

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

PROFESSIONAL SURVEYORS – GENERAL RULES

(By authority conferred on the board by section 308 of 1980 PA 299, MCL 339.308 and on the director of the department of licensing and regulatory affairs by section 205 of 1980 PA 299, MCL 339.205, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, MCL 445.2011, MCL 445.2025, and MCL 445.2030)

PART 1. GENERAL PROVISIONS

R 339.17101 Definitions.

Rule 101. (1) As used in these rules:

(a) "Continuing education" means an instructional course or activity designed to bring licensees up to date on a particular area of knowledge or skills relevant to a licensee's area of professional practice.

(b) "Course" means any qualifying activity with a clear purpose and objective that will maintain, improve, or expand the skills and knowledge relevant to the licensee's area of professional practice. Regular duties for compensation shall not be considered qualified activities, except for employer compensated continuing education activities.

(c) "Distance learning" means any of the following:

(i) Courses where an instructor and a licensee may be apart and instruction takes place through online or electronic media.

(ii) Courses which include, but are not limited to, instruction presented through interactive classrooms, at the job site, computer conferencing, and interactive computer systems.

(2) Terms defined in the act have the same meanings when used in these rules.

History: 1985 AACCS; 1995 AACCS; 2013 AACCS; 2014 AACCS.

R 339.17102 Rescinded.

History: 1985 AACCS; 1995 AACCS.

R 339.17103 Rescinded.

History: 1985 AACCS; 2014 AACCS.

R 339.17104 Rescinded.

History: 1985 AACCS; 2001 AACCS.

R 339.17105 Rescission.

Rule 105. (1) R 338.551 to R 338.563 and R 338.581 to R 338.588 of the Michigan Administrative Code, appearing on pages 2446 to 2453 of the 1979 Michigan Administrative Code, are rescinded insofar as these rules pertain to land surveyors.

(2) R 338.2401 to R 338.2461 of the Michigan Administrative Code, appearing on pages 2554 to 2565 of the 1979 Michigan Administrative Code, are rescinded.

History: 1985 AACCS.

PART 2. EXAMINATIONS

R 339.17201 Acceptability of baccalaureate degrees; criteria; experience credit.

Rule 201. (1) A baccalaureate degree shall be deemed to be acceptable if the candidate holding the degree has achieved all of the credits in college level courses in accordance with the following table:

General Title	Representative Courses Which May Be Included	Semester Hours	Quarter
Mathematics	analytic geometry, calculus, statistics	12	18
Humanities and Communications	English, speech, government, history, literature, philosophy, sociology	10	15
Law and Business	legal principles, Michigan surveying law, accounting, economics, business administration	10	15
Basic Science	physics, chemistry, geology, Astronomy, biology, dendrology	18	27
Further Development	computer science, remote sensing graphics, linear analysis	6	9

Engineering Science	statics, fluid mechanics, properties and mechanics of materials	8	12
Engineering	construction materials transportation, soils, hydraulics hydrology	13	20
Surveying	mensuration, operation of Instruments, practical astronomy, geodesy, topographic surveying, route surveying, boundary surveying, photogrammetry cartography, planning and design of land divisions, construction layout	30	45

(2) An applicant who possesses a bachelor of science degree in land surveying from an institution whose facilities, faculty, and curriculum have been reviewed and approved by this board shall be deemed to meet the requirements of section 2004(1) of the act.

(3) All other baccalaureate degrees shall be evaluated as to their conformance with the criteria specified in subrule (1) of this rule. An applicant shall provide transcripts and other documents as may be required by the board for evaluation and determination of acceptability of the degree, which may include documentation by the educational institution to verify that the degree meets the criteria set forth in this rule.

(4) A person who possesses an acceptable bachelor's degree shall be granted 4 years of experience credit as required by the act.

(5) A person who possesses a graduate degree in surveying may be granted a maximum of 1 additional year of experience credit pursuant to the act.

History: 1985 AACCS.

R 339.17202 Required professional experience; acceptability; verification.

Rule 202. (1) Professional surveying experience required by the act for examination admission may include the following types of surveying work, which shall include both field and office practice:

(a) Land surveying, which is the surveying of an area for its correct determination or description for its conveyance or for the establishment or reestablishment of a land boundary and the designing or design coordination of the plotting of land and the subdivision of land.

(b) Geodetic surveying, which includes surveying for a determination of the size and shape of the earth, both horizontally and vertically, and the precise positioning of

points on the earth utilizing angular and linear measurements through spatially oriented spherical geometry.

(c) Utilizing and managing land information systems through the establishment of datums and local coordinate systems and points of reference.

