

1 H.616

2 Introduced by Representative Till of Jericho

3 Referred to Committee on

4 Date:

5 Subject: Professions and occupations; Secretary of State, Office of

6 Professional Regulation; Board of Land Surveyors; practice of land

7 surveying; licensed land surveyors

8 Statement of purpose of bill as introduced: This bill proposes to amend the
9 definition of “practice of land surveying” as it relates to the professional
10 regulation of land surveyors.

11 An act relating to the professional regulation of land surveyors

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. 26 V.S.A. § 2502 is amended to read:

14 § 2502. DEFINITIONS

15 For the purpose of this chapter:

16 (1) “Board” means the Board of Land Surveyors established under this
17 chapter.

18 (2) “Disciplinary action” includes any action taken against a licensee for
19 unprofessional conduct.

1 (3) “Licensed land surveyor” means a person licensed by the Board who
2 is:

3 (A) a professional specialist in measuring land;

4 (B) educated in the principles of mathematics, the related physical
5 and applied sciences, and real property law; and

6 (C) engaged in the practice of land surveying as defined in this
7 section.

8 (4) “Practice of land surveying” means providing, or offering to provide,
9 professional services, including record research, reconnaissance,
10 measurements, gathering parol evidence, analysis of evidence, mapping,
11 planning, applying special knowledge of the rules of evidence and boundary
12 law, expert testimony, and consultation related to any of the following:

13 (A) locating, relocating, establishing, reestablishing, or retracing
14 property lines or boundaries, or demarcating other legal rights or interests in
15 any tract of land, road, right-of-way, or easement;

16 (B) locating lines, angles, elevations, and natural and man-made
17 features in the air, on the surface of the earth, within underground workings,
18 and on the beds of bodies of water;

19 (C) locating or laying out alignments, positions, or elevations for the
20 construction of fixed works;

1 (D) determining, by the use of principles of surveying, the position
2 for any boundary monument or reference point, or replacing any monument or
3 reference point;

4 ~~(C)~~(E) making any survey for the platting, layout, division,
5 subdivision, or consolidation of any tract of land;

6 ~~(D)~~(F) creating, preparing, or modifying field note records, property
7 descriptions, and graphic documents such as maps, plats, and plans, or
8 electronic data used or referenced in instruments of conveyance of rights in
9 real property, or that define rights in real property, or are used to define such
10 rights;

11 ~~(E)~~(G) calculating dimensions ~~and~~, areas, and volumes, which may
12 be used to define rights in real property;

13 (H) determining by performing geodetic surveys the size and shape
14 of the earth or the position of any point on the earth.

15 (5) “Monument” excludes paint marks, ribbons, signs, and any
16 nonpermanent structures supporting ribbons or signs.

17 (6) “Responsible charge” means direct control and personal supervision.

18 (7) “Supervision” of an applicant means regular personal review of the
19 applicant’s land surveying work.

20 Sec. 2. EFFECTIVE DATE

21 This act shall take effect on July 1, 2020.