

ASSEMBLY, No. 1560

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Assemblymen DeCROCE and DiGAETANO

1 **AN ACT** concerning professional competency requirements for land
2 surveyors and amending P.L.1993, c.39.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 1 of P.L.1993, c.39, (C.45:8-35.2) is amended to read
8 as follows:

9 1. The State Board of Professional Engineers and Land Surveyors
10 shall require each person licensed as a land surveyor, as a condition for
11 biennial certification pursuant to P.L.1938, c.342 (C.45:8-27 et seq.)
12 and P.L.1972, c.108 (C.45:1-7), to complete not more than 24 credits
13 of continuing professional competency relating to and involving the
14 practice of land surveying, as provided in section 2 of this act, during
15 each biennial registration period, except that: a. in the case of any
16 person licensed as a land surveyor who is 55 years of age or older and
17 practicing as a surveyor for not less than 10 years, the board shall
18 provide for a reduction of required credits of continuing professional
19 competency by a minimum of 50 percent; and b. no person licensed
20 as a land surveyor who is 65 years of age or older and practicing as a
21 licensed land surveyor for not less than 10 years shall be required to
22 meet the requirements of this section.

23 (P.L.1993, c.39, s.1)

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25 2. Section 2 of P.L.1993, c.39 (C.45:8-35.3) is amended to read as
26 follows:

27 2. a. The board shall:

(1) Establish standards for continuing professional competency in land surveying, including private and government practice in various full-time and part-time forms, and the subject matter and content of courses of study that shall be in conformity with the course requirements and content standards contained in R.S. 45:8-35 and such other programs and subject matter that enables a licensee to remain current with the rules and regulations promulgated by the

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 board, which [shall] may be in general conformity with a national
2 model, such as that of the National Council of Examiners for
3 Engineering and Surveying and takes into account the specific needs
4 of this State;

5 (2) [Approve] Accept all educational programs offering credit
6 towards the continuing professional competency in land surveying
7 requirements until such time that the board deems any such program
8 or programs unacceptable; and

9 (3) [Approve] Accept all other equivalent educational programs,
10 including, but not limited to, meetings of constituents and components
11 of land surveying associations and other appropriate professional and
12 technical associations [recognized by the board] relating to the
13 profession, examinations, papers, publications, technical
14 presentations, teaching and research appointments and technical
15 exhibits, and shall establish procedures for the issuance of credit upon
16 satisfactory proof of the completion of these programs until such time
17 that the board deems any such program or programs unacceptable.

18 b. In the case of education courses and programs, each hour of
19 instruction shall be equivalent to one credit.

20 c. In the case of private or government practice, the following shall
21 apply:

22 Full-time practice in which signing and sealing of professional work
23 is involved, shall account for 80 percent of the required credits of
24 continuing professional competency;

25 Full-time practice in which signing and sealing of professional work
26 is not involved, shall account for 70 percent of the required credits of
27 continuing professional competency:

28 Part-time practice in which signing and sealing of professional work
29 is involved, shall account for 60 percent of the required credits of
30 continuing professional competency; and

31 Part-time practice in which signing and sealing of professional work
32 is not involved, shall account for 25 percent of the required credits of
33 continuing professional competency.

34 (P.L.1993, c.39, s.2)

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36 3. Section 3 of P.L.1993, c.39 (C.45:8-35.4) is amended to read as
37 follows:

38 3. The board shall:

39 a. Establish procedures for monitoring compliance with the land
40 surveying continuing professional competency requirements; [and]

41 b. Establish procedures to evaluate [and grant approval to]
42 educational programs and providers of continuing professional
43 competency in land surveying and disapprove any such educational
44 program or provider when found to be unacceptable;

45 c. Provide each licensed land surveyor a list of all disapproved
46 educational programs and providers at the beginning of each biennial

1 certification period and at such other times the board deems it
2 appropriate to keep licensees aware of the status of programs and
3 providers; and

4 d. Establish procedures to remove all or part of a licensee's
5 continuing professional competency credits granted in accordance with
6 the provisions of section 2 of P.L.1993, c.39 (C.45:8-35.3) for wanton
7 and willful disregard of any provisions of P.L.1938, c.342 (C.45:8-27
8 et seq.) or any regulations promulgated thereto pertaining to licensed
9 land surveyors. The board shall take into account in determining the
10 amount of continuing professional competency credits to be removed
11 the time remaining in the biennial certification period and may extend
12 the removal of a licensee's credits into the next biennial licensing
13 period. The board shall require a licensee whose credits have been so
14 removed to complete continuing professional competency credits
15 through courses or educational programs related to the areas in which
16 wanton and willful disregard of the laws or regulations have occurred.
17 The total number of required credits shall not exceed the total number
18 of credits required for license renewal as provided in P.L.1993, c.39
19 (C.45:8-35.2 et seq.). Upon satisfactory completion of these courses
20 or educational programs, a licensee shall be permitted to receive
21 continuing professional competency credits in accordance with the
22 provisions of section 2 of P.L.1993, c.39 (C.45:8-35.3).

23 (P.L.1993, c.39, s.3)

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25 4. Section 4 of P.L.1993, c.39 (C.45:8-35.5) is amended to read as
26 follows:

27 4. The board may, in its discretion, waive requirements for
28 continuing professional competency in land surveying on an individual
29 basis for reasons of hardship such as illness or disability, service in the
30 armed forces of the United States of America, retirement [of the
31 license], or other good cause.

32 (P.L.1993, c.39, s.4)

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34 5. Section 7 of P.L.1993, c.39 (C.45:8-35.8) is amended to read as
35 follows:

36 7. The board shall accept as proof of completion of continuing
37 professional competency program credits [documentation] certification
38 submitted by a person licensed as a land surveyor or by any entity
39 offering a continuing professional competency program [approved]
40 that has not been disapproved by the board pursuant to section [2] 3
41 of this act.

42 (P.L.1993, c.39, s.7)

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44 6. This act shall take effect immediately.

1 STATEMENT
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3 This bill amends the law which requires land surveyors to complete
4 not more than 24 credits of continuing professional competency
5 relating to the practice of land surveying during each biennial
6 certification period to be eligible for renewal of their certification. The
7 bill stipulates that licensed land surveyors who are 65 years of age or
8 older and have practiced as surveyors for not less than 10 years are
9 exempt from this continuing education requirement and that licensed
10 land surveyors who are 55 years of age or older and have practiced as
11 surveyors for not less than 10 years shall be granted a reduced credit
12 requirement for continuing professional competency of at least 50
13 percent. Also, the bill reduces the number of credits required of
14 licensed land surveyors involved in private or government practice
15 according to a formula based upon whether the surveyor is engaged in
16 a full-time or part-time practice and whether the signing or sealing of
17 professional work is involved.

18 Under current law, the board must approve educational programs
19 offering credit towards continuing professional competency in land
20 surveying. This bill provides, instead, that all such programs may be
21 used by a land surveyor for credit; only if the board deems a program
22 unacceptable will it no longer be counted for credit in satisfying the
23 continuing education requirement. In addition, this bill removes the
24 current mandate in law that the standards for continuing professional
25 competency in land surveying shall be in conformity with a national
26 model, such as that of the National Council of Examiners for
27 Engineering and Surveying.

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32 Revises continuing education requirements for land surveyors.