(d) Engineering and architectural surveying for design and construction layout of infrastructure.

(e) Cartographic surveying for the making of maps, including topographic and hydrographic mapping.

(2) Acceptable professional experience shall be obtained in a varied and increasingly responsible position under the direction of a licensed professional surveyor.

(3) An applicant shall have the applicant's employers or supervisors, or both, submit verification of experience forms to the board and other references required by the act. Decisions by the board regarding satisfactory experience shall be based upon an evaluation of this information.

History: 1985 AACCS; 1995 AACCS.

R 339.17203 Examinations; subject matter.

Rule 203. (1) Part 1, entitled "Fundamentals of Land Surveying Examination," may include any of the following subjects:

- (a) Mathematics.
- (b) Physics.
- (c) Communication skills.
- (d) Care and use of surveying instruments.
- (e) Orientation.
- (f) Horizontal, vertical, and angular measurements.
- (g) Traversing.
- (h) Topographic mapping.
- (i) Notekeeping.
- (j) Computing.
- (k) Property surveys and descriptions.
- (l) Land and space divisions.
- (m) Plats.
- (n) Plans.
- (o) Charts.
- (p) Monumentation.
- (q) Vertical and horizontal curves.
- (r) State plane coordinate calculations.
- (s) Economic analysis.
- (t) Astronomy.
- (u) Photogrammetry.
- (v) Evaluation and adjustment of errors.

(2) Part 2, entitled "Principles and Practice of Land Surveying Examination," may include any of the following subjects:

- (a) Knowledge of state statutes and rules related to land surveying.
- (b) The United States system of public land surveys.

- (c) Michigan plane coordinate system.
- (d) Land descriptions, including those involving disputed boundaries or defective deed descriptions.
- (e) Riparian rights, hydrology, and meandered bodies of water.
- (f) Adverse possession.
- (g) Office management and practice.
- (h) Client relations.
- (i) Reconciliation of past and present measurements.
- (j) Subdivision of sections.
- (k) Original government surveys.
- (l) Condominium subdivision laws and rules.

History: 1985 AACCS; 1993 AACCS; 2013 AACCS.

PART 3. LICENSURE, RECIPROCITY, AND RENEWAL

R 339.17301 Offer of licensure; seal design; use of seal; validation.

Rule 301. (1) After meeting the licensing requirements prescribed by the act and these

rules, an applicant shall be offered original licensure by the board.

(2) A seal of a licensed professional surveyor as prescribed by the act shall have the following design:



No other design for a seal shall be used

(3) A licensee's seal shall be used by the licensee whose name appears on the seal for as long as the license remains in effect. A licensee shall be responsible for the security of the seal.

History: 1985 AACCS; 1995 AACCS; 2014 AACCS.

R 339.17302 Rescinded.

History: 1985 AACCS; 1995 AACCS; 2013 AACCS; 2014 AACCS.

PART 4. STANDARDS OF PRACTICE AND PROFESSIONAL CONDUCT

R 339.17401 Solicitation of employment; restrictions; exception.

Rule 401. (1) In the solicitation of employment, a licensee shall not falsify, or permit the misrepresentation of, the academic or professional qualifications of the licensee or the licensee's associates.

(2) A licensee shall not offer to pay or give, or pay or give, directly or indirectly, to a client or potential client or to the agent of a client or potential client, a commission, contribution, gift, or other substantial valuable consideration to secure or retain professional surveying work. This restriction does not include payments to an employment agency for the purpose of securing employment or employees for salaried positions.

(3) A licensee shall seek professional employment on the basis of the licensee's qualifications, competence, and ability to properly accomplish the employment sought.

History: 1985 AACCS; 1995 AACCS.

R 339.17402 Conflict of interest.

Rule 402. (1) To avoid a conflict of interest, a licensee shall promptly inform, in writing, an employer or client of the licensee or a public body on which the licensee serves of any employment, business association, interest, duty, or circumstance if that relationship is with another and involves the current or prospective work assignment of the licensee with that employer, client, or public body.

(2) A licensee shall not accept compensation, financial or otherwise, from more than 1 party for services performed on the same project or assignment, unless the circumstances are fully disclosed to all parties that pay, or are required to approve payment, for the work performed by the licensee.

(3) A licensee shall not solicit or accept gratuities, directly or indirectly, from contractors, their agents, or other parties dealing with the client or employer of the licensee in connection with work for which

the licensee is responsible, nor shall the licensee solicit or accept financial or other valuable consideration from another for specifying products or services.

History: 1985 AACCS.

R 339.17403 Participation in project; responsibilities; survey identification.

