16; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 883; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-16 was renumbered by Legislative Services Agency as 865 IAC 1-10-15.

865 IAC 1-10-16 Public service position; conflict of interest

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 16. When in public service as a member, advisor, or employee of a governmental body or department, the land surveyor shall not participate in considerations or actions with respect to services provided by the land surveyor or the land surveyor's organizations in private land surveying practices. (*State Board of Registration for Land Surveyors; Rule 11, Sec 17; filed Feb 29,*

1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 883; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-17 was renumbered by Legislative Services Agency as 865 IAC 1-10-16.

865 IAC 1-10-17 Public contracts; conflict of interest

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 17. The land surveyor shall not solicit or accept a land surveying contract from a governmental body on which a principal or officer of the land surveyor's organization serves as a member. (*State Board of Registration for Land Surveyors; Rule 11, Sec 18; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 883; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-18 was renumbered by Legislative Services Agency as 865 IAC 1-10-17.

865 IAC 1-10-18 Payment of consideration to secure work prohibited; exception

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 18. The 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 a salaried position through employment agencies. (*State Board of Registration for Land Surveyors; Rule 11, Sec 19; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 883; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-19 was renumbered by Legislative Services Agency as 865 IAC 1-10-18.

865 IAC 1-10-19 Employment on basis of qualification and competence

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 19. The land surveyor shall seek professional employment on the basis of qualification and competence in the proper accomplishment of similar work. (*State Board of Registration for Land Surveyors; Rule 11, Sec 20; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 883; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-20 was renumbered by Legislative Services Agency as 865 IAC 1-10-19.

865 IAC 1-10-20 Misrepresentation of qualifications prohibited

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 20. The land surveyor shall not falsify or permit misrepresentation of the land surveyor's or the land surveyor's associates' academic or professional qualifications. The land surveyor shall not misrepresent or exaggerate the degree of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures or their past accomplishments, or the land surveyor's past accomplishments, with the intent and purpose of enhancing the land surveyor's qualifications and work. (*State Board of Registration for Land Surveyors; Rule 11, Sec 21; filed Feb 29, 1980, 3:40 p.m.: 3 IR 636; filed Oct 13, 1992, 5:00 p.m.: 16 IR 883; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-11-21 was renumbered by Legislative Services Agency as 865 IAC 1-10-20.

865 IAC 1-10-21 Use of name in fraudulent or dishonest venture

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 21. The land surveyor shall not knowingly associate with or permit the use of the land surveyor's name or firm name in a business venture by any person or firm which the land surveyor knows, or has reason to believe, is engaging in business or professional practices of a fraudulent or dishonest nature. (*State Board of Registration for Land Surveyors; Rule 11, Sec 22; filed*

Feb 29, 1980, 3:40 p.m.: 3 IR 637; filed Oct 13, 1992, 5:00 p.m.: 16 IR 884; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)
NOTE: 864 IAC 1.1-11-22 was renumbered by Legislative Services Agency as 865 IAC 1-10-21.

865 IAC 1-10-22 Reporting violations (Repealed)

Sec. 22. (Repealed by State Board of Registration for Land Surveyors; filed Mar 6, 1995, 4:00 p.m.: 18 IR 1834)

865 IAC 1-10-23 Felony convictions; effect

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 23. Conviction of a crime shall be deemed incompetent practice if the acts which resulted in the conviction have a direct bearing on whether the applicant should be entrusted to serve the public as a registered land surveyor. *(State Board of Registration for Land Surveyors; Rule 11, Sec 24; filed Feb 29, 1980, 3:40 p.m.: 3 IR 637; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3908; filed Oct 13, 1992, 5:00 p.m.: 16 IR 884; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-24 was renumbered by Legislative Services Agency as 865 IAC 1-10-23.*

865 IAC 1-10-24 Revocation or suspension of license in another jurisdiction; effect

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-10

Sec. 24. The revocation or suspension of a registered land surveyor's license by another jurisdiction, if for a cause which in the state of Indiana would constitute a violation of IC 25-21.5 or this title, shall be grounds for a charge of violation of IC 25-21.5-10. *(State Board of Registration for Land Surveyors; Rule 11, Sec 25; filed Feb 29, 1980, 3:40 p.m.: 3 IR 637; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3908; errata filed Nov 28, 1989, 3:00 p.m.: 13 IR 677; filed Oct 13, 1992, 5:00 p.m.: 16 IR 884; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-11-25 was renumbered by Legislative Services Agency as 865 IAC 1-10-24.*

Rule 11. Fees

865 IAC 1-11-1 Fees charged by board

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 1. The board shall charge and collect the following fees, which shall all be nonrefundable and nontransferable:

- (1) For review of an application for examination for registration as a land surveyor other than comity, a fee of ten dollars (\$10).
- (2) For the examination or reexamination of any applicant under the Act, a fee in the amount of sixty dollars (\$60).
- (3) For the processing and review of qualifications for registration as a land surveyor by comity, a fee of seventy-five dollars (\$75).
- (4) For issuance of the original certificate to practice as a registered land surveyor following passage of the examination or approval for registration on the basis of comity when the certificate is dated between August 1 of an:
 - (A) odd-numbered year and July 31 of the following even-numbered year, inclusive, fifty dollars (\$50); or
 - (B) even-numbered year and July 31 of the following odd-numbered year, inclusive, one hundred dollars (\$100).
- (5) For biennial renewal of the certificate to practice as a registered land surveyor, a renewal fee of one hundred dollars (\$100) and a fee of two dollars (\$2) for each hour of continuing education required both payable no later than July 31 of each even-numbered year. No fee shall be required to renew a certificate in inactive status under 865 IAC 1-13-13.
- (6) For renewal of an expired certificate to practice as a registered land surveyor, ten dollars (\$10), plus all unpaid renewal fees for the four (4) years of delinquency. A certificate may not be renewed after four (4) years of delinquency.
- (7) For a duplicate or replacement certificate to practice as a registered land surveyor, twenty-five dollars (\$25).
- (8) For a replacement pocket card to practice as a registered land surveyor, ten dollars (\$10).
- (9) For examination and enrollment as a land-surveyor-in-training, a fee in the amount of twenty-five dollars (\$25).
- (10) The fee shall be seventy-five dollars (\$75) for the proctoring of examinations taken in this state for purposes of

registration in other states. This fee shall be in addition to the examination fee.

(State Board of Registration for Land Surveyors; Rule 12, Sec 1; filed Feb 29, 1980, 3:40 p.m.: 3 IR 637; filed Oct 14, 1981, 1:30 p.m.: 4 IR 2459; filed Oct 17, 1986, 2:20 p.m.: 10 IR 442; errata, 10 IR 445; filed Oct 13, 1992, 5:00 p.m.: 16 IR 884; filed Jun 14, 1996, 3:00 p.m.: 19 IR 3110; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1025; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jul 17, 2002, 3:36 p.m.: 25 IR 4110) NOTE: 864 IAC 1.1-12-1 was renumbered by Legislative Services Agency as 865 IAC 1-11-1.

Rule 12. Land Surveying; Competent Practice

865 IAC 1-12-1 Minimum standards for competent practice of land surveying

Authority: IC 25-21.5-2-14

Affected: IC 25-1-11; IC 25-21.5-4-2; IC 25-21.5-10

Sec. 1. (a) This rule establishes minimum standards for the competent practice of land surveying as required by IC 25-21.5-2-14.

(b) The failure of a registered land surveyor to comply with the provisions of this rule may subject the registered land surveyor to sanctions as provided in IC 25-1-11.

(c) Given the ultimate responsibility of a registered land surveyor for work done by an employee or subordinate who is exempt from licensure under IC 25-21.5-4-2, the failure of such an employee or subordinate to comply with the provisions of sections 6 through 29 of this rule may subject a registered land surveyor to sanctions as provided in IC 25-1-11, unless the registered land surveyor did not know and could not, with the exercise of reasonable diligence, have known of the act or omission by the employee or subordinate.

(d) Nothing contained in this rule shall be interpreted to give the board authority to take action under IC 25-21.5-10 against a nonregistered employee or subordinate of a registered land surveyor.

(e) The provisions of this rule establish minimum requirements. There may be other acts taken, or omissions made, by a registered land surveyor in the course of rendering professional services to a client which shall also constitute professional incompetence. *(State Board of Registration for Land Surveyors; 865 IAC 1-12-1; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2239; filed Oct 13, 1992, 5:00 p.m.: 16 IR 885; errata filed Sep 14, 1994, 2:50 p.m.: 18 IR 268; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-1 was renumbered by Legislative Services Agency as 865 IAC 1-12-1.*

865 IAC 1-12-2 Definitions; abbreviations

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-4-2

Sec. 2. (a) The definitions in this section apply throughout this rule.

(b) "Land surveyor" means:

(1) a registered land surveyor; or

(2) an individual who is:

(A) an employee or subordinate of a registered land surveyor; and

(B) exempt from licensure under IC 25-21.5-4-2.

(c) "Registered land surveyor" means an individual who has been registered by the board in the profession of land surveying under IC 25-21.5.

(d) "Retracement" or "record document survey" means a survey of real property which has been previously described in documents conveying an interest in said real property.

(e) "Original survey" means a survey that is executed for the purpose of locating and describing real property which has not been previously described in documents conveying an interest in said real property.

(f) "EDM" refers to electronic distance measurements.

(g) "tu" refers to theoretical uncertainty.

(h) "Theoretical uncertainty" refers to theoretical uncertainty of measurements.

