

TITLE 865 STATE BOARD OF REGISTRATION FOR PROFESSIONAL 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 Professional Surveyors. NOTE: Under P.L.57-2013, SECTION 42, the name of the State Board of Registration for Land Surveyors is changed to the State Board of Registration for Professional Surveyors, effective July 1, 2013.

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. The definitions in IC 25-21.5-1 and the following definitions apply throughout this title:

- (1) "Applicant" means any individual whose application has been received by the board for consideration to be registered as a professional surveyor or for enrollment as a surveyor intern in the state of Indiana.
- (2) "Approved surveying curriculum", when used relative to a professional surveyor or surveyor intern applicant, means a four (4) year or more curriculum leading to a bachelor's degree in surveying that is approved by the board.
- (3) "Board" means state board of registration for professional surveyors.
- (4) "Comity" means a principle by which the board, under IC 25-21.5-7-4, licenses persons to practice surveying on the basis of professional surveying licenses issued by other states.
- (5) "Date of registration" means the date of the certificate that was assigned by the board.
- (6) "NCEES" means National Council of Examiners for Engineering and Surveying.
- (7) "Professional surveyor" means a registered professional surveyor.
- (8) "Registrant" means an individual professional surveyor to whom a certificate of registration has been granted under IC 25-21.5.
- (9) "Surveyor intern" means an enrolled surveyor intern as defined in IC 25-21.5-1-9.7.
- (10) "Valid enrollment", when used relative to surveyor intern, means that the certificate of enrollment held by the individual is current and not suspended or revoked.
- (11) "Work experience", when used relative to a professional surveyor, means acceptable experience in surveying work that conforms to IC 25-21.5-5-2.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 2998; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014) 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 chairperson and a vice chairperson from among its members. The chairperson and vice chairperson may also be elected at any other meeting when a vacancy exists.
- (2) The chairperson or any three (3) members may call a special meeting by presenting a request to the Indiana professional

licensing agency.

(3) The Indiana professional licensing agency shall give a notice to all board members of each meeting:

(A) setting out the time and place of the meeting; and

(B) including a proposed agenda of the major items for action at the meeting;

not less than ten (10) days before the meeting, unless the notice has been waived by the chairperson.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 2999; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)*

Rule 2. Qualifications for Examination

865 IAC 1-2-1 Professional 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 professional 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 professional surveyor registration applicants. For all levels of education stated, a minimum of one-half (1/2) of the required experience must be obtained following receipt of the first degree obtained. The requirements are as follows:

Education	Minimum Years of Work Experience
Doctorate in surveying discipline following bachelor's degree in a board-approved land surveying curriculum	2
Master's degree in surveying discipline following bachelor's degree in a board-approved surveying curriculum	3
Bachelor's degree in a board-approved surveying curriculum	4
Doctorate in surveying following a bachelor's degree that is not in a board-approved surveying curriculum	3
Master's degree in surveying following bachelor's degree that is not in a board-approved surveying curriculum	4
Bachelor's degree that is not in a board-approved surveying curriculum	5
Associate degree and 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 a three (3) semester credit hour course in calculus or differential equations.

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- (2) Five (5) semester credit hours in college level physics.
- (3) Six (6) semester credit hours in any of the following college level science subjects:
 - (A) Chemistry.
 - (B) Astronomy.
 - (C) Physics.
 - (D) Geology.
 - (E) Botany.
 - (F) Dendrology.
- (4) Twenty-seven (27) semester credit hours in college level surveying courses consisting of the following:
 - (A) Courses in each of the following six (6) subjects totaling at least eighteen (18) semester credit hours:
 - (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) Courses in at least three (3) of the following subjects totaling at least nine (9) semester credit hours:
 - (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 the requirements of this clause.

(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 professional surveyor registration or surveyor intern 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 surveyor intern certificate do not need any additional education beyond that required for admission to the fundamentals of surveying examination, so long as they apply for admission to the professional surveyor examination not later than five (5) years after the date the applicant passed the fundamentals of surveying examination that was the basis for issuance of the surveyor intern certification.

(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 surveying experience required by subsection (b) or (c) must be acquired under the supervision of:

- (1) a professional surveyor registered by the state of Indiana;
- (2) a professional surveyor registered or licensed by another state or territory of the United States; or
- (3) the foreign equivalent to a professional surveyor;

appropriate to where the experience was obtained.

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

(k) At least one-half (1/2) of the required surveying experience must be acquired in a state or territory in the United States under the supervision of a professional surveyor registered in that state or territory.

(l) The surveying experience must:

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

(m) At least sixty percent (60%) of an applicant's surveying experience required under subsection (b) or (c) must be in the activities listed in IC 25-21.5-1-7(b)(4) through IC 25-21.5-1-7(b)(7).

(n) The board may require an applicant to provide additional information relating to the applicant's surveying experience. (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 2999; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014*) NOTE: 864 IAC 1.1-2-3 was renumbered by Legislative Services Agency as 865 IAC 1-2-1.

865 IAC 1-2-2 Surveyor intern; education and work experience

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-5-3

Sec. 2. This section establishes the minimum education and experience requirements under IC 25-21.5-5-3 for certification as a surveyor intern. The education and experience requirements of section 1 of this rule for professional surveyor applicants apply for surveyor intern applicants, except that applicants with:

- (1) an associate's degree and meeting the education requirements of section 1(c) of this rule shall be required to obtain two
- (2) years of work experience;
- (2) a bachelor's degree that is not in a board approved surveying curriculum and meeting the education requirements of section 1(c) of this rule shall be required to obtain one (1) year of work experience; and
- (3) the other degrees listed in section 1(b) of this rule shall not be required to obtain any work experience.

(*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3001; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) NOTE: 864 IAC 1.1-3-2 was renumbered by Legislative Services Agency as 865 IAC 1-3-1.

865 IAC 1-3-2 Surveyor intern; application

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 2. (a) An applicant may submit the application to the board seeking certification as a surveyor intern after taking and passing the fundamentals of surveying examination.

(b) All other applicants shall submit their applications to the board's office. (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3001; readopted*

filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014) 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) This section applies to admission to Parts IIA or IIB, or both, of the examination.

(b) 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 unless the principles and practice exam (Part IIA) is converted to computer based testing as described in 865 IAC 1-4-3, in which case the deadline shall be no later ninety (90) days prior to the beginning of the testing window.

(c) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014*)

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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 as a professional surveyor, 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014) 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 surveying examinations; scheduling of examinations

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-6-1

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Sec. 3. (a) The examination for registration as a professional 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 surveying examination. Part II shall be:

- (1) known as the principles and practice examination; and
- (2) divided into two (2) sections.

Section A shall consist of matters concerning principles and practice except for laws applicable to surveying specific to Indiana. Section B shall concern laws applicable to surveying specific to Indiana. In order to be granted registration as a professional surveyor, the applicant must pass Part I, Part IIA, and Part IIB.

(b) The examination for certification as a surveyor intern shall be the fundamentals of surveying examination described in subsection (a).

(c) The fundamentals of surveying examination will be a computer based test that will be given during testing windows as scheduled by NCEES or a testing administrator determined by the board. An eligible applicant may schedule for the examination at a testing center any time during a testing window as space is available. An applicant may not take the examination more than once in a testing window, or even if readmitted under section 7(b) of this rule, more than three (3) times in a twelve (12) month period.

(d) Until it becomes available as a computer based test, the principles and practice of surveying examination will be given twice each year, normally in April and October.

(e) Once it becomes available as a computer based test, the principles and practice of surveying examination will be given in the same manner provided for the fundamentals of surveying examination in subsection (c). (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3002; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014*) 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 25-21.5-2-14

Affected: IC 25-21.5-6-1

Sec. 4. (a) If admission to an examination is granted, those parts of the examination that 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) and that notice provides for taking the fundamentals of surveying examination must take the fundamentals of surveying examination no later than the end of the second full testing window after issuance of the notice.

(c) An applicant who has received the notice described in subsection (a) and that notice does not provide for taking the fundamentals of surveying examination must take the examination to which admission was granted or one (1) of the two (2) examinations immediately thereafter. Unless the principles and practice exam (Part IIA) is converted to computer based testing as described in section 3 of this rule, in which case the examination must be taken by the end of the testing window in effect one (1) year after issuance of the notice.

(d) If the applicant fails to sit for an examination by the deadline provided in subsection (b), the application for the registration 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 professional 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 professional 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 eighth testing window after the failure of the first examination.

(c) An applicant who passes one (1) or two (2) parts of the 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).

(d) Upon exhaustion of all of the examination attempts allowed under subsection (b), the application shall be deemed terminated. (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3002; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014*) 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(d) of this rule may reapply for admission to the examination.