Rule 403. (1) A licensee shall undertake to participate only in those phases of a project in which the licensee is competent. In the areas of a project involving architecture or professional engineering in which the licensee lacks competence, the licensee shall retain licensed professional associates for those phases of that project.

(2) A licensee is responsible for clear, accurate, and complete development of plats, plans, drawings, specifications, survey reports, and other instruments of service as is customary in the practice of the licensee's profession, and the material shall properly satisfy the need for which it is intended.

(3) Surveys and drawings not intended to delineate, monument, or define property boundaries and limits shall be clearly identified as not being boundary surveys.

History: 1985 AACCS; 1995 AACCS; 2014 AACCS.

R 339.17404 Rescinded.

History: 1985 AACCS; 1995 AACCS; 2014 AACCS.

PART 5. CONTINUING EDUCATION

R 339.17505 Continuing education; license renewal; requirements.

Rule 505. (1) A licensee shall obtain continuing education as specified in R 339.17507.

(2) A licensee shall certify the completion of continuing education requirements as a condition for licensure renewal in a format prescribed by the department.

(3) The department shall not renew a license if the continuing education requirements have not been completed.

(4) A licensee shall submit to the department evidence of fulfillment of the continuing education requirements within 45 days of a request from the department for the evidence to be submitted.

History: 2013 AACCS.

R 339.17506 Acceptable continuing education; limitations.

Rule 506. (1) Continuing education hours may be acquired in another jurisdiction.

(2) Continuing education hours shall be relevant to the occupation and may be earned as follows:

(a) Successfully completing a college course.

(b) Successfully completing a continuing education course.

(c) Successfully completing a distance learning course.

(d) Presenting or attending a seminar, in-house course, workshop, or professional or technical presentation made at a meeting, convention or conference.

(e) Teaching, instructing, or presenting an acceptable course or activity listed in subrule 2(a) to (d) of this rule.

(f) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice.

(g) Serving as a member of the state board of professional surveyors or attending a state board of professional surveyors meeting.

(h) Participating in a company sponsored seminar or training that is designed to enhance professional development in the licensee's area of professional practice.

(i) Serving as a mentor to a surveying student in a school-sponsored program.

(j) Obtaining patents related to surveying.

(3) Continuing education hours shall be granted once during a renewal period in which the hours were earned for the same course or activity that a licensee completed as either a licensee, instructor, or presenter.

(4) Continuing education hours shall be granted once for the first time a course is offered or presented provided that the course is not associated with a licensee's regular duties as a member of a faculty.

(5) Continuing education hours shall not be earned for the following activities:

(a) Passing an examination to obtain licensure.

(b) Completing a course that does not provide a licensee access to an instructor during the course.

(c) Completing a course that is not designed to bring licensees up to date on a particular area of knowledge or skills in the licensee's area of professional practice.

(d) Attending a cultural performance, entertainment, or recreational meeting or activity, or participation in a travel group.

(6) The conversion of other units of credit per renewal cycle shall be as follows:

(a) 1 college semester credit hour equals 45 continuing education hours.

(b) 1 college quarter credit hour equals 30 continuing education hours.

(c) Publishing a peer-reviewed paper, article, or book in the licensee's area of professional practice equals 10 continuing education hours.

(d) Serving as a member of the state board of professional surveyors or attending a state board of professional surveyors meeting equals 2 continuing education hours.

(e) Serving as a mentor for a surveying student in a school-sponsored program equals 4 continuing education hours.

(f) Obtaining patents related to surveying equals 10 continuing education hours.

History: 2013 AACCS.

R 339.17507 Continuing education hours required; renewal.

Rule 507. Continuing education hours required for renewal shall be as follows:

(a) A licensee who holds a license for more than 12 months, but less than 24 months from the date of initial licensure shall obtain 15 hours of continuing education for the first renewal period.

(b) A licensee who holds a license for 24 months or more from the date of initial licensure shall obtain 30 hours of continuing education for the renewal period.

History: 2013 AACCS.

R 339.17508 Determination of credit; forms; record keeping.

Rule 508. A licensee shall maintain records of continuing education hours earned for 4 consecutive years. The records shall include the following:

(a) The courses or activities completed, the dates when the courses or activities were held and the duration of the courses or activities, the sponsoring organization, the instructor's or speaker's name, and the hours earned.

(b) Verification of attendance at a course or activity, such as completion certificates or other supporting documentation.

History: 2013 AACSB.

R 339.17509 Auditing.

Rule 509. The department may establish a process for auditing licensees regarding continuing education for compliance with the act and these rules.

History: 2013 AACSB.