(i) "Theoretical uncertainty of measurements" means the radius of a circle which circumscribes an area which contains the probable true location of a specified point.

(j) "Route survey" refers to surveys executed for the purpose of acquiring an interest in the tracts of land required for highways, railroads, waterways, pipelines, electric lines, or any other linear transportation or utility route. It does not include surveys executed for acquisition parcels that are of even width and immediately adjacent to an existing title, easement, or right-of-way line and do not require a property survey in order to prepare an accurate legal description for the parcel. Route surveys are not considered either original surveys or retracement surveys.

(k) "Right-of-way" means that land taken by either easements or fee simple title for the linear routes identified in subsection (j).

(l) "Controlling monument" means any artificial, physical, or record monument called for in a record plat or land title description and controls the location, dimensions, and configuration of the described tract.

(m) "Subdivision plat" means a plat of subdivision of land prepared in accordance with state plat statutes or local subdivision regulations, or both. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-2; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; errata filed Feb 5, 1990, 4:15 p.m.: 13 IR 1189; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2240; filed Oct 13, 1992, 5:00 p.m.: 16 IR 885; filed Oct 14, 1993, 5:00 p.m.: 17 IR 408; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-2 was renumbered by Legislative Services Agency as 865 IAC 1-12-2.

865 IAC 1-12-3 Surveyor responsibility

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-4-2

Sec. 3. (a) A registered land surveyor shall be personally responsible for planning and supervising the training, procedures, and daily activities of the nonregistered employees or subordinates involved in the surveys who are acting as exempt persons under IC 25-21.5-4-2. These activities will include, but not necessarily be limited to, the following:

- (1) Client contact.
- (2) Research.
- (3) Collection of field data.
- (4) Note reduction.
- (5) Computation.
- (6) Office analysis.
- (7) Drafting.
- (8) Preparation of certificates and reports.

(b) The daily activities by nonregistered employees or subordinates referred to in subsection (a) may not continue during any extended absences of the responsible registered land surveyor unless another registered land surveyor is in responsible charge during the land surveyor's absence.

(c) The procedures followed and the decisions made by persons under the registered land surveyor's supervision shall be regularly and systematically reviewed and approved by the registered land surveyor prior to signing the survey plat.

(d) "Supervision", as used in this section, shall be deemed to require such control by the registered land surveyor, that the registered land surveyor can certify that he or she is knowledgeable of, and has reviewed and approved, all actions pertaining to the surveys by persons not licensed who have participated in the survey.

(e) "Supervision", as used in this section, shall be deemed to require that all persons participating in the survey shall be regular employees of the registered land surveyor, the registered land surveyor's employer, or another registered land surveyor.

(f) Any office offering to perform land surveys must have a registered land surveyor in charge of the operations, and that registered land surveyor must have full control of the survey operations. It is essential that this registered land surveyor maintain regular hours at that office, during which he or she can be contacted in person by the public and/or the nonlicensed employees participating in those surveys.

(g) A registered land surveyor shall not affix his or her seal on any surveying work unless:

- (1) the registered land surveyor personally did the surveying work;
- (2) the surveying work was performed by a nonregistered employee or subordinate following the requirements of subsection (a) or by the employees of another registered land surveyor as allowed by subsection (e); or
- (3) the registered land surveyor is certifying additional survey work based on a survey executed according to this rule and certified by a registered land surveyor working on the same project.

(*State Board of Registration for Land Surveyors; 865 IAC 1-12-3; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3909; filed Jul 17, 1991, 4:30*)

p.m.: 14 IR 2240; filed Oct 13, 1992, 5:00 p.m.: 16 IR 886; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-3 was renumbered by Legislative Services Agency as 865 IAC 1-12-3.

865 IAC 1-12-4 Land surveyor duty to accumulate, preserve, and share data

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 4. A registered land surveyor shall do the following:

(1) Accumulate, through experience and research, information on the historical development of surveys in the geographical area in which the land surveyor practices.

(2) Accumulate survey records, field notes, plats, and other data pertinent to the area of practice.

(3) Properly file and index for future reference those field notes, computations, maps, plats, photographs, and other data accumulated during the survey.

(4) Provide for the long term preservation (maintenance) of the survey data. Filing of public records will partially meet this obligation. If possible, a registered land surveyor should make arrangements for the transfer of the land surveyor's records upon retirement or death.

(5) Discuss the land surveyor's survey work confidentially with other registered land surveyors in the event of conflicts or discrepancies revealed by the survey. These discussions must not violate the registered land surveyor-client confidence, but must be sufficient to discharge the registered land surveyor's obligations to the public and the profession.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-4; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2241; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; filed Mar 6, 1995, 4:00 p.m.: 18 IR 1834; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-4 was renumbered by Legislative Services Agency as 865 IAC 1-12-4.

865 IAC 1-12-5 Property surveys affected

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 5. All Indiana real property surveys, including surveys or inspections used in conjunction with mortgage transactions, must fully comply with the provisions of this rule except the following:

(1) Surveyor location reports as provided for in sections 27 through 29 of this rule are only subject to sections 1 through 4, 6, and 27 through 29 of this rule.

(2) Construction surveys made for the purpose of marking the limits of existing easements for the construction of improvements within the easement must be executed by a registered land surveyor but are only subject to the provisions of sections 1 through 4 and 6 of this rule.

(3) A property survey last certified before January 1, 1990, and less than ten (10) years prior to the current date may be recertified for use in a current real estate transaction by the original registered land surveyor or a registered land surveyor in the same firm who has personal knowledge of the field and office procedures used in the execution of said survey. The recertification must state the following:

(A) That no survey of the premises was performed other than an inspection by the registered land surveyor or his or her qualified employee.

(B) That the inspection revealed no substantial change that affects the external boundary or other title that matters from those matters reported on the prior survey.

(C) That, after reviewing the prior survey plat, the measurement and office procedures used in the execution of that survey, and the current description of the surveyed premises and the adjoining, it is the opinion of the registered land surveyor that, to the best of his or her knowledge, it generally conforms with the standards in this rule.

Such a recertified survey is not required to be recorded.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-5; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-5.1 was renumbered by Legislative Services Agency as 865 IAC 1-12-5.

865 IAC 1-12-6 Field notes

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 6. When conducting an original survey, or a retracement or record document survey, the land surveyor shall record in the field notes all pertinent information, measurements, and observations made in the field during the course of a survey in a manner that is clear and intelligible to other land surveyors who may use the information so recorded. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-6; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-6 was renumbered by Legislative Services Agency as 865 IAC 1-12-6.

865 IAC 1-12-7 Measurements for retracements or record document, surveys and original surveys

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 7. (a) When conducting a retracement or record document survey or an original survey, the land surveyor shall be responsible to use the minimum standards of measurement provided for in this section. However, when platting laws set forth technical minimums for original surveys more stringent than those stated in this section, the more stringent standards shall be followed to the extent of the difference.

(b) Measurements generally:

(1) shall be obtained with a precision compatible with the type of survey involved, and with the size and shape of the parcel involved;

(2) shall be taken with a precision that is consistent with that required by the agreement with the client but may not be less precise than defined in this section; and

(3) shall be shown on the plat with a number of significant figures representative of the precision of the work.

(c) The measurement specifications contained in subsection (d) will apply for all retracement surveys, surveys based on record documents, and original surveys.

(d) The following specifications shall be used for the location of property boundaries with respect to the referenced controlling corners:

Class of Survey	Theoretical Uncertainty (tu)
A	plus or minus .10 feet
B	plus or minus .25 feet
C	plus or minus .50 feet
D	plus or minus 1.00 feet
E	

all other surveys to be negotiated with the client

(e) The classes of surveys listed in subsection (d) shall fall into the following sizes:

(1) Class A – Small area wherein dense monument controls exist, as in a downtown commercial area. Lots are typically fifty (50) feet by one hundred (100) feet. Periphery and beginning distance is less than four hundred (400) feet.

(2) Class B – Longest side is typically under two hundred fifty (250) feet and periphery and beginning distance is less than one thousand (1,000) feet.

(3) Class C – Longest side is typically under one thousand (1,000) feet and periphery and beginning distance is less than five thousand (5,000) feet.

(4) Class D – All sides are typically over one thousand (1,000) feet and periphery and beginning distance is less than twelve thousand (12,000) feet.

(5) Class E – The precision of larger surveys shall be negotiated with the client and shall be clearly stated on the plat of survey.

(*State Board of Registration for Land Surveyors; 865 IAC 1-12-7; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3910; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2242; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-7 was renumbered by Legislative Services Agency as 865 IAC 1-12-7.

865 IAC 1-12-8 Theoretical uncertainty

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 8. (a) The following prescribed formulas for the theoretical uncertainty calculations are designed to show the probable average uncertainty of the points in a survey.

(b) Theoretical uncertainty is used to determine compliance with an established minimum standard. Its principal use is to provide a standardized figure to show the relative accuracy of a given procedure when compared to a minimum standard.

(c) The following four (4) equations shall be used to compute the theoretical uncertainty for all of the points of a survey:

(1) Equation I is to be used to calculate the uncertainty of a point contributed by random angular error. The equation is shown in subsection (d).

(2) Equation II (either "a" (EDM) or "b" (taping)) is to be used to calculate the uncertainty of a point contributed by random distance error. The equations are shown in subsections (e) through (f).

(3) Equation III is to be used to calculate the uncertainty of any point or points observed from an individual setup by choosing the larger of the results of Equation I or II. The equation is shown in subsection (g).