(b) If the applicant took, but did not pass, any part of the examination within the three (3) attempts allowed under section 6 of this rule, 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 surveying.

(2) Appropriate experience of the type required under IC 25-21.5-5-2 for the period of at least three (3) years after termination but before 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 the surveyor examination, the applicant shall not be required to retake Part I. (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3002; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014) 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

Sec. 8. (Repealed by State Board of Registration for Professional Surveyors; filed Nov 8, 2013, 2:26 p.m.: 20131204-IR-865130334FRA, eff Jan 1, 2014)

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

Sec. 9. (Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

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. An applicant for comity registration who meets the current Indiana registration requirements as found in IC 25-21.5 and this title shall be deemed to meet the requirements of IC 25-21.5-7-4. (State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3003; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 land surveyor:

- (1) registered in another state;
- (2) making application for registration in Indiana; and
- (3) otherwise qualified;

shall be assigned Part IIB of the land surveyor examination as described in 865 IAC 1-4-3. (State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3003; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 $\frac{5}{8}$) inches or more than one and seven-eighths (1 $\frac{7}{8}$) inches in outside diameter, using the following design:



(b) The seal may:

(1) be:

- (A) embossed;
- (B) stamped; or
- (C) electronically applied;

in conformance with the design as shown in subsection (a); and

(2) have:

- (A) a milled edge, as shown in subsection (a); or
- (B) 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 Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3004; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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:

(1) during the time the certificate of registration:

- (A) is current; and
- (B) has not been suspended or revoked; and

(2) on documents and instruments that have been created by the:

- (A) registrant; or

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(B) 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, the document shall have the:

- (1) registrant's signature; and
- (2) date the seal is being affixed;

directly adjacent 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 otherwise properly certified.

(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 a 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 Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3004; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 section 2(e) of this rule.

(b) A registrant may include in the registrant's plans certain products that have become established as acceptable for the proposed use when the 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;
- (3) are mechanical or other types of machinery or systems guaranteed by a reputable manufacturer; or
- (4) do not affect the safety of the project.

(State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1882; filed May 4, 2006, 1:25 p.m.: 29 IR 3004; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) NOTE: 864 IAC 1.1-7-4 was renumbered by Legislative Services Agency as 865 IAC 1-7-3.

865 IAC 1-7-4 Use of electronic or digital signatures

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

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Sec. 4. (a) This section establishes the requirements for the use of seals and signatures in electronic transactions.

(b) The following definitions apply throughout this section:

(1) "Document" means a:

- (A) report;
- (B) specification;
- (C) drawing;
- (D) plan; or
- (E) plat;

in physical form pertaining to land surveying that requires certification by a registered land surveyor by application of a seal or stamp, a signature, and a date.

(2) "Electronic document" means an electronic data file that is capable of being:

- (A) viewed by use of a computer and video monitor; or
- (B) converted into a document by use of a computer and printer or plotter.

(3) "Electronic seal" means a digital facsimile of an original seal.

(4) "Electronic signature" means a digital signature associated with an electronic document that shall carry the same:

- (A) weight;
- (B) authority; and
- (C) effect;

as an original signature.

(5) "Electronic transmission" means the transmission of electronic data files from one (1) computer to another. The term includes the manual delivery of electronic data storage media from one (1) person or entity to another.

(6) "Original seal" means a:

- (A) rubber stamp;
- (B) electronic stamp; or
- (C) embossing seal;

meeting the design requirements set out in section 1 of this rule.

(7) "Original signature" means the signature of a registrant affixed to a document in accordance with section 2 of this rule.

(8) "Registrant" has the meaning set forth in 865 IAC 1-1-1(7).

(9) "Signature" means either:

- (A) original; or
- (B) electronic;

signature.

(c) An electronic signature and seal shall be permitted in place of an original seal and signature when the following criteria are met:

(1) The electronic signature and seal are as follows:

- (A) The unique identification of the registrant.
- (B) Verifiable.
- (C) Attached to or associated with the electronic document in such a manner that is clear to the recipient that they represent the signature and seal of the registered land surveyor.

(2) The electronic signature is under the registrant's direct control.

(3) The registrant maintains a permanent digital copy of the electronically transmitted document for future verification purposes.

(d) A registrant may electronically transmit an electronic document without affixing an electronic signature provided there is inserted the following language instead of an image of a seal, signature, and date:

- (1) "Not a Certified Document"; or
- (2) "Pro Forma Survey";

as appropriate. This language shall not be required for documents electronically transmitted to a commercial printer or blueprint service for the purpose of reproducing documents or to the registrant's own employer or employees. (*State Board of Registration for Professional Surveyors; 865 IAC 1-7-4; filed May 4, 2006, 1:25 p.m.: 29 IR 3005; readopted filed Nov 9, 2012, 11:26 a.m.:*

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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 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 the following:

(1) Verification of any information submitted by the registered land surveyor.

(2) The registered land surveyor to submit evidence supporting the course credit claimed.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3005; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 notify the board of any change in the registrant's address or addresses and any supplementary roster information that is to be included in the roster. The registrant shall maintain proof of the notification.

(3) All land surveyors engaging in the practice of land surveying in the state of Indiana must identify on a form specified by the board the address of all offices at which the land surveyor is practicing land surveying.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3006; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 IC 25-21.5 and rules

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5-5

Sec. 2. Each applicant shall certify on the application that he has read and agrees to abide by IC 25-21.5 and the rules of the board in force at the time. (*State Board of Registration for Professional Surveyors; Rule 11, Sec 2; filed Feb 29, 1980, 3:40 p.m.: 3 IR 634; readopted filed May 22, 2001, 9:55 a.m.: 24 IR 3237; filed May 4, 2006, 1:25 p.m.: 29 IR 3006; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-*

865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 (Repealed)

Sec. 11. (Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

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:

- (1) avoid all known conflicts of interest with an employer or client; or
- (2) promptly inform the employer or client of any business association, interest, or circumstances that could influence judgment or quality of services.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3006; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 Professional Surveyors; filed Mar 6, 1995, 4:00 p.m.: 18 IR 1834*)

865 IAC 1-10-23 Felony convictions; effect (Repealed)

Sec. 23. (*Repealed by State Board of Registration for Professional Surveyors; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1889*)

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

Sec. 24. (*Repealed by State Board of Registration for Professional Surveyors; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1889*)

865 IAC 1-10-25 Revocation or suspension of license in another jurisdiction; effect

Authority: IC 25-1-11; IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 25. The land surveyor shall notify the board, in writing, within thirty (30) days of any disciplinary action taken against the:

- (1) land surveyor; or
- (2) the land surveyor's license or registration;

in any other state or jurisdiction. (*State Board of Registration for Professional Surveyors; 865 IAC 1-10-25; filed May 4, 2006, 1:25 p.m.: 29 IR 3006; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

Rule 11. Fees

865 IAC 1-11-1 Fees charged by board

Authority: IC 25-1-8-2; 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 certification and enrollment as a land surveyor-in-training, one hundred dollars (\$100).
- (2) For review of an application for examination for registration as a land surveyor, three hundred dollars (\$300).
- (3) The fee for the examination or reexamination of any applicant under IC 25-21.5 is the payment of the applicant's cost of purchasing the examination, payable to the examination service.
- (4) For the processing and review of qualifications for registration as a land surveyor by comity, five hundred dollars (\$500).
- (5) 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).
- (6) 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.
- (7) For renewal of an expired certificate to practice as a registered land surveyor, one hundred dollars (\$100), plus all unpaid renewal fees for the four (4) years of delinquency. A certificate may not be renewed after four (4) years of delinquency.
- (8) For a duplicate or replacement certificate to practice as a registered land surveyor, twenty-five dollars (\$25).
- (9) For a replacement pocket card to practice as a registered land surveyor, ten dollars (\$10).
- (10) The fee shall be one hundred dollars (\$100) 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 Professional 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; filed Sep 16, 2004, 9:00 a.m.: 28 IR 605, eff Nov 1, 2004; filed Apr 6, 2005, 4:00 p.m.: 28 IR 2390; filed May 4, 2006, 1:25 p.m.: 29 IR 3007; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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

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 Professional 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; readopted filed Oct 4, 2007, 3:31 p.m.: 20071031-IR-865070064RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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) "ALTA/ACSM Land Title Survey" refers to an original or retracement survey conducted in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys" as the requirements are adopted by the:

- (1) American Land Title Association;
- (2) National Society of Professional Surveyors; or
- (3) American Congress on Surveying and Mapping.

(c) "Controlling monument" means any undisturbed artificial, physical, or record monument called for in a record plat or land title description and controls any combination of the:

- (1) location;
- (2) dimensions; or
- (3) configuration;

of the described tract.

