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OFFICE OF  
SECRETARY OF STATE  
STATE OF WEST VIRGINIA

**WEST VIRGINIA LEGISLATURE**  
**REGULAR SESSION, 1976**

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**ENROLLED**

**SENATE BILL NO. 270**

(By Mr. Gainer & Sen. Benson)

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PASSED March 11, 1976

In Effect July 1, 1976 ~~Passage~~

FILED IN THE OFFICE  
JAMES R. McCARTNEY  
SECRETARY OF STATE

THIS DATE 3/23/76

# ENROLLED

## Senate Bill No. 270

(By MR. GAINER and MR. BENSON)

[Passed March 11, 1976; in effect July 1, 1976.]

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  
2 practice of land surveying, the applicant must:
  - 3 (1) Be at least eighteen years of age;
  - 4 (2) Be of good moral character;
  - 5 (3) Have been a resident of the United States for  
6 one year immediately preceding the date of applica-  
7 tion;
  - 8 (4) Not have been convicted of a crime involving  
9 moral turpitude;
  - 10 (5) Have four years or more experience in the prac-  
11 tice of land surveying under the supervision of a licensee,

12 or a person eligible for a license hereunder, or a person  
13 authorized in another state or country to engage in  
14 the practice of land surveying; and each year of satis-  
15 factory study in an accredited surveying curriculum  
16 may be substituted for one year of experience, but only  
17 two years of such experience requirement may be ful-  
18 filled by such study; and

19 (6) Have passed the examination prescribed by the  
20 board, which examination shall cover the basic subject  
21 matter of land surveying and land surveying skills and  
22 techniques.

23 (b) The following persons shall be eligible for a  
24 license to engage in the practice of land surveying with-  
25 out examination:

26 (1) Any applicant who is licensed, certificated or regis-  
27 tered to engage in the practice of land surveying in  
28 any other state or country, if the requirements to ob-  
29 tain a license or certificate or to become registered in  
30 such other state or country are found by the board to  
31 be at least as great as those prescribed in this article.

32 (2) Any applicant who is a graduate of an accredited  
33 surveying curriculum and has at least two years of ex-  
34 perience in the practice of land surveying under the  
35 supervision of a licensee, or a person eligible for a  
36 license hereunder, or a person authorized in another  
37 state or country to engage in the practice of land sur-  
38 veying, if such applicant meets the requirements of  
39 subdivisions (1), (2), (3) and (4), subsection (a) of this  
40 section.

41 (3) Any applicant who has been engaged in the prac-  
42 tice of land surveying in West Virginia for at least six  
43 years prior to the filing of such application, if such ap-  
44 plication for a license is made within three years after  
45 the effective date of this article and if such person meets  
46 the requirements of subdivisions (1), (2), (3) and (4),  
47 subsection (a) of this section. Such applicant must also  
48 furnish the names and addresses of ten persons who  
49 have engaged such applicant as a land surveyor, to-  
50 gether with satisfactory records of such land surveying  
51 work.

52 (c) Any applicant for any such license shall submit  
53 an application therefor on forms provided by the board.  
54 Such applications shall be verified and shall contain a  
55 statement of the applicant's education and experience,  
56 the names of five persons for reference (at least three of  
57 whom shall be licensees, or persons eligible for a  
58 license hereunder, or persons authorized in another  
59 state or country to engage in the practice of land sur-  
60 veying, who have knowledge of his work) and such  
61 other information as the board may from time to  
62 time by reasonable rule and regulation prescribe.

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

65 (e) Examinations shall be held at least once each  
66 year at such time and place as the board shall deter-  
67 mine. The scope of the examination and methods of  
68 procedure shall be determined by the board. An ap-  
69 plicant who fails to pass an examination may reapply  
70 at any time and shall furnish additional information  
71 as requested by the board. Each such application shall  
72 be accompanied by a license fee of thirty dollars.