(4) Equation IV is to be used to calculate the uncertainty of the points in a survey of (N) points. The equation is shown in subsection (h).

(d) Angular error under Equation I of theoretical uncertainty, shown as "AE", is the dimension, measured perpendicularly to the left or right of the observed line, which occurs from the random errors made in measuring an angle. It is dependent of the distance observed, the accuracy (least division of direct reading) of the instrument used, and the number of times that the angle was observed. Equation I is as follows:

$$AE = \text{dist} \times \sin (AVE)$$

Where: dis = distance observed

AE = angular error

AVE = error (in seconds) as shown in Table I

TABLE I

AVE

Least Division of Theodolite or Transit

Number of Pairs*	1 sec	6 sec	10 sec	20 sec	30 sec	60 sec
1	4.7	4.9	5.0	7.0	8.7	10.0
2	3.9	4.1	4.2	5.9	7.3	8.4
3	3.5	3.7	3.8	5.3	6.6	7.6
4	3.3	3.4	3.5	4.9	6.1	7.1
6	3.0	3.1	3.2	4.5	5.5	6.4
8	2.8	2.9	3.0	4.1	5.1	5.9

*Note: Number of pairs is the number of direct/reverse pairs of angles observed.

(e) Distance error (EDM) under Equation IIa of theoretical uncertainty, shown as DE(a), is the positive or negative error along the EDM observed line. It is dependent upon the accuracy of the instrument used and the distance measured. The distance error to be expected may be found in the operation manual of the instrument and shown as a standard deviation. Equation IIa is as follows:

$$DE(a) = A + (B \times \text{dist})$$

Where: DE(a) = distance error (from EDM) measurement

A and B = constants supplied by the manufacturer

dist = distance measured

(f) Distance error (taping) under Equation IIb of theoretical uncertainty, shown as DE(b), is the positive or negative error along the taped line. An empirical form of that equation is as follows:

$$DE(b) = 0.01 \sqrt{n} + n/200$$

Where: DE(b) = distance error (from taping)

n = number of full and partial tape lengths

(g) Theoretical uncertainty (for one (1) point) under Equation III of theoretical uncertainty is as follows:

tu = AE or DE(a or b) (whichever is larger)

Where: tu = theoretical uncertainty of one (1) point

(h) Theoretical uncertainty of any point of a string under Equation IV of theoretical uncertainty is as follows:

$$tu = \sqrt{tu_1^2 + tu_2^2 + \dots + tu_n^2}$$

Where: tu = theoretical uncertainty of the points in a survey of (N) points

(State Board of Registration for Land Surveyors; 865 IAC 1-12-8; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3911; errata filed Oct 27, 1988, 10:35 a.m.: 12 IR 597 voided by the attorney general filed Dec 9, 1988, 4:40 p.m.: 12 IR 938; filed Jul 1, 1989, 4:45 p.m.: 12 IR 1904; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2243; filed Oct 13, 1992, 5:00 p.m.: 16 IR 887; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-8 was renumbered by Legislative Services Agency as 865 IAC 1-12-8.

865 IAC 1-12-9 Preliminary research and investigation on retracement and record document surveys

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 9. When conducting a retracement or record document survey, a land surveyor shall do the following:

- (1) Obtain the record description of the parcel to be surveyed as well as the record description of the adjoining properties as necessary to reveal any gaps or overlaps with the adjoining properties.
- (2) Obtain copies of any recorded subdivision plats that relate to the survey.
- (3) Obtain from public offices, copies of any maps, documents, and field notes that relate to the survey.
- (4) Obtain copies of data that relate to the survey that are available from known private sources.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-9; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2244; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-9 was renumbered by Legislative Services Agency as 865 IAC 1-12-9.

865 IAC 1-12-10 Field investigation for retracement and record document surveys

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 10. When conducting a retracement or record document survey, a land surveyor shall do the following:

- (1) Search for controlling physical monuments and, when found, weigh their reliability.
- (2) Search for and locate monuments that:
 - (A) reference missing control monuments; and
 - (B) substantiate control monuments that have been obliterated.
- (3) Search for and locate other monuments and real evidence which are necessary to the survey.
- (4) Investigate possible parol evidence supporting the positions of obliterated control monuments and obtain the necessary affidavit(s) from individuals involved.
- (5) Obtain necessary measurements to correlate all found evidence, including the relationship to adjoining properties.
- (6) Obtain sufficient check measurements to satisfactorily verify the work.
- (7) Locate physical evidence of possession between adjoining; make comments on possible age of possession; verify age by parol evidence if possible.
- (8) Survey field notes shall be in the form required by section 6 of this rule.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-10; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2244; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-10 was renumbered by Legislative Services Agency as 865 IAC 1-12-10.

865 IAC 1-12-11 Surveyor conclusions in retracement or record document survey

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 11. When conducting a retracement or record document survey, a land surveyor shall do the following:

- (1) Make any necessary computations to verify the correctness of measurements obtained.
- (2) Make any necessary computations to determine and verify the position of the monuments, adjoining properties, and any parcel evidence.
- (3) Evaluate the evidence.
- (4) In the event of the discovery of a material disagreement with the work of another surveyor, attempt to contact the other surveyor and investigate the disagreement.
- (5) Apply the proper theory of location in accordance with law or a precedent, and finalize the establishment of the survey corners.
- (6) Set any final monuments required by section 18 of this rule.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-11; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2245; filed Oct 13, 1992, 5:00 p.m.: 16 IR 888; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-11 was renumbered by Legislative Services Agency as 865 IAC 1-12-11.

865 IAC 1-12-12 Publication of retracement or record document survey results

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 12. (a) When conducting a retracement or record document survey, or an original survey, a registered land surveyor shall do the following:

- (1) Furnish the client with a written surveyor's report which, in addition to other pertinent data, gives the registered land surveyor's professional opinion of the cause and the amount of uncertainty in the lines and corners found or established by the survey because of the following:

- (A) Availability and condition of reference monuments.
- (B) Occupation or possession lines.
- (C) Clarity or ambiguity of the record description used and/or adjoiner's descriptions.
- (D) The theoretical uncertainty of the measurements.

- (2) Record the plat of survey and the associated surveyor's report in the county recorder's office in the county where the property is located when:

- (A) a new tax parcel is created by the survey;
- (B) a survey of an unsubdivided tract or a portion of a subdivided lot has not been previously recorded;
- (C) if, in the registered land surveyor's opinion, a survey of a whole subdivided lot (or lots) is substantially at variance with the subdivision plat, previously recorded surveys, or the monuments or evidence of possession;
- (D) if, in the registered land surveyor's opinion, the monuments, monument witnesses, evidence of possession, or description is not consistent with the last recorded survey of the parcel;
- (E) it is required by law; or
- (F) the plat of survey contains a new subdivision plat that will subsequently be recorded and must be cross-referenced to the previously recorded survey plat.

(b) The recorded plat of survey shall show the name of the owner of the property on the recorded plat of survey according to the county tax records at the time the survey is recorded and shall be cross-referenced to the latest record plat of survey of the property, if any is found.

- (c) The plat of survey and the associated surveyor's report shall be recorded:

(1) in the case of an original or retracement survey (not previously recorded) which contains a proposed new subdivision plat, prior to recording the new subdivision plat; or

- (2) in the case of retracement or original surveys not described in subdivision (1):

- (A) within three (3) months of the survey certification date; or
- (B) within three (3) years and three (3) months of the survey certification date in those instances where the client signs

an objection which must contain the following statement:

"I, the undersigned, hereby request that the following identified survey, certified to me":

(Indicate one (1) or both of the following:)

(i) Shall not be recorded for a period of three (3) years and three (3) months from the date of certification.

(ii) Shall not contain the name of the undersigned client on the survey recorded.

Signed: _____

Date: _____

Certifying Surveyor:

Certificate Date:

Job Number:

Brief Description:

A copy of the signed statement shall be kept with the land surveyor's file.

(d) Nothing contained in this rule shall require the registered land surveyor to furnish any survey documents to the client nor record them unless the client has satisfied the terms of the surveying engagement.

(e) Nothing contained in this rule shall prevent the registered land surveyor from furnishing a pro forma copy of the survey to the client for use until the certified survey is requested. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-12; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3912; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2245; filed Oct 13, 1992, 5:00 p.m.: 16 IR 889; errata, 16 IR 1188; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-12 was renumbered by Legislative Services Agency as 865 IAC 1-12-12.

865 IAC 1-12-13 Retracement or record document survey plats

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 13. When conducting a retracement or record document survey, a registered land surveyor shall furnish the client with the surveyor's report and a copy of the plat of survey of the premises drawn to an appropriate scale in such a manner that the data shown will be clearly legible when the plat is reduced to sheets suitable for recording which are no larger than eleven (11) inches by seventeen (17) inches and no smaller than eight and one-half (8 1/2) inches by eleven (11) inches. The plat of survey shall show the following information, at a minimum:

(1) The client's name, date of the fieldwork, surveyor's file number, and the name, address, signature, and registration number of the surveyor responsible for the work.

(2) Record document description of the parcel surveyed and any new, modified, or consolidation description with an explanation in the surveyor's report as to why the new description was done, together with a statement regarding the location of the new description relative to the record description. If necessary to define the location, a vicinity map shall be provided.

(3) North arrow, area, and scale, including a graphic scale.

(4) Angles or bearings. When bearings are shown, their basis shall be indicated.

(5) All pertinent dimensions. On dimensions other than those measured, sufficient notations shall be used to identify their source, such as the following:

(A) Recorded measurement (Rec).