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

(e) "Land surveyor" means either of the following:

- (1) A registered land surveyor.
- (2) An individual who is as follows:
 - (A) An employee or subordinate of a registered land surveyor.
 - (B) Exempt from licensure under IC 25-21.5-4-2.

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

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

(h) "Relative positional accuracy" means the value expressed in feet or meters that represents the uncertainty due to random errors in measurements in the location of any point on a survey relative to any other point on the same survey at the ninety-five percent (95%) confidence level.

(i) "Retracement survey" means a survey of real property that has been previously described in documents conveying an interest in the real property.

(j) "Right-of-way" means land taken by either:

- (1) easements; or
- (2) fee simple title;

for the linear routes identified in subsection (k).

(k) "Route survey" refers to surveys executed for the purpose of acquiring an interest in the tracts of land required for the following:

- (1) Highways.
- (2) Railroads.
- (3) Waterways.
- (4) Pipelines.
- (5) Electric lines.
- (6) Any other linear transportation or utility route.

The term 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.

(l) "Subdivision plat" means a plat of subdivision of land prepared in accordance with either or both of the following:

- (1) State plat statutes.
- (2) Local subdivision regulations, or both.

(m) "Theory of location" means applying:

- (1) federal laws, including 43 U.S.C. 751 through 43 U.S.C. 775;
- (2) state and local laws; and
- (3) court precedent;

to establish the position of real property corners. (*State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1882; filed May 4, 2006, 1:25 p.m.: 29 IR 3007; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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; IC 25-21.5-7-3

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

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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 before signing the survey plat.

(d) "Supervision", as used in this section, shall be deemed to require the following:

(1) Such control by the registered land surveyor, that the registered land surveyor can certify that he or she:

(A) is knowledgeable of; and

(B) has reviewed and approved;

all actions pertaining to the surveys by persons not licensed who have participated in the survey.

(2) That all persons participating in the survey shall be regular employees of:

(A) the registered land surveyor;

(B) the registered land surveyor's employer; or

(C) another registered land surveyor.

(e) In addition to the requirements in IC 25-21.5-7-3, each office of a firm, partnership, or corporation offering to perform land surveys must have a registered land surveyor in charge of the operations. The registered land surveyor must:

(1) be a full-time employee of the firm, partnership, or corporation and:

(A) a principal of the partnership or firm; or

(B) an officer of the corporation;

(2) have full responsible control of the survey operations; and

(3) maintain regular hours at that office:

(A) convenient for client contact; and

(B) adequate for employee supervision as defined in subsection (d).

(f) For purposes of this rule, an individual practices as a principal by being as follows:

(1) A registered land surveyor.

(2) The individual in charge of the organization's land surveying practice, either:

(A) alone; or

(B) with other registered land surveyors.

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

(1) registered land surveyor personally did the surveying work;

(2) surveying work was performed by:

(A) a nonregistered employee or subordinate following the requirements of subsection (a); or

(B) the employees of another registered land surveyor as allowed by subsection (d); or

(3) registered land surveyor is certifying additional survey work based on a survey:

(A) executed according to this rule; and

(B) certified by a registered land surveyor working on the same project.

(State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1883; filed May 4, 2006, 1:25 p.m.: 29 IR 3008; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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:

(A) survey records;

- (B) field notes;
 - (C) plats; and
 - (D) other data;
- pertinent to the area of practice.
- (3) Properly file and index for future reference those:
- (A) field notes;
 - (B) computations;
 - (C) maps;
 - (D) plats;
 - (E) photographs; and
 - (F) 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) If possible, discuss the land surveyor's survey work confidentially with other registered land surveyors in the event of substantive conflicts or discrepancies revealed by the survey. These discussions must:

- (A) not violate the registered land surveyor-client confidence; and
- (B) be sufficient to discharge the registered land surveyor's obligations to the public and the profession.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3009; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 retracement surveys and original surveys, including all ALTA/ACSM Land Title Surveys, and all updates or recertifications of previously completed surveys must fully comply with 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 or rights-of-way for the construction of improvements within the easement or rights-of-way 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) Delineation or demarcation and placement of any monument or markers, for example, wood stakes, flags, and rebar, for the purpose of constructing:
 - (A) fences;
 - (B) buildings;
 - (C) walls; or
 - (D) other improvements;

on or in close proximity to a land boundary must be executed by a registered land surveyor, but are only subject to sections 1 through 4 and 6 of this rule provided the land surveyor has found acceptable evidence of the boundary location in accordance with this rule. Any survey monuments or markers set in conjunction with a retracement or original survey must comply with all provisions of this rule.

(State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884; filed May 4, 2006, 1:25 p.m.: 29 IR 3009; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 25-21.5-2-14

Affected: IC 25-21.5

Sec. 6. When conducting an original survey or a retracement 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 Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884; readopted filed Nov 17, 2010, 9:59 a.m.: 20101215-IR-865100409RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 retracement surveys, original surveys, and route surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 7. (a) The purpose of this section is to prescribe precision and accuracy standards to be used by a land surveyor in conducting original and retracement surveys and route surveys.

(b) The land surveyor shall select the appropriate equipment and methods and use trained personnel to assure that the acceptable relative positional accuracy specified in this section is not exceeded.

(c) The degree of precision and accuracy necessary for a survey shall be based upon the intended use of the real estate. If the client does not provide information regarding the intended use, the classification of the survey shall be based on the current use of the real estate.

(d) Classifications of surveys are as follows:

(1) Urban surveys. Urban surveys are performed on land lying within or contiguous with a city or town, except for single family residential lots. Urban surveys also include:

(A) commercial and industrial properties;

(B) condominiums;

(C) townhouses;

(D) apartments; and

(E) other multiunit developments;

regardless of geographic location.

(2) Suburban surveys. Suburban surveys are performed on residential subdivisions lots. Surveys of single family residential lots shall be suburban surveys even if the lot is located in an urban or a rural area.

(3) Rural surveys. Rural surveys are performed on real estate lying in rural areas that does not otherwise meet the definition of an urban or suburban survey.

(e) The acceptable relative positional accuracies for each classification of survey are as follows:

(1) Urban surveys: 0.07 feet (21 millimeters) plus 50 parts per million.

(2) Suburban surveys: 0.13 feet (40 millimeters) plus 100 parts per million.

(3) Rural surveys: 0.26 feet (79 millimeters) plus 200 parts per million.

(f) Relative positional accuracy may be tested by:

(1) comparing the relative location of points in a survey as measured by an independent survey of higher accuracy; or

(2) the results of a minimally constrained, correctly weighted least square adjustment of the survey.

(*State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1884; filed May 4, 2006, 1:25 p.m.: 29 IR 3010; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 (Repealed)

Sec. 8. (Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

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

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 9. When conducting a retracement survey, a land surveyor shall obtain the following:

(1) The record description of the:

- (A) parcel to be surveyed; and
- (B) adjoining properties;

to reveal any gaps or overlaps with the adjoining properties.

(2) Copies of any recorded:

- (A) subdivision plats; and
- (B) surveys;

that relate to the survey.

(3) From public offices, copies of any:

- (A) maps;
- (B) documents; and
- (C) field notes;

that relate to the survey.

(4) Copies of data that relate to the survey that are available from known private sources.

(State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1885; filed May 4, 2006, 1:25 p.m.: 29 IR 3011; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 work for retracement and original surveys

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 10. When conducting a retracement or original 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 the following:

- (A) Monuments that reference missing control monuments.
- (B) Monuments that substantiate control monuments that have been obliterated.
- (C) Other monuments and real evidence that are necessary to the survey.

(3) If necessary:

- (A) investigate possible parol evidence supporting the positions of obliterated control monuments; and
- (B) obtain the necessary affidavit or affidavits from individuals involved.

(4) Obtain the following:

- (A) Necessary measurements to correlate all found evidence, including the relationship to adjoining properties.
- (B) Sufficient check measurements to satisfactorily verify the work.

(5) Locate physical evidence of possession between adjoining and identify age of possession, for example, by parol evidence, if possible.

(6) Survey field notes shall be in the form required by section 6 of this rule.

(7) Any controlling corners that are original public land survey corners or other government corners such as land grants shall be:

- (A) evaluated;
- (B) perpetuated; and

(C) documented;

in accordance with section 30 of this rule.

(State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1885; filed May 4, 2006, 1:25 p.m.: 29 IR 3011; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 survey

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 11. When conducting a retracement 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 theory of location as defined in section 2 of this rule.
- (6) Set any final monuments required by section 18 of this rule.