73 (f) A licensee who obtained his license under the  
74 provisions of subdivisions (2) and (3), subsection (b)  
75 of this section may, in addition, apply for licensing un-  
76 der the provisions of subsection (a) of this section,  
77 if such licensee pays the fee otherwise required to  
78 be paid by other applicants and if such licensee meets  
79 the qualifications of subsection (a). Any applicant may  
80 apply for a separate license under subsection (a), or  
81 subdivisions (2) or (3), subsection (b) of this section  
82 upon the payment of the required fee for each license,  
83 and he may receive a license for each subsection for which  
84 such person makes application and is qualified. If  
85 any person fails to qualify for a license under any  
86 subsection of this section, such failure to qualify shall  
87 not prevent such person's licensure under any other  
88 subsection of this section for which such person is other-  
89 wise qualified.

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

1 After the first day of July, one thousand nine hundred

2. seventy, no person required to be licensed under the  
3 provisions of this article shall engage in underground  
4 surveying until he shall have first obtained a license  
5 under the provisions of this article and in addition shall  
6 have received from the board, after application therefor  
7 and payment of a ten dollar fee, a certificate to engage  
8 in underground surveying, which certificate shall remain  
9 valid so long and only so long as the license issued to  
10 such person under the provisions of this article remains  
11 unexpired, unsuspended and unrevoked. In order to be  
12 eligible for such certificate such person shall, in addition  
13 to the requirements for a license, have three years or  
14 more experience in the practice of underground survey-  
15 ing. In the event an application for any such certificate  
16 is denied, all of the provisions of sections nine and ten  
17 of this article shall be as fully applicable as if the applica-  
18 tion denied were an application for a license under the  
19 provisions of this article.

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

1 Whenever the board finds that an applicant meets all  
2 of the requirements of this article for a license to en-  
3 gage in the practice of land surveying, it shall forth-  
4 with issue to him such license; and otherwise the board  
5 shall deny the same. All licenses, whether original or  
6 renewal, shall expire on the thirtieth day of June fol-  
7 lowing the date of issuance or renewal. The secretary-  
8 treasurer of the board shall mail to every licensee, at  
9 least thirty days prior to the expiration of such license,  
10 notice of the expiration date and the amount of the  
11 renewal fee. A license may be renewed without exam-  
12 ination upon application for a renewal on a form pre-  
13 scribed by the board and payment to the board of an  
14 annual renewal fee of twenty dollars. If a license is  
15 not renewed when due, the fee shall increase one dollar  
16 per month for each month or fraction thereof that such  
17 renewal fee is not paid, up to a maximum of thirty-six  
18 months. No license shall be renewed after expiration  
19 of said period of thirty-six months, and the fact that a  
20 license cannot be renewed because of the expiration of

21 said period of thirty-six months shall not prevent such  
22 person from making application for a new license. The  
23 board may deny any application for renewal for any  
24 reason which would justify the denial of an original  
25 application for a license. The board shall prescribe the  
26 form of licenses and each such license shall be conspicu-  
27 ously displayed by the licensee at his principal place of  
28 practice. A duplicate license may be issued upon  
29 payment of a fee of five dollars.

**§30-13A-11. Seal or stamp.**

1 Each licensee shall obtain a seal or stamp of the de-  
2 sign authorized by the board, bearing his name and the  
3 legend, "Licensed Land Surveyor." Plans, plats, maps,  
4 drawings and reports issued by a licensee shall be  
5 stamped with the seal or stamp. It shall be unlawful  
6 for anyone to stamp or seal any document with such  
7 seal or stamp unless the license of the licensee named  
8 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

Clarence C. Johnston Jr.  
Chairman House Committee

Originated in the Senate.

To take effect July 1, 1976.

Jack Willoughby  
Clerk of the Senate

W. Blankenship  
Clerk of the House of Delegates

W. T. Brantley Jr.  
President of the Senate

Louis R. Thomas  
Speaker House of Delegates

The within Approved this the 19th  
day of March, 1976

Arha. Shroyer Jr.  
Governor



PRESENTED TO THE  
GOVERNOR

Date 3/15/76

Time 2:00 p.m.