(B) Calculated from record values (Calc. Rec.).

(6) All pertinent monuments, with a notation indicating which were found and which were set, including those required to be set by section 18 of this rule, identified as to their character, size, and location including their location relative to the surface of the ground. Found monuments shall be accompanied by a reference to their origin, when it is known. Where there is no available documented reference, it shall be noted on the plat.

(7) The location of all monuments and physical evidence of possession on or beyond the surveyed premises on which establishment of the corners of the surveyed premises are dependent.

(8) Any physical evidence of possession appurtenant to either the surveyed premises or the adjoining property that is on, near, or across any exterior boundary of the premises, or depicted interior setback or easement line on the premises that may have been a factor in the location of such line. Show the location by the shortest distance to such line. Failure to show any such evidence will be taken to indicate that there was none.

(9) Any lakes, streams, known legal drains, or legal drain easements on or within seventy-five (75) feet of the surveyed

premises. A detailed location is required when a boundary or easement is determined thereby.

(10) Any evidence of use of the surveyed premises by others.

(11) Adjoining parcels identified by title description or record reference. Map delineation must be such that contiguity, gaps, and overlaps with adjoining parcels are clearly shown. Show only the portion of adjoining tracts relevant to the location of the surveyed tract. Gaps and overlaps on the perimeter of the survey shall be dimensioned. Gaps and overlaps interior to the surveyed parcel shall be depicted, but must be dimensioned only if the client requests.

(12) Any easements or setback lines affecting the survey which were created by a subdivision plat, unless they are omitted at the request of the client. It must be noted on the plat of survey if they are omitted for this reason.

(13) Any other easements or setback lines affecting the survey, as required, and when documentation is furnished by the client.

(14) Show zoning ordinance classification references according to documentation provided by the client. Any other zoning classification data shall be limited to those facts that can be counted or measured.

(15) Sufficient data to clearly indicate the theory of location applied in finalizing the locations of the corners; any data at variance with this theory of location; sufficient data to allow the retracement without difficulty, of all pertinent lines and corners shown on the plat.

(16) A certificate stating that the survey was performed wholly or in part (state which part) by or under the direction of the registered land surveyor, and to the best of the registered land surveyor's knowledge and belief was executed according to survey requirements in this rule. This certificate shall bear the signature, registration number, and seal of the registered land surveyor, and date of the certificate.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-13; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3913; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2246; filed Oct 13, 1992, 5:00 p.m.: 16 IR 889; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-13 was renumbered by Legislative Services Agency as 865 IAC 1-12-13.

865 IAC 1-12-14 Original survey preliminary research

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 14. When conducting an original survey, a land surveyor shall do the following:

(1) Obtain or prepare the documents establishing the intended position of the lines to be created by the original survey, such as:

- (A) client's approved sketch;
- (B) instructions defining the lines; and
- (C) tentative subdivision map.

(2) Obtain copies of the laws regulating division of property that govern in the area in which the property is located.

(3) Survey the parcel upon which the original survey is to be based, or such portion thereof as is relevant to the proposed work. This work should be in accordance with the procedural standards for retracement surveys as set forth in this rule. Any conflicts or gaps between the lines of the retracement survey and the adjoining lines that affect newly created tracts must be clearly depicted on the original survey, showing which of the new tracts are affected and to what extent.

(4) Conduct field surveys to determine the location of planimetric or topographic features that are to control the intended position of the lines being created.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-14; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2247; filed Oct 13, 1992, 5:00 p.m.: 16 IR 890; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-15 was renumbered by Legislative Services Agency as 865 IAC 1-12-14.

865 IAC 1-12-15 Original survey research analysis and conclusions

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 15. (a) When conducting an original survey, a land surveyor shall do the following:

- (1) Examine and analyze data.
- (2) Test consistency of data.
- (3) Reconcile the data.

(4) Perform the work in a manner that provides a check on the calculated dimensions of each line being created, when the exact location of the lines being created is to be determined by mathematical calculations prior to the final monumentation.

(5) Plan the necessary methods and procedures for performing the field surveys.

(b) In the case of new subdivisions, the registered land surveyor shall inform the client of any conflicts between the requested position of the lot lines to be created and the position required by any applicable ordinances or regulations. These conflicts must be resolved prior to certifying the survey. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-15; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2247; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-16 was renumbered by Legislative Services Agency as 865 IAC 1-12-15.

865 IAC 1-12-16 Original survey fieldwork

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 16. When conducting an original survey, a registered land surveyor shall do the following:

(1) When required by the size or complexity of the project, establish control points upon which further work is to be based.

(2) Set any final monuments required by section 18 of this rule.

(3) Take sufficient check measurements to satisfactorily verify the work.

(4) Keep survey field notes in the form required by section 6 of this rule.

(5) Make necessary computations to substantiate correctness of field measurements.

(*State Board of Registration for Land Surveyors; 865 IAC 1-12-16; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2248; filed Oct 13, 1992, 5:00 p.m.: 16 IR 891; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-17 was renumbered by Legislative Services Agency as 865 IAC 1-12-16.

865 IAC 1-12-17 Publication; original survey results

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 17. When conducting an original survey, a registered land surveyor shall, in addition to the requirements of section 12 of this rule, furnish the client with an accurate metes and bounds description calling for and accurately describing controlling physical monuments, marked in accordance with section 18 of this rule, or natural or record monuments for each new unsubdivided parcel but including the perimeter of any new subdivision plat involved in the survey. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-17; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2248; filed Oct 13, 1992, 5:00 p.m.: 16 IR 891; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-18 was renumbered by Legislative Services Agency as 865 IAC 1-12-17.

865 IAC 1-12-18 Original and retracement or record document survey monumentation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 18. (a) When conducting a retracement or record document survey or an original survey, a registered land surveyor shall be responsible to set monuments in accordance with the following:

(1) Generally, the beginning and end of curves, and the intersection of lines on the perimeter of all original or retracement surveys, including new subdivision plats, shall be marked with physical monuments that are of a type and character, and set in a manner providing a degree of permanency, consistent with the terrain, physical features, intended use, and character of the corner being marked. A sufficient number of monuments must be set to facilitate the complete reestablishment of the survey even if a substantial number of the monuments are disturbed or destroyed.

(2) Monuments set in unpaved locations shall be five-eighths (5/8) inch diameter or larger iron or steel rebars or pipes weighing a minimum of one (1) pound per foot and being at least twenty-four (24) inches long. Other monuments may be used if they are made of material of similar durability which includes an element that can be found by a device capable of detecting ferrous or magnetic objects. Such monuments shall have a substantial plastic or metal cap permanently affixed thereto showing the registered land surveyor's professional license number and/or the name or identification number of the land surveying firm

or government agency.

(3) Where practical, monuments in paved locations shall be set according to the requirements contained in subdivision (2).

(4) Survey points, where monuments as defined in subdivision (2) or (3) cannot readily be set, must be marked by a drill hole, cut cross, notch, railroad spike, or other similar permanent mark and referenced to any nearby witness monuments or permanent objects, such as building foundations or concrete head walls.

(5) Any comparable or better monuments required by more stringent local ordinances shall be set.

(6) When conditions warrant setting a monument on an offset, the location shall be selected so that the monument lies on a line of the survey or on a prolongation of such line. Offset monuments shall be identified as such on the plat and, if possible, in the field.

(7) Monuments shall be witnessed or referenced in such a manner that will facilitate the recovery of the monuments by surveyors.

(8) Monuments shall be marked (such as ribbon, paint, or lath) to facilitate the recovery of the monument by the client.

(b) Subsection (a)(2) through (a)(3) shall apply only to monuments set after Decter *[sic.]* 31, 1991.

(c) Any identification numbers, other than registered land surveyor's registration numbers, used by a land surveying firm or government agency under subsection (a)(2) or (a)(3) must be assigned and authorized for use by the state board of registration for land surveyors upon written request. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-18; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3914; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2248; filed Oct 13, 1992, 5:00 p.m.: 16 IR 891; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-19 was renumbered by Legislative Services Agency as 865 IAC 1-12-18.

865 IAC 1-12-19 Original survey plats

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 19. (a) When conducting an original survey, a registered land surveyor shall furnish the client with the surveyor's report and a copy of the plat of survey drawn to an appropriate scale in such a manner that the data shown will be clearly legible when the plat is reduced to sheets suitable for recording which are no larger than eleven (11) inches by seventeen (17) inches and no smaller than eight and one-half (8 1/2) inches by eleven (11) inches. The plat of survey shall show the following, at a minimum:

(1) The client's name, date of the fieldwork, surveyor's file number, and the name, address, signature, and registration number of the surveyor responsible for the work.

(2) An accurate description of the parcel surveyed calling for the permanent controlling monuments (a metes and bounds description is not required for individual, platted subdivision lots). If necessary to define the location, a vicinity map shall be provided.

(3) North arrow, area, and scale, including a graphic scale.

(4) Angles or bearings. When bearings are shown, their basis shall be indicated.

(5) All pertinent dimensions. On dimensions other than those measured, sufficient notations shall be used to identify their source, such as:

(A) recorded measurement (Rec.); and

(B) calculated from record values (Calc. Rec.).

(6) All pertinent monuments, with a notation indicating which were found and which were set, including those required to be set by section 18 of this rule, identified as to their character, sizes, and location, including their location relative to the surface of the ground. Found monuments shall be accompanied by a reference to their origin, when it is known. Where there is no available documented reference, that fact shall be noted on the plat.