(State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1886; readopted filed Nov 17, 2010, 9:59 a.m.: 20101215-IR-865100409RFA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 and original survey results

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

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

- (1) Furnish the client with a written surveyor's report that, in addition to other pertinent data, identifies the type of survey, explains the theory of location applied in establishing or retracing the lines and corners of the surveyed parcel, and gives the registered land surveyor's professional opinion of the cause and the amount of uncertainty in those lines and corners 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 of adjoining descriptions and the relationship of the lines of the subject tract with adjoining lines.
 - (D) The relative positional accuracy 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 will be created based on the survey;
 - (B) a survey of:
 - (i) an unsubdivided tract; or
 - (ii) 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:

- (i) the subdivision plat;
 - (ii) previously recorded surveys;
 - (iii) monuments; or
 - (iv) evidence of possession;
- (D) if, in the registered land surveyor's opinion, the:
- (i) monuments;
 - (ii) monument witnesses;
 - (iii) evidence of possession; or
 - (iv) description;

are not consistent with the last recorded survey of the parcel;

(E) it is required by law; or

(F) the plat of survey contains land for a new subdivision plat that will subsequently be recorded. The subsequent subdivision plat must be cross-referenced to the previously recorded survey plat.

(b) Notwithstanding subsection (a)(2)(C), an original, platting surveyor setting monuments in a new subdivision in accordance with section 18 of this rule does not need to prepare or record a plat of survey or surveyor's report unless the survey reveals substantial variance with the:

(1) subdivision plat;

(2) existing monuments; or

(3) evidence of possession.

(c) The recorded plat of survey shall:

(1) 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 was certified; and

(2) be cross-referenced to the latest record plat of survey of the property, if any is found.

(d) The plat of survey and the associated surveyor's report shall be recorded in the case:

(1) an original or retracement survey (not previously recorded) that contains a proposed new subdivision plat, before recording the new subdivision plat; or

(2) retracement or original surveys not described in subdivision (1) within:

(A) three (3) months of the survey certification date; or

(B) 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.

(e) Nothing in this rule shall:

(1) require the registered land surveyor to:

(A) furnish any survey documents to the client; or

(B) record them;

unless the client has satisfied the terms of the surveying engagement; or

(2) 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 provided the survey is clearly marked PRO FORMA SURVEY.

(f) Any drawings or plats prepared by a registered land surveyor, such as:

- (1) plot plans;
- (2) deed plots;
- (3) topographic maps;
- (4) site plans; or
- (5) construction plans;

that are not intended to be retracement or original surveys, route surveys, or surveyor location reports, shall contain a note stating "This drawing is not intended to be represented as a retracement or original boundary survey, a route survey, or a Surveyor Location Report.". Any drawing or plat showing set monumentation is considered to be an original, retracement, or route survey and as such is subject to the applicable sections of this rule. (*State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1886; filed May 4, 2006, 1:25 p.m.: 29 IR 3011; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 and original survey plats

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5; IC 32-19

Sec. 13. (a) When conducting a retracement or original 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 in the county in which the survey was conducted.

(b) The plat of survey, together with the accompanying surveyor's report, shall show or otherwise contain the following information at a minimum:

(1) The:

- (A) client's name;
- (B) date of the last fieldwork;
- (C) surveyor's file number; and
- (D) the:
 - (i) name;
 - (ii) address;
 - (iii) signature; and
 - (iv) registration number;

of the surveyor responsible for the work.

(2) For retracement surveys:

- (A) the record document description or recording information of the parcel surveyed; and
- (B) any new, modified, or consolidation description with an explanation in the surveyor's report as to why the new description was prepared, together with a statement regarding the location of the new description relative to the record description.

For original surveys, a metes and bounds description with appropriate controlling calls and calling for and accurately describing controlling physical monuments, marked in accordance with section 18 of this rule, except, however, that a metes and bounds description is not required for individual, platted subdivision lots.

(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:

- (A) their character;
- (B) their size;
- (C) their location including their location relative to the surface of the ground; and
- (D) whether or not they were held as control on the survey.

Found monuments shall be accompanied by a reference to their origin when it is known. Where there is no available documented origin, it shall be so 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. This includes monuments on all controlling corners or lines appropriate to the description of the tract being surveyed, but in no case shall the survey show fewer than two (2) monumented corners regardless of the description of the tract. The Indiana state plane coordinate system may be used as the basis for a survey in accordance with IC 32-19; however, such use does not relieve the registered land surveyor of applying proper theory of location.

(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. Show the location of such evidence by the distance to such boundary. Show any setback or easement line on the premises that may have been a factor in the location of a boundary line. Failure to show any such evidence will be taken to indicate that there was none.

(9) Any:

- (A) lakes;
- (B) streams;
- (C) known regulated drains; or
- (D) regulated drain rights-of-way;

on or within seventy-five (75) feet of the surveyed premises. A detailed location, based on applicable statutes and rules, 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. Contiguity, gaps, and overlaps with adjoining parcels shall be clearly shown and dimensioned. Show only the portion of adjoining tracts relevant to the location of the surveyed tract. 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 that were created by a subdivision plat.

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

(14) If requested by the client, show zoning ordinance classification references. Any zoning use certifications shall be limited to those facts that can be counted or measured.

(15) The following:

- (A) Sufficient data to clearly indicate the theory of location applied in finalizing the locations of the corners.
- (B) Any data at variance with this theory of location.
- (C) Sufficient data to allow the retracement without difficulty of all pertinent lines and corners shown on the plat.

Detail that cannot be legibly depicted on the survey plat shall be otherwise explained in the surveyor's report.

(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:

- (A) signature;
- (B) registration number; and
- (C) seal;

of the registered land surveyor and date of the certificate.

(17) If necessary to define the location, a vicinity map shall be provided.

(c) Notwithstanding the requirements of this rule, except for section 18 of this rule, any new subdivision plat may show only the information required by the applicable subdivision control ordinance or other regulation.

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

(e) 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 Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1887; filed May 4, 2006, 1:25 p.m.: 29 IR 3012; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 any of the following:

- (A) The client's sketch.
- (B) Instructions defining the lines.
- (C) A tentative subdivision map.

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

(3) Survey that portion of the parent tract required to define the lines of the parcel being created by the original survey. This work must be in accordance with 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, if any, that are to control the intended position of the lines being created.

(5) In the case of new subdivisions or original surveys, the registered land surveyor shall inform the client of any conflicts between the following:

- (A) The requested position of the lot lines to be created.
- (B) The position required by any applicable ordinances or regulations.

These conflicts must be resolved before certifying the survey or, if they are not, the conflicts shall be noted on the face of the plat or in the surveyor's report.

(*State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1888; filed May 4, 2006, 1:25 p.m.: 29 IR 3014; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 (Repealed)

Sec. 15. (*Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026*)

865 IAC 1-12-16 Original survey fieldwork (Repealed)

Sec. 16. (*Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026*)

865 IAC 1-12-17 Publication; original survey results (Repealed)

Sec. 17. (Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

865 IAC 1-12-18 Original and retracement survey monumentation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 18. (a) When conducting a retracement survey or an original survey, a registered land surveyor shall be responsible to set monuments in accordance with this section.

(b) Except as provided in subsection (h) a monument, as defined in subsections (c) through (g), shall be set at every lot or parcel corner being surveyed, including the interior lots of a subdivision. Corners to be set include the beginning and end of curves and the intersection of lines except where the setting of a monument near another monument would cause confusion. Further, a monument is not required to be set if there is an existing monument at the corner that is within the limits of the relative positional accuracy for the class of survey being performed.

(c) Monuments set in unpaved or other nonimpervious locations shall be five-eighths (5/8) inch diameter or larger iron or steel rods, reinforcement bars, or galvanized pipes weighing a minimum of one (1) pound per foot and being at least twenty-four (24) inches long and set with not less than eighteen (18) inches below grade. Other monuments may be used if they:

- (1) are made of material of similar or greater durability, size, and character; and
- (2) can be found by a device capable of detecting ferrous or magnetic objects.

(d) Where practical, monuments in pavement or other impervious areas shall be set according to the requirements contained in subsection (c). However, when it is not practical to set a monument in accordance with subsection (c), then a two (2) inch or longer, one-fourth (1/4) inch or larger diameter, magnetic concrete nail, or similar magnetic monument, shall be set, if possible.

(e) Monuments set under subsection (c) or (d) shall have a substantial plastic or metal tag or cap permanently affixed showing the registered land surveyor's surname and professional license number or board-issued firm/agency identification number.

(f) Where monuments as defined in subsection (c) or (d) cannot be set, the survey points must be:

(1) marked by:

- (A) a drill hole;
- (B) a cut cross;
- (C) a notch; or
- (D) other similar permanent mark; and

(2) referenced to any nearby witness monuments or permanent objects, such as:

- (A) building foundations; or
- (B) concrete head walls.

