WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1976

ENROLLED
SENATE BILL NO. 270

(By Mr. [Signature])

PASSED March 11, 1976

In Effect July 1, 1976

FILED IN THE OFFICE
JAMES R. MCCARTNEY
SECRETARY OF STATE
THIS DATE 3/23/76
AN ACT to amend and reenact sections five, five-a, six and eleven, article thirteen-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to state board of examiners of land surveyors; the manner of appointment of members of such board; increasing the fees to be charged by such board; providing for payment of a fee for certificate to engage in underground surveying; use of seal or stamp; and making it unlawful to use stamp or seal if not properly licensed.

Be it enacted by the Legislature of West Virginia:

That sections five, five-a, six and eleven, article thirteen-a, chapter thirty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted, to read as follows:

ARTICLE 13A. LAND SURVEYORS.

§30-13A-5. Qualifications of applicants for licenses; exceptions; applications; fees; examinations.

1. (a) To be eligible for a license to engage in the practice of land surveying, the applicant must:
2. (1) Be at least eighteen years of age;
3. (2) Be of good moral character;
4. (3) Have been a resident of the United States for one year immediately preceding the date of application;
5. (4) Not have been convicted of a crime involving moral turpitude;
6. (5) Have four years or more experience in the practice of land surveying under the supervision of a licensee,
or a person eligible for a license hereunder, or a person
authorized in another state or country to engage in
the practice of land surveying; and each year of satis-
factory study in an accredited surveying curriculum
may be substituted for one year of experience, but only
two years of such experience requirement may be ful-
filled by such study; and
(6) Have passed the examination prescribed by the
board, which examination shall cover the basic subject
matter of land surveying and land surveying skills and
techniques.
(b) The following persons shall be eligible for a
license to engage in the practice of land surveying with-
out examination:
(1) Any applicant who is licensed, certificated or regis-
tered to engage in the practice of land surveying in
any other state or country, if the requirements to ob-
tain a license or certificate or to become registered in
such other state or country are found by the board to
be at least as great as those prescribed in this article.
(2) Any applicant who is a graduate of an accredited
surveying curriculum and has at least two years of ex-
perience in the practice of land surveying under the
supervision of a licensee, or a person eligible for a
license hereunder, or a person authorized in another
state or country to engage in the practice of land sur-
veying, if such applicant meets the requirements of
subdivisions (1), (2), (3) and (4), subsection (a) of this
section.
(3) Any applicant who has been engaged in the prac-
tice of land surveying in West Virginia for at least six
years prior to the filing of such application, if such ap-
plication for a license is made within three years after
the effective date of this article and if such person meets
the requirements of subdivisions (1), (2), (3) and (4),
subsection (a) of this section. Such applicant must also
furnish the names and addresses of ten persons who
have engaged such applicant as a land surveyor, to-
gether with satisfactory records of such land surveying
work.
(c) Any applicant for any such license shall submit an application therefor on forms provided by the board. Such applications shall be verified and shall contain a statement of the applicant's education and experience, the names of five persons for reference (at least three of whom shall be licensees, or persons eligible for a license hereunder, or persons authorized in another state or country to engage in the practice of land surveying, who have knowledge of his work) and such other information as the board may from time to time by reasonable rule and regulation prescribe.

(d) An applicant shall pay to the board with his application a license fee of thirty dollars.

(e) Examinations shall be held at least once each year at such time and place as the board shall determine. The scope of the examination and methods of procedure shall be determined by the board. An applicant who fails to pass an examination may reapply at any time and shall furnish additional information as requested by the board. Each such application shall be accompanied by a license fee of thirty dollars.

(f) A licensee who obtained his license under the provisions of subdivisions (2) and (3), subsection (b) of this section may, in addition, apply for licensing under the provisions of subsection (a) of this section, if such licensee pays the fee otherwise required to be paid by other applicants and if such licensee meets the qualifications of subsection (a). Any applicant may apply for a separate license under subsection (a), or subdivisions (2) or (3), subsection (b) of this section upon the payment of the required fee for each license, and he may receive a license for each subsection for which such person makes application and is qualified. If any person fails to qualify for a license under any subsection of this section, such failure to qualify shall not prevent such person's licensure under any other subsection of this section for which such person is otherwise qualified.

§30-13A-5a. Underground surveying; additional requirements.

After the first day of July, one thousand nine hundred
§2. Seventy, no person required to be licensed under the
provisions of this article shall engage in underground
surveying until he shall have first obtained a license
under the provisions of this article and in addition shall
have received from the board, after application therefor
and payment of a ten dollar fee, a certificate to engage
in underground surveying, which certificate shall remain
valid so long and only so long as the license issued to
such person under the provisions of this article remains
unexpired, unsuspended and unrevoked. In order to be
eligible for such certificate such person shall, in addition
to the requirements for a license, have three years or
more experience in the practice of underground survey-
ing. In the event an application for any such certificate
is denied, all of the provisions of sections nine and ten
of this article shall be as fully applicable as if the applica-
tion denied were an application for a license under the
provisions of this article.

§30-13A-6. Issuance of license; notice of expiration; renewal;
renewal fee; display.

Whenever the board finds that an applicant meets all
of the requirements of this article for a license to en-
gage in the practice of land surveying, it shall forth-
with issue to him such license; and otherwise the board
shall deny the same. All licenses, whether original or
renewal, shall expire on the thirtieth day of June fol-
lowing the date of issuance or renewal. The secretary-
treasurer of the board shall mail to every licensee, at
least thirty days prior to the expiration of such license,
notice of the expiration date and the amount of the
renewal fee. A license may be renewed without exam-
ination upon application for a renewal on a form pre-
scribed by the board and payment to the board of an
annual renewal fee of twenty dollars. If a license is
not renewed when due, the fee shall increase one dollar
per month for each month or fraction thereof that such
renewal fee is not paid, up to a maximum of thirty-six
months. No license shall be renewed after expiration
of said period of thirty-six months, and the fact that a
license cannot be renewed because of the expiration of
said period of thirty-six months shall not prevent such
person from making application for a new license. The
board may deny any application for renewal for any
reason which would justify the denial of an original
application for a license. The board shall prescribe the
form of licenses and each such license shall be conspicu-
ously displayed by the licensee at his principal place of
practice. A duplicate license may be issued upon
payment of a fee of five dollars.

§30-13A-11. Seal or stamp.

Each licensee shall obtain a seal or stamp of the de-
sign authorized by the board, bearing his name and the
legend, "Licensed Land Surveyor." Plans, plats, maps,
drawings and reports issued by a licensee shall be
stamped with the seal or stamp. It shall be unlawful
for anyone to stamp or seal any document with such
seal or stamp unless the license of the licensee named
thereon remains unsuspended, unrevoked and unexpired.
The Joint Committee on Enrolled Bills hereby certifies that
the foregoing bill is correctly enrolled.

James L. Davis
Chairman Senate Committee

Chairman House Committee

Originated in the Senate.

To take effect July 1, 1976.

J. E. Million Jr.
Clerk of the Senate

Clerk of the House of Delegates

W. E. Bland, Jr.
President of the Senate

Lewis H. M. Monroe
Speaker, House of Delegates

The within
Approved this the 10th
day of March, 1976

Arla Daniel J.
Governor
PRESENTED TO THE GOVERNOR

Date 3/15/76
Time 2:00 p.m.