(7) The relationship of all monuments to the surveyed lines and corners.

(8) When a planimetric or topographic feature controls the position of a line or corner being created, the relationship of the feature to the line or corner.

(9) Any easements or setback lines affecting the survey which were created by the subdivision plat, unless they are omitted at the request of the client. It must be noted that on the plat of survey if they are omitted for this reason.

(10) Any other easements or setback lines affecting the survey, as required and when documentation is furnished by the client.

(11) Show zoning ordinance classification references according to documentation provided by client. Any other zoning use certifications shall be limited to those facts that can be counted or measured.

(12) Sufficient delineation of data on the plat to allow the retracement without difficulty of the lines and corners.

(13) A certificate stating that the survey was performed wholly or in part (state which part) by or under the direction of the registered land surveyor, and to the best of his or her knowledge and belief was executed according to survey requirements in this rule. This certificate shall bear the signature, registration number, and seal of the registered land surveyor and the date of the certificate.

(b) Any new subdivision plat shall show only the information required by the applicable subdivision control ordinance or other regulation.

(c) Any new subdivision or original survey plat recorded must be cross-referenced to a previously recorded survey, which conforms to this rule, of the tract which contains it.

(d) The certificate for a new subdivision must state that there has been no change from the matters of survey revealed by the cross-referenced survey, or any prior subdivision plats contained therein, on any lines that are common with the new subdivision. A new survey, which conforms to this rule, must be executed and recorded if there have been changes in matters of survey from those revealed by the prior recorded survey or any subdivision plats therein on any lines common with a new subdivision. *(State Board of Registration for Land Surveyors; 865 IAC 1-12-19; filed Jun 21, 1988, 4:05 p.m.: 11 IR 3915; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2249; filed Oct 13, 1992, 5:00 p.m.: 16 IR 892; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-20 was renumbered by Legislative Services Agency as 865 IAC 1-12-19.*

865 IAC 1-12-20 Route survey preliminary research

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 20. When conducting a route survey, a registered land surveyor shall do the following:

- (1) Obtain or prepare the documents establishing the intended position of the lines to be created by the survey, for example, client's approved sketch and instructions defining the lines.
- (2) Obtain copies of the laws that affect route surveys in the area in which the property is located.
- (3) Obtain from the client, or other sources, the record description of the affected parcel or parcels.
- (4) Obtain from the county recorder's office, copies of any plats affected by the survey.
- (5) Obtain from other public offices, copies of any maps, documents, and field notes that relate to the survey.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-20; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2250; filed Oct 13, 1992, 5:00 p.m.: 16 IR 893; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-35 was renumbered by Legislative Services Agency as 865 IAC 1-12-20.

865 IAC 1-12-21 Route survey fieldwork

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 21. When conducting a route survey, a land surveyor shall do the following:

- (1) Establish control points upon which the work is based.
- (2) Determine the location of planimetric or topographic features that are to control the intended position of the survey control and parcel acquisition lines being created, the location of any lines and/or corners necessary to locate said acquisition parcels, and the location of any United States Public Land Survey subdivision corners that are reasonably accessible on both sides of the survey control line.
- (3) Set any final monuments required by section 24 of this rule, plus those required by the client.
- (4) Take sufficient check measurements to satisfactorily verify the work.
- (5) Keep survey field notes showing all pertinent information, measurements, and observations made in the field during the course of a survey in a manner that is clear to other land surveyors who may use the information so recorded.
- (6) Make necessary computations to substantiate correctness of field measurements.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-21; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2250; filed Oct 13, 1992, 5:00 p.m.: 16 IR 893; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-36 was renumbered by Legislative Services Agency as 865 IAC 1-12-21.

865 IAC 1-12-22 Measurements for route surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 22. (a) When conducting a route survey, the land surveyor shall be responsible to use the minimum standards of measurement provided for in this section. Laws affecting route surveys or client specifications may set forth technical minimums for route surveys more stringent than those stated in this section.

(b) Measurements generally shall be shown on the route survey plat with a number of significant figures representative of the precision of the work.

(c) The measurements specifications contained in subsection (d) will apply to all of the following items shown on a route survey:

(1) The controlling survey line.

(2) Survey ties to:

(A) the nearest United States Public Land Survey subdivision corners that are reasonably accessible on both sides of the controlling survey line; or

(B) monuments with established state plane coordinates.

(3) All monuments, reference monuments, and any ties thereto, that are set relative to the controlling survey line.

(d) The following measurement specifications shall apply to all route surveys:

(1) All angles shall be based upon the mean of two (2) direct and two (2) reverse position readings of the instrument telescope.

(2) The instrument must have a direct (not estimated) angular reading capability as follows:

(A) Twenty (20) seconds of arc for micrometer reading theodolites.

(B) One (1) minute of arc for scale reading theodolites.

(C) Ten (10) seconds of arc for electronic theodolites.

(3) The instrument must have the capability of allowing an estimated reading as follows:

(A) Ten (10) seconds of arc for micrometer reading theodolites.

(B) One-tenth (0.1) of a minute of arc for scale reading theodolites N.A. for electronic theodolites.

(4) Any angle which exceeds the mean by more than the following amount must be rejected and the set of angles remeasured:

(A) Ten (10) seconds of arc for micrometer reading theodolites.

(B) Two-tenths (0.2) of a minute of arc for scale reading theodolites.

(C) Ten (10) seconds of arc for electronic theodolites.

(5) All distance measurements must be made with a properly calibrated EDM or steel tape, applying atmospheric, temperature, sag, tension, slope, scale factor, and sea level corrections, as necessary.

(6) Distance measurements to be used in computing accuracy or closure for those items in subsection (c) cannot be less than the following amounts:

(A) Fifty-four (54) meters for an EDM having an error of five (5) millimeters per manufacturer's specifications independent of distance.

(B) One hundred two (102) meters of an EDM having an error of ten (10) millimeters per manufacturer's specifications independent of distance.

(C) Fourteen (14) meters for calibrated steel tape.

(7) If a closed loop is run, the angular and linear closures must comply with the following requirements:

(A) Fifteen (15) seconds of arc times $\sqrt{N}$ for maximum angular closure error, where N is the number of stations.

(B) 1:10,000 for minimum linear error of closure precision ratio after angles are balanced and closure is calculated.

(e) The use of a more precise instrument does not change any of the specifications contained in subsection (d), such as number of angles turned. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-22; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2250; filed Oct 13, 1992, 5:00 p.m.: 16 IR 893; errata, 21 IR 4537; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-37 was renumbered by Legislative Services Agency as 865 IAC 1-12-22.

865 IAC 1-12-23 Publication of route survey results

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 23. (a) When conducting a route survey, a registered land surveyor shall do the following:

(1) Furnish the client with copies of the route survey plats.

(2) Furnish the client with a written surveyor's report which, in addition to other pertinent data, gives the registered land surveyor's professional opinion of the cause and the amount of uncertainty in the lines and corners found or established by the survey because of any of the following:

(A) Availability and condition of referenced monuments.

(B) Occupation or possession lines.

(3) Record the route survey plat and any subsequent revisions as defined in section 25 of this rule, together with the associated surveyor's report defined in this subsection, in the files of the county recorder's office in the county where the property is located on or before the date of acquisition of any tracts relative to the plat.

(b) An accurate description for all parcels to be acquired shall be furnished to the client. The description shall call for all that part of the owner's land which lies within the total acquisition tract. The acquisition tract or tracts shall be depicted on, or described relative to, the recorded plat of route survey or any subsequent recorded revisions of the recorded plat of route survey which contain said land. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-23; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2251; filed Oct 13, 1992, 5:00 p.m.: 16 IR 894; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-38 was renumbered by Legislative Services Agency as 865 IAC 1-12-23.

865 IAC 1-12-24 Route survey monumentation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 24. (a) When conducting a route survey, a registered land surveyor shall be responsible to set monuments in accordance with the following:

(1) Controlling survey lines which are to be shown on the route survey plat shall be monumented at each angle point and at intervals that typically do not exceed one thousand (1,000) feet.

(2) The monuments shall be of a type and character, and set in a manner providing a degree or permanency, consistent with the terrain, physical features, intended use, and character of the point being marked.

(3) Monuments set in unpaved locations shall be five-eighths (5/8) inch diameter or larger iron or steel rebars or pipes weighing a minimum of one (1) pound per foot and being at least twenty-four (24) inches long. Other monuments may be used if they are made of material of similar durability which includes an element that can be found by a device capable of detecting ferrous or magnetic objects. Such monuments shall have a substantial plastic or metal cap permanently affixed thereto showing the registered land surveyor's professional license number and/or the name or identification number of the land surveying firm or government agency.

(4) Where practical, monuments in paved locations shall be set according to the requirements contained in subdivision (3).

(5) Survey points, where monuments as defined in subdivision (3) or (4) cannot readily be set, must be marked by a drill hole, cut cross, notch, railroad spike, or similar permanent mark and referenced to any nearby witness monuments or permanent objects such as building foundations or concrete head walls.

(6) Any comparable or better monuments required by more stringent local ordinances shall be set.

(7) Monuments shall be referenced in such a manner that will facilitate recovery of the monuments. A minimum of three (3) permanent points referencing each controlling survey line monument shall be established, preferably at locations outside the planned construction area.

(8) All monuments shown on the recorded route survey plat that are reset by an Indiana land surveyor must be reset according to the rules used for the original monuments. A survey plat of this resurvey shall be recorded in the office of the county recorder where the resurvey was done within ninety (90) days of survey certification and shall be cross-referenced to the original route survey plat.