(g) Monuments required by local ordinances shall be set provided they meet or exceed the requirements in subsections (c) and (d).

(h) Where it is not possible or practical to set a monument at the survey point:

- (1) a monument shall be offset; and
- (2) the location shall be selected so that the monument lies on a:
 - (A) line of the survey; or
 - (B) prolongation of the line.

However, offset monuments are not required at interior lot corners not adjoining a street right-of-way. Offset monuments shall be identified as such on the plat and, if possible, in the field. However, if existing monuments fall within the acceptable relative positional accuracy of the survey, a monument will not be required to be set.

(i) If recovery of the monument would be difficult due to the topography or other features of the land, the monuments shall be witnessed or referenced in such a manner that will facilitate their recovery.

(j) At the time they are set, monuments shall be marked, such as with ribbon, paint, or lath, to facilitate the recovery of the monument by the client.

(k) It shall be the responsibility of the land surveyor certifying the subdivision plat to set all monuments required by this section in a new subdivision.

(l) Monuments shall be set before providing the client with the survey documents required by this rule. However, in the case

of new subdivisions where, in the opinion of the surveyor, it is probable the individual lot monuments will be disturbed by construction, only the perimeter of the subdivision, or section thereof, must be monumented before recordation. In this situation, the setting of the individual lot monuments may be delayed until no later than:

- (1) after construction is complete (including buildings); or
- (2) two (2) years after recordation of the subdivision plat or, if the subdivision is platted by sections, after recordation of each section;

whichever occurs first. In new subdivisions, if monuments are to be set before recording, then the placement of monuments shall be shown on the subdivision plat. If monuments are to be set after construction is complete, the surveyor shall record an affidavit, cross-referenced to the recorded plat, showing which monuments were set and which were found, the dates the monuments were set or found, together with a certification that states to the best of the surveyor's knowledge and belief the information contained in the affidavit is true and correct. Nothing in this subsection shall be construed to require the surveyor to wait until construction is completed to place monuments.

- (m) A surveyor is not required to replace or restore any monument that the surveyor has set that has been:
 - (1) moved;
 - (2) disturbed; or
 - (3) destroyed;

after its original placement for the current survey.

(n) Identification numbers, other than registered land surveyor's registration numbers, used by a land surveying firm or government agency under subsection (c) or (d) must be assigned and authorized for use by the board. Request for firm or agency numbers must be in writing on forms provided by the board. (*State Board of Registration for Professional 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; filed Jan 26, 2004, 11:00 a.m.: 27 IR 1888; filed May 4, 2006, 1:25 p.m.: 29 IR 3014; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 (Repealed)

Sec. 19. (*Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026*)

865 IAC 1-12-20 Route survey preliminary research

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5

Sec. 20. (a) 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, the following:

- (A) The client's approved sketch.
- (B) Instructions defining the lines.

(2) Obtain the following:

- (A) Copies of the laws that affect route surveys in the area in which the property is located.
- (B) From:

- (i) the client, or other sources, the record description of the affected parcel or parcels;
- (ii) the county recorder's office, copies of any recorded subdivision plats and surveys affected by or relating to the survey; and
- (iii) other public offices, copies of any maps, documents, and field notes that relate to the survey.

(b) Client specifications may set forth technical minimums for route surveys more stringent than those stated in this section. (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3016; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 the location of the control survey points upon which all subsequent work will be based so that they can be retraced and are recoverable by other surveyors without difficulty during and after construction.
- (2) Determine the location of the following:
 - (A) Any lines or corners, or both, necessary to describe any acquisition parcels.
 - (B) Any United States Public Land Survey subdivision corners that are available from the county surveyor or reasonably accessible and relevant to the route survey or acquisition parcels, or both.
- (3) Set any final monuments required by section 24 of this rule, and 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 Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3016; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 for urban surveys provided for in section 7 of this rule, except that relative positional accuracy may not exceed five-tenths (0.5) feet for a route survey.

(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 outlined in this section will apply to all of the following items shown on a route survey:

- (1) The control survey points.
- (2) Survey ties to either of the following:
 - (A) The nearest United States Public Land Survey subdivision corners that are reasonably accessible on both sides of the controlling survey line.
 - (B) Monuments with established state plane coordinates.
- (3) All monuments and reference monuments, and any ties thereto, that are set relative to the controlling survey line.
- (d) If the route survey references or is based on state plane coordinates or utilizes the Global Positioning System (GPS), the

written surveyor's report shall identify the following:

- (1) The datum and projection.
- (2) The year of applicable datum adjustment.
- (3) The originating or controlling monuments.
- (4) The GPS base stations or positioning software used, for example, the Online Positioning User Service (OPUS).
- (5) The source and format of the corrections if real time kinematic GPS was used.
- (6) The Geoid model used, if applicable.
- (7) The scale, elevation, and combination factors used in the coordinate calculations.
- (8) Information on any translation to or from a local system.

(9) The collection processes and methodology of final positioning.

(10) Whether the distances shown are grid or ground.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3016; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 the following:

(A) Copies of the route survey plats.

(B) 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:

(i) Availability and condition of referenced monuments.

(ii) Occupation or possession lines.

(2) 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. Descriptions may be by metes and bounds but, in any case, shall be controlled by a call for all that part of the owner's land that lies within the total acquisition tract. The acquisition tract or tracts shall be depicted on, or described by reference to:

(1) the recorded plat of route survey; or

(2) any subsequent recorded revisions of the recorded plat of route survey;

that contain the land. The lines of the acquisition tracts and any proposed right-of-way lines shall be tied to the initial control survey points. *(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3017; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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) Control survey points that are to be shown on the route survey plat shall be monumented at:

(A) each angle point; and

(B) intervals that typically do not exceed one quarter (¼) mile.

(2) Section 18(c) through 18(f) of this rule.

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

(4) 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.

(5) 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:

(A) recorded in the office of the county recorder where the resurvey was done within ninety (90) days of survey certification; and

(B) cross-referenced to the original route survey plat.

(6) At the time they are set, monuments shall be marked, for example, with:

(A) ribbon;

(B) paint; or

(C) lath;

to facilitate the recovery of the monuments by the client.

(b) Any identification numbers, other than the registration number of the registered land surveyor, used by a land surveying firm or government agency under section 18(d) or 18(e) of this rule must be assigned and authorized for use by the board upon written request. (*State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3018; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*) 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 for the relevant parcel or parcels is clearly legible when the plat is reduced to sheets suitable for recording in the county in which the survey was conducted.

(2) Show the following:

(A) The north arrow and scale, including a graphic scale.

(B) A vicinity map to define the location of the project.

(C) All pertinent dimensions. Dimensions not measured shall be noted as to their origin or that they were calculated.

(D) Sufficient data to allow the retracement, without difficulty, of all the created lines and points.

(E) All:

(i) survey line;

(ii) centerline;

(iii) reference;

(iv) right-of-way;

(v) property;

(vi) government; or

(vii) other pertinent;

monuments that were set or found, and any reference ties thereto.

(3) 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:

(A) reference to their origin when it is known; or

(B) notation that there is no available documented reference of the origin.

(4) Locate all monuments using an accepted practice such as:

(A) Indiana state plane coordinates;

(B) station and offset;

(C) course and distance; or

(D) local coordinates;

including the basis for the system used.

(5) Show and locate any right-of-way points, lines, or tracts that have been created or proposed relative to the initial control survey points.

(6) Show the following:

- (A) 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).
 - (B) The approximate location of any property lines that may be:
 - (i) coincident with;
 - (ii) intersect with; or enclosed by, any proposed or depicted right-of-way lines.
 - (C) The name of the client or government agency. Include their project or file number if known, and the surveyor's file number.
- (7) Include a certification that:
- (A) 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
 - (B) defines the scope of responsibility for each certifying registered land surveyor, if needed for clarity in accordance with section 23(a)(2) of this rule; and
 - (C) bears the:
 - (i) name, address, registration number, signature, and seal of each registered land surveyor;
 - (ii) date of the fieldwork; and
 - (iii) date of the certification.
- (8) Nothing in this section shall prevent a complete route survey plat from being the composite of the work of one (1) or more surveyors preparing separate plats of their work as long as the following requirements are met:
- (A) All of the information required under this section and in sections 21, 22, 24, and 25 of this rule is reflected in the composite of the separate plats, and the data on each of the separate plats is tied to the initial controlling survey line.
 - (B) The separate plats are all recorded.
 - (C) Any plats related to the route survey that are subsequently recorded are cross-referenced to any previously recorded plats related to the same route survey.
 - (D) The work is conducted in accordance with the requirements of section 3 of this rule.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3018; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 (Repealed)

Sec. 26. (Repealed by State Board of Registration for Professional Surveyors; filed May 4, 2006, 1:25 p.m.: 29 IR 3026)

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. A surveyor location report shall not be used for nonresidential tracts greater than two (2) acres.

(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:

- (1) one (1) foot on tracts in recorded subdivisions; or
- (2) two (2) feet for other tracts;

unless otherwise specified and explained on the drawing.

(d) House locations more than one hundred (100) feet from an exterior boundary:

(1) may be estimated; and

(2) 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:

(1) location data for items more than one hundred (100) feet from the house may be estimated and need not comply with subsection (c); and

(2) the data required by section 28(1) through 28(5) of this rule may be incomplete.

(State Board of Registration for Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3019; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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 25-21.5-2-14

Affected: IC 25-21.5

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

(1) Briefly describe and show the location of visible evidence of possession. Show the location of this evidence by the shortest dimension to:

(A) the nearest adjacent boundary line; or

(B) 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) Personal property, such as aboveground swimming pools or yard barns.

Show the location of 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:

(A) roadways;

(B) utility lines;

(C) driveways; or

(D) possible joint use of driveways (do not label as "joint" or "common");

that 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 the railroad.

(4) Show the location and recording data for any easements or setback lines on the tract as determined from:

(A) recorded documents provided by the client; or

(B) 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, or streams on the tract or any known regulated drains on or within seventy-five (75) feet of the property. Detailed locations are required when:

(A) a boundary is determined thereby; or

(B) buildings or other improvements are located within a legal drain easement.

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- (7) Show the name and location of any road, street, alley, or other public way abutting or on the surveyed property with the:
 - (A) width of the traveled way;
 - (B) known right-of-way lines;
 - (C) source of any known right-of-way information indicated. If not known, note which records, if any, were searched.
- (8) Physical access to the property, or lack thereof, must be shown.
- (9) Show the:
 - (A) Drawing scale.
 - (B) A north arrow.
 - (C) Property description and address.
 - (D) Surveyor's:
 - (i) job number;
 - (ii) company name;
 - (iii) certificate;
 - (iv) signature; and
 - (v) seal.
 - (E) Client name.
 - (F) Names of those to whom the report is certified.
 - (G) A report/certificate date less than thirty (30) days from the date of delivery.

(State Board of Registration for Professional 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; filed Nov 15, 2002, 3:33 p.m.: 26 IR 1105; filed May 4, 2006, 1:25 p.m.: 29 IR 3019; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) 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:

- (1) not less than eight and one-half (8½) inches by eleven (11) inches; and
- (2) not greater than eighteen (18) inches by twenty-four (24) 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

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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 Professional 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; filed May 4, 2006, 1:25 p.m.: 29 IR 3020; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA) NOTE: 864 IAC 1.1-13-44 was renumbered by Legislative Services Agency as 865 IAC 1-12-29.

865 IAC 1-12-30 Section corner perpetuation

Authority: IC 25-21.5-2-14

Affected: IC 25-21.5; IC 36-2-12

Sec. 30. (a) This section outlines the procedures and requirements for registered land surveyors when perpetuating the location of original public land survey or grant corners. As used in this section, "grant" means a subdivision, parcel, or tract of land that existed, or the parent tract of which existed, prior to the commencement of the United States Public Land Survey adjoining such subdivision, parcel, or tract.

(b) The purported location of an original public land survey or grant corner as referenced by the county surveyor of the county in which the corner exists is prima facie evidence of that corner's location. The registered land surveyor's responsibility with regard to the use of or need for original public land survey corners or grant corners in association with an original or retracement survey is not met by merely contacting the county surveyor.

(c) If the:

(1) location of an original public land survey or grant corner is not monumented and referenced by the county surveyor in accordance with Indiana Code 36-2-12; or

(2) registered land surveyor discovers evidence, or otherwise has reason to believe, that a monument purporting to mark the location of an original public land survey or grant corner is not in the proper location;

and if that corner is necessary for purposes of conducting an original, retracement, or route survey as defined in this rule, the registered land surveyor shall contact the county surveyor and perpetuate that corner's location in accordance with this section if the county surveyor is unable to perpetuate the corner in the time frame required by the registered land surveyor.

(d) A registered land surveyor shall perpetuate the location of an original public land survey or grant corner by gathering evidence that may assist in determining the original location of that corner. This evidence includes, but is not limited to, the following:

(1) Copies of:

(A) The original public land survey field notes and plat or transcribed copies of same.

(B) Deeds and plats that reference the location of the corner.

(C) Historic survey records, road, street, highway, and bridge plans, corner records, recorded surveys and other relevant information from the county surveyor, county recorder or other county, state and municipal offices.

(D) Current or historic aerial photographs.

(E) Records from private surveyors who practice or used to practice in the vicinity of the corner.

(2) Parol evidence from knowledgeable landowners or others who may have information relating to the corner.

(3) The field location of:

(A) Fences.

- (B) Walls.
- (C) Roadways.
- (D) Survey markers.
- (E) Tree lines.
- (F) Other lines of possession.
- (G) Interrelated or nearby section corners, quarter section corners, quarter-quarter corners, or other aliquot corner of a section, and corners of common report.

(e) After evaluating and weighing the evidence outlined in subsection (d), the registered land surveyor shall do the following:

- (1) Apply appropriate theory of location to determine the probable locations of the corner.
- (2) Excavate or otherwise determine if there is a subsurface monument in those locations unless, in the registered land surveyor's opinion, there is no substantial possibility of:
 - (A) a corner stone; or
 - (B) other historical survey monument;

being found in those locations. Examples of such situations include, but are not limited to, corner locations that fall in concrete highways, in areas where other excavations have previously taken place, such as, for culverts or sewers, or in areas of substantial cut or fill, such as, for interstate highway overpasses or underpasses.

Before excavating, the registered land surveyor shall notify the appropriate jurisdictional agencies.

(f) If, as a result of the corner investigation:

- (1) a corner stone;
- (2) historical survey monument; or
- (3) other evidence;

is found marking the corner, the registered land surveyor shall remonument and reference the corner if necessary to facilitate its recovery by other surveyors.

(g) If, after excavating or otherwise conducting subsurface investigations of the probable locations outlined in subsection (e), a corner stone, historical survey monument, or other evidence of the corner is not found, the registered land surveyor shall do the following:

- (1) Establish the location of the corner:
 - (A) based on the best available evidence; and
 - (B) in accordance with procedures for lost or obliterated corners outlined in or authorized by the United States Code in 43 U.S.C. 751, 43 U.S.C. 752, and 43 U.S.C. 753, which are hereby incorporated by reference.
- (2) Monument that location.

(h) If the corner was perpetuated for use on an original, retracement, or route survey, the registered land surveyor shall do the following:

- (1) Describe and reference the monument in such a manner that facilitates its recovery by other surveyors.
- (2) Document the following:
 - (A) The chain of history of the corner to the best of his or her knowledge.
 - (B) The evidence found and weighed.
 - (C) The search area or areas.
 - (D) The theory of location applied in re-establishing the corner.
 - (E) Other relevant information regarding the perpetuation of the corner in the surveyor's report or on the plat of survey, or both.

(3) Provide a copy of the surveyor's report and plat of survey to the county surveyor.

(State Board of Registration for Professional Surveyors; 865 IAC 1-12-30; filed May 4, 2006, 1:25 p.m.: 29 IR 3021; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

Rule 13. Continuing Education

865 IAC 1-13-1 Continuing education (Repealed)

Sec. 1. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-2 Continuing education requirements (Repealed)

Sec. 2. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-3 New registrants exempted (Repealed)

Sec. 3. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-4 Length of instruction hour; length of course (Repealed)

Sec. 4. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

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

Sec. 5. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-6 Mandatory topics (Repealed)

Sec. 6. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-7 Elective topics (Repealed)

Sec. 7. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-8 Continuing education credit not given (Repealed)

Sec. 8. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-9 Retention of certificates of completion (Repealed)

Sec. 9. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-10 Hours used in later renewal cycles (Repealed)

Sec. 10. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-11 College courses as continuing education (Repealed)

Sec. 11. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-12 Credit for instructors (Repealed)

Sec. 12. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-13 Inactive status (Repealed)

Sec. 13. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-14 Reactivation of inactive license (Repealed)

Sec. 14. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

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

Sec. 15. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

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

Sec. 16. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-17 Continuing education required after reactivation (Repealed)

Sec. 17. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-18 Petitions for reduction of hours (Repealed)

Sec. 18. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-19 Audits of continuing education compliance (Repealed)

Sec. 19. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-13-20 Sunset provision (Repealed)