(9) Monuments shall be marked (ribbon, paint, or lath) to facilitate the recovery of the monuments by the client.

(b) Subsection (a)(3) through (a)(4) shall apply only to monuments set after December 31, 1991.

(c) Any identification numbers, other than the registration number of the registered land surveyor, used by a land surveying firm or government agency under subsection (a)(3) or (a)(4) must be assigned and authorized for use by the state board of registration for land surveyors upon written request. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-24; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2252; filed Oct 13, 1992, 5:00 p.m.: 16 IR 894; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC

1.1-13-39 was renumbered by Legislative Services Agency as 865 IAC 1-12-24.

865 IAC 1-12-25 Route survey plats

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 25. When conducting a route survey, a land surveyor shall prepare a route survey plat as follows:

- (1) Draw the route survey plat to scale and in such a manner that the data shown will be clearly legible when the plat is reduced to sheets suitable for recording which are no larger than eleven (11) inches by seventeen (17) inches and no smaller than eight and one-half (8.5) inches by eleven (11) inches.
- (2) Show the north arrow and scale, including a graphic scale.
- (3) Show a vicinity map if needed to define the location of the project.
- (4) Show all pertinent dimensions. Dimensions not measured shall be noted as to their origin or that they were calculated.
- (5) Show sufficient data to allow the retracement, without difficulty, of all the created lines and points.
- (6) Show all survey line, centerline, reference, right-of-way, property, government, or other pertinent monuments which were set or found, and any reference ties thereto.
- (7) Identify all monuments indicating which were set and which were found and their character, size, and location relative to the surface of the ground. Found monuments shall be accompanied by a reference to their origin when it is known or a notation that there is no available documented reference of the origin.
- (8) Locate all monuments using an accepted practice such as Indiana state plan coordinates, station and offset, course and distance, or local coordinates, including the basis for the system used.
- (9) Show and locate any right-of-way points, lines, or tracts which have been created or proposed relative to the survey line.
- (10) Show the owners' names at the time of the survey (as determined by the county tax records or if later information is known by that information) and the approximate location of any property lines which may be coincident with, intersect with, or may be enclosed by, any proposed or depicted right-of-way lines.
- (11) Show the name of the client or government agency. Include their project or file number if known, and the surveyor's file number.
- (12) Include a certification which states that, to the best of the registered land surveyor's knowledge and belief, the route survey is executed according to the provisions of this rule and defines the scope of responsibility for each certifying registered land surveyor, if needed for clarity, and which bears the name, address, registration number, signature, and seal of each registered land surveyor, the date of the fieldwork, and the date of the certification.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-25; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2252; filed Oct 13, 1992, 5:00 p.m.: 16 IR 895; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-40 was renumbered by Legislative Services Agency as 865 IAC 1-12-25.

865 IAC 1-12-26 Effective date for route surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 26. Only those route surveys begun after January 1, 1992, are subject to sections 20 through 25 of this rule. *(State Board of Registration for Land Surveyors; 865 IAC 1-12-26; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2253; filed Oct 13, 1992, 5:00 p.m.: 16 IR 896; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-41 was renumbered by Legislative Services Agency as 865 IAC 1-12-26.*

865 IAC 1-12-27 Surveyor location reports; purpose; scope

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 27. (a) Surveyor location reports are designed for use by a title insurance company with loan policies on small tracts containing a one (1) to four (4) family house even if now used for commercial purposes.

(b) A registered land surveyor does not assume responsibility regarding the location or existence of any underground use except

that indicated by readily visible surface evidence. The client shall be responsible for providing any title documents other than recorded plats that are required for the report.

(c) The report must be done according to its record description, if any. No corner monuments are required to be set. The uncertainty of location for the report shall not exceed plus or minus one (1) foot on tracts in platted subdivisions or two (2) feet for small unplatted tracts, unless otherwise specified and explained on the drawing.

(d) House locations more than one hundred (100) feet from an exterior boundary may be estimated and need not comply with subsection (c).

(e) Obtaining accurate and complete data on or near the perimeter of larger tracts is beyond the scope of the report. Therefore, on larger tracts, location data for items more than one hundred (100) feet from the house may be estimated and need not comply with subsection (c), and, on such larger tracts, the data required by section 28(1) through 28(5) of this rule may be incomplete. (*State Board of Registration for Land Surveyors; 865 IAC 1-12-27; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2253; filed Oct 13, 1992, 5:00 p.m.: 16 IR 896; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*) NOTE: 864 IAC 1.1-13-42 was renumbered by Legislative Services Agency as 865 IAC 1-12-27.

865 IAC 1-12-28 Surveyor location reports; requirements

Authority: IC 25-31-1-7

Affected: IC 25-31-1

Sec. 28. When conducting a surveyor location report, a registered land surveyor shall do the following:

(1) Briefly describe and show the location of any monuments found and visible evidence of possession including, but not limited to, the following:

(A) Buildings.

(B) Fences.

(C) Hedgerows.

(D) Other improvements appurtenant to either the surveyed property or the adjoining property.

Show the location of this evidence by the shortest dimension to the nearest adjacent boundary line or any depicted easement line in order to reveal the extent of any possible encroachment. The statement "No visible evidence of possession found" must be noted along record boundary lines when applicable. (For this purpose, monuments found do not constitute evidence of possession.)

(2) Show the location, dimensions, and a brief description of all buildings or structures on the property including, but not limited to, the following:

(A) Driveways.

(B) Parking lots.

(C) Such personal property as aboveground swimming pools or yard barns.

Show the location of such buildings adjacent to the boundary lines by the shortest distance thereto and dimension any violation of a depicted easement or building setback line. Identify any buildings that appear to have no foundation and may be readily moveable. Show the name of the occupant, if easily available, and any client identification data requested.

(3) Show the location of and briefly describe any visible evidence of use by others such as for roadways, utility lines, or driveways or possible joint use of driveways (do not label as "joint" or "common"), which may affect the surveyed tract. Note the name of the user, if marked (for example, joint use by electric, telephone, and cable television companies on poles marked with electric company tags). With respect to any railroad on or adjoining the property, note if the tracks have been removed. If that is the case, note any visible evidence of construction, trenching, or other use observed on or along said railroad.

(4) Show the location and recording data for any easements or setback lines on the tract as determined from recorded documents provided by the client or from a recorded plat.

(5) Show the location of the perimeter of any visible evidence of cemeteries found on the surveyed tract.

(6) Show the approximate size, location, and brief description of any lakes, ditches, streams on the tract, or any known legal drains on or within seventy-five (75) feet of the property. Detailed locations are required when a boundary is determined thereby or when buildings or other improvements are located within a legal drain easement.

(7) Show the location of any road, street, alley, or other public way abutting or on the surveyed property with the width of the travelled way, known right-of-way lines, name, location, and source of any known name or right-of-way information indicated. If not known, note which records, if any, were searched. Physical access to the property, or lack thereof, must be shown.

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(8) Show the drawing scale, a north arrow, property description and address, surveyor's job number, company name, certificate, signature, and seal, client name, and the names of those to whom the report is certified.

(9) Show a report/certificate date less than thirty (30) days from the date of delivery.

(State Board of Registration for Land Surveyors; 865 IAC 1-12-28; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2253; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-43 was renumbered by Legislative Services Agency as 865 IAC 1-12-28.

865 IAC 1-12-29 Surveyor location reports; certificate

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 29. (a) The surveyor location report format shall be substantially the same as that contained in subsection (b), and the minimum acceptable registered land surveyor's certificate to be prepared for a surveyor location report shall be the same as that contained in subsection (b). The content and format of the certificate shall be as shown, but the type size and spacing may be altered to suit so long as the finished form is neat and clearly legible. The size of the sheet or sheets for the reports shall be no less than eight and one-half (8 1/2) inches by eleven (11) inches and no greater than eleven (11) inches by seventeen (17) inches. The surveyor's firm name, address, and phone number may be shown at the top or bottom margin.

(b) The surveyor's certificate described in subsection (a) shall be as follows:

SURVEYOR LOCATION REPORT

THIS REPORT IS DESIGNED FOR USE BY A TITLE INSURANCE COMPANY WITH RESIDENTIAL LOAN POLICIES. NO CORNER MARKERS WERE SET AND THE LOCATION DATA HEREIN IS BASED ON LIMITED ACCURACY MEASUREMENTS. THEREFORE, NO LIABILITY WILL BE ASSUMED FOR ANY USE OF THE DATA FOR CONSTRUCTION OF NEW IMPROVEMENTS OR FENCES.

PROPERTY ADDRESS:

PROPERTY DESCRIPTION:

CLIENT I.D. NO.:

(HERE INSERT LOCATION REPORT DRAWING)

TITLE CO.:

I HEREBY CERTIFY TO THE PARTIES NAMED ABOVE THAT THE REAL ESTATE DESCRIBED HEREIN WAS INSPECTED UNDER MY SUPERVISION ON THE DATE INDICATED AND THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS REPORT CONFORMS WITH THE REQUIREMENTS CONTAINED IN SECTIONS 27 THROUGH 29 OF 865 IAC 1-12 FOR A SURVEYOR LOCATION REPORT. THE ACCURACY OF ANY FLOOD HAZARD STATEMENT SHOWN ON THIS REPORT IS SUBJECT TO MAP SCALE UNCERTAINTY AND TO ANY OTHER UNCERTAINTY IN LOCATION OR ELEVATION ON THE REFERENCED FLOOD INSURANCE RATE MAP.

DATE OF SURVEY:

REGISTERED LAND SURVEYOR'S SIGNATURE:

(REGISTERED LAND SURVEYOR'S NAME

AND INDIANA REGISTRATION NO.)

REPORT JOB NUMBER:

SEAL

PROPOSED BUYER:

PROPOSED LENDER: *(State Board of Registration for Land Surveyors; 865 IAC 1-12-29; filed Jul 17, 1991, 4:30 p.m.: 14 IR 2254; filed Oct 13, 1992, 5:00 p.m.: 16 IR 896; errata filed Sep 14, 1994, 2:50 p.m.: 18 IR 268; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237) NOTE: 864 IAC 1.1-13-44 was renumbered by Legislative Services Agency as 865 IAC 1-12-29.*

Rule 13. Continuing Education

865 IAC 1-13-1 Continuing education

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 1. This rule establishes the continuing education requirements for registered land surveyors. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-1; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1025; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-2 Continuing education requirements

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 2. (a) Registered land surveyors must complete twenty-four (24) hours of continuing education in order to qualify for renewal of an active license.

(b) Continuing education is first required for the July 31, 2002, renewal. However, notwithstanding subsection (a), only twenty-one (21) hours of continuing education, including six (6) mandatory hours under section 6 of this rule and fifteen (15) elective hours under section 7 of this rule, will be required for the July 31, 2002, renewal. No credit will be given for courses completed prior to August 1, 2000.

(c) No credit will be given for courses completed prior to August 1, 2000. Courses taken or taught between August 1, 2000, and the effective date of this rule and of 865 IAC 1-14 may receive credit under section 5(b) of this rule. The limitation in section 5(b) of this rule to submit course material within three (3) months after taking the course shall not apply to courses taken in this time period so long as the course material is submitted no later than April 1, 2001. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-2; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1025; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-3 New registrants exempted

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 3. New registrants are not required to comply with these continuing education requirements at the first renewal of their license. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-3; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1025; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-4 Length of instruction hour

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 4. One (1) hour of continuing education must contain at least fifty (50) minutes of instruction. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-4; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1026; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-5 Courses from approved and unapproved providers

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 5. (a) Hours of continuing education will be granted to registered land surveyors who have successfully completed courses offered by land surveyor continuing education providers approved pursuant to 865 IAC 1-14 or specific courses from nonapproved providers that the board has approved.

(b) It is the obligation of the registered land surveyor to submit course material from unapproved providers either not more than six (6) months after taking the course or three (3) months before the end of the renewal cycle, whichever comes first. The required information must include the following:

(1) The course outline or description.

(2) A certified statement signed by the registered land surveyor stating that the entire course was completed.

(3) The information required in 865 IAC 1-14-13.

(4) The name and professional biography of the instructor.

(c) To qualify under subsection (b), courses must be on the subject matter listed in section 6 or 7 of this rule and instructors

must meet the requirements of 865 IAC 1-14-9. Course content, instructor qualifications, and provider qualifications must meet the requirements provided in 865 IAC 1-14. If the submitted information does not meet the requirements for approval, the course may be rejected and credit denied. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-5; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1026; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed Jul 17, 2002, 3:36 p.m.: 25 IR 4111*)

865 IAC 1-13-6 Mandatory topics

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 6. To qualify for renewal, a registered land surveyor must complete six (6) hours of continuing education in any of the following mandatory topics:

- (1) 865 IAC 1-10, rules of professional conduct.
- (2) 865 IAC 1-12, competent practice of land surveying.
- (3) IC 25-21.5, Indiana land surveyor's registration act.

(*State Board of Registration for Land Surveyors; 865 IAC 1-13-6; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1026; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-7 Elective topics

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 7. To qualify for renewal, a registered land surveyor must complete eighteen (18) hours of continuing education in any of the following elective topics:

- (1) College level mathematics.
- (2) College level physical sciences.
- (3) Federal and state laws, rules, regulations, and practices pertaining to the establishment or reestablishment of land boundaries, and the practice of land surveying in Indiana.
- (4) Preparation and analysis of legal descriptions of interests in land.
- (5) The design, planning, and platting of subdivisions.
- (6) Preparation of plans and profiles for roads, storm drainage, and sanitary sewer extensions for subdivisions.
- (7) The ethical, economic, and legal principles that pertain to the practice of land surveying.
- (8) Distance and direction measurements, including statistical analysis.
- (9) Topographic and hydrographic surveying.
- (10) Photogrammetry.
- (11) Surveying applications, such as GIS, LIS, GPS.
- (12) Advanced surveying procedures and equipment.
- (13) Computer applications for land surveyors.
- (14) College level communication, such as public speaking and technical writing.
- (15) The topics listed in section 6 of this rule.

(*State Board of Registration for Land Surveyors; 865 IAC 1-13-7; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1026; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-8 Continuing education credit not given

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 8. Credit will not be given for any of the following:

- (1) Any education obtained prior to licensure.
- (2) Self-study courses, correspondence courses, or any other unmonitored course where college credit are [*sic., is*] not awarded for successful completion or where such course was not provided by an accredited college or university as defined in this rule.
- (3) Meetings conducted during eating periods.

- (4) Motivational classes or seminars.
- (5) Meetings of the state board of registration for land surveyors.
- (6) Business, social, or other noneducational meetings of professional groups, or subgroups, such as the Indiana Society of Professional Land Surveyors.
- (7) Committee work with local, state, or national professional organizations.
- (8) Staff meetings.
- (9) Courses taken for a second or subsequent time during a renewal period.
- (10) Courses or seminars not completed. Partial credit may not be given.
- (11) Courses not completed due to dismissal by the provider for disruption of the course, such as reading newspapers, talking on mobile telephones, or anything other than paying attention during the course.

(State Board of Registration for Land Surveyors; 865 IAC 1-13-8; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1026; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-13-9 Retention of certificates of completion

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 9. Registered land surveyors shall retain course completion certificates for not less than five (5) years from the date of the course. *(State Board of Registration for Land Surveyors; 865 IAC 1-13-9; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

865 IAC 1-13-10 Hours cannot be used in later renewal cycles

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 10. Hours of continuing education earned in one (1) renewal period may not be used in a subsequent renewal period. *(State Board of Registration for Land Surveyors; 865 IAC 1-13-10; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

865 IAC 1-13-11 College courses as continuing education

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 11. College courses taken after licensure that qualify for continuing education credit under section 6 or 7 of this rule will be counted as follows:

- (1) Ten (10) hours of continuing education credit per credit hour taken in a quarter system.
- (2) Fifteen (15) hours of continuing education credit per credit hour taken in a semester system.

(State Board of Registration for Land Surveyors; 865 IAC 1-13-11; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-13-12 Credit for instructors

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 12. Two (2) hours of continuing education credit will be granted per hour time spent as a lecturer, instructor, or discussion leader in a course offered by an approved continuing education provider. Continuing education credit will be granted only the first time an approved course is given per biennium. Fractions of hours are not eligible for credit toward meeting the continuing education requirement. *(State Board of Registration for Land Surveyors; 865 IAC 1-13-12; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

865 IAC 1-13-13 Inactive status

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 13. Registered land surveyors may apply to the board to renew their licenses in an inactive status. No continuing education is required to renew inactive. An inactive registered land surveyor may not practice land surveying while in an inactive status. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-13; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-14 Reactivation of inactive license

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 14. To reactivate an inactive license, a registered land surveyor must:

- (1) apply to the board for reactivation on the application form supplied by the board; and
- (2) pay the same fee required to renew an active license.

(*State Board of Registration for Land Surveyors; 865 IAC 1-13-14; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-15 Reactivation if inactive for six years or less

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 15. Registered land surveyors who have been inactive for a period of six (6) years or less at the date the reactivation application is filed must either:

- (1) pass part IIB of the next regularly scheduled land surveyor examination; or
- (2) show proof of having completed twenty-four (24) hours of continuing education, six (6) hours under section 6 of this rule and eighteen (18) hours under section 7 of this rule, within the two (2) year period immediately prior to the date the reactivation application is filed.

(*State Board of Registration for Land Surveyors; 865 IAC 1-13-15; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-16 Reactivation if inactive for six years or more

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 16. Registered land surveyors who have been inactive for a period of more than six (6) years at the date the reactivation application is filed must pass part IIB of the next regularly scheduled land surveyor examination and show proof of having completed twenty-four (24) hours of continuing education, six (6) hours under section 6 of this rule and eighteen (18) hours under section 7 of this rule, within two (2) year period immediately prior to the date the reactivation application is filed. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-16; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1027; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-17 Continuing education required after reactivation

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 17. This section applies to all registered land surveyors who reactivate an inactive license by establishing the number of hours of continuing education required for the time period between reactivation and the following renewal date in order to qualify to renew active. Registered land surveyors must complete the mandatory continuing education required in section 6 of this rule unless the requirement in the table in this section is zero (0). Additional hours of continuing education required in this table may be met

STATE BOARD OF REGISTRATION FOR LAND SURVEYORS

by taking courses that meet the requirements of section 7 of this rule.