Sec. 20. *(Repealed by State Board of Registration for Professional Surveyors; filed Nov 7, 2003, 11:45 a.m.: 27 IR 876)*

Rule 14. Continuing Education Providers

865 IAC 1-14-1 Approval of providers (Repealed)

Sec. 1. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-2 Continuing education course providers (Repealed)

Sec. 2. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-3 Course provider application (Repealed)

Sec. 3. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-4 Course provider applications; submissions (Repealed)

Sec. 4. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-5 Expiration of approval (Repealed)

Sec. 5. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-6 Renewal of course provider approval (Repealed)

Sec. 6. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-7 Notification of changes (Repealed)

Sec. 7. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-8 Facilities (Repealed)

Sec. 8. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-9 Instructor qualifications (Repealed)

Sec. 9. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-10 Ineligible instructor candidates (Repealed)

Sec. 10. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-11 Course approval (Repealed)

Sec. 11. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-12 Course evaluations (Repealed)

Sec. 12. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-13 Certifications of completion (Repealed)

Sec. 13. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-14 Courses not completed (Repealed)

Sec. 14. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-15 Reporting attendance to the board (Repealed)

Sec. 15. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-16 Auditing courses by the board (Repealed)

Sec. 16. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-17 Record retention (Repealed)

Sec. 17. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-18 Audits of continuing education compliance (Repealed)

Sec. 18. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-19 Discipline for noncompliance (Repealed)

Sec. 19. *(Repealed by State Board of Registration for Professional Surveyors; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA)*

865 IAC 1-14-20 Sunset provision (Repealed)

Sec. 20. *(Repealed by State Board of Registration for Professional Surveyors; filed Nov 7, 2003, 11:45 a.m.: 27 IR 876)*

Rule 15. Continuing Education

865 IAC 1-15-1 Continuing education

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-4-5; IC 25-1-4-6; IC 25-1-11; IC 25-21.5

Sec. 1. (a) This rule establishes the continuing education requirements for registered land surveyors.

(b) Failure to comply with this rule may subject the registered land surveyor to action under IC 25-1-4-5 and IC 25-1-4-6. *(State Board of Registration for Professional Surveyors; 865 IAC 1-15-1; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)*

865 IAC 1-15-2 Continuing education requirements

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

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

Sec. 2. (a) Registered land surveyors must complete a minimum of twenty-four (24) hours of continuing education in order to qualify for the biennial renewal of the land surveyor's license in an active status. The twenty-four (24) hours of continuing education requirement must include both of the following:

(1) A minimum of six (6) continuing education hours in mandatory topics as defined in section 6 of this rule.

(2) A minimum of eighteen (18) continuing education hours in elective topics as defined in section 7 of this rule.

(b) New registrants are not required to comply with the continuing education requirements stated in subsection (a) at the first renewal of his or her license.

(c) No single elective course may count for more than twelve (12) hours of continuing education. Hours in excess of twelve (12) granted for any single elective course shall not be applied to the hours of continuing education required in the renewal period except as otherwise allowed under subsection (e).

(d) College courses taken after licensure that qualify for continuing education credit under section 5 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.

However, college credit earned under this section and applied as elective continuing education hours must comply with the requirements of subsection (c).

(e) Up to four (4) hours of elective continuing education topics earned, but not used, in one (1) renewal period may be applied to the hours required in the next renewal period. Proper documentation of any such hours shall be submitted as required by the board. *(State Board of Registration for Professional Surveyors; 865 IAC 1-15-2; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)*

865 IAC 1-15-3 Length of instruction hour; length of course

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

Affected: IC 25-21.5

Sec. 3. (a) One (1) hour of continuing education must contain at least fifty (50) minutes of instruction.

(b) A continuing education course shall be a minimum of one (1) hour of instruction. *(State Board of Registration for Professional Surveyors; 865 IAC 1-15-3; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)*

865 IAC 1-15-4 Credit for instructors

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

Affected: IC 25-21.5

Sec. 4. (a) Two (2) hours of continuing education credit will be granted per hour of time spent as a lecturer, instructor, or discussion leader in a continuing education course that meets the requirements of sections 5 through 7 of this rule.

(b) Continuing education credit as provided for under subsection (a) will be granted only the first time an approved course is presented per biennium. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-4; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-5 Continuing education topics

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-4-0.2; IC 25-1-4-0.5; IC 25-21.5

Sec. 5. (a) To qualify as continuing education under this rule as provided for in IC 25-1-4-0.5, a course must be an orderly process of instruction that is:

(1) approved by an approved organization (as defined by IC 25-1-4-0.2) or the board; and

(2) designed to directly enhance the land surveyor's knowledge and skill in providing land surveying services relevant to the profession of land surveying.

(b) Qualifying continuing education courses are categorized either as mandatory under section 6 of this rule or elective under section 7 of this rule. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-5; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-6 Mandatory topics

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-4-0.5; IC 25-1-11; IC 25-21.5-1-7

Sec. 6. The following topics and course content are defined as mandatory by the board in qualifying as continuing education under IC 25-1-4-0.5 and section 5 of this rule:

(1) 865 IAC 1-10, rules of professional conduct.

(2) 865 IAC 1-12, if taught in a comprehensive manner.

(3) 865 IAC 1-12-3, surveyor responsibility.

(4) 865 IAC 1-12-7, measurements for retracement surveys, original surveys, and route surveys.

(5) 865 IAC 1-12-11, surveyor conclusions in retracement surveys.

(6) 865 IAC 1-12-12, publication of retracement and original survey results.

(7) 865 IAC 1-12-13, retracement and original survey plats.

(8) 865 IAC 1-12-20 through 865 IAC 1-12-25, route surveys.

(9) 865 IAC 1-12-27 through 865 IAC 1-12-29, surveyor location reports.

(10) 865 IAC 1-12-30, section corner perpetuation.

(11) IC 25-21.5, Indiana land surveyor's registration act.

(12) IC 25-21.5-1-7(a)(4), the preparation of legal descriptions for tracts of land to be used in the preparation of deeds of conveyance or other instruments.

(*State Board of Registration for Professional Surveyors; 865 IAC 1-15-6; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-7 Elective topics

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-4-0.5; IC 25-1-11; IC 25-21.5

Sec. 7. The following topics and course content are defined as elective by the board in qualifying as continuing education under IC 25-1-4-0.5 and section 5 of this rule:

(1) Mandatory topics as defined in section 6 of this rule.

(2) College level mathematics.

- (3) College level physical sciences.
- (4) Federal and state laws, rules, regulations, and practices pertaining to the following:
 - (A) The establishment or reestablishment of land boundaries in Indiana.
 - (B) The practice of land surveying in Indiana.
- (5) The design, planning, and platting of subdivisions.
- (6) Preparation of plans and profiles for:
 - (A) roads;
 - (B) storm drainage; and
 - (C) sanitary sewer extensions;in subdivisions.
- (7) The ethical, economic, and legal principles that pertain to the practice of land surveying.
- (8) Topographic and hydrographic surveying.
- (9) Construction layout.
- (10) Remote data acquisition systems, such as the following:
 - (A) Photogrammetry.
 - (B) LiDAR.
 - (C) Remote sensing.
- (11) Surveying applications, such as the following:
 - (A) GIS.
 - (B) LIS.
- (12) Advanced surveying procedures and equipment, such as the following:
 - (A) GPS.
 - (B) Laser scanning.
- (13) Computer applications for land surveyors.
- (14) Communication, such as the following:
 - (A) Public speaking.
 - (B) Technical writing.

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-7; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-8 Distance learning requirements

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

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

Sec. 8. (a) Up to twelve (12) hours of the continuing education credits required under this rule may be obtained by distance learning methods.

- (b) For a distance learning course to be acceptable to the board, it must:
 - (1) meet the requirements of sections 5 through 7 of this rule;
 - (2) be presented or otherwise formatted in a logical order and may make use of a variety of media or delivery techniques, including:
 - (A) printed materials;
 - (B) video or DVD;
 - (C) live broadcast; or
 - (D) the Internet;
 - (3) include, at the end of the course, an examination that is graded by the provider;
 - (4) be completed within one (1) year of enrollment in the course; and
 - (5) provide for confirmation of successful completion of the course by the provider.

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-8; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-9 Approval of courses

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7

Affected: IC 25-1-4-0.2; IC 25-1-11; IC 25-21.5

Sec. 9. (a) A course qualifies for continuing education credit if it:

- (1) meets the requirements of sections 5 through 7 of this rule;
- (2) if the course is a distance learning course, meets the requirements of section 8 of this rule; and
- (3) either is approved by:
 - (A) an approved organization as defined in IC 25-1-4-0.2; or
 - (B) the board under subsection (b) or (c).