Date of Activation	Hours Required to Renew Active
August 1–October 31 of first 12 months of license period	24
November 1–January 31 of first 12 months of license period	21
February 1–April 30 of first 12 months of license period	18
May 1–July 31 of first 12 months of license period	15
August 1–October 31 of second 12 months of license period	12
November 1–January 31 of second 12 months of license period	9
February 1–April 30 of second 12 months of license period	6
May 1–July 31 of second 12 months of license period	0

(State Board of Registration for Land Surveyors; 865 IAC 1-13-17; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1028; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-13-18 Petitions for reduction of hours

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 18. (a) Registered land surveyors who are unable to meet the continuing education requirements because they:

(1) serve honorably on active duty in the military;

(2) reside outside of the United States of America; or

(3) have an incapacitating illness or injury that has prevented either part-time or full-time employment;

may petition the board in writing to have a reduction of the continuing education requirements.

(b) Registered land surveyors who receive a reduction in the continuing education hours under subsection (a) must make up those hours in the next licensure period to the extent required by the table in this subsection. Those hours will be in addition to the hours otherwise required for the next licensure period.

Length of Unavailability Under Subsection (a)	Makeup Hours (Combined with Hours Actually Obtained During the Continuing Education Period from Which the Reduction was Given) Required to Renew Active
Less than 3 months	24
At least 3 months but less than 6 months	21
At least 6 months but less than 9 months	18
At least 9 months but less than 12 months	15
At least 12 months but less than 15 months	12
At least 15 months but less than 18 months	9
At least 18 months but less than 21 months	6
21 months to 24 months	3

(State Board of Registration for Land Surveyors; 865 IAC 1-13-18; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1028; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-13-19 Audits of continuing education compliance

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-11; IC 25-21.5-8-7

Sec. 19. (a) The board may conduct audits of registered land surveyors and providers for continuing education compliance. For every purpose of this section, the board may designate a board member or staff member to act on behalf of or in name of the board.

(b) If, as the result of an audit or other review, the board determines that hours of continuing education a registered land surveyor has claimed do not meet the requirements of IC 25-21.5-8-7 and this article, the board shall notify the registered land

surveyor of that determination.

(c) A registered land surveyor, who has been notified under subsection (b), may, within thirty (30) days, submit information to the board giving all the substantive reasons in support of the registered land surveyor's position that an adequate number of hours of continuing education have been completed.

(d) A registered land surveyor who submits false information shall be subject to the sanctions provided for under IC 25-1-11.

(e) Registered land surveyors who are found not to be in compliance will be subject to discipline under IC 25-1-11. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-19; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1028; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-13-20 Sunset provision

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 20. This rule expires August 1, 2004. (*State Board of Registration for Land Surveyors; 865 IAC 1-13-20; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1028; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

Rule 14. Continuing Education Providers

865 IAC 1-14-1 Approval of providers

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 1. This rule establishes the requirements for land surveyor continuing education providers to become approved by the board, and maintain that status, and conduct the delivery of land surveyor continuing education. (*State Board of Registration for Land Surveyors; 865 IAC 1-14-1; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-2 Continuing education course providers

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 2. (a) The board, upon application, may grant continuing education course provider approval to applicants who apply under this rule.

(b) Colleges and universities who are accredited by the following accrediting entities are deemed by the board to be approved continuing education providers and need not apply for approval:

(1) Middle States Association of Colleges and Schools/Commission on Higher Education.

(2) New England Association of Schools and Colleges.

(3) North Central Association of Schools and Colleges.

(4) Northwest Association of Schools and Colleges.

(5) Southern Association of Colleges and Schools/Commission on Colleges.

(6) Western Association of Schools and Colleges/Accrediting Commission for Senior Colleges.

(*State Board of Registration for Land Surveyors; 865 IAC 1-14-2; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-3 Course provider application

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 3. Applicants for course provider approval must submit, on a form provided by the board, the course provider's name, address, and telephone number and the name, address, and phone number of a contact person for the course provider. (*State Board of Registration for Land Surveyors; 865 IAC 1-14-3; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-4 Course provider applications; submissions

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 4. Course provider applicants must submit the following:

- (1) A course content outline meeting the requirements of 865 IAC 1-13-6 or 865 IAC 1-13-7, describing each subject to be offered during the approval period.
- (2) A clearly expressed course objective.
- (3) Name and professional biography of the instructors that shows compliance with section 9 of this rule.
- (4) The number of hours of continuing education to be granted for each course.
- (5) A student evaluation form.

(State Board of Registration for Land Surveyors; 865 IAC 1-14-4; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-5 Expiration of approval

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 5. Course provider approval will expire on July 31 of each even-numbered year. *(State Board of Registration for Land Surveyors; 865 IAC 1-14-5; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

865 IAC 1-14-6 Renewal of course provider approval

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 6. To request renewal, an approved course provider of a continuing education course shall submit a letter requesting such renewal that informs the board of all changes in the information required to be submitted to the board under sections 3 and 4 of this rule. *(State Board of Registration for Land Surveyors; 865 IAC 1-14-6; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

865 IAC 1-14-7 Notification of changes

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 7. All approved course providers of continuing education courses shall advise the board within thirty (30) days after any significant changes in their operation. Significant changes include, but are not limited to, the following:

- (1) Going out of business.
- (2) Change in the address or phone number of the course provider.
- (3) Change in name, address, or telephone number of the contact person.
- (4) Adding a new instructor.
- (5) Changes in course outline.
- (6) Any course addition or deletion.

(State Board of Registration for Land Surveyors; 865 IAC 1-14-7; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-8 Facilities

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 8. Courses shall be taught in a facility with adequate space, seating, equipment, and instructional material to accommodate the number of students enrolled. *(State Board of Registration for Land Surveyors; 865 IAC 1-14-8; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

24 IR 1029; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-9 Instructor qualifications

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 9. Instructors shall possess special skills or knowledge of the subject being presented and have at least one (1) of the following minimum qualifications:

(1) An instructor of land surveying teaching at an accredited institution of higher education in the United States, or a comparable school of a foreign country.

(2) Have a college degree related to the material that the person is to teach.

(3) Five (5) years full-time experience in a profession, trade, or technical occupation related to the material being taught.

(State Board of Registration for Land Surveyors; 865 IAC 1-14-9; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-10 Ineligible instructor candidates

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 10. Anyone whose professional license or certification is under sanction in any jurisdiction may not instruct in approved programs while the disciplinary sanction is in effect. (State Board of Registration for Land Surveyors; 865 IAC 1-14-10; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-11 Course approval

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 11. To receive approval of a course, the course provider must submit to the board the following:

(1) A course content outline describing the class being offered that must comply with 865 IAC 1-13-6 or 865 IAC 1-13-7.

(2) A clearly expressed course objective.

(3) The name and professional biography of the instructor.

(4) The number of hours to be granted for the course.

(State Board of Registration for Land Surveyors; 865 IAC 1-14-11; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-12 Course evaluations

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 12. Course providers shall conduct a student course evaluation using a form approved by the board. (State Board of Registration for Land Surveyors; 865 IAC 1-14-12; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-13 Certificates of completion

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 13. (a) Course providers shall provide the registered land surveyor who successfully completes an approved course a certificate of course completion that must include the following information:

(1) Name, telephone number, and address of the provider.

(2) Name, address, and license number of the participant.

- (3) Title of the course.
- (4) Course location.
- (5) Date of the course.
- (6) Number of approved course hours.
- (7) Name, address, and signature of the instructor.

(b) The course provider must complete the certificate of completion in its entirety. (*State Board of Registration for Land Surveyors; 865 IAC 1-14-13; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-14 Courses not completed

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 14. Course providers may not grant to registered land surveyors partial credit. To receive credit for a course, a registered land surveyor must be present for the entire course. (*State Board of Registration for Land Surveyors; 865 IAC 1-14-14; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-15 Reporting attendance to the board

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 15. Course providers shall, not more than thirty (30) days after a course is presented, submit the following to the board:

- (1) An alphabetical list of all registered land surveyors who attended the course.
- (2) A certified statement of the hours of continuing education to be credited to each registrant.

(*State Board of Registration for Land Surveyors; 865 IAC 1-14-15; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-16 Auditing courses by the board

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 16. The board reserves the right to send a representative to evaluate a course and related aspects, such as the facilities, course outline, handouts, instructor, and presentation, at no cost to the board or its representative. The representative may record all or part of any presentations. Board representatives who attend continuing education courses without paying the full fee charged by the course provider are ineligible to receive continuing education credit. (*State Board of Registration for Land Surveyors; 865 IAC 1-14-16; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1030; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-17 Record retention

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 17. Course providers must retain records of students who attend their courses for a minimum of five (5) years after the completion of the cycle in which the course was given. The records must include the following:

- (1) Attendance records.
- (2) Examination scores (if applicable).
- (3) Student course evaluations.

(*State Board of Registration for Land Surveyors; 865 IAC 1-14-17; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1031; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237*)

865 IAC 1-14-18 Audits of continuing education compliance

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-21.5

Sec. 18. The board may do the following:

- (1) Conduct audits of course providers for continuing education compliance.
- (2) Designate a board member or staff member to conduct the audit.

(State Board of Registration for Land Surveyors; 865 IAC 1-14-18; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1031; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)

865 IAC 1-14-19 Discipline for noncompliance

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-11; IC 25-21.5

Sec. 19. Course providers who are found not to be in compliance with this rule are subject to being disciplined under IC 25-1-11. *(State Board of Registration for Land Surveyors; 865 IAC 1-14-19; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1031; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

865 IAC 1-14-20 Sunset provision

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-21.5

Sec. 20. This rule expires August 1, 2004. *(State Board of Registration for Land Surveyors; 865 IAC 1-14-20; filed Nov 20, 2000, 3:01 p.m.: 24 IR 1031; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237)*

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