(b) A course provider that is not approved by an approved organization as defined in IC 25-1-4-0.2 may request specific board approval of a continuing education course by submitting on a form provided by the board the following information:

- (1) A course outline demonstrating that the course content meets the requirements of sections 5 through 7 of this rule.
- (2) The name and address of the provider.
- (3) The telephone number of a contact person for the provider.
- (4) The name and address of each instructor.
- (5) Biographical information for each instructor sufficient to demonstrate their qualifications to competently teach the course as provided for in section 11 of this rule.
- (6) The number of mandatory or elective hours being requested for approval.
- (7) The student evaluation form for evaluations under section 23 of this rule.

(c) A registered land surveyor may request specific board approval of any continuing education course by submitting course material. The following information must be provided:

- (1) The following information about the course:
 - (A) The course title.
 - (B) The course outline or a description demonstrating that the course content meets the requirements of section 5 of this rule and section 6 or 7 of this rule.
 - (C) The location where the course was taught.
 - (D) The date the course was taught.
 - (E) The name, telephone number, and address of the provider.
 - (F) The name and address of each instructor.
 - (G) Biographical information for each instructor sufficient to demonstrate their qualifications to competently teach the course content as provided for in section 11 of this rule.
- (2) The name and license number of the registered land surveyor requesting approval.
- (3) A certified statement signed by the registered land surveyor stating that the entire course was completed.
- (4) The number of mandatory or elective hours as defined in section 6 or 7 of this rule being requested for approval.

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-9; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-10 Proof of course completion

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

Affected: IC 25-1-4-3; IC 25-1-11; IC 25-21.5

Sec. 10. (a) The registered land surveyor is responsible for obtaining the evidence necessary to demonstrate that:

- (1) any course for which continuing education credit will subsequently be claimed was completed; and
- (2) the course met the requirements of this rule.

(b) The registered land surveyor shall retain the evidence required in subsection (a) for not less than three (3) years as provided for in IC 25-1-4-3(a)(2). *(State Board of Registration for Professional Surveyors; 865 IAC 1-15-10; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)*

865 IAC 1-15-11 Ineligible instructor candidates

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

Sec. 11. (a) This section applies to board approval of continuing education courses under section 9(b) of this rule.

(b) Anyone whose professional license or certification is under sanction in any jurisdiction may not instruct while the disciplinary sanction is in effect.

(c) Anyone who does not have an advanced knowledge of the course material being taught may not instruct. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-11; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-12 Continuing education credit not given

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-1-11; IC 25-21.5

Sec. 12. Credit will not be given for any of the following:

- (1) Any education obtained before licensure.
- (2) Motivational classes or seminars.
- (3) Meetings of the board.
- (4) Business, social, or other noneducational meetings of professional groups, or subgroups, such as the Indiana Society of Professional Land Surveyors.
- (5) Committee work with local, state, or national professional organizations.
- (6) Staff meetings.
- (7) Courses taken for a second or subsequent time during a renewal period.
- (8) Courses not completed due to dismissal by the provider for disruption of the course.

(*State Board of Registration for Professional Surveyors; 865 IAC 1-15-12; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-13 Inactive status

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

Sec. 13. (a) Registered land surveyors may apply to the board to renew their licenses in an inactive status.

(b) No continuing education is required to renew inactive.

(c) An inactive registered land surveyor may not practice land surveying while in an inactive status. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-13; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-14 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 Professional Surveyors; 865 IAC 1-15-14; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-15 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 in accordance with section 2 of this rule, within the two (2) year period immediately prior to the date the reactivation application is filed.

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-15; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-16 Reactivation if inactive for more than six years

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
 Affected: IC 25-1-11; 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:

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

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-16; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; errata filed Apr 27, 2010, 10:12 a.m.: 20100512-IR-865100249ACA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-17 Continuing education required after reactivation

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
 Affected: IC 25-1-11; 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 renewal date in the table in this section 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 the following table may be met by taking courses of elective topics that meet the requirements of section 7 of this rule:

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

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-17; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-18 Reactivation of a delinquent or lapsed license

Authority: IC 25-21.5-2-14; IC 25-21.5-8-7
 Affected: IC 25-1-8-6; IC 25-1-11; IC 25-21.5

Sec. 18. (a) A registered land surveyor who wishes to reinstate an expired license must meet the continuing education requirements as provided for in IC 25-1-8-6.

(b) A registered land surveyor who wishes to reinstate a license that has been expired for six (6) years or less must meet the continuing education requirements as provided for in sections 15 and 17 of this rule for reactivation of inactive licenses.

(c) A registered land surveyor who wishes to reinstate a license that has been expired for more than six (6) years must meet the continuing education requirements as provided for in sections 16 and 17 of this rule for reactivation of inactive licenses. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-18; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-19 Petitions for reduction of hours

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

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

Sec. 19. Registered land surveyors may petition the board in writing for waiver of all or part of the continuing education requirements for a renewal period in accordance with IC 25-1-4-4. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-19; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-20 Continuing education compliance

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7

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

Sec. 20. Continuing education audits and actions regarding noncompliance will be conducted as provided for in IC 25-1-4. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-20; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-21 Rescinding course approval

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

Affected: IC 4-21.5-3-7; IC 4-21.5-3-8; IC 25-1-11; IC 25-21.5

Sec. 21. (a) This section applies to continuing education courses approved by the board under section 9(b) of this rule.

(b) Upon receipt of a written complaint from a registered land surveyor regarding a continuing education course, or as a result of a report from a representative of the board attending the course as provided for in section 25 of this rule indicating noncompliance with this rule, the board, or its representative, may request one (1) or both of the following from the course provider or the instructor, or both:

(1) Copies of the provider's student evaluations for that course.

(2) Appear to answer questions regarding the course.

(c) If after investigation the board determines that the course does not meet the requirements of this rule, approval of that course for continuing education purposes may be:

(1) rejected; or

(2) rescinded if it had otherwise been previously approved under section 9(b) of this rule.

(d) The course provider for any course investigated by the board shall be:

(1) provided a copy of any report prepared in accordance with section 25 of this rule;

(2) provided the results of the board's investigation; and

(3) entitled to a hearing as provided for in IC 4-21.5-3-7 or IC 4-21.5-3-8.

(*State Board of Registration for Professional Surveyors; 865 IAC 1-15-21; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

865 IAC 1-15-22 Expiration of approval

Authority: IC 25-1-4-8; IC 25-21.5-2-14; IC 25-21.5-8-7
Affected: IC 25-1-11; IC 25-21.5

Sec. 22. Continuing education courses approved by the board under section 9(b) of this rule remain approved indefinitely until or unless:

- (1) any of the items defining that course and required under section 9(b) of this rule change, in which case a provider wishing to maintain approval must resubmit course information as provided under section 9(b) of this rule; or
- (2) such approval is rescinded by action of the board under section 21 of this rule.

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-22; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-23 Course evaluations

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

Sec. 23. For continuing education courses approved under section 9(b) of this rule, course providers shall conduct a written student course evaluation. *(State Board of Registration for Professional Surveyors; 865 IAC 1-15-23; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)*

865 IAC 1-15-24 Course credit

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

Sec. 24. (a) Course providers, at their discretion, may grant the following to registered land surveyors:

- (1) Partial credit in proportion to the amount of time that a registered land surveyor attended the continuing education course.
- (2) After one (1) hour of instruction, credit in one-half (1/2) hour increments.
- (b) To receive full credit for a course, a registered land surveyor must:
 - (1) be present for the entire course; or
 - (2) in the case of continuing education obtained by college or university courses, receive full credit for the course from that college or university.

(State Board of Registration for Professional Surveyors; 865 IAC 1-15-24; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA)

865 IAC 1-15-25 Auditing courses by the board

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

Sec. 25. (a) For courses approved under section 9(b) of this rule, the board reserves the right to send a representative to evaluate a course and related aspects, such as the:

- (1) facilities;
- (2) course outline;
- (3) handouts;
- (4) instructor or instructors; and
- (5) presentation;

at no cost to the board or its representative. The representative may record all or part of any presentations.

(b) Board representatives who attend continuing education courses without paying the full fee charged by the course provider are ineligible to receive continuing education credit for those courses.

(c) Board representatives who attend continuing education courses as provided for in this section shall prepare a written

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report to the board addressing compliance of the course and its instructor or instructors with this rule. (*State Board of Registration for Professional Surveyors; 865 IAC 1-15-25; filed Feb 12, 2010, 2:56 p.m.: 20100310-IR-865090270FRA; readopted filed Nov 9, 2012, 11:26 a.m.: 20121205-IR-865120390RFA*)

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